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The University as a Social System

Niklas Luhmann on the Problem of Self-Descriptions

The Case of the University of Cape Town's Admissions Policy

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Abstract

Niklas Luhmann found the modern world moving in an increasingly functionally differentiated trajectory which made its operations very complex. He also noticed that this complexity sometimes manifests in the form of a difficulty systems face when observing themselves. For Luhmann sociology, too, faces similar difficulties and this is reflected in debates regarding articulations of its project. In his "Social Systems" (1984 [trans. 1995]), Luhmann outlines an epistemological project for sociology that attempts to address this problem of complexity, and this approach is used to examine a current debate regarding the self-description of the University of Cape Town (UCT). This examination is undertaken to investigate whether the self-description provided by UCT regarding its race-based affirmative action in admissions is responsible for the heated debate that it continues to elicit. It begins with a close examination of Luhmann's "Social Systems" which is used to conceptualize the university itself as a social system. Primary sources of data for analysis are the formal descriptions provided by the university (in the form of its admissions policy document and public communications); and, descriptions provided by other observers (debates in the academic and public spaces). The description regarding use of applicants' race in the admissions process is the specific focus of analysis in this examination. Accordingly, it is found that (a) descriptions provided in the admissions policy document have evolved over the last few years in a manner that anticipates Luhmann's idea of 'autopoietic functional differentiation' by social systems; (b) descriptions provided in the admissions policy are inadequate in explaining the use of applicant's race in the admissions function of the university; and (c) arguments in academic debates lack the descriptive power to illustrate the problem of the use of race in admissions in a manner that can be appreciated by the university. From these findings, we discuss (1) the implication of a differentiating self-description; (2) the form of what an adequate description of the admissions policy may resemble; and (3) how an academic argument can be fine-tuned to exact a response from the university. In so doing, this dissertation seeks to illuminate the problems modern systems face in observing and describing themselves, and how Luhmann's epistemic project can be used to understand a specific real-world problem.

Table of Contents

Abstract	i
Table of Contents.....	ii
List of Tables	iii
1. INTRODUCTION	1
2. BACKGROUND.....	12
3. PROBLEM	27
4. CONCEPTUALIZATION	41
A. System Origin	43
4.1 A System.....	44
B. System Functions	49
4.2 Meaning	49
4.3 Double Contingency.....	52
4.4 Communication and Action	56
C. Intra-systemic Operations	59
4.5 System and Environment	60
4.6 Interpenetration	65
4.7 Psychic Systems.....	71
D. System Security	74
4.8 Expectations.....	75
4.9 Immunization	81
4.10 Episodization	87
4.11 Asymmetricization	92
5. ANALYSIS	97
5.1 Self-Description of UCT	99
5.2 Description of UCT by Others	109
A. Interactional Contributions	110
B. Societal Contributions.....	112
C. Tabular Summary of Contributions	115
5.3 Evaluating Academic Descriptions	117
A. Relevance (Symmetry) Requirement.....	118
B. Operational Requirement.....	120
C. Asymmetry Requirement.....	125
D. Summary of Evaluation.....	128
6. IMPLICATIONS.....	131
6.1 Implications for Self-Description: Contextualizing Race	132
6.2 Implications for Self-description: Administrative Race	135
6.3 Implications for Self-description: Public	142
7. CONCLUSIONS	151
REFERENCE	155

List of Tables

Table 1: Opening paragraphs of the UCT Admissions Policy Document for the last four years.	29
Table 2: Summary of scores required for a probable admission to the Bachelor of Medicine degree (summarized from the 2010, 2011 and 2013 admission documents).....	30
Table 3: Declaration of quota requirements “Equity Targets” of the university in its Admission Policy Documents.	32
Table 4: Summary of academic arguments for and against the use of race in university admissions (<i>South African Journal of Higher Education, 24(2), 2010</i>).....	37
Table 5: The opening sentence of UCT’s admissions policy document for the years 2010 - 2013 ..	106
Table 6: Contributions in order of appearance in the South African journal of Higher Education, Volume 24, Issue 2, 2010. The contributions are classified based on the type of abstraction (societal / interactional) and their position towards the use of race (yes / no / no definite position).....	116
Table 7: Proportion of income of the University of Cape Town	124
Table 8: Evaluation of Contributions based on ‘Relevance’, ‘Operational’ and ‘Asymmetry’ Requirements.....	129
Table 9: Opening paragraphs of UCT’s Admissions Document.....	137

1. INTRODUCTION

I

This doctoral dissertation is about the problem of self-description. Niklas Luhmann's observed that modern society continues to describe itself inadequately because of the complexity of its operations¹. This inadequacy is apparent in continuing debates regarding the project of social theorization, and includes instances where the project of Sociology is in question, as detailed in Chapter 2. In this dissertation, the self-description of the University of Cape Town,² in particular its admissions policy³ is examined to see if it is responsible for the heated debate it continues to provoke.

As part of its post-Apartheid transformation process, UCT makes use of applicants' race⁴ to identify those who are to be considered for affirmative action. This process of admission has been (and continues to be) a cause for debate. Although there is no dispute regarding the fact that race was used exclusively in the past to classify the population, and the need for redressing the differences created by racial classification of the past, UCT continues to be criticized for using race, as detailed in Chapter 3.

the question this dissertation attempts to answer is:

Is the self-description of the university responsible for the debate it continues to elicit?

The hypothesis of this dissertation is that the description provided by UCT is not adequate to describe its processes, and that this inadequacy is a function of the complexity of its operation. In other words, the statements which are used to describe the process of admissions in the Admissions Policy Document are not

¹ This is discussed in Niklas Luhmann's *Social Systems* (1984 [trans 1995]), hereafter designated as "SS".

² The University of Cape Town, in Cape Town, South Africa (is hereafter designated as "UCT").

³ Appendix II contains UCT Admissions Policies Documents for the years 2010, 2011, 2012, and 2013 (documents are all published in respective preceding years).

⁴ Race is understood in this dissertation in terms of the South African *Population Registration Act* of 1950 which required and provided the criteria for the classification of the population of South Africa into distinct groups of "Bantu," "Whites," and "Coloureds."

adequate representations of the process of admissions. This is in line with Niklas Luhmann's observation that there is a difference between the operation of observation and the operation of reproduction, where the 'operation of reproduction' is what is observed, e.g., the admissions process. In Luhmann, one finds reasons apparent in the function of social systems as to why social systems are unable to approximate their reproductive operations adequately in their self-descriptions (SS:285).

To draw the relationship between Luhmann's *Social Systems* and UCT's admissions operation, the university is conceptualized as a social system (Chapter 4). Based on this characterization of the university, this dissertation discusses in Chapter 5, in what manner (a) UCT's admissions policy document has evolved in a manner that anticipates Luhmann's *Social Systems*; (b) how the statements provided in the admissions policy document are different from the admissions objectives of the University; and (c) the university's inability to appreciate the criticisms regarding its admissions policy. This is assumed to be the reason for the continuation of the debate.

The implications of these findings are presented in Chapter 6 in terms of the possible descriptive trajectory UCT shall assume if it is to operate as a social system. This discussion includes firstly the form and possible content of an academic argument that may provide a better articulation of the use of race in the admissions process, and secondly the form and contents of how the university shall present itself in public and academic debates regarding its admissions operation.

The underlying rationale behind the discussions of this dissertation is the need for self-descriptions to arise from the operations of the self-describing system, and not from the descriptions forced upon it by other systems in its environment. It is my conclusion that UCT's attempt to describe its operation in terms of legal, economic, moral and political systems (i.e. in terms other than its own operations) is what has made its self-description weak and its defence of its self-description impervious to productive engagement.

II

The point of entry to this investigation is a public debate hosted by the University of Cape Town on September 2, 2010⁵ regarding its admissions policy. This point is selected because it is an important indicator of certain assumptions held in society regarding the project of science.

The following statement is made by Neville Alexander⁶ in opposition to the use of race in admissions to the university:

Universities have a mandate. We are an intellectual elite... We are privileged and we are privileged also in intellectual terms. We have a mandate to challenge things that we know are from a scientific position, wrong. Racial classification is wrong *per se*. Racial classification in post-apartheid South Africa is wrong for all the reasons that we know. And from that point of view, therefore, the university should rather make the effort, the intellectual effort, to find feasible ways of dealing with this matter. [Appendix I, Paragraph 22]

This statement was made at what the *New York Times* called a “standing-room-only campus debate” (Dugger 2010) where the question whether race should be used in admissions to identify candidates for affirmative action or not was being debated⁷. It was in his opening remarks (remarks that condemned the use of race in admissions) that Professor Neville Alexander made the appeal quoted above. In this statement, Neville Alexander makes a foundationalist⁸ argument that is important as a starting point to this dissertation:

- a. that the use of race is wrong *per se* (without requiring any additional rationale);
- b. that science can tell us what right action is from what is wrong, and that the use of race is wrong;

⁵ The complete transcript of the public debate is attached as Appendix I.

⁶ Neville Alexander (22 October 1936 - 27 August 2012) was a Professor of Linguistics and the director of “Project for the Study of Alternative Education in South Africa” at the University of Cape Town. He was also a former anti-Apartheid activist who spent ten years in prison on Robben Island along with Nelson Mandela (Magnien 2012).

⁷ In the debate, there were positions in favour of the use of racial variables in admissions [e.g., Appendix I, PARA 16,24,37], while other positions in opposition to such methods [e.g., Appendix I, PARA 21,32]. There was also a side that questioned if it is indeed the responsibility of a university (as an educational institution) to engage in what it termed as a ‘political’ debate [Appendix I, PARA 196].

⁸ By ‘foundationalist’ I mean as a form of epistemic justification which holds that “all knowledge and justified belief rest ultimately on a foundation of non-inferential knowledge or justified belief” as defined by the *Stanford Encyclopedia of Philosophy* (Fumerton 2010).

- c. that the university community, as an elite scientific community, should join in saying “no” to the use of race in admission; and
- d. that the university should find a different way of dealing with affirmative action, other than race.

This dissertation is a form of response to Neville Alexander’s assumption regarding the role of science on the one hand and the role of the university as a scientific community on the other. Therefore, what follows is an attempt to demonstrate the contribution science (in this case, Sociology) can make by drawing on Niklas Luhmann’s observations. The hypothesis is that Neville Alexander’s argument rests on the existing self-description of the university and that the university’s self-description is not an adequate description of the admissions process.

However, sociology itself is not immune to the problems of self-description. Luhmann warns that the problem of self-observation appears in observations made by the scientific system itself, too, when he writes:

The scientific system can analyse other systems from perspectives that are not available to them. In this sense, it *can* discover and thematize latent structures and functions. Conversely, one often finds--especially in sociology--the situation that in dealing with themselves systems develop forms of access to complexity that are not accessible to scientific analysis and simulation. (SS:14)

If an understanding of the problem is expected from the university community, as suggested by Neville Alexander, and if a scientific system is to provide an analysis of the problem, Luhmann cautions that it needs to be in a position where it incorporates an account of its own inadequacies and internal complexities. Such a kind of reflexive, self-referential science of society is able to understand the limitations of its own project and the subsequent limitations its project may have on its observations and descriptions. In this sense, understanding of the problem cannot be found exclusively from within either the domain of science or the university as an institution.

In the meantime, to answer Neville Alexander’s question briefly, the following can be said:

The system of science (e.g., sociology) is not concerned with the rightness or wrongness of action, or with subsequent negation or affirmation of what is considered undesirable. The same is true when the use of race in admissions policy of a university is concerned. The project of sociology is to help understand what it means to use race (or not) in the admissions process, and not to actively argue for or against it.

To use Luhmann's formulation, it can be said that sociological analysis is not a "recommendation for a decision", instead, it is the "semantic reorganization of knowledge... in the effort to reach a proper formulation of the problem for modern society" (Luhmann 2008:20). In this way, Luhmann finds no indispensable norms in modern society that are self-evident and that require no further elaboration. Luhmann argues that when an investigator is asked, as it were, to "join in negating", (in the manner that Neville Alexander does in his assumptions) "the investigator is asked not to do research but to take sides" (SS:358).

III

Foundationalist assumptions in inquiries about the social are not unique to Neville Alexander. Neville Alexander is part of a long tradition of foundationalist sociology that reaches back to the origins of the discipline. A look at the history of the discipline suggests that Luhmann is, in fact, part of a minority group that is engaged in a non-foundationalist epistemology of sociology. Chapter 2 of this dissertation briefly outlines the ideological and psychological foundationalism that characterizes sociology in terms of the resistance it faced.

By using the same non-foundationalist approach, this dissertation moves away from 'joining in negating' the use of race in admissions process and instead attempts a 'semantic reorganization' of the problem by investigating 'why' it is used, 'how' it is used and if the description provided by the university adequately approximates its admissions process. In this manner, the 'mandate' of the scientific community will be to present adequate observations in the form of 'discovery and thematization' of structures and functions that are otherwise hidden from the view of other observing systems. To this effect, I would like to interpret Alexander's request to be the following:

We have a great tool at our disposal here in our universities. This tool is the scientific method. Therefore, it is our responsibility to use this tool in our continued effort to understand how our university is evolving.

In this formulation, science as a social system is invoked not because it is the only tool of observation, but because it is the primary tool employed by an institution geared towards the extension and advancement of the sciences (i.e. a university). However, observations are made by other observing systems as well. The political

system will have tools of political observation, so will the economic, the educational, the system of law, the systems of religion, etc. All systems have a particular mandate and they simultaneously make independent demands on the university (Chapter 4). All individual systems demand what they consider most desirable based on their own operations.

As a point of such social convergence, the University is inundated by demands from all observing systems in its environment. The constant monitoring and evaluation of such information (data) is instrumental in the university's ability to make decisions regarding its operations. Therefore, the university is constantly filtering through the enormous amount of environmental data, while at the same time seeking information on which its operational decisions are made daily.

In such an event, what would be false is to assume that the scientific system has some form of epistemological or administrative primacy over other observing systems and that the university can depend solely on it (the scientific system) for answers. Although it can be argued that the scientific system can 'analyse other systems from perspectives that are not available to them' as quoted above, discoveries made by the scientific method cannot, on and of itself, be sufficient in understanding the current issue in a social world where the scientific social system is but one system among many. In this case, it is quite probable that overriding economic, political or other mandates could render the scientific discovery unusable to the university regardless of its truth-value. Therefore, the usability of a scientific discovery is in its ability to be considered in the face of competing systems, as outlined in Chapter 6. In other words, insofar as a university administration is concerned, the usefulness of a scientific discovery lies in its ability to help the university understand its situation adequately.

In short, this dissertation does not hold a foundationalist position, nor does it tell the university that what it is doing is 'right' or 'wrong'. Not only is such a conclusion considered inadequate, it is also usually unusable, as outlined in Chapter 5, by a system that needs its insights the most. The best contribution the scientific system (or any of the competing systems) can make is in producing an observation that the university can use to better understand what it is facing. By using Niklas Luhmann's *Social Systems*, this is precisely what is attempted here.

IV

This dissertation is an attempt to demonstrate the practical use of Niklas Luhmann's project, too. Niklas Luhmann had a vision of reflexive sociology with a constructivist epistemology and an evolutionary theory. However, reception of Luhmann's work has been slow, mainly owing it to its admittedly labyrinthine exposition⁹. Accordingly, one of the objectives of this dissertation is to contribute to the growing interest in Luhmann by reducing some of its complexities.

The vision Niklas Luhmann had for sociology was as an academic discipline whose self-reference is the condition of its possibility, whose epistemology is able to locate itself as one of the objects of its inquiry (SS:478). He sought to increase the possibility for the recognition of the self-reference of sociology and social theorization. As a sociologist, Luhmann focused on the problems social theory continues to face because of its lack of adequate self-reference and self-applicability (SS:13).

Accordingly, in addition to outlining some of the epistemological problems of sociology as a discipline (Chapter 2), this dissertation also closely follows Luhmann's constructivist (non-foundational) epistemology and evolutionary theory to illustrate how some of the traditional problems of social theory, such as the foundationalist assumptions of Neville Alexander, can be avoided. Such a non-foundationalist approach to epistemology is not about a definitive position, is not able to choose sides, and is not able to give solutions independently. Its conclusions remain open and ask more questions than can be answered. Insofar as a race-based admissions policy is concerned, it actually raises the concern whether the concept of race itself is adequately understood at all, as detailed in Chapter 6.

As an exposition of Luhmann's project, this dissertation is also about outlining Luhmann's theory of *Social Systems* and demonstrating how the theory is a useful tool when observing systems. Because of the difficult nature of Luhmann's work and the complexity of his concepts, a substantial proportion of this dissertation is dedicated to the exegesis of his theory. This is undertaken in the form of

⁹ In the preface to his *Social Systems*, Luhmann admits that the theory he is developing is "a polycentric (and accordingly polycontextual) theory in an acentrally conceived world and society... [where] the theory's design resembles a labyrinth more than a freeway off into the sunset." (SS:li-lii)

conceptualizing the university itself as a social system (Chapter 4). By doing so, most of the major theoretical and epistemological features of Luhmann's *Social Systems* are introduced and elaborated.

This exposé is especially important because there has been little in-depth engagement with Luhmann's *Social Systems* as it applies to a contemporary sociological inquiry. Except for attempts which isolate aspects of the theory and apply them in various areas, there has not been adequate in-depth undertaking of the theory and its epistemological concerns as the *de facto* concerns of a contemporary social 'problem'. What is pertinent about this dissertation is that it employs Luhmann's project to not only observe and analyse a social problem, but also to design and formulate the research question and delimit its domain of investigation. In a classically Luhmannian formulation, the objects and methods of investigation as well as the observations and implications of the investigation arise from within the theory itself.

By deriving the objects and methods of investigation as well as the observations and implications of the investigation from within the theory itself, this dissertation attempts to bridge the gap between epistemological and social problems. Luhmann claims a purely "scientific" and "analytical interest" (SS:114) for his theoretical venture, and this dissertation is a demonstration of the practicality of this venture. By drawing intimate similarities between epistemological and social problems, this dissertation contributes both to the understanding of Luhmann's work (i.e. *Social Systems*) and to the understanding of a contemporary social condition (i.e. problem of self-description).

v

Insofar as Luhmann's *Social Systems* is concerned, this dissertation makes no attempt to provide a comparative analysis of contemporary social theories. It remains primarily the presentation of Niklas Luhmann's ideas. Instances of explicit comparison with other theories follow directly Luhmann's own attempt to locate himself in the contemporary world. It seeks to present the major features of Luhmann's *Social Systems* with the objective of introducing and appraising it. This is attempted, in Chapter 4, in the process of conceptualizing a university as a social system.

In the presentation of Niklas Luhmann and his ideas, there is no strict reason why a university should be selected as the particular focus in the investigation of the problem of self-description. Other organizations or social conditions could have been used. In addition, the selection of the problem of self-description, does not have a strict reason for selection; other problems could have been used to illustrate Luhmann's project. The selection made in this dissertation is of little or no significance to the theory itself. In this regard, the selection of the problem of self-description, and UCT as the point of investigating the problem of self-descriptions, is significant only insofar as the affiliation of the present researcher is concerned. As part of the university community, observation made by the present researcher is invariably the self-observation of the university.

It is also the case that findings or solutions that are able to move the debates regarding admissions at UCT remain marginal to the objectives of this dissertation. This presentation of Luhmann's project is to 'semantically reorganize' the problem of admissions, insofar as a continued debate is conceptualized as a 'problem'. The implications of the findings discussed in Chapter 6 are, for the most part, structural models of how the problem may be understood. In this sense, while the form of the implications cannot be otherwise in terms of the framework provided by Luhmann, the actual contents may vary.

VI

This dissertation is composed of seven chapters including this Introduction. Chapter Two locates the foundationalism of sociology from ideological and psychological perspectives. It also introduces Luhmann formally and locates him in the intellectual history that is aligned to a non-foundationalist approach to sociological justifications. Chapter 3 outlines the University of Cape Town's controversial admissions policy. It summarizes the historical background of the South African Higher Education system and the reasons for the current affirmative action policies, and outlines the recent criticisms this policy encountered. To determine if the description of the policy is lacking, first, the university itself is conceptualized as a social system in Chapter 4. Secondly, based on the insights gained from the characterization of the university as a system, Chapter 5 analyses the evolution of the statements in the admissions policy document, and the criticisms leveled against the policy in terms of the type of

information required by the university (a system) to change its admissions policy (to make a selection). Chapter 6 deals with the implications of a systems-based selection of information that may be used to re-describe the existing admissions policy.

VII

By way of concluding this introduction, the findings in this dissertation can be summarized as follows:

- 1 Problems of epistemology reappear as problems of conceptualizing a problem (i.e. a better understanding of epistemology is a primary step towards a better articulation/ conceptualization of a problem):
 - a. The university does not have the vocabulary to adequately describe its race-based affirmative action in its admissions process.
 - b. This shows in its admissions policy document, i.e. self-description.
 - c. The university is criticized by its own faculty based on its admissions policy.
 - d. Those who study the social do so from strict foundationalist perspectives that are not available to the university.
 - e. By receiving little helpful guidance from those who can help it articulate its problem, the university remains with inadequate descriptions of its process.
 - f. This vicious-cycle creates impasses in debates.
- 2 The solution to a system's problem cannot be found from outside of the system:
 - a. The university attempted to justify race-based affirmative action in terms other than its own admissions objectives (as imposed by a significant 'other', e.g., politics, law, etc.).
 - b. The university needs to find a way to describe its affirmative action based on its own processes.
 - c. A closer observation of the admissions process of the university could give the university a better indication of how it could be justified.
 - d. The university will not use political, legal or moral reasons if it had its own strong reason why it needs affirmative action
 - e. In the absence of a strong system-internal organizing principle for race-based affirmative action, it relies on descriptions from others.
 - f. Descriptions made externally and adopted by the university show distinct inadequacies.
 - g. Finally, the university needs to find a way to justify its processes based on its own mission as a university.

The implications of this dissertation cannot be overemphasised. It means the solution to the problem of an admissions policy (if any) is to be found within the admissions policy itself. This significantly relieves the burden currently on the university, i.e. it is probable that all UCT needs to do in the end is change a few lines in its admissions policy document. However, the process required to arrive at those new changed lines makes excessive demands on theory. This dissertation is a presentation of such a theory.

2. BACKGROUND

I

The reply to Neville Alexander's request, that is, that the university community concurs with what he considers to be an undesirable social action, is the starting point, as well as one of the organizing themes of this dissertation, regarding the problem of descriptions. In this chapter, this theme is explored from the point of foundationalist epistemology, and the corresponding foundationalism found in the study of society. For some¹⁰, this foundationalism has created a perpetual crisis in the discipline of sociology and has resulted in the inadequate description it has of itself and of the world it observes. In this regard, the question that is asked in this chapter is: *Has foundationalism in contemporary social theorization led Neville Alexander to believe that he can appeal to the university community to join him in saying "no" to what he considers to be unacceptable?*

In the first part of this chapter, the answer to this question is attempted by following two specific 'problems' noted in the discipline of sociology: the problem of *ideology* and the problem of *psychology*. While the problem of ideology is seen as the subordination of the knowledge project of sociology to the project of other social systems (e.g., law, morals, politics, economics, etc.), the problem of psychology is seen in the subordination of sociological theories to psychological ones in claims to sociological knowledge. In the second part of this chapter, Niklas Luhmann is formally introduced and his vision of non-foundationalist epistemology outlined.

The assumption of this chapter is that the humanist origin¹¹ of sociology, with its corresponding foundationalist epistemology, has made the location of its project outside of its own disciplinary boundary possible. That the knowledge project of science (e.g., sociology) could be reorganized as the knowledge project of morals (in the determination of what is right from what is wrong) as seen in the case of Neville Alexander's request, is one such example.

¹⁰ These are outlined in the section below and include works by LF Ward (1903), D Black (1995), etc.

¹¹ For example, Friedrichs (1972) characterizes the project of sociology as having humanistic origins and scientific aspirations simultaneously.

Even though science is concerned with a binary schematization of ‘true’ and ‘false,’ Alexander insists that “we have a mandate to challenge things that we know are from a scientific position, wrong. Racial classification is wrong *per se*.” (Appendix I: PARA 22). This kind of argument, apart from being wrong *per se*¹², makes *a priori* and *posteriori* claims¹³ simultaneously, leaving no room for further discussion or elaboration. However, the refusal to engage with the ‘undesirable’, forsakes the possibility of systematic constraining or what Luhmann calls “restricting the means”¹⁴ of the situation if it is indeed undesirable, or if it is in the interest of society to move away from it (SS:295).

In this regard, the argument of this dissertation is that science (sociology, in this case) has a different task other than to simply join in saying “no” to what is considered an ‘undesirable’ social action, and that there were efforts made towards this end throughout its disciplinary history. The resistance to ideology and psychology in the project of sociology is one such effort.

II

As part of the ongoing debate around the ‘crisis of truth’ in the humanities¹⁵, the crisis of sociology as a discipline has been an issue for some time¹⁶. In a history of concern that spans over one hundred years, the legitimacy of sociology as scientific discipline has been questioned. Although numerous efforts at revitalizing sociology have been attempted over the years, as recently as Burawoy (2005), sociology’s “apathy towards its predicament” has done very little to bring the issue into a mainstream debate (Deshpande 1994:575).

One of the objectives of this chapter is to locate Neville Alexander’s question within the ‘crisis’ of sociology’ which holds that its epistemological foundationalism is responsible for the crisis. Alexander’s question closely follows what some

¹² Because science is concerned about the truth/false value of its objects and not their moral value.

¹³ *a priori* claim in “*per se*” and *posteriori* claim in “experience”

¹⁴ Luhmann argues that conflicts are not observed with the purpose of eliminating them but with the purpose of conditioning them so that by “increasing [their] security” shall result in “restricting [their] means” (SS:295)

¹⁵ “Is there a Crisis of Truth in the Humanities?” was a series organized by the British Academy for the Humanities and Social where Simon Blackburn outlined some of the possibilities and summarized in his book, *Truth: A Guide* in 2005 (Blackburn 2005).

¹⁶ Such as Alvin Ward Gouldner’s *The Coming Crisis of Western Sociology* (1970) and Burawoy’s *For Public Sociology* (2005) discuss the various crisis of sociology and the different attempts to revive them.

characterize as being the result of the humanistic origin of sociology which, in turn, has enforced the idea of conceptualizing its subject as teleological (Friedrichs (1972). Even when it is not articulated as such, there has been discussion of the need for the move away from teleological sociology from the early days of the discipline¹⁷. However, except in a few occasions, such as Luhmann's *Social Systems* or Black's (1995) *Epistemology of Pure Sociology*, the solutions that have been recommended continue to be located within the same humanist premise that created them. This has, for the most part, maintained the vicious regress of teleology, insofar as teleology is considered a problem in describing the social.

Broadly speaking, there are two distinct forms of crisis experienced by foundationalism in sociology. The first concerns the problem of ideology. Ideology is a crisis to sociology when the project of sociology is subordinated to the project of other social systems. The second concerns the problem of psychology. Psychology is a crisis to sociology when sociological theories are subordinated to psychological theories in understanding the social.

Ideology as crisis

The early signs of the ideologization of sociology comes from Lester Frank Ward¹⁸. As early as in 1903, Ward warned of the danger that sociology was becoming a tool of the different economic ideologies of the time, capitalism and socialism. Instead of studying social phenomena, sociologists, it seems, were busy defending one of these ideologies. In his work, *Pure Sociology*, Ward (1903: Preface p. viii) states that we "must regard all social phenomena as pure which are unaffected by the purposeful efforts of man and of society itself..." in the hopes that sociology studies the social phenomenon and not task itself with the orchestration of social change. Of the process of undertaking a "Pure Sociology," Ward writes:

¹⁷ Quoting Comte from 1822, Ward writes "Admiration and disapprobation should be banished with equal severity from all positive science, since every preoccupation of this kind has for its direct and inevitable effect to impede or divert examination. Astronomers, physicists, chemists, and physiologists do not admire, neither do they blame, their respective phenomena; they observe them."

¹⁸ Among many other things, Ward was the first president of the American Sociological Association.

All ethical considerations, in however wide a sense that expression may be understood, must be ignored for the time being, and attention concentrated upon the effort to determine what actually is. Pure sociology has no concern with what society ought to be, or with any social ideals. It confines itself strictly with the present and the past, allowing the future to take care of itself. It totally ignores the purpose of the science, and aims at truth wholly for its own sake (Ward 1903:4).

Needless to say, he was not very popular in his vision and was criticized vehemently (Small 1903; Gillette 1914). However, Ward was intellectually ahead of his time and most of his concerns, including his concerns regarding the environment, gender relations and the status of women in society were not popular and were ignored until much later (Finlay 1999).

The crisis in sociology was again a topic for serious critical engagement in the early 1970s. Some attribute this to the cultural and social unrest of the 1960s and the failure of the once critically acclaimed theory of structural functionalism. A clearer articulation of the 'crisis' as being one of loss of scientific credibility was provided by Gouldner (1970), who pointed to the need to make sociology robust enough to raise the credibility of its method of inquiry while still taking into account the researcher's subjectivity with regard to findings and interpretations. He proposed that the subjectivity of the researcher was a major obstacle that could not be overcome and therefore needed to feature as part of the prognosis. Others believed the crisis is elsewhere. For example, Friedrichs (1972:263) locates the crisis in the difficulty of instituting what he calls "dialectical sociology" where the humanist origins and scientific aspirations of sociology would be made to converse to overcome the crisis, albeit without a framework for understanding how this can be accomplished.

The debate continued with the likes of Eisenstadt (1974:147) who called for "radical, liberating sociologies [which]... negate the intellectual tensions involved in the pursuit of scholarly analysis of social reality in favour of some unmediated direct, political, aesthetic, or philosophical experience and action." Again, while the project seemed to be one in favour of radical reinvention of the project of sociology (arguably one in opposition to foundationalist epistemology), the proposed solutions were concerned with the prevention of "the development of sociology into mutually closed paradigmatic schools" and not a reinvention of the sociological method itself (Eisenstadt 1974:147). Flanagan (1976:239) reviewed selected publications concerned with the crisis of sociology by prominent British scholars and

acknowledges their disenchantment when he noted that “its practitioners are doubly caught in a diagnosis of crisis within society and within the discipline that claims to clarify and rescue.” However, no serious suggestion for alleviating the crisis were offered.

The 1980s were marked by reduced institutional support for the discipline in the USA and UK. When the Reagan and Thatcher administrations (which began in the early 1980s) actively discouraged the discipline by cutting federal and central government funding, the discipline had to re-invent itself as an ‘applied’ science (Watts et al. 1983). This forced sociological investigation to overemphasise quantitative inquiry and reduced many sociology departments to coordinators of internships for business, government and public social service.

By the 1990s, it was becoming apparent that sociology was becoming overly “causal and quantitative” (Prus 1990:355). The concerns that were raised by Prus (1990) included whether the social world could really be modelled singularly after positivist sciences. On the other hand, looking at the continued decline in sociology citations, Crane and Small (1992) concluded that “without a substantial core to generate new knowledge, the likelihood that the discipline will continue to influence other fields in the social sciences seems slight” thereby signalling its increasing irrelevance in academia. For Henry (1995) this increasing irrelevance was due to the “hermeneutic” crisis that sociology found itself in. Henry (1995) argued that sociology did not benefit from the multi-cultural and linguistic turn that gave other disciplines (such as African studies and Post-Colonial studies) an interpretative and explanatory advantage. It seemed to some theorists, such as Rhyne (1995:39), that sociology was nothing but an instrument of policy and ideology and that it was not a “distinctive and intellectually credible discipline that has much to offer on its own”, not unlike the fears of Lester Ward a hundred years before.

The debate around reinvigorating sociology continued into the new millennium with a notable contribution from Burawoy (2005) who suggests that sociology needs to have a public voice. Unfortunately, his idea is founded on a belief in the legitimacy of the existing sociological methods and his vision is not significant in any way other than to acknowledge the different tasks of sociology (for example, in policy, critical engagement, etc) and to plead for the constitution of sociology relevant to the public.

His critics were not as optimistic about his vision of the sociological project. For example Beck (2005) warns that sociology is already in danger of becoming a 'museum piece' altogether because of its methodological nationalism, and that this has already made it irrelevant to the complexity of the contemporary world that has long outlived the descriptions made by its canons.

The ideological (and teleological) nature of sociology outlined thus far is a good example of externally-driven sociology. Such an ideological history of a scientific discipline helps us understand Neville Alexander's question, as a question that is the product of a strongly ideological (and teleological) conceptualization of the project of science.

Psychology

The problem of foundationalism as the 'crisis' of sociology can also be seen in the use of psychological theories in sociology. This process is known by some¹⁹ as the psychologization of sociology and is an acute problem for sociology. For example, Black (2000a, 2000b) locates this problem in a lack of sufficient distance between the researcher and the subject of research, which allows for the psychological (i.e. non-sociological) basis of doing sociology. For Black, this has resulted in a sociology that is not only ideological and teleological but also acutely psychological. However, insofar as foundationalism allows for a project to arise outside of the immediate disciplinary concern, the use of psychological theories to explain society is not seen immediately as problematic, and Donald Black is largely rejected by his contemporaries.

Black's argument against the psychologization of sociology could also be seen as part of a larger attempt to relieve the philosophy of the social sciences of their "heavy ontological furniture" as noted by, for example, Kivinen and Piironen (2004:232) and a general move towards a pragmatic approach to their projects and investigations (Bouwel & Weber 2008). In the case of sociology in particular, the work of Donald Black is significant in conceptualising the problem sociology is facing. Black noted the insistent 'psychologisation' of sociology from as early as the 1970s, in his work

¹⁹ Psychologization in the sociology of education (Szreter 1975); in the studies of masculinity (McMahon 1993); in justifying what some call "bourgeois sociology" albeit from a strictly ideological standpoint (Osipov 1962); in legal and social theory (Black 1976, 1995, 2000a, 2000b, 2002).

on the sociology of law (Black 1976). In 1995, after considerable criticism of his attempt at 'removing' individual-psychological accounts from sociological investigation he defended his position by outlining his epistemology for a sociological investigation (Black 1995). Not surprisingly, he considers almost all of his critics to be products of the crisis in the discipline of sociology and states that they "lack clarity and consensus about their scholarly mission... [where] some are purely and coldly scientific, some morally or politically critical and some warmly or sentimentally humanistic," while none of them are able to properly articulate what they consider the structural deficiencies of his framework, other than indignation at his disregard for mainstream sociological methods and ideals (Black 1995:829).

Black's 'pure sociology' re-conceptualizes human behaviour as social life, that is, something that does not exist in the mind, is not explainable by the aims of actions, and is supra-individual. As shall be outlined later in descriptions of Luhmann, Black's 'pure sociology', is distinguished from other sociological paradigms by what is absent from it: psychology, teleology, and even people themselves. Black employs a method of 'social geometry' that uses a multidimensional model to explain variations of behaviour in social life. The difference between the theories of Black and Luhmann is in the determination of these dimensions. While Black specifies the different dimensions and makes use of them in an investigation of social 'behaviours,' Luhmann presents (as it shall be discussed later) a higher level of abstraction that allows for greater specifications of the dimensions and behaviours themselves.

By using the system of Law as an example, Black (1995) shows how a non-psychological theory does not need to make assumptions about the psychology of the individual and how behaviour could be analytically distinguished as a purely social phenomenon. In such a formulation, Black argues that the individual is sociologically "dead" (Black 1995:870) and how this allows for generalizations that can be made beyond time and space. The unscientific nature of sociology, Black argues, is because of its analytical proximity to its (a) domicile, which results in what Black (2000a:707) lampoons as "Americanology, Canadology, Francology, Japanology" as opposed to sociology; or to its (b) race, gender and ethnicity which encourages "value judgements, speculations about subjectivity, teleological interpretations and attributions of free will" (Black 2000a:708).

For Black, this contemporary psychologization and teleological nature of the sociological project is in complete contrast to the “militantly scientific” classical sociology.²⁰ Black argues that there is very little that can be distinguished as ‘scientific’ in modern sociology, and that sociology is in desperate need of purifying its methods if it is going to succeed as a scientific discipline (Black 2000a, 2000b). This is mainly because, Black (2000a:705) argues:

... modern sociology has had a scientific devolution. Many sociologists now reject and express contempt for the idea of a value-neutral and otherwise scientific sociology. Some totally dismiss the distinction between facts and values central to all science. Some confuse value neutrality (a lack of value judgments) with objectivity (a lack of bias), and argue that because no one is objective no one is value-neutral (e.g., Wallerstein 2000:307-08) as if the human origins of science make all science evaluative and none of it factual. Others act as if value judgments derive from facts alone—a logical impossibility. And still others openly pursue an ideological agenda in the name of sociology itself. Here modern sociologists are not classical at all. They are pre-classical.

In concluding this section, the questions that arise from observing such a foundationalist epistemology in the knowledge project of sociology (a project which is comfortable with ideology and psychology) is one that asks: *If the formal project of describing the social (e.g., social theorization) is influenced by ideology and psychology, is it possible that it is limited in its scope?* In other words: *If the self-description of a system looks to inadequate formal descriptions of the social for its vocabulary, is it possible that its description is invariably inadequate?* As far as mainstream sociology is concerned, there is no significant problem of foundationalism. This is evident in the less than enthusiastic reception of Lester Frank Ward, Donald Black and Niklas Luhmann.

III

As a reply to the problem of ideology and psychology, the remaining sections of this chapter will provide a biographical sketch of Niklas Luhmann which is followed by a brief outline of his vision of a de-ontologized and non-foundationalist project of sociology.

Niklas Luhamnn (1927-1998) was born in Lüneburg, Germany. He was a child soldier and served in the Second World War until the age of seventeen before being

²⁰ Black argues that all classical sociologists were scientifically minded except for Karl Marx who never “called himself a sociologist” (Black 2000a:705).

taken as prisoner of war by American troops. He studied law after the war and served as a civil servant in Germany. In 1961 he met Talcott Parsons (who was the most influential systems theorist of the time) and studied under him at Harvard. Upon his return to Germany, he gave up his public service work and started working at various Social Research Centres. Two of his early books were retroactively accepted as a PhD Thesis and he briefly served as a lecturer and was then appointed to Theodor Adorno's chair at the University of Frankfurt until he was given full professorship at the new University of Bielefeld which he held until 1993. He is mostly known as Habermas' interlocutor in the System/Action debate of German sociology.

By the time he died in 1998, Niklas Luhmann had produced over 14,000 pages of discussion of his general theory of Social Systems. For all his recognition in Germany and parts of Asia and Europe, he remains largely unknown in most parts of the English-speaking world²¹. In addition to being the interlocutor of Habermas in the Communication/Action debate of the 1970s (which did not gain him many followers), his works are very abstract and largely impenetrable with corresponding demands on the reader. His theory remains, following Parsons, possibly the only attempt at a general theory of social systems.

Luhmann was acutely influenced by the Parsonian project of a unified theory of society (Social Systems) and has appropriated some of Parsons' jargon such as "Double Contingency" and "Interpenetration" as we shall see in Chapter 4. It needs to be noted from the outset that Luhmann, in appropriating Parsons' terms, has rejected most of the Parsonian conclusions. Instead, Luhmann appropriated the form of the Parsonian attempt upon which his own concept of Social Systems could be based. In addition, Luhmann is influenced by Humberto Maturana and Francisco Varela's work on *Autopoiesis*, Heinz von Foerster's *Second-order Cybernetics* and George Spencer-Brown's *Laws of Form*.

Luhmann's systems theory in its present form is the result of thirty years of theoretical development which was initiated in response to Parsons' structural

²¹ Luhmann remained largely unknown in the English-speaking world mainly because because of (a) complexity of his theoretical presentations, (b) difficulty in translating his works, (c) Habermas' popularity in the 1960-1970s, and (d) complete epistemic departure from contemporary social theorization consensuses.

functionalism. As its point of departure, this theory used general systems theory with its distinction between systems and environment, but in the late 1970s and early 1980s, the theory was significantly rewritten. By adopting the concept of autopoiesis from cognitive biology and elements of observation theory from the domain of second-order cybernetics, it gained additional form and explanatory power (Muller 1994).

Luhmann's revival of Parsonian functionalism (sometimes known as neo-functionalism) should be viewed as distinct from other attempts, for example, that of the American sociologist Jeffery C. Alexander (Alexander 2003; Alexander et al. 2006). This is especially important because Alexander's attempts at revitalization did very little in freeing the sociological project from its humanist tenet and actually exacerbated the problem of the human-individual as a unit of analysis. From Luhmann's point of view, by conceptualizing actors in terms of living and breathing individuals as they make their way through space and time (as opposed to the Parsonian view of actors only as analytical tools) Alexander has managed to reverse the progress made by Parsonian functionalism. As far as de-ontologization of the project of sociology is concerned, the 'neo' in neo-functionalism attributed to Alexander should be understood only in terms of chronology, i.e. that it came after Parson, and it by no means resembles the *new* functionalism of Niklas Luhmann. By way of introducing Luhmann's project, a brief sketch of his functionalism is discussed in the following.

Functional Analysis

A non-foundationalist, teleology-free sociology was anticipated by Niklas Luhmann in his project to free the discipline from its methodological crisis. Bednarz (1984) finds that it was through radically redefining the concept of 'function' that Luhmann attempts this project of freeing sociology from its methodological problems. This is illustrated in Luhmann's *Sociological Enlightenment* was outlined by Bednarz (1984). The following is a brief sketch on Luhmann's reason for the re-definition of the 'function' in functional analysis in the attempt to transcend the psychological, teleological and ideological ways of understanding and describing society that Luhmann finds rife in his time.

Since Durkheim, 'functional analysis' was an attempt to realize the scientific aspirations of sociology, whereby 'social facts' could be understood in terms of causal relations, that is, functions, with their ultimate purpose being the maintenance of the social system (Bednarz 1984:344)²². Luhmann argues that it is the subordination of the 'functions' of society to the scientific causal-relations that created the epistemological flaw. Luhmann argues (quoted in Bednarz, 1984:344) that "ever since the causal relation received a univocal temporal sense (which it possessed for neither Greek nor Medieval thinkers), effects of any kind could no longer explain the occurrence of causes."

This problem was understood by sociologists and there were different attempts to salvage the causal-relation, which Luhmann calls "auxiliary causal constructions," that were never able to transcend the dilemma. The failure of the functional method and the subsequent 'auxiliary constructs', argues Luhmann (quoted in Bednarz, 1985:346) was because of "inherited ontological presupposition from a philosophical tradition that interpreted permanence in terms of an underlying, unchanging substance."

For Luhmann, the 'function' is not the effect to be caused but rather it is the range of possible causes that have a similar effect. Therefore, instead of conceptualizing the functional method as the process of discovery of "an invariant or more or less probable relation between particular causes and particular effects," he would rather see it as "the establishment of the functional equivalence of several possible causes from the viewpoint of a problematic effect" (quoted in Bednarz, 1985:347). For example, instead of investigating 'what causes X,' the investigation will be 'what is the possible range of causes that can result in effect X'.

The significance of this change in the definition of a function cannot be overemphasised. The freedom of not having to draw a direct causal-relation between phenomena separated by time allows for the possibility of arriving at explanations (e.g., descriptions) that do not depend on ideology, ontology, or psychology. That there could be and are different reasons for the possible result in effect "X" forces the

²² Bednarz (1984) describes the functional method as the method in place in the intellectual tradition that spans from William Roberson Smith and Emile Durkheim and was passed down (this is not a description of the method but of the time period of its use! to Malinowski and Radcliffe-Brown. He also locates the term "functionalism" as introduced by Malinowski in Encyclopedia Britannica (13th ed. 1926).

observer away from foundationalist suppositions. This has further led to a reception of Luhmann that has been largely weak.

Luhmann's reception

Luhmann was largely rejected in the 1970s when Habermas' normative theory was more appealing than Luhmann's 'technological' one. For example, Knodt (1994) details how Luhmann was considered a 'conservative' at first but gained a wider audience later on and is generally regarded as 'progressive' when compared to Habermas.

Criticisms of Luhmann's work continue in various forms but mostly stem from a basic misunderstanding of Luhmann's project. For example, Mingers' (2003) severe criticism of Luhmann was dismissed abruptly by King and Thornhill (2003) for being an entirely "anthropocentric" criticism that is unable to provide an immanent critique but employs "traditional sociological perspectives which Luhmann has already effectively called into question" to criticize Luhmann (King and Thornhill 2003:276). Because Luhmann has derived one of his central arguments from the idea of autopoiesis (a term first used by biologists) Mingers calls to question the appropriateness of the appropriation without providing an adequate discussion of what Luhmann achieved with such a concept. For Mingers, the contingent position of human beings in the theory is unacceptable and he seeks a centrality for the position of human beings. Mingers condemns a non-centrist (non-foundational) theory for being non-foundational. Where neither human beings nor their environments are considered to be foundational in theory construction, it is unfair to insist that they be considered so. This is the kind of unfair characterization and criticism to which Luhmann's work was subjected from time to time.

Not only his critics, but his supporters too, are often found misunderstanding some of his basic tenets. For example, to make Luhmann's abstract world "more practical" Liu (2012) attempted to reformulate ethno-methodology as a "practical logic of systems theory." Liu suggests that social systems and ethno-methodology are complimentary and invaluable to each other. Unfortunately, this attempt to superimpose a methodological approach on the understanding of the theory of social systems itself invariably was disappointing because, as Luhmann specifically argues, the universality of the theory of social systems is only as universal as the methods

for observation that are derived from the theory itself (SS:4). This self-referentiality is not adequately appreciated in Liu (2012) who actively promoted the employment of Luhmann's approach to epistemology and social theorization but ended up proposing a modification to the theory of social systems, not because the theory in and of itself is inadequate, but because it would not fit seamlessly with Liu's ethno-methodological approach.

In the philosophy of social sciences and epistemology, Luhmann's constructivist social systems theory is not the only formulation. The recent growing popularity of Luhmann, however, seems to have blurred the distinction between the various systems theories. Wan (2011) calls for a critical view of and distinction from Luhmann's constructivism by presenting the less discussed scientific-realist view (of Mario Bunge). While Wan is not attempting to criticize Luhmann's constructivism, he draws attention to distinctions between the various types of systems-based theories that are present and largely unnoticed. Wan's presentation is an example of Luhmann's increasing popularity and his intellectual effects on contemporary systems theorization. Wan argues that Luhmannian advocates pay little or no attention to the questions raised by scientific realism, even when Luhmann's operational constructivism itself is not diametrically opposed to scientific realism.

Luhmann's reception continues to improve with endorsements from his major influences. Recently, Clarke (2011) reported on Heinz von Foerster's approval of Luhmann's reworking of Maturana and Varela's concept of autopoiesis. It needs to be emphasised that Luhmann adopted the form but not the contents of the theories that he appropriated. This is especially important because of the fact that Maturana and Varela were biologists. However, Luhmann emphasises that observations follow distinct patterns and that the form of observation can be appropriated without necessarily adhering to its contents (empirical or metaphorical). Luhmann writes:

We will exclude the (highly controversial) direct analogy between social systems and organisms, or machines, but not, however, an orientation toward a general systems theory that seeks to address more encompassing demands. Thus, viewed methodologically, we do not choose the shortcut of analogy, but rather the longer path of generalization and re-specification. Analogy would mislead us into believing similarities to be essential. The longer path of generalization and re-specification is more neutral; in any event, it increases the sensitivity of analysis to differences among system types. (SS:14)

Luhmann's "generalization and re-specification" is one of the underlying themes of this dissertation as a reply to Neville Alexander's request. That sociology can be involved in the generalization and re-specification of, and not necessarily in joining, the negation of what is considered to be undesirable is captured in Luhmann when he writes:

The theory we are beginning to work out is not oriented to perfection or the lack thereof, but to a specifically scientific interest in the dissolution and recombination of experiential contents... What is at issue here is not an interest in recognizing and curing, nor an interest in preserving what has been in existence, but first and foremost an analytic interest: to break through the illusion of normality, to disregard experience and habit, and, in this sense (here, not intended as that of transcendental theory), to effect a phenomenological reduction. (SS:114)

This dissertation is an attempt to do the same by focusing on analytical variables and not on trying to find explicit solutions to the problem of self-description as experienced by the University of Cape Town. However, based on certain weaknesses within the existing descriptions of the university, this dissertation does give pointers regarding how those weaknesses may have arisen and how they can be addressed.

Foundationalism and Self-description

The question remains about how Luhmann's project is important to and different from the problem of foundationalism and the corresponding problem of self-description. In brief, Luhmann finds that modern society is still trying to understand the unprecedented changes brought by industrialization, and its self-description represents the confusion that can be expected during change. Therefore, instead of trying to find understanding of the social from within the emerging social, modern society (and social theorization) attempted to locate the description from within the pre-modern organizations of law, ideology, morals, etc.

This was done because, writes Luhmann:

When the world found itself balanced between no longer and not yet, Romanticism formulated this as poetry. Political theory directed corresponding hopes towards constitutional theory and the liberation of freedom. Economic theory believed that it could determine circumstances of growing prosperity. All in all, we have the impression that (around 1800) the impossibility of describing the new structures of modern society would be compensated for with projections of the future. Until well into our own century, there is talk of the unfinished project of the Modern and demands for more democracy, more emancipation, more opportunities

for self-realization, but also more and better technology-- in short, more of everything that was promised to be the future. Both in the technological and humanistic, society described itself in the projections of its future.

However, Luhmann asks:

...is this modern, is Habermas's modern, still our modern? Is the society that employs the embarrassment of its self-description as a projection of a future still our society? Can we -- and it could certainly be asked: must we -- hold such a view of the future because we could not otherwise know who we are and where we stand?

The corresponding question that is asked in this dissertation is whether there is something else that can be said about race and affirmative action in the admissions of students to universities in terms other than the prevalent (and continuing) embarrassment associated with the historical use of race. Or, on the other hand, is the description of the university regarding admissions the result of an inherited form of self-description, i.e. inherited from a history of social self-description which is constructed always in terms of what it is *not*?

In the following four chapters (Chapters 3-6) an attempt is made to illustrate that sociology can be involved in a manner that simulates Luhmann's project. That a better self-description can be derived from de-ontologized and non-foundationalist starting points, which do not require the employment of the "embarrassment" of history as a projection of the future; and that the 'generalization and respecification' project of science (i.e. sociology) can play a more important role than the simple joining in the negation of the present, is illustrated by using the controversy surrounding the admissions policy of the University of Cape Town.

This is accomplished, first in Chapter 3, by outlining the historical background of UCT's self-description (i.e. admissions policy) and the controversy it currently elicits. Secondly, in Chapter 4, the university itself is conceptualized as a social system (in terms of Luhmann's theory in his *Social Systems*) with the intention of applying the insights of the theory towards understanding the admissions operation of a university. Thirdly, based on this understanding gained, Chapter 5 presents the conditions under which a university is able to modify its self-description. Finally, the implication of such modification to the self-description of the university is discussed in Chapter 6.

3. PROBLEM

The hypothesis of this dissertation maintains that the controversy that surrounds the admissions process at the University of Cape Town is a function of the *description* of the process provided by the university. The argument this dissertation is building up to is that the university (UCT), by providing a description of its processes that rely on non-university function, has made its self-description inadequate. This in turn fuels debates regarding the functions of the university. By providing legal reasons for the use of race in its affirmative action process (i.e. reasons which do not sufficiently capture the admissions objective), this dissertation suggests that the university has opened itself up to criticisms to which it is unable to provide adequate responses. Therefore, an adequate (university-internal) description of its processes will work to resolve some of the issues of self-description exhibited in the admissions policy documents.

Before this argument can be made, a clearer description of the university's existing admissions policy in terms of the historical context within which it is located is presented, along with the content of the controversy it continues to provoke.

I

The racial segregation of Higher Education Institutions (HEIs) in South Africa, which followed logically from the racial segregation of the whole country, resulted in a segregated administration, curriculum, access and funding structure according to designated racial groups. These groups were the same groups that were politically concretized with *The Population Registration Act* of 1950 which required that each inhabitant of South Africa be classified and registered in accordance with their racial characteristics. These races were: white, coloured (mixed race), and Bantu (Bantu language-speaking). The segregation has its roots in the formation higher education institution in the colonies of Europe.

Early HEIs in South Africa (like many HEIs in the colonies of Europe) were modelled after recognized European Institutions. The earliest HEI in South Africa, The College of South Africa (what is later to become the University of Cape Town), was modelled after the School of London. With a proportionally larger Afrikaans speaking population, the early debates regarding medium of instruction resulted in the split

between English and Afrikaans public HEIs. Eventually, of the ten HEIs reserved for white students, four were English-medium. This language-based differentiation was later approximated in establishing Bantu Universities. The Promotion of Bantu Self-Government Act of 1959 saw the establishment of eleven HEIs, between 1959 and 1988) for the Bantu-speaking groups (CHE 2004:172).

The administration of the different language-based HEIs was differentiated as well. The ten English and Afrikaans public HEIs were under the Department of National Education. The Indian and coloured HEIs were administered at various times with various (either regional or national) bodies of higher education administration. The Bantu HEIs were administered nationally until 1968, regionally until 1976, and thereafter by the self-governing territories (in the four self-governing “Bantustans” i.e. Transkei, Bophuthatswana, Venda and Ciskei also known as the ‘TBVC states’). The culmination of higher education administrative segregation was marked by the 1983 amendment to the South African constitution. The constitution made a clear distinction between what is considered “general affair” and “own affair” in terms of decisions regarding higher education. The “own” educational affair was voted on by a designated group. White voters (House of Assembly) voted on matters pertaining to white institutions of higher education, Indians voted on Indian institutions, coloureds voted on coloured institutions. The “general affair” pertaining to higher education of Africans was the responsibility of the Ministry of Education and Training (was not voted on by African delegates). HEIs needed to apply for a special permit first if they choose to admit a student from a different group (CHE 2004, 22-23).

After the end of Apartheid, mechanisms were put in place to make sure that racial segregation in Higher Education Institutions did not continue. These mechanisms were introduced as part of the *South African National Constitution* generally and as the *Higher Education Act* of 1997 specifically. The *Bill of Rights* of the *Constitution* while describing the right to education (No. 29) states:

29.1.b. Everyone has the right to further education, which the state, through reasonable measures, must make progressively available and accessible.

While the Higher Education Act No. 101 of 1997²³ in its preamble states (Higher Education Act, 1997:2) states:

WHEREAS IS DESIRABLE TO--

REDRESS past discrimination and ensure representivity and equal access.

Within this historical and legal context, the University of Cape Town made provisions in its Admissions Policy that reflects the problem of and solution to segregation in higher education. The following table presents the list of the opening sentence of the UCT Admissions Document for the last four years:

Table 1: Opening paragraphs of the UCT Admissions Policy Document for the last four years*.

	Opening Paragraph of the UCT Admissions Policy Document
2010	The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.
2011	The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.
2012	Our policy is to be flexible on access, active in redress and rigorous on success.
2013	Our admissions policy is to value the best, to be active in redressing past inequalities and to be rigorous in promoting success.

* year of commencing studies (the document is published a year beforehand. Document dated 2010 is published in 2009)

Accordingly, in its admissions process, UCT made (and continues to make) explicit distinction between an 'open' category and an 'affirmative action' category of applicants. White South Africans and international students belong to the 'open' category, while the rest of the South African racial classifications belong to the 'affirmative action' or 'redress' categories. Accordingly, for example, the UCT admissions policy document of 2010²⁴ states in its introduction (Article b) (Appendix II):

As our admissions policy is designed both to provide redress and to ensure a diverse student body, and as we use race as a marker to do this, we require South African and permanent-resident applicants to classify themselves as follows.

²³ Government Gazette, 19 December 1997, Act No 101

²⁴ Policy Document entitled 'Admissions Policy 2010' is published in 2009 in order to signify the year it is coming into effect. Therefore Document titled 2013 is published in 2012, etc.

We invite South African citizens and South African permanent-resident applicants to indicate whether or not they belong to a previously-disadvantaged, or designated group, and if so to categorise themselves as one of

- black African
- Indian
- coloured
- Chinese

South African citizens and South African permanent-resident applicants who do not belong to one of these groups, or who choose not to categorise themselves in this way must categorise themselves as

- white; or,
- other

Notes:

- i This classification is also required by the Department of Education for statistical purposes.
- ii Our redress and diversity policies apply only to applicants who are both from a designated population group (black African, coloured, Indian or Chinese) and South African citizens or South African permanent residents.
- iii We expect South African citizens and South African permanent-resident applicants to categorise themselves as an employer would have to under the employment equity legislation.

How affirmative action is used based on the applicant's race is described in the same document as well. Each academic faculty outlines its requirement in terms of different scores (aggregate and weighted score based on school leaving and other examinations) for the different racial classifications. In the table below, the requirement of the UCT's Faculty of Health for its Bachelor of Medicine degree is summarized as an example.

Table 2: Summary of scores* required for a probable** admission to the Bachelor of Medicine degree (summarized from the 2010***, 2011 and 2013 admission documents).

	Black	Coloured	Chinese	Indian	Open****
2010	.81	.83	.88	.88	.89
2011	.50	.53	.80	.80	.80
2013	.78	.78	.84	.84	.86

* the 'admission probable' scores and criteria vary from year to year. The score is also invariably a weighted aggregate of set of examinations.

** an 'admissions probable' is a score at which admission can be expected. However, eventual admission depends on actual number of applicants and their respective scores at the time of offer.

*** year of commencing studies (the document is published a year beforehand)

****The open category is reserved for South African white and international students.

II

As can be seen from excerpts of the Admissions Policy above, the university makes repeated appeal to authority (law) to justify its process, a process which requires applicants to state their race in their application to apply affirmative action. However, this justification relies exclusively on the legal system and the document provides no reason as to why this is important to the university. The use of an external justification to describe the university-internal process of admitting students is precisely what this dissertation considers to be problematic. In its admissions policy documents, the university refers to external influences to describe its internal operations. When it is unable to describe its own function and internal operations, it relied heavily on external descriptions that make excessive demands on it (such as the demands of the legal system).

Such an appeal to external authority is even more problematic when observed against the actual process by which affirmative action is applied to the various categories of students as can be seen from Table 2. If the reason for classifying the applicants by race is required by law, as declared by the Admissions Document, how can the law be used to justify the different scores that are assigned to the different races to allow them entry? In other words, which article in the Higher Education Act of 1997 can be cited if the university is to justify the fact that an applicant who classified oneself as black, and has a score of 0.81, has an equal probability of securing an admission as one who has oneself as white but has a score of 0.89?

Why black applicants with lower scores are given equal probability of being admitted as their white counterparts with higher scores is something that needs to be explained by the university in terms of its own missions and objectives. If a description that seeks to approximate the actual process of admission is to be developed, it will be based on the philosophy behind the equality of the black 0.81 score and the white 0.89 score²⁵. However, currently, there is nothing within the existing admissions policy document to explain why 0.81 is equal to 0.89. Insofar as its formal Admissions Policy Document is concerned, all the University of Cape Town seems to be saying is: (1) we classify applicants by race because the law requires it;

²⁵ Chapter 6 will be based on the further exploration of this argument (with insights from the theory of *Social Systems* as outlined in Chapter 4)

(2) we assign different admission points to the different races because we have a quota (Table 3) to fulfil.

Table 3: Declaration of quota requirements “Equity Targets” of the university in its Admission Policy Documents.

	Quota Requirements
2010	<p>Equity Target</p> <p>We set overall enrolment and equity targets per programme. These are aspirational targets, not quotas. All faculties will aim to admit specified minimum numbers of eligible Black, Coloured and Indian students in accordance with these targets. The overall enrolment targets are set in the context of a decision by the Department of Education to cap enrolments across the higher education system. (Appendix II, 2010 Admissions Policy Document:3)</p>
2011	<p>Equity Target</p> <p>We set overall enrolment targets and equity targets per programme. These are aspirational targets, not quotas. All faculties will aim to admit specified minimum numbers of eligible South African Black, Chinese, Coloured and Indian students in accordance with these targets. (Appendix II, 2011 Admissions Policy Document:3)</p>
2012	<p>Equity Target</p> <p>We set overall enrolment targets and equity targets per programme. These are aspirational targets, not quotas. (Appendix II, 2012 Admissions Policy Document:3)</p>
2013	<p>Selection Methods</p> <p>We set target redress enrolment targets for each qualification, and (where we need to do so) we set limits for international enrolments for each qualification. (Appendix II, 2013 Admissions Policy Document:2)</p>

In the latest iteration of the Admissions Document, the reason given for affirmative action is:

We provide for redress in admissions decisions, as a matter of conviction (in other words as something we believe in), and because the law requires it... So we accept an obligation to provide redress in admissions decisions for past racially-based discrimination in our society... (Appendix II, 2013 Admissions Policy:1)

Which reads as if a conviction is, in and of itself, an adequate justification for action; without explaining why the provision of redress is important to the university itself (i.e. as part of its organizing mission and objectives) besides its need to meet the expectation of, for example, the Department of Education.

However, such a description is unsatisfactory because it does not adequately describe the admissions operation of the university. It is only able to describe what the university assumes to be its obligation as dictated by law, without full cognizance of how it applies to its operations directly. The observer is acutely aware of the overwhelming emphasis given to the law in justifying the actions of the university. To

this effect, in the September 2010 public debate from which Neville Alexander's request is selected, a question was asked from the floor regarding whether "the primary values of this university are academic or political" (Appendix I: PARA 196) which appeals to the same dissatisfaction as Alexander's in the lack of autonomy exhibited by the university regarding who is admitted.

The formal description given by the university in the form of its Admissions Policy Document, however, is not the only description that has been communicated. There are various justifications given as to why race-based admissions is carried out at the University which were not articulated in the formal description of the admissions document. In the following discussion of the controversy that surrounded the admissions policy of UCT, these descriptions are outlined along with the various arguments for and against the use of race in admissions process of the university.

III

The following is a summary of the public debate which was held at the University of Cape Town on 2 September, 2010. There were five people on the panel. Two were against (Neville Alexander and David Benatar²⁶) and three for (Max Price, Sizwe Mpfu-Walsh and Njongonkulu Ndungane²⁷) the motion which held that race should be used as a method of identifying applicants for affirmative action.

The first two arguments (Arguments 1 and 2 as shown below) forwarded in defense of the use of race in admissions were by Max Price, the Vice Chancellor of UCT, and are summarized as follows (Appendix I, PARA:13-16):

- 1 *Affirmative Action is necessary because of the long history of South Africa which allocated resources based on race. The South African society was divided into distinct races according to access to resources. These resources included, but were not limited to, quality education. The varying degree of resources allocated to the different races created a situation where there is a large inequality between the races by the end of the White minority rule. The*

²⁶ At the time of debate, David Benatar was Professor and Head of the Department of Philosophy at UCT (he still assumes the position).

²⁷ Dr Max Price was the Vice Chancellor of UCT at the time of debate (and still is currently). Mr Sizwe Mpfu-Walsh was the President of the Student Representative Council, and Archbishop Njongonkulu Ndungane was Chair of UCT Council, at the time of Debate.

subsequent implementation of Affirmative Action was to counter the effects of such allocation of resources, which resulted, among others, in the inequalities between the academic performance of the various races. Therefore, UCT, in interpreting the national policy of redress, makes use of race as a proxy for disadvantage, i.e. as an indicator for the application of affirmative action.

- 2 *Fifteen years after the end of white minority rule, the number of black²⁸ students who come from high quality schools has increased. This has created questions regarding the continued use of race as a proxy for disadvantage. Accordingly, arguments are made that those applying from the good schools should compete for admissions solely based on their school leaving results, and that affirmative action should apply only to those coming from poor quality schools. However, we are unable to do this because: (a) if ranked by school leaving results alone, there will be a very large number of white students admitted, simply by the virtue of their proportions in high quality schools; (b) affirmative action admissions from poor schools will almost exclusively be black students, again owing it to the existing proportion black students in poor quality schools. Therefore, at the end of the day, the university will be full of successful white students and black students that are struggling. We refuse to have this condition in our classrooms because our aim is to create an integrated society and not perpetuate the myth that black students are weak (and whites bright).*

The first argument (Argument 3) forwarded against the motion was by Neville Alexander and is summarized as follows (Appendix I, PARA:20-23):

- 3 *The question of affirmative action cannot be isolated from the question of "what kind of South Africa we want to live in" (PARA:20). If our vision is a non-racial South Africa, we cannot realize that vision by racially classifying the population all over again. This vision is even more exasperated when we ask the people to continue classifying themselves racially (like it is being done during application for admission). The result of a continued use of racial*

²⁸ By 'black' I mean all students who potentially qualify for some form of affirmative action (which includes blacks, coloureds, Indian and Chinese applicants)

classification in a society is unavoidable racially based conflicts. Therefore, if the effect of history is observed as present inequality, and if the majority of the historically marginalized black people are poor, surely poverty can be used as a proxy of disadvantage.

Two additional arguments²⁹ (Argument 4 and 5) forwarded in defense of the use of race in admissions were by Sizwe Mpofu-Walsh, the President of the Students Representative Council, and are summarized as follows (Appendix I, Sizwe Mpofu-Walsh PARA 24-28):

- 4 *Regardless of the semantic debates over the 'reality of race' there exist presently in our society extreme inequality along the same lines that were used to divide the population into racial groups. Therefore, affirmative action should look into these old classifications in its endeavour to redress.*

- 5 *Black students who make it to good schools do not necessarily come from backgrounds that are able to support the privileges associated with a good school, such as (a) lack of educated parents, and (b) actual number of years spent in a good school, which can play just as disadvantaging roles as poor schooling. Therefore, affirmative action policies should continue to be applied to black students applying from high quality schools.*

The second argument forwarded against the motion (Argument 6) was by David Benatar and is summarized as follows (Appendix I, PARA:32-36)

- 6 *In the process of using race as a proxy, the university needs a method and a system of classification of people into racial categories. These methods are inherited directly from the previous (Apartheid) regime. The methods used during Apartheid were not obvious and are actually absurd. By using the same methods, and by asking people to classify themselves, UCT is asking people to do to themselves the "dirty work that was previously done by the government" (PARA 34). This is unacceptable.*

²⁹ For reasons of simplicity, already mentioned historical arguments for the use of race are not included in the summary.

The last argument forwarded in favour of the motion (Argument 7) was by Njongonkulu Ndungane and it is summarized here as follows (Appendix I, PARA:37)

- 7 *The country is still lagging behind when it comes to providing access to quality education to all of its citizens. Until that time when quality education is available to everyone and all applicants can be considered solely based on their school leaving results the success (against overwhelming odds imposed on them by poverty) of black students, should be recognized and taken into consideration during admission.*

The seven arguments listed here encapsulate most of the debate in the public domain. These arguments and some of the subsequent counter-arguments they initiated are again taken up when conceptualizing the university as a social system (Chapter 4) and when analysing the self-description of the university (Chapter 5). This summary of the main arguments is to simply illustrate the debate and the range of arguments within it.

IV

In addition to the public debate organized by the University of Cape Town, an academic debate was also organized in collaboration with the *South African Journal of Higher Education* (Number 24, Issue 2 of 2010). A summary of the articles (the majority of which is against the use of race in university admissions) that appeared in the journal is listed below. An in-depth summary of the arguments forms a significant proportion of a later discussion (Chapter 5). The presentation in the following table is provided here only to illustrate the range of for and against arguments regarding the use of race in Affirmative Action Policies of South African universities:

Table 4: Summary of academic arguments for and against the use of race in university admissions
(*South African Journal of Higher Education*, 24(2), 2010)

ref	[for/against race] main argument
Erasmus (2010)	no to race: the complexities of the individual's circumstance is not taken into consideration when a broad policy is adopted; the university needs to find a better measure of disadvantage that allows for multiple variables in determining affirmative action.
Berkhoust (2010)	no to race: in line with Erasmus (2010) appeals for a critical engagement with the contemporary policy as the issue of affirmative action is beyond "the imaginative exploration of subjectivity, beyond the indexed boundaries that affirm only historical inequities" (Berkhoust 2010:338)
Botsis (2010)	no to race: because it alienates part of the population; i.e. white children of the new South Africa feel unwelcome and threatened by such measures.
Soudien (2010a)	no to race: because what is at stake is not simply the entrance into university of students. What is at stake is the unchallenged assumption of what education is. However 'black' a student may be, she is entering a white space.
Badroodien (2010)	no to race: following Soudien (2010a) what is at stake is the reproduction of "white ontology" therefore, the increased the number of student admissions does not guarantee a sufficiently different ontology.
Higgs (2010)	no to race: universities are not independent of political factors influences and the increased autonomy of the universities will guarantees a move away from the use of race.
Waghid (2010)	no to race: the university is inconsistent in applying a standard of "truth." If racial discrimination is already considered to be bad in terms of Apartheid's history, how can UCT justify the discrimination against whites now?
Benatar (2010)	no to race: (a) because the university's argument for using it is fallacious; (b) because it is unethical to require a person to do what historically was a painful thing to do.
Bitzer (2010)	no to race: insofar as poverty is what is preventing access to higher education, socio-economic variables should instead be used.
Favish & Hendry (2010)	yes to race: according to the statistical reports, there is nothing to suggest that there is equality of the races. In the absence of such evidence, the continued use of race in admissions is appropriate.
Gouws (2010)	yes to race: the lack of appropriate definition of 'race' is what makes this debate futile. Impersonal (instrumental) conceptualization of race solves some of the unnecessary complexities of current semantics embedded in "race politics" and "racial identity".
Le Grange (2010)	yes to race: "contingent colour conscious should form part of public policy" (2010:331); it produces future leaders from a wider range of the population.
van Wyk (2010)	yes to race: those who want to abolish the use of race in admissions are the ones who are bound to lose from its inclusion / those who want to abolish affirmative action are the already privileged.

The recent history of the Higher Education system of South Africa has made several undeniable demands on the present organization of admissions to educational institutions. The South African *Constitution* and the *Higher Education Act of 1997*, too, make explicit demands on , the university to address the failure of the past. However, the attempt by UCT to translate the various legislations into actual admissions operations has been a cause for concern for many. Although there is currently no argument against the need for affirmative action, how it is being addressed continues to be contested.

Of the numerous arguments for and against the use of race in admissions presented in this chapter, at least two of them locate the issue as being within the problem of self-descriptions. This is in line with the main theme of this dissertation which asks if it is indeed the self-description of the university that has fueled this debate regarding race in admissions. Benatar (2010) and Gouws (2010), although from different positions regarding the motion, locate the problem within the university's description of its processes. While Benatar (2010:259) questions the validity of the argument provided by the university for the use of race in admissions (in what he calls the university's "rectification argument"), Gouws locates the problem with the description of 'race' itself. While Benatar finds too many inconsistencies and fallacies in the self-description of the university, Gouws finds that the continued historical and experiential use of the term 'race' has created a conceptual barrier which has rendered the discussion of race impervious to analytical engagement.

In this dissertation, the problem of self-description is located within the decision of the university to describe its internal operations in terms of an external legal system. This is following the argument that inasmuch as the legal system is able to provide reasons for the necessity of redressing past injustices, it is hardly in a position to describe how this provision is to be translated by each and every system that it comes into contact with. Operationalization of the law, by definition, remains strictly a system-specific (i.e. university-internal) operation³⁰.

³⁰ This argument is substantiated in the following chapter (Chapter 4) by using Luhmann's theory of Social Systems.

This system-specific (university-internal) re-description of the current admissions process may well be organized around a narrative which explains the decision that a score of 0.81 by a black applicant is equal to score of 0.89 by a white applicant. This, in fact, is necessary since there is nothing self-evident about the equivalence of the numbers 0.81 and 0.89, and because the law (or other 'external' system) cannot provide an adequate explanation for the equivalence of the numbers beyond the confines of its own operations. In such an event, it is incumbent upon the university to provide a university-specific narrative, that is, a reason based on the operations of the university itself as to why it believes the numbers are actually the same.

One finds in Luhmann (in his *Social Systems*) the impossibility for systems to operate beyond their own boundaries. He describes further how environmental disturbances are always reintroduced in internal processes³¹. Similarly, one finds that the University of Cape Town has translated an environmental influence (i.e. a legal system that requires redress of past injustice) into a unique process of admissions. One also finds in Luhmann the difference between the operations of reproduction and observation, and how the problem of self-description is a function of the difference between the two. In these and many other respects, UCT (in its operations) resembles Luhmann's idea of a 'social system'.

Therefore, in the following chapter (Chapter 4), the argument is put forward that an adequate self-description of a system (e.g., an admissions policy document) is achieved when such a description is based on the system-specific (i.e. internal to the university) operations, and not based on external influences (e.g., law). This argument is made by conceptualizing the university as a system which is very similar to the self-referential systems that Luhmann discusses in *Social Systems*. Because of the nature of Luhmann's works, an unavoidably lengthy engagement with Luhmann's theory is undertaken (a) to show the unambiguous similarity between the operations of the university and Luhmann's 'social systems', and (b) to better understand the function of the university in terms of its function, its location in the social world, and its relationship with other social systems in its environment.

³¹ This is discussed at length in Chapter 4 under the subheading: *Interpenetration*.

After this argument is made, how the university can move towards strengthening its self-description based on its internal processes is then discussed (in Chapter 5) followed by the implication this kind of strengthening may have (Chapter 6).

4. CONCEPTUALIZATION

This dissertation asks whether the debate regarding race-based affirmative action at the University of Cape Town is, at least in part, a function of the way it is described. In addition, the question whether the debate can be understood as arising from the university's decision to describe its internal process i.e. of admissions in terms of an external influence i.e. the legal system, was introduced in Chapter 3. These questions assume that while the description provided by the university is not false, it remains inadequate to account for various important processes. A further refinement of the description of the admissions policy will not only account for these hitherto unaccounted-for processes, but also move the focus of the debate to one which is operationally more productive. These assumptions are derived from Niklas Luhmann's *Social Systems*, and the university must first be conceptualized as a social system if his ideas are to be applied convincingly. In this manner, the problems of self-description that Luhmann attributes to *Social Systems* are extended as the self-description problems of the university.

To this effect, this chapter argues that there is sufficient similarity between the operation of the university and Luhmann's social systems, so much so that assumptions made about the university and its operations thus far in this dissertation can be justified in Luhmann's theoretical terms. By analytically reformulating the university as a social system, and by particularly focusing on the relationship of a social system to its self-description (i.e. the relationship of the university to its admissions policy), this chapter shows how the useful similarities between the operations of the university and the operations of a social system reveal the complexity and problems associated with the operation of self-description. Later in Chapter 5 these revelations are used to construct a framework for understanding, pertaining to the information requirement of a university which is in a continuous process of modifying its self-description.

Succinctly speaking, the similarity observed between the operations of Luhmann's *Social Systems* and the University of Cape Town reveals that the university, in being unable to analytically distinguish its self-description from the self-description of the legal system, unwittingly depends on legal descriptions to explain its admissions process. This description, although not false, remains inadequate to account for

important aspects of the actual admission process. This was shown in Chapter 3, for example, in the lack of a narrative that can explain the reasoning behind the equivalent rankings of blacks that score over 0.80 and whites that score over 0.88.

However, to make this argument, a clear understanding of what Luhmann's *Social Systems* are and in what way their operations are similar to the university operations is required. This involves the unavoidably complex and lengthy discussion of Luhmann's theory and its reformulation as an analytical framework to conceptualize a university. This is done by broadly dividing Luhmann's work, *Social Systems*, into two. The first part concerns the *existence* of a system (i.e. the coming to existence and its functions; addressed in sections 4.1 to 4.7) and the second part concerns the *persistence* of a system (i.e. their method of secure themselves to persist in time; addressed in sections 4.8 to 4.11).

The first part (**Part I: Existence**) is divided into three subsections:

- 1 The definition and the constituting elements of Social Systems and their comparison to a University (4.1 A System),
- 2 Intra-systemic operations: the basic internal operations a system and corresponding operations of a university (4.2 Meaning, 4.3 Double Contingency, and 4.4 Communication and Action), and
- 3 Inter-systemic operations: the basic external operations of a system and corresponding operations of a university (4.5 System and Environment, 4.6 Interpenetration and 4.7 Psychic Systems).

The second part (**Part II: Persistence**) of this chapter is divided into four parts regarding the persistence of systems in time. This concerns how systems secure themselves and the corresponding similarities exhibited by the university in securing its operations. (4.8 Expectations, 4.9 Immunology, 4.10 Episodization, and 4.11 Asymmetricization).

These eleven subsections are based on Luhmann's eleven of the twelve chapters in his *Social Systems* and provide (a) a summary of the main theme addressed in the chapter, (b) illustrate how it relates to the operations of a university, and (c) discuss the relevance to the main question being addressed by this dissertation. Some of

Luhmann's themes do not lend themselves easily to a simple comparison with a specific function of a university, due to the level of abstraction involved, but are nevertheless included in this presentation because they are true to the evolutionary development of a university and because they constitute the building blocks of the subsequent chapters.

Part I: Existence

A. System Origin

Within Luhmann's theory, one finds frameworks for observing the world of which the university is but a part. In addition to being a presentation of Luhmann's theory of *Social Systems* and the reconceptualization of the university as a social system, this chapter also provides the epistemic basis of this investigation, and presents his theory of autopoietic social systems.

Luhmann claims that since most phenomena can be conceptualized as one type of system or another, a theory of systems should be able to account for *all* systems that can be observed. In this sense, Luhmann claims that his theory has a universal validity³² which extends to the systems of knowing. "Because it claims universal validity for everything that is a system," explains Luhmann, "the theory also encompasses systems of analytic and epistemic behaviour. It therefore itself appears within the real world as one of its own objects, among many others" (SS:15). Luhmann concludes, "As soon as it discovered itself among its own objects, as soon as it analysed itself as a research program of a subsystem (sociology) of a subsystem (science) of the societal system, it would necessarily experience itself as contingent" (SS:16).

Similarly, in this chapter the theory of *Social Systems* is used as a method of observation and as what is being observed, simultaneously. The university is then added to the equation to provide an empirical 'problem' which is to be observed. However, before the university is added to the system of *Social Systems*, or any system of equations, precisely what a system is must be outlined. In the following

³²Luhmann's claim to universality applies within the universe that is created by his systems. He makes no reference to the exclusivity of his methods as the only method of observing the world. However, insofar as observing the world in terms of systems is concerned, all objects within the world can be accessed by his methods.

section, Luhmann's idea of a "system" is presented and attempts are made to relate some of the basic properties of a system to the basic operations of a university.

In his work, Luhmann himself never actually conceptualized the university as a social system. Baecker (2010:356) finds reference only to an "organized institution" as far as the theory of social systems is concerned with regards to universities. However, the universality of the theory presented in *Social Systems* makes comparison between a university and social systems possible. This possibility is presented in this chapter.

4.1 A System

The basic features of a university are understood as the basic features of a system when the evolutionary development of the university is examined. The early origins, the coming into formal existence and the subsequent persistence through time provides a series of unmistakable characteristics that anticipate the features of systems as outlined by Luhmann. The problem with the undifferentiated nature of ancient institutions of education, on the one hand, and the appearance of formal universities in Europe on the other, offer sufficient indicators to the theme of 'A System' being explored here.

The constitution of the university as a system can be found indirectly by looking at its developmental history. Current debates on the university status of ancient institutions of education describe how undifferentiated the institution was in ancient times. Inasmuch as there are certain undeniable similarities between current institutions of higher learning and ancient educational institutions, there also exists sufficient differences to make the distinctions problematic. For example, Argyle's (1974) defense of Alexandria as an ancient university city is one such attempt to draw analytical equivalencies between Athens and Alexandria to show their comparable significance as universities of the ancient world. In contrast, the inauguration of the University of Bologna in the year 1088 and the signing of the *Constitutio Habita*³³ in

³³ The early precursor to academic freedom which sought to ensure the unencumbered movement of scholars in Europe.

the year 1155³⁴ ushered in a new era of distinction to these institutions of learning and teaching. It was here, that the term university was first used³⁵.

This sketch outlines components of Luhmann's *System*, which is best understood from the point of view of an environment from which a system can be distinguished. Let's say an environment is the sum total of everything that exists in a *complex*, random and chaotic configuration, for example, a human mind. Then a system is the non-random configuration within this chaos, which exhibits certain describable patterns of operations, for example, the process of secondary socialization.

Differentiation explains evolutionary specialization to deal with the complexity of chaotic configuration. This could be, for example, in the form of setting up secondary socialization operations. This process of socialization forms a series of non-random patterns of operations that involve *selection*. These non-random selections allow the system to *reproduce* itself in the form of *elements* and *relations* (e.g., content, humans, instructional design, etc.). If successful, these reproductions allow for the strengthening of the system's *boundary* and allow for further *adaptation* to its environment. An example of this may be the *Constitutio Habita* that granted safety to scholars. Finally, the combined effort of these operations exhibit a distinctly self-referential nature. The system, in attempting to deal with the environment, in its attempt to persist in *time*, refers to itself. Insofar as Luhmann is concerned, this is what constitutes a system. In the following brief sketch, a further explanation of the emphasized concepts is provided.

For Luhmann, systems are the *differentiation* (specialization and organization) of certain parts of the unorganized and undifferentiated mass that is the environment, not unlike the rise of operations geared towards the secondary socialization of new generations. The environment is complex and unpredictable whereas a system is the systematic reduction of such complexity that seeks to make it less unpredictable. A specialization of parts of an environment is what eventually emerges as a system, thus making systems products of their own environment. Once a system has come into existence, the presence of continuous differentiation creates structures which solidify this existence.

³⁴The year is debated by historians and may be as late as 1158 according to Rüegg (2003).

³⁵According to Sanz and Bergan (2006:136), University of Bologna was the first to use the term "university".

Another definition of a system can be achieved through defining its *boundary*. This boundary helps in the distinction of elements that belong in the system from environmental elements that do not belong in the system. Such identification is essential for a system's functioning, as it is the necessary structure that distinguishes a system from its environment. For Luhmann, such boundaries are by no means "a break in connection" between the system and the environment, i.e. there is always the continued "flow of information and energy" to and from the environment (SS:17). In terms of the environment, a boundary is a 'system-relative' concept and it is created by the system. An example of one such boundary is the admissions process of universities which is designed to determine who belongs in the university. "Viewed from the system's perspective" argues Luhmann, "boundaries are self-generated – membranes, skins, walls and doors, boundary posts and points of contact" (SS:29).

As the internal *complexity* of the system increases, the need to have different parts of the system carry out the different tasks (i.e. *differentiation* of tasks) also increases. The functional differentiation into academic and administrative within the university, on the one hand and the academic differentiation into various faculties, on the other represents the type of internal complexity germane to a university. An internal division of labour within the system reduces the complexity of the demands of the environment. However, such an internal system differentiation is possible when the system has an internal mechanism for the *production* of structures. Production is achieved with the interaction of elements in a system. In fact, *elements* and *relations* presuppose each other (SS:20) and are the necessary components of production. However, since not all effects can be produced at the same time (problem of complexity), production can be understood as the employment of "some but not all causes that are necessary for specific effects... under the control of the system" (SS:20).

The reduction of internal complexity by way of functional differentiation (production) is one way of "decomposing the system" (SS:21) in terms of its productions. The second way of decomposing the system in terms of production is through the concept of *selection*. The need to select is a direct response to complexity where elements and relations are concerned. Selection becomes necessary where relations (connections) are required but when every single element is not able to relate to every other element simultaneously (SS:24). For Luhmann, this process of

production as a result of “being forced to select” is the explanation for the possibility that “different kinds of systems [can be] formed out of a substratum of very similar units” (SS:25) such as different molecules from the same type of atoms and different organisms from the same type of cell.

This ‘forcing of selection’ is understood by Luhmann as *adaptation*. Adaptation gives the system the ability to maintain its functions by learning to respond successfully to demands from the environment. Luhmann’s evolutionary theory presents adaptation as the mechanism of survival, where the system works to survive its own internal complexity as well as the complexity of the environment. However, Luhmann cautions (a) that due emphasis must be given to the understanding of the unity in the difference between a system and its environment (which he defines as “ecology”) in understanding adaptation (SS:31), and (b) that selection (in the non-Darwinian sense as outlined) plays a key part in the adaptation process. Luhmann argues that Darwin’s conclusion of selection “as not occurring out of a will to order, but as occurring out of the environment” was based on the “philosophy of contingency and pragmatism” of the time which gave the “subject-less” act of selection an “ontological scope” (SS:31). Therefore, adaptation is the result of a selection made by the system which is compelled to select as part of its functions.

That selection occurs as an internal response to an i.e. environmental influence without attributing ontological primacy to the environment is the underlying theme of this dissertation. In this way, this dissertation asks whether the ontological primacy that the university gives to external (non-university) influences in describing its internal processes is an efficient mechanism, especially when the environment is almost invariably very complex.

All concepts discussed so far, from the system-environment relationship, to boundaries, differentiations, production, complexity and adaptation are related to the theory’s important component – an understanding of the need and ability of the system to refer to itself: *self-reference*. What the functions just listed confirm is that the system is a system of relations in that its relating elements are the ones that dictate what is to be selected. For Luhmann, this self-referencing nature of systems is the “central theme to be addressed” in his theory of social systems (SS:32). The

condition of self-reference, which is exhibited in the system's self-reproduction, self-observation and self-description, is the central theme addressed in this dissertation.

Finally, systems are understood in terms of *time*. However, the concept of time has a different meaning for systems and is not easily reducible to chronological time (SS:41-42) only. Even though the linear understanding of time is indispensable, it does not give an adequate picture of what time means for the system and how the system operates within it. For Luhmann, time is conceptualized as change (SS:42). It is only when time is factored in that one can speak of change. For example, for a production to take place, there is a time to select the right elements, there is a time to allow the elements to interact and finally there is a time when this production passes away.

The function of time is in its ability to reduce complexity, and speed up selections by creating memory). Firstly, its function in reducing complexity manifests in the solution to the problem of selection. Since not all relations between elements are possible simultaneously, time is utilized to order relations. Such "selective ordering" (SS:47) to reduce the temporalized complexity of selections is possible through time.

Secondly, time is the necessary component in creating memory which can be used to speed-up element relations (SS:41). Luhmann argues that the time taken for selections to be made is substantially reduced if the system has a memory of similar selections in the past. This speeding up of system relations is gleaned by determining their duration and examining what elements were employed in the relation. Once these are included in the equation, a speeding up of time will be possible for the system, and enable it to anticipate probable future selections.

Time as change is not self-evident in the discussion of the university as a system. The passing of the months or the years is not what is pertinent in terms of understanding the university as a system. However, in this discussion of the admissions policy of the University of Cape Town, and the change in the admissions policy document over time rely heavily on the conceptualization of time as change. This is especially important when the difference between the policies (as exhibited in the change from one year to another) is used to explain the increasing functional differentiation of the document itself (Chapter 6).

Therefore, the University as a system exhibits similar formation and internal operations associated with systems described by Luhmann. However, this similarity is best appreciated by looking at the general concept of a university and the evolutionary development it has undergone since ancient times. With such an outlook, the university can be conceptualized as a secondary socialization mechanism, one that developed out of the need of a chaotic environment that sought to reduce its own complexity. It achieved this by increasing its sense of security by equipping each new generation with information about what was experienced and known in earlier generations.

B. System Functions

In Section A what 'a system is' was described. In this section (Section B), three basic functions of the system are described. These functions make operations within the system possible. These three functions are *Meaning* (4.2), *Double Contingency* (4.3) and *Communications* (4.4). The function of meaning as a mechanism of reference, the function of double contingency as a solution to the problem of meaning, and the function of communication as the solution to the problem of double contingency are addressed in this section.

These functions, being the very basic functions of a system, do not lend themselves to a direct comparison with the function of a university. However, because these constructions provide the basis for subsequent discussion of *Intrasystemic Operations* (Section **C**) and *System Security* (Section **D**) where explicit comparisons are made with the functions of the university, they are presented here with little or no direct reference to the university as a system. Instead, corresponding functions that appear in the university are used to introduce the concepts where applicable.

4.2 Meaning

Meaning is the sense that a system has about its function. This sense is a frame of reference that allows it to distinguish what itself is from what it is not (i.e. the environment). In this regard, meaning is what gives a system its uniqueness. It is with meaning that one system is considered (or considers itself) to be what it is and not another. Therefore, that certain kind of people are admitted and not others, is one of the fundamental senses (meanings) that a university has. This may include

specifications that determine an admission process, for example, that admission is granted only to those who successfully completed their secondary schooling.

In Luhmann, meaning is the central theme of his theory and it is the fundamental mechanism by which the relationship between humans and social systems is examined. There is no university without people and neither is *any* configuration of people a university, and Luhmann finds that a shared meaning between the two is the result of an evolutionary achievement:

persons cannot emerge and continue to exist without social systems, nor can social systems without persons. This co-evolution has led to a common achievement, employed by psychic as well as social systems. Both kinds of systems are ordered according to it, and for both it is binding as the indispensable, undeniable form of their complexity and self-reference. We call this evolutionary achievement "meaning." (SS:59)

In this sense, persons (psychic systems) are the environment of social systems and social systems are the environment for psychic systems. The 'evolutionary achievement' of each system to simultaneously refer to the other and to itself is the condition of possibility pertaining to both systems. This evolutionary achievement was able to structure the chaotic and undifferentiated mass of consciousness into smaller and manageable components that can be coordinated between persons. On the one hand, this is accomplished by the system of references that helps one identify what one's role is in, for example, secondary socialization, or if one is going to have a role at all. On the other hand, it draws the system boundary of the university where what belongs as an element of a university is distinguishable from what is not. In this way, the university recognizes why it is not able, for example, to admit a new-born human baby or an adult cat.

Meaning, therefore, can be understood in terms of its function of reference, too. As a reference, meaning is a method of exclusion (no toddlers on campus!). When actualized "as a standpoint of reality" (SS:60), by referring to one, it excludes all of what is not referred. If there is a reference to be made, it is made in such a way that it is designated as different from all other references that can be made. In this way, meaning appears, as it were, as "a surplus of references to other possibilities of experience and action" (SS:60).

Multiplicity of references immediately creates a problem for *selection*. At this point, it is already apparent where the system-features of *complexity* and *self-reference*

reappear as meaning-features. The impossibility of referring to all that can be referred to at any given moment (complexity) requires that *selection* takes place. Selection, in turn, has significance for self-reference in that what is selected should not always refer back to itself in a purely circular manner in the form of Luhmann's "This rose is a rose is a rose is a rose"(SS:61).

In addition to a reference, another way of understanding meaning is through its *operational closure*. Operational closure in meaning systems states that meaning cannot refer to anything else other than other meanings (SS:62). In the case of the university, meanings that define the university exclude other possible configurations that the university might presumably assume. A university remains quintessentially a university. It is not a political organization, although it can publish supporting evidence to the existing claims made by a party; it is not a business venture, although it needs an economic capacity to carry out some of its function, etc.

Operational closure also means everything that is known about the environment is known as a meaning particular to that system. If the university has a secondary socialization meaning for its functions, everything will be interpreted according to this meaning. In such meaning systems, neither the negation of meaning nor meaninglessness can denote the *absence* of meaning. Luhmann argues that "meaning is unnegateable category, a category devoid of difference... [and] In the strictest sense, it's sublation would be 'annihilation' –and that could only be the matter of an unimaginable instance" (SS:62). Hence, everything that can be known has meaning. The only thing that can satisfy the condition for the absence of meaning in this case would be the unknown to which there is no reference. In meaning systems a reference that cannot refer is such an unimaginable instance.

Therefore, Luhmann concludes:

In principle, everything is accessible to meaning systems, but only in the form of meaning. In this regard, universality does not mean exclusivity. But everything that can be perceived and processed in the world of meaning systems must assume the form of meaning; otherwise it remains a momentary impulse, an obscure mood, or even a crude shock without connectivity, communicability, or effect within the system (SS:63).

Therefore, whatever the pressure may be from other meaning systems in its environment, the university is able to respond only in terms of its own function. Whatever amount of money may be available, it may not be reason enough to admit

a cat for a university education; regardless of how influential the political party is, children of its members cannot go to a university before completing their secondary schooling. This tension that is created between the various social systems is further elaborated in Section 4.3 Double Contingency.

As a social system, a university is a closed meaning-system. The meaning that it derives about itself is specific to its functions. However influential other systems may seem from the perspective of the university, the university can only respond to environmental pressures in terms of its own meaning as a university. Every environmental pressure is interpreted as meaning and is responded to in terms of meaning. This is actually evident in the case presently being examined. The University of Cape Town's admissions policy, which is a condensation of its interpretation of itself and the world around it, is able to admit new students based only on their successful secondary schooling. There are no special concessions made to those who are not able to finish their secondary schooling, regardless of how disadvantaged they may have been historically.

However, meaning is not a direct (i.e. one-way) processing event. Any action from the part of the university anticipates a possible reaction from its environment (or other systems in the environment). Because of this, meaning is a negotiated phenomenon. This, in turn, has far reaching consequences for action. In our case, a university may have its own criteria for admission, but so does the environment, and other systems in the environment. Therefore, the admission mission of the university cannot easily be separated from the context out of which it arises. In other words, before a meaning is concretized, it is already located in a position of *double contingency*.

4.3 Double Contingency

In the current debate regarding admissions at the University of Cape Town, the meaning which is being examined is the one created in the tension between (a) the secondary socialization mission of the university, and (b) the fact that this mission cannot be extended to the whole population³⁶. For any meaningful action to take

³⁶ The tension created at the University of Cape Town is even more exasperated with an added historical variable: race. Therefore, the meaning that is being created is not simply a function of the tension between the capacity of the university and its socialization mission, but the equitable distribution of the available seats among historically divided population which had a unique method

place, i.e. for a meaning to be created, this mutually constrained relationship needs to be resolved first. In our case, the resolution of this constraint eventually appears as a formal admissions policy which outlines the characteristics of the most desirable segment of the population. This double constraint is what Luhmann (and Parsons) call *Double Contingency*.

Double Contingency is the formalization of the problem of absolute self-reference. An absolute self-reference, or what Luhmann calls "a pure circle of self-referential determination" (SS:103) is the condition where *A* makes its action dependent on the action of *B*, and *B* makes its action dependent on the action of *A* at the same time. For Luhmann (and Talcott Parsons), it is only when this circularity is broken that an action could take place. In Luhmann's words, "no action can occur without first solving the problem of double contingency, because any possibility of determination would then be lacking." (SS:103) Similarly, the university resolves the problem that arises from the demands of the population and its limited capacity in the form of an admissions policy. Without such a mechanism, there will be no action: there will be no admission of students.

However, the idea of Double Contingency is also one of the areas where Luhmann diverges from Parsons significantly. While Parsons tries to solve the problem of double contingency in terms of an underlying value (normative) consensus, Luhmann locates the solution in evolution and chance. Luhmann argues that "no preordained value consensus is needed; the problem of double contingency draws in chance straightaway, creates a sensitivity to chance, and when no value consensus exists, one can thereby invent it. The system emerges *etsi non daretur Deus* [even if God doesn't exist]" (SS:105). There are simply far too many instances historically as well as now, that assume little or no preordained consensus in the resolution of double contingency.

The consequences of Luhmann's formulation cannot be overemphasised. It has far reaching effect in both the understanding and the implementation of an admissions policy. For a university that finds itself negotiating the tension created because of its socialization mission and its inability to extend this mission to all that may benefit

of assigning the population to different categories (i.e. those deserving and not deserving access to quality higher education).

from it, there is no 'law' or 'morals' that can lead to a successful resolution. Neither law nor morals were exclusively used although the University tends to emphasise the legality of its actions. What can be seen is the 'invention' of a resolution which takes into account on the one hand the various external demands (law, morals, etc.) and on the other the socialization mission of the university. However, and this is where this dissertation enters the picture, this 'invention' is neither understood or recognized as being separate from a simple concession of freedoms (or 'normative consensus'). As far as the university is concerned it is simply fulfilling a duty, i.e. a duty imposed on it by the various social systems (law, government, etc). In doing so however, it fails rather dramatically to explain the rationale behind its admissions criteria as outlined in Chapter 3.

Our objection in this event is the university's implicit acceptance of a Parsonian 'normative consensus' as a description of its processes. There is no external lawgiver to guide systems in a situation of double contingency. In this sense, Luhmann presents a significant divergence from what he considers as unnecessary in Parsons' recourse to 'normative consensus.' Instead, Luhmann opts for a constructivist (non-foundationalist) conceptualization of "contingency" in modal theory. This theory holds that "something is contingent insofar as it is neither necessary nor impossible; it is just what it is, though it could also be otherwise" (SS:106), not unlike UCT's admissions policy which is constantly evolving.

For Luhmann, the very possibility of a social system depends on the "experience" of a double contingency³⁷. It is only when one realizes that its action is the determining factor for the action of the other and vice versa that a structure for the constraining of expectations could form. When one begins to anticipate the action of another and allows their action to be anticipated by the other, a form of a meaningful communicative structure is formed. These structures, by allowing for what Luhmann calls "concessions of freedom" (SS:109) come into being because anticipating the action of the other is now possible. Thus, a social system is formed.

³⁷ If there was the possibility of telepathy (in the case of humans, for example) the kind of social system that results would be markedly different from the one Luhmann describes. Thus, "[s]ocial systems emerge through (and only through) the fact that both partners experience double contingency and that the indeterminability of such a situation for both partners in any activity that then takes place possesses significance for the formation of structures." (SS:108)

For such a formation of a communicative system, the objects that communicate remain completely opaque to each other³⁸. There is no need for the objects to know about each other, other than to know about each other's actions. It is based on each other's actions that a system of expectations could be formed. The 'real' essence or nature of the objects does not factor in the communication process. Not unlike what Eva Knodt illustrated in her foreword to *Social Systems*³⁹, the objects remain essentially inaccessible to each other. Fortunately, the very possibility of communication depends on the desire to understand and be understood and therefore, however opaque the partners may be to each other, a constraining of their communications will function as a precondition for system formation. In this regard, Luhmann argues: "no social system could get going if whoever initiates communication cannot know or would not be interested in knowing whether his partner reacted positively or negatively to his communication." (SS:112). Therefore, it is the doubly contingent need for a response that drives the formation of the system and not necessarily the need to prognosticate the other.

Similarly, the university as a social system adjusts its own expectations in accordance with the expectations of the system of government on the one hand, and the environment (people) on the other. The university currently has secure expectations regarding the actions of the government,⁴⁰ that the government shall continue to support and economically subsidise the operations of the university. In terms of the environment (people), all they can do is complain and insofar as they are unable to force the university to reconsider its position, the university can continue in its secure expectation that nothing needs to change. (How social

³⁸ "A social system is not built upon and does not rely on the ability of systems situated in double contingency to see through and prognosticate one another. The social system is a system because there is no basal certainty about states and no prediction of behaviour to be built thereon. Only uncertainties that result from this are controlled, and they are controlled only with reference to participants' own behaviour." (SS:110)

³⁹ Eva Knodt, in her foreword to Luhmann's *Social Systems*, illustrates the opacity of such systems as the "hermeneutic despair" experienced by lovers who cannot see each other's thoughts but have to rely on the crude senses to estimate what the other may be feeling or thinking (SS:xxiv).

⁴⁰ For example, such security is exhibited in Max Price's defence of the use of race in admissions where he states: "I think a society where 70% of our leaders are what in apartheid years were called black, and has required us to use those labels to get there, is a much healthier and safer society for all of us, than a society where 80 to 90% of people who were defined black under apartheid remain poor and living in shacks." (Appendix I: PARA 49).

structures form and are secured based on such expectational organizations is further discussed in Section 4.8 Expectations.)

In the following section how meaning (i.e. a resolved double contingency) is coded as communication and how this communication is concretized as action in social systems is presented.

4.4 Communication and Action

A *system* (4.1) is able to make *sense* (4.2) of itself and its environment when it is able to successfully resolve the problem of double contingency (4.3). The 'coding' of this success is what Luhmann calls *communication*. However, it needs to be mentioned here that this is not a sequential process of events. All main features (meaning, double contingency and communication) happen simultaneously. These defining features of a system suppose neither hierarchy nor sequence. Meaning continues to be created as the solution to double contingency continues to be refined.

As a social system, the meaning that a University has about its function and processes is coded in different forms of communications. These communications may take various forms but in our case the discussion is limited to the admissions policy document of the university. This document is the ultimate concretization (linguistic codification) of the process of admitting students to university. As outlined below, this document is simultaneously (a) the linguistic coding of the meaning created by a complex admissions process, and (b) a constraint on what is meaningful in admissions. This is achieved by putting in words the process of admission, and by determining what is acceptable (who can be admitted). To get a better idea of how this process of communication takes place, an inspection of Luhmann's concept of *Communications and Action* is valuable.

Communication and its concretization (punctualization) in the form of actions is a basic constituting element of a social system. Luhmann writes, "the elementary process constituting the social domain as a special reality is a process of communication. In order to steer itself, however, this process must be reduced to action, decomposed into actions. ... and by this reduction [social systems] acquire the basis for connections that serve to continue the course of communication."

(SS:138-9) In this sense, communication is also the site of complexity and selection. It is a constraint, a coordinated selectivity, where the selection of what is communicated plays a great role in reducing complexity. In relation to meaning, communication is understood in Luhmann as (a) the process of *coding meaning*, (b) as the *understanding of meaning* and (c) as a constraint on *what is meaningful*.

What Luhmann calls *coding* is specifically the utterance of information by the communicator with the anticipation of success (SS:142,143). Luhmann argues that it is highly improbable that one could communicate just for the sake of communication, without the expectation of success. By definition, communication is possible only between parties that are positioned in a doubly contingent position as discussed in 4.3. In this regard, communication presupposes, at its most basic form, dialogically positioned instances that are capable of engaging with each other. The degree of success is determined by testing for boundaries of communication in the form of “reasonableness and unreasonableness” (SS:145) of the communication. For example, the unreasonableness of communication is shown in the problem of incommunicability, such as in the communication of sincerity. For Luhmann, sincerity cannot be communicated because “it becomes insincere by being communicated” (SS:150).

Although coding is a fundamental aspect of communication, it cannot be expected that all that is coded is realized, or, where realized, accepted. “Communication is realized if and to the extent understanding comes about” (SS:147) argues Luhmann, and that “the concept of communication has nothing to do with acceptance or rejection, or with further reaction” (SS:148). For successful communication to take place between those positioned in a doubly contingent fashion, what is communicated is constantly negotiated. In this regard, communication is also conceptualized as a constraint. Luhmann writes:

As a change in the state of the receiver, communication operates like a constraint: it excludes indeterminate arbitrariness in what is not still possible, Yet, in another regard, precisely through this constraint it broadens possibilities. It provokes the possibility of rejection. Every assertion provokes its contrary, a contrary that could not exist if the assertion has not been made. Thus determination always makes resistance possible, and one can know this and take into consideration before one decides to communicate. (SS:148)

Thus, for successful realization, communication engages in a coordinated selectivity. For Luhmann, this is accomplished by the process he describes as “the difference between themes and contribution” (SS:155).

Themes are generalized communication forms that decide the form of what is to be communicated. They are situated in three dimensions: factual, temporal and saturation (SS:156,157). The factual dimension coordinates the form and contents of contributions, while the temporal dimension dictates the relevance of the theme in time. It also has a saturation point beyond which more contributions cannot be expected, while at the same time an initial point where, due to its uniqueness, many contributions are not expected. In this regard, Luhmann conceptualizes themes as “action programmes of language” in that they determine what can be contributed to a certain programme. He argues, “When the immediate theme is the best way of catching mice in a mouse trap, one can make great many contributions, but can no longer say anything” (SS:157).

In addition to the difference between themes and contributions where themes are conceptualized as the coordinators of contributions, there are differences seen in the temporal dimension as well. Temporally, themes are expected to “outlast” contributions for there cannot be a contribution without a theme to organize it (SS:155). If there is still a contribution that is relevant to a theme, then it means the saturation point of the theme has not been reached.

How is coordinated selectivity achieved in highly probable situations where negative contributions exist as rejections? For Luhmann, achievement of coordinated selectivity is the outcome of understanding, reaching and success, which are all in turn the achievement of evolution. “At zero point of evolution” argues Luhmann “understanding cannot be expected” (SS:158). Therefore, understanding assumes the existence of an emergent rule of communication that is the product of a double contingency. Therefore, where this rule is not available, understanding of the communication will be rejected. On the other hand, communication that has not reached the intended audience is easily rejected too. However, communications that reach the intended audience and are understood do not always result in success. For success to be achieved, the communicated needs to reach, be understood and result in an action that appropriates the communication as premise to subsequent

actions. Luhmann argues "communication is successful only if ego accepts the content selected by communication (the information) as a premise of his own behaviour" (SS:158-9).

In this regard, what is considered an "action" is but the realization of a successful communication. Whether the success is positive or negative is not the concern of the process insofar as what is communicated has resulted in it being appropriated as a premise for subsequent actions. Actions are also the point at which analysis in communication can begin. This is specifically the case because the only reference to communication can be found only from what is observed, because, as Luhmann rightly puts it: "communication cannot be observed directly, only inferred... [and] ...only by action does communication become fixed at a point in time as an event" (SS:164-165).

C. Intra-systemic Operations

Thus far our discussion has been on the internal operations of a system as relating to itself. These operations reveal the mechanisms by which a system makes sense of and communicate its self-awareness. Although the presence of the environment and other systems in the environment has been implicitly accepted, an explicit theoretical engagement regarding these relationships has not been offered.

Therefore, in this section on *Intrasystemic Operations* the outline of the system's engagement with its environment and other systems in its environment is provided. It is worth reiterating here that the following mechanisms are neither analytically nor constitutively more (or less) important than the intersystemic operations discussed before. They function simultaneously along with the intersystemic operations.

It is also important to note that all of the intersystemic functions mentioned above (4.2, 4.3 and 4.4) reappear in the intrasystemic operations which are discussed below. Systems use comparable operations in dealing with other systems in their environment as they do when dealing with their own internal operations. This is even more apparent when the intrasystemic relations are between similar systems, like social systems. In fact, insofar as the university as a social system and its relationship with other social systems is considered, the resultant relationship is, by definition, a relationship between subsystems. The need to classify the following operations as "intrasystemic" as opposed to "intra(sub)systemic" is to draw attention

to the subtle, but very important, functional difference between the system's internal operations and its operations with regards to other subsystems.

In the following, three such intrasystemic operations are discussed. In *System and Environment* (4.5) the distinction between a social system and other social systems within its environment is discussed. *Interpenetration* (4.6) outlines the mechanisms by which a social system relates to other systems in its environment. Finally, in *Psychic Systems* (4.7) the structure of an important system (psychic system) which is in an interpenetrative relationship with social systems is provided. In terms of the University as a social system, this section provides a description of (a) the various social systems that come into contact with the university (such as the legal, political, economic, etc. social systems), (b) the mechanisms by which the university deals with these different social systems, and (c) where and how 'humans' appear in this matrix.

A further development in this section is the appearance of analytical variables that are directly related to the objective of this dissertation. Arguments regarding questions of adequacy in self-observation and self-description of a system begin to emerge as functions of the features of systems themselves. For instance, the section on interpenetration (4.6) provides possible reasons as to why UCT cannot continue to depend on externally fixed meanings for its own self-description. In other words, the argument that it is problematic for UCT to continue presenting its admission policy as a response to a demand from the legal system can be formalized. As already intimated in Chapter 3, although it may indeed be the case that the source of the pressure is the legal system, UCT offers very little by way of justifying its present actions. The law may demand "equal opportunity for all" but it is not in a position to dictate how its demand may be met. Indicating the source of a pressure, without providing a narrative that connects the prevalent pressure with present actions is precisely where this dissertation considers the nexus of the problem to lie. In this instance, the concept of interpenetration provides the basic counter-argument to the plausibility of the current admission policy.

4.5 System and Environment

The concept of systems and their environments has a far reaching implication for the discussion of a University as a social system. It forms, simultaneously, the method of

observation and the observed itself. It is a method of observing the world and it does so purely from within a system/environment perspective. Therefore, even a university is observed as a purely system/environment schema. However, as already mentioned, this location is mostly analytical and a thorough observation of the university cannot be complete without a discussion of the unity of the difference between it as a system and its environment.

This assertion is strictly following Luhmann's claims that, (a) there is no ontological or analytical primacy of the one over the other (SS:177) and that the system is no more important than the environment, and vice versa; (b) that the distinction is analytical; and (c) that the system/environment distinction assumes a continuous reality (SS:178). Luhmann gives the example of the effect of electromagnetic waves and heat that affect both systems and environments equally. In summary,

the placement of the system/environment difference in reality... is not an ontological one, and therein lies the difficulty in understanding it. It does not cut all of reality in two parts: here system, there environment. It's either/or is not absolute, it pertains only in relation to the system, though objectively. It is correlative to the operation of observation, which introduces this distinction into reality. (SS:178)

Succinctly speaking, the environment of the university is the sum of the individual psychic systems. The system of the university is to coordinate and control the chaos of the human consciousness towards a specific function: higher level secondary socialization. Therefore, as different and divergent individual psychic systems may be, their expectations and claims (Section 4.7 *Psychic Systems*) on the one hand, and their persona and roles (Section 4.8 *Expectations*) on the other are constrained by this structure. This resultant structure is what is being reconstructed analytically (being observed) as a university in this chapter. As outlined below, such an emergent structure is of a lower order of complexity (when compared to the complexity of the individual consciousness) and therein lies its strength in maintaining a stronger boundary (thereby stabilizing itself). All this can be better understood with a clearer examination of the difference between a system and its environment.

At the heart of the theory of social systems is the difference between system and environment. This follows the major theoretical development in General Systems

Theory (what Luhmann calls a “paradigm change”⁴¹ in Systems Theory).

Accordingly, the system/environment distinction permeates all analysis that attempts to employ General Systems Theory or Luhmann’s reformulation of the same as Social Systems. Scientific observations and descriptions of such observations are ultimately the function of this system/environment distinction. The concepts of element, complexity, boundary, meaning, double contingency and differentiation are also re-introduced.

However, the question remains, What is the system? or, more specifically, *How is a system constituted?* The system is what is, analytically speaking, being observed or, more importantly, observing itself. It observes itself by selecting its elements and distinguishing them from the environment, which is analytically “everything else” (SS:181). In this regard, Luhmann talks about the system’s capacity to “totalize itself” which is achieved by its capacity to refer to the environment and “leaving it undetermined” (SS:181). This ‘everything else’ constitutes the environment and it is strictly a system-relative distinction. It could not have materialized if the systems had not marked an analytical boundary around itself within which it determines its own operations.

This totalizing has, in effect, reduced the complexity of the environment and thereby constituted something that can be distinguished from the rest. In other words, what was a continuous reality is now interrupted by the superimposition of a distinction that selects elements from the environment and draws an analytical border around them. In this regard, the environment remains “more complex than the system itself” (SS:182), and that for the system to remain a system it will need to continuously constitute itself within its analytical boundaries. The difference in complexity of the system and the environment creates, what Luhmann calls the “stabilizing effect” of “degrees of relative complexity” (SS:182) which is ultimately necessary for the “autonomy of self-regulation” (SS:183) by the system.

The stability of degrees of relative complexity is the main attribute that ultimately constitutes a system. If there is no stability, the system collapses back into the ‘everything else’ and could no longer be observed, or observe itself as different from

⁴¹ Luhmann outlines what he considers a “paradigm change” in Systems Theory in the Introduction to his work on Social Systems (SS:1)

its environment. Evolutionarily, this stability is actualized when it can be sustained through time (SS:185). Another aspect of the stabilizing nature of varying degrees of complexity is subsequent differentiation. The type of differentiation a system experiences towards the environment is “observation” while the type of internal differentiation experienced by the system is known as “autopoietic reproduction” (SS:189).

For social systems, their stability is constituted in their ability to maintain boundaries. Unlike psychic systems where the boundary is demarcated physically in the form of the body of the individual, argues Luhmann, all that social systems have is “meaning-constituted boundaries” (SS:194). This meaning-constituted boundary, for Luhmann, is constituted in the basic concept of communication itself (Section 4.4). He argues, “every communication... employs the system/environment difference and thereby contributes to determining or changing the system’s boundary” (SS:195). In the quest for a realization of communication (that includes understanding, reach and success), the decision to communicate, as it were, “extends the system’s boundaries” (SS:195), because it is within meaning as concretized by communication that the possibility for a system is realized.

The totality of system and environment is what Luhmann considers a “world” (207). For Luhmann “the unity of the difference between system and environment” is what can capture the essence of all that there is. He argues that it is only with a series of successful distinctions that the world could be known, one system at a time. He concludes:

The world does not designate a (total, all-encompassing) sum of facts, an *universitas rerum* that could be conceived only as free from difference. Originally and phenomenologically, the world is given as ungraspable unity. It can be determined as a unity of a difference only by and in relation to system formation. In both regards, the concept of a world designates a unity that becomes actual only for meaning systems that can distinguish themselves from their environments and thereby reflect the unity of this difference as a unity that trails off in two endless directions, within and without. (SS:208)

How is this system/environment distinction useful in our discussion of the University as a social system?

The distinction between system and environment forms the beginning stages of an analysis that is directly concerned with the major theme this dissertation is

concerned with: description of observations. Observation is the evolutionary achievement of systems in dealing with an environment that is more complex than themselves. When dealing with the descriptions that are already characterized as “inadequate” (the UCT admissions policy document) what is emphasised is the evolutionary imperative that situated the system and its environment at different degrees of complexity and how this difference plays out in the system’s attempt to describe it. UCT’s recourse to describe its internal processes in terms of the environment can be now postulated as having bearing on the varying degrees of complexity that it encounters.

Along with Section 4.1, it is this distinction between system and environment that plays an important role in the determination of the various systems and their respective environments in this study. This includes, but is not limited to, the system of science as a social system (and sociology as a sub-system) and the university as a unique configuration born of various social systems (educational, economic, political, etc). When we consider Luhmann’s argument that the internal differentiation of a system creates “an increase in sensitivity to what has been determined (what is capable of being connected internally) and an increase in insensitivity to everything else” (SS:183), it creates the starting point for analysis where a university can be conceptualized as a form of a system that is differentiating from its constitutive (parent) systems.

For example, in the presence of an overbearing political system, a university may attempt to insulate itself by actively internalizing the pressure and redescribing it as its own system-specific (internal) pressure that can be addressed locally (more details on this process is provided in Section 4.6 *Interpenetration*). In so doing, the university claims internal responsibility for external pressures and thereby solidifies its boundaries. In this way, the pressure is no longer experienced as external and forms the system-internal operation of the system (university)⁴². The system in the environment (the political system) will continue to be a necessary component for the determination of a system (the university) but there will be sufficient insulation that

⁴² It is argued later in this research that this is *in fact* what is happening in the case of the University of Cape Town. In any event, this is not to suggest that the increased insensitivity towards the environment (or other systems in the environment) will, eventually, result in the complete insulation of the system from the environment.

will allow the system (the university) to proceed with its internal reproduction without its operations being overwhelmed by systems in the environment (political system).

In the case of the University of Cape Town, it can be postulated that systems in its environment pressurized it to respond in a certain manner that forced it to reexamine its admissions operation. For example, the state with its corresponding legal and economic implications is presumably able to pressurize the university into modifying its admission rules (i.e. demand that more black students are admitted). The state provides funds for over thirty-five per cent of the total expenses incurred by the university.⁴³ In this event, unless the University is able to secure increased insensitivity towards the state, the conceptual boundary separating the University from the political system will increasingly become difficult to distinguish. Indeed, some of these concerns were voiced in the various debates discussed in this research.

However, insensitivity towards the political social system can only be achieved (a boundary can be maintained) in a manner already described as a resolution of double contingency. This insensitivity to external demands is achieved not by putting up defensive walls but by actively negotiating new meanings that are acceptable to all parties. This is, in fact, exactly what is observed in the case of UCT. In other words, meanings were created successfully when the system-internal operations of the University and the external demands of the political system were in congruence. In the following section (4.6 Interpenetration) how this congruence is operationalized is outlined.

4.6 Interpenetration

Following directly from the conceptual distinction between system and environments in the world, Luhmann attempts to show how various systems in this world form relationships with each other while remaining environments of each other. Following Parsons, he calls this achievement *interpenetration*. For Luhmann, interpenetrating systems remain opaque to each other but use each other's complexity in constituting themselves (SS:214). Interpenetration is the possibility of systems to open themselves up for communication without losing their defining borders, or without

⁴³ Appendix III : The details of UCT expenditure and incomes

being sucked in, as it were, by the system they are communicating with. This is equally important to relationships between social systems, relationships between humans, and relationships between humans and social systems.

Whereas the difference between a system and its environment locates the difference between the university (social system) and the people (psychic systems), interpenetration captures the mechanism by which two systems come to have a meaningful relationship with each other. This meaningful relationship is conceptualized as interpenetration and it is only when systems are located in a position of interpenetration that they can determine each other. In this way, the concept of interpenetration formalizes the relationship of the university with humans (psychic systems) and other social systems. In the form of social-psychic relationship between the university and the consciousness of each human being, interpenetration also formalizes the condition of socialization⁴⁴.

Apart from its role in formalizing some of the features of a social system, the concept of interpenetration is also the concept out of which the hitherto postulated weakness of the university's self-description is derived. A closer look at interpenetration reveals that a system is able to respond to systems in its environment only in its own terms and only based on its internal operations. Whether this response is adequately represented in the process of self-observation or self-description is not always apparent. It is certainly not so in the case of the University of Cape Town.

This section has two parts. In the first part is a description of, (a) the role of humans in interpenetration, (b) interpenetration as 'order from noise'; (c) human-human interpenetration, and (d) human-social interpenetration. In the second part is an outline of the far reaching implications of interpenetration for the conceptualization of the university as a social system, and the formation of a self-observation and descriptions.

I

Luhmann locates human beings as specific systems composed out of the structural coupling of three systems: psychic, living (body) and social systems. For Luhmann,

⁴⁴ Socialization is what Luhmann calls "the process that, by interpenetration, forms the psychic system and the bodily behavior of human beings that it controls" (SS:241)

social systems arise as systems from the environment, which is human beings. He argues, “social systems come into being on the basis of the noise that psychic systems create in their attempts to communicate” (SS:214). This is an indispensable analytical model because it frees the idea of the human to be much more complex than it is customary. Luhmann argues:

[Thus] the human being is conceded greater freedom in relation to his environment, especially freedom for irrational and immoral behavior. He is no longer a measure of society. This idea of humanism cannot continue. Who would seriously and deliberately want to maintain that society could be formed on the model of a human being, that is with a head at the top and so on?(SS:213).

Formulated in this manner, and in line with the system/environment distinction already introduced which accords analytical as well as ontological primacy to neither the system nor the environment, there is no reason to suggest (a) that human beings are somehow external to social systems, or (b) that they are the only important part of it. Luhmann goes to great lengths to explain how this is so and attributes corresponding mistakes as being the result of unawareness of the system/environment distinction in General Systems Theory. “It does not mean” Luhmann argues, “that the human being is estimated as less important than traditionally. Anyone who thinks so (and such an understanding either explicitly or implicitly underlies all polemics against this proposal) has not understood the paradigm change in systems theory” (SS:212).

However, just exactly how does interpenetration work? The answer to this question has far reaching consequences and elaborates the major argument of this dissertation about the university's recourse to the use of external descriptions (descriptions based in the legal and political systems) as its own self-description (as seen in its admission document).

Succinctly speaking, interpenetration is available only to the relationship between autopoietic systems (SS:218) and insofar as they remain environments to each other (SS:214). As environments to each other, they provide “incomprehensible complexity” to each other. If any meaningful communication is to happen, each system needs to find a way of dealing with the “incomprehensible complexity” it is faced with. In other words, it tries to create some form of “order from noise” (SS:214). Luhmann argues that the “system’s autonomy is not called into question”

(SS:214) in such an encounter and in its attempt to interpenetrate. The system remains free to respond, albeit based only on its own internal operations. Where possible, it finds a way of structuring the incomprehensibility either deliberately or by chance. It is equally possible that it may never find a method to deal with the incomprehensibility and be consumed by it.

Where it is successful, the solution to incomprehensibility is incorporated into the system as a form of a meaning. Like all things social, this possibility of interpenetration, too, is achieved through the creation of meaning (4.2). Meaning is “fixed”, as it were, by a process that Luhmann calls binding. Luhmann argues, “binding fixes, through the structure of an emergent system, how [the not yet fully determined possibilities of the interpenetrating systems] are to be used as meaning” (SS:221). How a structure is formed is something that will be discussed later (Section 4.8 *Expectations*). In the meantime, it suffices to say that the functions of meaning, double contingency and communication play a leading role in the emergent nature of systems and how they interpenetrate.

This form of interpretation can easily be seen in the relationship between humans. For Luhmann, interpenetration is exhibited in human interpenetration when “the complexity of a human being has a significance for another, and vice versa” (SS:223) and is observed, among others, in intimacy (SS:224). Just like social systems that are closed to each other but are only able to provide their complexity for interpenetration and upon which further communication is made possible, psychic systems, too, are closed to each other. As already discussed earlier in this dissertation, this is best described by Eva Knodt’s foreword to Luhmann’s *Social Systems* where she describes the condition of “hermeneutic despair” that is experienced by intimate partners who are unable to read each other’s thoughts (SS:xxix).

With the function of interpenetration available to both social systems and humans at the same time, it becomes the definition of socialization. Socialization is what Luhmann calls “the process that, by interpenetration, forms the psychic system and the bodily behaviour of human beings that it controls” (SS:241). The system of pedagogy (SS:243) achieves this process of socialization by actively attempting to modify the contents of the psyche, for example, through formal education. Other

forms of the success of interpenetration of body (living) systems is exhibited in dancing (SS:248) as well as in sports (249) where training reduces the active involvement of consciousness, to the extent that consciousness is seen to interfere with performance.

II

In this second part, the direct consequence of interpenetration to the conceptualization of the university as a social system is outlined. As already intimated above, interpenetration formalizes the relationship between (a) the university and psychic systems (people), and (b) the university and other social systems in its environment (such as the legal, political and economic, systems). In these relationships, the university as a system “makes its own complexity (and with it indeterminacy, contingency and the pressure to select) available” (SS:213) for other systems in its environment. This process of interpenetration is the way in which autopoietic systems relate with one another. One is always the presupposition of the other. Like “stones in a mosaic” (SS:215), states Luhmann, the mosaic is not just a mere collection of stones, neither is any collection of stones a mosaic. In our case, neither the individuality of the stones (humans) nor their specific organization as a mosaic (university) is analytically or ontologically more important than the other. They are both necessary components of what makes up the other.

This stone/mosaic distinction captures the condition of interpenetration. It is in the same manner that life is an interpenetration of the psychic system and the body system. Neither the body, nor consciousness alone could be considered life. It is the interpenetration of the psychic system with the body system that makes life possible which, in turn, makes social systems possible (SS:216). It is also the case that such interpenetrating systems may occupy the same space, as seen in the case of the mosaic (limited by the size of mosaic) and life (limited to the physical body).

Therefore, it is possible that the “operational domain” of one system could be entirely within the bounds of the other system and Luhmann caution that care must be taken against the attempt to model interpenetrating systems as separate in operation and in space (SS:217).

As far as the University as a social system is concerned, in the example of a relationship between a university and an overbearing political system (Section 4.5),

the need for the university to insulate itself if it is to maintain a system-boundary was discussed. It was also intimated that this insulation could take the form of the re-description of the political demands as the university (system-internal) demands. This was in anticipation of the reciprocally interpenetrating properties of systems that appropriate each other's internal complexity as discussed in this section.

As we can see from the discussion of interpenetration, it is actually the case that the demands of the political system are "incomprehensible" to the university. By incomprehensible we mean that the demand provides no indication as to how it can be operationalized. The political system can demand that more black South Africans should be admitted to UCT, but it is unable to send a list of names to be admitted, or the criteria by which they should be admitted. The university needs to 'figure out', a mechanism by which it can increase the number of black students. The 'noise' generated by the political and legal systems (i.e. the demand that more equitable access to all South Africans) cannot be ignored by the university, as long as all systems remain in an interpenetrative relationship. The result is a trial-and-error operation which attempts to increase the admission probability of those historically excluded populations. However, and this is where this dissertation is positioned, an admissions rationale that merely points to its environmental sources of pressure, however marginally true it may be, is not an adequate self-description of its internal operations.

From this, it can be postulated that a weak definition of a system's boundary (or a weak self-description in general) is a good indicator of points of active interpenetration. The process of dealing with the "incomprehensible complexity" makes the system vulnerable and points towards an area of ongoing negotiations. This is an indispensable indicator of an active site for investigation. Considering these areas of contestation is could be utilized in the re-description of the system. Information that points to the weaknesses in the boundaries of a system is an indicator of areas that the system is still trying to re-conceptualize as its own. For example, when the University of Cape Town was being accused of having political instead of pedagogical aims⁴⁵, it highlights an area within the self-description of the

⁴⁵ George Ellis, a professor of mathematics and cosmology at UCT asked: "So the fundamental question I think is: are the primary values of this university academic or political?" (Appendix I: PARA 196)

university that resembles more a description of a political system than that of a university.

4.7 Psychic Systems

By way of concluding this section on *Intersystemic Operations*, and to illustrate exactly how humans enter the world of social systems, a few words need to be said about psychic systems themselves. This has no direct implication for our conceptualization of the university as a social system, but it elucidates psychic systems and their relationship to social systems. It also sets the scene for the subsequent sections on securing systems where, especially in Section 4.8 *Expectations*, the location of psychic systems in the formation of indispensable expectational structures is discussed.

For Luhmann and his study of Social Systems, detailed characterization of “individual” psychic systems features very little. This may have to do with his recurring argument that communication is the only constitutive element of societies and that “social systems are not composed of psychic systems, let alone of bodily human beings” (SS:255). Such assertions, without understanding the system/environment distinctions, may falsely portray the image that people are marginal to his endeavours⁴⁶. In any event, Luhmann’s discussion of psychic systems starts by disregarding the classical attempt that holds individual human beings as the ultimate indivisible elements that make up a society. He argues that the individual as a “unit of empirical investigation” is no more useful in the process of understanding how society works, than “statistical aggregates [and] grand theories” – and considers assertions that this is the case as false (SS:255-6).

Regardless of his focus on social systems, Luhmann has devoted a whole chapter to a discussion on psychic systems (*Social Systems, Chapter 7: Individuality of Psychic Systems*). In part, the reason for devoting a separate space for the discussion is to illustrate his dissatisfaction with the classical (and to a larger extent, contemporary) conceptualization of the human being as the ultimate element of social systems. He argues that the move towards considering the individual as the unit of empirical

⁴⁶ However, as already discussed, there is no analytical or ontological primacy of the social over the psychic. The choice that Luhmann makes regarding his object of study (social systems instead of psychic systems) possibly has more to do with his professional preference (sociology instead of psychology) than anything else.

investigation has a tradition that spans the late medieval period through to modernity (SS:257-262) and he traces the history of the individual as perceived by different eras and thinkers.

Luhmann's theory of psychic systems can be summarized as follows: (a) psychic systems are the environment of social systems, (b) psychic systems are conscious systems, (c) these systems are conscious of themselves and exist by continually being conscious (self-referencing), (d) the interface of communication for psychic systems and their environment (social systems) is through expectations, (e) expectations are condensed to claims, and (f) where claims are not realized, the psychic system depends on emotions to help it continue its self-reference (in the face of unmet expectations and unrealized claims) (SS:263-271).

Like other systems, psychic systems are closed systems. Luhmann compares the conscious system to that of the nervous system and explains how the conscious system needs information from the nervous system in the form of pain, etc. and how the conscious system is otherwise unable to communicate (SS:262) and therefore "construct themselves out of self-constituted elements" (SS:262). Like systems that create boundaries that differentiate between elements of the system and elements of the environment, conscious systems create similar boundaries that help them create differentiations between their own elements and elements of the environment. It is through this argument that Luhmann advocates the re-definition of reality as the creation of a conscious system. For Luhmann, reality is created through the self-reference of psychic systems and this is what consciousness makes of it. He argues that a strong case for phenomenology can be made along these lines (SS:263).

These closed psychic systems are the environments of the social system. At the same time the social system is the environment of the psychic system. Like other system/environment relations, psychic systems also experience contingency and are always trying to reduce the complexities of the environment. Luhmann argues that "an individual psychic system exposes itself to the contingency of its environment in the form of expectations" (SS:267). In describing expectations, in a form reminiscent of the discussions in interpenetration, Luhmann argues:

For psychic systems, we understand expectations to signify a form of orientation, by which the system scans the contingency of its environment in relation to itself and which it then assumes as its own uncertainty within the process of autopoietic reproduction... After a certain period of conscious life enriched by social experiences, completely random expectations cease to occur (SS. p.268)

Luhmann explains that when expectations are not met, or when “the process of internal adaptation to fulfilment” is compromised (SS:269), it is countered with the exhibition of emotions. Emotions are vital in dealing with unmet expectations by acting as the ‘immune system’ of the psyche, because unmet expectations have an adverse effect on the functioning of the psyche, especially since the system-internal function (autopoiesis) of the psyche is dependent upon the fulfilment of expectations. It is in this event that “emotions arise and grip the body and consciousness” (SS:274) to allow the safe continuing of autopoiesis. The success of emotions, for Luhmann, is in their ability to “use simplified procedures of discrimination, which permits decisions without considering consequences.” (SS:274). In addition to acting as immune systems of the system-internal operations of consciousness in the face of unmet expectations, emotions also increase sensitivity to certain kind of stimuli (SS:561[footnote 42]) if those stimuli are indicators of an impending disappointment.

From this, it can be seen that the continuous assault of the social system plays a part in modifying the expectations of the conscious life (not least of all by formalized education). Luhmann concludes that expectations will eventually be “condensed to claims” to minimize the condition of emotions (SS:269). He makes a distinction between expectations and claims when he explains:

The distinction between expectations and claims make it possible to peruse the question of what occurs psychologically when individually grounded claims are increasingly socially legitimated and when the social order finally incites individuals to put forward even their individuality as a claim – as the claim to recognition and as the claim to promoting what makes one happy. (SS:269)

In conclusion, psychic systems, as environments of social systems, are indispensable elements in the conceptualization of the unity of the difference between psychic and social systems. They are important in an analytical sense, too, in that their internal structures mimic rather closely the structure of social systems. The following section on “Persistence” illustrates this similarity. For example, section 4.8 (*Expectations*) shows that the same structures of expectation are used in securing the structures of social systems, while section 4.9 (*Contradiction and*

Conflict) illustrates the social-immunization process that has substantial similarity to the 'emotions' of psychic systems.

Part II: Persistence

D. System Security

The coming to existence of the university out of making sense of the noise created by psychic systems and how this is accomplished, has been the major theme of this chapter. Thus far, the discussion of the university as a social system has concentrated on the features of the university and its various mechanisms for dealing with itself, its environment and other systems in its environment. In the following section, the mechanisms by which the university secures its futures and continues to exist is discussed.

This section attempts to illustrate how the university manages to continue admitting students even as its admissions policy is criticized. This is accomplished in a discussion that spans four sub-sections: (4.8) how structures form and secure themselves using expectations, (4.9) how these structures immunize themselves against disappointments to their expectations, (4.10) how systems reduce their burden of communication by a process of 'episodization', and (4.11) how systems continuously refine and define their boundaries using asymmetric data about themselves.

In the case of the University of Cape Town, it will be shown how the first three methods of securing itself (structure formation, immunization and episodization) are already fully functional and robust. As far as mining for asymmetric data that can be used for further redefinition and refinement of the university's conceptual boundary is concerned, this dissertation itself is forwarded as precisely such an attempt. By using all four methods of securing systems, Chapter 5 will describe a mechanism by which existing information can be mined for asymmetrical data, and Chapter 6 will outline the consequences of such asymmetrical data for the self-description of the university (both in terms of the philosophy and the operationalization of its admissions policy).

4.8 Expectations

I think a society where 70% of our leaders are what in apartheid years were called black, and has required us to use those labels to [address the past], is a much healthier and safer society for all of us, than a society where 80 to 90% of people who are defined black under apartheid remain poor and living in shacks.

Max Price (Appendix I: PARA 49)

UCT's expectation that the use of race is not only secured by the state but it is also the right thing to do given the historical circumstances, leads us directly to one of the fundamental features of social systems: expectational structures. In the above quotation, what Max Price is alluding to is the fact that the use of race in the admissions process is sanctioned by the government. Therefore, it can already be seen that an action that is endorsed by the same system that makes substantial provisions for the day-to-day running of the university provides the necessary security of UCT's expectations. Although drawing a direct causal relation between the race-based admissions policy and poverty alleviation is almost impossible, the quotation reveals the substantial security the university experiences concerning its expectations about the success of its race-based admissions. This also forms our entry point into the discussion of what these expectational structures are, how they form and how they persist in time. In addition, this is the section where Luhmann elaborates the structural participation of human beings in social systems (i.e. as nexus of interpenetration).

Succinctly, social systems are systems built of expectational structures. The 'order from noise' that allows for the formation of interpenetrative relationships (4.6 *Interpenetration*) does so by creating such expectational structures. The more a system is able to anticipate the actions of another system and vice versa (according to the principle of *Double Contingency* already discussed), the more likely that there will be stronger expectational interrelations between the systems. In this regard, social systems are expectational systems. The discussion of expectations and structures requires more understanding if it is to be applied to the university. In the following, the four parts to Luhmann's discussion of expectational structures are outlined. These are (a) redefinition of structures as constraints on expectations, (b) features of structures of expectations, (c) the securing of structures of expectations, and (d) dealing with disappointments regarding expectations.

Structures as Constraints

The idea of 'concessions of freedom' already discussed addresses the condition of constraints sufficiently. The university, too, needs to concede some of its freedoms to ascertain some of its operational needs. Therefore, as we saw in Chapter 3, instead of simply considering the school leaving scores of students, the university included a historical variable to determine who is to be admitted. The inclusion of this historical variable (i.e. race) presumably would not have occurred had it not been for the insistence of the political and legal systems. Therefore, in dealing with these extra-systemic influences, i.e. in order to align the expectations of the extra-systemic influences with that of its own, the university constrained (altered) its admissions policy, thereby forming a different structure of expectations. However, and this is where this dissertation enters the picture, to what extent is the university's description of what it is doing in terms of the political and legal system i.e. enough to illustrate its internal operations of admissions?

In Luhmann, structures are abstractions that help one to understand relationships. How a system functions, for example, may be described in terms of its structures. How a system's self-reproduction (autopoiesis) functions can also be understood in terms of structures. What a structure does, according to Luhmann, is "transform unstructured complexity into structured complexity" (SS:282) also known as 'order from noise'. Unstructured complexity, if it remains unstructured, cannot be understood as a system. It disintegrates and disappears into the environment the moment it is formed. However, if it is able to anticipate its disintegration "use this disintegration and form order out of it" (SS:282), a structure is formed. This formation distinguishes it from the environment and becomes the basis of its boundary. This boundary, in turn, constrains (determines or distinguishes) what belongs to the system from what belongs to the environment. Luhmann argues that "only by a structuring that constraint can a system acquire enough 'internal guidance' to make self-reproduction possible" (SS:283). The formation of structures is, by definition, a constraint on complexity.

In this sense, structures are characterized by their constraints, and by their interdependence and invariance. If structures are not constrained, the possibility for action and communication becomes impossible. Luhmann explains:

constraints constitute the meaning of actions... Without structural givens, one could only say 'Act!' and presumably one could not even determine whether this action has occurred. Only by excluding almost all conceivable linkages can there be something like: 'Would you give me a refill?' ... or 'Tomorrow at three at the movie theatre ticket office!' (SS:283).

Structural interdependence also acts as a form of constraint where “the selection of constraints works as a constraint on selection and this consolidates the structure” (SS:284). On the other hand, invariance of structures is a mechanism by which they persist over time.

Structures are also the mechanisms by which the operations of observation and reproduction are accomplished. However, because of the reduction of complexity that is introduced with the formation of structures, for Luhmann, there is a considerable difference between structures that are employed for observation and those employed the purpose of reproduction. Luhmann argues:

Reproduction requires adequate local security, requires that the next element be within reach, so to speak, like an answer to a question. By contrast, description seeks generalized security, and it therefore depends on the fact that a few indicators make many inferences possible. Reproduction must replace concrete elements with concrete elements. Description can be satisfied with statistically calculated probabilities... Thus the modern world-society ceaselessly reproduces itself on the level of interaction steered by expectations; but it is hardly in a position to describe itself adequately. (SS:285)

This is a central argument and this dissertation owes a great deal to its formulation as such. The problem of description that this dissertation is examining can be located in the difference between the structures of reproduction and structures of observation. It explains how the university may get away with poor descriptions of its operations. In other words, it explains how the nature of the structure of observations not requiring 'adequate local security' may be satisfied with existing political and legal descriptions. In addition, it explains how the reproductive process (the actual operation tasked with the admission of students, i.e. the same operation that claims a score of 0.81 is equal to a score of 0.89) can continue without ever being adequately described.

This theme of the difference between the structures of observation and reproduction will again be picked up in the next section (Section 4.9 *Immunization*). In the remaining part of this section an outline of the features of structures, their mechanisms for securing themselves, and how they deal with failure, is presented.

Features of Structures

- 1 *Temporal*: One of the important features of structures is their location in the temporal horizon. For Luhmann, structures are always located in the present temporal-horizon. They do not exist in isolation either in the past or the future. However, each present structure connects itself to the future-presents only from the present which was itself inherited from past-presents. In this way, structures are always "integrating the present's future with the present's past" (SS:293).
- 2 *Decisional*: For Luhmann, decisions take place where "meaning an action has is in reaction to an expectation directed to that action" (SS:294). A decision therefore takes place in reaction to another decision that has already been made. Therefore, expectations build upon expectations and every available choice is treated as if it were contingent.
- 3 *Hierarchical*: Where not all selections that are available can be selected simultaneously (complexity), structures of expectations prioritize their selection based on their constitution which dictates either (a) the chances of being chosen, or (b) the type of operations in terms of either observation or reproduction of the system (SS:301).
- 4 *Anticipatory*: This re-articulates the problem of double contingency already discussed (Section 4.3). When placed in a position that requires them to make a decision that they know will affect the decision making of another, these expectational structures become reflexive. In this way, they also provide structure, as Luhmann puts it, "with a content that can be revised" (SS:305) depending on contingencies.
- 5 *Security*: This last feature which is discussed by Luhmann is the security of structures. By security Luhmann means the ability of the system to determine its elements. He explains, "something determinate is made possible with a higher degree of probability and other things are excluded, so that expectations are more or less secure/insecure" (SS:307). This security is maintained by various strategies as outlined below.

Securing Structures

One of the ways by which expectational structures are secured is by what Luhmann calls various forms of identities. "What can actually be experienced as expectable" for Luhmann is organized by a series of identifiers or identities (SS:314). Luhmann uses the difference between persons, roles, programs, values as "perspectives for factual identification of expectational nexuses" (SS:315) as the different levels of identities that organize the security of expectations. Thus, what is expected can only be related to a particular aspect of the "human." In this sense, Luhmann makes a clear distinction between what he calls "exceptional nexuses" (i.e. person/role/program/value) and psychic systems (Section 4.7), and thereby indirectly refers to the aspect of the psychic system that is involved in an interpenetrative relationship with the social.

- 1 The degree of security of structures is made apparent in the difference between the various nexuses of structures. Luhmann uses the individual biography, for example, as an important nexus of securing structures: "in prison a brilliant hero, in freedom trivial and dull" (SS:315). What can be expected is limited to the single person. It involves, in very general terms, the totality of a person from a certain perspective.
- 2 A role, on the other hand, is concerned with a certain particularized behaviour of a person. Luhmann describes roles as being "tied to what an individual person can perform" (SS:316). Expectations will be only with regard to the performance of the person in a particular regard. A role is different to a person because the same person can assume roles that are not only different but can also be carried out in parallel. For example, what is expected of a father is invariably different to what is expected of him as a husband, or a military officer, or a nurse. Role, as a form of securing expectation, can also be understood as a differentiated (specialized) form of the 'person' identity.
- 3 A further differentiation of identity will seek to standardise roles for more than just one person. Programs arise when expectations are to be secured in more than just one person. This happens when, "the behaviour of more than one person has to be regulated and made expectable" (SS:317). Thus, programs are characterized by their "orientation toward goals" and Luhmann gives the

example of a surgical procedure as one such program where different roles (surgeon, nurse, anaesthesiologist, etc.) are played by different persons towards the same goal.

- 4 The last form of security can be found in values. For Luhmann, values are "individually symbolized perspectives which allow one to prefer certain states or events" (SS:317) towards which a multiplicity of programs could be directed. Luhmann gives the example of environmental sensitivity as an illustration of how multiple programs could be directed towards a similar end.

An informant (an interviewee, etc.), when referred to in an observation, is only referred to as a nexus of a structure. In other words, he or she is important for the role that is played in what is observed. In this dissertation, for example, constant reference is made to Dr. Max Price, the Vice Chancellor of the University of Cape Town. However, Dr. Price's involvement in this investigation is only as an important nexus in the structure that is being observed, i.e. the University. Elsewhere Luhmann writes:

A political party is not interested in knowing whether its members brush their teeth in the morning, afternoon or evening, or why leaves are green, or why suns are capable of remaining in a state of equilibrium. A social system can define its boundaries as more or less open and permeable, but it must then internally determine the rules of selection by whose help themes can be accepted or rejected. (SS:127)

Therefore, if there is no discussion of Max Price or Neville Alexander besides their respective roles, the programs they are part of or their values, it is owing to the recognition of the distinction between humans (psychic systems) and the interpenetrative relation they have with the university (a social system).

However, mechanisms of securing expectations such as outlined above are not always available or necessary. Expectational structures have, within them, built-in responses to disappointment. In the following, the two complementary strategies for dealing with disappointment are outlined.

Dealing with Disappointment

Expectational structures have different ways of dealing with disappointments. Luhmann discusses distinct forms of such mechanisms by which disappointments to expectations can be mitigated. Disappointments can either be turned into learning

experiences, or ignored. Expectations continue to be secure if the disappointment is the result of either an accident or an inability of the system (SS:333). In this event the system will not make any arrangement to change its expectations. It was beyond, as it were, what is expectable. On the other hand, disappointments may herald a new era of restructuring based on the disappointments received. Change in expectations follows from such events. In this sense, Luhmann distinguishes between two modes of securing expectations: cognitive and normative (SS:320). The cognitive mode has a propensity to learning (and change) while the normative mode does not, and attempts to find reasons to keep the old expectations intact.

In the case of the University of Cape Town, the rejection of its admissions policy by its own staff and members of the public was not reason enough for it to change its policy. Although the rejection experienced may not be strictly a 'disappointment' as far as the reproductive operations of the university are concerned (i.e. its staff is still teaching, the public has not stopped sending its young to the university, neither have applicants stopped classifying themselves according to the historical labels), it has certainly evoked a lengthy dialogue that continues presently. What is observed as contradictory and conflictual by those rejecting the policy of the university serves as a very important signal to the university and it is the central theme of the next section. In the following section, 4.9 *Immunization*, contradictions as immunizing forces that signal a breakdown in the self-observation of the system are outlined.

4.9 Immunization

Immunization is the system feature that can explain how it is possible that the UCT manages to continue its reproductive operations (admitting students) even with overwhelming reactions against its policy. These reactions, as mentioned in Chapter 3, are in the public domain in terms of letters to newspapers, and in the academic domain in terms of debates regarding race-based affirmative action. The academic debate has included strong arguments against the continued use of race in admission policy forwarded by scholars including UCT professors, e.g., Benatar (2010), Erasmus (2010) and Soudien (2010b). Therefore, it can be said that there is a strong, albeit ineffectual, resistance to the current policy.

The previous section showed how the strength of the security of the expectational structure the university has (in the form of a support from the political system) played

a role in the university's continued use of a race-based admission policy, even when there is strong resistance. In this section, the mechanism by which this resistance could be understood as a form of self-immunization is outlined. By definition, immunization is a process by which the system opens itself up for more contingencies and thereby reduces disappointments to its expectations. Therefore, by considering and engaging in the debate regarding its admissions policy, the University of Cape Town manages to continue with operationalizing its policies, however contradictory and conflictual they may be perceived as by others.

Succinctly speaking, the difference between the structures of reproduction and the structures of observation makes it possible for the university to ignore the resistance that arises from the structures (observational) that are not able to effect reproductive changes. In other words, insofar as the resistance is not able to disrupt the admissions process meaningfully (e.g., by rallying students against specifying their race) it will only serve as a cause for alarm and indicates a weakness in the system's operations.

This section also resolves the problem of contradictory observations. It shows that it is not always important to resolve the contradictions that are experienced in observation. The burden of resolving contradictions is further reduced depending on where they are located in the operations of the system. As has already been discussed (Section 4.8) the structures of observation are different from structures of reproduction and hence may give us clues as to where the nexus of the problem lies. Understanding of the contradictions will then help in the further conditioning of the contradictory aspects. In what follows, there is a presentation of (a) the historical problem of contradiction, (b) the role of contradiction as immunization, (c) the various dimensions of immunization, and (d) the concretization of contradictions as conflict.

The presence of contradictions makes the process of system immunization possible. Luhmann discusses the important role contradictions play in social systems, contrary to classical logic that seeks to conceive of a world free of contradictions. He conceives of contradictions as an immune-system of social systems where they play a very important connective role in signalling the possibility of a breakdown of autopoietic operations, that is, observation or reproductive operations.

Luhmann discussed how the problem of rationality in European culture had limited the conceptualization of contradictions. Where contradictions and conflicts signal an important function within the social systems, and where their appropriate conceptualization is a necessary condition in understanding them, Luhmann finds that classical logic is not always a useful tool. However, in the study of contradictions and conflict, Luhmann argues that what is important is to understand their immunizing functions (for contradictions) and their conditioning (for conflicts) and not the quest to resolve them. For Luhmann, contradictions are mechanisms of social immunization and conflicts are the communication, within the social systems, of such mechanisms. Understood as such, contradictions and their immunizing effects have far reaching consequences for the conceptualization of the University as a social system.

However, there are differences in types of contradictions. Depending on where they arise, either as part of the observation or reproduction of the social system, contradictions have different roles. In terms of observation, contradictions signal the breakdown of observation. As regards observations, insofar as they require distinctions for their actualizations, the absence of such distinctions signals the absence of observation. In autopoiesis (reproduction), however, they signal the continuation of the reproductive process in situations where even what is selected is understood to be contradictory. Undecidability, Luhmann argues, is the condition for decision. He concludes, "Even Buridan's ass placed, as it were, between two equally tempting bales of hay, will survive, even if it notices that it cannot decide, for that is why it decides, nevertheless!" (SS:360).

Observation has broken down at the moment undecidability has been signalled. There is no distinction the ass can make if both bales of hay are identical. However, the reproductive operation (the bodily needs) of the ass requires it to decide if it is going to stay alive, even if rationality suggests that it is impossible to decide. In this sense, what is traditionally considered a contradiction is not the opposing of interests but the presence of what Luhmann calls "fictionalized, secondary indeterminacy" (SS:361). This fictionalization is also a function of meaning (Section 4.2) in that what is selected has indicators of what is excluded, by definition. "Contradiction is an aspect of the self-reference of meaning because" Luhmann argues, "every meaning includes its own negation as a possibility" (SS:362).

As functions of meaning, contradictions destabilize the system when they appear. This destabilization is a common characteristic of complex systems where it enables systems to constantly monitor and adjust to the changing conditions of their environments. Luhmann gives the examples of the fluctuation of market prices, laws that are constantly changing and marriages that dissolve⁴⁷. The appearance of the excluded meaning alongside the included meanings as a contradiction signals what Luhmann calls the "insecurity of expectations" (SS:367) as discussed in the previous section (Section 4.8). Such an insecurity opens the system up for the possibility of deviations and thereby have what Luhmann calls "qualities that promote the development of an immune system" (SS:369).

As an example, Luhmann discusses extensively how Law, as a social system, serves not to avoid conflicts but to control their violent resolution (SS:373-376). Similarly however, the University in its continuous monitoring of its environment and other systems in its environment finds various demands that require its attention. The response to these demands reappear, in our case for example, as changes to admissions policies. By being flexible and opening itself up to the changes in its environment, the university secures its future expectations.

Such immunization process of contradictions is accessed by the temporal, factual and social dimensions of social systems. The inability to connect every possible connection at the present moment (i.e. complexity) compounds the contradiction of action. Therefore, in the temporal dimension, immunization takes the form of the scheduling or the sequencing of events in such a way that the future shall share the burden of selection⁴⁸. On the other hand, the "costs" (SS:381) of a selection (or an action) understood in terms of the aggregation of advantages and disadvantages, serve as an immunization against the contradiction that attempts to reject all apparent disadvantages as bad and accept all apparent advantages as good. For the factual dimension, not all that is good can be considered as the appropriate selection, nor would it reject what is apparently a negative selection. Finally, the

⁴⁷ "One must guard against the widespread error of thinking that destabilization is dysfunctional... One cannot assume everything remains just as it is but must constantly renew the security of one's expectation by scanning everything that happens to acquire information relating to the continuation of change of expectational structures" (Footnote: (SS:367).

⁴⁸ "The present future multiples contradictions. Future presents, by contrast, open up the possibility of deferring something and doing it later." (SS:378)

social dimension benefits from the immunologic of contradictions in terms of "competition" (SS:382), where Luhmann argues that such competition justifies the contradictions surrounding the condition where "one system's goals can be attained only at the expense of other system's goals" (SS:382).

Given all these dimensions and their multiplying effect on contradictions on one hand, and the role of contradiction in creating sensitivity to insecurity of expectations on the other, the importance of contradictions for systems can no longer be denied. For Luhmann, the immunization provided by contradictions is important if "continuation of ... self-reproduction under difficult circumstances" (SS:385) is to be secured. It is only when the system is able to maintain its boundaries (however this maintenance takes place, in this case the use of contradictions as signals) that it can still be distinguished from its environment and as a system. To this end, the necessity of contradictions cannot be overemphasized.

In light of the characterization of contradictions illustrated above, conflicts are therefore defined as the articulation of contradiction, not unlike actions are the concretization of communication. Luhmann explains that both the "contradiction of communication" and the "communication of contradiction" (SS:388) is what constitutes a conflict. Luhmann cautions against the simplified characterization of conflicts as "a failure of communication", he argues, "as if communication were something 'good' that can break down"(SS:389) when communication is the way systems are constituted. Conflicts are much more complex and are characterized by Luhmann in terms of the rules of meaning, double contingency, and communication they exhibit. This, for Luhmann is a sign that conflicts are "a social system of a special kind" (SS:389) with a high degree of "frequency" and "randomness" (SS:391).

However, most conflicts that appear do not last long or have a long lasting impact for other social systems. It is only those types of conflicts that are successful in reproducing themselves on a large scale and that attract the attention of other social systems that can be observed adequately, for example, by the scientific social system. Therefore, the more important question for Luhmann regarding conflicts is on the one hand "under what condition some of the many conflicts do not immediately pass away... but achieve far reaching consequences, long duration, and

large-scale societal effects, " and on the other hand "under what conditions do conflicts stimulate or recruit, create and aggregate further conflicts into a common front?" (SS:392).

The answer to this question is given by Luhmann in terms of the difference between society and interaction (next section, Section 4.10) : "interaction understood as a societal system that emerges among those who are present to one another and a society as the totality of all social communications that can be expected" (SS:392). In short, conflicts will have a far reaching effect if they are able to reproduce themselves at the level of the societal system. The chance of reproducing themselves at the level of societal systems may depend on their appearance as moral, scientific or political communications⁴⁹.

Finally, Luhmann argues that from the point of Systems, conflicts are not observed for the purpose of eliminating them but for the purpose of understanding how they are conditioned. "Within a framework of a theory that does not recommend itself as a nice cooperative one but that is interested in the normalization of the improbable" Luhmann argues, "we must pose a different, more encompassing question, whose goal is not the 'solution of conflict' but rather a by-product of the reproduction of conflict, indeed, a by-product one might judge quite skeptically" (SS:394). Luhmann proposes the functions of "restricting the means" and "increasing insecurity" (SS:295) as possible methods of observing how conflicts are conditioned.

In conclusion, the presence of conflicting observations is not reason enough for the breakdown of a university as a system. On the other hand, by continuing the dialogue with those who reject its policies, the university is able to continuously scan its environment for better ways of securing its own expectations in the future. The presence of systems that find the actions of the University unacceptable (even when they are completely incapable of doing anything about it), alerts the university to the internal inconsistencies of its self-descriptions.

From this it can be argued that the immunizing role of conflicts and contradictions is very important. It also means that contradictions are great opportunities for the re-

⁴⁹ For example, in addition to conflict arising from morality and law, "Scientific proof also encourages and supports conflict. Physicians can risk conflict (and their lobbies are among the most powerful in politics) because they know how sickness can be healed and can tell their opponents it will be their own funeral" (SS:392).

examination of the self-description of the system so that adequate measures may be taken to further constrain and condition it. This is precisely what this dissertation is attempting here. In the subsequent Chapters (Chapter 5 and 6) how such re-examination can be undertaken and the implications of such examination are outlined.

That Buridan's ass will drop dead from the sheer impossibility of making a decision as to which bale of hay to eat, is something that is and will forever remain in the realm of observing systems. In systems that are required to reproduce, that are required to connect each of their elements to the next available ones, such luxury is not always available. The choice to close its doors and send students back because it is unable to find the most rational, conflict-free method of selecting candidates from the population may well be available to the University of Cape Town. However, with that selection there will be nothing that can remain to be recognized as a university. In any case, it is not the choice that has been selected. The reason for this choice could be found in the next section (Section 4.10 *Episodization*), in the difference between *Interaction Systems* and *Societal Systems*. This distinction reveals that the University as a social system has more societal responsibilities than interactional and that its ability to withstand its critics, who are always located in an interactional 'episodic' relation, owes its possibility precisely to this distinction.

4.10 Episodization

On one hand, in its self-observation, the University of Cape Town resembles a system that is only able to observe itself from the outside, and subsequently conceptualizes its operations only as responses to external stimuli. However, for all of its self-characterization in terms of external influences, the University remains essentially 'closed' in its operation and is able to act only in a manner that is meaningful to itself. The 'incomprehensibility' of its environment, as well as other systems in its environment, is not evident to UCT when it attempts to describe its own operations in terms of external systems (e.g., overarching legal and political descriptions that permeate most communications). In any event, it is already conceded that this is not a false characterization, but that it falls very short of describing the actual reproductive operations that it is engaged in.

In its self-reproduction, the university has unmistakable self-reproducing, social system-like features and operations. So far in this chapter of conceptualizing the university as a social system, these features have been discussed and elaborated. However, it does not follow that the university is able to or actually does recognize and understand these features. One of the associated problems with such lack of understanding is the failure to appreciate the distinction between (what Luhmann calls) interaction and societal system. As shall become clearer in the following, the university conceptualizes itself more as an interactional system than anything else. It is this problem that I call here, following a definition by Luhmann (SS:406), the problem of false *Episodization*. False episodization in this case is the false self-attribution of the university that has led it to believe that it is essentially an interactional system, whereas all of its operations indicate otherwise.

As a social system (as outlined below) a university is constituted by and is dependant heavily on the success of both of its societal and interactional systems. However, malignant self-observations arise when it over-identifies with one at the expense of the other. In the case of UCT, this form takes the over-identification with the interactional system. However, this observation requires a rather detailed look at what Luhmann means by the difference between societal and interactional systems. In the following, Luhmann's conceptualization of both and the problem that they pose for each other is presented. Succinctly, societal systems are the rules that govern communication and interactional systems are the episodic manifestation of these rules of communication during an 'episode' of actual communication.

That societal systems are not interactional systems and cannot be conceived simply as the sum of interaction systems that occur is one side of this thesis; the other is that, although interaction systems always presuppose society and could not begin or end without it, they are not societal systems. (SS:406)

Although they presuppose each other and are determined by one other (as in the quotation above), one is not the sum, nor can the sum of the other be reduced to the one. For a meaningful interaction to take place, rules are introduced at the level of the societal system. For example, for a meaningful conversation between two people to take place, both need to know the shared language and its rules. Since it is not assumed that they invented a language for the purpose of that particular interaction, their interaction is governed by a societal rule. Therefore, an interactional system is

not a societal system, and a societal system cannot be conceptualized as the sum of the interactions in the society. The relationship between the two is doubly contingent and one always has a relationship to the other that is problematic.

Luhmann specifically draws this distinction between interaction and society because of his dissatisfaction with the conceptualization provided by symbolic interactionists⁵⁰. Luhmann rejects the possibility that society can be understood *only* in terms of interactions, even where interactions are the necessary part of a society: a societal system is not the sum of the individuals within it, nor is an interaction a miniature version of a society. This is strictly in line with the conceptualization of a social system that models individuals as its environment. However, the society/interaction distinction is further complicated because it does not easily assume a system/environment model. Thus, while it is this "non-identity" of interaction and society that characterizes social systems, and hence crucial element in the observation process, it is also what Luhmann admits to be the reason that introduces excessive burden on theory⁵¹.

One way to understand the relationship between society and interaction is temporally. In time, interactions appear as "episodes" of the process of society (SS:406). They appear and then disappear. Their appearance and subsequent disappearance is based on and guided by rules of engagement set out by society that preceded their existence. Luhmann writes: "[Episodes] are possible only on the basis of the certainty that societal communication has been going on before the episode begins, so that one can presuppose sediments of earlier communications; and they are possible only because one knows that the social communication will still be possible after the episode concludes." (SS:407)

The breaks in society that are created by interactions are points of great importance to social systems. It is at these points that complexity is introduced into a system. What a society cannot achieve on its own is undertaken by smaller fragments that

⁵⁰ "Individuals are constituted only in the interaction and are thus physically internalized social artefacts... this conceptualization remain socio-psychological and is not suitable for comprehending the highly complex problems of the societal system, which cannot be ascribed to individuals or their interaction." (SS:405)

⁵¹ "That the two distinctions system/environment and interaction/society do not coincide places a considerable burden on a general theory of social systems. Its presentation is therefore unavoidably complicated. One cannot simplify it without doing damage to relationships." (SS:406)

are interactions. In the same way, what the interactions cannot achieve on their own is achieved by the society. For example, if there is a need in a society for a law to change, it is prompted and guided by interactions (i.e. it needs to be raised in an interactional manner, for example, in a courtroom). The interactions themselves are not the society—even if they are a necessary part of it—but are the necessary conditions for the introduction of further complexity in the social system of the law. It is in this vein that Luhmann presents interactions as mechanisms that "serve to achieve structures that cannot be made congruent with society and yet equip it with complexity by building in differences" or in other words, "interaction brings about society by being relieved of the pressure of having to be society." (SS:407)

However, the basic questions remain: What is society? What is interaction? What is the problematic relationship that they pose for each other? For Luhmann, society is

[T]he unity of the totality of what is social... all-encompassing social system that includes everything that is social... everything that is communicated... Society carries on communication, and whatever carries on communication is society. Society constitutes the elemental units (communication) out of which it is composed, and whatever is constituted in this way is society, is an aspect of the constitutive process itself. (SS:408-409)

Society is anything and everything that can be touched by communication. There is no escaping it. Everything that is or can be communicated is part of it. What sets society apart from all other forms of social systems is that it has no environment that can be accessed immediately from within it. Luhmann says, "just as an organism cannot live outside of its own skin ... or an eye create a neural contact with what it sees, so a society cannot communicate with its environment. It is completely and without exception a closed system." (SS:409).

This is very important in terms of societal analysis. Society cannot be observed from the outside, as if there is an overall encompassing system that will have both the observing and the observed systems separately. Any attempt to do so will result in what Luhmann lampoons as a "dialectical materialism" form of an analysis (SS:412). There can be no "comprehension from the outside, but only self-observation, self-description and self-clarification in the course of its own operations." (SS:412).

In any event, this is the guiding principle of analysis in this dissertation. That analysis of a problem can only begin from within the problem and not from outside, as if the

observer is a separate system from the system of the problem. It is because of this that the analysis of the problem is presented in the form of the self-observation of a society. What better place to start the analysis of a sociological observation but from sociology as a discipline itself, and the observation of the problem of the university, from within the university?

As far as interaction is concerned, its scope is not as broad. In time (as an episode) its beginning and its end determine its boundaries; in space (as a perceptual process), those present and absent in the interaction concretize its characteristics⁵². As a perceptual process, interaction absorbs complexity of the environment. Perception is not necessarily communicable or communicated. It allows for information to be absorbed without it being selected or communicated. Luhmann argues that "perception is a less demanding form of acquiring information than communication. It makes possible information that does not depend on being selected and communicated as such." (SS:412)

The relationship of interaction and society is that one depends heavily on the other. While Society "guarantees the meaningful self-referential closure of communicative events" interaction is the nexus where "the hydraulics of interpenetration is activated" (SS:417). The unit of self-observation occurs at the level of interaction, but without the society to guide the meaning of what is perceived and how it is communicated, it cannot stand on its own. Luhmann concludes the relationship of interaction and society by writing: "society selects interactions, interactions select society, and both proceed in the sense of the Darwinian concept of selection, namely, without an author." (SS:433). In other words, the unity of the difference between interaction and society not only defines what a social system is but also supplies "the conditions of possibility for sociocultural evolution" (SS:433).

The University of Cape Town, by continually referring to its actions as the direct consequences of the political and the legal systems, has reduced the whole social world into a simple interaction between subsystems. When examined closely, the manner by which UCT defends its actions are very much in line with the episodic nature of interactions: as if there is a beginning and an end to this confrontation. The

⁵² "[I]nteraction systems have adequately determinate, or at least determinable, boundaries. They include everything that can be said to be present and are able, if need be, to decide who, among those who happen to be present, is to be treated as present and who not." (SS:412)

more plausible relationship between the politico-legal system and the University is one that relies on interpenetration. Such a relationship concedes that the relationship is an ongoing and mutually constraining affair that evolves with time.

Therefore, the university, by identifying itself too narrowly as a series of interactional processes (possibly owing it to the abundance of symbolic interaction theories), has limited the definition of itself to a simple series of interactional relations which can be observed and described externally. The result of such characterization - this false episodization of the system - is what this dissertation argues to be the reason behind its weak self-descriptions. In mitigation of this, Chapter 5 outlines a strategy to re-examine self-descriptions, which is in turn based on the same principles of Luhmann's *Social Systems*.

In conclusion, UCT (and its operations as a social system that depend on both interactional and societal systems) continues to maintain its boundaries even when its self-descriptions are not adequate. As already mentioned, self-description only needs few points of observation and is easily satisfied with a probability of these observations. However, reproduction needs local security and needs its elements to connect with other elements. Therefore, a tighter self-description of a system will be found not by looking at its existing self-description but by looking at its reproductive operations. Ultimately, the stability of the system boundary is a function of both operations, but as we already saw (4.9 *Immunization*) while contradictions in self-observation may be possible, the same is not possible in reproductive activities.

4.11 Asymmetricization

The final section in the series of features that has to do with the persistence of systems is system-rationality. In rationality, self-referential systems find a mechanism by which their self-reference is beyond simple tautology. This guarantees the continuation of self-reproduction (autopoiesis) and thereby assists in the persistence of the system. As outlined below, a system breaks the tautological cycle by including asymmetric data about itself in its feedback loop. Every possible environmental stimulus is reintegrated into the system as information about the system itself. Insofar as the University of Cape Town is concerned, a relevant and

recent example could be its request for public feedback regarding its admissions policy⁵³.

Societal rationality requires that environmental problems triggered by society, insofar as they in turn affect society, be depicted in the social system, that is, be brought into the societal process of communication. (SS:477)

One of the consequences of using a self-referential theory of social systems is its implication for rationality. In self-referential systems, rationality is determined in reference to themselves. There is no external authority to assign rationality to the system and this is certainly the case in Luhmann's conceptualization of societal rationality. In constructivist epistemologies such as Luhmann's Theory of Social Systems, rationality is defined and constrained by the limits of the theory within which it operates. What is important here is, as in the quotation above, rationality of a system is not independent of its own operations. Rationality is self-referentially ascribed, that is, when a system creates change in its environment, its environment in turn might cause a change in the system which in turn determines the reason for the system's new reference. If a social system causes anxiety in the consciousness of an individual and this anxiety is communicated back to the system in one form or another, this communication will form part of the system's self-reference, and therefore is communicated as such. This is societal rationality.

In the functionally differentiated contemporary times, the operation of self-reference exposes the system to complexities that pose a great deal of anxiety to what Luhmann calls "traditional" (i.e. Old European) rationality (SS:454, 477). Reason is no longer self-evident and independent. Depending on where it arises, it justifies itself. Rationality is no longer approximated as easily by invoking an independent measure such as God (or 'the good', 'the beautiful', 'the true', etc.) and this introduces a higher level of complexity in describing the relationship of the social system with its environment (i.e. humans). Ever since the binding force of religion and other meta-narratives of society declined with modernity, functional differentiation has created a condition where reason is available but is limited to its own function system. Since what determines the operations of a function system is

⁵³ "UCT seeks input on admission criteria" *Cape Times*. 22 February 2012. p.3.

its own self-reference, the reason for its self-reference is applicable self-referentially, i.e. within the confines of the function system itself.

What Luhmann presents as self-reference is the traditional concept of the “subject”. The historical development of the concept “subject” puts undue emphasis (for Luhmann) on consciousness and individuals. However, as was demonstrated in the previous section and elsewhere, society is not reducible to the sum of its interactions (or to the sum of the individuals making it up). In that sense, Luhmann chooses the term “self-reference” to demonstrate a type of system-consciousness without necessarily appropriating the concept of the “subject” borrowed from individuals. This is especially important in the discussion of ‘observation’ where a ‘subject’ (e.g., a consciousness or an individual) is assumed to be responsible for the operations. Since what Luhmann is interested in is in demonstrating the system’s ability for self-reference, he set himself the project of laying the grounds for a concept “more difficult to introduce but less subject to misuse” than the concept of the subject (SS:439).

Luhmann presents three kinds of references based on distinctions already discussed. These references are: (a) basal self-reference, “when the basic distinction is between and element and a relation”; (b) reflexivity, “when the basic distinction is before and after”; and (c) reflection, “when the basic distinction is system and environment” (SS:443-4). Therefore, self-reference is the ability to negotiate reference in three dimensions simultaneously: in temporalized(a) objects(b) found in space(c), where time, space and object refer to system realities, and not necessarily the common sense understanding of these concepts.

What saves self-reference from being a tautological referring is what Luhmann calls the built-in asymmetry in information processing⁵⁴. Every time a system refers to itself, it does so by introducing a different distinction into the operations. Otherwise, what is observed cannot be distinguished from what has already been observed before. In this sense, the circle of pure self-reference is broken by the introduction of an asymmetrical datum.

⁵⁴ For Luhmann asymmetrisation is a “...form in which additional meaning is recruited and tautology of pure-self reference is interrupted...” (SS:466) and that “a self-referential system must be able to observe itself to be able to asymmetricize itself, because this requires, in whatever shape, the initiation of a distinction in reference to itself.” (SS:468-9)

The system's self-reference is illustrated in its planning process. Luhmann noticed that the system's capacity to observe itself, its capacity for reflexivity and reflection prompts it towards self-planning where, he argues, it tries to "fix specific future aspects of the system and tries to actualize them." (SS:469) In this way, "self-observation leads (as planning) to self-description and thereby itself becomes observable." (SS:471) By being observable, the operation of planning encounters resistance from those affected by it⁵⁵. However practical it may be for the planning system, a plan demonstrates the possible inputs and outcomes of the future and this can be observed by those interested systems (other function systems in the environment, or even the environment itself). Therefore, it is possible that the system, in planning its own future, may never be in complete agreement with its environment⁵⁶. Even more urgently, because the system needs sufficient reduction of complexity for its operations, it will have priorities that are in line with its function but not necessarily in line with the expectations of the environment. Luhmann has noticed this in the system of education⁵⁷, among others.

In any event, it is such a disjunction between the operations of the system and the expectation of the environment that determines system rationality. As quoted above, insofar as the environmental disturbances that are created by the system come back to the system to affect it, the system will absorb it as part of its own self-reference. This means that the asymmetry introduced by the disjunction has created new data about the system based on the 'disjunction' information. Therefore, the incorporation of the asymmetrical environmental data back into the operation of the societal system determines the future of the system rationality.

⁵⁵ "The planner will never be in complete agreement with observers about the value ranking of goals, probable effects, acceptable risks, and so on. The mere fact that the planner must establish plans and subject them to observation creates an unfavourable position. Under such circumstances neither rational action, nor rational values offer a chance for a common rationality."

⁵⁶ For Luhmann, it is probable that "The planner will never be in complete agreement with observers about the value ranking of goals, probable effects, acceptable risks, and so on." (SS:474)

⁵⁷ "Education strives only for specific recombinations, while neglecting causalities unleashed by processes of dissolution needed for such recombination... interdependencies and interruptions of interdependence that grow up naturally are thereby dissolved and only partially recombined. This reacts back on society. 'The disorganization of nature poses the problem of organization of society.' [Luhmann quoting Mornin 2:92]" (SS:476) Education as a secondary socialization does not pretend to cover all that is available at any given time. It will need to restrict itself to certain aspects ("recombinations") of the social for its operations.

In a similar manner, UCT's attempt to find more data about itself referred to at the beginning of this section can be understood as the system making an explicit inquiry into the concerns of its environment (the people).

Chapter Summary

The purpose of this chapter was to draw sufficient similarities between the operations of the university and social systems so that the university may be reformulated as a social system. The successful reformulation of the university as a social system helps in identifying the nexuses of strength and weakness in the self-referential operations of a system. The success of this reformulation aligns the insights gained from Luhmann's *Social Systems* to the existing problems of the university and attempts to work out a strategy to overcome shortcomings.

From the presentation of these eleven sections based on Luhmann's eleven chapters of *Social Systems*, there can be no doubt that there are significant similarities between the operations of the university and the operations of a social system. Now that the university is established as a form of a social system, it can be concluded that the problems of self-description observed are analogous to the problems of self-observation already outlined in the theory of social systems.

In the remaining chapters of this dissertation, how the problem of self-description can be conditioned is presented. This presentation follows directly from the discussion of social systems. The strategy to overcome the existing difficulties of self-description is formalized by using the same features of social systems that have been discussed thus far. The same concepts that were used in this chapter to illustrate the similarities between a university and Luhmann's *Social Systems* are used in determining the probable strategies that may solve, at least in principle, some of the problems of self-observation. However, like all things contingent, the strategy does not claim to be the only one possible that can be proposed at this time.

5. ANALYSIS

If self-reference is the organizing principle of the theory of *Social Systems*, then a strategy to overcome the problem of self-reference cannot arise from outside the system that is experiencing the problem. We put forward that it is possible for the problem of self-description of a system to find solutions from within its own constituting elements. In this chapter, a strategy for constraining the weaknesses exhibited in the admission policy of the University of Cape Town is proposed from within the conceptualization of the University already discussed in Chapter 4. The conceptualization of the University as a social system, in addition to providing important vocabularies to describe its operations, provides the necessary tools for observation that allows one to evaluate existing descriptions and make assumptions about possible future alterations in these observations. In following this approach, most of the concepts introduced in Chapter 4 will reappear in the present chapter as various strategies.

This chapter has two purposes. Firstly, to demonstrate how the theory of *Social Systems* can be operationalized for understanding a very specific empirical problem. Secondly, it demonstrates that solutions to the problems of a system can be found within the system itself. In other words, it attempts to demonstrate how problems of observation reappear as problems of *knowledge*. Presented as such, the conceptualization of the university as a social system is already the first step in the attempt to formulate a strategic response to weak descriptions.

Such a strategy is attempted here by examining some of the existing descriptions of the University provided by the University itself and by others. For the purposes of this dissertation, these descriptions are limited to:

- 1 The 2010, 2011, 2012 and 2013 Admissions Policy Documents of the University (Appendix II)
- 2 Selected mass-media (public) responses of the university regarding its admissions policy, and
- 3 A special issue of an academic journal (*South African Journal of Higher Education*, SAJHE, Volume 24 Issue 2, 2010).

The first part of this chapter (5.1) outlines and summarizes UCT's self-description regarding its operations in the public mass media and in its admissions policy document. The second part (5.2) outlines and thematizes the various contributions that are made by the academic community to the University's admission process. These contributions are then evaluated in the third part (5.3) where they are tested for requirements regarding relevance, operations and symmetry as per concepts outlined in Chapter 4. This chapter proposes *a strategy by which one can mine for asymmetric data that can be used to further refine one's self-description*. Subsequently, Chapter 6 will outline the consequences of the incorporation of such asymmetrical data in the self-description of, in our case, the University of Cape Town.

In addition, the objectives of this chapter are guided by the following set of questions:

- a In what way did UCT's public and academic descriptions evolve (differentiate) over time in a manner that anticipates Luhmann's *Social Systems*? That is, as a test of whether the internal operation of the University does actually resemble Luhmann's modern social systems, as described in section 5.1.
- b In what manner are the statements provided in the Admissions Policy Document (i.e. observational structures) different from the admissions objectives (i.e. reproductive structures) of the University? That is, in reference to the proximity of the descriptions to the actual reproductive operations of the university; Section 5.1.
- c In what manner can the University appreciate the criticisms that it faces regarding its admissions policy? That is, in reference to its ability to extract important asymmetrical data that can reveal more information about the University; Section 5.3.

The answers to these questions invariably lead to the answer to the more general question: *What is the difference between observation and reproduction?* Accordingly, this chapter attempts to demonstrate that inadequate description of a system need not entail an entirely new description, but a re-description based on existing, yet unarticulated, operations of reproduction. This is attempted from within a synthesis of what the university and its critics are observing and describing. Ultimately, as an

observation of observations (i.e. a second-order observation), this presentation allows for new distinctions that have so far been unavailable to all parties.

5.1 Self-Description of UCT

I

In the following discussion, there is a presentation of an observation of the University of Cape Town's self-description in terms of its admissions policy document and its public engagements. The underlying argument of this presentation is that a difference between the public self-description and the self-description in its admission documents is a function of the complexity of "race" as a concept. In its mass media based public debates, the University conceptualized race in a manner that is different from the way it was conceptualized it in its admissions policy documents.

The university uses race as an instrument in its public-use of the term, but is unable to do the same in its administrative descriptions. Note that this is not a treatise on race, and the only objective here is to show the similarity and the difference between the public and the administrative concept of race as employed by the university.

It is also the argument of this section that, following Luhmann's idea of self-reference (interpenetration in particular), the strength of a self-description is in its ability to refer to itself. The University, in admitting that it is using race because it is required to by law⁵⁸, resorts to other-reference instead of self-reference in describing its functions. By referring to the law for this condition, and not the university-internal reasons for appropriating the use of race in admissions, the university weakens its description. Such a weak description attracts contradictions especially when the University is unable to account for precisely how the law is responsible in admissions (as illustrated in Chapter 3).

In what follows, the major description that the University employed in public debates and newspaper articles is presented and contrasted with its admissions policy document. The ubiquity of the debate in mass media and UCT's inconsistent defence of the instrumental use of race is presented along with the gradual changes

⁵⁸ Appendix II: UCT Admission Policies (2010-2013)

in the university admissions policy document. Based on this discussion, what the admission process “actually” looks like and its implication for understanding the role of the university is proposed.

II

Following the explicit provisions made in the national constitution regarding the redressing of past race-based injustices, the University of Cape Town has been using race to identify those who may have been disadvantaged historically. This motion of the University has been received negatively by the mass media and this has concerned UCT greatly. Over one hundred and twenty newspaper articles appeared in the two years between April 2010 and April 2012, all of which are meticulously archived by the University and have been a feature of UCT’s website home page since September 2010⁵⁹.

In trying to understand and deal with the problem of admissions in the face of a historical condition that segregated society into sections with varying degrees of access to education, UCT has rejected the exclusive use of school leaving examination marks. The assumption is that there are many talented school leavers that may not have achieved the highest national marks because of the kind of disadvantage their racial group was exposed to. This assumption of the University is articulated by the Vice Chancellor of UCT, Dr. Max Price, where he argued:

within any particular microenvironment the best rise to the top: those with talent, those with motivation, those who are overcoming the odds do the best in that class. You would probably get much more talent, much more potential out of that group than you would through any of our other current marking systems. (Max Price Appendix I, PARA 217)

In other words, those who reached the top of their own particular environment (the best of the blacks, the best of the whites, etc) should all be considered as the top of the nation. UCT’s assumption here is that if things were equal, there should not have been statistically significant patterns emerging. However, UCT finds that there is a statistically significant difference between blacks and whites in terms of achievements, when the school leaving grades of pupils from the best schools in the

⁵⁹ The University of Cape Town has a dedicated space on its Official Website (www.uct.ac.za) where a direct link to the debate is found.

country is disaggregated by race. UCT finds on average that there is a seven per cent⁶⁰ difference between black and white students.

In a high ranking university such as UCT⁶¹ where the level of competition for placement is very high, a consciousness that dictates that the best always rises highest relative to its privileges, assumes that it is important to consider the 7% difference as an inadequate measure of ability. UCT's assumption here is that those who rise to the top can always rise higher depending on the privilege they enjoy. Insofar as the university is concerned, those who rose to the top of their respective profile deserve entrance, especially because this profile is the product of history of segregation. Such a consistent difference between the profiles, regardless of what the reasons are⁶², follows a distinct historical pattern and therefore was utilised by UCT.

In the contemporary history of South Africa, race represents a formidable force. However, for reasons that can only be inferred, UCT has always found it uncomfortable⁶³ to properly articulate race in its admissions policy. The inability of the university to analytically disengage the problem of race in such a manner that it can be used as an instrument may well be the result of a scientific program that is also unable to do the same. In the absence of analytical guidance, the university is forced to apologize for using an instrument that it already knows is the only one currently available, and in practice transposes the 7% disparity in school leaving attainment to its admissions criteria.

However, from these assumptions it can be noted that the inter-racial differences (in the form of differences in standardised test scores) is taken by UCT into account during admissions. The objective of redressing the problems of historical segregation manifests itself in the form of sensitivity to history that is able to recognize potential

⁶⁰ Max Price, "In defence of race-based policy" *Mail and Guardian Online*, 6 January 2012

⁶¹ UCT has consistently been the highest ranking African university. In world rankings, it is typically the only university from the continent that appears in the top 200.

⁶² In the same article, Max Price gives what he thinks are the reasons behind the continuing difference between the races even when they are all economically considered to be 'rich' (language, parenting style, etc. are mentioned)

⁶³ In the same newspaper article Max Price writes: "we ought to move away from a race-based policy. We should accept it in the interim only if there is no better solution and only if the advantages outweigh the disadvantages." <http://mg.co.za/article/2012-01-06-in-defence-of-racebased-policy/> [last accessed 28 August 2012]

without exclusively subordinating its operations to results from standardised tests. This sensitivity to a historical problem and the university's attempt to deal with it can be understood in terms of Luhmann's *interpenetration*, i.e. the only way a university can be sensitive to a historical problem is by modifying its admissions process. In other words, it is only able to act in terms of its internal operations. However demanding the political and legal systems may be, the university can only respond in a university-specific way.

III

In addition to the resistance against the use of race in general, critics of the university also resist the application of affirmative action rules to students that do not merit such considerations. However, what is just in applying affirmative action is not as self-evident and it is purported to be in the various assumptions UCT makes about its entrants. More specifically, affirmative action is not about the general uplifting of a historically downtrodden community. Affirmative action, certainly in the case of UCT, is making hitherto unavailable opportunities to those who can make use of it.

This condition is better understood in terms of the operational requirements of self-reproduction. In chapter 4 it is already discussed how reproduction requires "local security" (SS:285), in that communication depends on the fact that "the next element be within reach" (SS:285). In this sense, for reproduction to take place, it presupposes the possibility of a communication between these two, as it were, black boxes (the admissions policy and the applicants). In systems located in a position of *double contingency*, the probability of successful communication is greater when they can anticipate each other's actions.

In UCT's case, those who can successfully anticipate the actions of the admissions policy, and what is expected of them, are those who are closer in attributes to those already being admitted. In this regard, who is admitted is not the very poor (e.g., black children from rural South Africa where secondary education is conducted under a tree) who will benefit from such policies. The following is the examination of UCT's assumptions to this effect.

In the same article quoted above, Max Price explains this concern when he writes:

In the South African setting the assumption underlying the demand that the selection of applicants from privileged private schools should be race-blind is that there is no longer any educational disadvantage for black pupils in private schools. (Max Price, *Mail and Guardian Online*, 6 January 2012)

This concern suggests that affirmative action is to apply only to those who are 'really' disadvantaged. That a certain proportion of black students are now able to enter the previously white-only schools independently, and that they should no longer be considered as disadvantaged, is the major argument. It is interesting to observe the evolution of the reasons that the university presents in defending its position. As shall be argued later in this section, this evolution reveals a strong correlation with the increasing autonomy of the university, which is in turn in line with Luhmann's concept of *differentiation* as a result of *interpenetration*.

In any event, UCT continues to find that the inequalities between the races are seen at present even within those students coming from the same schools. Max Price reported on these findings when he wrote how distinct patterns are still present when school leaving grades of high-performing schools are disaggregated by race:

If one looks at the distributions of matric marks by race at our university's top 30 feeder schools nationally -- almost all private or former model C -- one finds that although the distributions overlap in that there are a few black students who perform in the top percentile and some white students in the bottom percentiles, they are generally distinct, with black students performing an average of seven percentage points lower than white students. (Max Price, *Mail and Guardian Online*, 6 January 2012⁶⁴)

By the time the political structures of separate development were banned (when apartheid as a system of government was replaced), there were other structures that remained relatively secure. For now, we will concentrate only on the relative structural persistence of the old educational system i.e., where it follows that the old, low-quality schooling system by far remains structurally intact. This is evidenced by the fact that the same high quality schools that populated higher education institutions largely continue to do so. The system of separate development was such that even if it was formally disbanded in 1994, it left a significant proportion of the

⁶⁴ <http://mg.co.za/article/2012-01-06-in-defence-of-racebased-policy/> [last accessed 28 August 2012]

society in a position unable to take part in a meaningful construction of new structures.

What UCT's policy of affirmative action seems to imply is that a racial policy is less contentious if there is the understanding that there are no equal societies and that even within societies with the most similarities, there are those who form part of the rich and those who form part of the poorer class. Accordingly, making South Africa equal means distributing the rich proportionally among the various historically segregated races. Such equality does not mean everyone will be rich. This equality means the proportion of the rich will be the same in the various historical groups. In other words, the proportion of the races in the various economic classes would be the same. In a less segregated world, the racial proportion of the rich and the poor will be the same in each group. This is actually what is being attempted in the university admissions too. Admissions is about creating equal opportunity to all who may benefit out of it. Those who may benefit are those who have already benefitted from a good secondary schooling.

This is consistent with the condition that the children of the very poor never enjoyed high quality education. There is hardly any evidence in history to suggest otherwise, and there is no reason to hope for all-pervasive equality in the case of South Africa - and this includes the children of the poor white population of South Africa. Although active attempts will continue to recruit those with the highest potential from areas that are usually excluded from higher quality higher education, these endeavours will be taken up by the very few. Such endeavours do not become a rule, and remain essentially exceptions.

A policy may be based on an ideal vision, an ideal world where everyone with the desired potential has an equal chance at receiving a high quality education. However, for as long as there continues to be a significant difference between people and classes of people, those who eventually enter the university will, on average, resemble their parents. Therefore, it remains that those who shall benefit from the current South African attempt to allow more blacks into universities shall be the ones who are prepared the best. Those with relatively better existing opportunities will have a better chance of gaining admission to universities.

As reasonable as this line of argument may be, it remains incommunicable for as long as the present rhetoric of 'equal access' persists. Nowhere is this incommunicability more apparent than in the attempts of the University to justify the admission of students from the more obviously privileged backgrounds. In what can only be understood as social engineering, Max Price defends this position in 2010 when he argued:

we have to explicitly go out and find the best black students that are out there in order to disrupt those stereotypes that otherwise would exist; in order to make sure that we have lots of black students at UCT who are among the best students and who get through without any academic development and who are the same as white students. To do that we have to find the most privileged black students, not the most disadvantaged black students. And in order to do that we need a policy that includes race – we need to have race as a separate part of the basket, and we need to say we want the black students from Bishops, those are our most desirable students. (Max Price, Appendix I, PARA 16)

In early 2012, this line of argument has changed significantly regarding the admission of 'obviously' privileged black students. From the engineering vision of the University which was defended in 2010, now an epistemic (psycho-sociological) reason for the paradox of difference is presented. In a letter to a newspaper, Max Price writes:

It is hardly surprising, then, that this first generation of black students at top schools performs as a group less well than white students. It does not reflect different talent and generally not different motivation, but rather the legacy of different parental education, differences in cultural capital and the effects of racial stereotypes, which are all direct consequences of our apartheid past. (Max Price, Mail and Guardian Online, January 13, 2012⁶⁵)

The significance of this change in reasoning cannot be overemphasised. No longer is the vision of the University a changed world, but a better-understood world that seeks to grapple with the paradox of difference. However satisfactory (or unsatisfactory) or not, the reasons provided may be in the second iteration, it has changed its self-description from one of *changing* the world, to the more modest version of trying to *describe* it. This refining of the self-description indicates a further increasing in the functional differentiation of the university.

⁶⁵ <http://mg.co.za/article/2012-01-13-past-sins-revisited-and-corrected/> [last accessed 28 August 2012]

IV

The increasing functional differentiation of the university is also exhibited in the evolution of its Admission Policy Document. This evolution is apparent in the opening sentence of its admissions documents of the last four years. In a manner that mimics Luhmann’s concept of evolution of structures of expectation (Section 4.8) the opening sentence of the admissions policy has differentiated noticeably over the last four years. The following table lists the opening sentences of the last four policy documents.

Table 5: The opening sentence of UCT’s admissions policy document for the years 2010 - 2013

	2010*	2011	2012	2013
Admissions Policy Document Opening Sentence	The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.	The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.	Our policy is to be flexible on access, active in redress and rigorous on success.	Our admissions policy is to value the best, to be active in redressing past inequalities and to be rigorous in promoting success.

*A policy document is published in the year preceding its coming to effect. For example, the policy document dated 2010 is published in 2009, etc.

The evolution of the structures of expectation from *roles* (2010, 2011) to a *program* (2012) and finally to a *value* (2013) is an indicator of a document subject to an increasing level of security. As discussed in Chapter 4, roles, programs, and values are important features in the security of structures with increasing levels of securing expectations. Whereas roles specify the actions of a single entity (e.g., a single person), a program specifies the combined actions of various entities towards a single goal. Values, on the other hand secure the general inclination of various programs. In a similar manner, UCT’s admissions policy has changed to emulate all three models in the last four years. This shows, among others, (a) the increased complexity of its operations and the functional differentiation of its descriptions, and (b) the increasing security of its self-description.

The ‘we will do this and we will do that’ in the opening sentence of the 2010 and 2011 documents shows a strong correlation to the concept of *roles*. These three

specific roles were considered to be the “cornerstones” of the policy document. In this regard, the policy document defined itself as a specific entity with a specific role.

By 2012, the role-based self-description was replaced by a complex of conditions that guide action⁶⁶. Instead of aspiring to ‘do this and do that’, it became a matter of wanting to ‘be like this or be like that.’ In this regard, a policy document was no longer was a set of roles but a program that attempts to organize actions in a certain manner. Finally, in 2013 (the most current of the policy documents), the programmatic nature of the of the policy document is replaced with a higher form of abstraction which Luhmann calls “value” (SS:317). As can be seen in the summary table above, the wording of the opening sentence declares that the admissions policy is organized “to value the best.”

If this type of evolution is to continue, it is expected that the first sentence of the policy document in subsequent years will concentrate on value and less on how that value is measured. The current description of value to include the statement “to be active in redressing past inequalities and to be rigorous in promoting success” may well be the residual effects of the programmatic nature of the previous descriptions, and that in the subsequent iterations of the document, the opening sentence may be entirely dedicated to the value inherent in the admissions document.

IV

It needs to be noted that the University of Cape Town was never compelled to change its rules regarding admission of students by using race-based affirmative action policies. Regardless of the type and intensity of resistance from the public and from academicians, the University continues to admit a proportion of its students based on race. Therefore, the last question in this section is: *What is behind the fact that while the articulation of the admissions policy evolved over time, there is no significant change in the admissions process itself?* In other words, while the self-description of the admissions policy changed over time, how is it that the autopoietic (self-reproductive) operation of admissions remained the same?

⁶⁶ Luhmann defines a program as being “a complex of conditions for the correctness (and this the social acceptability) of behavior” (SS:317).

To answer this question, a summary of what the 'actual' process of admission looks like is presented in the form of an argument summarized from the various parts of this chapter:

- 1 The University believes that there is an equal distribution of "best" students in a nation.
- 2 The university recognizes that historical race-based categories were created in South Africa so that differential educational policies could be applied to them, i.e. that the white population went to white schools, the Indians to Indian schools, the coloureds to coloured schools, and the black students went to black schools; and that the quality of education is in decreasing order respectively.
- 3 When the university sees the scores of national school leaving examinations closely correlating with the quality of education the different categories received, it does not accept such results as a sufficient indicator of who is "best" in the population.
- 4 The University believes that, given any micro environment, those who are the "best" rise up to the top of their respective class.
- 5 Therefore, the university allows competition for admission to occur only from within the same class.

What is immediately observed in this five-point argument is that the University is interested in admitting only the "best" students the nation has to offer. Race has a secondary (albeit instrumental) significance in this framework, and its function is to control for the bias introduced by historical categorization. In other words, just because one student has a high score, it cannot immediately be assumed that the student is the best unless it is in comparison within his or her historical category. Nevertheless, such a description of how race is constituted is missing from the admission document entirely.

In reality, when applying for admissions, students are asked if they would like to be considered for affirmative action, i.e. they are forced to indicate to what racial category they would have been assigned to if they were born under Apartheid.

Therefore, depending on the number of places available, those at the top of their respective category compete for admission. Those who are classified as white compete with other whites, and those who are classified blacks compete only with those classified as blacks for the same place.

Given this set of observations, how did UCT's self-description under-emphasise its primary premise (valuation of the "best") and continue to emphasize secondary distinctions such as redress, success, etc.? The actual contents of the answer may vary according to the system that tries to answer it. But the *form* the answer takes invariably remains the same. For Luhmann, this scenario is something to be expected. That complex systems are not always able to appropriately describe themselves, is a function of the difference in the operations that are involved in observing and reproducing a system. In the case of UCT, this problem of description arises from, among others, the absence of a thorough engagement with the concept of race.

A strategic response to the problem of race-based admissions policy cannot ignore the role of race. In the absence of an adequate engagement with the concept of race in the public and administrative arena, this dissertation will now look to other sources. In the following section (5.2) a review of a special edition of the *South African Journal Higher Education* (2010) is presented where the mining for robust articulation of the problem of race and admissions can be appropriated to condition and constrain the weaknesses exhibited in the descriptions of the current admissions document.

5.2 Description of UCT by Others

In the following discussion, an observation is presented of the academic debate that was published in the *South African Journal of higher Education* (SAJHE vol. 24, issue 2:2010) regarding the University of Cape Town's admissions. This presentation is to show the forms and the contents of the contributions that were made towards the theme of 'race-based admissions policy.' There were a total of fourteen contributions excluding the introductory article to this *Special Edition* journal. The contributions were made mainly by scholars from the University of Cape Town and the neighbouring Stellenbosch University. There were five contributions from the University of Cape Town (UCT), eight from Stellenbosch University (SUN) and one

from the University of South Africa (UNISA). The Journal is housed at the University of Stellenbosch.

To organize the contributions into themes, first, Luhmann's idea of the unity of the difference between society and interaction (Chapter 4, Section 4.10) was used. Where the feelings, emotions and the psychology of the individual are examined to locate, understand and resolve the problem of admissions, it falls within the category of 'interactional contribution'. Where the societal system (rules of communication) is the focus of analysis, it falls within the category of 'societal contribution'. Of the fourteen contributions, six were interactional while the rest (eight) were societal.

The second theme that was used to organize the contributions is the position of the author towards the relevance of the use of race in university admissions. Three categories were identified. Five of the fourteen contributions did not have a definite position on the use of race in admissions because they argue the problem of admissions cannot be understood from the level of the use/non-use of race only. Another five contributions argued against the use of race, while four contributors argued for the continued use of race.

The working assumption of this section is that a better strategy for constraining weak self-descriptions could be found from within contributions that are located at a societal level and are simultaneously able to provide a better conceptualization of the concept of race. The requirement of societal level of abstraction is selected to be appropriate only because of the societal nature of the admissions policy (i.e. as a rule that guides communications within which episodic interactions can form).

A. Interactional Contributions

Interactional contributions are characterized by the type of communication that is emphasised. Usually, these types of communications make appeal to the lived-experience, to the emotions and life-situations of the individual as the nexus for analysis and intervention. Based on these features, the contributors in the *South African Journal of Higher Education* (2:2010) have rejected, supported or shown ambivalence to the use of race in admissions.

For example, Erasmus (2010) in rejecting the use of the old apartheid categories because it does not adequately encompass the range of problems, she insists to

“urge our thinking toward encompassing these lived realities, these testimonies and this knowledge without surrendering to apartheid’s codes; without fulfilling apartheid’s certainty that its codes would be fixed” (Erasmus 2010:255). She hopes this will be accomplished by “doing the scientific work to devise and test new indicators -- always imperfect approximation -- for the inequalities that live behind apartheid race categories in order to eventually replace these as administrative categories.” (Erasmus 2010:245). Erasmus hopes, in consultation with others, that an instrument could be developed, which could be used to identify those individuals who need the affirmative action programme the most without necessarily depending on the old categories. Unfortunately, she gives no indication as to the form of this instrument.

Similarly, Fataar (2010), following Erasmus, starting from a particular pedagogical concern, appeals for a “greater awareness of the impact of their life circumstances, and the reflexive positioning and capacity that these engender” when designing affirmative action policies (Fataar 2010:328). In other words, what is important in determining affirmation is the personal experiences of the historically disadvantaged and that due consideration be paid to all aspects of a university life, not least of all the pedagogical ones. Berkhoust (2010), too, in the fashion of Erasmus (2010) and Fataar (2010), appeals for a more critical engagement with the contemporary policy as the issue of affirmative action is beyond “the imaginative exploration of subjectivity, beyond the indexed boundaries that affirm only historical inequities” (Berkhoust 2010:338). Again there is no indication (in form or in content) what this critical engagement may resemble.

In an explicitly psychological analysis, Botsis (2010) offers a strictly interactional account of the issues related to the use of race. In her contribution, Botsis, when looking at the feelings of white teenage school-leaving girls, found that they are unable to adequately articulate their relation to the conditions of affirmative action, especially when trying to understand the paradox of the new, supposedly non-racial world that now requires them to identify themselves racially. However, even though she concludes that “a policy of redress needs to carefully negotiate the way in which it draws on old categories [and] this needs to be done in a reflexive way”, as with the previous commentators she makes no attempt at describing what form this

negotiation could take or how this would assist in the overarching problem of conceptualizing race (Bostis 2010:241).

Van Wyk (2010) is in favour of racial categorization in the admissions process because of her distrust of the projects of those individuals that are involved in the debate itself. In her response to Soudien, Benatar and Bostis she writes: "To take us forward I suggest that those human beings who participate in the debate first have to confront their humanity, human experiences, their prejudices, their racism, and their (dis)advantage." (van Wyk 2010:359). She denounces those who want to abolish the use of race in admissions because they are the ones who are bound to lose from its inclusion. According to the psychological research she cites, she concludes that those who want to abolish affirmative action are the already privileged. She also refers to what she calls a "moral community" of the privileged that supports each other in its quest to maintain a form of control over the continuation of such privileges (van Wyk 2010:362). However, here too there is no further elaboration on what race is or how it may be used in admissions.

These interactional-level contributions emphasise the significance of the individual and argue for a resolution of the problem that is based on the understanding of the individual. Such an understanding is assumed to help with a formulation of an algorithm that may be employed to identify individuals that should benefit from affirmative action policies. In the following section, a summary of the contributions that are at societal-level of abstraction are reviewed. In section 5.3, these interactional and societal contributions are evaluated in terms of the strategy for re-description that we are setting out to formulate.

B. Societal Contributions

The societal contributions are characterized by a type of communication that emphasises the societal system (Section 4.10). Usually, these types of communications make appeal to one or more societal system. Descriptions are typically based at the level of the moral, pedagogical, political or economic systems or a combination of thereof. Based on the features of societal communications, the contributors in this journal have rejected, supported, or shown ambivalence to, the use of race in admissions. Those who find the use of race most inappropriate are

located within the field of ethics, while both supports and rejections were put forward based on the nature of the political and educational systems.

Contributions that neither condemned nor appreciated the race-based affirmative action of UCT are found in Soudien (2010b) and Badroodien (2010). Soudien (2010b) in a very dense and sophisticated argument, attempted to locate the general failure of Affirmative Action in (a) too much political autonomy, and (b) too little reflection in an all-white institution. In this way, he rejects (i) the University's attempt to be demographically representative of the wider population, i.e. conscious recruitment from of previously excluded groups, and (ii) a non-reflexive appropriation of Western educational ideals, that is not attempted even when presented with an opportunity to do so in affirmative action policies. For Soudien, where '(i)' succeeds, the university loses its mission of not being representative (an elite institution is by definition not a representation of the wider society), and if '(b)' succeeds, whoever is admitted, is inducted to an essentially 'white' way of knowing the world.

Badroodien (2010) explicitly following Soudien (2010b) argues that the current conceptualization of Affirmative Action and its project need to be re-examined. He argues that what is accomplished through the various rules and legislations has only increased the number of students that would not have accessed this privilege under the old circumstances, while the old impoverished societies continue to exist in conditions that are comparable (if not worse than) the old system of Apartheid. He concludes

what should be at stake in current debates is not whether marginalized and disadvantaged communities (using the proxy of race) are adequately being recognized and included in the university community, but whether beneficiaries, in getting access to the university are getting to better understand and contemplate the instruments of reproduction that recreate the white ontologies that Soudien (2010b) refers to.
(Badroodien, 2010)

For both Badroodien and Soudien, the problem lies in the interplay of the political and educational systems and their relationship with the university as an organization, therefore making setting their contribution a societal one. However, by locating the problem of the use of race itself outside of their objective, they are unable to contribute to the immediate question of the use of race in admissions. While it may be argued that their contribution is only providing a background to the existing

problem, it still remains that they do not engage with the immediate question of the problem of race in admissions.

A strong argument against the use of race in admissions comes from Benatar (2010). While accepting that past injustices need to be redressed, Benatar argues that this “does not entail that applicants may be favoured on the basis of their race” (Benatar 2010:258) and finds unacceptable the procedures employed to categorize individuals into racial groups. The unfairness comes, according to him, from the fact that there are differences within the races that are hard to categorize as deserving affirmative action.

Waghid (2010) on the other hand argues that the role of the university is to seek truth, to judge, and to criticize using the best scientific methods available. If a university is to favour one truth over another, it has fundamentally forgotten its role in society. Therefore, Waghid questions how a university can appropriate the same laws of discrimination that characterized the old admission policy. For Waghid, the favouring of whites, then and the favouring of the blacks now is a comparable transgression not to be expected of a university.

Unlike Benatar and Waghid, Bitzer (2010) finds that being poor is what is keeping people from getting into higher education, not their race. Therefore, socioeconomic variables should be good indicators for an affirmative action policy. Bitzer (2010:303) concludes:

worldwide socioeconomic standing is widely accepted as an equitable student selection criterion and that people from low SES backgrounds are highly underrepresented in higher education. This situation is prevalent mainly because school completion rates and school achievement levels closely relate to social class and race (Bitzer 2010:303; emphasis added)

On a more sympathetic note, Higgs (2010) locates the problem of the universities within the greater problem of autonomy, i.e. universities are not independent of political influences. Higgs argues that

much of present day transformational discourse in higher education in South Africa is vulnerable to politically driven higher education practices concerned with issues such as race and the redress of historical imbalances, educational disadvantage, affirmative action, admission policies, diversity and, equity and access [and] what is needed today is the freeing of the university from its political chains and an awakening of its educational responsibility and role as a distinctive higher education institution in society. (Higgs 2010:271-372)

While the aforementioned societal contributions are somehow against the use of race in the admissions process, the following three are in favour of UCT's continued use of race in admissions. For Le Grange (2010), race must be used in admissions for the sake of fairness and diversity. The historical division of the population into particular races had corresponding effect in differing access to various social systems. Therefore, mechanisms to offset the differences should be in place such that "contingent colour conscious should form part of public policy" (2010:331). Such consciousness, le Grange argues, assures that those excluded historically from universities will now have access and therefore the university will produce leaders from a wider gamut of the population.

Favish, J. and Hendry, J. (2010) found the following from application data and other student related data disaggregated by race, that black students, according to their proportion in the population of the student body at UCT: (a) that their application rates are low, (b) that their school leaving results are low, (c) that their acceptance rates are low, (d) that their performance is low, (d) that they form the highest proportions in the academic development programs , and (e) that their chance of dropping out or being excluded is high. Therefore, they concluded, there is nothing to suggest their equality to the rest of the student body and that "there is not an empirical basis for arguing that race should no longer be a factor in admissions" (2010:281).

Finally, Gouws (2010) in a reply to Erasmus and Benatar in the same journal, motivated for a better understanding of the concept of race and a better articulation of the disadvantages that are associated with it. Gouws finds that race can usefully be re-described in Sartre's concept of a series which she argues, "can be used to escape the false essentialism and identity politics of race as a category for admissions to universities" (2010:313). This type of conceptualization, i.e. race as a series, offers a chance to strip race-based identities of their significance to identity politics and therefore create an opportunity for an unashamed use of race that requires no apology.

C. Tabular Summary of Contributions

The following table shows the summary of the contributions according to their type of abstraction and position in relation to the use of race in admission policies.

Table 6: Contributions in order of appearance in the South African journal of Higher Education, Volume 24, Issue 2, 2010. The contributions are classified based on the type of abstraction (societal / interactional) and their position towards the use of race (yes / no / no definite position)

No .	Name of Contributor	Title of Contribution	Institution	Type of Abstraction	Contribution
1	Soudien, C. (a)	Affirmative action and admissions in higher education: Initiating debate	UCT	--	--
2	Erasmus, Z.	Confronting the categories: Equitable admissions without apartheid race classification	UCT	Interactional	n/a
3	Fataar, A.	Student being and becoming at the University response from the perspective of a reflexive sociology of teacher education.	SUN	Interactional	n/a
4	Berkhous	Beyond the heart of darkness and the unbearable lightness ...	SUN	Interactional	n/a
5	Botsis, H.	White teenage girls and affirmative action in higher education in South Africa	UCT	Interactional	No to race
6	Wyk, B.	The affirmative action debate: A critical reflection	SUN	Interactional	Yes to race
7	Soudien, C. (b)	Some issues in affirmative action in higher education in South Africa	UCT	Societal	n/a
8	Badroodien, A.	(Em)bodying affirmative action within a sociality of meaning making	SUN	Societal	n/a
9	Higgs, P.	The politicisation of the university in South Africa and its consequent demise	UNISA	Societal	No to race
10	Waghid, Y.	Beyond the university of racial diversity: Some remarks on race, diversity, (dis)advantage and affirmative action.	SUN	Societal	No to race
11	Benatar, D.	Just admissions: South African universities and the question of racial preference	UCT	Societal	No to race
12	Bitzer, E. M.	Some myths on equity and access in higher education	SUN	Societal	No to race
13	Favish, J. and Hendry, J.	UCT's admissions policies: Is the playing field level?	UCT	Societal	Yes to race
14	Gouws, A.	Race as seriality: A response to David Benatar and Zimitri Erasmus	SUN	Societal	Yes to race
15	Le Grange, L.	From 'race-consciousness' to 'colour-consciousness'	SUN	Societal	Yes to race

In the following section, these findings are evaluated from the point of the University and its immediate problem of articulating the use of race in admissions.

5.3 Evaluating Academic Descriptions

Before evaluating the academic contributions, it needs to be noted that this research is an observation of the self-description of a university. The evaluation of the academic articles that follows is geared towards prognosticating the likelihood of an article to be accepted by the university as its own self-description. This process of prognostication allows for the formulation of a strategy which makes the acceptance of an article from the SAJHE possible by the university. Since the importance of a contribution cannot be determined in and of itself, success is measured here in terms of the probability of its incorporation as part of the self-description of the university in the future.

Accordingly, there are few considerations when evaluating contributions. The first and more obvious is the requirement that a contribution understands and is relevant to the theme being communicated. Let's call this the *symmetry requirement*. The second consideration is the type of operation that is presented in the contribution, that is, if its operation is observatory or reproductive or both, as outlined in Chapter 4 (Section 4.9). Let's call this the *operational requirement* of the contribution. The third consideration is the requirement that the contribution, in addition to being relevant and operational, adds new information to the theme being communicated. By new information I mean an asymmetry that is required to break the closed circle of self-reference (Chapter 4, Section 4.11). Let's call this the *asymmetry requirement*.

As far as the symmetry requirement is concerned, because all of the contributions were organized specifically to deal with the problem of admissions in higher education, evaluation will consist of only the degree of relevance. It is assumed that if the contributions were entirely irrelevant, they would not have appeared in the special issue of the SAJHE (Volume 24, Issue 2). This is especially useful in filtering contributions that were superficially related to the theme of the research. However, because there was no implicit (or explicit) requirement that the contributions to the Journal also constituted within themselves the forms and contents of asymmetrical information, evaluation of the asymmetry requirement will consist of locating the form and contents of such information.

Accordingly, the argument of this evaluation is that the most acceptable contribution to the University will be that contribution which (a) has relevance to the immediate

problem (one that satisfies the symmetry requirement), (b) has a reproductive operation (one that can be operationalized), and (c) in addition to being relevant and reproductive is able to re-introduce the problem in a way that enables the university to re-describe its operations in a more differentiated manner.

Insofar as the immediate problem of the university is the admission of students, those contributions that locate the problem outside of the university and its problem of race in admissions will have failed to meet the requirements of symmetry or relevance. For example, Soudien (2010b) locates the problem of admissions outside the university, and in the socializing mission of the universities. In doing so, while his contribution may be important in the larger debate regarding universities and their mission in society, most of its contents cannot be considered as relevant to the immediate question of the problem of race.

Insofar as the university remains an active site of the operations of observation and reproduction, and where the requirement for reproduction supersedes the requirement of observation (i.e. where the unavailability of adequate descriptions is not a condition for ceasing reproduction), only those contributions that allow for a description of both requirements begin to approximate the complexities faced by the University. Benatar (2010) and Erasmus (2010) are both used to illustrate how their contributions cannot be used because both are unable even in principle to illustrate how their contribution may be operationalized.

Of the reviewed articles, Professor Amanda Gouws's reconceptualization of race as a seriality (following Sartre's concept of series) is by far the most likely contribution that not only simulates the existing admissions process at UCT, but also introduces a method of reconceptualising the problem that assists in re-specifying the contents of the admissions policy itself. Bitzer (2010) and Favish and Hendry (2010), while in favour of the current admission policy of UCT, are unable to re-describe the problem in a way that it introduces asymmetric data that can be used. Unlike Gouws (2010) they only provide evidence to support existing UCT argument.

A. Relevance (Symmetry) Requirement

The lack of relevance to the current problem of the use of race at UCT is illustrated in Soudien (2010b). Whether admission policies should have a race component or not is not stated, except that 'whiteness' is by nature exclusionary and there should

be ways that such exclusions are challenged. This challenge is presented as the presence of a latent structure of white ontological ordinance. The presence of this latent structure, Soudine believes, underlies all Affirmative Action debates in South African higher education institutions. For Soudien, an answer to the present problem faced by UCT can be answered if such a challenge to the existing system is posed.

Soudien (2010b) argues that affirmative action debates in South Africa are generally between two separate visions of the project of a university in South Africa. The first is a patriotic vision that holds the university's project as being one of local applicability, where such applicability can be measured, among others, through the racial equality within the university *that simulates the outside*. The second is a global vision that holds the university as part of the world-society interested in the universality of knowledge and does not take its local environment into immediate consideration. Implicit in this dichotomy is the ambition of UCT's racial redress policy and the resistance it is facing both internally and from the public.

After showing how both visions are deficient, Soudien declares that the project of the university is "to expand the boundaries of knowledge to allow human beings to transcend their socially defined senses of self" (p. 235). However, for Soudien, in South African universities these selves are really 'white' selves only and that transcendence is to fit only the "white dispositions, cultural attributes and in the end, white standards." (p. 236) Therefore, for Soudien, Western knowledge production should be understood in South Africa as essentially 'white knowledge production' and that "the instantiation of transcendence as an essential white ontology" (p. 236) is what is behind the debate of affirmative action in South Africa. Unfortunately, and in common with the other commentators, he neither offers clues as to what the uncovering of this hidden structure to the debate might bring about nor describe what emancipatory project this revelation could result in. He only declares that without it universities will just be "cultural machines of exclusion" (p. 236).

Among other possibilities, it can be assumed one such possibility is that implicit in his conclusion about universities as 'cultural machines of exclusion' is the fact that white school leavers of South Africa continue to enjoy very high matriculation results and are the ones who can be admitted easily to the HEIs. If matriculation results are considered, less than 10% of the South African white population can easily populate

the majority of the available seats at HEIs. There is certainly some form of exclusion in such a picture. It indicates that the talent of the nation is limited to a very small portion of the population.

It also seems that Soudien is frustrated with the unavailability of the Western project of transcendence to the non-Western. The 'Western' concerns that shaped its ontology are not necessarily the same concerns that shaped the ontology of the non-Western. By definition, there is a conceptual border that can be drawn between the two. For Soudien, the oppressor cannot be expected to have the ontology of the oppressed. This, for Soudien, is at the heart of the affirmative action debate in South Africa. The concern of a Western-aligned nature is different from that of a non-Western-aligned nature for ontological reasons. How this 'insight' is relevant to the present discussion of the use of race in admission policies is not specified.

In any event, the analytical leap that is required to draw a causal relationship between the 'ontology' of whiteness as leading to the exclusion of 'others', is too great and presents a demand on analysis that can neither be attempted here, nor is available to the self-description of the university immediately. If, as he says, race in South Africa is "a zone of intense confusion... [that] explains everything and nothing...[that] in its presence everything appears, at once, utterly self-evident, but upon close inspection, filled with nothing... [that] it is both everything and nothing" (p. 226), then his conclusion follows unencumbered. The problem is whiteness. In this regard, in its inability to explain anything, race explains everything!

B. Operational Requirement

While being directly relevant and strongly argued, objections that are based on observations of morality without suggestions as to how else the problem can be addressed, must fail to form part of the existing self-description of the university. This is illustrated sufficiently in Benatar's (2010) ethical argument against the use of race in admissions. Unlike the system of ethics (or social theory) whose role is only to observe and describe an aspect of the social, the university has the added responsibility to reproduce (carry out *autopoiesis*) its self-description in the real world. As we've already seen in the case of Buridan's donkey (Section 4.9 above), the university does not have the luxury of simply doing nothing in the absence of perfect solutions. In any event, Benatar (2010) finds the process of using race in

admissions completely unacceptable. He recognizes the emotional component and advocates for solutions from dispassionate bodies that are able to “do what is best rather than what feels best.” (2010:258). He proposes to do what is best by examining the problems of the race based admissions policy as an affirmative action in contemporary South Africa.

Benatar offers an outline of the argument that he believes to be UCT’s reason for using race in admissions policy (2010:259):

1. Disproportionately few students at South African institutions of higher education are ‘black’
2. This is because South Africa's legacy of racial injustice.
3. We must redress injustice.
4. The only way this can be done is by favouring ‘blacks.’
5. Therefore, racial preference in admission policies are not only warranted but also required.

While accepting that past injustices need to be redressed, he argues that this “does not entail that applicants may be favoured on the basis of their race” and finds unacceptable the procedures employed to categorize individuals into racial groups (2010:258). How this does not “entail” is not adequately described, especially when it was race that was used to create injustices historically. In any event, he does accept that “historical discrimination against blacks has led to disproportionately few ‘blacks’ having attained the levels required for success at university” and therefore, “university admission policies can help rectify past injustice only in those cases where the applicants, although disadvantaged, have not been so badly disadvantaged as to have no reasonable chance of succeeding if admitted.” (2010:260).

However, what Benatar suggests is to have a policy that recognizes a differentiation within the ‘black’ or ‘redress’ category. It is implied in his paper that there are three categories of ‘blacks’: disadvantaged, moderately-disadvantaged and advantaged. Since, as noted above, some of the disadvantages are too great and a lifetime of inadequate schooling cannot be redressed by admission to a university from which there is no hope of graduating, a policy of redress cannot be geared towards this extremely disadvantaged category. Benatar is arguing that neither should this redress policy be directed to those who are the obvious beneficiaries of the new

South Africa. (The question then remains: who specifically will be chosen as the beneficiaries and how?)

Therefore, he suggests an Affirmative Action policy should apply only to the moderately-disadvantaged. He argues that an “appropriate measures of moderate disadvantage” (2010:261) will guarantee the admission of students that are disadvantaged but can be supported. He makes no mention of what these “measures” may resemble (either in form or in content) and dismisses allegations that there is no “reliable measure of determining moderate disadvantage” by calling such allegation the result of “either lack of will or imagination” (2010:262). He believes that the outlawing of racial preference in affirmative action can easily force the university to be creative.

In what he calls “the absurdity of racial classification” (2010:264) Benatar outlines the problems associated with historical categorization employed before 1994, and the new complications that are introduced after 1994 with the classification of children that are from previously distinct groups. He asks us to “imagine that a child was reared abroad (because of the illegality of his parents’ relationship under the apartheid legislation) where he was schooled at good institutions” (2010:265). How is this going to be treated? Benatar's argument against the use of race in this event depends significantly on anomalies. Except for the few “thousands” that he says are “racially ambiguous” (2010:264) there still exist millions of South Africans that still can adequately categorize themselves into one of the historically defined groups.

Ultimately, what Benatar is trying to present is the argument that there are advantaged blacks and they should not be considered in the affirmative action that is geared towards redressing past injustices. He believes that there is a case to be made to disregard racial preferences in admissions. He is implying in his paper that it is unfair for qualified white school leavers to lose their place at universities to less qualified but equally advantaged blacks.

If indeed what he presents as the “rectification argument” (2010:259) and the “diversity argument” (2010:262) is the argument of the University (UCT) and the general HEIs of South Africa, it cannot be defended. However, as I already discussed, this is not the argument of UCT. Whether or not it is properly articulated,

and whether this inadequacy has resulted in Benatar's alternative argument cannot be investigated here.

It remains that Benatar's position depends entirely on the arguments that he outlines as being the arguments of the university. These 'rectification' and 'diversity' arguments need to be challenged by the University since a closer look at the actual operations of these institutions (particularly UCT) reveals that this is not the case. Needless to say, true to Luhmann's argument, society continues to reproduce endlessly but is not in a position to describe its operations adequately. This is one such case sufficiently exposed by Benatar for all of its inconsistencies. An observation based on the self-description of an institution, such as Benatar's is misleading because it does not take into account the un-described autopoietic reproduction of the admissions process.

A moral argument can be defended only in a vacuum of academic texts where history and context do not exist or matter. As Cohen and Sterba (2003) showed, in the United States of America, the Civil Rights Act of 1866 that sought the equality of all races in principle was not carried out in practice for one hundred years after proclamation and continues to be elusive. Even with the Adoption of the Civil Rights Act of 1962, the move towards non-racialism and equal opportunity assumes a break with history. That from the point of legislation all people are allowed to compete for jobs and admissions to universities; that all the past wrongdoings can be made right with legislation that forbids the consideration of race, is not easily put into practice.

For David Benatar (Benatar 2010) equality as a moral ideal, as a principle of organization, is very important. Benatar's plea⁶⁷ to make a principled move away from racial preference, and Cohen's similar arguments noted above, are very similar, as is their expressively disdainful characterization of racial preference in the name of Affirmative Action⁶⁸.

Those against the use of racial preference in Affirmative Action, in arguing for an equal society, by definition argue for equal opportunities to all. However, in the face

⁶⁷ "...let's make principled stand now, let's spurn racial classification and admittance on the basis of race." Prof. David Benatar, Appendix I, Paragraph 163.

⁶⁸ Cohen's "ugly and unfair" (Cohen and Sterba 2003:ix); Benatar's "an extremely distasteful exercise" (Appendix I:PARA 34)

of overwhelming past and present inequalities, how is the future that is envisioned by these philosophers of equality to be approximated? More importantly, how is this insight into the need for equality to serve as an input to the implementing body that is tasked with approximating the said equality?

Considering the fact that philosophers and sociologists (the scientific system) are not the only sources of pressure, the political system, with its corresponding effects in the economic system, deserves to be recognized for it has an even greater pressure to exert. As can be seen from the Table below, UCT is heavily subsidised by the state. Thirty-six per cent of its expenses were covered by the state in 2010, and this, along with income generated from tuition and other fees (27%), amounts to over sixty per cent of the total income of the University for the year 2010. With state subsidy and state legislations regarding access to higher education, the kind and amount of pressure that can be exerted by the state cannot be underestimated.

Table 7: Proportion of income of the University of Cape Town⁶⁹

Category	Percentage
State subsidy and grants	36%
Tuition and other fee income	27%
Contract research revenue	15%
Sales of goods and services	9%
Investment income	7%
Donations and gift	6%

While the constant pressure from ethics professors shall serve to remind the University of the ultimate goal of Affirmative Action (and towards this effect their contribution to this debate should always be honoured⁷⁰), such pressure is prone to a quick rejection because it does not acknowledge the complexity of the University's

⁶⁹ [Modified from] Source: ABOUT UCT 2011/12: A brief introduction to the University of Cape Town http://www.uct.ac.za/downloads/uct.ac.za/about/aboutuct_2011-12.pdf [Last Accessed: 9 August 2012] Attached: Appendix III

⁷⁰ In fact, the most elegant contribution in terms of articulation of their position and the general trajectory of the debate is available from such analytical critics (e.g., Benatar and Cohen) who are, however conservative they may sound, painstakingly clear and have a strong sense of where they belong in the communicative theme as discussed in Section 4.04.

position and because it does not propose a method of operationalizing its stance. In assuming an ideal position (and at this juncture it cannot be expected to be anything else because its own autopoiesis depends on it), it idealizes everything around it: it idealizes the University and its functions. However, in the face of less than ideal circumstance, a demand for ideals does very little other than referring to itself. The ideal of equality is at the heart of Affirmative Action, it is its ultimate goal. Hence, all steps that recognize this ideal and that are constantly constrained by it shall ultimately converge towards it. This convergence cannot be expected immediately.

C. Asymmetry Requirement

Even where the requirements of symmetry and operation are met, it is not always the case that a contribution can bring a new insight that can be incorporated as part of a self-description that is more differentiated than before. This is illustrated in the contribution made by Flavish and Hendry (2010) where they demonstrate empirically the reason why they believe race is still an important factor in admissions. However, their finding only corroborates the existing argument of the University and hence does not bring new insight.

Favish and Hendry (2010) from their examination of the student statistics, as described earlier, they concluded that there is nothing to suggest their equality with the rest of the student body and that “there is not an empirical basis for arguing that race should no longer be a factor in admissions” (2010:281).

In as far as equality between races can be determined by the variables examined here, there is overwhelming evidence to suggest that there is no inter-racial equality. In other words, blacks are not equal to whites as far as performance is concerned. This, in turn, has meant that they cannot be treated as if they are equal to whites and that they need preferential treatment if they are going to be admitted to the University. This is because, as things stand, the chance for a black applicant to be admitted is severely limited because of the various inequalities that are exhibited before, during and after admission as set out by the Flavish and Hendry research.

This is the result of Flavish and Hendry’s (2010) concern with the equality of the students entering and succeeding in the University than the relative disadvantages bestowed by their race. Inequality is seen manifesting itself based on the various tests that they carried out. The implication, although not explicitly stated is, if there

was an equal population of the student body, it would manifest in the equal distribution of the races in the various tests that were carried out.

Flavish and Hendry's (2010) argument is this: because there is an obvious difference between the performances of the students, then it follows that a preferential admissions policy is required. Without a preferential admissions policy, one that is firmly situated in race inequality, intake will be biased towards a single race. This is strictly in line the University.

Finally, in what is the only contribution that sought to re-conceptualize the concept of race, we find Prof. Amanda Gouws's contribution to be the best example of the form (and possible contents) of a contribution that is not only relevant and has operational value, but also introduces an asymmetry that is useful in the subsequent self-description of the university.

Gouws (2010) in a reply to Erasmus and Benatar in the same journal, motivated for a better understanding of the concept of race and a better articulation of the disadvantages that are associated with it. She finds that race re-described in Sartre's concept of a series provides a better understanding of race as it is applied in affirmative action policies in South Africa. Sartre's conceptualization, she argues, "can be used to escape the false essentialism and identity politics of race as a category for admissions to universities" (2010:313). This type of conceptualization, race as a series, offers a chance to strip race-based identities of their significance to identity politics. A series, unlike a group, has identity that is passively bestowed upon it. It is only in groups, Gouws explains, that:

...members recognize themselves and others in a unified relation to each other. They mutually acknowledge that they undertake a common project and pursue the same goals. It is a shared project because of the mutual recognition of members of the group that they are engaged in the project together [however, in a series] members are unified passively by the objects around to which their action is oriented. (Gouws 2010:314).

The idea of a 'series' which Gouws uses to illustrate a method of reconceptualizing race and moving away from unnecessary identity politics has its philosophical roots in Jean-Paul Sartre's *Critique of Dialectical Reason* (1960). In his elaboration on 'Collectives', Sartre makes the distinction between a group and a series which is instrumental to understand how a series can be used to represent racial classification. However, a further elaboration on Sartre's notion of series is required if

one is to make this relationship clear. Such an elaboration is attempted here in terms of the differentiation of Sartre's theory of a series in the 1990s.

The first form of differentiation is the one attempted by the feminist theorist Iris Marion Young (1994) who tried to re-conceptualize the theory of the woman in terms of a series, in an environment where the conceptualization of women as a group has been unsuccessful. The second form is the differentiation of a series based on the possibility of membership, as outlined by Benedict Anderson (1998) who identified series which are open-to-public and which are not.

The differentiation along gender lines creates the opportunity to expand the concept of series to encompass a large class of people. The idea of a series, where membership is not an active process but a passively imposed condition, paves the way to understanding historical racial categorization in South Africa. Seen from Young's perspective, it is not necessary to find corresponding attributes that identify one as a member, as long as there are external constraints shared by all. Such a way of thinking allows one, for example, Young argues, to "see women as a collective without common attributes that all identifying women have or implying that all women have a common identity" (Young 1994:714). One can expand on this and argue that not all blacks, or coloureds or whites of South Africa have the same identity, although there were mechanisms in place to homogenize each within their own category. Even though this may have informed identity politics, it is precisely this internalization of externally imposed identities that Gouws wants to move away from.

The second differentiation is a differentiation along the possibility of membership, and this is outlined as the distinction between 'bound' and 'unbound' serialities by Benedict Anderson in his *The Specter of Comparisons* (1998). Whereas an unbound seriality is open and infinite and does not limit its subscribers (Benedict Anderson gives the example of Newspapers), a bound seriality makes a specific demand on participation possibilities. Anderson observes:

Unbound seriality, which has its origins in the print market, especially in newspapers, and in the representation of popular performance is exemplified by such open-to-the-world plurals as nationalists, anarchists, bureaucrats, and workers... Bound seriality, which has its origins in governmentality, especially in such institutions as the census and

elections, is exemplified by finite series like Asian Americans, *beurs*, and Tutsis" (Anderson 1998:29)

Seen from these two perspectives (Young and Anderson), a series resembles the externally imposed and differentiated (bounded) 1950 Population Registration Act of South Africa, which passively dictated access to political, economic, and other social systems based on the classification. In this event, on one hand, one needs not find corresponding attributes or self-attribution to determine membership to a particular race. On the other hand, the bounded series concept shows that not only is this external classification forcibly imposed, but that it is imposed only on a certain class of people as determined by an Act. For example, the following statements from the Population Registration Act of 1950:

A Bantu is a person who is, or is generally accepted as, a member of any aboriginal race or tribe of Africa...

A Coloured is a person who is not a White person or a Bantu...

A White person is one who is in appearance obviously white - and not generally accepted as Coloured - or who is generally accepted as White - and is not obviously Non-White, provided that a person shall not be classified as a White person if one of his natural parents has been classified as a Coloured person or a Bantu..."

may seem ambiguous but, were instrumental in creating a condition of bounded-seriality by stating the assumed characteristics of those who are members of one series from those who are not.

Seen from this perspective, referring to a series should not have the deep-seated anxiety that follows racial-identity and its subsequent politics. It is the assumption of Gouws that, if explained as such, the significance of the use of race just falls away and is understood for its instrumental value. Hence, race as a seriality, becomes an instrument that can be used without anxiety.

D. Summary of Evaluation

The following table shows the summary of the contributions in terms of the requirements of relevance, operation and asymmetry:

Table 8: Evaluation of Contributions based on 'Relevance', 'Operational' and 'Asymmetry' Requirements

No.	Name of Contributor	Title of Contribution	Relevance	Operational	Asymmetry
1	Soudien, C. (a)	Affirmative action and admissions in higher education: Initiating debate	--	--	--
2	Soudien, C. (b)	Some issues in affirmative action in higher education in South Africa	No	--	--
3	Badroodien, A.	(Em)bodying affirmative action within a sociality of meaning making	No	--	--
4	Berkhoust	Beyond the heart of darkness and the unbearable lightness	No	--	--
5	Higgs, P.	The politicisation of the university in South Africa and its consequent demise	No	--	--
6	Botsis, H.	White teenage girls and affirmative action in higher education in South Africa	Yes	No	--
7	Erasmus, Z.	Confronting the categories: Equitable admissions without apartheid race classification	Yes	No	--
8	Benatar, D.	Just admissions: South African universities and the question of racial preference	Yes	No	--
9	Fataar, A.	Student being and becoming at the University response from the perspective of a reflexive sociology of teacher education.	Yes	No	--
10	Le Grange, L.	From 'race-consciousness' to 'colour-consciousness'	Yes	No	--
11	Wyk, B.	The affirmative action debate: A critical reflection	Yes	No	--
12	Waghid, Y.	Beyond the university of racial diversity: Some remarks on race, diversity, (dis)advantage and affirmative action.	Yes	No	--
13	Favish, J. and Hendry, J.	UCT's admissions policies: Is the playing field level?	Yes	Yes	No
14	Bitzer, E. M.	Some myths on equity and access in higher education	Yes	Yes	No
15	Gouws, A.	Race as seriality: A response to David Benatar and Zimitri Erasmus	Yes	Yes	Yes

Chapter Summary

This strategy has already revealed major shortcomings in descriptions provided both by the University and its critics. For a problem that is considered central to both parties, the problem of race *per se* is given very little, if any, consideration in both the arguments for and against its use. What Gouws (2010) accomplished in her short piece is quite central to the form of engagement that this dissertation proposes as a strategy to deal with the problem of self-description. Just like the problem of describing, the admissions process cannot be solved in terms other than in the terms of the university which is implementing it, the problem of describing a race-based admissions policy cannot be solved in terms other than those that deal with race directly.

The description of race and its use has a very long intellectual history that this dissertation is not going to venture into. The primary concern of this dissertation is to show that the problems of self-description can be addressed from within the confines of what is being described, i.e. without necessarily appropriating existing definitions that were worked out by other systems.

The definition of race and its use in the admissions process has seen very little inclination to differentiation. This is possibly the result of the incessant presence of race in the discourse of contemporary South Africa, which presumably has made the concept impervious to yet more engagement. It is precisely at this point that the relevance of concepts such as seriality as described by Gouws (2010) can be used to re-examine the definition of race.

In the following chapter, the implications of the differentiation of the definition of race for the admissions document of the University of Cape Town is presented. As already mentioned, this is not a treatise on race *per se*, and the engagement with the topic of race is only insofar as it can be used as an illustration of Luhmann's idea of self-reference and differentiation. This is especially relevant in our attempt to demonstrate a form of a possible re-description of current self-descriptions of a university as a social system.

6. IMPLICATIONS

A high-achieving Stanford University undergraduate student applies and is rejected by Harvard University. Harvard Law, upon realizing that the student is black, apologizes and makes various efforts to offer him a place. The student refuses, and eventually becomes a distinguished professor of law at Yale. That this is categorically unethical is the position of those against any form of racial preference, in this case, Cohen (Cohen and Sterba 2003:4) who narrates the story at the beginning of the book *Affirmative Action and Racial Preference*. For Cohen, distinction need to be made between the “unquestionable” need for affirmative action and the “ugly and unfair ... morally wrong” race preference, which is “deeply divisive, hindering the quest for society in which racial segregation has been overcome and racial hostilities healed” (Cohen and Sterba 2003:ix,4).

From this vignette it can be assumed that Harvard University considered relaxing their entrance requirement upon finding out about the applicant’s race. In addition, it is also safe to assume that there was nothing special about the rejection of the original application, which was rejected along with tens if not hundreds of applications for the few seats at Harvard law school. Therefore, what is immoral for Cohen is the fact that Harvard decided to relax their entrance requirement based on race. However, there is no conceptualization of race in and of itself, or the way race is organized in the admissions process.

As fundamental as race is in such conclusions, unfortunately, there is usually no further elaboration as to what it is, and what it means in organizing affirmative action policies. As far as the reviewed articles in Chapter 5 were concerned, only one article attempted to deal with the organizing principle behind race in the South African context. An engagement which attempts to understand just what race is and what its function is in the South African debate regarding affirmative action (such as exhibited in Gouws (2010)) is required if one is to make sense of what is at stake.

Again, this dissertation is not an in-depth examination of race or the summary of Sartre’s idea of a ‘series’. What this dissertation points to is the necessity of descriptions that are self-referential. A problem of race that does not address race in and of itself corresponds to the problem of a university that does not address the

function of the university within its descriptions of admissions. Race as a 'series' comes very close to dealing with the concept of race itself, and by redescribing the relationship of race to affirmative action, it is able to locate the instrumental function of its use.

If UCT is to be analytically conceptualized, as it is being done here as a social system with distinct system-like properties, then one expects it to provide system-internal reasons for its actions. For example, if race is to be used, the system-analyst expects that the university has reasons to justify why its use of race is necessary, in its own terms as a university (i.e. not as a political institution, or as a moral imperative or an economic argument). Unfortunately, there is no reason given by the University (neither in its mission nor in its strategic goals) as to why transformation (affirmative action and the use of race) is important. The observer is left to assume that these transformative actions are self-evident and require no further elaboration.

This may well be the reason why it is difficult to conceptualize the university as a system. However, with the social systems of law, economy, politics, morals, etc. all competing for attention in their current configurations, the University may have felt that what is important to one of these systems is equally important to it as a university. Unfortunately, in the absence of a systems-internal (university-based) theme that organizes the activities of all competing systems (which may be realized in a form of a self-description that distinguishes this configuration), the University remains subject to and unable to answer questions raised by its own professors who are its implementing partners.

In the following discussion the implications of using race as an instrumental variable is discussed in terms of its use for contextualizing race itself (6.1) and the admissions document (6.2). As a conclusion, Section 6.3 will illustrate the episodization as well as operationalization of such a conceptualization of race as presented in a fictional interview with the vice chancellor of UCT.

6.1 Implications for Self-Description: Contextualizing Race

Race and the associated historical racism that defined South Africa until 1994 has made the concept of 'race' impervious to productive analytical engagement. This seems to be certainly the case in most of the papers that are reviewed in this

research. This suggests an epistemological obstacle and it can be located within Luhmann's conceptualization of the unity of the difference between interaction and society (Section 4.10) on one hand and observation and reproduction (4.9) on the other.

What is experienced and perceived at the level of interaction, although it depends significantly on frameworks provided by the society, remains an episode—a fragment. It is highly probable that this episode is evolutionarily conditioned to respond negatively to race (especially in the case of South Africa) therefore making it difficult to articulate. In any event, current articulations of the concept fail to exhibit the kind of distinctions that make observations possible in Luhmann's terms. Accordingly, the following is a reconceptualization of the concept of 'race' and how it may be used in Luhmannian terms.

The major descriptive complication observed was in the conceptualization of the relationship between race, access and disadvantage. Specifically, the difference between inter-race and intra-race access and disadvantage is not articulated adequately. Such a distinction may be made in the following manner:

- 1 Race was used successfully to classify the South African social world into distinct groups.
- 2 To be classified into one of the various races was done passively (by law) and was imposed externally.
- 3 This classification had political, economic, moral, educational, legal and various other implications at varying degrees for each of the classifications.
- 4 At a certain point in time, the formal distinctions and allocation of resources that were based on these races were removed (year 1994)
- 5 The vision of this removal was to create an equal society that is no longer divided by race.

- 6 If equality is achieved, then all races will have equal chance of participating in all social systems at proportionally equal degrees; while recognizing that:
 - a Inequalities are present in any given population.
 - b Existing inequalities determine degree of access to the various social systems.
 - c The various races have their own existing intra-racial inequalities.
 - d Racial classifications were not based on intra-racial inequalities; they were simply based on race (however that race was determined).
 - e Inter-racial equality does not entail intra-racial equality.
- 7 Race can be used to determine if inter-racial equality has been achieved or not; and does not need to concern itself immediately with intra-racial inequalities.
- 8 Therefore, an affirmative action policy that seeks to address the past inequalities that resulted from racial classification does not concern itself with intra-racial inequalities. In terms of the concept of disadvantage, it can be reformulated as: An affirmative action policy that seeks to redress the disadvantages that resulted from racial classification does not concern itself with intra-racial disadvantages and inequalities.

As already discussed, UCT divides the applicants into their old categories and admits all those that rise to the top of their respective races. It is not concerned with intra-racial disadvantages because the affirmative action policy was set to address the disadvantage created inter-racially. However, as will be argued in Section 6.2, the University will benefit if it is able to incorporate the problem of intra-racial inequality in its self-description.

In his attempt to discard race as a proxy for disadvantage, Benatar (2010) fails to see what race can be used for. While race may be an insufficient indicator for disadvantage, where disadvantage is not disaggregated from its historical variables, it is a very good indicator of equality. Since race was used to create the inter-race

inequality that resulted in all forms of disadvantage, surely it can be used to see if there is inter-race equality presently.

If there is inter-race inequality, a universal measure that is blind to race (for example, the national benchmark test or the national school leaving test) can be used to test it. When the national test-scores are disaggregated by race, there is a distinct pattern. The average of the top decile is different for every race (increasingly less so for the Indian/Asian race category, so much so that they no longer are considered as part of the 'redress category' at UCT). If there is equality in the population, it is to be expected that there should be no definite pattern in the test score that closely follows race. Not everyone is expected to score high but the proportion of those that score the highest would more or less resemble the proportion of their density in the society.

6.2 Implications for Self-description: Administrative Race

I

There are two implications to the internal self-description of the University that follow from the observation in the last chapter. On the one hand, the University will no longer be anxious to employ the use of race because it recognizes race for its instrumental value, that is, as a test of inter-race equality which is no longer needed upon the appearance of inter-race equality. On the other hand, the recognition of intra-race inequalities will extend the "redress" category to all races of applicants. For example, the recognition that not all whites managed to benefit from Apartheid, shall motivate the university to consider reserving an equitable proportion of "redress" seats to whites.

At a more theoretical level, firstly, the implication of the appropriation of race as an instrument in selecting students is attributed to the appropriation, by the university, of the complexity of the various social systems as its own (Section 4.06 Interpenetration). Race as a seriality, as a historical complexity that animates most social systems in South Africa, is introduced as part of the self-description of the university gradually. No longer is race considered to be an external factor that somehow needs to be addressed internally, it now becomes an internal problem that needs to be addressed internally by the University. No longer is sensitivity to race required by the legal social system, but a system-internal requirement of the

university in identifying what it considers to be the best suited candidates for admissions.

Secondly, as a system interested in the instrumentality of race, the University will work towards the elimination of provisions that hold only certain “races” as eligible for “redress”. The autonomy of the University may well be expressed in its interest in all “races”. This can be achieved through requiring all applicants to specify their race and by including all applicants in its “redress” category.

II

Within the span of the four admission policy documents that were reviewed, the primacy of “flexibility” as an admissions philosophy has diminished and was finally disposed of at the University of Cape Town. This can be seen in the removal of the word “cornerstone” after 2011 and the removal of the word “flexibility” after the year 2012 from the opening sentence of the admissions document.

The primary function of an admissions policy is to describe the vision and the mission of the university regarding what it considers to be the best candidates for university study. However, “flexibility” as a “cornerstone” of an admissions policy points only to how such a vision could be operationalized. By describing an admissions function in terms of its operationalization and not by the function itself, it can be argued that the university has a sense of what needs to be done but not necessarily why it is to be done in such manner. The subsequent removal of “flexibility as a cornerstone” (UCT Admissions Policy, 2012) and later the removal of “flexibility” altogether (UCT Admissions Policy, 2013) is an indicator of the strengthening of the conceptual borders of the University as a system.

This can be attributed to the complexity of other systems in the environment that are in an interpenetrative relation with the university. The political, the economic and other systems in relation to the university as a system introduce a great deal of their complexity to the university. This forces the university to respond in an undifferentiated manner to the pressures. In other words, it knows what needs to be done, but it is yet to discover how this is directly related to its own operations. Hence an admissions policy that starts with “flexibility” as its “cornerstone” without mentioning why this flexibility is important to the university itself. Until the 2012

version, all it could do was point to history and the legal system to say “they told me so”.

The remarkable evolution of UCT’s admissions policy is an indicator of the increasing autonomy of the university. This is evidenced by the further differentiation of the admissions policy description to include an independent guiding principle “valuing the best” (UCT Admissions Policy, 2013). The remarkable nature of this last iteration of the policy document is in its ability to re-describe (re-conceptualize) what so far has been external pressure, as system-internal operation.

Table 9: Opening paragraphs of UCT’s Admissions Document.

	2010*	2011	2012	2013
Admissions Policy Document Opening Sentence	The cornerstones of our admissions policy are that we will be <u>flexible on access, active in redress and rigorous on success.</u>	The cornerstones of our admissions policy are that we will be <u>flexible on access, active in redress and rigorous on success.</u>	Our policy is to be <u>flexible on access, active in redress and rigorous on success.</u>	Our admissions policy is to <u>value the best</u> , to be active in redressing past inequalities and to be rigorous in promoting success.

* A policy document is published in the year preceding its coming to effect. For example, the policy document dated 2010 is published in 2009, etc.

Compared to admissions policy documents of 2010, 2011 and 2012, the UCT admissions policy has made a significant change to its 2013 policy. For the first time its admission policy is more about its own requirements than its responsibilities to the Constitution and the Law of the Nation. For the first time, the primary objective of admissions has become the identification of the best students for admission. No longer primary are the needs for flexibility and access - not because they are no longer important, but because they are either (a) not as important as identifying the best students, (b) they form an undeniable part of the admissions process itself, or (c) fit seamlessly with the primary objective of identifying the best. What is missing is a description of how that seamless integration of the old and new objectives can be achieved.

The ultimate implication of the evolution of this change is in what can be expected in the future. If this type of functional differentiation continues to be exhibited in the

description of the admissions policy, the opening sentence of the policy will no longer need to include a description other than valuing the best. In subsequent sentences and paragraphs, it will be discussed how the “best” is constituted based on standard scores moderated by historical conditions.

In conclusion, there is an argument that can be made about the relationship between system formation and self-description of a system: the self-description of a system is at its weakest (the boundary at its poorest) at the point of interpenetration where a system is not able to distinguish between its self-reference and other-reference. If the evolution of UCT’s admission policy is of any instrumental importance, it is for being able to point towards the increasing autonomy of the University in the face of burgeoning irritation from the various social systems in its environment. By Luhmann’s law of reciprocity of interpenetration, the corresponding irritation caused by the University to other systems in the environment cannot be underestimated.

III

“There are also white students – a small proportion of white applicants – who are from poor households, or who have attended poor schools, or whose family backgrounds have adversely affected their school performance. They too need to be treated fairly by a selection process.”

Is there a place for ‘race’ in a university selection policy? By Dr Max Price, Vice-Chancellor of the University of Cape Town, Cape Times, 2010

In an earlier discussion, it was intimated that the inter-race inequalities affect all societies. Therefore, it is logical to assume that not all whites were privileged to send their children to good schools and that there are very poor white families. It is also discussed that the conditions of being poor subjects students to unfortunate schooling regardless of their race. Therefore, in light of all this, the University needs to re-describe its admissions policy in a way that it exhibits methods by which all races can be included in academic development programs. A move towards explicitly describing the inclusion of white students of low income families in the redress program, will set the University as a responsible social organization that is sensitive to all history. Consciousness that is exhibited in the quotation above needs to find a practical place in redress policy. However, the concept of redress itself needs to be re-thought if this is to be actualized.

What is not described adequately in the policy document is the attributes of those in the 'redress' category. Thus far, they are portrayed as the victims of a history of segregation, which resulted in lower scores in standardized tests. Therefore, it is concluded that a redress in the form of allowing them to enter with a lower grade is just, charitable, and in line with the Constitution and the law. However, what is missing in this form of description is the 'desired value' of those in the 'redress' categories. The admissions policy then needs to emphasise that those in the 'redress' categories are similar to (if not exactly identical to) those who are not in the 'redress' categories. If 'valuing the best' (as it is described in the 2013 admissions policy document) is indeed the defining purpose of the admissions policy, there should be reference to why they are considered the best and how that value is conferred. However, the only reference that is made to their 'value' is in the negative: that they did not have adequate education and that the University needs to compensate for that by recognizing it. This lacks the conviction that it is actually admitting the best i.e. in its failure to indicate how they constitute the best.

The implication of this is the requirement for the policy document to make a subtle shift in orientation. This shift could be expressed in affirming language towards what is considered a 'redress' category. Instead of describing them as disadvantaged, they can be described as either equally competent, or that school leaving results operate within a certain error margin in determining what is considered the best (especially given the history of segregation). What may be important is for the admissions document to make clear to both "redress" and "non-redress" categories is that the "redress" categories are equal to the non-redress category in no uncertain terms. That they, the "redress" categories, are selected strictly by merit and that they are not selected out of the charitable actions (or Constitutional responsibility) of the University needs to be unequivocally stated.

Subsequently, the implication of re-describing 'redress' is the further differentiation of the term itself the consequences of which cannot be addressed here. With an adequate description of what it is that means to "redress", the instrumental function of race needs to be introduced in the admissions document. For example, such an engagement with race as a 'seriality', demystifies some of the complexities surrounding race and helps pinpoint why it is being used (to measure inter racial

equality) and for how long it shall continue to be used (until that equality is observed).

IV

A further implication of the conceptualization of race as an instrument is the ability for the admissions policy to employ it without making apologies for it. The University's continued apology for the use of race may have resulted in the loss of confidence towards its critics. However, race is an efficient instrument that can assist in testing to what extent the past continues to live in the present.

Therefore, a firm and unapologetic stand about the use of race by the University will not only satisfy the government, it also helps re-organize debates around functionally productive areas. But when the implementing body itself is in doubt over the very policy that it seeks approval for, it invites doubts from all those who could have contributed towards a better understanding for the use of race.

Doubts that arise following the self-doubt of the university need to be mitigated, especially if race is as ubiquitous in contemporary South Africa as Soudien (2010b) says: that it explains nothing and everything. This makes the concept vulnerable to abuse. Therefore, where race is going to be used in their operations, measures must be taken by higher education institutions to make sure that a sufficient description is available. A firm, unapologetic and nuanced description helps steer the concept towards the use of race as an instrument.

V

The opening sentence of UCT's admissions policy may be modified to resemble the following:

The objective of this admissions policy is to identify and admit students with the best talents in our society so they may realize their potential through first-class tutelage.

This rule may further be broken down to demonstrate how the primary objective of admissions can satisfy some of the external requirements of affirmative action. UCT's talent-argument for Affirmative Action in Higher Education in South Africa may then resemble the following:

- 1 All things being equal, academic talent (intelligence) is a randomly distributed phenomenon in any given society.
- 2 In any micro system, those with the highest academic talent and/or inclination towards it rise to the top of the academic strata.
- 3 In a historically serialized (passively divided according to certain “attributes” such as “race” in South Africa) society (where quality of education was decided based on a serial) a standard test across the series reveals trends that closely approximate the quality of education enjoyed by the particular series. This could be tested thus:

i.e. if a standard test reveals that 90% of the top 10% of the society’s school leavers are from a particular race, it should serve as an indicator that this is not an accurate representation of the nation’s talent pool

- 4 It follows that:
 - i If talent is distributed evenly in a society, the presence of a concentration of high achievers in an artificially created group should serve as an indicator of a problem.
 - ii In the case where there is an artificially created (advantaged) group, the same standard measures of talent cannot be applied indiscriminately to it and to other ‘natural’ (not-advantaged or disadvantaged) groups simultaneously to identify the society’s talent pool.
 - iii Those who rise to the top of their respective groups should be considered the most compatible with the admissions objective of the university.
 - iv Until the time when there could be found no significant statistical relationship between the race and the school leaving grade of an applicant, standardised tests *alone* could not be used to determine admissions.

These rules, in addition to establishing the University's admissions objectives, also provide a guideline as to how weighted selection is made and for how long such weighted selection will stay in effect. In other words, the rules establish why there is a preferential treatment and how long such a preferential treatment will continue to be applied. This is done so strictly from the systems-internal and highly specialized secondary socialization mission of the University. It appeals to neither the legal system nor a system of morals to justify its introduction of deliberate bias into the admissions operations.

6.3 Implications for Self-description: Public

The last objective of this research is to demonstrate how the implications raised in 6.1 can be introduced into the institutional culture of the university and guide its self-description. This is an attempt to bridge the gap between the societal communication that has pervaded this discussion. If Luhmann's work is significant at the level of societal systems, it should also be significant in interactional systems. This relevance can be evaluated in the form of new ways of articulating self-descriptions. If, indeed, the problem of the University was in not having the necessary vocabulary to describe its autopoiesis, what is presented here can serve as a generalized formula of what such a vocabulary may resemble. The following presentation is an attempt to rid the insights gained so far of their technical and theoretical jargon. Instead of using Luhmann's terms, it employs simple colloquial vocabulary to demonstrate just how the insights covered so far may materialize in the public domain.

As discussed in Section 4.10, the episodic nature of an interactional system is guided by the rules that are set by the societal system. If that is indeed the case, it must be possible to demonstrate what an interactional system may resemble if it is to follow the implications to society that are discussed in Sections 6.1 and 6.2.

In what follows, a "rule" is set in the form of an argument around which an interaction system may form. This rule is the already discussed "opening sentence" of the admissions policy (previous section: 6.2). The argument, both in form and in content, is the re-articulation of University of Cape Town's actions regarding affirmative action and admissions policy. This simulation is based entirely on insights from the existing observation of the admissions debate at UCT. However, this particular configuration of the insights is made apparent only by incorporating ideas from Luhmann's Social

Systems. In this regard, it is neither exhaustive nor does it have a claim to exclusivity.

Therefore, if the opening sentence of the admissions policy resembles the following:

The objective of this admissions policy is to identify and admit students with the best talent in our society so they may realize their potential through first-class tutelage.

it locates the problem of affirmative action as part of its own admissions process and not as part of an external requirement that needs to be addressed. In this way, the University demonstrates its capacity for an increased differentiation in response to processes of interpenetration that aligns the university with other societal systems. By continuing to define itself in its own terms and not in the terms of the rest of the societal systems, the University creates stronger boundaries (less subject to insecurities) and evolves ever more closely to autonomy.

However, a constant problem in explaining Luhmann to non-Luhmannian (or General Systems) scholars and administrators is that one easily gets distracted early on by the density of academic jargon that systems theory employs. Therefore, the inclusion of the following fictional interview with an administrator is simultaneously the operationalization of the theoretical insights and the episodization of the societal “rules” already discussed (in the form of an argument in Section 6.2). As an operationalization of the Luhmannian insights, it is also a way of introducing asymmetrical data (Section 4.11) back into the University.

The following is a fictional account of what a conversation with Dr. Max Price may resemble if the talent-argument for admission is used:

Q. We've noticed a certain shift in your position these past few [days/weeks/months] and you seem to be emphasizing more “talent/potential” than “race” in your discussions. Why is that? Is race no longer useful in admissions?

A. Race is important for as long as it is relevant. But it is not the guiding principle of our admissions policy. But where race was identified and institutionally imposed historically, it will continue to be relevant for as long as its effects continue to be represented in the profile of our applicants. But, what is primary and indispensable in a university's admission policy is excellence, or its potential, i.e. talent.

Therefore, there is no shift in policy. Our admissions policy has always been about identifying the best talent in society and nurturing it. That was what we should have focused on in the public and academic debates. Not because race is irrelevant, but because talent and potential are the primary organizing principles for an admissions policy. Race is secondary. It is relevant in as far as there is a history of institutional use of race that is observed to affect indicators of talent. And there is plenty of that in the South African contemporary history. This invariably has led debates to focus more on race, and relevant principles were side-lined.

Because we are so emotionally involved with race, we are not very good at articulating what it is and what it is not. What race means at institutional level and what it means for an individual are so different and so complex that we end up conflating the two and get into binds that are seemingly impossible to get out of.

In any case, for as long as the institutionalized racial classification of the population of the past continues into the present, we will continue our work to disrupt it by refusing to recognize it. This means looking at race in admissions.

Some of your critics (and critics of race-based affirmative action) insist that to consider race or to make people classify themselves according to race is racism (or disgusting or appalling or unconstitutional or morally indefensible). What do you say to them?

I say this to them: racism is to insist that academic talent and potential is restricted to a certain race. If we accept that talent and academic potential is randomly distributed in a society, it is in the best interest of the university and indeed it is its duty to science and the larger society, that UCT admits the best talent in the nation. It is the university's functional duty to refuse to accept school-leaving score data that says [75%] of the nation's most talented comes from [10%] of the population. Especially in the case of South Africa where the population was historically categorized and where your categorization defined what kind of access you had to education, it is the duty of the University to use the same categorization to identify populations of talent that are unrepresented or underrepresented. If institutional segregation was imposed based on serialization of the population, of course the University is going to ask "how were you categorized then", or "how were your parents categorized." Because this is the only way to determine the type of access to education that a particular applicant is meant to have accessed.

One of the major criticisms of race-based policy is that it continues to entrench race- thinking. It's been noted that extreme forms of racial thinking and identifications are behind some of the greatest atrocities of the 20th century. What do you say to that?

That may be true in cases where racially categorized populations are harmed based on the categories that they are assigned. We are doing the opposite. We are refusing to look at artificial markers of success that are better suited to approximate opportunities than talents.

We are saying to [75%] of our applicants that their matric score is not an adequate reflection of their talent, but of the categorisation of their parents. No one is harmed.

Of course this means more, proportionally speaking, of the white category will not have as easy access to higher education as it used to. But this is not because we are out to deliberately harm them, but because their achievement is more to do with opportunity and less to do with actual talent. This may seem a harsh judgement and almost impossible to swallow to a parent who naturally wants the best education for their child. But this is not an individual decision. This is a policy that cannot afford to see the individual but the society at large. As hard as it is, we are telling the parents that their children are not talented enough or do not exhibit the potential that UCT is prepared to accept at this point in our history.

It may be easier, and certainly cheaper for the university to look only at matriculation results for admission. But we refuse to believe that the majority of the talent pool of our nation is restricted to 10% of the population. This is consistent with our constitution and the future we want to build.

But a talent that has not been nurtured by opportunities will reduce the University's efficiency and like you said it will not be cheap. How do you justify, for example a drop in international rankings owing to this inefficient process?

For a university whose vision is excellence and whose mission is to identify the best talent, this is a cost it is willing to incur. In this regard, our operations include but are not limited to support structures that are in place before and after admission. As far as the pre-admission structures are concerned, we go to the poor schools in our immediate environment and tutor them in math and sciences. Once admitted, there are various programmes that seek to compensate for skills that should have been acquired before admission (ADP, etc). If this task somehow adversely affects our ranking internationally -- maybe because our staff are spending a little less time researching and spending more time teaching -- and I am not saying it will, then it speaks directly to our mission of "local applicability."

Time and time again UCT has said it is regrettable that race is used as a proxy for disadvantage, and that it is constantly looking for other ways of directly measuring for inequality in performance. Is there any progress made? How long are you going to continue using race in your admissions criteria?

Race may be an inadequate proxy for disadvantage. However, it is an adequate measure of equality. It is the same reason why we think the school leaving results are necessary measures of talent but not sufficient in determining admission. This may sound like a play on words but the implications cannot be overemphasised.

If our guiding premise holds that everyone is equal and that talent is distributed randomly in the society, then what should be measured is equality. However, how do we measure equality? The school leaving examinations and the national benchmark tests do just that by

asking the same question to every student in the country. Therefore, when the test result data is disaggregated by race, it shows a distinctive historical pattern. The conclusion is simple. High scores seem to be concentrated in a certain race, the white race. In our case where there is a long history associated with race-based higher education segregation, which favoured the white race, this is to be expected. Our history of Higher Education can be also be thematized as a history of race-based education (which climaxed in the 1983 constitutionalisation of Higher Education segregation), therefore, testing for the presence of a historical pattern in the applicant profile is a direct test for the structural persistence of a historical condition, or an indirect test of equality. This is our institutional role in translating and applying our constitution. Therefore, what is regrettable is that we continue to see these patterns almost 20 years into the new South Africa. We are not apologizing for our use of race. We are just sorry we are forced to do so.

But there are others who claim that we don't need to do anything. That equal representation will occur within a few generations on its own without our deliberate social engineering.

That is an idyllic conception of the future. That the social problems will eventually resolve themselves with no active intervention is not what we, as an institution would like to focus on. We would like to be actively involved in the change we want to see in the society. But we do this only from the functional perspective of our institution. We do not claim to solve all the problems of society, but we surely can attempt to perfect the function of our own institution to be more in line with the future we all would like to see.

Therefore, our position on the matter is this: (1) equal representation in our institution will not occur if we rely on standardized tests, (2) we can't not admit students because we are unable to find the perfect indicator of talent, (3) we may never find a solution that will make everyone happy. It has been said many times before that the score of standardised tests approximate mostly your schooling and not your talent. By the way, this is actually part of our ongoing research into alternative admissions that seek to discriminate talent from opportunity. The more productive debate that we would like to go into is about what constitutes talent.

But what about those who are obviously beneficiaries of the opportunities provided by the new South Africa? I am talking about the new black middle-class school leavers from the top schools of the country. Surely they do not need Affirmative Action. Actually there are some black students that spoke out against it. What do you say to them?

First of all, there is nothing obvious about the benefits of the black South Africans. The distribution of matriculation grades still exhibit strong correlation between historical races and present ranking in class. The 'advantaged' black students are not performing as well as their white classmates. There is no need to get into why this is the case because it is irrelevant. What is relevant is that there is no random distribution of all of the historical racial categories in the scores of our applicants. Our finding reveals that there is a consistent 7% difference

between top white and top black school leavers. This is a kind of pattern that we are not willing to ignore. Accordingly, I say to the black South Africans (who do not want to be considered for Affirmative Action) your personal opinion in this matter is irrelevant, just like the personal opinion of white parents who would like to see their children studying at UCT. A policy is not a personal opinion. To the individual who is not benefiting, a policy is irrational; to a policy that seeks to disrupt the inertia of thought, the opinion of the individual is irrational. Therefore, as insufficient as the school leaving and benchmark tests are, they remain indispensable in (a) painting us a picture of to what extent historically institutionalized racial categorization continues to manifest in society and (b) deciding who is the most probable to graduate eventually.

The case of rich black kids being considered for affirmative action continues to be a hotly debated issue. You say research shows that even in the best schools, on average, black students perform lower by about 7%. Why do you think this is, and why is this reason to justify applying affirmative action rules to such obviously privileged school leavers?

To start from your second question, and going back to our premise that talent is equally distributed in a society, the answer would be this: we will not allow any historical pattern that continues to manifest to influence our decision on admission. In other words, where we see black students continue to underperform in a distinguishable pattern across our population (total number of applicants) then it is our duty to intervene. The reason why they underperform, even with 12 years of good schooling, is immaterial. Maybe sociologists will give us possible reasons eventually. However, as far as UCT as an institution is concerned, our mission is to disrupt the historical patterns that keep showing up in the profile of our students. If all institutions do their jobs properly, maybe we do not have to continue doing this, not because what we are doing is unfair, but because there will be no need for such an exercise if, for example, we have applicants that approximate the natural distribution of a society.

There are allegations that the government may be rigging the school leaving results of certain classes of students. As unfounded as these allegations are, what are the implications for a university admissions process if such an interference is really taking place?

As imperfect as the matriculation scores are in terms of identifying talent, they are very good indicators of the level of post admission academic competence. We have a cut-off point where we stop recognizing effort and talent because the disadvantages are too great. This is a point beyond which we believe there will not be any form of meaningful participation in the University. This is the cut-off point where we decide what can or cannot be augmented by Academic Development and other interventions. Therefore, an inflated matric score would give us a wrong impression of the level of disadvantage a learner was subjected to. This works against the philosophy behind affirmative action.

But because we are always pressed for places, we will end up taking those we were going to take in any case--the ones on top--if we assume a linear inflation of scores. Unfortunately, if such inflation does occur and we end up with a distribution of grades in our applicants that approximate a random distribution of talent across all racial categories, we will be forced to scrap the idea of race-based affirmative action admissions, and our investments in post admission support. This is decidedly unfortunate and it will reflect in the throughput of the University. Ultimately, the matriculation board (or the country's educational system, if you will) will have short circuited itself if it did this. That is why I am certain such allegations are unfounded.

There are some critics that insist Affirmative Action should be scrapped altogether because it really is benefitting an insignificant minority. That the structural disadvantages of the present are so great that those who can never hope to compete grossly outnumber those who do actually compete.

That is true. Affirmative Action does benefit only a limited proportion of the population. But so does higher education. Simply put, the available number of seats in higher education institutions makes it impossible for the majority of the population to gain access to high quality tertiary education. But this is not an argument for scrapping affirmative action. It also needs to be noted that a higher education institution is not able and does not pretend to solve all the problems of society. What we hope to accomplish is to be true to our mission while being sensitive to our historical environment and maintaining complete compliance with the constitution of the country and its legislation. Affirmative Action is really an eye opener to all organizations and institutions -- to force them to reconsider their historical assumptions and primary functions. In our case, we are guided to focus on our primary function of admitting the most talented students across the nation and to reconsider our assumptions about how that talent is measured.

What are the possible risks that you are facing because of your continued use of race in admissions?

Our admission process is entirely dependent on students being able to locate themselves in one of the historical categories. For now, we do not have any other independent mechanism of determining an applicant's race other than the applicant. Therefore, if there is a very strong movement that rallies applicants against indicating their race, that would certainly make the admissions process a bit more complicated than it already is. On the other hand, if our professors find the problem of admissions unacceptable and decide to boycott the university, that too will create certain problems in the general mission of the university. At a very basic level, students do not want to compromise their chances of acceptance and professors do not want to compromise their tenure. However, this is not an argument against the possibility of it actually materializing, so it remains a risk.

Do you have any message to other institutions or organizations, whether academic or not?

Every institution should be able to translate the constitution and legislation according to its own function. Insistence on ubiquitous political or economic translations of the constitution does not serve much purpose. Performing our own designated function to the best of our abilities is enough. We will continue to have problems if we describe ourselves as social reformers but all we can do, for example at UCT, is teach, research and publish. But if all we really wanted to do was teach and teach the best minds of the nation, it would not be long before we realized there was something rather skewed.

To move away from what is considered the “normal” suffers from the problems of inertia and therefore requires timely nudges. Where the norm had been the matriculation result, we continued with that until we were forced to reconsider the story behind the numbers. This recent reconsideration may have come in the form of a new constitution or an evolutionary self-observation. In any event, the primacy of excellence or talent (in our admissions) is not compromised. Now our definition is less essential and more sensitive to differences and this, by definition, begs for a debate. And it is through debates that we continue to perfect our form and function.

[Comment: With the understanding that any system is operationally closed, this reply motivates for a systems-internal response to environmental pressures. Since the environment imposes its will on all systems, the most efficient mechanism by which a system can deal with such a pressure is by translating it into an internal operation that it can be responsible for (4.6 *Interpenetration*).]

Chapter Summary

The objective of this chapter was to illustrate the various implications of a social systemic understanding of a university, race and admissions policies. These implications were based on an understanding of social systems and their operations. To this end, this chapter (and indeed this dissertation) had an epistemic project. It illustrates how the existing problem of description can be mitigated from within the system that is doing the description itself.

However, this is not a statement of what the system should be or what it is essentially like. The descriptions provided in this dissertation neither commend nor condemn the practice of race-based university admissions. That has not been the objective of this dissertation and even this presentation of the implications is not a prognostication of the future. The future remains unknowable in the face of the complexities of contingency. However, it can be said that, in the absence of major

changes in the political and legal systems, the description provided here has a high level of security in terms of its expectations.

7. CONCLUDING REMARKS

By way of concluding this dissertation, only two points are raised. The first constitutes the answer to the main research question that this dissertation (7.1) and raises a possible question that it provokes (7.2). The second part constitutes Luhmann's epistemological concerns and how they were addressed in this work (7.3).

7.1 Answer to research questions

This dissertation began with the question whether it is possible that *the self-description of the University is responsible for the debate it continues to elicit*. The assumption was that problems of knowledge reappear as problems of observation. In the same way that modern society describes itself in terms of what it is not and what it lacks, the University, too, describes its operations in terms of what it lacks and what it would like to accomplish. In both cases, there is a distinct denial of the present which Luhmann attributes primarily to lack of knowledge when he argues that "the society that employs the embarrassment of its self-description as a projection of a future" does so out of ignorance (Luhmann 1998:66).

It is in this regard that this dissertation attempted a primarily epistemological enquiry into the self-description of the university, i.e. looking at its admissions policy document. The assumption here was that a better understanding of the internal operation of the university may provide clues to the rationality of its admissions process. Subsequently, we find there is evidence to suggest that there is a distinct weakness in the current self-description of the University of Cape Town. This weakness arises from the inability of the University to distinguish its operations from the operations of other systems in its environment. At this juncture, the answer to the question: *in what way the current self-description of the university may be responsible for the debate surrounding it* may be answered as being *lack of adequate self-reference* or autonomy.

When the possibility to describe its admissions process based on its own internal operations was not available to it, the university used non-internal references. These non-internal references were located within the political and legal social systems.

Don't put examples in the conclusion. Such reasons are shown to be unsatisfactory especially when they are reduced to numerical indicators that appear somewhat arbitrary. the same legal system cannot be invoked to rationalize the decision that a black student with a score of 0.81 is to be considered *equal* to a white student with a score of 0.89 (Chapter 3).

Since the missing narrative that allows for the equivalence of different admission pass rates for different races (the scores (0.81 and 0.89) cannot easily be supplemented by a legal, moral or political argument, it creates a sufficient condition for contradictions to arise. However, one finds that even the articulation of these contradictions is limited by a lack of an epistemological project. There is a limited engagement with the major concepts in this problem such as 'the university' and 'race'. Neither the operations and functions of a university, nor the purpose and use of race in admissions are central to related debate. These basic elements are taken either for granted or are assumed to be self-defining and self-evident structures that require no further elaboration.

A weakness of descriptions is a common feature of *Social Systems* and is the result of the difference between the reproductive and observational operations of such systems. Even where social systems are able to reproduce themselves self-referentially, they are not always able to observe and describe their own operations adequately. Therefore, this conceptualization of the operations of UCT as a social system was able to illustrate the nexuses of such weaknesses. In this manner, this dissertation has contributed towards substantiating Luhmann's theoretical claim. Instead of leaving the observation at the level of identifying a problem, this dissertation was also interested in possible ways of constraining it. If the problem identified is the absence of self-reference, then it is assumed that the constraining of such a problem invariably involves some form of reintroduction of a self-reference. This was accomplished by observing existing descriptions and determining those that best represent the self-referential operations of a university (Chapter 5), in this case, a university conceptualized as a social system (Chapter 4).

The implications of a constrained self-description which are discussed in the form of series of arguments for the use of race in admissions policy in Chapter 6 are all re-articulations of what has already been described by the University. In this sense, this

dissertation had a strictly epistemological project and was not interested in evaluating the legal, moral or political relevance of the university and its appropriation of a race-based admissions policy. This is even more important when the majority of the debate surrounding race-based admissions consisted of rallying support for or against the use of race. In fact, the entry point of this dissertation, too, was Neville Alexander's public call for the negation of the use of race in admissions by the university community.

7.2 Further research

The discussion on the admissions policy of the University does not include the success or failure of the admitted students in the real world. The students remain the 'environment' to the university and its self-observation and description requirements. The principle of the policy remains relatively unchallenged regardless of the success rate of those admitted. However, the question remains whether those admitted with varying school leaving scores do indeed perform as anticipated by the policy. The answer to this question will ultimately further constrain the details provided in the admissions document in two ways: (a) if the relative success of those admitted with lesser scores is higher than the success of those admitted with higher scores, the admissions ceiling will further be reduced to enable more black students; or (b) if the relative success of those admitted with lesser scores is lower than the success of those admitted with higher scores, the admissions ceiling will be increased to decrease the disappointment of those who cannot succeed if admitted. However, whatever the outcome of such research may be, the basic description of the admissions policy will remain the same.

7.3 The Epistemological Project

If one is to make a value judgment, one is already assuming some form of epistemic access into the thing that is being evaluated. In this regard, knowledge is a fundamental precursor of evaluation and this dissertation has been an exercise in an epistemological project. The primary objective of this dissertation was to examine a self-description and possibly how it could be constrained. The use of the admissions policy document of the University of Cape Town and the controversy surrounding was the empirical anecdote to simultaneously illustrate and operationalize Luhmann's epistemic project as outlined in his *Social Systems*.

In this regard, the implication of Luhmann's epistemological project is far reaching and makes important demands on both the research and the researcher. For a researcher in a complex society such as in the contemporary world, with all of its paradoxes, demands and expectations, moralizing serves little purpose by the way of knowing or understanding problems, "because", Luhmann observes, "it puts too much at stake, and too little of what specifically matters." (SS:253). Even where paradoxes are recognized, instinctive attempts are made to suppress them.

Luhmann reflects:

Some accept contradictions in objects but subordinate such contradictions to a higher degree of order via a concept of a "dialectic," in which case the investigator is asked not to do research but to take sides, which in practice means joining in negating (SS:358).

Similarly, this dissertation is guided by the epistemic project of sociology to specifically deny Neville Alexander's call for a united negation of the operations of the University. This denial, however, is only in accordance with the epistemic project of science and it is accomplished by making a distinction between an epistemological project of the social-scientific discipline of sociology (this dissertation) and Alexander's specifically social-engineering project. Such an explicitly epistemological project offers the researcher the possibility of subordinating ethical impulses to epistemological ones. Of this kind of sociologist Luhmann writes:

In ignorance one is innocent, is of one mind, yet the sociologist finds himself excluded from this unconscious consensus of the unconscious: he finds himself at the gate through which destructive knowledge could be admitted. The sociologist occupies the position of an observer who can perceive knowledge and ignorance, manifest and latent "contents," at once, which is impossible for the observed object. As an observer, the sociologist used the idea that latency has function for the system to bring manifest and latent structures into a nexus of order and thus to transcend the object's possibilities of self-observation (SS:335).

In the absence of guides and definitive solutions, one can only expect that a research effort such as this has made the problem clearer, more distinct.

In any event, like Luhmann would say, this is the conviction out of which this dissertation was written.

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Appendix I

Transcript of live debate on campus (UCT, 2 September 2010)

1. ADMISSION POLICY DEBATE
2. DATE: Thursday, 2 September 2010
3. VENUE: The Gallery, Centre for African Studies, University of Cape Town
4. TIME: 13:00 to 14h43
5. Moderator: Judge Dennis Davis
6. Participants:
 - Vice-chancellor, Dr Max Price
 - Prof Neville Alexander
 - President of the SRC, Mr Sizwe Mpofu-Walsh
 - Prof David Benatar
 - Chair of Council, Archbishop Njongonkulu Ndungane
7. Questions from Judge Davis to the participants
8. Open to the floor for questions
9. Please note: -. denotes an unfinished sentence

10. Judge Dennis Davis: Ladies and gentlemen, I wonder whether we can start because there are relative time constraints to all of us. Firstly, welcome to everybody. The background to this debate really starts with the fact that when I was doing a television programme called Judge For Yourself, I noticed that there had been an exchange between Professor Alexander and Dr Price, relating to matters of affirmative action, admissions and the whole gamut around the affirmative action issues with regard to tertiary education. And we had a half an hour debate because, which was far too short, but that's because Mr Copeland and Mr Golding who run eTV won't give more than a half an hour; wrestling gets hours but we intelligent debaters can only get a half an hour, which I suppose reflects the country. Anyway, the point about it was whilst we were having this debate, we chatted about it and thought be a very good idea for us to bring this debate into the portals of the university where we all are, myself, Neville and Max, which is why we've done this. It appears that our panel is somewhat extended beyond the two, and that's fine, although that does constrain matters slightly. Let me tell you what the way we're going to run this. Each of the speakers, I've asked to make an opening statement around about three minutes, the point being that one wants to try to get as much debate in as possible – starting with the vice-chancellor, Max Price, and then Professor Alexander; then the president of the SRC, Mr Sizwe Mpofu-Walsh; Professor Benatar and Archbishop Ndungane who will sort of be the last batsman. What will then occur is I will put some questions to them, and then we're going to open it up to you, hopefully it comes to three or four, so we can kind of keep the debate in a relatively coherent fashion. It has this disadvantage as compared to television is that you can't edit anything out here. [laughter] Anyway, without further ado I call on Professor Price, oh, Dr Price.

11. Dr Max Price: Can I speak from here?

12. Judge Dennis Davis: Oh, if you want to, ja, please.

13. Dr Max Price: No, I don't. [laughter] People who know me know that three minutes is the most impossible task to set for me. What I'm -. I'm going to take for -. I think we should be moving the debate to a position beyond where it's been, and therefore I just want to summarise briefly what I think is common ground. I think that it is common ground, I hope it is but obviously that may become the debate – it is common ground that affirmative action is a good thing and that we should be doing it. That the society is unequal, for various reasons; that some people have been born into circumstances which do not allow them to do as well at school as other people, and that to further compound and aggravate that inequality, that legacy of inequality, by saying that we will only look at your school results as the basis of admitting you into university is simply adding insult to injury. And therefore that we need a form of affirmative action that recognises disadvantage, makes allowance for that in some way in the admissions process, then adds intervention programmes, academic development, etcetera, to ensure that those people, although admitted

with lower marks, ultimately have a good success rate. I think that that's common ground and that I don't have to defend affirmative action. But we'll see if the debate takes us there.

14. What is not common ground is whether race is a good proxy for that disadvantage. And I suggest that we probably understand that debate and we might end up agreeing to disagree. I think from the research been done, race is a pretty good proxy. Ninety or more percent of the people who are black in the country are poor, and vice versa - those who are poor are black. We should and we are trying to find the direct measures of disadvantage, such as looking at people's income, looking at what schools they went to, looking at what early school educational opportunities they had – and if we could find those and if we could measure them before people come to university at the time that they're applying, we might be able to do away with race as the measure or the proxy for disadvantage. And that would be a good thing because we would like, I think, again, common ground here, we would like to see, what I call a non-racial society or a multi-racial society – I know they're not exactly the same thing – but I would like to see both. And part of moving towards a non-racial society is a society that is colour blind, that doesn't think about people in terms of race; that doesn't require people to define themselves in terms of race, as they have to do when they apply to universities, when you have an affirmative action policy based on race. We want to move away from all those things: the way to do that is to refine our measures of disadvantage. I actually think that's common ground and, in a way, the less interesting debate. We may - All that debate is about is whether we have those measures and why we don't have them, and, technically, can we find them?

15. But here's where I think we should be also taking the debate further, and that is that if we were to take only people who currently are pretty advantaged, let's say the graduates of Rondebosch, Westerford and Bishops, and we were to say – well, here are students who've all had for 12 years educational advantage, they come from reasonable schools, we don't have to compensate for disadvantage anymore – can we get rid of race in this group of students and just use their marks as the basis for selection? The consequence of that would be that only, that almost only white, very few black students would get in if they were ranked, because when you look at the distribution of performance in those schools, whites are right at the top end of that performance in matric and black students are much lower. And we understand the reasons, we can debate that later, but compensating very substantially for the disadvantaged by taking only people from privileged schools, you would find ranking them on merit, choosing the top, you would get white students. Therefore if we had a procedure, if we had an admissions process which excluded race and only looked at advantage or disadvantage, what we would find is that the disadvantage measure would draw in lots and lots of black students, but they would be coming from disadvantaged schools and disadvantage educational backgrounds. The rest would be largely white students, almost only white students – and we would end up with a profile of students on campus where white students are doing well, don't need affirmative action, pass first time in three years, black students almost to a person because we're not going to get many black students from a privileged school – almost to a person black students are going to an affirmative action in academic development programmes taking longer to get through. The result is we will reproduce the stereotypes in society, we will reproduce views of racism – black students are weak, white students are good – we will end up with classes which are actually segregated instead of integrated.

16. Therefore my proposition is that we have to explicitly go out and find the best black students that are out there in order to disrupt those stereotypes that otherwise would exist; in order to make sure that we have lots of black students at UCT who are among the best students and who get through without any academic development and who are the same as white students. To do that we have to find the most privileged black students, not the most disadvantaged black students. And in order to do that we need a policy that includes race – we need to have race as a separate part of the basket, and we need to say we want the black students from Bishops, those are our most desirable students. [applause]

17. Judge Dennis Davis: Neville will you?

18. Prof Neville Alexander: Thank you very much. I want to start by saying that when I originally looked at the way in which this discussion was being structured, I was very concerned because it looked to me as though we're not taking this matter seriously – people were given two minutes, and so on. It's very obviously now from what the vice-chancellor has done that it's a bit more than two minutes. [laughter] So perhaps we're a bit more serious about it – that's the first point.

19. The second point I want to make is, I wanted to explain what this is not about, because a lot of

people have got quite a wrong conception of what this debate is about. It's not about my views versus the views of the vice-chancellor. On the contrary, we're talking about a very serious matter, different positions, not only these two positions, there are many other positions as well about this issue, and I think it's quite important to stress that.

20. The third point I want to make is that we're talking about affirmative action but actually we cannot isolate this whole issue of affirmative action from the much larger issue of what kind of South Africa we want to live in. I believe that we're asking the wrong questions because we are isolating in an Aristotelian way, we are isolating a specific issue and looking at it without reference to all the other inter-relations that are involved.

21. I believe we've got to start somewhere else: we've got to start by asking what is the nature of the new South Africa? What kind of new South Africa do we want to live in? And we have to accept that when we talk about a non-racial, multicultural, multilingual, non-sexist, etcetera, South Africa, that this has various implications. Let me take one simple example: we talk about disadvantage, but disadvantage implies a norm. So the obvious question you've got to ask is: how was or is the norm constituted? And until you've got clarity on that, you cannot ask the right question. It's as simple as that. If the norm, for example, is whiteness or being white, or white skin, or whatever you want to call it, then it means that having a black skin is a disadvantage. Now I reject that. The fact that my skin is darker than somebody else's skin doesn't disadvantage me. And that is why, as the vice-chancellor said, we have agreement about certain things. So, for example, it's not skin colour, it's not so-called race that determines whether or not people are disadvantaged. There are other reasons. And if we speak about race as a proxy, if we say that 90% of people labelled black - notice I don't say "classified" or "categorised", but labelled black - if we say that 90% of them are poor, why not use poverty, why not use income as the relevant category instead of race? The reason I'm opposed to racial categorisation, quite apart from some of the absurdities, about which I hope in the discussion we'll have a chance to talk, the reason I'm opposed to it is that the implication of forcing people to categorise themselves or to be categorised by others, by functionaries, in racial terms is that you entrench racial identity, race thinking, race prejudice. Anyone who doubts this, I ask you to go and read up the history of Rwanda, read up the history of Nazi Germany, amongst others, to see how systematic this particular process is. Don't be fooled by the fact that we have allegedly well-intentioned rulers at the moment. In five or ten years time it may be very different; you may have a chauvinistic black nationalist government which uses exactly the categories and the measures that you've been entrenching in order to cause major social conflict.

22. And the fourth point, and for the moment the last - there are many more - [laughter] the fourth point I want to make is that the universities have a mandate. We are an intellectual elite. I'm not suggesting that we are necessarily elitist; elitism depends on what you teach, how you teach it, etcetera, etcetera. But we are privileged and we are privileged also in intellectual terms. We have a mandate to challenge things that we know are from a scientific position, wrong. Racial classification is wrong per se. Racial classification in post-apartheid South Africa is wrong for all the reasons that we know. And from that point of view, therefore, the university should rather make the effort, the intellectual effort, to find feasible ways of dealing with this matter.

23. I have many more things to say, just to perhaps end up with one small thing. When, if you look at medical school for example, not everybody has to be a doctor. If there's an insufficient number of places at the medical school, let us consider other ways of training people to become medically useful to the communities. Give a four-year course, a barefoot doctor course, so that more people can be trained to go into the townships, go into the rural areas, work as doctors, get better qualifications and eventually qualify as doctors. And in the meantime take those who for the moment are - for the moment - are best qualified to go into the medical field. I'm putting it very briefly at the moment but I'll come back to these issues and many more issues, as I say - you know, I believe we should have a series of workshops where we take up these central questions and work through them carefully. And I'm fully aware of the fact that this is not a new debate at UCT. But I think up to now it's been simply a nominal, if you wish, genuflection, to the debate. The real debate starts now. [applause]

24. Mr Sizwe Mpfu-Walsh: Well, thank you so much. I'm the product of a black father and a white mother, so if I fail to convince you, it's as a result of my material circumstances. [laughter] But if I succeed, it's because I've been overtly privileged. [laughter and applause] Despite that, my point here today, and

what I really want to drive home is that race is the correct proxy for admissions into university for now, but in the long-term our leaders need to have the fortitude to move away from that proxy when it's in fact appropriate. And I'm going to make three arguments here and then as the debate goes on I'd like to respond to some of the points which have already emerged from the debate. So the first argument I'm going to make is that there's a blurring of two propositions which we are confusing. The first is the biological proposition that races exist, and the second is the sociological proposition that races exist – and I just want to clear the air around that confusion. The second is I'm going to speak about what the effects of the sociological proposition that races exist has on South African society and continues to have on South African society, and why we need to change that. And then, finally, I'm going to go into some of the practical reasons why it's very difficult to have a proxy which identifies disadvantage and why race is the best proxy at the moment for identifying that disadvantage.

25. So to get into the first argument, we hear a lot of the reasons for why race shouldn't be a proxy for disadvantage as follows: saying that different races exist is a very bad thing. Human beings are all the same and therefore we should never categorise human beings by the way they look. I fully agree with you, but that doesn't necessarily entail that race shouldn't be used as a proxy. The reason for that is that there's a sociological proposition that races exist, so that even if there aren't heritable characteristics that we biologically inherit from our ancestors, there still are sociological characteristics that have been inbred in our society that persist and perpetuate today whether or not the racial proposition biologically actually exists. And in South Africa, more than any other country, the sociological characteristics associated with what we term "race", are still very very much existent in our society today, whether or not we accept that biological proposition. And from that flows the fact that if there are inherent sociological races, which I would contend there certainly are, what makeup do those races that we have in our society take up in our society today, in what form do they manifest? And then we need to look at the history of our society and understand whether there have been artificial schisms caused by that sociological proposition or whether in fact, even if that sociological proposition exists, we're pretty much equal, on an equal footing.

26. And I would contend, and this is my second point, that given that those sociological propositions exist, the schisms that exist in our society on that basis have created a tremendously unequal society on the basis of what we call race. And it's as result of those very schisms that we need policies in our institutions, in our universities and in our country, which deal with those schisms.

27. So then you get the contention, my favourite contention: what about the Bishops student? But if what I've said is true, it still very much applies to the Bishops student. So, for example, I'm a Bishops student, I come to UCT – I'm actually not [laughter] – I went to St John's, come on! [laughter] And all of a sudden, because of the fact that I've gone to Bishops, I have now been compensated educationally for the disadvantage that the generational sociological schism has caused. But is that really true? Because a number of the people who I went to school with at St John's actually went to township primary schools. They were in primary before 1994, and Bantu education actually only ended in 1994. So given the schisms in our society, can we say that the entrenchment of race has gone so deep that just because you go to a certain school you've lost some of the disadvantage, all of the disadvantage. Perhaps some, but definitely not all. And if society is trying to redress the disadvantage that's been created by those schisms, our policies need to be cognisant of how deep those schisms go; it's not just as simple as throwing money at something and expecting it to have overcome those schisms.

28. So given that, I'd like to speak about the practical reasons why race is a proxy for disadvantage – because in the long-term I believe we should move away from it and we should get to the core of disadvantage. But the problem is that it becomes very very difficult to measure disadvantage, because disadvantage in South Africa is racial, but it's also determined by how many you have in your home, how much education your parents and your grandparents have when you go home so that you can speak to them about your homework. How far you have to walk to school every day. Whether or not you have electricity in your quintile. But UCT doesn't have the utensils or the resources to go around to every student that applies and do a checklist. So electricity; 32.7km away; only great great grandparents with university education. It's a very very difficult process, and in fact the only policy utensil we have at the moment which is good enough to encompass everything we mean by disadvantage, whether or not we accept whether it's an adequate proxy or not, is race. And so until the other side of the debate can come to the table and say this is a practical way we can measure disadvantage, unfortunately we're at sea and we're using race as the best thing we have at the moment. So with that I'd like to conclude. Thank you very much. [applause]

29. Judge Dennis Davis: David, do you want to -.

30. Prof David Benatar: [inaudible] photograph me and I think it will be - .

31. Judge Dennis Davis: I'm also impressed that you don't need the authority of a podium.

32. Prof David Benatar: No, you don't, thanks very much. So I'm going to try and stick to just the few minutes that we have. The first point I want to make is that it's clear to me that the debate has moved, that when we had this debate a few years ago, the people - . [inaudible] So when we had the debate a few years ago, it was clear that my interlocutors were claiming that we ought to use race, they were unashamed about it, they weren't adding on the qualification for now – whereas three years later the opponents are suggesting that there's something uncomfortable about using race, there's something difficult about it in the long-run, and we're justified only in using it for now. So I take that to be progress and I hope that in three years time or fewer, the embarrassment about using race will be so great that we will no longer be using it.

33. Let me indicate that if you're going to use race as a method of preference, you have to have two things: the first is a classification system, categories into which people are assigned; and, secondly, you have to have a mechanism in order to assign people to those categories. Now what's not realised is that the – or it's not explicit is that the categorisation we're using are apartheid era categorisations. So we're hanging on to those old categorisations. There's nothing obvious about them, in fact far from that they're absurd. In other parts of the world the classifications work in a different kind of way. But perhaps even more noxious than that is the method of assigning people to these categories. And I think there's a measure of dishonesty going on at UCT and in the country more generally about this.

34. So what's going on today is that people are asked to classify themselves, unlike in the old days where they were classified externally. But UCT's indicated that if applicants to the university misclassify themselves, then measures may be taken against them. And what that indicates is that self-classification is not the criterion of what you are racially. The people's self-classifications are judged by some alternative criteria and a more objective criterion. But when one asks what that more objective criterion is, one's not given the answer. The real answer is that it's the old style apartheid categorisations and methods of categorisation. And what we're implicitly asking people to do is not just ask themselves what they are racially, it's really to ask themselves how they would have been classified or how they were classified. We're asking individuals to do that dirty work that was previously done by the government. And I find that an extremely distasteful exercise. It's distasteful because you're asking people to make their categorisations and it's distasteful because you're going to now second-guess them on that because you've got those objective criteria that are so deeply offensive and absurd.

35. A further point that I want to make about classification is the one Professor Alexander was making, and that is that it's a very very dangerous enterprise. It might not look dangerous now, but as he's indicated there are ample historical examples where feeding into this notion of race classification, ethnic classification, can under certain circumstances lead to very, very dangerous outcomes. And it may well be the time will come, I hope it won't, where people will look back and ask if those who perpetuated the system of race classification, how they could have done that, and the blood that they might have on their hands. So I think we need to take that point very seriously.

36. There a number of points that have been made here that I hope to attend to more in the response and debate session – I am quite keen to keep to my two or three minutes now. Thanks very much.
[applause]

37. Archbishop Njongonkulu Ndungane: A few brief remarks, and mine is to put this whole debate in the context of where we are in South Africa. I speak here as a citizen of this country, who in my pastoral visits I visit people from the super-shack in Langa to [inaudible] in deep rural Zululand. And one of the things that impresses me most, especially with the mothers, is that they have a resolve to educate their children. But the disadvantage is there. Mothers wake up very early in the mornings; by the time we wake up in our houses, they are there to scrub our floors and they put those few pennies for their children. I am here too as a person who is involved in the restoration of historic schools. These are the schools which were run by the churches, which produced leaders of integrity and calibre in this country. Had apartheid not destroyed

those schools, we wouldn't be here today discussing about this. I am here as a person who visits the schools and sees the amount of destruction and looking the pupils in their eyes, wanting the best of their education – why should we debar children of parents trapped in the cycle of poverty with no access to proper education? And yet in spite of where the schools are, the students still strive and get good marks and want to come to universities like this. And remember the words of Nelson Mandela, that education is one instrument that can make a child of a peasant become a doctor. And so in terms of the context where we are, we have to recognise that people who are disadvantaged most are people who are black like me, who have got no access to resources and yet strive to want the best for their children. And for me the solution is one that we must stiffen our spines and march to Parliament, knock at the doors of government and say we want an education in this country that prepares for the future of our country where all our children would come to universities like this because of merit. Now that's a long haul, because we have got to start from Grade R into matric. We're talking about 20 years to 30 years – and so that's where our efforts should be directed. But in the meantime we should do our best to make sure that those children of mothers and fathers who want the best for their children have access to universities such as this one. I thank you. [applause]

38. Judge Dennis Davis: Thank you. I'm afraid, people are, I can't have people jumping up and down the whole time, it's going to hopeless, otherwise we can't have a debate, so you'll just have to listen, I'm sorry. Can I start with you, Max? The thrust of a lot of the criticism is that you're using an untransformed category of race. It came through in what Neville suggested, it comes through in what David Benatar suggests, that you're using an apartheid categorisation, untransformed view of the world to institute some form of restitution, and that what you therefore do is you can never get to a non-racial society by asking people to position themselves and categorise themselves in precisely the way apartheid did. Now how do you respond to that?

39. Dr Max Price: The criticism is correct – I don't think it's criticism though. I think the whole point of redress is to redress along the lines of inequality and of the society that created it.

40. Judge Dennis Davis: But why don't we deal with inequality and call a spade a spade?

41. Dr Max Price: No, so it is because -.

42. Judge Dennis Davis: It's so hard to define class in this country – it doesn't seem to be.

43. Dr Max Price: Okay, that's a different question about whether -.

44. Judge Dennis Davis: No, it's not a different question, it's the que(stion) -.

45. Dr Max Price: Whether we can define class [inaudible]. But whether the categories we use to define people are the apartheid categories – I'm saying, yes, they are the apartheid categories, I'm not denying that. And I'm saying that's a good thing, I'm not saying that's a bad thing. I'm not trying to get out of that. I'm saying that's not a criticism – that was the basis of inequality, and if we accept and we can come back to the technical question of why we have to use the proxy – but if we're using a proxy it seems to me that the right proxy to use is precisely to say: how would you have been classified under apartheid? I don't think that's such an embarrassing question, I don't think it's a hard question to answer; most of us can answer the question. And know how you would have been classified tells you a lot about your social circumstances, what you've inherited, what your opportunities are and therefore what has to be redressed.

46. Judge Dennis Davis: But could I just ask you, and it's not just a question of saying how you would have been classified – you carry that onward and then you reproduce a categorisation into the future so that you can never get to this non-racial society, you can't ever get to the image of the society prefigured in what Neville Alexander was talking about.

47. Dr Max Price: Of course, again, as we've said, it's for now – but your point is, and their point is – isn't it dangerous to the point that it will create a society that views the world through such permanent racial lenses that we cannot think outside the racial -.

48. Judge Dennis Davis: That's precisely what I'm putting to you.

49. Dr Max Price: And I would like to present to you the alternative which is this, that in 2017 when this year's medical students graduate, in the absence of a race-defined policy we would have 25% of our graduates black 24 years after apartheid has ended, we would produce a class of medical graduates that is 25% black, 75% white. Now I think that you can't stop people from seeing the world in black and white just because you stop using the label. What people will see is a world where inequality remains in fact, not just de jure, in fact divide along the categories that were the apartheid race categories. I think the threat to our society in the future of having that inequality defined so clearly along the old apartheid lines is a much greater threat than the threat of a potential Rwanda because we've continued to use race labels. I'm not afraid of the race labels for the next while; I think we can counter it. I think a society where 50, 60, 70% of our leaders are what in apartheid years were called black, and has required us to use those labels to get there, is a much healthier and safer society for all of us, than a society where 80 to 90% of people who defined black under apartheid remain poor and living in shacks.

50. Judge Dennis Davis: I want to put that to Neville Alexander and the others, but just one final point. What happens if people refuse to classify themselves, they simply say it's obscene, we're in a non-racial society and we don't regard ourselves anything other than members of humanity.

51. Dr Max Price: And of course they're free to do that.

52. Judge Dennis Davis: And then what happens then?

53. Dr Max Price: And then they get, in terms of the admissions policy we have a category called "other" and they basically get treated as whites. In other words, anyone who doesn't want to classify themselves [laughter] -.

54. Judge Dennis Davis: That's extraordinary! [applause] So in order to privilege, in order to privilege myself I have to say I'm black.

55. Dr Max Price: Yes, because -.

56. Judge Dennis Davis: And if I come from a township and I say I'm -.

57. Dr Max Price: Ja, the policy -.

58. Judge Dennis Davis: I'm literally, I'm amazed that I'm here and you can see from my school where I came from, you can see my background and everything but I'm not prepared to classify myself - I'm classified as white?!

59. Dr Max Price: Yes, and you're classified as "other" because the affirmative action policy only applies to people who are black and or classify themselves as black. There is no affirmative action policy for white or people who don't want to classify themselves, so -.

60. Judge Dennis Davis: Yes, but these are black people - you just to classify them as white. I mean, this shows a tenuous categorisation problem, does it not?

61. Dr Max Price: You can't on the one hand want to benefit from an affirmative action policy and on the other hand say you're not willing to classify yourself in order to benefit from it.

62. Judge Dennis Davis: Ah, we'll come back to the benefits in a moment. I know you're desperate to talk, Neville, but I have to ask you this, in fairness, because if we're going to have this debate it's got to be fair - and the question on the other side is: if we were not to do anything, which is what I think Max Price is saying, then we have a university which would be as pristinely white as the one that confronted me when I arrived here as a first-year student, and would continue to be the case. And that's just not on. And none of our institutions can continue to reproduce that, even if the reason for that is an outrageous education policy, which as the Archbishop says, continues to this day. So some measure to address the past has to take place, and he's saying the best we've got at the moment, as imperfect as it is, is race. And what's wrong with that?

63. Prof Neville Alexander: Thank you, Dennis. I appreciate it that you want to cast the debate in your terms. [laughter]
64. Judge Dennis Davis: No, no, I'm not, I'm merely -. That's Max's term and you're entitled to respond to it in your term.
65. Prof Neville Alexander: No, no, quite. But you must allow to say a few things, which I'll come to your point in a second [Judge Dennis Davis: Sure] I won't be long.
66. Judge Dennis Davis: As long as you answer, it's not going away the question. [laughter]
67. Prof Neville Alexander: No, no, certainly not. No, no, no. The first point I think to make is that affirmative action only touches a tiny minority of South Africans. To be affirmed you've got to have comparable skills, knowledge, etcetera – otherwise there's no point to it. For the vast majority of South Africans what we're talking about is transformation measures: building homes, giving them jobs, etcetera, etcetera. And as the Archbishop said, making sure that from Grade R to Grade 12 they get a decent education, so that by they get to apply to go to university or to vocational college or wherever else, they have been empowered. So we're talking about a very small group of people and therefore it's in some sense it's a peripheral question. If you go to KwaZulu-Natal into what somebody, I think it was what the Archbishop said, deep rural Zululand, you will probably find only people labelled black. Does this mean that it's not a non-racial set up?
68. Judge Dennis Davis: No, no, hang on now. Universities, but what you've got -.
69. Prof Neville Alexander: I'm coming, I'm coming to the views -
70. Judge Dennis Davis: We're talking about universities here, and they are inherently a small population.
71. Prof Neville Alexander: I'm coming to that.
72. Judge Dennis Davis: You're trying to broaden the debate into things that Max Price is not talking about; it's not fair to him.
73. Prof Neville Alexander: As I said in my initial input, we're not talking simply about technical issues about how do you classify or not classify. We're talking about an entire society, and if you're going to ask the wrong questions you're going to get the wrong answer. [laughter]
74. Judge Dennis Davis: Well, to quote you, it depends on the perspective by which you question – you may not like my question, it doesn't make it wrong. [laughter]
75. Prof Neville Alexander: Your question leaves me cold, to be quite frank.
76. Judge Dennis Davis: It doesn't matter.
77. Prof Neville Alexander: The point I want to make is a very very simple point; [Judge Dennis Davis: Yes] the demographic reality of South Africa, the vast majority of people are people who are labelled black. Within one to one-and-a-half generations, every institution in this country will be representative in the sense of which the Employment Equity Act refers to. Even if you do nothing; I'm not saying we shouldn't do anything, on the contrary, because and I always make the point, and people are, you know, people don't like to hear this: we are involved in affirmative action because the revolution failed. Let's face it. If the revolution had succeeded, we would have confiscated all the damn property in the county [laughter] and we would have made blooming sure that people were empowered, that they were affirmed, that they were educated properly, etcetera. The reason -.
78. Judge Dennis Davis: But not in 16 years, it would have taken longer than that; you yourself said so when we last had the debate: this is a long process. And you accused affirmative action proponents last time around [Prof Neville Alexander: Yes] of actually trying to fast-forward a problem, an easy fix to a serious

structural problem.

79. Prof Neville Alexander: No, that's what I want to come to. You see, I believe really firmly that there are a number of things that we must face and speak about, you know, candidly. We are South Africans, we have an open debate about race – you go to Cuba, you go to Brazil, you won't see this. This is one of the reasons why this is the land of Good Hope, the fact that we can speak openly about these things. [Judge Dennis Davis: Yes, yes] And, but then we must be candid. For example, so-called whites in South Africa are South Africans, they are not foreigners. And if the majority of blooming medical students are white – so what, for the next 10 or 15 years. So what? – they're South Africans. The white capitalist class is a South African capitalist class; he's not a foreign capitalist class. I'm being deliberately provocative, I want to show you -.

80. Judge Dennis Davis: Oh, I can see that! [laughter] And your point is what?

81. Prof Neville Alexander: I want to show you the kinds of questions we must face.

82. Judge Dennis Davis: Right.

83. Prof Neville Alexander: Bantu education maimed our youth.

84. Judge Dennis Davis: Yes.

85. Prof Neville Alexander: It under-developed them deliberately, brutally. Why must we pretend that after 1994 they suddenly are capable of all kinds of miraculous developments? It's nonsense. We need to have – we need to have mediated stages of, strategic stages which will make it possible for those students, or whoever they are, to compete on a fairly level, a fairly level playing field. In addition to that, and I really need to stress this point, not everybody has to be a doctor. You know, it's just silly to think that everybody must be a doctor. If we could educate and train a few thousand per year, a few thousand barefoot doctors with a four-year course or whatever, we would make such a difference with the health of this country. And if the universities that have medical faculties were to pool their resources, we could make a huge difference and still produce the best doctors.

86. Judge Dennis Davis: Could I just ask you -.

87. Prof Neville Alexander: I'm not saying we're not doing it -.

88. Judge Dennis Davis: But let me just take that, before I move onto other panellists, let me just ask you this: if you did that, that four year, because it comes back to the question of – and you had this four-year programme, in essence what would happen on your analysis today, probably rightly so in terms of what happens, is that the vast majority of those people will be black.

89. Prof Neville Alexander: So what?

90. Judge Dennis Davis: I'll tell you what. The vast majority of people who have the MBChB will be white, and what will we then have in our country? We'll say, "Ooh, they're the second-rate ones. They're sec(ond), I don't want a second-rate doctor, I want a real doctor." [applause] And we re-entrench, in a sense a racial thing, which is what I think Profess(or), Doctor Price is saying.

91. Prof Neville Alexander: Dennis, I don't want to get into an argument with you; I think that's nonsense.

92. Judge Dennis Davis: Why is that nonsense? [laughter] That's the thrust of his argument. Why is that nonsense?

93. Prof Neville Alexander: You don't have to see these things in terms of colour, for heaven's sake. These are South Africans we're talking about. And I'm saying again that in one-and-a-half to two generations, [Judge Dennis Davis: Yes] the entire situation will have changed. Why do you want to see overnight? You know, if you believe in miracles, you really have to have your head read.

94. Judge Dennis Davis: I agree. Alright. Let me -. No, no, no, hang on a moment – I know you're the boss here, but not on this panel, right. [laughter] [laughter in voice] So I do want to ask the SRC president – I was intrigued, just following from what's going on, if we were courageous as what Doctor Alexander, Professor Alexander, is saying, we would accept, following from what the Archbishop has said, an outrageous system of education, which quite frankly has carried on for 16 more years, ie from '94 to now. The Archbishop is saying, I'll ask him himself later to explicate on it, that in effect if we really wanted and you would march down to Parliament and be actually telling them, "What on earth are you doing with our children at the moment?", because that's where the real problem lies, rather than dealing with here – this problem is a direct product of their incompetence.

95. Mr Sizwe Mpofu-Walsh: Sure.

96. Judge Dennis Davis: Right. So the question I want to ask you is – you say, well, you know, let's deal with race now. What has that to do? Is that as a palliative for a few years, which is what Professor Alexander's talking about – because actually are we then pretending that actually all is well in our universities when it isn't? And, secondly, flowing from that, if you say, "Well, at some particular point in time we have to have the courage to say that race shall stop." When should it stop? Should it stop when you qualified at St John's, for you? I mean, because what's the difference between you and the white student who went to St John's? Where does it stop, in your view?

97. Mr Sizwe Mpofu-Walsh: Thanks. So the two questions – the one is: why not all march to parliament and try and change the education -.

98. Judge Dennis Davis: No, that's not my point. My point is not why not march to Parliament, I'm happy – well, judges can't march, but I mean, the rest of you [laughter] – I'd love to march. Um, but the point about it is – my question's a different one – my question is: if you were really candid you'd have to say that this debate about affirmative action, which is what Professor Alexander says, is a [dishonest – unclear] debate because it really is trying to pretend that we can solve the problems which have to be dealt with entirely differently; and why can't we just be honest and accept the fact that, given apartheid, at which are ultimately elitist institutions, we are going to have a skewed distribution for a while yet, and the real point to prevent that is to get our education system right so that children's futures are not stuffed up by unbelievably outrageous primary and secondary education?

99. Mr Sizwe Mpofu-Walsh: There are two assumptions: the first there is that the two are mutually exclusive processes. So I would agree, we should actually be candid enough to do that, but we also need to require from every single institution in the South Africa, not just Parliament but also our universities, that they take the developmental goals that this country needs to take very seriously into account – and so I believe it should happen in two ways. Number, one, we should be marching to Parliament, and we should be saying the education system needs to be better, that the education system feeds the university system and that the university system isn't accepting or isn't tied into the education system in the way we need it to be, and when these students come to university they're going to perpetuate the kinds of ideologies that are perpetuated, the schisms are going to just effect but only a little bit later. So we should do both, and they're not mutually exclusive processes.

100. Judge Dennis Davis: But they are if the fact is that you are fooling yourself by believing that [Mr Sizwe Mpofu-Walsh: But there you can -.] you can produce people at universities at the moment who shouldn't be here, and that we should actually instead of fooling ourselves we should deal – which is what I think Professor Alexander is saying. Are you not saying that, sorry, I thought you were saying it. [laughter] Why were you not saying that?

101. Prof Neville Alexander: That's not just a misrepresentation, that's a very dangerous one.

102. Judge Dennis Davis: Alright, well, tell me why.

103. Prof Neville Alexander: One of the things I haven't had a chance to say – [Judge Dennis Davis: Well, say it] is, is that fundamentally if you think of the new South Africa, you've got to change the paradigm of excellence.

104. Judge Dennis Davis: Okay, and I want you tell me -.
105. Prof Neville Alexander: The paradigm of excellence within which we are forced, all of us, blue, green or white, all of us are forced to compete within this paradigm of excellence. It's a Eurocentric one, and it's one which necessarily -.
106. Judge Dennis Davis: Okay. I know that, at that point I wanted to come to, if I may. But what I was putting – [Prof Neville Alexander: But I'm not saying -.] but is your, [inaudible] representation, because what you said is: what's so terrible if for example in the short-term all the doctors are white? And that's what I was getting to.
107. Prof Neville Alexander: No, no, that's simplifying a -.
108. Judge Dennis Davis: Well, it's your point, not mine. I was quoting you.
109. Prof Neville Alexander: No, no, no, you are over-simplifying the issue.
110. Judge Dennis Davis: Okay. But the point that I'm making is, which is to put to him, the SRC president, is simply this – is, to what extent are we honest with ourselves that we've got a much more foundational problem, which in a sense affirmative action seeks to pass [inaudible] rather than deal with foundation? That's the point I'm really trying to put to you.
111. Prof Neville Alexander: Ja, but -.
112. Judge Dennis Davis: Sorry, but let him answer now, please.
113. Prof Neville Alexander: Don't turn it into either or -.
114. Judge Dennis Davis: No, no, no, thank you, it's his chance. Carry on.
115. Mr Sizwe Mpofu-Walsh: Thank you. Hello, just testing. [laughter] Um, ja, as I say, I think the response is exactly the same. We need all hands on deck for this problem. The university system shouldn't be relying on the education system to solve all of its problems and vice versa, every single institution needs to be doing what it can. So, yes, we should be marching to parliament; yes, we should be demanding more from the education system – but in the meantime we need to work with what we have and we need to create a society which is as equal as possible – and universities have a role to play in that. And if you want me to touch on the elitist question, I can [later on -].
116. Judge Dennis Davis: Yes, I'd like you to touch on the elitist question.
117. Mr Sizwe Mpofu-Walsh: Thanks very much.
118. Judge Dennis Davis: Yes.
119. Mr Sizwe Mpofu-Walsh: Thank you. This idea that universities are necessarily elitist institutions is true but not if they're artificially racial elitist institutions. And that's happened over the past. So we had elitist institutions – yes, any university in the world is elitist, but in South Africa it was magnified because they were also racially elite. So we're not to remove the elitism, we're trying to remove the racial elitism, and those are the -. [applause]
120. Judge Dennis Davis: No, but will still be elite. It will still be elite.
121. Mr Sizwe Mpofu-Walsh: They'd still be elite, but what we're looking for is a random distribution of talent across the different quintiles.
122. Judge Dennis Davis: And that may take time.
123. Mr Sizwe Mpofu-Walsh: That may take time, but if we don't act now then we may get it later than it

necessarily could have happened – and why should we wait?

124. Judge Dennis Davis: Alright. David – I'll come back to you Max – but this particular point of legitimacy, and the particular point that you've got to actually accept that you can't just freeze the frame under the apartheid basis and allow that to be reproduced, which is I suspect what's being argued on this side – which is to a large degree you can't just wait for the education system of this, the government's education system to improve, and that therefore one has to have some proxy for [what is/all this] massive disadvantage in the society. So race isn't perfect, but it's better than nothing. We can't have nothing.

125. Prof David Benatar: Right, well, nobody is suggesting that we do nothing.

126. Judge Dennis Davis: So what would you do then if you were the principal?

127. Prof David Benatar: I wouldn't be the principal. it's not a job that I want. [laughter]

128. Judge Dennis Davis: Ja. [laughter in voice] I could respond in a number of ways, but I won't. So what I simply say is – but if you were, what would you do? Hypothetically, you're a philosopher, you can work in hypotheticals.

129. Prof David Benatar: Ja, no -. [laughter and applause] No, I can, and I'm quite a practical philosopher as well, [laughter] a hands-on philosopher.

130. Judge Dennis Davis: But I'm just telling you, I'm just asking – what would you because [Prof David Benatar: Ja, well -.] we've got a problem and how do we deal with it?

131. Prof David Benatar: Right, so I think in the past the debate has been, do nothing or have race-based preferences. And now as I see one of the shifts in the debate is it's not that. It's we've got to do something. We all recognise we've got to do something – but is it going to be rectified by race-based preferences or are we going to rectify it in some other way? Now I think it's perfectly legitimate to be rectifying injustices by means of giving preference to people who are disadvantaged. Now the counter-argument here is that that's not practical. Now a few things to say in response to that: The first is, if that were the only motivation, if that were really the motivation for race-based preferences in admissions, then I would ask why is the university also committed to race-based preferences in appointments? Because in appointments you're actually making decisions on an individual-by-individual basis then, you're interrogating people's past – and even in those cases the disadvantage may be less important because if you want to put in the classroom, for example, the person who is best able, not most or least disadvantaged. So I think we need to look at those two issues in tandem because I think they reveal something about the motivations of people in the admissions case. In other words, if you really say it's an impractical thing at the admissions [then, well then -] concede the appointments point. Conceding in the appointments front, we can actually do this on an individual-by-individual basis. So that's the one thing about the seamlessness, I think, between those two cases.

132. The second point is a point I made in a number of contexts, and that is that it's often said, "Well, there's nothing that we can do." But there are examples where people have said there's nothing they can do and when their backs are against the wall they find something they can do – and the case I'd like to cite here is the South African Blood Transfusion Services, which claimed that they had to use race as a proxy for HIV-infected blood, and they were using that until there was a public outcry about that – and suddenly they found an alternative way of screening blood without using race as a proxy. They insisted for years that they could only use race, and when their backs were against the wall then they could find a way. It costs a little more but it doesn't have all these sort of degrading overtones. And I think that if UCT's backs were against the wall, if there were a court case for example that ruled that what was going on here was inappropriate, UCT would find a way, because necessity is the mother of invention and some alternative would be found. [applause]

133. The next point is that there are imperfections in working out who is disadvantaged, that is a difficult task and there are imperfections there. But we're already aware of the imperfections in using race as a proxy. We know that there are all kinds of people who are going to be entirely privileged, who are going to get advantaged of the basis of also being black, whatever that -.

134. Judge Dennis Davis: Because no system is perfect.
135. Prof David Benatar: No system is perfect and that's right. So what you've got to then be doing is making choices about which kinds of imperfections you're going to go for. And you're going to make choices about how to minimise the imperfections in whatever system you go for. And so it may well be true that there will be some students, let's say, from Bishops, who will be disadvantaged as a result of going for the disadvantage criterion rather than the race criterion, but there will also be some people who are not Bishops who are already at a disadvantaged school who will thereby be advantaged because they'll get the extra favouring on the basis of being disadvantaged. So every mechanism of distributing places in a university is going to cost somebody something.
136. Judge Dennis Davis: Correct. And so the question [inaudible] -.
137. Prof David Benatar: The question is -.
138. Judge Dennis Davis: And so the question, the question, I'm sorry. So the question is this: in a society like ours where it's common cause that race and class truly are over-layered one with the other [Prof David Benatar: Right] that therefore the least damage is to accept that given the fact that we'd all accept that as a result of class, people really suffer huge egregious disadvantage, economically, socially, politically and every other way – and that therefore because race overlays that, that that to a large degree that's the least disadvantage and probably the best system in an imperfect world of actually ensuring that people who are disadvantaged get a decent access to this institution and others like it.
139. Prof David Benatar: You can say that, but whether it's true or not is another matter.
140. Judge Dennis Davis: What do you mean? What's true? What do you disagree with? – that race is over-layered with class?
141. Prof David Benatar: No, that, that one -.
142. Judge Dennis Davis: Would you accept?
143. Prof David Benatar: No, that part we can accept [Judge Dennis Davis: Yes, what's wrong?] but the further point you made was therefore it's the best proxy.
144. Judge Dennis Davis: Well, what's the other – I haven't heard one that's better.
145. Prof David Benatar: Well, there are lots of other proxies you can use. So the one is to use school, what school you went to.
146. Judge Dennis Davis: Okay.
147. Prof David Benatar: We've heard of complexities there, but there are ways of refining that system – so one thing you can do is, not just purely at what school you matriculated from, but how many years you spent in a privileged school. Okay, so if you have people who've been 12 years in a privilege school, [Judge Dennis Davis: Okay] then you say, okay, now you don't count as disadvantaged. If you've been there for the last three years of your high school, then you do. So you refine the mechanisms, and there are ways of doing that.
148. Judge Dennis Davis: Okay. I know, Max, you were desperate to answer a whole range of things, so if you want to, carry on.
149. Dr Max Price: Are you not going to let -.
150. Judge Dennis Davis: I'm going to give the Archbishop a chance, but you were putting your hand up -.
151. Dr Max Price: [inaudible].

152. Judge Dennis Davis: No, no, no, I want to ask you, carry on.

153. Dr Max Price: I just want to say, I agree with David that we can and will find the direct measure of disadvantage with more work, and I don't think it will be a very long way off. And in that respect I don't think that we're – on that part of the argument, I don't think we're disagreeing, in other words, I'm not -. Well, on the question of admissions, I don't think, of appointments of staff, I didn't quite understand the point you made; but I think I would concede, if that's what's required, to make the argument – I would concede is that when we look at staff members and we look at the appointment, we are, we can easily compensate, much more easily compensate for disadvantage, and we can take that into account, we don't simply have to use race -.

154. Judge Dennis Davis: Because it's an individualised process.

155. Dr Max Price: Because, ja. But I'm not sure that that's essential because we don't disagree on the core issue which is disadvantage can be measured; we don't yet have the tools but we're working on it and we'll get there, I think we'll get in a year or two. The question I have, the challenge which no one has responded to is – let's say we've sorted that out, my concern is that we will end up in a much worse situation. If we get rid of race and we only disadvantage, we will have a [bi-modal -] distribution of students here of whom the white students will be excellent and pass immediately with no support, the black students will have a 50% dropout rate, [inaudible] will never get there, which is not efficient for the country either, and will be in academic [inaudible].

156. Judge Dennis Davis: Is that because you want black students to be like white students – which goes back to Neville's point, [Dr Max Price: That's because I want -.] it's because you have, because you've got a conception of what is excellent and a conception of standard which is Eurocentric and is seriously contested – and so as long as we have that we're always going to have this problem. What you want is a non-racial Oxford.

157. Dr Max Price: What I want is that the distribution of people who pass the exam, I don't know if that's Eurocentric excellence or not.

158. Judge Dennis Davis: Well, the question is what's tested in the exam, [Dr Max Price: That's right, ja] that's another matter.

159. Dr Max Price: Ja. We can debate that too, but I'm happy to accept that we have a system that has a certain kind of exams and that we're not going to change that quickly. The outcome I want is that the distribution of people who pass the exams should be non-racial, it should not be primarily white. And to get that we need to select black students who are not disadvantaged

160. Judge Dennis Davis: Alright, I know you, both Neville – I'm going to come to you, Archbishop, but they seem desperate – yes, David.

161. Prof David Benatar: Yes, so first of all, I haven't seen the data on this, but I'd be surprised if we had a [bi-modal -] distribution as Dr Price suggests. I mean, when I look at my classes there are outstanding black students. I have difficulty believing that they would not get into UCT without some kind of preference – so that's the first point. The second point -.

162. Judge Dennis Davis: It's hugely offensive to suggest that they wouldn't.

163. Prof David Benatar: Exactly. Exactly. And the second point is, if it is true that in a year or two's time we would get alternative methods of admissions, then what I would suggest is, let's make principled stand now, let's spurn racial classification and admittance on the basis of race. First of all, that will put more pressure on the university to find these alternatives and to find them promptly, and, secondly, the costs of that interim period of a year or two wouldn't be that great in any event.

164. Judge Dennis Davis: Neville, I know you wanted to say something and then I'll come to the other two before I give it up to the audience.

165. Prof Neville Alexander: This may appear to be coming at the same problem from a very different angle. The university still has red bays and yellow bays [laughter] in which people park.
166. ?: And there are blue bays.
167. Prof Neville Alexander: And are there blue bays? I didn't even know that. [laughter] In other words, even where there is no racial classification, you have a class classification, a status classification. Do away with that, start there. [laughter] It sounds trivial -. [applause]
168. Judge Dennis Davis: What happens when I park in your bay? [laughter]
169. Prof Neville Alexander: It sounds trivial, but I'm saying to you that you shape people's consciousness [Judge Dennis Davis: Yes] by doing that kind of a thing, it's like ticking a box. And if you go down to the supermarket in Rondebosch, Riverside Centre, you go into the parking garage, you pay, there's no red bay, no yellow bay. You think differently once you're there in the marketplace, as it were. Now, so I want to start there. And then I want to make a second point which also seems to be irrelevant but is terribly relevant especially what Sizwe said. A few years ago we had to literally hound the fertility clinic out of a position where they were advertising for black, coloured and Indian sperm. Yet we at PRAESA had to hound them out of that position on the grounds that this is a racist practice. And I don't want to go into the detail, I'm just trying to show you how entrenched these ideas actually are at this university, never mind any other university; I'm sure it's worse at Stellenbosch. The point I'm making is that you're not, it's not a technical issue. If you are asking people to tick boxes, whether they identify themselves or whether you identify them – this is the kind of race thinking that you are entrenching in the heads of people, because that is where they are. They're not miraculous, they haven't overcome race, racial thinking. And I want to stress the point that I've made earlier but I want to stress it once more: it's about what values people are imbibing, what values are being inculcated, what knowledge, and so on – not only knowledge about Europe, about Africa, about Asia, about Latin America, and so on. So what values are being inculcated – whether somebody is white or green doesn't matter, man – it's what values that person is imbibing at this university.
170. Judge Dennis Davis: Are you suggesting therefore that this kind of process of admission subverts that kind of vision?
171. Prof Neville Alexander: I've just told you.
172. Judge Dennis Davis: That's what you're saying.
173. Prof Neville Alexander: I've just told you.
174. Judge Dennis Davis: Now can I ask you, Archbishop, what do you, how do you respond to that?
175. Archbishop Ndungane: My response is getting back to that great theologian, Thomas Aquinas, who said that the morality of an act is its intention, its intention. I believe that the intention of this university is to propagate racism; it's to deal with a situation that is before us. And, again, in my book of words, when you are confronted with a dilemma such as we have, you ask the question: which is the lesser of the two evils? And it seems to me that we are wanting to build a society in South Africa where we have all the sectors being able to have an entry into university so that they can take their part in the building of this nation. And there's no doubt about it in terms of demographics of our country – the majority of people are black like me. And therefore it will be absurd to have a university where it's the minority that benefited in the past which continue to do so. I reckon, I recognise that this is an interim measure in terms of the principle of lesser of two evils.
176. Judge Dennis Davis: And for how long, Archbishop?
177. Archbishop Ndungane: Sorry?
178. Judge Dennis Davis: For how long?

179. Archbishop Ndungane: Well, the point is, I made my statement – we have got to change the educational system in the first place. And I think that no black student wants to be categorised in this kind of way. In fact, I've heard some saying that we actually want move away from this. So it's something that we need to be engaging and addressing the dilemma we find ourselves in our country.

180. Judge Dennis Davis: I know, I want to give you the last chance before I open it up here, please. Sorry, you wanted to say something – Sizwe.

181. Mr Sizwe Mpofu-Walsh: Yes, thanks, thanks so much. Just to respond to one of the – because I also put a challenge across which I don't think was adequately answered, and that is, if not race then what? And essentially the practical problems associated with race, and then the motivation, the motivations and the appointments contention was raised. But if we must accept the appointments then similarly if we can't find a better practical method then we must also accept the race. So I put that back onto Professor Benatar. And then in the practical contention Professor Benatar raised – in fact, you asked him a question and you said what would he use? And the only real answer he gave was schools.

182. Judge Dennis Davis: And what's wrong – well, he didn't only but would be wrong with that?

183. Mr Sizwe Mpofu-Walsh: Can I say what's wrong with it?

184. Judge Dennis Davis: Yes.

185. Mr Sizwe Mpofu-Walsh: There are a number of very real problems with that. Number one is you can't list every single school in South Africa and give it a rating system and then give it a sort of percentage point, 2.1% for this school because it's kind of near to a city and 2.1. for that school. So what you'd essentially end up doing is saying – look, township schools, rural schools, Model C schools – but there's intense differentiation within the school system, so some township schools have average pass rates which are higher than

186. Model C schools and vice versa. The next thing you can do, and this is where I think we should go – so let me give the alternative which we haven't heard – and this is what's being used in a lot of the research that's being done in British universities; and that is the key indicator should be average pass rates, along with some of the other indicators. So what you look at -.

187. Judge Dennis Davis: At school?

188. Mr Sizwe Mpofu-Walsh: At school. So you look at a school and you look at its average pass rate, and you see how much a student has actually succeeded over and above that average pass rate. So if I come from a rural school and my average pass rate is 20% and I'm getting 60%, I'm on a similar footing to someone who gets 80% at a private school.

189. [inaudible comment from the floor].

190. Mr Sizwe Mpofu-Walsh: Not necessarily but I'm just saying -.

191. Judge Dennis Davis: And you're saying that's easier, that's an easier system than Professor Benatar?

192. Mr Sizwe Mpofu-Walsh: So what I'm saying is -. What I'm saying is given the research that's been done and given the disadvantage, the average pass rate system is probably the best system we have, given the differentiation in the school system.

193. Judge Dennis Davis: Alright. Let me – I'm going to take three or four questions at a time – so the floor's open. Can you be brief so that we can get everybody in?

194. From the floor: Thanks. My name is [Dalaxolo Jacobs - sounds like] from the Student Council. I just want to ask one question to the latter speaker that is opposing vehemently the issue of racial admission. I just want to ask – in a society like South Africa where capital accumulation has permanently been used as a basis of advancing a particular race, it's been racially based – and now as far as skills are concerned that there are no people who are as doctors who are able to go to Qumbu, [two rural areas –] and so forth, who are ultimately white, some of them, and most of those who are black are not necessarily not being there

because there are few doctors, some of them that are black. How do you think that we can avert the situation of having lesser doctors or lesser technicians, or lesser whatever the case might be, in society, without including university to de-racialise based on that?

195. Judge Dennis Davis: Thank you, I'll come back [inaudible]. Yes.

196. From the floor: At this university, I work at the international level in science. I want to take students at this university and turn them into people who compete internationally at the highest level who will be recognised by the international community as people who can make contributions in science that transform the way we think, okay. Now from this viewpoint the question of disadvantage is irrelevant. If you're say in a scientific paper, even to say, "By the way I am a disadvantaged person, please treat this paper carefully", you will get laughed at. This is a code word for saying this is a sub-standard paper. So the fundamental question I think is: are the primary values of this university academic or political? And that is where [Neppe – sounds like] made a huge mistake; Neppe substituted political values for academic values. If nobody, if the university is not going to stand up for academic values, nobody is going to stand up for academic values. And the question is a very very simple one: can you contribute, when we've helped you to the highest level of international thought, can you not, we want to help disadvantaged people but in the end that should not be the first priority, the first priority is – are you academically up to the job that this university is about?

197. Judge Dennis Davis: Thank you. Yes, I'll take that. I will try to get [inaudible] as soon as I can.

198. From the floor: I'm from UWC, Peter le Roux. [Judge Dennis Davis: It doesn't matter, we won't hold that against you. [laughter]] Okay. The problem with the argument that we just heard is that the person who gets 60% at a rural school where [he's probably - unclear] the only one who passes will get a much better essay or paper written when he does his PhD than the guy who has 80% from a very good school. So I think the school-based system is clearly one that can be used, and is available already. You know their average pass rates, every student you know from where he comes – and we've proposed that as the basis for funding; instead of using the race basis for funding for universities, because that would mean that universities that take students from rural schools that are badly prepared will get more funding. At the moment UWC have far more students from there but they get less funding than you do because even though your students predominantly come from Model C schools.

199. Judge Dennis Davis: Thank you. Yes.

200. From the floor: Another [inaudible] two arguments about what is a very interesting question of whether one needs to choose various students from various legacies of racial category who are not disadvantaged, who are advantaged. And there were two different things said, one of them was, the first thing that you said in your arguments, which I think got lost and it's fundamental to the American argument about affirmative action – was that without having students who are widely identified for whatever legacy of egregious categorisation, as black, coloured, Indian, and so forth, however outrageous those – without having students who are absolutely excellent, outstanding, tremendously well prepared in the classroom, there will be in fact the recapitulation within the classroom, which is a kind of metaphor for the workplace actually, of precisely the kind of stereotypical difference and inequality and inferiority that has plagued the country since the beginning. So the American argument was precisely you need to choose top, well-prepared, highly elite St John's educated students who are widely identified as black, Indian, whatever – however absolutely egregious those categories are because only them in the classroom will produce a true sense of equality, of excellence, that everybody is there, there is a plateau. Now if that's all you're doing you're simply turning a UCT into St John's at large. So very clearly you need both aspects; you need the idea of markers for disadvantage, be they racial or not; but you also need precisely to focus on students who are precisely identified by racial categories, however egregious they are, who are not disadvantaged – and that's the reason, because otherwise you have no diversity and equality and sense of likeness and sense of admiration in the classroom. It's not just about pass rates, it's about the quality of education. At least that's the American argument.

201. Judge Dennis Davis: Alright, I'll take one more. Yes, yes, there.

202. From the floor: Hello. My name is Zimitri. I was part of the earlier debate, and I'd like to correct Professor Benatar that at that debate I was very clear that the apartheid categories were for now and that

we needed to do the work. I was very clear then about that point. The second thing – for how long? Everybody asks for how long? For how long? And I think what's very important is that we need to realise that class is not just about the working class; class also refers to the middle-classes and the elite. And we are not, people are not incorporated into the elite in undifferentiated ways. When I was a student people considered white were teaching at this university with honours degrees, they earned permanent staff-level salaries. They were able to buy houses in the centre of Cape Town at R80 000 per piece for five bed-roomed houses. Those houses are now worth R3 million. Black middle-class people today cannot afford those houses; the basic middle-class people, we're not talking about the Sexwales of the world, okay. So I think it's very important that we understand that class is not only about the working class and race is not only about the working class; race shapes the ways in which people are incorporated into the middle class which includes the way in which we are incorporated into this institution – and that is why we need to consider particular new indicators for how to think about those particular differentiations at the same time that we work towards a more socially just society, which is dealing with social justice far more broadly – a two-pronged approach.

203. Judge Dennis Davis: Can I just get your question, can I ask you this? Your new indicators, is that the indicators that the university's adopting now, or new ones that you want adopted? If I could just ask you briefly.

204. From the floor: New indicators that we need to do the work towards.

205. Judge Dennis Davis: Such as what? Could you give us an indication?

206. From the floor: Such as how many generations of tertiary education [Judge Dennis Davis: Okay] have you had in your family.

207. Judge Dennis Davis: Thank you.

208. From the floor: Thank you.

209. Judge Dennis Davis: Thank you. Can I just -. I'll come to you, but let me stop. There was a question to you, Neville, about your doctors analogy, and I wonder if you want to respond to that.

210. Prof Neville Alexander: Ja, I want to respond to all the questions.

211. Judge Dennis Davis: Yes, well, please, I'll give you all a -. [laughter]

212. Prof Neville Alexander: No, I'll be very brief [chuckles].

213. Judge Dennis Davis: Ja, please, because I would like to get some more questions in, ja.

214. Prof Neville Alexander: You know, I want to quote Langenhoven, and I'll quote him in Afrikaans. He said, "As die kortpad die beste pad was sou die hoofpad daarlangs geloop het." [laughter] You know, if the short-cut is the best way, then the main road would go along there – that's what he was saying. What I'm getting at is that by and large these short-cuts end up in cul-de-sacs. And I believe a racial cul-de-sac is a disaster in a country like South Africa where we have suffered so much under prejudice and racial oppression. I don't think we should discuss the technical issues here; I think the university should be challenged to find the solutions – that's the point that Professor Benatar made earlier – the university should be challenged to find the best solutions. And Sizwe's come up with some suggestions. I think Zimitri, one or two others have made suggestions. Let's not waste the time of the audience by discussing that sort of thing, let's discuss the principles. The issue role models, black, so-called black role models – you know, you can't produce these people. I mean, you can't produce them in some sort of artificial way. The issue is much larger than that – that's what I meant earlier when I said that, you know, perhaps we're asking the wrong questions.

215. To believe that children who come from these private schools, and so on, are the best material from which these role models will come, says something about your class position, your class attitudes. I don't believe that. I think that children who come from poor background and who've had to struggle to get where they are, like me, for example – people like me are the best role models. [applause] I didn't go to a

private school. I went to one of these schools that the Archbishop is trying to restore, a Roman Catholic Mission school. And we had to struggle to get where we are. So, you know, the private schools and these ex-Model C schools are not for me the breeding ground of role models for the poor. On the contrary. I'm not suggesting that everybody who comes from there is bad or is not useful – I'm not suggesting that. And then I just want to say to everybody, we mustn't oversimplify this issue. We're talking about racial classification at the university, it is a particular topic, but it's part of a whole menu of transformation issues, including economic policy in this country – get away from GEAR not just from race, for example. It's part of a whole range of issues that need to work together in order for us over the next generation, perhaps two generations, to create the kinds of conditions that obtain in most of Western Europe today, if we are lucky. If we're not lucky we're going to end in the kind of conditions that obtain in Nigeria or in Angola today.

216. Judge Dennis Davis: Max, can I ask you, to start, a question that Professor Ellis asked – what the purpose of the university? Has it got a political aim, or is it straight academic, in which case there's no compromise.

217. Dr Max Price: Ja, thank you. I think that it's with respect and Professor Ellis knows I have huge respect for him, it's mischievous with respect, to treat an admissions policy as in the same way that one treats the policy with respect to the outcome and the product. In other words, I would not in any way allow the univ(ersity), want the university or allow the university to compromise on the quality of its graduates, the quality of the research it produces, the quality of the publications that are submitted to journals. But one doesn't have to compromise on the outcome when one compromises on the intake. So the compromise of standards, allowing someone into the university who has had a relatively deficient education doesn't mean that the consequence is bad research, because you have the opportunity at university to fix that through the academic development programmes, through longer periods of study. And in fact when you restrict the intake to the people who have had the opportunity to go to the good schools and have a – you lose access to a vast pool of talent of people who are actually the best in their class. One of the models for admission, which we won't too much about technical methods, but another approach would be to take the top ten students in every class in the country, no matter how good or bad their school and no matter how good or bad their marks – because on the grounds that within any particular micro environment, the best rise to the top, those with talent, those with motivation, those who are overcoming the odds do the best in that class. You would probably get much more talent, much more potential out of that group than you would through any of our other current marking systems. Now there would be a couple of consequences – one is that many more people from St John's would not get in because you're only taking the top 10 from those school.

218. Judge Dennis Davis: Which would include black students then.

219. Dr Max Price: It would include black students but because you're looking at all the schools you'd end up with more black students because there are just more black students in the schools. But the other thing is you would get a pool of talent of people who are actually the brightest. Now it would take longer to get them to the point that Professor Ellis wants, because their schooling is so deficient in many cases that you would end up with six or 10 years – but you could get there. And so I don't think there's any relationship between the admission criteria now.

220. Judge Dennis Davis: Then can I just ask one other question to you before turning back to the floor. A lot of questions coming here including some from [pundits – unclear] like Sizwe, that in fact, and David, that there are other ways of looking at this; there are other ways of dealing with what is a problem. The university, I mean, are you prepared to commit yourself to the fact that this imperfect system that you've adopted at present could be subjected to alteration – if we had a serious debate and came up with a different agreement as to how to deal with the legacy of apartheid other than the policy that you presently hold. In other words, could we say that in a year's time, if we worked hard enough on it, we could get a much more nuanced policy which this university would have the courage to implement and which would foreshadow a non-racial society rather more adequately than the use of race classification at present?

221. Dr Max Price: Well, I fear that my main challenge isn't answered, and that would determine an answer. If your question is: could we make a commitment to measuring disadvantage directly without using race? The answer is yes; and we have made that commitment, it exists in our policy and we are doing the research, the research has started. Most of the research done so far has not shown up useful indicators such

as schools, pass rates, language of parent, education of parent – it turns out not to be that useful, but we are going to get there. But that will, my worry is a different one – that when we get rid of race we will end up with a bi-modal distribution [inaudible].

222. Judge Dennis Davis: No one's asking you to give us the result of something else; what one's asking is, is one prepared to actually open up the debate so that we can actually maybe get to something that is far superior, given the ambition that we have to have a truly, a society in which race becomes less important in our society. That's I think what the challenge that's been put to you.

223. Dr Max Price: No, I don't understand. [Judge Dennis Davis: It's a simple, a simple question] I think that we need to keep it. I think, is your question – can we, should we do away with race if we had other criteria?

224. Judge Dennis Davis: No, it's not whether we should -. Are we prepared to accept – because you keep on saying, well, we've done the research – and therefore it seems to me what you're indicating is this policy is here to stay for [inaudible].

225. Dr Max Price: No, no, I'm saying we've done the research and we will get there. Within two or three years we will have indicators that are good measures of disadvantage – but we will still use race, because if we don't use race will not have good black students.

226. Judge Dennis Davis: That's perhaps for further workshops, I can't -. Further questions – yes, please.

227. From the floor: Ja, I have a question for the Judge. In your opinion is UCT's race-based policy legal? Is the administration of the university acting legally?

228. Judge Dennis Davis: No, I'm sure the university's taken very good legal advice, [laughter] and I'm not here to decide that; it may come to me one day. Yes, please.

229. From the floor: A lot has been talked about the Eurocentric and an Afrocentric world view. Are we not -. Are we just avoiding or are we not seeing it as a scientific paradigm that needs to happen? Or is it so blatantly not obvious to people that that needs to occur to kind of facilitate what we're trying to treat symptomatically?

230. Judge Dennis Davis: Um-hm. Okay, thank you. Yes, Mike.

231. From the floor: I must say you [inaudible] me, Max, because of what you said earlier. The terms of your debate [inaudible] [laughter]. The terms of the debate are is race a proxy, but you're not interested in it is the proxy, for you race is the issue because what you want is to take the top black boy [Judge Dennis Davis: And girls] – this is [inaudible] the new black middle-class project. This is not about disadvantage and race being a proxy for disadvantage. I'd think you'd be talking the language of the University of KwaZulu-Natal where I come from [inaudible], but you'd be talking about something else. So what actually is going on here? And you were talking about disadvantage in terms of class inequality and dealing with poor people and getting them into university? Or are you saying what you really are saying now is that your class project is him. He's not disadvantaged, come on, man. [laughter]. [inaudible]. At Natal I have a research [inaudible] in the eyes of everybody, because I'd done all the affirmative action things. This is the way it went – Justin – no, let me start with Shaun.

232. Judge Dennis Davis: I hope this is not a big staff because we all know -.

233. From the floor: [inaudible]. White boy, son of an alcoholic. Got through university by selling computer programmes, computer games – that's how he got there, okay. He managed to get a BSc, that's it, because he couldn't get any more money [inaudible]. Justin – a white boy, son of a motor mechanic. He got there by scamming his way by getting a teacher's bursary and then going on and working for me as a researcher. Nicky – daughter of a single mother and worked in a bank the entire time. Why? Who got herself to pay for university by going through UNISA – and then did all the hard work to come to university. Kabelo, the son of the DG, black DG under apartheid, he went to St Aidans or to St Andrews, but [inaudible] who was coming from rich Indian parents never did a thing [to survive - unclear] and he went away and couldn't even cook

for him, for example, wash the dishes. But according to that I have exactly your [project – unclear]. There was nothing disadvantaged in regards to blacks, with regards, it's only the black people who were disadvantaged were whites, actually that I'd managed to come and help, you know, I'd get them into university. What's your [project? - unclear] It's to disadvantage, it's pure race.

234. Judge Dennis Davis: You can respond, but, just – yes, yes, you had your hand up for a long time here.

235. From the floor: Okay. I do not really want to put [inaudible] but I was a bit concerned that -.

236. Judge Dennis Davis: No, sorry, can't you just take the mic so everybody can hear.

237. From the floor: Thank you, hello. I was a bit concerned about the comment you made, Dr Price on what you're actually looking for at UCT are the most privileged black students and then you didn't say what else, and I assumed that was filled by the white students. And so then comes in that -. Oh, okay, it wasn't made clear to me, I think – it doesn't matter, the most privileged black students is what I'm focusing on, because then it means to me that UCT is not actually tackling that elitist question, and you're actually just trying to, like the man said, you're trying to put a little bit of a band-aid on a huge, big gaping wound – I mean, this is not going to go away, you can't debate race if you're not thinking about class. And so the elitist question needs to be tackled – and so my question, I think it's a question, would be: what is the university doing seriously to get involved in communities where it becomes necessary to not look at the race issue? So if the university – you keep saying, well, we don't want it to look like we're not transforming. We don't want it to look like there's 90% white, 10%, whatever the figures are. But then you still want the privilege – it's you can't have one without the other, you can't say, well, we only want the privileged but we also want the black – because the reality is that the privileged black is a very small minority. So to my mind it just seems sensible that universities shift away from the elite part of it and move towards the average Joe, which is the majority of the people, which in South Africa tends to be the so-called black people, and therefore you will over time, however much time that is, you won't need to deal with the race issue, because already you've invested in a community that is predominantly not the right colour.

238. Judge Dennis Davis: Right, I've got one – yes, there, yes please.

239. From the floor: I've got a problem with [inaudible].

240. Judge Dennis Davis: Won't you just use the mic so we can all hear?

241. From the floor... or something that happened in Nazi Germany. I'd like to [inaudible] by staying that prior to Nazi Germany, Jews made up like something close to 6% of the population. But they made up 80% Nobel Prize winners in Germany. And what frustrated Hitler, we all know what Hitler did – what frustrated Hitler was that he saw that Jews were successful. In Rwanda, the ethnic group that was massacred was the group that was chosen by Europeans and educated. So they were somehow seen as superior. In South Africa we know of the growing conflict between Xhosas and Zulus, because somehow Xhosas are seen as superior or somehow see themselves as superior in politics, in business or anything else. So what I'm saying is that if we don't use as a proxy, what we're going to have is that we're going to have an elitist class of white people and every black person in say is going to say: I can't identify with my president because he's white, I can't identify with [inaudible] because he's white, and there won't be any black people and that's going to fuel anger, and that's what fuelled the violent ethnic groups and racial conflict in those countries. It wasn't the use of race labels, but it was the disparities that existed between the races.

242. Judge Dennis Davis: Thank you. Right, I'm going to ask everybody because we're running out of time. So you can all – I'm going to just go from you, David, right across, and whatever you want to answer, please do in a couple of minutes.

243. Prof David Benatar: Thank you. So I first want to address Dr Erasmus. We've had more than one debate, you and I, over the course of years – and I've actually detected a shift in your position over those times. We'd obviously have to interrogate that in more detail on another occasion, but I don't believe that I've made a misrepresentation there.

244. Secondly, the point that's been made just now about inequality fuelling violence. I endorse that entirely, I think there are twin evils here. I think that we could have a race bloodbath down the line, and I think we could have an economic disparity bloodbath down the line – which is exactly why we have to address both of those issues. And I think we can address them by abandoning this idea of racial classification, by not entrenching but countering racial classification, and at the same time countering inequality. That's not an easy task. That's not an easy task at all, it's a very complicated thing and I think that the country's doing rather badly on that front.

245. And then just to address what Sizwe said earlier. When I gave the example of schools – that was one example of the alternatives that we might use. And I don't pretend to have all the answers here. Obviously there are detailed empirical investigations that have to be done, but I think there's one thing to diagnose what the problem is, and another thing to treat it. And it's possible to make a perfectly accurate diagnosis without pretending that you know what the solution is. The other point is that there isn't always a solution. You can have a disease, you diagnose that disease but it might be untreatable. I'm not suggesting that's the case here, and if there's some things that we can do, but we can't do everything that needs to be done to correct this quickly. My final point is this – you've heard before of Holocaust denial. I think we have an insidious form of apartheid denial going on. If you think that the injustices of apartheid can be rectified in a generation or two, you're underestimating just how bad it was. If you recognise how bad it is, you have to recognise that we will not have a healthy and normal society for a long time to come. We have to take that long view and we have to take the hard route, as Professor Alexander was saying – not the quick route, but the hard route. That's not to say we can't do here in the university some things in the short run, but we mustn't over-estimate what we can do to rectify those [inaudible].

246. Judge Dennis Davis: Neville.

247. Prof Neville Alexander: I'll be just as brief. I'm not sure whether they still do this in matric exam papers, but they used to say, answer the question, not the question you wish to answer. And I think a lot of people here are, you know, imputing things to what speakers here have said, which are quite wrong. There's a lot of education that needs to take place on the issue of race, racial prejudice, and so on and so on. And I've committed my life to doing that. I just want to make it very clear, if we talk about the danger of genocide, we are talking from bitter experience. Just in May last year, two years ago, we had the situation of xenophobic outbursts, which nobody expected. But anybody who's studied this country would have known that that kind of thing was possible; some of us predicted it, including myself, in books that I published. So I just want to make the point very clear that this is not a trivial matter, it's not a question of scoring points – we are talking about one of the central issues of the South African psyche, one of the central issues of South African society.

248. And the last point I want to make is that the university has got an international dimension, as Professor Ellis was saying. And there's a global curriculum, mainly in the natural science but not only, which this university has proved itself to be one of the major African institutions capable of living up to that particular global demand. But there's also a national side – and this is where the curriculum comes in now; I don't have the time to go into it; I want to put it on the agenda for future workshops – we need to look at the agenda because those doctors that somebody spoke about on this side, who have to go into the townships, who have to go into the rural areas, they've got to be able to speak the language of the people and to speak science in those languages to those people, and so on. And whether they're green or black doesn't matter. I want to state that again – whether they're green or black doesn't matter. The fact that most so-called black students are very fluent, at this university, very fluent in English, shows that people who are labelled white, if the incentive is there, if the pressure is there to do so, will become fluent in African languages and will be able to go [applause] into the townships, into the rural areas and to treat people in the rural areas, in the townships. The pressure hasn't existed up to now – that is why we must change the society, and change it radically otherwise we're just talking. [applause].

249. Judge Dennis Davis: Max.

250. Dr Max Price: The last two speakers from the floor, Mike Morris and the lady on the left, raised the debate that I really wanted to go – but they've misunderstood, or the way I presented it obviously wasn't clear. What I said was that I take as given that we all think affirmative action to address disadvantage is a good thing; so I didn't spend time talking about it. My – so that the way I would see the future profile of

the UCT class might well be 70 – 80% working class or poor or unemployed, or shack-dwellers, or rural. If we could find people who'd had a sufficient education so that with the additional support we can give them, they can pass their degrees. That should be the priority, and as I've said several times this afternoon, we are working on identifying the criteria that will identify disadvantage. We will use those criteria and we will select a large number of people to address class inequality in society. That I just think is common ground, so I don't have belabour that point.

251. What I'm concerned about is that people think that once we've done that and once we've identified those criteria which no longer use race, that once we've done that we can get rid of race in our criteria. And what I'm saying is we can't and we shouldn't, because if we do we will end up with a university that has 80% working class people from disadvantaged backgrounds who really struggle at UCT, eventually make it, but, and they will be largely black because that's what the population looks like, and 20% who will be middle class or upper class, who will be almost exclusively white. Yes there will be a sprinkling of people who make their way through to the philosophy class because that's got the strictest criteria of entry from any one institute the university. So the people that Professor Benatar meets will be the brightest; but there will be a few of them, I'm not saying it's 100%, but it's by bi-modal distribution, and the experience of staff and students at UCT will be that white students are bright and clever and get through quickly, and black struggle and get support. And Professor Benatar says he doubts the fact. I'll show him the facts, but you can't dispute it on the basis that you don't believe it – I mean, I'll show you the facts. I can model it for you and I can show you that that's what UCT would look like. Do we want that? That's the decision that UCT has to decide. If you decide that you don't want a university student distribution that looks like that, we will have to keep class, we'll have to keep race in our selection criteria. If you think it's fine that we have 80% working class, etcetera, but that that divides along the race division, then we don't need to have race.

252. And that brings me to the last point which I thought was made well by the speaker at the back about two, and by Professor Benatar – there are two potential bloodbaths: the bloodbath, the racial bloodbath, and the inequality or the social class, the class bloodbath. But in my view, the risk of those bloodbaths is greatly increased if the dividing line between the two groups coincides. If it turns out that whites are rich and blacks are poor. And that schism in society presents our greatest threat. My view is that if we abandon race in our criteria and only go for disadvantage, we will start redressing the class disadvantage, do what UCT can to do that, but we will aggravate the race and we will find that the class divide aligns with the race divide. If we don't do that, if we go for the race policy, race-based admissions policy, we will try to address both simultaneously. [applause]

253. Judge Dennis Davis: Archbishop.

254. Archbishop Ndungane: Just to make a point about these poor black students. I think that this house should know that black students strive for excellence in spite of the circumstances that they find themselves. [applause] Now if you look around the country, there are pockets of excellence. In [Kamana - sounds like] for instance, near Vryheid, deep rural KwaZulu has been having 100% pass rates in matric, and over 95% for those who qualify for matric. But if you compare the conditions under which they operate, it's chalk and cheese in terms of St Johns and Bishops. You look at [Hill Town - sounds like], Hill Town, students were challenged, they visited Rhodes and the deputy vice-chancellor said to one student, "If you excel in mathematics I will guarantee a place for you here." And the next thing the student did was to go to her headmaster and say – I want special classes because I want to get to university. In the end were special classes for the students so that they can get better marks. It's not that black students are sitting holding their arms. They operate under difficult circumstances, and that is why I am saying that this is a national crisis; we should not be detaining universities, we're trying our best, but I think that we should address the educational system so that excellence is the key and universities do what they should be doing in terms of producing researchers and academics of note. [applause]

255. Mr Sizwe Mpfu-Walsh: Thanks very much. I feel that my revealing where, what school I went to was an intense disadvantage in this debate. [laughter] I'm just going to touch on the main themes of the debate, as I believe they arose. The first was the idea that the perpetuation of apartheid style categories results in the same perpetuation of apartheid style oppression, and the categorisation in and of itself is a distasteful practice. And of course on the other side you had the idea that the sociological legacies linked to races still mean that they are a part of our society and to disregard them would basically just reflect an unwillingness to the facts and an inability to deal with the reality of our society as it actually plays out.

256. I think the second was this question of how, what will the composition of the black students at UCT look like? What do we want it to look like? Do you want it to look like an elite black population that comes from St Johns or do we not? And I would fall on the side of saying that we don't, we want it to look, we want it to be an even distribution of talent between people from rural schools, people from township schools, people from elite schools as well. And then I think we had this very very insidious notion that came through in the debate which was in a generation or so, if we did nothing we would just miraculously have this perfect society. And that came through from Profess(or), Mr Alexander. And that is a very very dangerous -.

257. [Judge Dennis Davis:? 1:38:22*] No, that's not true.

258. Prof Neville Alexander: I object to that.

259. Mr Sizwe Mpofu-Walsh: It's a very very dangerous notion. Okay, let me explain why I think you said that. I think you said – no, if there are white doctors, who cares? So it's that very point that I'm talking to. And I think that's a very worrying point because the fact of the matter is, if we just let things continue the way they are, why would not just persist the way they are? We need some way to change the way they are because the way they are is unacceptable and it's artificially created. So that was that notion. The final notion was that what is best for now and when to stop. And I would continue to contend that race is the best for now, given that we haven't found any better proxy, but we should have the fortitude to change when circumstances change. And the question of when is when our society and when our universities reflect our society. Thank you. [applause]

260. Judge Dennis Davis: Thank you. In closing this debate, Neville, I will say this – I think that's a misrepresentation of your position and I don't want you to reply otherwise I'm going to take another 10 minutes. But the point I simply want to make is: my eye crossed the following, in concluding, in giving the order of proceedings, because part of the letterhead says, which we all know, "Our mission is to be an outstanding teaching and research university, educating for life and addressing the challenges facing our society." The real particular point that we're debating this evening, er, this afternoon, is if we're going to become an outstanding teaching and research university for all South Africans, how do we achieve that? It's perfectly clear to me listening to this debate that the first proposition which the vice-chancellor put up on the table, we all agree with affirmative action, is not true. What is true, I think in fairness, and which is what I think he said at the end, which is right, is that there's nobody here who doesn't believe that we have to grapple enormously with the problem of restitution and the problem of reconstruction of a society ravaged by 300 years of racist and sexist rule. And really that's the challenge. We've heard a whole range of different possibilities in relation to that.

261. But I do think there are a couple of things that do bear just emphasising in conclusion. If we're going to achieve a non-racial society in the long-run, and I think Professor Alexander's majestic assertion that that is what this is about, that at the end of the day it really doesn't matter whether one's black, white or pink, and it about time we started actually talking about race in a sensible fashion. I'm always stunned by how few people seem to seem to read [inaudible] these days. It may be quite a good idea to actually start understanding notions of construction of race as opposed to what is indigenous and perhaps that reflects the poverty of discourse in this country in all sorts of ways. But the reality is that we've got to ask ourselves – how do we get there?

262. And I do think that the vice-chancellor has put up, and I want to commend you, is that the fact that I sat here listening firstly as [a member that unclear] teaches at this university, and part of this university, I think it's enormous pride that we can sit here with our vice-chancellor and there's a whole lot of us here – certainly in my day, we couldn't think of the vice-chancellor – when Sir Richard Luyt was the vice-chancellor, I couldn't think that we would have been able to have to have this kind of debate that we're having. And it's terribly important, because the one thing that has actually occurred to me is that quite frankly, how do we get to the real point, which is how do we develop a non-racial university community which is reflective of a South African society which is contained in our constitution, which is an outstanding teaching and research university, and which is in a sense is reflective of the talent of all South Africans and the dignity of each and every one of us? And we can debate these issues – how important is class? How important is race? But what is absolutely clear to me from this debate is we've got a long way to go before we can actually get some

consensus on quite frankly how we resolve the problems of the past and move forward? But the fact that the vice-chancellor and others, and particular Professor Alexander, you and Dr Price who were good enough to accept my invitation to have yet another debate, together with the rest of you – I think it's terribly important that we continue this. In fact, the more debates we have at this university on these issues, the more we become a university community. So I'd like to thank every single one of these panellists [applause] – and to thank all of you, and maybe have these workshops and further debates and ensure that whatever happens, we do actually get some agreement how we move forward. Thank you very much. [applause]

263. [END]

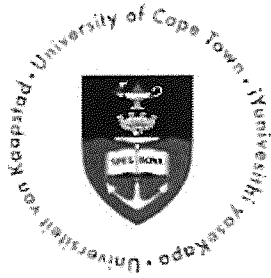
AVAILABLE FROM:

<http://www.uct.ac.za/downloads/uct.ac.za/news/media/oped/AdmissionPolicyDebate020910.doc>

Appendix II

**University of Cape Town Admissions Policy Documents
2010 - 2013**

Selected Pages



**UNIVERSITY OF CAPE TOWN
UNDERGRADUATE ADMISSIONS
POLICY AND SELECTION
CRITERIA FOR THE 2010
ACADEMIC YEAR**

1. INTRODUCTION

a. Preamble

The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.¹

Our admissions policy is framed within the values of the Constitution and the requirements of the Higher Education Act. This Act requires that our admissions policy: “must provide appropriate measures for the redress of past inequalities and may not unfairly discriminate in any way”.² We interpret these values and requirements as placing an obligation on us as a University to provide redress for historical, racially-based discrimination in society, schools and higher education; we accept this obligation in part because we acknowledge that the effects of apartheid-era discrimination remain structural fault lines in our society.

As a matter of policy we aim for a student body which has a significant number of international students³ and where the local⁴ component of our student body increasingly reflects the demographics of the South African population. Our view is that everyone gains from a diverse student body.

We use *race*⁵ as a measure for giving effect to the requirement for redress for previously disadvantaged South African applicants, as it remains the best initial, broad-brush measure of past structural inequality and thus for effecting redress. We recognize the danger of perpetuating the use of *race* as a criterion for admissions decisions, and we know that we must move away from this in time. In order to move away from its use we are working towards alternative measures for providing for redress and for ensuring a diverse student body; a test for such measures must be that they give South Africans of ability the opportunity to develop to their full potential.

An important aspect of our admissions policy is our commitment to better success rates. Key to this and the realisation of the objectives of our admissions policy are the academic development and intervention programmes we offer, which are described in more detail in this prospectus.

b. Race as a proxy for disadvantage and as a measure for achieving redress and a diverse student body

As our admissions policy is designed both to provide redress and to ensure a diverse student body, and as we use race as a marker to do this, we require South African and permanent-resident applicants to classify themselves as follows.

¹ UCT Mission Statement, 1996

² S 37 of the Higher Education Act, 1997 as amended

³ International students are defined as students who are neither SA citizens nor SA permanent residents

⁴ By local students we refer to students who are SA citizens or SA permanent residents.

⁵ We invite local students to classify themselves into the categories used in employment equity legislation.

South African citizens and SA permanent-resident applicants

We invite South African citizens and South African permanent-resident applicants to indicate whether or not they belong to a previously-disadvantaged, or designated⁶ group, and if so to categorise themselves as one of

- black African
- Indian
- coloured
- Chinese

South African citizens and South African permanent-resident applicants who do not belong to one of these groups, or who choose not to categorise themselves in this way must categorise themselves as

- white; or ,
- other

Notes:

- (i) This classification is also required by the Department of Education for statistical purposes.
- (ii) Our redress and diversity policies apply only to applicants who are both from a designated population group (black African, coloured, Indian or Chinese) and South African citizens or South African permanent residents.
- (iii) We expect South African citizens and South African permanent-resident applicants to categorise themselves as an employer would have to under the employment equity legislation.

International Applicants

International applicants are not invited to categorise themselves in these ways.

c. Equity Targets

We set overall enrolment and equity targets per programme. These are aspirational targets, not quotas. All faculties will aim to admit specified minimum numbers of eligible Black, Coloured and Indian students in accordance with these targets. The overall enrolment targets are set in the context of a decision by the Department of Education to cap enrolments across the higher education system. In order to achieve equity targets within the context of enrolment caps, UCT may limit or reduce the number of international students in a given programme.

⁶By designated group we refer to designated groups as defined in South African employment equity legislation.

d. First and Second Choices

Applications will be considered regardless of whether the programme was the applicant's first or second choice.

e. Closing date

The closing date for South African applicants is 31 October and for international applicants 30 September.

f. Places reserved for decanal discretion

Council and Senate may allocate places for decision by decanal discretion in the following cases:

- (i) Disabled applicants
- (ii) Repeat applicants (provided they are still sufficiently competitive)
- (iii) Mature age applicants (who may be admitted on the basis of Recognition of Prior Learning if they do not have matriculation exemption.)

Applications in each of the above cases will be considered on merit.

g. Early Conditional Offers

Faculties may make early conditional offers based on Grade 11 and provisional, mid-year Grade 12 (e.g. "mock matric") results. Such offers are made to high achievers in the various categories who have submitted all the relevant application components. Early offers will also be made to high achievers who are international applicants. The condition on which early offers are made is that applicants maintain or improve their level of performance in their final examinations.

Conditional offers lapse in the case of applicants who do not maintain their level of performance in the final examinations, if other applicants in their category of competition have achieved better results in the final examinations and there are more eligible applicants than places available.

There is no system to allow an easy comparison of the results of applicants from different tertiary institutions in South Africa and beyond, and between applicants who are studying towards or who have done tertiary degrees vs. those who are studying towards or have obtained diplomas. For this reason early conditional offers to undergraduate and graduate applicants are limited to high achievers, and most applicants in this category will be considered together, after the closing date of 31 October.

h. South African school-leaving certificates

As of 2009, undergraduate applicants who have completed their schooling in South Africa may hold either the National Senior Certificate (NSC), issued from 2008 onwards, or the Senior Certificate (SC). The admission criteria reflected in this document will cover both certificates.

i. Scoring ratings achieved in the National Senior Certificate

The ratings achieved in all subjects, except for Life Orientation, will be awarded points. The University recognises the value in Life Orientation as a subject, and the skills with which the subject will equip its students. .

j. Selection instruments used in the calculation of points for the Senior Certificate and National Senior Certificate

The following tables will be used to calculate admissions points on the basis of achievements in NSC or SC examinations.

NSC RATING TABLE		SC RATING TABLE		
ACHIEVEMENT RATING	POINTS	SYMBOL	HG	SG
7 at 90% or better	8	A	8	6
7 at 80% or better	7	B	7	5
6	6	C	6	4
5	5	D	5	3
4	4	E	4	2
3	3	F	3	1
2	0			
1 below 30%	0			

The points achieved by applicants weighted in different ways for admission by faculties for the purposes of admission to particular programmes. Details of these weightings are provided in the faculty sections that follow.

k. Selection instruments used in the calculation of points for School-leaving certificates administered by Cambridge International Examinations (CIE)

Applicants holding any CIE certificate must satisfy the requirements for Matriculation Exemption as stipulated by the Matriculation Board.

The following table reflects scores awarded for Advanced (A) levels, Advanced Subsidiary (SA) levels, Ordinary (O) levels, International General Certificate in Secondary Education (IGCSE) and General Certificate in Secondary Education (GCSE) symbols.

SYMBOL	A LEVEL	AS LEVEL	O LEVEL/ IGCSE/ GCSE
A	10	8	6
B	9	7	5
C	8	6	4
D	7	5	
E	6	4	

The following table reflects scores awarded for achievements in the Higher International General Certificate in Secondary Education (HIGCSE).

HIGCSE

GRADE	POINTS
1	8
2	7
3	6

l. Selection instruments used in the admission of holders of an International Baccalaureate Diploma

Applicants holding the International Baccalaureate Diploma (not the International Baccalaureate Certificate, which is not sufficient for admission) must satisfy the requirements for Matriculation Exemption as stipulated by the Matriculation Board.

The IB Diploma is assessed in different ways, and the faculty criteria listed below will stipulate how it is to be assessed. The diploma can either be assessed using only performance in specific subjects, or using such performance in conjunction with a score reflected in one of two ways. The first is to take the score reflected on the IB Diploma itself and the second is to convert the performance of all scores to a score for this purpose. The following table is used for the conversion of IB Diploma scores :

Higher Level Subjects:	Standard Level Subjects:
7 = 10 points	7 = 8 points
6 = 9 points	6 = 7 points
5 = 8 points	5 = 6 points
4 = 7 points	4 = 5 points
3 = 6 points	(Below 4 is not accepted)

m. Meeting the minimum requirements for admission

For applicants holding a Senior Certificate, the minimum requirements for admission to degree study is a Senior Certificate with matriculation endorsement. For applicants holding a National Senior Certificate, it is meeting the minimum admission requirements for degree study as stipulated by the Department of Education. For applicants holding other forms of school-leaving qualifications, it is meeting the requirements for a certificate of matriculation exemption.

with good, hand-drawn lettering, careful paper selection, and careful organisation of the pages.

- ◆ **Creative ability:** This is an important factor. However, note that expertise in technical drawing or “painterly” ability alone is not highly considered. A sense of design or composition, an ability to observe accurately, an imaginative approach to subject matter, the stamina not to leave loose ends - these are all looked for in the work.
- ◆ **Academic ability:** Strong portfolios often show work that is motivated by strong and original ideas. This is more relevant to some of the portfolio tasks than others.
- ◆ **Initiative:** What often separates some applicants from others is an indication of people exploring or recording something for themselves, working because they are interested - not because they have to. This means that sketch explorations are as useful as finished works. Although supplementary work from school art or Technikon courses is often received, evidence of this independent initiative does not necessarily lie there.

4. FACULTY OF HEALTH SCIENCES

a. Selection measures used in the assessment of applications

i. *First-time entering undergraduates are assessed using three measures:*

- Senior certificate (SC) score or New Senior Certificate (NSC) score (based on UCT points rating table) or other final school-leaving results (using a comparable rating table as guideline where possible.)
- Results in four Health Sciences Placement Tests, reduced to a single score (using the decile ranking table below)
- Personal Report score (see below).

ii. *Applicants currently studying at tertiary level, and applicants who have tertiary qualifications, are assessed using four measures:*

- Senior certificate score or other final school-leaving results
- Tertiary education results
- Results in the four Health Sciences Placement Tests, reduced to a single score using decile ranking table below
- Personal Report or Curriculum Vitae (see below).

iii. *Health Sciences Placement Tests (HSPTs)*

Each applicant must take the four Health Sciences Placement Tests:

- Language competency (the PTEEP)
- Mathematics achievement (MACH)
- Mathematical comprehension skills (MCOM)
- Scientific reasoning skills (SRT).

The performance per test is reported by decile: A result in the top 10% of applicants to UCT in the relevant selection category is in decile 1, in the bottom 10% is in decile 10. The four decile ratings are reduced to a single numerical score using the decile ranking table below.

Decile ranking	Point score
1	10
2	9
3	8
4	7
5	6
6	5
7	4
8	3
9	2
10	1

iv. *The Personal Report (PR)*

Form 3 in the application pack is the PR template, to be completed by the applicant, verified by the applicant's school principal, and sent direct to the Faculty by the principal.

An applicant can usually score up to a maximum of 3 points for each of the following sections of the report (although more points may be allocated in a section reflecting exceptional achievement):

- Leadership positions held
- Community service activities
- Involvement in cultural activities such as debating, drama, etc
- Involvement in sport
- Other activities (i.e. any activities/achievements that have taught the applicant life skills, e.g. part-time work in a restaurant or travelling during a gap year after leaving school).

It is important to reflect level of achievement and the years of involvement. Supporting evidence should be submitted for activities outside school. Applicants who are already studying at tertiary level or who have tertiary applications may submit a Curriculum Vitae instead of a Personal Report; the CV need not be verified, but the applicant must supply the names and contact details of at least two persons of some authority in the community who could confirm key information in the CV.

b. **Weighting of selection measures**

The following table illustrates the weighting of the Senior Certificate (SC) and National Senior Certificate (NSC) point score, the Health Sciences Placement Tests (HSPTs) and the Personal Report (PR).

Programme	Selection category	SC or NSC score (%)	HSPT score (%)	PR (%)
MBChB	Open	60	30	10
	Indian	60	30	10
	African and Coloured	70	30	
BSc Physiotherapy	Open			

	Indian	90	10	Not included in score but used as additional selection tool
	African and Coloured			
BSc Occupational Therapy	Open			
	Indian			
	African and Coloured			
BSc Audiology and BSc Speech-Language Pathology	Open			
	Indian			
	African and Coloured			

c. Calculation of the SC or NSC points score

Points for English plus Mathematics (or Mathematics Literacy where this applies) plus Physical Science (or Life Science where this applies) plus the next three best subjects (excluding Life Orientation) must be added to calculate the total points. An extra point is added if:

- in the case of the Senior Certificate, the applicant has a third South African language at first or second language Higher Grade;
- in the case of the NSC, the applicant has a third South African language at Home or First Additional Language level.

d. Summary of admission criteria

Notes:

- *There are large differences between overall weighted scores for different selection categories. This is because the weighting of selection measures affects the overall scores. It is therefore not possible to make comparisons between overall weighted scores for different categories..*
- *If an applicant obtains the minimum SC/NSC score, he/she is usually required to obtain a higher HSPT score in order to meet the minimum overall weighted score. Generally, HSPT scores in deciles 9 and 10 are not acceptable.*
- *The following minimum scores, which are guidelines only, are based on past levels of competition.*

i. Senior Certificate applicants

Programme and selection category	Subject requirements	Minimum matric cut-off points to be considered	Admission possible	Admission probable
MBChB				
Black	Mathematics HG: E SG: D Physical Science HG: E	39	Matric points: 39 HSPT: 16 Overall weighted score: 70 (PR used to distinguish between equally competitive applicants)	Matric points: 41 HSPT: 28 Overall weighted score: 81 (PR used to distinguish between equally competitive applicants)
Coloured	SG: D	39	Matric points: 39 HSPT: 16 Overall weighted score: 70 (PR used to distinguish between equally competitive applicants)	Matric points: 42 HSPT: 28 Overall weighted score: 83 PR used to distinguish between equally competitive applicants)

			competitive applicants)	competitive applicants
Indian & Chinese		39	Matric points: 42 HSPT: 30 PR: 5 Overall weighted score: 86	Matric points: 47 HSPT: 32 PR: 8 Overall weighted score: 88
Open		39	Matric points: 45 HSPT: 30 PR: 5 Overall weighted score: 87	Matric points: 47 HSPT: 34 PR: 10 Overall weighted score: 89
BSc Physiotherapy				
Black	Mathematics: HG E SG: D Physical Science OR Biology:	34	Matric points: 34 HSPT: 10 Overall weighted score: 66 (PR used to distinguish between equally competitive applicants)	Matric points: 34 HSPT: 16 Overall weighted score: 68 (PR used to distinguish between equally competitive applicants)
Coloured	HG: E SG: D	34	Matric points: 34 HSPT: 10 Overall weighted score: 66 (PR used to distinguish between equally competitive applicants)	Matric points: 34 HSPT: 16 Overall weighted score: 68 (PR used to distinguish between equally competitive applicants)
Indian & Chinese		34	Matric points: 40 HSPT: 16 Overall weighted score: 80 (PR used to distinguish between equally competitive applicants)	Matric points: 41 HSPT: 20 Overall weighted score: 83 (PR used to distinguish between equally competitive applicants)
Open		34	Matric points: 42 HSPT: 14 Overall weighted score: 83 (PR used to distinguish between equally competitive applicants)	Matric points: 43 HSPT: 20 Overall weighted score: 85 (PR used to distinguish between equally competitive applicants)
BSc Occupational Therapy				
Black	Mathematics: HG E SG: D Physical Science OR Biology:	34	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)
Coloured	HG: E SG: D	34	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)
Indian & Chinese		34	Matric points: 38 HSPT: 10 Overall weighted score: 72 (PR used to distinguish between equally competitive applicants)	Matric points: 38 HSPT: 12 Overall weighted score: 75 (PR used to distinguish between equally competitive applicants)
Open		34	Matric points: 38 HSPT: 10 Overall weighted score: 73 (PR used to distinguish between equally competitive applicants)	Matric points: 40 HSPT: 16 Overall weighted score: 77 (PR used to distinguish between equally competitive applicants)
BSc Audiology and BSc Speech-Language Pathology				
Black	Mathematics E (HG)/D (SG) Physical Science/Biology E (HG)/D (SG)	34	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)	Matric score: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)
Coloured		34	Matric points: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)	Matric score: 34 HSPT: 8 Overall weighted score: 62 (PR used to distinguish between equally competitive applicants)
Indian & Chinese		34	Matric points: 36 HSPT: 8 Overall weighted score: 72 (PR used to distinguish between equally competitive applicants)	Matric score: 38 HSPT: 8 Overall weighted score: 72 (PR used to distinguish between equally competitive applicants)

Open	34	competitive applicants)	competitive applicants)
		Matric points: 38 HSPT: 8 Overall weighted score: 72 (PR used to distinguish between equally competitive applicants)	Matric score: 38 HSPT: 10 Overall weighted score: 73 PR used to distinguish between equally competitive applicants

ii. National Senior Certificate Applicants

Programme and selection category	Subject requirements	Minimum level of performance and NSC point score to be considered	Admission possible: selection measures	Admission probable: selection measures
MBChB				
Black	Mathematics Plus Physical Science	Level 4 for all subjects NSC score 36	NSC score: 36 HSPT: 16 Overall weighted score: 65 (PR used to distinguish between equally competitive applicants)	NSC score: 36 HSPT: 28 Overall weighted score: 74 (PR used to distinguish between equally competitive applicants)
Coloured			NSC points: 36 HSPT: 16 Overall weighted score: 65 (PR used to distinguish between equally competitive applicants)	NSC score: 40 HSPT: 28 Overall weighted score: 80 (PR used to distinguish between equally competitive applicants)
Indian & Chinese			NSC points: 40 HSPT: 28 PR: 5 Overall weighted score: 77	NSC points: 47 HSPT: 32 PR: 8 Overall weighted score: 88
Open			NSC score: 42 HSPT: 28 PR: 5 Overall weighted score: 86	NSC points: 47 HSPT: 34 PR: 10 Overall weighted score: 91
BSc Physiotherapy				
Black	Mathematics OR Mathematical Literacy Plus Physical Science OR Life Science	All subjects other than Mathematical Literacy: level 4 Mathematical Literacy: level 5 NSC score: 28	NSC points: 28 HSPT: 10 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)	NSC score: 28 HSPT: 16 Overall weighted score: 58 (PR used to distinguish between equally competitive applicants)
Coloured			NSC points: 28 HSPT: 10 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)	NSC score: 28 HSPT: 16 Overall weighted score: 58 (PR used to distinguish between equally competitive applicants)
Indian & Chinese			NSC points: 28 HSPT: 16 Overall weighted score: 57 (PR used to distinguish between equally competitive applicants)	NSC points: 35 HSPT: 20 Overall weighted score: 70 (PR used to distinguish between equally competitive applicants)
Open			NSC points: 28 HSPT: 16 Overall weighted score: 58 (PR used to distinguish between equally competitive applicants)	NSC points: 35 HSPT: 20 Overall weighted score: 71 (PR used to distinguish between equally competitive applicants)
BSc Occupational Therapy				
Black	Mathematics OR Mathematical Literacy Plus Physical Science OR Life Science	All subjects other than Mathematical Literacy: level 4 Mathematical Literacy: level 5 NSC score: 28	NSC points: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)	NSC score: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)
Coloured			NSC points: 28 HSPT: 8 Overall weighted score: 55	NSC score: 28 HSPT: 8 Overall weighted score: 55

			(PR used to distinguish between equally competitive applicants)	(PR used to distinguish between equally competitive applicants)
Indian & Chinese			NSC points: 28 HSPT: 10 Overall weighted score: 57 (PR used to distinguish between equally competitive applicants)	NSC score: 35 HSPT: 10 Overall weighted score: 68 (PR used to distinguish between equally competitive applicants)
Open			NSC points: 28 HSPT: 10 Overall weighted score: 57 (PR used to distinguish between equally competitive applicants)	NSC points: 35 HSPT: 10 Overall weighted score: 68 PR used to distinguish between equally competitive applicants
BSc Audiology and BSc Speech-Language Pathology				
Black	Mathematics OR Mathematical Literacy Plus Physical Science OR Life Science	All subjects other than Mathematical Literacy: level 4 Mathematical Literacy: level 5	NSC points: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)	NSC score: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)
Coloured		NSC score: 28	NSC points: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)	NSC points: 28 HSPT: 8 Overall weighted score: 55 (PR used to distinguish between equally competitive applicants)
Indian & Chinese			NSC points: 28 HSPT: 8 Overall weighted score: 57 (PR used to distinguish between equally competitive applicants)	NSC points: 35 HSPT: 8 Overall weighted score: 68 (PR used to distinguish between equally competitive applicants)
Open			NSC points: 28 HSPT: 8 Overall weighted score: 57 (PR used to distinguish between equally competitive applicants)	NSC points: 35 HSPT: 10 Overall weighted score: 68 (PR used to distinguish between equally competitive applicants)

e. Admission criteria for applicants with international school-leaving certificates

- A- and O-level applicants require at least three A-level subjects (including Mathematics and Physics or Chemistry). AS- and O-level applicants require at least four AS-level subjects (including Mathematics and Physics or Chemistry); the remaining subject (Chemistry or Physics) which is not at A- (or AS-) level must be at O-level.
- IB applicants require at least three Higher level subjects, of which Mathematics plus either Physics or Chemistry must be two. (Mathematical Studies is not acceptable.) The remaining subject not taken at Higher level (Chemistry or Physics) must be at Standard level. Applicants who offer Mathematical Methods (Standard level) are assessed on a case-by-case basis but would not normally be considered for admission to MBChB. IB applicants also need to be in possession of the IB Diploma, not the Certificate.
- HIGCSE/IGCSE applicants require at least four HIGCSE subjects (including Mathematics and Physics or Chemistry) and one IGCSE subject. The remaining subject not taken at HIGCSE level (Chemistry or Physics) must be at IGCSE level.] (In each of the above, Biology may be substituted for Physics and Chemistry in the case of Health and Rehabilitation Sciences.)

f. Eligibility for consideration

- The University considers applications from South African citizens or permanent residents only, or from citizens and permanent residents of Southern African Development Community (SADC) countries that do not have medical schools or whose medical schools do not offer the health sciences programme the applicant

wishes to study. However, in the case of some of the Health & Rehabilitation programmes (usually BSc Audiology and BSc Speech-Language Pathology), international applicants other than SADC applicants will be considered if demand from South African applicants is not high in a particular admissions cycle.

- ii. The second set of results of applicants who have rewritten the final school-leaving examination will not normally be considered; however, the results of an applicant who did not have a required admission subject at school and took this after completing the final school-leaving examinations in order to become eligible for consideration, will be considered.
- iii. The Faculty does not normally consider applications from persons who are already registered for a similar health sciences programme at another university and who wish to transfer to UCT (although such applicants may compete for admission to the first year of any programme), or from applicants who have been refused re-admission by this Faculty or other faculties, either at UCT or another tertiary institution.
- iv. Preference is generally given to applicants who have listed the Faculty programme as their first choice of study, if the level of competition for admission to the programme concerned is high.
- v. Applicants to MBChB already studying towards a tertiary qualification or who have a tertiary qualification should have at least 35 SC matric points, or 30 NSC points, to be eligible for consideration. Such applicants will be considered on a case-by-case basis; and they will usually have to have excellent HSPT and tertiary results to stand a chance of being admitted.
- vi. Applicants doing foundation programmes must generally have completed their foundation programmes, unless they would in any event be eligible for admission based on their SC or NSC scores alone.

g. The selection process

i. Selection categories, targets, and early conditional offers

Applicants compete in selection categories as follows:

- School leavers (African, Coloured, Indian, Open, International/SADC)
- Applicants with tertiary study from other institutions or from other faculties at UCT

There is a target intake for each selection category and minimum cut-off points in each selection measure for each category, based on past levels of competition in that category. If a target cannot be met from one category it may be filled from another, provided the minimum scores for admission have been met.

SC/NSC applicants are ranked in their selection category by overall weighted score, and the Faculty Selection Committee makes early conditional offers on an on-going basis from about mid-year of the year preceding admission. Such offers are based on applicants' provisional school results, HSPT results and PR score (where this applies). Early offers are first made to applicants with the highest overall weighted scores; the cut-off point for early offers may be dropped during the year preceding admission, but will not be dropped to a level where the Selection Committee considers it likely that there will be many other applicants with the same or better scores based in the final SC/NSC examinations. Conditional offers are subject to applicants' maintaining or improving their level of performance in their final examinations.

A similar process applies to applicants with tertiary results.

International applications are considered simultaneously (and not on an on-going basis, as for South African applicants), soon after the closing date for all international

(school-leaving and tertiary) applicants of 30 September. Very few offers are made to international students, particularly where competition amongst South African applicants is high.

ii. *Offers in the year of admission*

In January, once the final school and tertiary results of all applicants are available, an extended Selection Committee ranks, on one list, all relatively competitive applicants who have not been made early offers. Applicants in selection categories where the Faculty target for that category has not been met may be placed higher on the overall ranked list. Offers then continue to be made from this ranked list until registration, if and as places become available.

iii. *Places reserved for decanal discretion*

Up to 15 places are used for decanal discretion – i.e. where special circumstances are taken into account. Most of these are offered to repeat applicants (provided they are still sufficiently competitive).

5. THE FACULTY OF HUMANITIES

a. Admission requirements and the calculation of points

For applicants holding the NSC: Admissions points are allocated to six subjects. The points for English are doubled and the scores for the next five best subjects are added. If two languages were passed at home language level, one bonus point is added. Life Orientation must be passed at level 4, but is not included in the points calculation.

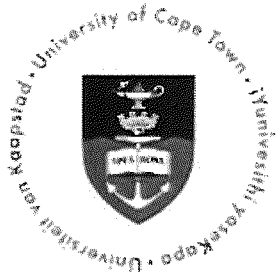
For applicants holding the SC: Points are allocated to six subjects. The point value for English is doubled and the scores for the next five best subjects are added. If two languages were passed at the first language Higher Grade level, two bonus points are added.

b. Arts and Social Science degrees

NSC admission criteria:

Programme #	Admission probable	Admission possible*	Considered individually	Minimum subject requirements
BA/BSocSc with majors other than Economics and Psychology, BSW and BA Film & Media Production	43 and above	37 – 42	below 37	English level 4
BSocSc/BA majoring in Psychology	43 and above	40 – 42	below 40	English level 4
BSocSc/BA majoring in Economics	48 and above	45 – 47	below 45	English level 4 Maths level 5##
BSocSc in Philosophy, Politics and Economics (PPE)	48 and above	45 – 47	below 45	English level 4 Maths level 5##

SC admission criteria:



**UNIVERSITY OF CAPE TOWN
UNDERGRADUATE ADMISSIONS
POLICY AND SELECTION
CRITERIA FOR THE 2011
ACADEMIC YEAR**

1. INTRODUCTION

a. Preamble

The cornerstones of our admissions policy are that we will be flexible on access, active in redress and rigorous on success.¹

Our admissions policy is framed within the values of the Constitution and the requirements of the Higher Education Act. This Act requires that our admissions policy: “must provide appropriate measures for the redress of past inequalities and may not unfairly discriminate in any way”.² We interpret these values and requirements as placing an obligation on us as a University to provide redress for historical, racially-based discrimination in society, schools and higher education; we accept this obligation in part because we acknowledge that the effects of apartheid-era discrimination remain structural fault lines in our society.

As a matter of policy we aim for a student body which has a significant number of international students³ and where the local⁴ component of our student body increasingly reflects the demographics of the South African population. Our view is that everyone gains from a diverse student body.

We use *race*⁵ as a measure for giving effect to the requirement for redress for previously disadvantaged South African applicants, as it remains the best initial, broad-brush measure of past structural inequality and thus for effecting redress. We recognize the danger of perpetuating the use of *race* as a criterion for admissions decisions, and we know that we must move away from this in time.

An important aspect of our admissions policy is our commitment to better success rates. Key to this and the realisation of the objectives of our admissions policy are the academic development and intervention programmes we offer, which are described in more detail in this prospectus.

b. Race as a proxy for disadvantage and as a measure for achieving redress and a diverse student body

As our admissions policy is designed both to provide redress and to ensure a diverse student body, and as we use race as a marker to do this, we invite South African and permanent-resident applicants to classify themselves as follows.

South African citizens and SA permanent-resident applicants

We invite South African citizens and South African permanent-resident applicants to indicate whether or not they belong to a previously-disadvantaged, or designated⁶ group, and if so to categorise themselves as one of

- black African
- Indian
- coloured
- Chinese

¹ UCT Mission Statement, 1996

² S 37 of the Higher Education Act, 1997 as amended

³ International students are defined as students who are neither SA citizens nor SA permanent residents

⁴ By local students we refer to students who are SA citizens or SA permanent residents.

⁵ We invite local students to classify themselves into the categories used in employment equity legislation.

⁶By designated group we refer to designated groups as defined in South African employment equity legislation.

South African citizens and South African permanent-resident applicants who do not belong to one of these groups, or who choose not to categorise themselves in this way must categorise themselves as

- white; or ,
- other

Notes:

- (i) This classification is also required by the Department of Higher Education and Training for statistical purposes.
- (ii) Our redress and diversity policies apply only to applicants who are both from a designated population group (black African, coloured, Indian or Chinese) and South African citizens or South African permanent residents.
- (iii) We expect South African citizens and South African permanent-resident applicants to categorise themselves as an employer would have to under the employment equity legislation.

International Applicants

International applicants are not invited to classify themselves in these ways.

c. Equity Targets

We set overall enrolment targets and equity targets per programme. These are aspirational targets, not quotas. All faculties will aim to admit specified minimum numbers of eligible South African Black, Chinese, Coloured and Indian students in accordance with these targets.

d. First and Second Choices

Applications will be considered regardless of whether the programme is the applicant's first or second choice. Exceptions to this principle apply in the Faculty of Health Sciences.

e. Closing date

The closing date for South African applicants is 31 October and for international applicants 30 September. The earlier date is dictated by the process international applicants must follow to obtain study permits.

f. Places reserved for decanal discretion

We may allocate places for decision by decanal discretion in the following cases:

- (i) Disabled applicants
- (ii) Repeat applicants (provided they are still sufficiently competitive)
- (iii) Mature age applicants (who may be admitted on the basis of Recognition of Prior Learning if they do not have matriculation exemption.)

Applications in each of the above cases will be considered on merit.

g. Early Conditional Offers

We may make early conditional offers to high achievers based on final Grade 11 results, and/or Grade 12 April, June and September examination results. Early offers will also be made to high achievers who are international applicants. Conditions are attached to early offers; the person to whom an early conditional offer is made must meet a specified level of performance in his or her final examinations.

Conditional offers lapse where the applicant fails to meet the specified level of performance in the final examination.

Early conditional offers to undergraduate and graduate applicants are limited to high achievers, and most applicants in this category will be considered together, after the closing date of 31 October.

Applicants who do not secure early conditional offers are reconsidered when their final results become available.

h. South African school-leaving certificates

Undergraduate applicants who have completed their schooling in South Africa may hold either the National Senior Certificate (NSC), or the Senior Certificate (SC). The admission criteria reflected in this document will cover both qualifications.

i. The National Benchmark Tests

All first-time entering undergraduate applicants normally resident in South Africa are required to write the National Benchmark Tests (NBTs) prior to admission. In some cases, transferring students to UCT may be required to write the NBTs as well. Applicants are required to meet the costs of writing the NBTs (currently R50 per test). Where applicants are not able to write the NBTs because of distance from a testing venue, the onus is on the applicant to contact the University in order to be exempted from writing the test/s prior to admission. In any event, such applicants are required to write the NBTs during Orientation Week.

There are two NBTs:

The Academic and Quantitative literacy test (AQL) consists of two components, namely, academic literacy and quantitative literacy. While one test is written, an applicant will be awarded separate scores for each component. Applicants to all faculties write the AQL.

The Mathematics test is based on the Mathematics Grade 12 syllabus and therefore will only be offered from August each year. Applicants who wish to enter a programme with mathematics-based coursework are required to write the Mathematics Test. One score is awarded for the Mathematics Test.

j. Scoring ratings achieved in the National Senior Certificate

The ratings achieved in six subjects, not including Life Orientation, will be awarded admission points.

k. The recognition of Life Orientation as a subject in the National Senior Certificate

We recognise the importance of Life Orientation as a subject and the skills with which this subject equips students. Applicants to UCT who write the NSC must achieve a minimum rating of 4 (50%) in Life Orientation.

BSc (Eng) in Electrical, Electrical & Computer Engineering, Mechatronics and BSc (Geomatics): Admission is probable if applicants obtain the full IB Diploma with at least two Grade 6 passes at SL and two Grade 5 passes at HL for each of the subjects Mathematics and Physics. (Note: Mathematical Studies is not acceptable.) The minimum requirement in order to be considered is a Grade 5 pass at SL or a Grade 4 pass at HL for Mathematics and Physics.

4. FACULTY OF HEALTH SCIENCES

CRITERIA AND SELECTION PROCESS:

1 Eligibility for consideration

- 1.1 We consider applications to the Faculty of Health Sciences from South African citizens or permanent residents only, or from citizens and permanent residents of Southern African Development Community (SADC) countries that do not have health sciences faculties or whose health sciences faculties do not offer the health sciences programme the applicant wishes to study. However, we will consider applications for the BSc Audiology and BSc Speech-Language Pathology programmes from international applicants other than SADC applicants if demand from South African applicants is not high in a particular admissions cycle.
- 1.2 The second set of results of applicants who have rewritten the final school-leaving examinations will not normally be considered; however, the results of an applicant who did not have a required admission subject at school and took this after completing the final school-leaving examinations in order to become eligible for consideration, will be considered.
- 1.3 Applicants who are already registered for a similar health sciences programme at another university and who wish to transfer to UCT are not normally considered (although such applicants may compete for admission to the first year of any programme); we do not consider applications from people who have been refused re-admission by a Faculty at UCT or another tertiary institution.
- 1.4 Preference is generally given to applicants who have listed the Faculty programme as their first choice of study, if the level of competition for admission to the programme concerned in that applicant category is high.
- 1.5 Applicants to MBChB already studying towards a tertiary qualification or who have obtained a tertiary qualification should have at least 35 Senior Certificate APS points, or 30 National Senior Certificate APS points, to be eligible for consideration. Exceptions are considered on merit.
- 1.6 To be eligible for consideration, applicants must have passed certain school-leaving subjects at specific performance levels and must have written the National Benchmark Tests (NBTs). (Two tests are written and the results reflected as three scores – for Mathematics, Academic Literacy and Quantitative Literacy.)
- 1.7 Applicants doing foundation programmes must generally have completed their foundation programmes, unless they would in any event be eligible for admission based on their SC or NSC scores and their results in the National Benchmark Tests.

2 Required subjects at school-leaving level and minimum performance levels:

South African school-leaving examinations:

For Senior Certificate:

For MBChB: English plus Mathematics plus Physical Science: E at Higher Grade or D at Standard Grade plus minimum APS of 39

For Health & Rehabilitation Sciences: English plus Mathematics plus Physical Science or Biology: E at Higher Grade or D at standard grade, plus minimum APS of 34

The table used to calculate the Senior Certificate score is given on Page 5.

Applicants' scores are calculated as follows: Points for the mandatory subjects given above plus points for next three best subjects. An additional point is added for a third official South African language at First or Second Language Higher Grade.

For National Senior Certificate:

For MBChB:

- A pass in English (at Home or First Additional Language level) at performance level 4
- A pass in Mathematics at level 4
- A pass in Physical Science at level 4
- A minimum APS of 36

For Health & Rehabilitation Sciences (i.e. BSc Audiology, BSc Speech-Language Pathology, BSc Occupational Therapy and BSc Physiotherapy):

- A pass in English (at Home or First Additional Language level) at level 4
- A pass in Mathematics at level 4 OR Mathematical Literacy at level 5
- A pass in Physical Science OR Life Sciences at level 4

The table used to calculate the National Senior Certificate score is given on Page 5.

Applicants' scores are calculated as follows: Points for the mandatory subjects given above plus points for next three best subjects, excluding Life Orientation. An additional point is added for a third official South African language at Home or First Additional Language level.

International school-leaving certificates:

- A- and O-level applicants require at least three A-level subjects (including Mathematics and Physics or Chemistry). AS- and O-level applicants require at least four AS-level subjects (including Mathematics and Physics or Chemistry); the remaining subject (Chemistry or Physics) which is not at A- (or AS-) level must be at O-level.
- IB applicants require at least three Higher Level subjects, of which Mathematics plus either Physics or Chemistry must be two. (Mathematical Studies is not acceptable.) The remaining subject not taken at Higher Level (Chemistry or Physics) must be at Standard Level. Applicants who offer Mathematical Methods (Standard Level) are assessed on a case-by-case basis but would not normally be considered for admission to MBChB. IB applicants also need to be in possession of the IB Diploma, not the Certificate.
- HIGCSE/IGCSE applicants require at least four HIGCSE subjects (including Mathematics and Physics or Chemistry) and one IGCSE subject. The remaining subject not taken at HIGCSE level (Chemistry or Physics) must be at IGCSE level.] (In each of the above, Biology may be substituted for Physics and Chemistry in the case of Health and Rehabilitation Sciences.)

Required performance levels may vary, depending on whether the applicant is a SA citizen/permanent resident or SADC applicant, and in the category (equity or open) in which the applicant is competing.

Tables similar to the ones used for SC and NSC results may be used to calculate scores for international school-leaving examination results, where such tables exist. In such cases applicants' scores are calculated as follows: Points for the mandatory subjects given above plus points for next three best subjects. An additional point is added for a third official South African language at First or Second Language level.

Where conversion tables do not exist, applications are considered on individual merit.

3 Selection measures:

3.1 *First-time entering undergraduate applicants are assessed using two measures:*

- APS score (based on UCT points rating table) or other final school-leaving results (using a comparable rating table as guideline where possible.)
- Results in the National Benchmark Tests, reduced to a single score

3.2 *Applicants currently studying at tertiary level, and applicants who have tertiary qualifications, are assessed using three measures:*

- Senior certificate score or other final school-leaving results, converted to an APS where possible
- Tertiary education results
- Results in the National Benchmark Tests, reduced to a single score

The table used to calculate the National Senior Certificate score is given on page 6.

Applicants' scores are calculated as follows: Points for the mandatory subjects given above plus points for next three best subjects excluding Life Orientation. An additional point is added for a third official South African language at Home of First Additional Language level.

4 National Benchmark Tests (NBT)

All applicants are required to write both NBTs. Applicants applying for the Health & Rehabilitation Sciences (BSc Physiotherapy, BSc Occupational Therapy, BSc Audiology and BSc Speech-Language Pathology) who offer Mathematical Literacy instead of Mathematics are exempted from writing the Mathematics Test.

The results in the tests are converted to a total score out of 30, (or out of 20 if Mathematics NBT is not written in the case of applicants not taking Mathematics as an NSC subject). In all cases the final result is weighted 30% of the applicant's total score (see below).

5 Weighting of selection measures

The APS (derived from either the SC or NSC results) is weighted 70% of an overall total score, and score for the NBTs is weighted 30% of an overall score.

6 Selection categories, targets, and early conditional offers

Applicants compete in selection categories as follows:

- South African school leavers and first-time applicants (African, Coloured, Indian/Chinese, Open) (the Open category includes those who do not classify themselves, and those who classify themselves as White)
- SADC applicants
- Transfer applicants (with tertiary study here or at other institutions)

SC/NSC applicants are ranked in their selection category by overall weighted score, and the Faculty Selection Committee may make early conditional offers from about mid-year of the year preceding admission. Early offers are made to applicants with the highest overall weighted scores; the cut-off point for early offers may be dropped during the year preceding admission, but will not be dropped to a level where the Selection Committee considers it likely that there will be many other applicants with the same or better scores in the final SC/NSC examinations. The condition on which early offers are made is that applicants maintain or improve, in the final examinations, their best level of performance to date, at the time that the offer was made.

A similar process applies to applicants with tertiary results.

International applications are considered simultaneously (and not on an on-going basis, as for South African applicants), soon after the closing date for all international applicants of 30 September. Very few offers are made to international students, particularly where competition among South African applicants is high.

In January, once the final school and tertiary results of all applicants are available, the Selection Committee ranks, on one list, all competitive applicants who have not been made early offers. Applicants in selection categories where the target for that category has not been met may be placed higher on the overall ranked list. Offers then continue to be made from this ranked list until registration, if and as places become available.

7 Tables summarising admission criteria, minimum achievement levels for consideration and likely scores required for admission for SC and NSC applicants

Notes:

- *NBT = National Benchmark Tests result. Most applicants must write both the tests, in which case a result out of 30 is calculated. For applicants to the Rehabilitation Sciences who have Mathematical Literacy rather than Mathematics, and who write only one test, a result out of 20 is calculate, but this result is also converted to a score out of 30 (given the weighting of NBT vs SC/NSC results).*
- *If an applicant obtains the minimum SC/NSC score, he/she is usually required to obtain a higher NBT score than the minima mentioned in the "admission possible" column below.*
- *An NBT score of 30% or less for any single test result (10 out of 30 or 7 out of 20) is generally unacceptable.*
- *The following scores for "possible" and "probable" admission offers are guidelines only. Meeting these does not guarantee admission.*

Senior Certificate applicants

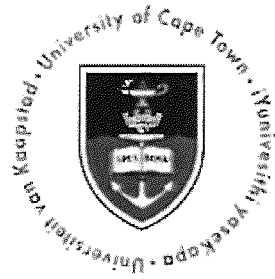
Programme and selection category	Subject requirements	Minimum APS points to be considered	Admission possible (minima acceptable)	Admission probable
MBChB				
Black	Mathematics	39	APS: 39	APS: 41
Coloured			NBT result: 12/30	NB T result: 15/30
Indian / Chinese	Physical Science		APS: 39	APS: 42
			NBT result: 12/30	NBT result: 16/30
White/Open	SG: D	APS: 42	APS: 47	
	SG: D	NBT result: 18/30	NBT result: 24/30	
		APS: 42	APS: 47	
		NBT result: 18/30	NBT result: 24/30	

BSc Physiotherapy				
Black	Mathematics: HG E SG: D	34	APS: 34	APS: 34
			NBT result: 11/30	NBT result: 14/30
			If Maths Literacy offered: 9/20	If Maths Literacy offered: 10/20
Coloured			APS: 34	APS: 34
	NBT result: 11/30	NBT result: 14/30		
	If Maths Literacy offered: 9/20	If Maths Literacy offered: 10/20		
Indian / Chinese	Physical Science OR		APS: 40	APS: 41
	Biology:		NBT result: 16/30	NBT result: 18/30
	HG: E		If Maths Literacy offered: 12/20	If Maths Literacy offered: 14/20
White/Open	SG: D		APS: 42	APS: 43
			NBT result: 18/30	NBT result: 21/30
			If Maths Literacy offered: 14/20	If Maths Literacy offered: 16/20
BSc Occupational Therapy				
Black	Mathematics: HG E SG: D	34	APS: 34	APS: 34
			NBT result: 11/30	NBT result: 14/30
			If Maths Literacy offered: 8/20	If Maths Literacy offered: 10/20
Coloured			APS: 34	APS: 34
	NBT result: 11/30	NBT result: 14/30		
	If Maths Literacy offered: 8/20	If Maths Literacy offered: 10/20		
Indian / Chinese	Physical Science OR		APS: 38	APS: 38
	Biology:		NBT result: 14/30	NBT result: 15/30
	HG: E		If Maths Literacy offered: 10/20	If Maths Literacy offered: 11/20
White/Open	SG: D		APS: 38	APS: 40
			NBT result: 15/30	NBT result: 16/30
			If Maths Literacy offered: 12/20	If Maths Literacy offered: 13/20
BSc Audiology and BSc Speech-Language Pathology				
Black	Mathematics E (HG)/D (SG)	34	APS: 34	APS: 34
			NBT result: 11/30	NBT result: 13/30
			If Maths Literacy offered: 8/20	If Maths Literacy offered: 9/20
Coloured			APS: 34	APS: 34
	NBT result: 11/30	NBT result: 13/30		
	If Maths Literacy offered: 8/20	If Maths Literacy offered: 9/20		
Indian / Chinese	Physical Science/Biology E (HG)/D (SG)		APS: 36	APS: 38
			NBT result: 12/30	NBT result: 14/30
			If Maths Literacy offered: 9/20	If Maths Literacy offered: 10/20
White/Open			APS: 38	APS: 38
			NBT result: 14/30	NBT result: 15/30
			If Maths Literacy offered: 11/20	If Maths Literacy offered: 12/20

National Senior Certificate Applicants

Programme and selection category	Subject requirements	Minimum level of performance and NSC point score to be considered	Admission possible (minima acceptable)	Admission probable
MBChB				
Black	Mathematics	Level 4 for • Maths plus • Physical Science plus • English plus • NSC score of 36	APS: 36	APS: 36
			NBT result: 12/30	NBT result: 15/30
Coloured			APS points: 36	APS: 40
	NBT result: 12/30	NBT result: 16/30		
Indian / Chinese	Plus		APS: 40	APS: 46
	Physical		NBT result: 18/30	NBT result: 24/30

White/Open	Science		APS: 42 NBT result: 18/30	APS: 47 NBT result: 24/3
BSc Physiotherapy				
Black	Mathematics OR	Level 4 for Maths OR level 5 for Maths Literacy;	APS: 28 NBT result: 11/30 If Maths Literacy offered: 9/20	APS: 28 NBT result: 14/30 If Maths Literacy offered: 10/20
Coloured	Mathematical Literacy	Plus level 4 for English;	APS: 28 NBT result: 11/30 If Maths Literacy offered: 9/20	APS: 28 NBT result: 14/30 If Maths Literacy offered: 10/20
Indian / Chinese	Plus Physical Sciences OR Life Sciences	Plus level 4 for Physical Science OR Life Sciences; Plus overall score of 28	APS: 28 NBT result: 16/30 If Maths Literacy offered: 12/20	APS: 35 NBT result: 18/30 If Maths Literacy offered: 14/20
White/Open	Sciences		APS: 28 NBT result: 18/30 If Maths Literacy offered: 14/20	APS: 35 NBT result: 21/30 If Maths Literacy offered: 16/20
BSc Occupational Therapy				
Black		Level 4 for Maths OR level 5 for Maths Literacy;	APS: 28 NBT result: 11/30 If Maths Literacy offered: 8/20	NSC score: 28 NBT result: 14/30 If Maths Literacy offered: 10/20
Coloured	Mathematics OR Mathematical Literacy	Plus level 4 for English; plus	APS: 28 NBT result: 11/30 If Maths Literacy offered: 8/20	APS: 28 NBT result: 14/30 If Maths Literacy offered: 10/20
Indian / Chinese	Plus Physical Sciences OR Life Sciences	level 4 for Physical Science OR Life Sciences;	APS: 28 NBT result: 14/30 If Maths Literacy offered: 10/20	APS: 35 NBT result: 15/30 If Maths Literacy offered: 11/20
White/Open	Sciences OR Life Sciences	plus: overall score of 28	APS: 28 NBT result: 15/30 If Maths Literacy offered: 12/20	APS: 35 NBT result: 16/30 If Maths Literacy offered: 13/20
BSc Audiology and BSc Speech-Language Pathology				
Black		Level 4 for Maths OR level 5 for Maths Literacy;	APS: 28 NBT result: 11/30 If Maths Literacy offered: 8/20	APS: 28 NBT result: 13/30 If Maths Literacy offered: 9/20
Coloured	Mathematics OR Mathematical Literacy	Plus level 4 for English; plus	APS: 28 NBT result: 11/30 If Maths Literacy offered: 8/20	APS: 28 NBT result: 13/30 If Maths Literacy offered: 9/20
Indian / Chinese	Plus Physical Sciences OR Life Sciences	level 4 for Physical Science OR Life Sciences;	APS: 28 NBT result: 12/30 If Maths Literacy offered: 9/20	APS: 35 NBT result: 14/30 If Maths Literacy offered: 10/20
White/Open	Sciences OR Life Sciences	plus overall score of 28	APS: 28 NBT result: 14/30 If Maths Literacy offered: 11/20	APS: 35 NBT result: 15/30 If Maths Literacy offered: 12/20



Admissions Policy

2012

Preamble

Our policy is to be flexible on access, active in redress and rigorous on success.

Our *admissions* policy is about access and about redress. It is designed to ensure that we recruit the best students we can. It is designed to ensure that we have a diverse student body (where the South African component of our student body increasingly reflects the demographic diversity of the South African population and which has a significant number of international students) because we believe that everyone gains from a diverse student body.

And it is designed for redress. The lawⁱ requires this. The legacy of decades of inequality, and in particular structural educational inequality, in South Africa and the continuing (and in many cases increasing) disparities in public education provision is a reality with which our admissions policy must deal. We interpret this as placing an obligation on us to provide redress for past racially-based discrimination in our society, in our schools and in public higher education; and because we acknowledge that the effects of pre-1994 discrimination remain in our society.

In order to meet this obligation we divide South Africanⁱⁱ applicants into categories: those whom we judge to have been affected by inequality and disadvantage (*the redress categories*), and those who have not (*the open category*). We do this on the basis of the self-declared race category of each applicant. International applicants are a separate category.

If you are a South African we ask you to indicate whether or not you belong to one of the following previously-disadvantaged categoriesⁱⁱⁱ and we will apply our redress measures to those who do so:

- black South African; or
- Indian South African; or
- coloured South African; or
- Chinese South African.

These four are referred to as the 'redress categories' in the tables that follow in the faculty entries. We will use your indication as a member of a previously disadvantaged category for effecting redress because it remains the best initial, broad-brush measure of past structural inequality. We are working towards alternative measures for identifying disadvantage; a test for such measures must be that they identify disadvantage so that we can give disadvantaged South Africans of ability the opportunity to develop to their full potential.

South Africans who choose not to categorise themselves in this way or who categorise themselves as a white^{iv} South African will be administered in the open category, and our redress measures will not apply to them.

An important aspect of our policy is our commitment to achieving better success and throughput rates. Our academic development and intervention programmes are key to this. 1- These are described in more detail in this Prospectus. Many of these academic and intervention programmes are deliberately designed to enable the University to reach our admission goals of redress and diversity, and admission to them is limited to applicants whom we judge to have been affected by inequality and disadvantage.

International Applicants

We do not require international applicants^v to classify themselves in these ways. And as our redress policies are designed to deal with the South African legacy, they apply only to South African citizens or South African permanent residents

Selection methods

Selection of applicants is based on Admissions Points Scores (APS) (see below for the way these are derived for different qualifications and programmes). Admission to all undergraduate programmes is competitive. Our process involves four key steps: these are as follows.

1. We set the class size for the qualification (both for regular programmes and for extended degree and academic development programmes);
2. We set the minimum requirements for the qualification (e.g., for Engineering qualifications we prescribe minimum achievement levels in Mathematics and Science) and the minimum admission admissions point score (APS) below which we will not admit; these minima differ for regular and extended degree/academic development programmes. (These will be levels below which we think that there is no reasonable chance of success.)
3. For each qualification or group of qualifications we will set target redress enrolment targets for each redress category, and (where we need to do so) we will set limits for international enrolments for each qualification.
4. We offer places to the best applicants in each category, who have met or exceeded the minimum achievement levels.

How does this work in practice?

The following example which applies to applicant for the MBChB illustrates this. It relates to applicants who categorise themselves as black South African. We set a target number of MBChB places which we hope to give to qualified black South African applicants. This will be a proportion of the total 200 first year MBChB places. We set this target because we aim for a diverse MBChB class, and in order to give redress to black South Africans. We then offer places to the best qualified of this category who meet our minimum requirements, up to the target number. Competition for the MBChB is tough and the cut-off point will be high (and higher than our minimum). But because of the legacy which is the basis for the redress policy we have adopted, we expect that the cut-off for black South African applicants for the MBChB may well be lower than the cut-off in the other categories and in particular, in the cut-off for successful applicants in the open category.

Equity Targets

We set overall enrolment targets and equity targets per programme. These are aspirational targets, not quotas. All faculties will aim to admit specified minimum numbers of eligible South African Black, Chinese, Coloured and Indian students in accordance with these targets.

a.) First and Second Choices

Applications will be considered regardless of whether the programme is the applicant's first or second choice. Exceptions to this principle apply in the Faculty of Health Sciences.

b.) Closing date

The closing date for all undergraduate applications for admission in 2012 is 30 September 2011.

c.) Places reserved for decanal discretion

We may allocate a small number of places (fewer than 5%) for decision by decanal discretion in the following cases:

- (i) Disabled applicants
- (ii) Repeat applicants (provided they are still sufficiently competitive)
- (iii) Mature age applicants (who may be admitted on the basis of Recognition of Prior Learning if they do not have matriculation exemption.)
- (iv) In special cases in undergraduate programmes in the Faculty of Health Sciences where (see detail in Faculty entry below)

Applications in each of the above cases will be considered on merit.

d.) Conditional Offers and Early Conditional offers

We may make conditional offers to high achievers based on final Grade 11 results, and/or Grade 12 April, June and September examination results. Early conditional offers will also be made to high achieving international applicants. Conditions are attached to early offers; the person to whom an early conditional offer is made must meet a specified level of performance in his or her final examinations for the conditional offer to be confirmed.

Conditional offers lapse where the applicant fails to meet the specified level of performance in the final examination, or any other condition set in the offer. Early conditional offers may be made to high achievers, but most applications will be considered together, after the closing date of 30 September 2011. Where we can we will make conditional offers at this stage but some decisions will be not be made until we have the NSC results in early January 2012.

Applicants who do not secure conditional offers are reconsidered when their final results become available.

e.) South African school-leaving certificates

Undergraduate applicants who have completed their schooling in South Africa may hold either the National Senior Certificate (NSC), or the Senior Certificate (SC). The admission criteria reflected in this document will cover both qualifications.

f.) The National Benchmark Tests (NBTs)

All first-time entering undergraduate applicants normally resident in South Africa are required to write the National Benchmark Tests (NBTs) prior to admission. In some cases, transferring students to UCT may be required to write the NBTs as well. Applicants are required to meet the costs of writing the NBTs (currently R50 per test, plus R10 administration fee). Where

applicants are not able to write the NBTs because of distance from a testing venue, the onus is on the applicant to contact the University in order to make alternative arrangements, or to apply to be exempted from writing the test/s prior to admission. If exemption is granted you will be required to write the NBTs at a later date.

There are two NBTs:

The Academic and Quantitative literacy test (AQL) consists of two components, namely, academic literacy and quantitative literacy. While one test is written, an applicant will be awarded separate scores for each component. Applicants to all faculties write the AQL.

The Mathematics test is based on the Mathematics Grade 12 syllabus and therefore will only be offered from August each year. Applicants who wish to enter a programme with mathematics-based coursework are required to write the Mathematics Test. One score is awarded for the Mathematics Test.

g.) Scoring percentages achieved in the National Senior Certificate

The percentages achieved in National Senior Certificate examinations (preliminary and final examinations) will be allocated an admissions score equal to that percentage (see Annexure A). The sum of six subject scores, excluding Life Orientation, but including English and any other required subject(s) for the relevant programme, is considered when deciding on admission. (In other words, for a given programme where Maths, and Physical Science are required, we will take the scores for English, Maths, Physical Science and the next three best subjects other than Life Orientation to compute the NSC score towards the APS.)

Where only the NSC contributes towards the admissions points score (APS), the APS is shown as a number out of 600 followed by NSC average percentage in brackets, in the tables.

h.) The recognition of Life Orientation as a subject in the National Senior Certificate

We recognise the importance of Life Orientation as a subject and the skills with which this subject equips students. Applicants to UCT who write the NSC must achieve a minimum rating of 4 (50%) in Life Orientation.

i.) Selection instruments used in the calculation of points for the Senior Certificate and National Senior Certificate

i. The Senior Certificate

Points are allocated per subject, and scores for six subjects (including subjects as required by individual programmes) are added together to produce an admissions point score (APS) per applicant. Annexure A outlines the allocation of scores.

ii. The National Senior Certificate

Points are allocated per subject, and scores for six subjects (excluding Life Orientation, and including English and the subjects as required for individual programmes) are added together to produce an admissions point score (APS) per applicant. (In some programmes the APS is derived from both the National Senior Certificate and the NBT.)

Scores achieved in the National Senior Certificate (final or preliminary examinations written in South Africa) are equal to the percentage achieved for that examination. Thus, a maximum of score of 100 is allocated to each subject score, allowing for a maximum score achieved of 600 (six subjects). Results below 40% for any subject do not attract a score.

Annexure A outlines the allocation of APS allocation for scores achieved on the NSC.

j.) Mathematics Paper 3 as part of the National Senior Certificate

We encourage all Grade 12 learners taking the NSC Mathematics who have the option to write Mathematics Paper 3. It is not a formal requirement for admission to any programme at UCT. But we advise applicants to take the Maths Paper 3 option where they can, and to write the Paper 3 examination; this is especially the case for applicants wishing to do programmes in Science and Engineering & the Built Environment as achievement in Paper 3 contributes to the APS.

k.) Selection instruments used in the calculation of points for School-leaving certificates administered by Cambridge International Examinations (CIE)

Applicants holding any CIE certificate must satisfy the requirements for Matriculation Exemption as stipulated by the Matriculation Board.

In the case of admission to some programmes only, the scores of CIE subjects are converted to an APS. See Annexure A for this table.

l.) Selection instruments used in the admission of holders of an International Baccalaureate Diploma

Applicants holding the International Baccalaureate Diploma (not the International Baccalaureate Certificate, which is not sufficient for admission) must satisfy the requirements for Matriculation Exemption as stipulated by the Matriculation Board.

The IB Diploma is assessed in different ways, and the criteria for admission listed below will stipulate how it is to be assessed. The diploma can either be assessed using only performance in specific subjects, or using such performance in conjunction with a score reflected in one of two ways. The first is to take the score reflected on the IB Diploma itself and the second is to convert the performance of all scores to a score for this purpose. The table in Annexure A shows the conversion of IB Diploma scores.

m.) Meeting the minimum requirements for admission (*matriculation*)

For applicants holding a *Senior Certificate*, the minimum requirements for admission to degree study is a Senior Certificate with matriculation endorsement or a certificate of matriculation exemption issued by the Matriculation Board.

For applicants holding a *National Senior Certificate*, the minimum is an NSC endorsed to the effect that the candidate has met the minimum requirements for admission to degree study, or, where the applicant wishes to be admitted to diploma or higher certificate programme, that the relevant eligibility is met.

For applicants holding *other forms of school-leaving qualifications*, the minimum requirement for admission to degree study is meeting the requirements for a certificate of matriculation exemption issued by the Matriculation Board.

In addition, *all applicants* must meet the requirements for proficiency in English, the medium of instruction at UCT. The English language requirements are stipulated in the Language Policy of the University.

ⁱ S37 of The Higher Education Act, No 101 of 1997 provides that the admissions policy: “must provide appropriate measures for the redress of past inequalities and may not unfairly discriminate in any way”.

ⁱⁱ South African citizens and South African permanent residents

ⁱⁱⁱ Our use of these categories must not be taken to imply that we accept the notions of race that were the basis of race classification in pre-1994 South Africa. We suggest that South African citizens and South African permanent-resident applicants should categorise themselves as they would, and as an employer would have to do under South African employment equity legislation.

^{iv} As for note iii above

^v This is also required by the Department of Higher Education and Training. Statistical reports require UCT to report on South African applicants and on all students by “race”.



UNIVERSITY OF CAPE TOWN

ADMISSIONS POLICY FOR UNDERGRADUATE ADMISSION TO THE UNIVERSITY IN 2013 (AS DETERMINED BY THE COUNCIL IN CONSULTATION WITH SENATE)

Admissions Policy

Our admissions policy is to value the best, to be active in redressing past inequalities and to be rigorous in promoting success.

Our policy is designed to ensure

- that the best students come to UCT; and
- that UCT builds a diverse student body.

The best students are

- those who get the top results in school and formal school-leaving exams (NSC or equivalent) and NBTs; and
- those who despite educational and other disadvantage do very well in these exams.

A diverse student body is

- one where the South Africans among our students increasingly reflect the demographic diversity of our country and
- where we have significant numbers of international students.

We want a diverse student community because we believe that everyone gains from living and learning in an environment in which difference is valued.

Results in formal educational assessments remain the best yardstick we have for assessing applicants. Most of our places in 2013 will be won on school-leaving (Grade 12, NSC or equivalent) and NBT results only. This will be the case in all undergraduate programmes other than the MBChB (where we expect the proportion filled on this basis to be over one third because of the intense competition for MBChB places and the need to ensure that we produce more black doctors).

We provide for redress in admissions decisions, as a matter of conviction (in other words as something we believe in), and because the lawⁱ requires it. Decades of gross inequality, and in particular structural educational inequality and the continuing (and in too many cases increasing) disparities in public educational provision are realities which our admissions policy must deal with. So we accept an obligation to provide redress in admissions decisions for past racially-based discrimination in our society, in our schools and in public higher education; and because the effects of pre-1994 discrimination remain in our society. This is not simple, and it is evolving. (Applicants for 2013 will be asked a set of research questions as part of our quest for an affirming method of providing redress.)

In order to provide for redressⁱⁱ in the 2012/2013 admissions cycle we invite all South African citizens and South African permanent residents to indicate whether or not they belong to one of the following previously-disadvantaged groupsⁱⁱⁱ.

- black South African; or
- Indian South African; or
- coloured South African; or
- Chinese South African.

We will apply our redress measures to those who choose to place themselves in one of the above categories. If you are a South African citizen or a South African permanent resident and you choose not to categorise yourself in this way or you choose to categorise yourself as a white South African you should

- tick the option 'white South African'; or,
- tick the option for those who do not choose to categorise themselves.

We administer all South African applicants who do not indicate a previously disadvantaged group, or indicate that they are white^{iv} in an open admissions category; and our redress policies do not apply to applicants to them.

The important point to note in this application process is that irrespective of how you choose to categorise yourself (previously disadvantaged or not), if you do very well (i.e. above the level we set for entry into your choice of degree programme) we will offer you a place at UCT.

It also means that if you have identified yourself as a member of a previously disadvantaged group this will be taken into account in offering you a place at UCT. We will use your indication as a member of a previously disadvantaged group for effecting redress because

it remains the best broad-brush measure of past structural inequality we have. If we judge that you have the potential to succeed, but require some form of bridging programme or academic development intervention we may offer you a place in an academic development or an intervention programme. These are described in more detail in this Prospectus. These are designed to enable us to reach our admission goals of redress and diversity.

We are working towards alternative measures for identifying disadvantage. A test for new measures must be that they identify disadvantaged South Africans of ability who will get the opportunity to develop to their full potential. In order to help us in finding new measures we have included a set of questions in our application packs (online and paper) which

- will NOT be used in the 2013 admissions selection process but
- will, we hope, with other metrics, help us identify a new basis for determining how best to give effect to a redress policy which targets past and present disadvantage.

International Applicants

We do not require international applicants^{iv} to classify themselves in these ways. And as our redress policies are designed to deal with the South African legacy, they apply only to South African citizens or South African permanent residents.

Selection methods

Selection of applicants is based on Admissions Points Scores (APS) (see below for the way these are derived for different faculties). Admission to all undergraduate programmes is competitive. Our process involves four key steps: these are as follows.

1. We set the class size for the qualification (both for regular programmes and for extended degree and academic development programmes);
2. We set the minimum requirements for the qualification (e.g., for engineering qualifications we prescribe minimum achievement levels in Mathematics and Science) and the minimum admission admissions point score (APS) below which we will not admit; these minima differ for regular and extended degree/academic development programmes. (These will be levels below which we think that there is no reasonable chance of success.)
3. We set target redress enrolment targets for each qualification, and (where we need to do so) we set limits for international enrolments for each qualification.
4. We offer places to the best applicants in each category, who have met or exceeded the minimum achievement levels.

What does this mean in practice?

The following example which applies to applicant for the MBChB illustrates this. It relates to applicants who categorise themselves as black South African. We set a target number which we hope to give to qualified black South African applicants. This will be a proportion of the 200 places we have for the MBChB class. We set this target because we aim for a diverse MBChB class, and in order to give redress to black South Africans. We then offer places to the best qualified of this category who meet our minimum requirements, up to the target number. Competition for the MBChB is tough and the cut-off point will be high (and higher than our minimum). But because of the legacy which is the basis for the redress policy we have adopted, we expect that the cut-off for black South African applicants for the MBChB may well be lower than the cut-off in the other categories and in particular, in the cut-off for successful applicants in the open category.

- i. *S37 of The Higher Education Act, No 101 of 1997 provides that the admissions policy: "must provide appropriate measures for the redress of past inequalities and may not unfairly discriminate in any way".*
- ii. *This is also required by the Department of Higher Education and Training. Statistical reports require UCT to report on South African applicants and on all students by "race".*
- iii. *Our use of these categories does not and must not be taken to imply that we accept the notions of race that were the basis of race classification in pre-1994 South Africa. We suggest that South African citizens and South African permanent-resident applicants who wish to do so should categorise themselves as they would, and as an employer would have to do, under South African employment equity legislation.*
- iv. *As for note ii above.*

Admissions Testing Programme

Admissions and placement tests have been used at UCT for over 25 years. The National Benchmark Tests are developed and administered by the UCT Alternative Admissions Research Project (AARP). We require all undergraduate applicants write the NBTs.

All applicants write the Academic and Quantitative Literacy test (described below) and all applicants to Commerce, Engineering & the Built Environment, Health Sciences, and Science faculties also write the Mathematics test (described below). Information regarding the use of the test scores in each faculty can be found in the faculty pages.

What are the National Benchmark Tests?

The National Benchmark Tests are three multiple choice tests written as a combined Academic Literacy and Quantitative Literacy test and a separate Mathematics test.

The Academic and Quantitative Literacy Test (AQL) is a three-hour test which consists of an Academic Literacy (AL) section and a Quantitative Literacy (QL) section. The results of the two sections of the test will be reported separately.

The Academic Literacy (AL) Test: targets a writer's capacity to engage successfully with the demands of academic study in the medium of instruction of the test.

The Quantitative Literacy (QL) Test: targets a writer's ability to manage situations or solve problems in a real context that is relevant to higher education study, using basic quantitative information that may be presented verbally, graphically, in tabular or symbolic form.

The Cognitive Academic Mathematics Proficiency Test (CAMP) is a three hour test which targets a writer's ability related to mathematical concepts formally regarded as part of the secondary school curriculum (Mathematics Papers 1 and 2) relevant for Higher Education studies.

Who writes what?

Most applicants to the Faculties of Humanities and Law write the Academic and Quantitative Literacy test only. Some Humanities programmes require NBT Mathematics test. Applicants to Commerce, Engineering & the Built Environment, Health Sciences and Science, write the Academic and Quantitative Literacy test as well as the Mathematics test. The completion of the Mathematics syllabus is not a prerequisite for writing the Mathematics Test.

How are the test results used?

The test results are used in addition to school-leaving academic performance and do not replace the use of school-leaving results. In the case of Engineering & the Built Environment and Health Sciences, the National Benchmark Test results make up a specific proportion of a school-leaver's overall admission score. (See the Faculty specific section in this prospectus for more information). The NBT results may also be used to decide admission to an extended programme.

Registration to take the tests

It is necessary to register for the National Benchmark Tests.

All undergraduate applicants who are normally resident in South Africa must write the National Benchmark Tests (NBTs), and all applicants to programmes in Health Sciences must write the NBTs, wherever they reside.

You must

- register for the NBTs before you apply online (or before you submit a paper application form);
- include your NBT registration number in your application;
- have written the NBTs by 14 October 2012.

If you think you have valid reasons for not writing the NBTs by 14 October 2012 you may apply before 30 September 2012 to the Admissions Office, admissions@uct.ac.za for permission to write the NBTs later. Permission will only be granted if there is a valid reason as to why you will not be able to write the NBTs before 14 October 2012.

Please note (1) that NBTs can be written outside SA; and (2) that your application may be denied if you do not write by 14 October 2012 unless you have applied for and obtained permission to write at a later date.

How to register for NBTs

You may register online or by telephone.

1. Register online at www.uct.nbt.ac.za. After reading the general information and the FAQs, select the 'Register to Write' tab and follow all instructions. Note that you will need your SA identity document or passport in order to register.
2. If you encounter problems during the registration process, call 021-650-3523 or send an email to nbt@uct.ac.za for assistance. The NBT Project is staffed from 08:00 to 18:00 weekdays and from 07:30 to 11:30 on national test days.
3. If you do not have access to the internet, call 021 650-3523 to register. The NBT Project is staffed from 08:00 to 18:00 weekdays and from 07:30 to 11:30 on national test days. The tests begin at 08h00 at many venues throughout South Africa. The Academic and Quantitative Literacy test is written in the morning session and the Mathematics (CAMP test in the afternoon. If both tests are written, you will probably complete them at about 16h00. They should also be written at the same sitting. Testing dates and venues are available on the NBT web site at www.nbt.ac.za. Alternatively please call the number shown below.

What should you take to the tests?

- Your allocated UCT applicant number, if you have received one
- Your identity book or passport
- Lunch (not all centres are close to shops)
- HB pencil and eraser
- Bus/train/taxi fare for returning home

Please note that you will not be allowed to use calculators in any of the tests.

Venues for the tests for admission to UCT in 2013

Please check & confirm venues on the website at www.nbt.ac.za. The testing venues will be clearly signposted on the days the tests are written. We reserve the right to change the venue as circumstances require.

How do you get your test results?

About two weeks after writing, you may access your results on the NBT website. Log on using your unique NBT reference number or your South African ID number. Your scores will also be sent to UCT for use in processing your application.

NBT contact information.

website: www.nbt.uct.ac.za, email: nbt@uct.ac.za
or tel: 021 650-3523.

Applying to UCT

Before you apply

It's a good idea to have a clear idea about:

- what you would like to do at UCT
- what programmes UCT offers that match what you want to do
- what admission requirements are relevant to you, and how you will meet them

Register for the National Benchmark Tests

Before applying to UCT you must register for the NBTs, if you are required to do so. Please refer to page 10 for information about registration for NBTs.

Admission requirements

Let's start with these. In order to be admitted to UCT you must:

- have met the statutory minimum requirements for admission
- be proficient in English
- have met the minimum requirements in your school performance
- have met the minimum subject requirements for admission
- have written the applicable National Benchmark Tests (NBTs) by no later than 14 October 2012.

Meeting these requirements does not guarantee you admission. However, unless you meet these requirements, we cannot consider you for admission.

*More information about the various requirements**Statutory Requirements*

- If you are writing the National Senior Certificate (NSC) in South Africa in 2012, you must meet the minimum requirements for admission to degree study, or diploma study (if appropriate) before we can consider you for admission.
- If you wrote the Senior Certificate examinations in South Africa, you must have achieved matriculation endorsement in your final examination.
- Should you hold a non-South African school-leaving certificate, you must qualify for a matriculation exemption certificate. There are various types of exemption certificates, and we accept certificates of complete exemption, and generally do not accept certificates of conditional exemption.

Please refer to www.hesa-enrol.ac.za/mb for more information about eligibility for matriculation exemption certificates.

English Proficiency Requirements

You must submit evidence of proficiency in English as part of your application to study at UCT. These include any of the following:

- for South African applicants, either:
 - a pass in English Home Language or First Additional Language if you hold the NSC, or
 - 40% In English on the Higher Grade (first or second language). If you hold the Senior Certificate
- a recent TOEFL score (obtained within 3-5 years before application for admission) of at least
 - 570 for the paper-based test or
 - 230 for the computer-based test or
 - 88 for the Internet-based test
- a recent overall band score of 7.0 on the International English Language Testing System (IELTS), with no individual element of the test scoring below 6.0
- a score of 65% or more for the Academic Literacy component of the NBT.

Admissions Rating System and the APS

For applicants writing the National Senior Certificate and, in some cases, for those writing non-South African school-leaving certificates, we use an Admission Points Score (APS) to assess your performance at school. Our APS is described below.

Calculation of Admission Points Score (APS) for the National Senior Certificate

The percentages achieved in National Senior Certificate examinations (preliminary and final examinations) will be allocated an admissions score equal to that percentage.

The sum of six subject scores, excluding Life Orientation, but including English and any other required subject(s) for the relevant programme, is considered when deciding on admission. (In other words, for a given programme where Mathematics and Physical Sciences are required, we will take the scores for English, Mathematics, Physical Sciences and the next best three subjects other than Life Orientation to compute the NSC score towards the APS.) Results below 40% for any subject do not attract a score.

In the Faculties of Engineering & the Built Environment, and Health Sciences, the NBT score forms part of the APS. In the Faculties of Engineering & the Built Environment, and Science, the Mathematics Paper 3 contributes to the APS.

Examples of APS calculations for NSC applicants

Faculties of Commerce, Humanities and Law

(Six best subjects, including compulsory subjects count)

• English Home Language	75% = 75 pts
• Afrikaans/isiXhosa First Additional Language	70% = 70 pts
• Mathematics	84% = 84 pts
• Life Sciences	86% = 86 pts
• Geography	79% = 79 pts
• Accounting	69% = 69 pts
• Life Orientation	80% = 0 pts
• Mathematics P3	70% = 0 pts
	Total = 463/600
	APS = 463

Faculty of Engineering & the Built Environment

The EBE APS is a score out of 100, with the NSC and NBT results making equal contribution. To calculate the EBE APS score, first add the percentages obtained for the six NSC qualifying subjects (see page 36) and divide the result by 12. Second, add the percentages obtained for the three NBTs and divide the result by 6. Add the two results together. If Mathematics Paper 3 was also passed, a bonus of up to 3 points is obtained by multiplying the percentage obtained by 0.03 and adding to the previous total.

$$\text{EBE APS} = \text{NSC total} / 12 + \text{NBT total} / 6 + 0.03 \times \% \text{ Maths 3}$$

Where:

NSC total = sum of the percentages obtained for the six qualifying subjects (600 maximum)

NBT total = sum of the percentages obtained for the three NBT subjects (300 maximum)

% Maths 3 = the percentage obtained for Mathematics Paper 3 (100 maximum)

• English Home Language	75% = 75 pts
• Afrikaans/isiXhosa First Additional Language	70% = 70 pts
• Mathematics	84% = 84 pts
• Physical Sciences	86% = 86 pts
• Geography	79% = 79 pts
• Accounting	69% = 69 pts
• Life Orientation	80% = 0 pts
• Mathematics P3	70% = 0 pts
	Total = 463/600

NBT Scores of:

AL: 55%

QL: 60%

MAT: 50%

Therefore, NSC score is 38.6 (463/12 = 38.6), NBT score is 27.5 (165/6), and Maths P3 score is 2.1 (70 x 0.03).

$$\text{APS} = 68.2$$

Faculty of Health Sciences

• English Home Language	75% = 75 pts
• Afrikaans/isiXhosa First Additional Language	70% = 70 pts
• Mathematics	84% = 84pts

- Life Sciences 86% = 86 pts
- Physical Sciences 79% = 79 pts
- Accounting 69% = 69 pts
- Life Orientation 80% = 0 pts
- Mathematics P3 70% = 0 pts

Total = 463/600

NBT Scores of:

AL: 55%

QL: 60%

MAT: 50%

Make a total 165/300, added to 463

APS = 628/900

An additional 10 points are added if you have passed a third official South African language at Home or First Additional Language Level.

Faculty of Science

If Mathematics Paper 3 is passed with at least 40%, then 20% of the final mark will be added to the APS total (max of 20 bonus points). Therefore, the following example,

- English Home Language 75% = 75 pts
 - Afrikaans/isiXhosa First Additional Language 70% = 70 pts
 - Mathematics 84% = 84 pts
 - Life Sciences 86% = 86 pts
 - Geography 79% = 79 pts
 - Accounting 69% = 69 pts
 - Life Orientation 80% = 0 pts
 - Mathematics P3 70% = (20% x 70) = 14pts
- APS = 463/600 PLUS 14 = 477

CALCULATION OF APS FOR SELECTED NON-SOUTH AFRICAN EXAMINING AUTHORITIES

ADMISSION POINTS TABLE FOR AL, AS, GCSE/OL, HIGCSE, IGCSE AND IB DIPLOMAS

APS	O LEVEL / GCSE / IGCSE	HIGCSE/ NSSC HL	AS LEVEL	A LEVEL	IB SL	IB HL
10				A		7
9				B		6
8		1	A	C	7	5
7		2	B	D	6	4
6	A	3	C	E	5	3
5	B		D		4	
4	C		E			

GLOSSARY

- AL Advanced Level
AS Advanced Subsidiary Level
GCSE General Certificate of Secondary Education

OL	Ordinary Level
IGCSE	International General Certificate of Secondary Education
HIGCSE	Higher International General Certificate of Secondary Education
IB SL	International Baccalaureate Standard Level
IB HL	International Baccalaureate Higher Level

Additional requirements

For admission to certain programmes, there are additional requirements to the APS. For example, the Creative & Performing Arts programmes in the Faculty of Humanities will require auditions or a portfolio of creative work.

Writing the National Benchmark Tests (NBTs) is compulsory for undergraduate applicants. Details are given in the faculty sections.

How to apply

Apply online at <http://applyonline.uct.ac.za>. Alternatively, contact the Admissions Office for an application form. You will get directions on how to complete the form. You must submit only one application. Your application allows you to choose two programmes. It is in your interest to seek advice about your programme choices, since this selection may affect your chances of admission.

When you apply to UCT, your application will be dealt with by the Admissions Office and by the Faculty that offers your choice of study. You can contact the Admissions Office at any time before or during the application process, and we will be happy to give you help or advice.

You can contact us:

By post: The Admissions Office,
The University of Cape Town,
Private Bag X3, Rondebosch, 7701
By telephone: 021 650-5988

By fax: 021 650-5189

By email: admissions@uct.ac.za

On the UCT website: www.uct.ac.za

In person: Admissions Office, Level 4,
Masingene Building, Middle Campus, UCT

Your choices may also be changed, as you wish until 31 October 2012. After this date your programme choices may only be changed with the prior permission of the faculty to which you wish to apply.

When to apply?

We begin processing applications in May 2012 for 2013. Early application will increase your chances of receiving an early conditional offer of admission. Applications for undergraduate study must be received by 30 September 2012, as must applications for:

- Student Housing
- Financial Aid

Please apply on time. If all necessary additional supporting documents have not been received by 15 December 2012, your application will be cancelled. NBT's must be written not later than 14 October 2012. International applicants must submit predicted or interim school learning results by 31 October 2012 and final 2012 school learning results by 15 December 2012. Transferring applicants must submit interim transcripts by 30 September 2012, and final or year-end results by 15 January 2013.

What is the application fee?

South African and SADC applicants must pay a non-refundable application fee of R100. International students are required to pay an application fee of R300. Application fees will not be refunded under any circumstances. Paying your application fee does not mean you will be offered a place to study at UCT.

What happens when your application has been submitted?

If you apply online you will get an email acknowledgement setting out what you have to do next. If you apply by completing a hard copy application form we will write to you acknowledging receipt, asking you to check the data we have captured from your form. If you apply for financial assistance from UCT, and/or a place in student housing, check to see that this application has been recorded. Once we have your application our faculties will consider it.

If we have all the necessary information we will make a first decision (offer you a place, offer you a conditional place, waitlist you, or let you know that you do not qualify). If we are still waiting for information (eg. current school results) we will defer consideration of your application until we receive the necessary information. At any stage you will be able to track the status of your application, using the password and your application number on our website.

When we acknowledge receipt we will give you your applicant number. Please use this number when you contact us as it will help us track your application. The site at which you can check the status of your application is:

www.uct.ac.za/apply/applications/undergraduates/status

Transferring applicants and applicants who already have school-leaving certificates

Applicants who have attended a higher education institution will be assessed on the basis of their higher education results and school-leaving results. Applicants who rewrite one or more school subjects will be assessed individually. Consideration for admission is subject to Faculty requirements.

Please note: The Faculty of Health Sciences does not generally accept results of re-written NSC/grade 12 subjects, but further information is available in the faculty entry in this prospectus.

Mature Age Exemption

If you do not meet the minimum requirements for university admission but you are 23 years or older and have a Grade 12 (school-leaving) certificate, you may qualify for a mature age exemption. If you fall into this category, you should discuss the possibility of conditional exemption with the relevant faculty office. Applicants with mature age exemption are not considered for programmes offered in the Faculties of Health Sciences and Law.

Transferring Students

If you are studying at another higher education institution, you will be considered on the basis of your school-leaving results and your higher education results. To be considered for admission, you must have met the school-leaving requirements and have a good academic record.

You will need to submit an interim academic transcript and a certificate of good conduct with your application, or as soon as they are available, and your final, year-end transcript by no later than 15 January 2013.

The following pages contain the admission requirements for undergraduate programmes at UCT. Degree and diploma programmes are grouped by faculty.

Faculty of Health Sciences

The Faculty of Health Sciences is recognised nationally and internationally as an outstanding institution for the training of health care workers, research and clinical service. The Faculty offers undergraduate degrees in medicine and the following health and rehabilitation sciences: Occupational Therapy, Physiotherapy, Audiology and Speech-Language Pathology. All these undergraduate programmes have fixed curricula. The programmes include extensive training at hospitals and clinics in and around Cape Town and in other relevant community settings, which may include schools and informal settlements. Transport may be made available to some of these sites.

UNDERGRADUATE PROGRAMMES OFFERED

Bachelor of Medicine & Bachelor of Surgery (MBChB)

The MBChB programme takes six years to complete. After graduating with an MBChB degree and completing two years' internship and a year's community service, you will be allowed by the Health Professions Council of South Africa to practise as a medical doctor. As a medical doctor, you may join a doctor's practice, open your own practice, work in a public or private hospital or in a community clinic, or work in a variety of other settings. You may decide to specialise in a discipline of your choice. There are more than 30 specialities to choose from. Training in a speciality takes four to five years, during which you are employed as a registrar in a teaching hospital and paid a salary. A specialist (such as a paediatrician) may also decide to specialise further, in one of a number of subspecialities (such as paediatric cardiology). Training in a subspeciality takes two years, during which you are employed as a senior registrar in a teaching hospital. A range of other postgraduate diplomas and degrees is also available to enable graduates to enter careers in, for example, health economics, sports management, or clinical or laboratory-based research (see the table at the end of this section).

Bachelor of Science in Speech-Language Pathology and Bachelor of Science in Audiology

Speech-Language Pathology and Audiology fall into the broad area of communication sciences and disorders or logopaedics. These are two separate but related professions. Each degree programme takes four years to complete. If you obtain the BSc (Audiology) degree, you will be registered with the Health Professions Council of South Africa (HPCSA) as an audiologist. If you obtain the BSc (Speech-Language Pathology) degree, you will be registered with the HPCSA as a speech-language therapist. Once you have completed a year's community service, you will be allowed by the HPCSA to practise as an audiologist or speech-language therapist. As an audiologist, you will assess people's hearing, fit hearing aids, manage speech and language problems of people who are hard of hearing or deaf, and deal with noise measurement and control. As a speech-language therapist you will assess and treat people who have communication disorders, such as problems with sound production and language learning, voice disorders, swallowing disorders and stuttering. You may also treat people who have disorders of speech and language after they have suffered strokes or because they have cerebral palsy. Because communication disorders are complex, the degree programmes include courses in biological, physical, psychological and behavioural sciences. The field also offers postgraduate clinical and research opportunities (see the table at the end of this section).

Bachelor of Science in Occupational Therapy

The aim of Occupational Therapy is to help people overcome functional difficulties resulting from health-related problems and to develop their abilities, so that they may be independent and effective at home, at work and during their leisure time. This is a four-year degree programme. When you obtain the BSc (Occupational Therapy) degree, you will be registered with the Health Professions Council of South Africa as an occupational therapist. Once you have completed a year's community service, you will be allowed by the HPCSA to practise as an occupational therapist. You will work with people of all ages whose lives have been complicated by sickness, trauma and developmental delay, and who are struggling to cope with and adapt to their circumstances or their environment. You may help them in their homes or in their places of work, in clinics, schools and hospitals, or you may work in a private practice. Many occupational therapists work in community organisations such as those for people who are deaf or who are addicted to alcohol or drugs. You will work closely with other professionals who form part of the health care team, including medical doctors, physiotherapists, psychologists, child care workers and teachers, as well as with the families of disabled people. Once you have qualified as an occupational therapist, you may decide to pursue postgraduate studies in clinical and research areas that interest you (see the table at the end of this section).

Bachelor of Science in Physiotherapy

Physiotherapy aims to help people in the community to lead a healthy lifestyle, to prevent illness or injury for those at risk, and to treat people who have been disabled or injured. Physiotherapy makes use of physiologically-based movement techniques, massage, electrotherapy and other physical means to prevent and treat injury and disease. This is a four-year degree programme. When you obtain the BSc (Physiotherapy) degree, you will be registered with the Health Professions Council of South Africa as a physiotherapist. Once you have completed a year's community service, you will be allowed by the HPCSA to practise as a physiotherapist. You will help people of all ages who suffer from (for example) breathing and chest problems, cerebral palsy, strokes, fractured bones, stiff joints, sports injuries and painful necks and backs. As a physiotherapist you may open your own practice, or work at community centres, hospitals and outpatient clinics. Many physiotherapists work in special schools for disabled children or provide rehabilitation programmes in people's homes in order for them to become as independent as possible at home and in their communities. You may also choose to work and travel with sports teams to treat injuries and advise on the fitness of members of the teams and on proper training to prevent common injuries associated with a particular sport. Should you decide to continue with postgraduate studies, you may become more specialised in, for example, sports physiotherapy, or you may pursue master's and doctoral research in an area of interest to you.

ELIGIBILITY FOR CONSIDERATION

To be eligible for consideration, all applicants must

- have passed certain school-leaving subjects at specific minimum performance levels;
- have obtained a minimum overall Health Sciences Admissions Point Score (APS);
- have obtained specified performance levels in the National Benchmark Tests (NBTs);
- (if they have written the National Senior Certificate examinations) be eligible for admission to degree studies, or (in the case of non-South African school-leaving certificates) have matriculation exemption;
- be South African citizens or permanent residents, or citizens or permanent residents of Southern African Development Community (SADC) countries that do not have health sciences faculties or whose health sciences faculties do not offer the health sciences programme the applicant wishes to study.
- The immediate family members of permanently appointed UCT staff members who are not South African citizens or permanent residents or eligible SADC applicants, and who have applied for permanent South African residence but whose permanent residency has not yet been approved at the time of registration - provided they are competitive will be considered in the appropriate SA school-leavers or tertiary applicants category.

In addition to the above requirements, the following apply, exceptions being considered on an individual basis and on merit:

- Applicants to MBChB already studying towards a tertiary qualification or who have obtained a tertiary qualification, should have an NSC APS of 350 or better.
- Applicants doing foundation programmes at tertiary level must have completed their foundation programmes, unless eligible for consideration based on their NSC (or other school-leaving) scores and their results in the National Benchmark Tests.
- The second set of results of applicants who have rewritten the final school-leaving examinations will not normally be considered; however, the results of an applicant who did not have a required subject at school and took this after completing the final school-leaving examinations in order to become eligible for consideration, will be considered. Applicants who are already registered for a similar health sciences programme at another university and who wish to transfer to UCT are not normally considered (although such applicants may compete for admission to the first year of any programme); neither are applicants who have been refused re-admission by a Faculty at UCT or another tertiary institution.
- Preference is generally given to applicants who have listed the programme as their first choice of study, if the level of competition for admission to the programme concerned in that applicant category is high.
 - While we welcome applications from applicants with disabilities, there may be some disabilities that would prevent someone from practising the relevant profession successfully (for example, someone who is deaf would not be able to hear a heartbeat through a stethoscope). For this reason applicants with disabilities are urged to communicate with the Faculty, via the University's Disability Unit, to establish whether this would apply to them.

REQUIRED SUBJECTS AT SCHOOL-LEAVING LEVEL AND MINIMUM PERFORMANCE LEVELS

National Senior Certificate (NSC):

For MBChB:

- A pass in English (at Home or First Additional Language level) with at least 50%
- A pass in Mathematics with at least 50%
- A pass in Physical Sciences with at least 50%
- A minimum NSC admission Points Score (APS) of 420

For BSc Physiotherapy:

- A pass in English (at Home or First Additional Language level) with at least 50%
- A pass in Mathematics with at least 50%
- A pass in Physical Sciences OR Life Sciences with at least 50%
- A minimum NSC APS of 340

For BSc Occupational Therapy, BSc Audiology and BSc Speech-Language Pathology:

- A pass in English (at Home or First Additional Language level) with at least 50%
- A pass in Mathematics at 50% OR Mathematics Literacy with at least 60%
- A pass in Physical Sciences OR Life Sciences with at least 50%
- A minimum NSC APS of 340.

[*Note: See paragraph below, titled "How to calculate your Faculty point score".]

International school-leaving certificates:

A- and O-level subject requirements:

- At least a D symbol in two A-level subjects (including Mathematics and Physics or Chemistry) and a C in the remaining subject (Physics or Chemistry) and in English, both of which may be at AS or O level.
- AS- and O-level subject requirements: At least a C in four AS-level subjects (including Mathematics and Physics and Chemistry), and a C symbol in English, which may be at O-level.

IB subject requirements:

- At least grade 3 in three Higher level subjects, of which Mathematics plus either Physics or Chemistry must be two (Mathematical Studies is not acceptable); and at least grade 4 in the remaining subject (Physics or Chemistry) and in English, both of which may be at Standard level.
- IB applicants also need to be in possession of the IB Diploma, not the Certificate.

HIGCSE/IGCSE subject requirements:

- At least grade 3 in four HIGCSE subjects (including Mathematics, Physics and Chemistry); and
- at least grade 2 in English (first or second language), which may be at IGCSE level.

Abitur subject requirements:

- At least grade 3 for Physics, Chemistry and Mathematics and grade 4 for English as first or second language.

In each of the above, Biology may be substituted for Physics and Chemistry in the case of the Health and Rehabilitation Sciences.

NATIONAL BENCHMARK TESTS AND REQUIRED MINIMUM PERFORMANCE LEVELS

All Health Science applicants are required to write the National Benchmark Academic Literacy (AL), Quantitative Literacy (QL) and Mathematics Tests.

NBT results at the "basic" level are not acceptable for MBChB or BSc (Physiotherapy). Applicants with such results who have applied to BSc (Audiology), BSc (Speech-Language Pathology) and BSc (Occupational Therapy) will be considered individually, on merit. The NBT levels are given below:

<i>Benchmark Performance Levels</i>	<i>AL</i>		<i>QL</i>		<i>Maths</i>	
	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>
Proficient Upper	100	83	100	83	100	81
Proficient Lower	82	65	82	66	80	62
Intermediate Upper	64	53	65	52	61	48
Intermediate Lower	52	42	51	38	47	34
Basic Upper	41	21	37	19	33	17
Basic Lower	20	0	18	0	16	0

TERTIARY APPLICANTS

Applicants who are already studying towards tertiary qualifications or who have obtained such qualifications must also meet the school subject requirements and minimum performance levels outlined above. In rare exceptions, tertiary applicants who do not meet the minimum for NSC results may be offered a place, provided they have obtained excellent results throughout degree studies at a tertiary institution as well as excellent results in the National Benchmark Tests. It is unlikely that applicants who have failed courses at tertiary level will be accepted.

HOW TO CALCULATE YOUR HEALTH SCIENCES ADMISSION POINTS SCORE (APS)

Add the following if you are an NSC candidate:

- Points (percentage) out of 100 for each of the mandatory subjects given above
- Points out of 100 for each of your next three best subjects excluding Life Orientation
- An additional 10 points if you have passed a third official South African language at Home or First Additional Language Level
- Points out of 300 for the National Benchmark Tests.

This gives your total Health Sciences APS out of 900.

If you are doing the NSC, do not include any of the following scores when calculating your APS:

- Mathematics Paper 3
- Advanced Programme Mathematics
- Life Orientation

NUMBER OF PLACES AVAILABLE IN EACH PROGRAMME AND THE SELECTION PROCESS

The annual intake into first year of each of the under-graduate programmes in Health Sciences for 2012 was as follows:

MBChB:	220
BSc Physiotherapy:	60
BSc Occupational Therapy:	55
BSc Audiology:	25
BSc Speech-Language Pathology:	35

and similar numbers are probable for 2013.

Applicants compete in selection categories as follows:

- South African school leavers (African, Coloured, Indian, Chinese, Open/Other)
- SADC applicants
- South African applicants with tertiary results from other institutions or from UCT.
- Dean's discretionary categories.

The Dean may allocate (within the target intake for each programme) up to 30 discretionary places, on merit, for the following categories of applicants:

- Repeat applicants
- Disabled applicants
- Applicants from rural areas known to be underserved by doctors (We use a database of rural schools provided by the Department of Basic Education, based on the following definition: "Rural district boundaries are based on municipal boundaries, while urban district boundaries are based on those of city wards.")

NSC applicants are ranked in their selection category by Health Sciences APS. The Faculty Selection Committee may make conditional offers from about mid-year 2012. Conditional offers are made to applicants with very high scores. The condition on which early offers are made is that the applicants maintain or improve, in the final examinations, their best level of performance to date, at the time that the offer was made.

A similar process of making early conditional offers applies to applicants with tertiary results.

Very few offers are made to international students, particularly for programmes where competition amongst South African applicants is high.

In January 2013, once the final school and tertiary results of all applicants are available, the Selection Committee ranks, on one list, all competitive applicants who have not been made conditional offers and offers are made from this ranked list.

TABLES SUMMARISING ADMISSION CRITERIA, MINIMUM ACHIEVEMENT LEVELS FOR CONSIDERATION, AND LIKELY SCORES REQUIRED FOR ADMISSION OF NSC APPLICANTS

[Note: Please note that these are guidelines only. Meeting the minimum requirements or the "Admission probable" scores does not guarantee admission. The cut-off points for NSC and NBT results will depend on the competition in 2012/2013.

<i>MBCbB</i>						
	MINIMUM REQUIREMENTS TO BE CONSIDERED			ADMISSION PROBABLE (BUT DEPENDING ON LEVEL OF COMPETITION)		
	NSC score (out of 600)	NBT score (each out of 100)	Subject requirements	NSC score (out of 600)	NBT score (out of 300)	TOTAL APS (out of 900)
Black	420	AL: 42 QL: 38 Maths: 34	At least 50% for: Mathematics, Physical Sciences and English; PLUS a pass in the next 3 best subjects excluding Life Orientation	480	180	700
Chinese				530	220	760
Coloured				500	180	700
Indian				530	220	760
Open				540	225	770

<i>BSc Physiotherapy</i>						
	MINIMUM REQUIREMENTS TO BE CONSIDERED			ADMISSION PROBABLE (BUT DEPENDING ON LEVEL OF COMPETITION)		
	NSC score (out of 600)	NBT score (each out of 100)	Subject requirements	NSC score (out of 600)	NBT score (out of 300)	TOTAL APS (out of 900)
Black	340	AL: 42 QL: 38 Maths: 34	At least 50% for Mathematics; 50% for Physical Sciences or Life Sciences; 50% for English; PLUS a pass in the next 3 best subjects excluding Life Orientation	360	130	515
Chinese				460	160	650
Coloured				360	130	520
Indian				470	160	670
Open				480	190	685

<i>BSc Occupational Therapy</i>						
	MINIMUM REQUIREMENTS TO BE CONSIDERED			ADMISSION PROBABLE (BUT DEPENDING ON LEVEL OF COMPETITION)		
	NSC score (out of 600)	NBT * (each out of 100)	Subject requirements	NSC score (out of 600)	NBT score (out of 300)	TOTAL APS (out of 900)
Black	340	AL: 42 QL: 38 Maths: 34	50% for Mathematics or 60% for Mathematical Literacy; plus 50% for Physical Sciences or Life Sciences; plus 50% for English; PLUS a pass in the next 3 best subjects excluding Life Orientation	350	125	510
Chinese				440	140	570
Coloured				350	125	510
Indian				440	140	570
Open				470	160	655
* O.T. Applicants who have fewer than the minimum required NBT points may be considered individually, on merit.						

<i>BSc Audiology and BSc Speech-Language Pathology</i>						
	MINIMUM REQUIREMENTS TO BE CONSIDERED			ADMISSION PROBABLE (BUT DEPENDING ON LEVEL OF COMPETITION)		
	NSC score (out of 600)	NBT * (each out of 100)	Subject requirements	NSC score (out of 600)	NBT score (out of 300)	TOTAL APS (out of 900)
Black	340	AL: 42 QL: 38 Maths: 34	At least 50% for Mathematics or 60% for Mathematical Literacy; 50% for Physical Sciences or Life Sciences; 50% for English; PLUS a pass in the next 3 best subjects excluding Life Orientation	350	122	480
Chinese				380	140	530
Coloured				350	122	500
Indian				380	140	530
Open				400	160	570
* Applicants who have fewer than the minimum required NBT points may be considered individually, on merit.						

EXAMPLES OF STUDY CAREERS IN THE HEALTH SCIENCES

The following table shows broad possibilities of postgraduate career tracks in health sciences. For entry requirements to specific postgraduate degrees in the Faculty, please contact the Faculty.

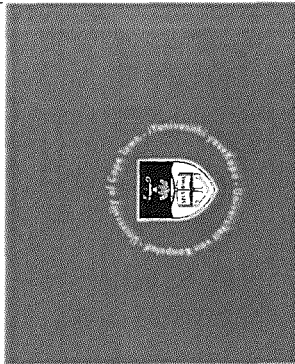
<i>DEGREE/ DIPLOMA TYPE</i>	<i>RESEARCH TRACK</i>	<i>CLINICAL TRACK</i>	<i>OTHER CAREER TRACKS</i>
BACHELOR'S DEGREE: 3 YEARS	BSc (eg. majoring in biological, biochemical, molecular sciences or genetics)		BA / BSocSc
BACHELOR'S DEGREE: 4 OR MORE YEARS		MChB	BSc (Engineering) BSc Health Sciences
HONOURS DEGREE (1 to 2 years, full-time)	BSc(Med)(Honours) Eg. in Applied Anatomy Bioinformatics Biological Anthropology Exercise Science Human Genetics Forensic Genetics Infectious Diseases Nutrition & Dietetics		
POSTGRADUATE DIPLOMA (of 1 or 2 years, full- time or part-time)			Postgraduate Diplomas, eg. in Addictions Counselling Occupational Health Disability Studies Community Eye Health Health Economics Maternal & Child Health Family Medicine Palliative Medicine Healthcare Technology Management Public Mental Health Pesticide Risk Management
MASTER'S (1 to 5 years, full- time or part-time)	MSc(Med) (by dissertation)	MMed MPhil Subspeciality (by clinical coursework & minor dissertation)	MSc (by coursework and/or dissertation) MPhil (by coursework/dissertation or by dissertation only)
DOCTORAL (at least 2 years, full- time or part-time)	PhD (by thesis) In laboratory In clinical work In rehabilitation sciences Other		

Appendix III

ABOUT UCT

A brief introduction to the University of Cape Town

2011/12



ABOUT UCT 2011/12
 A brief introduction to the University of Cape Town

HOUSING

- UCT's 39 student residences (res) each house a community of 600 students.
- The residence system offers catering and recreational options.
- Booking is well under way for UCT's largest residence, G&S Square in Observatory, which will open its doors in 2012 to a further 800 students.

SPORT, SOCIETIES AND OTHER ACTIVITIES

- Over 800 students are registered with the 15 varsity sports clubs.
- More than 800 students have joined the 118 varsity, club, cultural, political and professional societies at UCT's local registration fairs held at over 15 000 as some sign up to more than one society.
- Students can also get involved in the work of disability representative UCT Funks on the Board of Health and Student Activities Cooperation among others.

CULTURAL ATTRACTIONS

- UCT is home to or has collections with the Easter Theatre Company, the Irma Stern Museum and the Little Theatre.



COMPUTING

- Over 2 000 personal computers in computing laboratories are available to students.
- All staff have ready access to state-of-the-art and to high-speed computers.
- Easy access to an email account and access to the internet.
- Access to the internet and the wireless network is available in student unions.
- The ICT department is currently investing in making UCT a wireless campus.



STUDENT SERVICES

UCT offers a range of student services through the various departments, including the Disability Services, the Student Welfare, the Health Services, UCT (HARD) the Careers Service, and the Financial Aid Service.

UNIVERSITY LIBRARIES

The Chancellor Oppenheimer Library and nine branch libraries house collections more up of over 12 million print volumes, including 70 000 journal titles, and offer access to 30 000 e-journals and 17 electronic research databases.

The main library's new Research Living on its floor offers a quiet place to read and research. It also provides a range of services and resources. It features special collections and the Open Access Commons, with high speed broadband for research and writing.

The study tables area has many new group study spaces as well as the first mobile Commons, a well-equipped support facility.

The branch libraries include the Helen Simonson Library, the Justice Groote Schuur Hospital, the Ebenzoni Law Library on Middle Campus, and the African Studies Library, which houses a world-class collection of African literature.



FOR FURTHER INFORMATION

General enquiries
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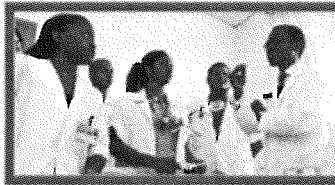
MISSION

UCT aspires to become a premier academic centre on par with the best in South Africa, the rest of Africa and the world. Taking advantage of expanding global networks and our distinctive vantage point in Africa, we are committed through innovative research and scholarship to grapple with the key issues of our natural and social worlds. We aim to produce graduates whose qualifications are internationally recognised and locally applicable, underpinned by values of integrity, citizenship and social justice. UCT will promote diversity and a transformation vision – our mission and beyond – including growing the next generation of students.



HISTORY AND LEGACY

- The oldest teaching university in South Africa, UCT was founded in 1829 as the South African College.
- UCT was formally established as a university in 1918.
- The university moved to its spectacular Grote Schuur campus on Rondebosch Estate on the slopes of Devil's Peak in 1928.
- UCT has satellite campuses in Observatory, home to the Faculty of Health Sciences, the Gardens in Cape Town, where the 194 design Campus for fine art, film and media, and drama studies is located and the Braamfontein Campus on the popular V&A Waterfront, the site for the Graduate School of Business.
- UCT counts five Nobel Laureates among its alumni: Max Theiler (medicine, 1950), Ruth Barthe (peace, 1950), Sir Aaron Klug (chemistry, 1982), Alan McCleod Cormack (medicine, 1979), and



Erasmus Professor J.J. Coetzee (literature, 2003).

- UCT remains the highest-ranked African university in both the Times Higher Education World University Rankings and the Shanghai Jiao Tong Academic Ranking of World Universities.

AUTHORITIES

- **Council** is the governing body of UCT. Its responsibilities include determining the mission, core values, goals, strategies and policies for the progress of the institution.
 - It is made up of 12 members appointed from within the UCT community and 18 external members.
 - Archbishop Njongonkulu Ndlovu is the current Chair of Council while Pt Dolorah Budlender serves as deputy chair.
 - The present Council will serve until the end of June 2012.
- **Senate** is responsible for academic governance at UCT.
 - It regulates and controls the teaching, courses, syllabi, examinations and research of the university.
 - Senate comprised of the vice-chancellor, deputy vice-chancellor, professors, heads of departments and the university librarian as well as elected members and student representatives.
- **The Institutional Forum** is a body of national stakeholders that advises Council on issues affecting the university as required by the Higher Education Act of 1997.
- **The Students' Representative Council (SRC):** The UCT Statute provides for a SRC, which operates according to a constitution approved by the Council in terms of the Statute.
 - There are 15 seats on the SRC.
 - The SRC and other student groups report to UCT's Student Parliament.

CHANCELLOR AND EXECUTIVES



Chancellor
Mrs Graça Machel



Vice-chancellor
Dr Max Price



Deputy vice-chancellor
Prof Thandabantu Nhlipo



Deputy vice-chancellor
Prof Diane Visser



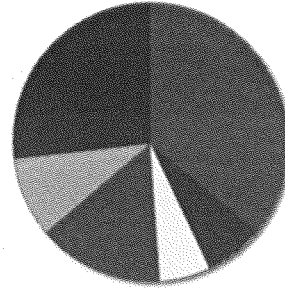
Deputy vice-chancellor
Prof Cran Soudien



Acting deputy vice-chancellor
Prof Nan Yeld

FINANCES

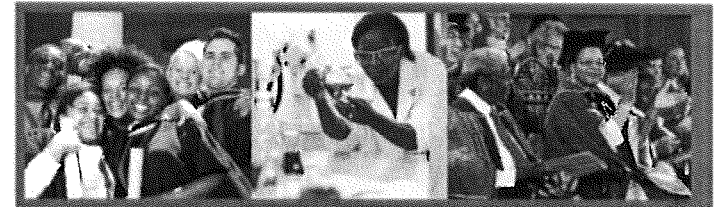
• UCT's total expenditure in 2010 amounted to R2.9 billion. Of this more than R1.4 billion was spent on salaries. The university's R3.1 billion gross income in 2010 came from the sources indicated in the pie chart below.



- State subsidies and grants – 36%
- Investment income – 7%
- Donations and gifts – 6%
- Contract research revenue – 15%
- Sales of goods and services – 9%
- Tuition and other fee income – 27%

FACULTIES

- UCT has six faculties: commerce, engineering and the built environment, law, health sciences, humanities and science. The faculty work is supported by the Centre for Higher Education Development (CHED), which incorporates UCT's Academic Development Programme.



- UCT offers undergraduate degree and postgraduate degree programmes across the faculties. A range of undergraduate diplomas and certificates and postgraduate diplomas is also available.

PEOPLE

- Just under 25 000 students enrolled at UCT in the first half of 2010.
- Of these, more than 17 500 were undergraduates working on a first degree or an undergraduate diploma and certificate and over 7 500 were enrolled for a postgraduate qualification.
- UCT employs approximately 8 442 staff (89% permanent staff and 49% contract staff), including 782 permanent academics across the six faculties and the Centre for Higher Education Development.
- UCT keeps in contact with about 110 000 alumni (of whom more than 90 000 reside in South Africa) through its Development and Alumni Department.

RESEARCH

- In 2010 UCT was home to 30 Award researchers, 60 national world leaders in the National Research Foundation (NRF).
- UCT's tally of NRF-funded researchers in 2010 was 126 up from 200 in 2009.

- Total research income was valued at R768 million in 2010. Research contract income contributed R760 million.
- Financial support to postgraduate students stood at R120 million and at R38 million for Postdoctoral Research Fellowships.
- UCT has 27 of the 71 national chairs awarded under the South African Research Chairs Initiative (SARCI) established by the Department of Science and Technology (DST) and managed by the NRF to build scientific research and innovation capacity in the country.
- The university's 68 specialist research groups include five research groupings funded by the Medical Research Council.
- UCT is also home to two national Centres of Excellence: the DST/NRF Centre of Excellence in Catalysis for Change and the DST/NRF Centre of Excellence in Birds as Host to Bacterial Pathogens at Stellenbosch University. In addition, the Department of Chemical Engineering houses the DST Catalytic Conversion Centre and the national Hydrogen Catalysis Conversion Centre at UCT (HyS/Catalysis), which is co-managed by Merck.
- UCT has also set up a number of programmes such as the Project for the Enhancement of Research Grantships to develop innovative scholarship and the Emerging Research Programme, focused on the needs of developing academics.