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CRITICAL RACE THEORY-INFUSED CURRICULA TRANSFORMATION IN SOUTH AFRICAN INSTITUTIONS OF HIGHER LEARNING

Omphemetse S Sibanda

University of South Africa, Pretoria, Republic of South Africa

sibanos@unisa.ac.za

Abstract

This article seeks to situate curriculum transformation in the South African learning environment on the landscape of critical race theory. The article acknowledges that the need for curriculum transformation in South Africa is a matter beyond any contestation. However, it argues that what has been lacking to date is the absolute resolve on the theory or philosophy that underpins the transformation agenda – which to a certain extent has reduced curriculum transformation to superficial infusion of the principles and values of uBuntu in the curricular; and the drive towards decolonisation of the curricular without much tangible alternative being offered. As part of the execution of the study in this article the author critically examines the literature on critical race theories critical the theory, and examines the applicability of this theory as the bar that underpins curriculum transformation. The researcher contextualises this article with reference to curriculum development agenda at the College of Law of the University of South Africa where he is an academic in the discipline of law.

Keywords

1. Introduction

I found no better way to start the discussion in this article than with reference to the following passage by the late Prof SME Bhengu, then Minister of Education in South Africa, which appeared as a forward to the Department of Education's White Paper 3, July 1997:

The transformation of the higher education system to reflect the changes that are taking place in our society and to strengthen the values and practices of our new democracy is, as I have stated on many occasions, not negotiable. The higher education system must be transformed to redress past inequalities, to serve a new social order, to meet pressing national needs and to respond to new realities and opportunities.

Fast forward to the current education landscape the Chief Executive Officer of the South African Council on Education (CHE), Prof Narend Baijnath, who is also an advocate of curriculum transformation and modernisation stated the following in a forward of a publication by CHE titled *South African Higher Education Reviewed – two Decades of Democracy*:

Higher education in South Africa in the post-apartheid era has never been more volatile than it is currently, some to decades into democracy, yet it is, contradictorily, perhaps the part of the entire goals of quality, equity and transformation. (CHE, 2016).

Curriculum transformation (CT) is both a buzz word and a framework through which the education transformation and decoloniality agenda in South Africa is currently anchored in many higher education institutions (HEIs) (Le Grange, 2016; Murriss, 2016). CT is also directly relevant to the change of organisational culture of HEIs in South Africa, particularly that which impacts on their effectiveness (Xuan, 2015). CT is regarded as an important tool to level the

playing field in education and to shape the learning and knowledge production environment in conformity with both the socio-political and cultural set up of the country. Institutions like the University of South Africa (Unisa), for example, regard curriculum transformation as one of its core strategic objectives. The Unisa curriculum transformation agenda happens particularly at the backdrop of the institution's Transformation Charter.

With the benefit of 15 years of hindsight in academia, undoubtedly the most remarkable period of the movement for curriculum transformation in the legal education sphere was the initiative started in 15 – 16 August 2011 by the College of Law of Unisa when it convened *Stakeholders' Lekgotla on Curriculum Transformation* (Unisa Law Curriculum Transformation Statement, 2011). This event was endorsed by Minister of Higher Education and Training, Dr Blade Nzimande, as dealing with an issue which is a national objective within the policy of the Department of Higher Education and Training (DHET) (See Dell, 2011). In particular the Minister of Higher Education Blade Nzimande stated:

In our curricula lies the very identity of our society. If we, therefore, want to change our society, address inequalities and develop ourselves into a just and healthy society, we need to change the very content of the vehicle through which we teach and develop our young people.

The DHET had also hosted a few curriculum transformation seminars and conferences including the *2015 Durban Curriculum Transformation Summit* that resulted into the 2015 Durban Statement on Transformation in Higher Education. As part of the on-going efforts to interrogate and deepen curriculum transformation in South Africa the Summit agreed on the following: that Higher Education is a public commodity; Universities' role is to help the society address inequalities and other social ills that may prevail as a result of lack of education; Curriculum change is central and indispensable to the universities transformation agendas; And that universities must take into account that transformation is multi-dimensional and complex. It also acknowledged a number of faultlines and the painfully slow pace at which transformation is happening in the country. Therefore called for action to be taken to address many of the anomalies including sufficiently situating HEIs curricular and different knowledge form within the African and the global South contexts.

During the 2015 and 2016 students protests in South Africa one of the demands was that curriculum transformation be revisited and accelerated to be in sync with the modern education landscape (Murriss, 2016; Le Grange, 2016). Remarkably, specifics as to the nuts and bolts of curriculum transformation are not clear, with a number of questions remaining unanswered. I can mention a few of those including answers to the following questions: Is CT about infusing uBuntu in the curricular? Is CT about humanisation of the curricular? Is CT about Africanisation or indigenisation of the curricular? Is CT about number Anglicization of the curricular and discarding of Afrikaans? Furthermore, there may be sub-questions that render the whole issue of curriculum transformation a bit complex.

With so many questions it should also come as no surprise that this ‘change’ has assumed a different shape and connotations with different scholars and institutions. In this respect, my experience in academic with curriculum transformation is pre-dominantly of invocation of the philosophy of Ubuntu, without the commonly agreed understanding of what curriculum transformation should be and ought to be, or without any over-arching theory on curriculum transformation.

This study, thus, will consider the utility of critical race theory (CRT) as the departure point to identifying an approach towards curriculum transformation. I contend that while the current movement of curriculum transformation in South African learning environments is commendable it will remain largely a pie in the sky because of its lack of an appropriate yardstick in a form of a generally agreed philosophy or theory that underpins it. What interests me most in the passage above by Prof Bhengu is the peremptoriness with which he decreed transformation in the South African higher education institution. However, his ministry failed to craft a dead-sure plan on curriculum transformation. What the ministry was good at was to borrow and bent some indolent curriculum framework that perpetuated the status quo.

1.1 Methodological and Information Sources Notes

This study in this paper followed qualitative research method. Major primary and secondary sources were consulted and reviewed to inform the feasibility of CRT-infused curriculum transformation in South Africa. The primary sources used are decisions, policies and/or strategic documents of IHLs; national education environment legislation, policies, and regulations; decisions and/or proclamations of the DHET; of the Center for Higher Education Transformation (CHET); specialised institutions such as Center for African Studies at the University of Cape

Town, the Centre for Critical Research on Race and Identity at the University of Kwa-Zulu Natal, and the Institute for African Renaissance Studies of the University of South Africa. A research for existing scholarship included, but not limited to, searching the information databases of the DHET, accessible databases of IHLs, and others. Abstracts from the subject specific journals such as the Journal of Curriculum Transformation, the Journal of Education, Race, Ethnicity and Education, Africanus.

1.2 Clarification of Concepts

1.2.1 Transformation - a placid and imprecise concept

A number of studies in education address directly or indirectly the conception of transformation, together with its contested nature (Ramrathan, 2016). The results of the existing literature on transformation indicate that transformation is both a placid and an ‘imprecise’ concept (CHE, 2016, p.22). But what is clear from these studies is that transformation goal looks into many variable including equity, efficiency, access, integration, and adaptability in the light of massification of HEIs. All these in the context of South Africa are underscored by demographics that are situated in the complex design of race and gender. In the context of this study curriculum transformation will simply mean the creation and rapturing of the environment in IHLs to ensure that the core business of research, learning and teaching take full account of representivity of the student cohort, academic staff cohort, and the subject context and the sites /sources of knowledge – curriculum change including the gradual displacement of Euro-Western knowledge systems with Afrocentrism (Dastle, 2013; Dastile, 2016). Thus, curriculum transformation in this paper is not simply about numbers. Also, is not to be used interchangeably with curriculum change.

1.2.2 uBuntu Philosophy

Let me from the onset state that there is no simple definition of the African philosophy of *uBuntu*. In the words of Justice Yvonne Mokgoro (1997:2), former Justice of the South African Constitutional Court, “*uBuntu* it seems is one of those things that you recognise when you see it”. *uBuntu* is a practical concept. It is a derivative of the *isuZulu* phrase *umuntu ngumuntu ngabantu*, which is loosely translated in English as “I am, because we are; and since we are, therefore I am”. (Mbiti, 1969: 108-109). As stated by the former Justice of the Constitutional Court in the *MEC for Education: KwaZulu-Natal and Others v Pillay and Others*, Langa J, the phrase is about the “communality and the inter-dependence of the members of a community.”

(para 53). *uBuntu* is known to require the “essential unity of humanity and emphasizes the importance of constantly referring to the principles of empathy, sharing and cooperation in efforts to resolve our common problems” (Murithi, 2009:277). Amongst the principles of *uBuntu* are the principles of reciprocity; inclusivity; and sense of shared destiny. According to Tshoose (2009:19), these principles resonates with the “modern social democratic and the Christian democratic variants of the European ideas of solidarity”.

The principles of *uBuntu* as a value system we recognised in the post-amble of the Interim Constitution of the Republic of South Africa (Interim Constitution) act 200 of 1993, which stated as follows:

The adoption of this Constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge.

These can now be addressed on the basis that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for *uBuntu* but not for victimisation.

Unlike the Interim Constitution, the final Constitution of the Republic of South Africa of 1996 does not explicitly mention *uBuntu*. However, the Bill of Rights; the constitutional framework of the South Africa; and its constitutional jurisprudence are based in part on the *uBuntu* value system.

2. Higher education institutions curriculum transformation – what is the state of play?

2.1 Scholarship of Curriculum Change and Transformation

According to Alderuccio (2010) curriculum transformations in sub-Saharan Africa (SSA) is shaped by “the dialectic between global and local educational agendas”. But most importantly that curriculum transformation is a tool to achieving and promoting Education for All (EFA), in a manner that reflects SSA’s social and economic environment. There is a plethora

of studies relevant to curriculum change and transformation in institutions of learning. In South Africa, for example, in the early years of post-apartheid democratic transition there was much concentration rethinking and rediscovering the basic curriculum concepts, and principles. Included in some of the concepts considered were ‘constructive’ curriculum alignment, globalization, quality assurance, and gradueness (McDonald & Van Der Horst, 2007). At the same time the policy of outcomes-based education (OBE) was implemented as a strategy for change to an education environment that is open and transformed (Vambea, 2005).

Other studies addressed issues such as Africanisation. Africanisation (or indigenization, as it sometimes) considered as the first important step towards transformation as a process requiring that the curriculum must have more local content. This in Africa implies that the content must be ‘African-focused content.’ Embedded or assumed in these studies is decolonization, which “involves a deep sense of recognition of and challenge to colonial forms of knowledge, pedagogical strategies and research methodologies” (McLaghlin and Whatma, 2011). It may also include modifying euro-centric knowledge system to be accommodated within the African system as a temporary measure (Yishak & Gumbo, 2015). Curriculum transformation must have clear values that underpin the teaching and learning process – and those include values such as *uBuntu*, language, social justice, and responsibility, and agency. The problem is that such an approach speaks little about the theoretical approach that will move forward this values.

Looking through the decoloniality lens, Hurst (2016) argues that the dominance of English in the South African manifests in the ‘colonial wound’. Others argue that institutions of higher learning must endeavour to offer multilingual education through their language policies. (Mutasa, 2014). The one difficulty with putting on the pedestal language as an instrument of curriculum transformation is the multiplicity of languages in South Africa. There are 12 official languages in South Africa to be precise. There are also other issues to consider including the fact that certain disciplines may not be amenable to African languages. But the importance of language in social justice and education should not be underestimated. The research conducted by Mwaniki (2012) at the University of the Free State reveals that language is important in the “conceptualisation and actualisation of social justice in South Africa's higher education”. An important observation in this study is that language continues as an instrument for privileging

access to higher education for certain cohort of students, while limiting access to higher education for others (Mwaniki, 2012).

2.2 Example: Unisa College of Law humanisation and transformation of the curriculum

Central to the CLAW curriculum transformation statement is that institutions of learning must not convey euro-centric or ‘scientific’ rational knowledge as the best knowledge system available for curriculum transformation initiatives or perpetuate European ‘superiority’ and non-European inferiority. The approach of CLAW is that “transformation must be individual, collective, cultural and institutional, aimed at high performance, effectiveness and excellence. It entails improvement and continuous renewal guided by a sense of justice and ethical action, based on community engagement and achievement of a state that is demonstrably owned and controlled by the people”. (CLAW Statement, 2011). Thus the CLAW acknowledges, for example, that “all legal systems, philosophies and traditions, and the African epistemology of law and law enforcement are interdependent, and in constant global dialogue - expressed, muted or otherwise.”

CLAW Statement is a hidden gem in the South African curriculum transformation scholarship, with some of its interesting conceptions. To start with the CLAW understanding is that curriculum transformation “must consciously and deliberately be anchored in a philosophy resonating with the best human values. These are the values that the whole of humankind can embrace because they emphasize a common and shared humanity amid the distinctive cultures shaped by history and context” (CLAW Statement, 2011). Thus, CLAW agreed on the philosophies of *uBuntu*, language – all languages regarded as custodian of knowledge; Agency – this philosophy stems from *uBuntu* which considers all people as active creators of knowledge; Epistemology – what is generally referred to as ‘ways of knowing’ that is dependent on peoples’ “cosmologies, world-views., metaphysics, and culture”, and Social responsibility – the assertion is that “education has the social responsibility to play integrative role that lays a foundation for an inclusive and just society”. What the CLAW regard as implicit in this assertion is the role of a transformed and humanised curriculum in advancing “a holistic existence of the humanity and enhance inclusive sustainability of all life”, and, which speaks to “socially conscientious graduates who are able to act as agents of humane social change” (CLAW Statement, 2011).

3. Infusing critical race theory in curriculum transformation

3.1 What is critical race theory? What is it about?

According to Modiri (2012:406) “Critical Race Theory (CRT) seeks to examine, from a legal perspective, the ways in which prevailing conceptions of race (and to some extent, culture and identity) perpetuate relations of domination, oppression and injustice.” It is important to highlight that Modiri further writes that “[t]he link between CRT and post-apartheid jurisprudence is instrumental in demonstrating that apartheid is not a simple legal mistake that can be rectified through new laws and policies, but rather that raci(al)ism is a socially engineered, pervasive and brutal structure of power that requires radical transformation.” (2012:409).

CRT owes its origination from discourses amongst legal scholars on what is the law about, how it is represented and how it is applied. Amongst the founders of CRT are scholars like Derrick Bell, Alan Freeman, and Richard Delgado who 2001 together with Jean Stefancic, wrote *Critical Race Theory: An Introduction*, chronicling the evolution of CRT. According to its founders, CRT is the off-shoot of CLS and critical feminism, with a number of tenets. Included in these tenets is the observation that: 1) Racism and conflicting racial discourse should not be seen as aberrant but rather as normal issues faced by societies; 2) Whiteness and /or feeling of superiority over the disadvantaged members of the society remains important “values” in other sectors of the society; 3) Race and racism have been imbedded in social thought and social relations); 4) It is potentially inherent in everyone to have ‘potentially conflicting, overlapping identities, loyalties, and allegiances’; and 5) Minority status qualifies and/or entitles one to speak about race and racism, and to express their stories without fear or favor.

3.2 Why critical race theory

As noted above, my explanation for the search of a theory to contextualise curriculum transformation in South Africa is based on many variables other than constitutional values and principles. It is also obvious that there are changes in curriculum ideology which has ramifications on its transformed implementation. By "ideology," I must be understood in a broad and fundamental sense of practicalities, perceptions, and forever changing attitudes about curricular development beyond the conception of *uBuntu*. Of course I am not suggesting that *uBuntu* is now irrelevant and/or defunct to the movement of curriculum transformation. Perhaps when everything else is said and done *uBuntu* will remain or become the pin around which curriculum transformation swivels.

I can think of no new theory to drive my thesis home, but I am of the view that CRT has important elements that can be used or adopted to foreground curriculum transformation in HEIs in South Africa. In their study on the Australian projects on indigenization of the curricular, McLaughlin and Whatman make a profound observation that CRT's “emancipatory, future and action-oriented goals for curricula would enhance effective and sustainable embedding initiatives, and ultimately, preventing such initiatives from returning to the status quo”.

My reasons for the consideration of CRT include amongst others the following two (2) points. Firstly, that *the academy is not immune from race issues*. Higher education in South Africa remains characterized by multiple forms of discursive, social and material difference and inequalities which shape exclusionary and unequal practices both inside and outside the academy. Secondly, *race central to the South African higher education transformation discourse*. As observed, “As a marker of privilege and as a catalyst for social polarization, race as a category of difference remains central in its naming and framing of current social struggles impacting the HE sector. ... Race is also currently important in so far as it stimulates (re)thinking the meaning of knowledge in relation to teaching, learning and research in the context of a changing university. ...Curriculum in the South African education system was conceptualised along racial lines, thus my thesis envisions the relationship between race and curriculum.” (See Maart, 201:56). It is almost inescapable to address curriculum transformation in South Africa without addressing racial issues. Neither can one discuss the subject with any form of clinical detachment from race contentions. In fact, race and racism form part of the everyday lives of all South Africans and must even be accepted as such in addressing issues of transformation in education. Derrick Bell himself, the founder of CRT, had to resign himself to the fact that racism exist and is everywhere in almost a permanent and indestructible form in his 1992 publication, *Faces at the Bottom of the Well*.

According to Landson-Billings (1998:18) “Critical race theory sees the special school curriculum as a culturally specific artefact designed to maintain a White supremacist master script”. Landson-Billings supported her position with reference to various enlightening writings of authors such as Kozol (1991) and Swart (1992) who wrote critically on the intersection of race and curriculum. Thus, “critical race theory (CRT) is an especially useful tool for examining how sociotemporal notions of race inform the naturalization of oppression and the normalization of racial inequality in public schools and society.” (Duncan, 2005:94).

The application of CTR in education is now considered in many countries as part of the studies in curriculum change and transformation (Ladson-Billings, 1998; Dixson & Rousseau, 2005; Milner, 2008, See also Presto& Chadderton, 2012). For example, CRT is used as theory to examine and critique of education policy and practices in the United Kingdom (Gillborn, 2005, 2006). Similarly, some African scholars have begun using CRT in their studies of university curricula and pedagogy transformation (Carolissen et al, 2010).

4. Conclusion and recommendations

Curriculum transformation movement in South Africa is a complex and curious mix of nostalgia, grandiloquence, aspiration, and reality. Many HEIs clearly espouse curriculum transformation as part of their change initiatives. However, the conclusion can be drawn that implementation of curriculum transformation in the South Africa HEIs is still at its infancy. Many HEIs are yet to develop an appropriate blue print on how to implement the transformation. Furthermore, there seems to be challenges on how exactly achieve the intended outcomes of transformation particularly when it interfaces with decoloniality.

South Africa-specific studies on CRT as a tool for curriculum transformation in HEIs must be conducted. These studies must focus on how broadly to achieve change in all aspect of the education environment. Contentious as it may appear, my view is that Black people in South Africa must be the main beneficiaries of curriculum transformation, and that African epistemologies must shape the trajectory of curriculum transformation in South Africa. To this end, the CLAW Curriculum Transformation Statement can serve as a sample and/or guiding documents for humanization the South African higher education and transforming the curriculum.

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