

# **Transformation and Legitimation in Post-apartheid Universities**

Reading Discourses from 'Reitz'



**JC van der Merwe  
Dionne van Reenen**

**SERIES ON CRITICAL STUDIES IN  
HIGHER EDUCATION TRANSFORMATION**

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**JC van der Merwe  
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***sb*** **SUNBONANI  
SCHOLAR**

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from 'Reitz'*

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# INTRODUCTION TO THE SERIES

Series Title: Critical Studies in Higher Education Transformation

Managing Editor: André Keet

It is with great excitement and humility that we introduce this book series under the auspices of AFRICAN SUN MeDIA and the Institute for Reconciliation and Social Justice (IRSJ) at the University of the Free State (UFS).

The timing of this series is linked to the swell in local and global demands over the past few years to quicken the pace of higher education transformation informed by integrated and pluralist conceptions of justice. This juncture, historically produced by social, cultural, political and economic arrangements and dynamics over a sustained period of time, has currently found expression in the anatomies of protests and practices of dissent among students, staff, organised social movements and other players on the global higher education landscape. These acts of *resistance* against structurally-anchored forms of exclusion within universities in South Africa and elsewhere also suggest, despite our best efforts, that the social structure of the academy with its concomitant organisation and legitimation of knowledges and pedagogical dispositions, has remained more or less intact over the past several decades.

An increasing number of scholarly works on the transformation of higher education have surfaced on the national, regional and global scenes. This series builds on these intellectual contributions through the lenses of the principles of *critique* and *resistance*. These principles are aimed at facilitating productive *critical* praxes. Yet, the *critical* in this series must also challenge the 'self-certainty of the critical attitude that confidently assumes that it is

really in the know'.<sup>1</sup> The *critical* is called upon to confront its own codes, dogmas and doctrines. The praxes and transformative actions that emerge from the *critical* must therefore discard their own self-certainty so as to be self-critical, 'reflect on [their] own contingent circumstances and contextual limitations,' and thus, remain open to moderation and other possibilities.<sup>2</sup>

*Critique and resistance* has the renewal of our cultural traditions, institutions, knowledges and practices in mind in a world in which structural arrangements only further serve to systemically and systematically moor inequalities and exclusions. This posture would require demanding and courageous reflective processes of self-clarification within the academy to engage with our forms of life, cultural traditions, academic dispositions and social practices<sup>3</sup>. Only on this basis can all actors within higher education institutions generate praxes that provide rehabilitated meanings for the higher education transformation principles of equity and redress; democratisation; development; quality; effectiveness and efficiency; academic freedom; institutional autonomy; and public accountability.<sup>4</sup> In addition, demands for the 'Africanisation' and 'decolonisation' of higher education, vibrantly articulated by the 'new' student social movements, have now surfaced as powerful nodes of *critique* and *resistance* in South Africa and elsewhere, insisting on its own *criticality*.

The *critical* in this series is not blind to the considerable complexities of higher education in relation to 'governance, management and leadership; the student environment – equity, access and success; the staffing environment; the cultural and social environment; research and intellectual cultures; the role of universities in society; institutional equity and transformation;

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1 Hoy, D. C. (2004). *Critical resistance: from poststructuralism to post-critique*. Cambridge: MIT Press. p237.

2 *ibid.* p238-239.

3 See Kompridis, N. (2006). *Critique and disclosure: critical theory between past and future*. Cambridge: MIT Press. p. 8.

4 Department of Education, White Paper 3 on the Transformation of the Higher Education System, 1997.

the funding of higher education; differentiation; and higher education location's within the broader post-school system.<sup>5</sup> Rather, it is precisely tasked with generating sophisticated interpretive schemes for social justice praxes to engage productively with globalising forces, internationalisation and diversification processes; the massification of higher education; and the impact of technologies and digitisation of universities. Significantly, the *critical* in this series is also petitioned to engage analytically with the United Nations 2030 Sustainable Development Goals<sup>6</sup> and the World Declaration on Higher Education for the Twenty-First Century.

In line with this reasoning, we invite proposals and suggestions for monographs and edited compilations of original scholarship that critically analyse patterns of *inclusion* and *exclusion* and configurations of *recognitions* and *misrecognitions* within higher education apropos: the social structure of the academy, the power-relations embedded within the organisation of knowledge, its disciplines and disciples; the mechanics of authority and power within knowledge generation processes, research subjects, objects, topics and trends; the politics of knowledge and academic publishing; pedagogical typologies; the construction of professional and student identities; the regulation of student life and voice; student and staff activisms, staff and student access and success; the interplay between pedagogy, research and institutional culture; the political economy of higher education; and the connectionist dynamics between higher education and the state, private sector, interest groups, pressure formations and the broader society.

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5 Universities South Africa. (2015) Reflections on Higher Education Transformation: Discussion paper prepared for the second national Higher Education Transformation Summit, Durban, South Africa.

6 These are no poverty; no hunger; good health; quality education; gender equality; clean water and sanitation; renewable energy; good jobs and economic growth; innovation and infrastructure; reduced inequalities; sustainable cities and communities; responsible consumption; climate actions; life below water; life on land; peace and justice; and partnerships for the goals. See the full document at [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E). [Accessed 17 June 2016].

The series focuses on a broad audience by which public intellectual debates can contribute to dynamic *praxes* in service of the deep change within universities commanded by local and global democratic and social-justice aspirations. Inter-institutional collaborations around this series may emerge with, for instance, the planned Centre for Critical Studies in Higher Education Transformation at the Nelson Mandela Metropolitan University (NMMU) and other outfits. We will welcome suggestions and approaches in this regard to build a network of *critical* and engaged scholars across the higher education landscape.

**André Keet**

*Director*

*Institute for Reconciliation and Social Justice*

*University of the Free State*

June 2016

# PREFACE

This is a brave book written with deep understanding and modulated moral anger. In critically focusing on a moment in the history of the University of the Free State – the infamous Reitz event – JC van der Merwe and Dionne van Reenen enable us to understand the depth and embedded nature of racism in our higher education institutions.

Despite the rapid and dramatic changes in the demographic makeup of most higher education institutions, the growing participation rates of black students at universities and important policy changes ushered in by the democratic government post 1994, our higher education institutions continue to struggle with the challenges of racism and social justice.

The lessons that emerge both prior to and after the video became public (26 February 2008) are significant – not just to the University of the Free State in efforts to address the challenges of institutional racism, but also to the higher education sector in general. Perhaps the most telling lesson that the experiences of the university has for us lies in the role of moral courage in leading a relentless struggle against racism – both at our institutions of higher learning and our country at large. The very nature of racism is such that it pervades and envelopes every aspect of our lives. In institutions such as universities, where tradition, knowledge, scholarship and culture play such a central role, it is quite seductive to be part of what becomes viewed as an indispensable ‘culture heritage’ of universities. The cultural baggage that surrounds our universities is often rooted in factors such as class, gender and race.

It is both difficult and demanding to possess the moral courage to recognise and give centrality to the nature of the struggle we need to engage in if we want to advance against racism in our institutions of higher education. In addition to moral courage, the struggle against racism requires a relentless momentum that must be maintained on a daily basis. One of the lessons

that our struggle against racism has shown us is that racism reaches deep into our society, and as a result it is very easy to slip back and lose any gains we might have made. We need to progress, not only with the bigger issues, but also in our daily practices and across all aspects of university life.

We need to integrate the struggle against racism in our universities into the missions of our universities. The practice of treating this issue as separate from the other work of universities is perhaps one of the reasons why progress and advances have been slow. The pursuit of academic excellence cannot happen in isolation of the wider social challenges that confront us as a nation. This challenge is both complex and demanding as it requires a new and different way of thinking about the role of universities and other institutions of higher education in 21st century South Africa.

There is no better time than the present for clear and visionary leadership in the higher education sector. As part of this critical turning point we need the courage to ask deep and fundamental questions about what we teach, how we teach, how we govern, the lines of accountability, the loci and functioning of power and control, meaningful participation in critical aspects of the life of the university, the role of students beyond formal representation, and the different modes and structures of communication.

While our universities must accept the responsibility for giving meaning to our constitution in the academic terrain, we need to remind ourselves that this challenge cannot occur in isolation from the broader challenges of building and strengthening our democratic society. No better issue serves to illustrate this than the manner in which we deal with racism as a nation. Our approach seems to be characterised by a series of fits and starts, generally prompted by the social media and the newspapers for a few days, followed by a return to a state of complacency until the next happening. If we fail as a nation to deal effectively with the challenges of racism, then our universities will continue to struggle to deal with this.

This is an important and instructive book. In laying bare the soul of the University of the Free State, JC van der Merwe and Dionne van Reenen show how critically important moral courage and clear leadership is when dealing with what appears to be almost intractable social challenges such as racism. It is also a cautionary tale in the sense of not claiming too many victories too early. Racism has a habit of reappearing, and not just fading away because we have new laws or because we nodded our heads in its direction.

The student protests of 2015-16 should have sensitised universities and the higher education sector to possible problems stemming from deep-rooted racism at their institutions. These events and the challenges inherent in building a new democratic society provide the university sector with a unique historical opportunity. Universities have shied away from this opportunity and have largely failed our students in the critical task of preparing them for active citizenship in a complex and challenging world.

There is now, more than ever, an urgent need for clear leadership in the higher education sector.

**John Samuel**

*Interim Director (2010-2011)*

*Institute for Reconciliation and Social Justice*

*University of the Free State*

June 2016

# ABBREVIATIONS

ANC:	African National Congress
ARNHE:	The Anti-Racism Network in Higher Education
CHE:	Council on Higher Education
CODESA:	Convention for a Democratic South Africa
DBE:	Department of Basic Education
DOE:	Department of Education
FF+:	Freedom Front Plus (Afrikaans: 'VF+')
HEQC:	Higher Education Quality Committee
IRSJ:	Institute for Reconciliation and Social Justice
MCTHE:	Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions
MKC:	Matthew Kruger Consultants
NCHE:	National Commission on Higher Education
NEHAWU:	National Education Health and Allied Workers' Union
NP:	National Party
SAHRC:	South African Human Rights Commission
SAPA:	South African Press Association
SASCO:	South African Students Congress
SRC:	Student Representative Council
UFS:	University of the Free State
UVPERSU:	University of the Free State Personnel Union

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# INTRODUCTION

In 2015, South Africa witnessed significant student-driven protest action in the higher education sector in the form of various social movements beginning with the ‘#Rhodes Must Fall’ campaign at the University of Cape Town. These movements and campaigns manifested in various forms on South African campuses and, although reflecting differences in institutional context, seem to be animated by three prominent discourses highlighting areas needing urgent attention: firstly, impatience with slow transformation, which has resurfaced in debates around issues such as symbols, language and problematic institutional cultures or practices; secondly, matters of socioeconomic inequality, redress and compromised access, as well as the in-sourcing of workers at universities; and finally, a strong demand for ‘decolonisation’, which includes staff, student and management bodies that represent the racial demographics of the general population, as well as a well-delivered curriculum that has strong South African and African imprints. It seems that the endless chatter, which contributes to the habitual institutional inertia plaguing the sector, has indeed reached a crossroad.

The granite blocks depicted on the cover of this monograph, are what remains at the original site of the Charles Robberts Swart statue outside the Law faculty of the University of the Free State (UFS) within the precinct of the Red Square. Students had been requesting the removal of this monument for some time. On 23 February 2016, protesting students detached the bronze sculpture of the former apartheid president and UFS alumnus from its base and threw it into a nearby pond. The sculpture currently remains in storage. Just as the Reitz incident became the symbol of the struggle for an integrated campus in 2008, so has this image become a representation of the frustrations that, after some 22 years of democracy, the campus is still not one of inclusion and equity.

The 2008 ‘Reitz incident’ at the UFS is generally accepted by scholars and commentators on South African higher education as another critical juncture – a defining moment in the post-apartheid South African higher education landscape. ‘Reitz’, as it is now commonly known, refers to an offensive video made by four white students from a male residence at the university. The video, involving the students and five black custodial staff members, parodied racial integration and transformation efforts at the university. Once exposed, it went viral and attracted both local and international attention. The media was flooded with responses from students, staff, alumni, politicians, academics and public intellectuals, as well as the general public, for a significant period of time. The incident is still commonly referred to in contemporary higher education conversations, especially those concerned with issues of transformation and legitimation in universities. Most of these references are sporadic and disconnected – used in various contexts as exemplary in relation to other events and discourse of a related nature.

We suggest that the incident needs to be contextualised and unpacked as it represents a troubling, recurring pattern that continues to underline many processes in post-apartheid South Africa. For this reason, we conducted an in-depth investigation into the event itself, the rhetoric surrounding it and the set of practices and ideas in which it was embedded. Moreover, we considered the consequences of the incident, the institutional responses and the implications thereof for the unfolding project of transformation within the higher education sector, especially in the current climate of heightened student activism and its accompanying sense of possibility for change.

Two decades earlier saw another such moment of demand and expectation in South African higher education. 1994 marked the moment of transition to a democratic dispensation and this disruption led to a discontinuity in the history of the country. Yet, as typically happens with liberation movements, when the goal for which they were created is achieved, political and legal enfranchisement is taken care of relatively quickly and affirmative remedies

or surface structure changes are put in place. However, thereafter the hard work of transforming the deep structures must commence. Such deep transformation should be aimed at tackling problematic structures and systems that are constitutive of the social and personal interactions that permeate the everyday materiality of people's learning experiences at the university. We hope that our analyses will contribute to this project.

We begin the first chapter, 'Reitz, a placeholder for a bigger story?', with a detailed description of the content and context of the video. Many people have never seen the Reitz video or have only seen extracts of it as shown and described in the media or referred to in dialogue. We consider the background against which the video was made as well as immediate responses thereto and explain approaches to the data we acquired and analysed.

In the second chapter, '(Mis)understanding transformation at the University of the Free State: Management perspectives and initiatives, 1980–2008', we trace back the transformation project as it played out in this context. We place transformation initiatives at the university in the broader political context of the country, the surrounding society and the higher education sector. We look specifically at how various stakeholders may have understood transformation at the university prior to 'Reitz' and why it became such a controversial project.

In the third chapter, 'Resisting transformation at the University of the Free State: Student life and residence traditions, 1990–2008', we attempt to understand what brought about such aggressive resistance to deep transformation initiatives, with particular focus on residence and student life. We locate the core of the dissonance in perceived mappings of residences as 'homes' and their occupants as 'families', which had considerable implications for identity politics on campus. We question whether these framings, as well as the continuation of so-called 'residence traditions' are relevant today, given significant shifts in the demographic composition of the student body.

The fourth chapter, 'No going back: Residence integration at the University of the Free State and 'Reitz' as a legitimisation crisis', explains the inevitability of the event in what we consider to be a failed process of transformation. The chapter analyses the ensuing chaos that typifies such crisis situations with regards to the critical importance of legitimisation in institutions. The chapter further scrutinises the role of internal and external stakeholders in maintaining forms of legitimacy in detail.

Chapter 5, 'Turning the tide: Reconciliation, restoration and retributive justice', looks at the path of restoration chosen by the university as a means to stabilise and normalise itself in the aftermath of the 'Reitz' crisis. This included a process of reconciliation, legal procedures, settlements and ceremonial events. There was, however, also some retribution in the form of a criminal court case. We attempt to give a better understanding of what actually happened throughout the process – from the making of the video up to the concluding events.

In the sixth and final chapter, 'Rethinking transformation at the University of the Free State', we consider a possible way forward centred on modern cultures of rights and democratic practices.

In producing this work we were to some extent motivated by indignation at an event, a system, and its accompanying vicious cycles that exposed why some institutions battle to move forward, why so many members of these institutions find themselves in turmoil, and why advocates for progress in those institutions become so weary. However, we were also provoked by an intellectual curiosity as to what formed and sustained the matrix that produced Reitz, and attempt to determine whether it is still in our midst. Finally, we approached this work with a conscious, deep-seated sense of gratitude to those who push back against these injustices every day.

**JC van der Merwe & Dionne van Reenen**

*Bloemfontein, 2016*

# 'REITZ': A PLACEHOLDER FOR A BIGGER STORY?

## INTRODUCTION

The University of the Free State is situated in central South Africa in the Free State province. It was declared an official educational institution (Grey University College) in 1910 – the same year that saw the birth of the Union of South Africa following the end of the South African War eight years prior. At inception, the college initially had an English language policy but later changed to a dual language policy (Afrikaans and English) as more Afrikaans speakers joined the institution. The dual language policy persisted for a few decades until Afrikaans became the official language of instruction in the late 1940s against a backdrop of a growing Afrikaner nationalism, which culminated in the formation of the apartheid state in 1948.

In 1950, the University College of the Free State (as it was then known) was declared an independent university, and renamed the University of the Orange Free State (UOFS). Over the next forty years, the UOFS defined its institutional culture as exclusively Afrikaans, Christian and aligned with the National Party (NP) ideology. The student body and lecturing staff were all white and the majority came from an Afrikaner constituency.

After the decline of apartheid, the political negotiations, which began in 1990 with the unbanning of the African National Congress (ANC), led to a rapid increase in student numbers as black students were finally allowed access to the university's undergraduate programmes. As a result of this, a parallel-medium language policy was adopted in 1993. In 2001 the institution was renamed yet again, this time as the University of the Free State (UFS).<sup>1</sup>

In the early 2000s, the National Working Group on Higher Education proposed a restructuring of the whole higher education sector in South Africa. As a result of this proposal, the Qwaqwa campus of the then University of the North and the Bloemfontein campus of Vista University were incorporated into the UFS in 2003 and 2004 respectively.<sup>2</sup> Today, the

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1 The UFS is also colloquially referred to as 'Kovsies'.

2 Uniqwa (now Qwaqwa campus) was established in 1982 as a satellite campus of the University of the North (what would be referred to now as 'historically black

Bloemfontein campus is still the main campus accommodating almost 24 000 students, while the Qwaqwa and South campuses each have just under 4 000 students.

Two decades of democracy brought with it a radical shift in the composition of the student body – especially on the Bloemfontein campus, which changed from an all-white campus of fewer than 10 000 students in the late 1980s to a campus of 24 000 students, and a total student body that is more than 70 per cent black, by 2015. Despite this significant shift in demographics, an Afrikaans and Christian institutional culture remained intact on the Bloemfontein campus with separation mostly along racial lines into Afrikaans lectures, attended almost entirely by white students, and English lectures, attended mostly by black students.<sup>3</sup> Similar lines of racial segregation, but more explicitly in racial terms, were in place at the on-campus university residences, in which the university housed more than 5 000 of its students. Students were accommodated in separate ‘black’ and ‘white’ residences. These student dormitories are also referred to as ‘hostels’ or ‘reses’ and have traditional histories similar to sororities and fraternities. The residences were also gender-segregated with males and females residing separately. For a brief period in the late 1990s, attempts were made to racially integrate the residences. When these attempts at integration failed dismally, residences remained segregated along racial lines (This failed process is discussed in detail in Chapter 2). It was, therefore, only

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universities’ or ‘historically disadvantaged universities’). The Qwaqwa campus is situated in the eastern part of the Free State province about 300 km away from Bloemfontein. Vista University (now South campus) was established in 1981 by the apartheid government in South Africa to accommodate black urban South Africans in search of tertiary education in the townships rather than at universities in the cities which were almost exclusively reserved for white students (now referred to as ‘historically white universities’ and ‘historically Afrikaans universities’).

- 3 There might have been a few black Afrikaans-speaking students in some classes but these students would have been a small minority. Most black students would not choose to study in Afrikaans, either due to not electing to study the language at primary or secondary school level prior to attending the university or as a political choice because the language was largely identified by the black population as the official language of the apartheid state. The separate classes remain unchanged at the time of this publication.

thirteen years after the formal political transition in South Africa that the University of the Free State Council,<sup>4</sup> in 2007, adopted a policy that stated, amongst other things, that residences on the Bloemfontein campus were to be racially integrated beginning in January 2008. The 'Reitz incident', the subject of this book, took place in the aftermath of this announcement.

At the University of the Free State's Bloemfontein campus, the second half of 2007 was characterised by a fierce opposition to the planned desegregation of residences originating not only from the white Afrikaner student cohort on campus, but also the broader white Afrikaner constituency in the Free State, and arguably, the country. White Afrikaner alumni, opposed to the racial integration (or desegregation) of residences, vehemently responded in the media, and one political party, the Freedom Front Plus (FF+), threatened the university with a court interdict in an attempt to halt the implementation of the policy.

It was during this period (August/September 2007) that student residences on the Bloemfontein campus hosted their annual 'cultural evenings'. These evenings take on different forms in different residences and have been a much-loved tradition for many years. The purpose of these evenings is for all students to participate in some kind of cultural activity – be that dancing, singing, acting or poetry. For most residences, the occasion is a highlight on their yearly calendar.

Hazing<sup>5</sup> and other hegemonised traditions formed the backbone of student life, especially in white male residences. These traditions were constructed within a belligerent masculinity – based on racial exclusivity, gendered norms, cultural particularities, and so on. Events such as cultural evenings are usually closed private residence functions and the only non-residents permitted to attend are invited partners of resident students. Customarily, the Student Representative Council (SRC) member allocated to a specific residence also attends, as well as the head of the residence – usually a UFS staff member

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4 The university council is the highest governing body of the university.

5 'Hazing' refers to the tormenting or harassment (of new students or recruits) by subjecting them to strenuous, humiliating or dangerous tasks.

who occupies the role of a 'warden' in the residence. The programme of the evening usually takes the form of a competition. During the annual cultural evening, all performances are judged and, at the end, an overall winner is announced. In most residences it is compulsory for all students to participate – either individually or as part of a group.

That year, four students in the President Reitz residence chose to make a video. This was within the accepted competition rules which allowed for senior students (students from second year, sophomore onwards) to make a video instead of performing on stage. Below follows an annotated reconstructed script of the video they produced.<sup>6</sup>

## INTRODUCING THE 'REITZ' VIDEO

This is a brief description of the protagonists.

### The students

*The age of the students ranged between 22 and 24. They were senior students in the Reitz residence.*

- JOHNNY ROBERTS: Studied BCom. (Graduated in 2007)
- DANIE GROBLER: Studied marketing. (Graduated in 2007)
- RC (ROELOF) MALHERBE: Studied agriculture. (Did not graduate)
- SCHALK VAN DER MERWE: Studied agriculture. (Did not graduate)

*As a result of the controversy surrounding the 'Reitz video', both RC Malherbe and Schalk van der Merwe terminated their agricultural studies in their final year.*

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<sup>6</sup> The full version of this video is available at [https://www.youtube.com/watch?v=F4jq\\_sucA34](https://www.youtube.com/watch?v=F4jq_sucA34). The video was filmed in Afrikaans and Sesotho and has been translated into English by the authors.

## The staff / workers

*The age of the workers ranged between 40 and 52. They have worked at the UFS for between 17 and 25 years.*

- REBECCA ADAMS: Custodial staff.
- MITTAH NTLATSENG: Custodial/kitchen staff.
- DAVID MOLETE: Gardening staff.
- EMMA KOKO: Custodial staff.
- NAOMI PHORORO: Custodial staff.

### FADE IN:

## 1. EXTERIOR – REITZ RESIDENCE – DAY (2007)

*A silent pan across the Reitz residence; the camera lingers on one of the bungalows (housing units) with the following black lettering on a beige wall: REITZ KAMERWONINGS (Reitz housing/lodging/accommodation).*

### Contextualising Scene 1

The residence was named after Francis William Reitz, Jr. who was the fifth President of the Orange Free State. It became known as *President Reitz Kamerwonings*.<sup>\*</sup> Most of the older men's residences were named after prominent Afrikaner politicians such as President Reitz, JBM Hertzog, HF Verwoerd, NJ van der Merwe, Abraham Fischer, and President Steyn. Reitz differed from other residences in terms of layout, in that it was made up of fourteen separate units (or 'bungalows'), which housed eight students each, and five asbestos units (referred to as *hondehokke* – translation from Afrikaans: 'dog kennels') usually reserved for junior students.

- *President Reitz Kamerwonings* (Translation from Afrikaans: 'Bungalows'), a men's residence on the main campus.

DISSOLVE TO:

## 2. EXTERIOR – REITZ RESIDENCE – DAY (CONTINUED)

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*A wide shot of a tranquil garden at the centre of the Reitz Residence. A voice over in Afrikaans is heard while the camera pans across the garden with some residents (students) crossing the frame.*

**VOICE OVER:** *Once upon a time, the Boers [translation from Afrikaans boere: 'farmers' – a word used to describe white Afrikaner men – originally Afrikaner farmers] lived happily on Reitz Island until the day when the less advantaged [a term widely used in post-apartheid South Africa to denote race, blackness in particular – from the epithet 'historically disadvantaged groups', i.e., racial groups disadvantaged by apartheid] discovered the word 'integration' in the dictionary. Reitz was forced to integrate and came up with their own selection process.*

### **Contextualising Scene 2**

From the introductory remarks in the video, it is clear that the students produced this video to express their protest against the planned racial desegregation of residences on the Bloemfontein campus of the UFS. This was at a time when various stakeholders publicly stated their vehement opposition to integration of UFS residences. The majority of white Afrikaner students staying on campus were against, what they habitually termed, 'forced integration'. At some point, student leaders in residences had suggested that they themselves would take on the responsibility for identifying and recruiting prospective students for their residences.

CUT TO:

### 3. INTERIOR – STUDENT’S ROOM – DAY

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*JOHNNY ROBERTS sits at his desk with a beer in front of him. To his left, is a handwritten sign which reads: 'INTERGRATION' [sic].*

**JOHNNY:** *Our first activity is 'down-downs'; it's a very important sport here at Reitz. Every Friday night, we drink a few beers in the Seniorbond [translation from Afrikaans: Senior bar] and see who can down the fastest. On top of that, with our newly integrated rugby teams, one of these candidates might be 'man of the match' and will also have to down a [little] beer.*

#### Contextualising Scene 3

The fact that a handwritten sign that reads: INTERGRATION [sic] features prominently in this scene and features again in later scenes (4 and 7) leaves one with little doubt as to the theme of the video: namely, to state students' opposition to the planned transformation of residences. Many students openly confirmed their fears that implementing a transformation process would destroy residence traditions and a long-practiced institutional culture (read as: white, Afrikaans, Christian culture). Therefore, it is not surprising that the student producers of the video decided to feature these so-called 'traditions' in the extended narrative of the video. The Reitz residence had a long history of such traditions. It is quite significant that the first time viewers see the workers is when four of the workers are seen seated in the Senior Bond and another walks past in the background. Most of the male residences had a bar facility called the 'Senior Bond' and only senior students (second year and above) were allowed membership. In most residences, the Bond was a very special space for these male students and strict rules applied in terms of dress code, membership and conduct. There was even an annual competition, sanctioned by the university, in which residences competed for the 'best Bond of the year' award.

CUT TO:

#### 4. INTERIOR – SENIORBOND – DAY

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*DANIE GROBLER and RC MALHERBE stand behind the bar counter. While DANIE is talking ... the camera pans over to show four workers. Closest to the camera is REBECCA ADAMS; next to her sits MITTAH NTLATSENG; then DAVID MOLETE and; furthest away from the camera, EMMA KOKO. Each worker has an open beer on the counter in front of them.*

**DANIE:** *Right, we are here at the down-down now. We are going to begin. I'll start counting down and on the count of three you start downing, hey? One ... two ... three ... DOWN! Down it! Swallow it!*

*The workers pick up the beers and start downing. The beers foam and spill immediately. The students laugh and shout:*

**DANIE:** *Down it, swallow it, come now, go 'MITTAH', go MITTAH! MAL JAN, MAL JAN. You're not finished yet.*

*Three of the workers can't finish their beers but EMMA KOKO persists and finishes her beer. There is general laughter as NAOMI PHORORO joins the 'fun' with amazement. REBECCA ADAMS talks to NAOMI PHORORO in Sesotho.*

**REBECCA:** *Mittah is second. Emma is third.*

*MITTAH NTLATSENG also finishes her beer while the other workers cheer and start quarrelling about who was first, second and third. The scene ends with a close-up shot of MITTAH pulling her face in disgust while the camera pans across and settles on EMMA, the 'winner' of the down-down competition.*

**EMMA:** *You're talking sh\_t, I am first! I am first!*

#### Contextualising Scene 4

On Friday evenings, after rugby matches were played in the afternoon, everybody gathered in the Senior Bond for the prize-giving ceremony which usually rewarded

the best player as 'man of the match'. He would down a beer. After this ceremony, the Senior Bond was open for female students who wished to join the party. In the scene, the workers are competing in a beer drinking competition called 'down-downs' which is a reference to this tradition.

CUT TO:

## 5. INTERIOR – STUDENT'S ROOM – DAY

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*This is exactly the same setting as that of Scene 3.  
This time, however, it's SCHALK (SKALLA) VAN DER  
MERWE presenting the linking dialogue.*

**SCHALK:** *As everyone knows, we have been struggling a lot for the past few years in the area of SER. So, therefore, we thought it good, with the aid of the integration being forced upon us, to look at the squeezeas [direct translation: female friends, or sister-in-law, or girlfriend – a term students use to refer to black female cleaning staff] who have been working here for many years so we can see whether they could teach us anything we might add to the SER.*

### Contextualising Scene 5

This scene refers to yet another tradition in residence life at the UFS, namely 'SER' (translation: 'Serenade', a residence cabaret competition). This is an annual drama, singing and dancing competition in which all residences participate and is still one of the highlights on the student calendar each year. The winners (one female residence and one male residence) proceed to the national competition.\*

- \* This competition is sponsored by the Afrikaanse Taal en Kultuur Vereniging (Afrikaans Language and Culture Association) commonly abbreviated to ATKV. The association was formed in 1930 as an organisation in which Afrikaners could celebrate their language and culture with one another. It is rooted in Christian and biblical values. Through the years, it has developed into a company that has assumed responsibility for the promotion and preservation of the Afrikaans language and to be a 'cultural home' for Afrikaans people. (See website: <http://www.atkv.org.za/>.)

CUT TO:

## 6. INTERIOR – HOSTEL BAR – DAY

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*A popular Afrikaans song plays – 'Klein Bietjie Wyn' (translation from Afrikaans: 'A little bit of wine') by Anton Goosen. All five workers dance with each other, laughing and cajoling one another.*

### Contextualising Scene 6

This scene depicts a typical Friday or Saturday evening party in the Senior Bond, with the obvious difference that usually there would be only white Afrikaans students present. The Senior Bond parties usually continued into the early hours and contributed to a strong binge-drinking culture in most of the male residences at the time.

CUT TO:

## 7. EXTERIOR – ATHLETICS FIELD (Pellies Park) – DAY

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*RC MALHERBE stands on the athletics track, opposite the Reitz residence, doing the dialogue link for the following activity:*

**RC:** *Okay, we're on the athletics field now. We want to see which one of these five is the fastest. We would like to determine who is fit for the wing position. Perhaps the inside centre – to take the crush ball forward. So, let's see which one of the five has the most speed. OKAY, go over to the race.*

*The camera pans left to reveal a wide shot of the athletics track. The five workers are standing in a line, ready to run. DANIE GROBLER is lifting his arm and warning them that the race is about to commence.*

**DANIE:** *Squeezas! On your marks ... Get set ... Go!*

*Music starts playing – the 'Chariots of Fire' theme by Vangelis. The workers run a short sprint down the track. (The whole race is 'dramatically' shown in slow motion). MITTAH NTLATSENG finishes last, she is walking over the finish line and appears to have injured her leg/foot.*

CUT TO:

## 8. INTERIOR – STUDENT'S ROOM – DAY

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*This is exactly the same setting as depicted in scenes 3 and 5. DANIE GROBLER is now presenting the linking dialogue.*

**DANIE:** *We found out on Monday that rugby will also be integrated. From next year, there must be three quota players in Reitz's first team. Reitz has decided to approach this problem by holding trials, specifically looking for hookers, wings and props. ['Quota' is a term that is popularly used, and often pejoratively, to refer to members of a designated group, such as a particular 'race' or gender with reference to South Africa's affirmative action and employment equity provisions.]*

CUT TO:

## 9. EXTERIOR – ATHLETICS FIELD (Pellies Park) – DAY

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*The students and workers are at Pellies Park again. All are on the athletics track in a circle passing the rugby ball between the students and workers, and practicing line-outs. A rock song plays in the background – 'Thunderstruck' by AC/DC. The workers and students form a rugby line-out, followed by a back line manoeuvre in an attempt to score a try. A popular Afrikaans rugby song plays in the background – 'Groen en Goud' by The Bats (translation from Afrikaans: 'Green and Gold' which are the colours of the national rugby team).*

### **Contextualising scenes 7, 8 and 9**

Rugby is a popular national sport and has always been the most prominent sporting code in the Reitz residence (as has been the case in most male residences at the UFS). Consequently, scenes 7, 8 and 9 depict activities associated with rugby trials aimed at determining the potential of players in terms of speed and ball skills and who will be selected to play in which teams for inter-residence competitions.

CUT TO:

## 10. INTERIOR – KITCHEN – DAY

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*RC MALHERBE introduces the next phase of the 'initiation' (hazing).*

**RC:** *Right, we're here to quickly prepare a brew for them to finally make them Reitz men ... just quickly, so they can eat something delicious. Skalla (Schalk) record this. See?*

*The camera tilts down to develop a close up shot of a plastic container filled with a brown substance. JOHNNY lifts out what appears to be some meat with a spoon. The dialogue continues in a typical 'cooking show' format.*

**RC:** *Here is a nice [little] piece of meat. Since they are disadvantaged, we thought it would be nice to put some meat in for them. I think that is good. And, here comes Johnny with the garlic.*

*The camera zooms in on an extreme close up of the dish. Huge chunks of garlic are added by JOHNNY ROBERTS and stirred into the mixture by RC MALHERBE.*

**RC:** *Delicious [little] pieces of garlic. Let's just mix this a little.*

*More garlic is added.*

**RC:** *Gorgeous [little] pieces of garlic. OK, I think it's time for the final ingredient. What do you think, boys? OKAY, let's go on ...*

*RC MALHERBE pics up the dish. The shot widens and the camera follows RC MALHERBE as he walks to a toilet adjoining the kitchen. He sets the dish down on the toilet lid. He is standing with his back to the camera and appears to be urinating into the dish.*

**RC:** *Aaaah ha!*

*Laughter in the background.*

**SCHALK:** *Not too much ... nip it.*

CUT TO:

## 11. INTERIOR – KITCHEN – DAY (CONTINUED)

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*Back in the kitchen, RC MALHERBE takes the dish and puts it into the microwave oven.*

**RC :** *Since it is short notice, we did not have time to cook this brew properly over the coals at house [number] nine, so we'll have to microwave it quickly. Then, their little meal will be ready.*

*The scene ends on a close up of the dish cooking in the microwave oven.*

CUT TO:

## 12. EXTERIOR – UNDER A TREE – DAY

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*Four workers crouch on their knees with buckets in front of them. The students divide the 'food' into plastic cups and hand it to the workers.*

**STUDENT VOICE (unidentified):** *Put it down on the ground.*

**EMMA :** *These kids; it is a sketch; they are acting/playing.*

*[To students] You are going to be locked up.*

**STUDENT VOICE (unidentified):** *Nice food.*

CUT TO:

**DANIE:** *Okay. We are here at Reitz's 'Fear Factor'. We want to see which squeezea is the best 'Fear Factor' candidate with the little meal we prepared for them. It was a very pleasant meal. We turn to the squeezeas to see who wins 'Fear Factor'.*

*The camera pans from DANIE GROBLER to reveal DAVID MOLETE and EMMA KOKO eating/drinking the concoction.*

**DANIE:** *Alright. Take it, take it! Swallow, swallow, swallow, swallow! Ohhh!*

*The workers, simultaneously, spit the mixture out. Some appear to be retching. General laughter in the background. The camera zooms to a close up of EMMA KOKO spitting in a bucket. A student's voice is heard shouting ...*

**STUDENT VOICE (unidentified):** *No man, sefebe (translation from Sesotho: whore), drink that thing!*

**REBECCA:** *I am finished, Basie [translation: little boss. Under apartheid, white Afrikaner males expected black people to address them as Baas as a sign of respect].*

**STUDENT VOICE (unidentified):** *Sefebe, drink that whole glass, man! Oh, it's bad! Drink it. You're behind.*

**EMMA:** *Your ass man, your ass. No f\_ ck, uh, uh!*

*EMMA KOKO gets up amidst more shouting and laughter, it is clear that she's had enough of this 'Fear Factor' competition.*

### **Contextualising scenes 10–12**

In scenes 10–12, the workers are seen going through an 'initiation rite' similar to that which students have to go through after their first year in the residence. This is known as the first-year 'ontheffing' (translation from Afrikaans: literally 'discharge', which is an earned rite of passage in residence culture). Most of the men's residences had this tradition but the specific activities associated with it would differ from residence to residence. None of the activities depicted in the video was specifically invented for this video. All of these practices would be familiar to former UFS residence students. In some of the other men's residences, preparing a concoction to eat and/or drink also forms part of a ritual that initiates first-year students, as shown in scenes 10 and 11. The sole purpose of this is to induce vomiting, usually in the presence of all students in the residence as is customary in this kind of 'rite of passage' ceremony or ritual. One of the students introduces Scene 12 as the residence's 'Fear Factor competition' – referring to a popular television reality show of the same title, in which participants compete in a variety of extreme challenges, one of which might be to eat 'exotic' and sometimes repulsive insects and/or parts of animal organs. However, the tradition of giving a disgusting concoction to first-year students to consume dates back to long before the creation of the television reality show. In a residence such as Reitz, some of these traditions are more than 50 years old.\*

\* See Heimat Mannerheim website: [www.presreitzheimat.co.za](http://www.presreitzheimat.co.za). This is an independent city residence, now referred to as 'the new Reitz'.

CUT TO:

### 13. EXTERIOR – RECREATIONAL AREA – DAY

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*DANIE GROBLER is standing with a bottle of beer and a bottle of whisky in his hands. This appears to be some kind of presentation ceremony in which a bottle of whisky will be given to the winners of the competition.*

**DANIE:** *We would like to say, from the Bond's side, thanks to everyone and to the squeezeas team that performed so well for the 'amaReitz' team. We have decided to award all three of them the 'man of the match' and we are handing them this bottle of whisky. We just want to thank them again.*

*As DANIE GROBLER hands over the bottle of whisky, the camera pans right to develop a three shot with REBECCA ADAMS, MITTAH NTLATSENG and EMMA KOKO. They accept the whisky whilst cheering and applauding.*

#### **Contextualising Scene 13**

The prize-giving ceremony in Scene 13 re-emphasises the central importance of the Senior Bond and the rugby culture in residence life at the UFS. After 1994, the national South African Rugby team, commonly known as 'the Springboks', was also referred to colloquially as the 'AmaBokoboko' – in celebrating the sport's national inclusion efforts. The reference to the workers' team as the 'amaReitz' team plays on the implication of transformation of sports in the residences. ('AmaBokoboko' is an isiZulu derivative for 'the Springboks' and. 'AmaReitz' is a play on the isiZulu colloquialism. Ama- is the isiZulu plural prefix.)

**CUT TO:**

## 14. INTERIOR – RECREATIONAL AREA (Gazellie) – DAY

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*A profile shot of JOHNNY ROBERTS sitting on a table, talking to EMMA KOKO.*

**JOHNNY:** *Okay Emma, you have won. Now you may have a room in the residence as a prize.*

*The camera pans right to EMMA KOKO sitting on a chair.*

**EMMA:** *Okay.*

**JOHNNY:** *My roommate ... With me. You are going to stay with me.*

**EMMA:** *We sleep well. Make good food.*

**JOHNNY:** *Good.*

**EMMA:** *Good. Everything is good. But you must know, every Friday we must come here ... to the bar with the people. We will drink and eat well.*

**JOHNNY:** *Then you will bring the other sefebes along for the party. ('Sefebe' is a derogatory term meaning whore maid.)*

**EMMA:** *Yes, but not too many, because we cannot eat [for] so much money. It's true, now and again ... No, f\*ck. Only two or three then, that's okay.*

*The scene ends on EMMA KOKO looking slightly confused.*

### **Contextualising Scene 14**

The discussion between one of the workers and one of the students in Scene 14 trivialises the university's transformation project once again and this continues in the discussion in the following scene.

CUT TO:

## 15. INTERIOR – HOSTEL ROOM – DAY

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*RC MALHERBE and DANIE GROBLER sitting next to each other on a bed.*

**RC:** *As we all know, we thought it best that Emma does not live with Johnny because she will lose too much weight with all this rugby business of ours.*

**DANIE:** *We've decided to place her with [another student's name – not in the video] because he already has a lot of experience in the racial integration department.*

### Contextualising Scene 14

The casual discussion ridicules the possibility of racially integrated social interactive spaces. It also emphasises a prejudice concerning interracial relationships – something unacceptable and unthinkable for most conservative Afrikaners.

CUT TO:

## 16. INTERIOR – KITCHEN – DAY

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*The following tag line is superimposed over a still image of MITTAH NTLATSENG washing dishes in a kitchen:*

**TAG LINE:** *'At the end of the day, this is what we really think of integration'.*

*The lettering disappears and MITTAH NTLATSENG turns to face the camera.*

**STUDENT VOICE (unidentified):** *Mittah, what does sefebe mean in Afrikaans?*

**MITTAH:** *Hoermeid [translation from Afrikaans: whore maid]*

**STUDENT VOICE (Unidentified):** *What? [Eliciting a louder response from the worker]*

**MITTAH:** *Hoermeid*

**STUDENT VOICE (Unidentified):** *What?*

**MITTAH:** *HOER ... MEID [annunciates]*

**FADE TO BLACK:****Contextualising the final scene**

In this scene, a conversation shows Mittah performing one of her usual daily activities – washing the dishes. The custodial staff would have cleaned the students' rooms, washed dishes, and, in some instances do their laundry, and so on. This would have been typical daily practice in residence life and a truer reflection of the relationship between students and custodial staff reflected in the patronising banter that takes place here.

**The End**

At the 2007 cultural evening held at the President Reitz residence, the video described won first prize. As this was a closed residence function, and a once-off event, few people outside of the residence would have known about the contents of the video or its existence. Residences generally functioned with a high level of secrecy. It was only a few months later, in February 2008, that the rest of the university community became aware of it.

The university had established an intra-residence campus network (Strong DC ++)<sup>7</sup> for students, on which they could share information internally.<sup>7</sup> Apparently, one of the Reitz residents loaded the video onto the server to share with a friend and never deleted it. Two senior students from Khayalami residence, Thabo Makgalagadi and MS Ngubedi, claimed that they came across the Reitz video while searching for a movie on the network. Makgalagadi and Ngubedi immediately circulated it amongst friends and sent it to television networks (Van Vuuren and Vivier 2008: 5). There are two other theories pertaining to how the video was made public: one proposes that a disgruntled former girlfriend of one of the four students was responsible; the other theory, supported by the four students, amongst others, claims that

7 DC-computer programs such as Strong DC or DC++ are programs that students on the campus of the University of the Free State and also on other campuses such as the University of Stellenbosch and the Potchefstroom campus of the North-West University use to share computer documents such as videos and music with one another (Van der Merwe 2008: 2).

a university employee from the strategic communications division leaked the video to the media on purpose in order to distract attention from an incident that occurred the previous week that saw students protesting against the racial integration of the university residences. However, no reliable evidence that supports either of these theories has come to the fore.

By the following day, 26 February 2008, the video had made international news. It sent shock waves throughout the academic world and dominated news media with headlines such as: 'Hostel of hate' (Tromp and Molosankwe 2008: 1), '609-Second video of shameless race hate' (Gifford 2008: 6) and 'Kampus walgvideo' (Translation: 'Campus horror video') (Cloete 2008a:1). On various national and international television networks, certain scenes were shown repeatedly, especially scenes 10, 12 and 16 as described previously.

On the same day, the rector and vice-chancellor of the UFS Professor Frederick Fourie, released the following media statement:

*A video, made by residents of the Reitz men's residence on the main campus of the University of the Free State (UFS) in Bloemfontein, surfaced this morning (Tuesday, 26 February 2008) and was brought to my attention. The Executive Management (EM) of the UFS condemns this video in the strongest possible terms as a gross violation of the human dignity of the workers involved. We have immediately started with a most urgent investigation into this matter. The students involved have been identified and we are going to take steps to suspend them. We are also going to lay criminal charges with the South African Police Service against the students concerned. I am deeply saddened that students apparently see nothing wrong in producing such an offensive and degrading video. I have publicly said several times that the UFS is not a place for racism. The UFS does not want such actions and people who indulge in it, on our campus. The fact that it is openly linked to the integration process in UFS residences is also most disturbing. I want to apologise to our colleagues who were unwittingly involved in this video and to the broader South African public. Our staff*

*unions Nehawu and UVPERSU have also condemned this incident. The university is going through a difficult time with its efforts to racially integrate its residences and to create a new residence culture based on diversity, respect, human dignity and human rights. These kinds of actions make it all the more important that we succeed with establishing such a new institutional culture on the campus. I appeal to all staff and students to remain calm and to act in the best interests of the university.* (Loader 2008)

The university management suspended lectures for the following day in a proactive step to allow the emotions of staff and students to simmer down and the rector also met personally with the workers, apologised to them and arranged counselling for them. Management also received memoranda from student organisations and two trade unions, Nehawu (National Education, Health and Allied Workers' Union) and UVPERSU (University of the Free State Personnel Union), who participated in a march about the video. In the days following, the UFS regularly released media statements to keep the public informed about actions expected to be taken by the management team as well as other developments relating to the video, such as information about the identity of the students involved in the video, the nature of disciplinary and legal action to be taken against the students and the matter of legal representation for the workers.

On 7 March 2008, the chairperson of the university council, Judge Faan Hancke, released the following statement:<sup>8</sup>

*The Council of the University of the Free State today (Friday, 7 March 2008) unanimously condemned the offensive and racist Reitz video in the strongest possible terms.*

*Council further labelled the video as an insult to women, to older persons and to poor working people who are defenceless and vulnerable and expressed its disgust at the action of the students*

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8 All citations are quoted as they appear in media releases. They are not altered or edited. The same applies to court documents.

*concerned. Council also apologised unreservedly and sincerely to the five UFS employees who were shown in the video and offered all emotional and counselling assistance necessary as well as in the current criminal matter under way or possible civil action they may undertake. At the same time the university must also provide counselling to current first year students of Reitz who were not present at the time of the filming of the video. Council also mandated the management, in addition to the other disciplinary steps under way, to consider the possibility of closure and of conversion of Reitz into a beacon of transformation, hope and liberation (either as a residence or in some other form). This must take place in accordance with due process of the law to give residents and other stakeholders reasonable opportunity to make submissions so that all relevant considerations can be taken into account. The Council expressed its full confidence in the management and supported the steps taken by management thus far under trying circumstances concerning transformation, residence integration, the Reitz video and the vandalism of the campus. It reaffirmed the decision taken in June 2007 to increase diversity in student residences and recommitted the UFS to implement the policy. The Council condemns all forms of racism and committed itself to eradicate racism and racial prejudice in any form and from any quarter on the UFS campus. The meeting also approved the appointment of an external expert agency to assist the university in: understanding and identifying the current challenges relating to the implementation of the integration policy and supporting the university management and making recommendations on how to enhance the process of implementation. The intention is to provide additional capacity to the management in order to accelerate the transformation and integration process. It called on management to take firm action against any staff or student who violates the law, is involved in threats, racism, disruptions, intimidation and vandalism and condemned these actions in the strongest possible terms. The Council reassured all staff, students, parents and other stakeholders that firm action will be taken against persons who are guilty of disorderly conduct,*

*intimidation, disruption or similar actions with the full force of the law. The management was requested to maintain law and order so as to create a conducive environment in which academic excellence can be furthered. The Council appreciates the steps that have been taken in this regard. The Council supported a management initiative to investigate the fundamental issues underlying many of the current problems in residences, including:*

- *residence culture, including initiation, as well as race, racialism and racism;*
- *alcohol and drug abuse;*
- *role, place, organisation and management of residences;*
- *constitution of student structures and the role of political parties in student politics and structures;*
- *the physical structure of residences as part of a campus accommodation strategy.*

*The Council agreed that social cohesion and racial tolerance will be highlighted as a strong theme in the academic cluster initiatives of the UFS and that management should find additional ways to strengthen existing programmes regarding diversity on the campus among all staff and students. The Council called on all stakeholders to honour the high values of the Constitution of the country, to maintain these values and to further them in an orderly and peaceful environment. (Fisher 2008)*

Over the next few months, whilst formal agreements and legal settlements were in process, the Reitz video continued to make headlines. The closing of the Reitz residence in July 2008 elicited considerable public debate, especially in the local Afrikaans newspapers.<sup>9</sup>

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<sup>9</sup> This monograph includes numerous extracts from the Afrikaans media (articles, letters, etc.). The authors have translated these into English where necessary.

The university also established the International Institute for Studies in Race, Reconciliation and Social Justice (IISRRSJ) on 27 January 2011 as agreed in a council decision in 2008.<sup>10</sup> A public reconciliation ceremony took place on 25 February 2011 – the result of an out-of-court settlement of an Equality Court action brought by the South African Human Rights Commission (SAHRC) against the four (former) students and the UFS. Public apologies from the university and the students were issued to the workers during the ceremony. The criminal court proceedings stretched out over a period of four years. The four students pleaded guilty to a charge of *crimen injuria* in July 2010. Their sentence of a R20 000 fine each or 12 months imprisonment was reduced on appeal in the Bloemfontein High Court on 24 June 2011. This brought final closure to the legal proceedings that followed the incident.

It is now more than eight years since the Reitz video became public. In response to the binding agreement reached with the SAHRC as part of the Reitz settlement, the institute launched a Human Rights Desk on 15 October 2013. Finally, the launch of Mamello Trading – a cleaning services company that was registered for the five workers to safeguard their future job security – took place on 19 June 2014. This too was part of the binding agreement between the SAHRC and the UFS and confirmed that that all the formal agreements and legal settlements had been honoured.

Within the higher education sector in South Africa, the Reitz video led to two significant interventions, the first of which was the establishment of a commission of inquiry by the minister of education, Naledi Pandor, which was announced on 31 March 2008.

The following press release of 31 March 2008 is taken from the Department of Basic Education (DBE) website:

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10 The IISRRSJ was intended to be a space for the study of diversity and race in higher education and has subsequently gone on to establish itself as a vibrant part of campus life at the UFS.

*The Minister of Education, Mrs. Naledi Pandor, has established a Ministerial 'Committee on Progress Towards Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions'.*

*The primary purpose of the committee will be to investigate the nature and extent of discrimination in public higher education institutions, with a particular focus on racism. Professor Crain Soudien will chair the Ministerial Committee and its members are Dr Olive Shisana, Professor Siphso Seepe, Ms Gugu Nyanda; Mrs Sankie Mthembu-Mahanyele, Dr Charles Villa-Vicencio, Prof. Mokubung Nkomo, Ms Mohau Pheko, Mr Nkateko Nyoka and Dr Wynoma Michaels. The Committee will also be expected to report on the following:*

- *The nature and extent of other forms of discrimination based on, for example, gender, ethnicity and disability in public higher education, and in particular university residences.*
- *The steps institutions have taken to combat discrimination, including an assessment of good practice as well as the shortcomings of the existing interventions.*
- *Advise the Minister of Education and the key constituencies in higher education on the policies, strategies and interventions needed to combat discrimination and to promote inclusive institutional cultures for staff and students.*
- *Identify implications for other sectors of the education system.*  
(DBE 2008)

The second initiative was the establishment of the Anti-Racism Network in Higher Education (ARNHE), which began as an organic structure emerging from a colloquium held at the University of the Witwatersrand, Johannesburg in June 2008. The colloquium was convened by two concerned academics, Norman Duncan and Tammy Shefer as a response to the Reitz video. At the colloquium, participants acknowledged that an

incident like the Reitz video could conceivably have happened at any higher education institution in South Africa and that there was a pressing need for addressing overall challenges of racism and other forms of discrimination in this sector.

While the committee of enquiry that was appointed by Minister Pandor stimulated much discussion on racism in higher education, it did not deal in depth, or specifically, with the Reitz incident. The same is true for ARNHE.

It might be surprising that, over the last few years, relatively little comprehensive academic research has been done with a specific focus on the Reitz incident and what had happened in 2007/8 at the UFS. In an attempt to fill this gap, we begin with the observation that in many ways, we see 'Reitz' as a synecdoche. The video possibly represents a number of serious societal problems that persist on our campus, in our communities, in our province and in our country, even though we have just celebrated twenty-one years of democracy. It draws us into a variety of uncomfortable, but very necessary, conversations about some realities of South African life. These conversations are about acknowledging ongoing racism and inequality in our society; they are about rights, responsibilities and accountability; they are about reconciliation, the restoration of human dignity and what to do with a persistent prejudice against difference. This is a matter, most definitely, of social justice and how it would be possible to absorb and pursue this concept as a realisable goal in broader society.

The purpose of this monograph is, therefore, to problematise the rupture produced by 'Reitz'. We have no interest in 'naming and shaming' villains or victims. Readers should be well aware that our analysis points to the fact that any number of individuals could have featured in the roles and narratives played out in this story. The structures constitute the players as much as the converse is true and positionality does not necessarily immunise anyone from the effects of racism. The aim is, rather, to take seriously events of this nature and reflect on how South Africans move forward in spite of the

challenges they face in an ongoing effort to live together and to imagine what real, material practices of solidarity could mean for the UFS and beyond.

In thinking about the shape of this book, and the kinds of research material and archives to use, six distinct sources could be identified.

First, it has been noted already that 'Reitz' attracted enormous media attention. Newspaper reports and media commentary were bustling with chatter for some time during and after the event. According to Marais and De Wet, in less than two weeks after the video became public more than 160 newspaper articles and reports were published. However, after analysing these articles, they noted that 'the majority of the reactions and commentary by the media failed to move beyond the superficial. Media practitioners across the spectrum and across boundaries were oh so politically correct' (Marais and De Wet 2009: 39). We note these authors' concerns regarding the reliability of the commentary but, at the same time, we argue that there were also several opinion pieces that went significantly beyond what Marais and De Wet described as just being 'politically correct' (ibid). In the end, more than seven hundred newspaper and media reports (national and international) were archived, of which the majority were published in Afrikaans newspapers in South Africa. Taken all together, these remarks formed a useful body of data, especially in getting a broader read on public discourse and rhetoric.

In addition to media reports and articles, institutional plans, reports and media statements released by the UFS, minutes of university council meetings, senate meetings,<sup>11</sup> rectorate<sup>12</sup> meetings and SRC meetings covering the period 2007–2010 were all consulted as a means to access the institutional discourses around that time, which were hotly contested. The university itself never undertook an in-depth investigation into the matter of the Reitz video.

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11 The senate is the university governing body consisting of professors who decide on academic issues and make recommendations to the university council.

12 The rector, vice-rectors and the registrar together make up the rectorate.

A third important source of information was the Appeal Court judgement. This proved to be the most reliable source of information pertaining to the actual events that took place during the time the video was produced. This might be because the four students and five workers did not give any interviews after the legal proceedings started, which was a few days after the video became public.

Fourth, we produced a transcript and thereafter an annotated reconstructed script of the Reitz video.

Fifth, we turned to existing scholarly work. We conducted extensive searches through national and international search engines containing the key words: 'Reitz video'; 'Reitz incident'; 'transformation'; 'reconciliation'; 'University of the Free State video'; and 'racism in Higher Education'. More than ninety academic publications were consulted for these purposes. On closer scrutiny, published academic articles about the 'Reitz incident' are scarce and those referenced here mostly used 'Reitz' as either an example of their theoretical position or a reference point to substantiate their views. We found that very few detailed analyses placed Reitz discourses, or the event itself, at the centre of the analysis.

Finally, in 2011, JC van der Merwe conceptualised and organised a series of semi-structured, in-depth interviews with key members of the UFS senior staff and student leaders who were in office at that time (2007/2008).<sup>13</sup> Due to their positionality, these individuals can be construed as either producers of, or privy to, some of the dominant institutional discourse(s) generated around the Reitz incident. All interviews were conducted and audio-visually recorded by a professional and independent filmmaker from the United States of America. The Institute for Reconciliation and Social Justice (IRSJ)<sup>14</sup> took the decision to record and archive these interviews for future

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13 See Appendix 1 for a list of interviewees as well as the structure of the interviews.

14 In September 2012, The UFS council approved an expanded and reconfigured mandate for the institute along the conceptual nodal points of 'social justice', 'institutional transformation' and 'diversity'. The institute's name was changed from

research purposes.<sup>15</sup> The parties directly involved with the making of the Reitz video, namely the four students and five workers, are not the subject of this inquiry. (See Appendix 1 for interview questions and schedule.)

After the video was exposed in the media, the initial deliberations concentrated mostly on the video itself, the 'victims' who were humiliated, the 'perpetrators' and the problem of racism among students. We suggest that a little more consideration should go the way of the issue of compromised legitimisation. The university, its cultures, and traditions have profound connections to a past that is rooted in a deeply flawed and harmful societal order. Events such as these are produced by a multi-levelled matrix, which delegitimises the institution on a regular basis. In September 2013, the current vice-rector (academics) at the UFS, Lis Lange, commented in the *Mail & Guardian*:

*There is an interesting mixture of historical continuity and discontinuity that operates vociferously or silently, depending on the case at each of our institutions. Either the past goes unexamined in the avoidance of confronting thinking and practices that might indicate institutional support for today's unacceptable behaviour and ideas, or the past goes unexamined in the glorification of the opposition to racism and/or in the direct support of the struggle against apartheid. (Lange 2013)*

We deemed it necessary to ask why the UFS is holding on to some of these historical elements and whether it needs to do so in order that it may function optimally as an educational institution that serves the majority of its members and society well? What will be made clear in the elucidation of the data, and analysis thereof, is that the university seems to have tried as hard as possible, *not* to dispense with its traditions. Rather,

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the 'International Institute for Studies in Race, Reconciliation and Social Justice' to the 'Institute for Reconciliation and Social Justice' (IRSJ).

15 The interview transcripts are kept at the IRSJ archives (2011 Reitz) at the UFS. Note, interviewees are largely second language English speakers and have been quoted verbatim with errors unaltered.

the intent was to get the 'new', 'previously excluded' students and staff to buy in, or assimilate, or simply accept the status quo silently. Failing that, bullying people was also an option, and forcing them out was not out of the question. Historical elements can only be retained if they are shown to be of (educational) benefit to the majority of university members and, consequently, are relevant to the task at hand which is building a knowledge society. Otherwise, they should be discarded forthwith and be replaced with better alternatives. The institutional inertia caused by 'phasing in' and 'phasing out' processes extending over long time periods is becoming yet another reason for stakeholders to mistrust the transformation process and, once again, call legitimisation into question.

The theoretical framework that informed the research therefore includes a critical philosophical analysis of the cultural grounding of policies and practices at the UFS. To clarify: there is a determinable white, conservative, Christian, Afrikaans cultural grounding at the university and it is pervasive. Its erosion is slow and met with much resistance and this resistance to progress comes specifically from white Afrikaans-speaking students and those oriented towards a culture of dominance are white Afrikaans-speaking males.<sup>16</sup>

Furthermore, as stated above, 'Reitz' is analysed metonymically because we construe it quite clearly as a stand-in for larger and more harmful narratives. For these purposes then, we undertook a critical philosophical analysis of discourses and practices that, either explicitly or implicitly, reproduce resistance towards transformation.

This analysis of the transformation process at the UFS is situated in critical theory that actively seeks, and advocates for, social justice. The understanding

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16 This paper is based on a study done at the UFS in 'an attempt to describe, understand and monitor the impact of a residence integration policy on first year students' (Strydom and Mentz 2008: 3). The research was conducted *prior* to the Reitz video surfacing and, therefore, could not have been influenced by Reitz. 'The results highlight just how bitter the knowledge of some of our school-leaving learners can be' (ibid).

of transformation is informed by the way in which it is conceptualised in the proposed Transformation Charter of the UFS, namely that transformation entails 'the active implementation of appropriate institutional changes in response to internal and external dynamics, while realising the highest democratic ideals of freedom, justice, and equality'. The a priori analytical lens of this work subscribes to the notion of discourse as a macroscopic view of a system of meaningful social practices that are employed to produce, maintain and reproduce particular, but collective, decrees of meaning-making and interpretations thereof (Keller 2013: 2). In many ways, it subscribes to Foucault's notion of discourse during his inaugural lecture 'Orders of Discourse' at College de France where he points to the notion of discourse being a complex interplay between systems of practice that are firstly, historically contextual; secondly, irrevocably interconnected to structurally organised political, economic and institutional power and knowledge dynamics; and thirdly, manifests itself in material, tangible, visible and audible realities (Foucault 1981; Hook 2001).

When the Reitz interviews were conducted, interviewees were asked whether the book on Reitz is closed and although they gave different justifications for their answers, most of the interviewees answered 'no' to the question.

According to Teuns Verschoor, the vice-rector, academic operations:

*It's wide open – the book about Reitz. We have opened the book for the whole world to come and read and help us interpret the story ... and help us do with it what we can ... and get the most out of this opportunity, because it is an opportunity as well to address something that is wrong. But it is not an easy thing to address. It is not an isolated thing to address. It is an international phenomenon. Come help us. How do we deal with this? And I think that is why we are on the map and that is why people come and visit us and why we are invited by people to come and speak about this. So, no, it shouldn't be just swept under the carpet. That would be the wrong thing to do. (Verschoor interview, 2011)*

Rudi Buys from iGubu Consultants, who became the dean of student affairs<sup>17</sup> in 2010:

*No, for me the book will never be closed until we have brought the Reitz community back into the conversation and have had reconciliation of the community ... Reitz is closed. The case is closed. Done. It's not topical in the minds of people here ... it's not topical ... people have moved on. But fundamentally, in terms of who we say we are as an institution that wants to be the expression and think about race, reconciliation and social justice we cannot close the book until we haven't brought back the Reitz community and I don't mean the students, I mean the community: all the ex-military guys who connect with Reitz, all the parents who, you know, we have to do that. I think that speaks to our integrity. And that is not about white boys or the white community or the Afrikaner community. It is about people that have been part of a particular conflict of discrimination that has not had the opportunity to resolve it for themselves. (Buys interview, 2011)*

Jamie Turkington, editor of the UFS student newspaper *Irawa Post* (2008/2009):

*No, I think the book on Reitz perhaps was at the end of the beginning after that year. And I think there is a long way to go, but I believe in the culture that has been created now on campus, I believe in the morals and principles behind the leadership both from students and from academics on the campus now. There is a lot of goodwill. There are a lot of good intentions at the University of the Free State. And the difference between then and now is that you can actually talk about it now and promote it and be public about it. You are not fighting against someone or something. You are actively working together in a time where it has become popular to do so. You know, in the wake of Reitz, it certainly was not. (Turkington interview, 2011)*

Faan Hancke, chairperson of the UFS council:

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<sup>17</sup> Student affairs is the division dealing with student life and governance, headed by the dean of students.

*It will never be closed, because it is important for us to learn lessons and to prevent a repeat of Reitz, especially as far as sensitivity is concerned. We must be much more sensitive towards other groups. We live in a multi-cultural society. It is important for all of us to be sensitive to each other. In that sense, the Reitz incident will never be closed. (Hancke interview, 2011)*

Tom Tabane, SRC vice-president (2008/2009):

*Definitely not. It is not closed ... it is still too soon to make a specific analysis ... of why it happened, what impact it had on the university and how do we move forward and all the other piecemeal interventions that have been done? They also have not had an impact. It did not change anything even if we have claimed to move forward. It hasn't changed anything. There is still so much to be said about Reitz ... There is still so much voices and reason that is still out there that has not been captured ... because whoever is going to say that the Reitz book is closed would be lying. (Tabane interview, 2011)*

We agree that the Reitz book is not closed. For all the table talk in the aftermath of the Reitz crisis, the Wikipedia entry on the University of the Free State reads: 'The real motive behind the making of the video is still debatable' (as of the last modification on 30 March 2016). To be sure, this seemed to be a fitting time to critically reflect on such debates. We regard the so-called 'Reitz incident' as a multi-faceted metaphor of discourse of this ilk. The collective reflection needed for real change and solidarity within that dynamic has not happened at the UFS and in our view 'affirmative remedies' have taken place while 'transformative remedies' are lacking (Fraser in Cross 2012). There never was a full-scale institutional investigation into what happened, how it happened and who, or what, made it possible for that to happen. Therefore, this is not an attempt to close the book on Reitz.

Firstly, it is impossible for one research study to tell the whole story about Reitz. Reitz reaches a level of complexity that extends beyond a single reading of evidence and discourses. A variety of viewpoints and nuanced analyses are

needed to do justice to a multi-levelled understanding of those ineradicable events. Hopefully, this work forms a small part of that understanding.

Secondly, we are of the opinion that it is imperative for the higher education sector *not* to close the book on Reitz. That time has not yet come. Reitz will always be a reality for the UFS. Reitz serves as a reminder to higher education practitioners that our humanity is fragile – both in terms of who we are and in terms of what we can achieve.

Two key issues, namely, transformation and legitimation, and the way higher education institutions handle these going forward, promises to be seminal in the foreseeable future of the sector. It would be fruitful to consider more closely why the transformation project has not delivered what it promised at the dawn of democracy. At the end of 2009, JC van der Merwe convened a colloquium entitled 'Reitz, Race and Rights' where various speakers were invited to reflect on what had transpired at the UFS. The final speaker of the day, Kobus van Loggerenberg, who was the SRC president at the UFS in 1987, made the following pertinent observation about attitudes of conservative, white South Africans after the 1994 election:

*However, instead of celebrating with our fellow countrymen the coming of a new order, we insisted to stand on our newly founded rights to maintain our distance and privilege. We got away with murder, but instead of humbly asking for forgiveness and an opportunity to help rebuild the country, we insisted that our lives should, as far as possible, not be affected too much. We actually just withdrew deeper into the laager. (Van Loggerenberg 2009)*

(MIS)UNDERSTANDING  
TRANSFORMATION AT  
THE UNIVERSITY OF THE  
FREE STATE: MANAGEMENT  
PERSPECTIVES AND  
INITIATIVES, 1980-2008

## INTRODUCTION

On Friday 7 February 2003, the UFS witnessed the inauguration of a new rector and a new chancellor on the same day for the first time in its history. The twin inauguration took place in the presence of former president, Nelson Mandela; the minister of education, Kader Asmal; and the premier of the Free State Province Winkie Direko. In his address, Franklin Sonn, the new chancellor and the first black chancellor of the UFS, stated:

*[T]he significance of today's ceremony is that the UFS – as a former institution of the Afrikaner – has chosen to walk the path of justice and not merely survival. This university has seemingly liberated itself. It is inclusively South African. (Sonn 2003)*

The newly appointed rector, Frederick Fourie, confidently stated how proud the UFS was of its 'transformation successes' over the preceding ten years:

*These include the introduction of the parallel-medium language model, the transformation of the student profile, the promotion of multi-culturality, and the general management of diversity. The successes have been widely recognised. In November 2001, the UFS conferred an honorary doctorate on former president Nelson Mandela. At the conferment ceremony he praised the university as a model of transformation, multi-lingualism and multi-culturalism. We remain committed to these goals, especially the urgency of employment equity. (Fourie 2003)<sup>18</sup>*

Five years later, on 1 February 2008, and after being voted in for his second term of office, Fourie made the following statement at the official opening of the UFS:

*Every year since 2003 (and every opening address) is marked by the launch, by the leaders of the UFS and the executive management, of new initiatives – initiatives to lift the UFS continually to higher levels, to lay the building blocks of a really good university. These*

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18 Where Fourie's speeches are quoted, there is no page number cited. These speeches were accessed on the UFS website and do not have page numbers.

*building blocks were always primarily derived from the two imperatives of excellence and transformation – imperatives that all universities in South Africa are confronted with and are grappling with. (Fourie 2008a)*

Fourie listed projects such as The Transformation Plan Process (2005), the Strategic Academic Cluster Initiative (2006) and the Institutional Charter (2007), as providing ‘a clear framework and vision of the kind of university we want to be after transformation and after the necessary redress phase’ (ibid). With regard to the implementation of the policy on increasing diversity in the residences, which began at the beginning of 2008, he claimed that this operation has ‘proceeded smoothly so far’ and stated:

*The diversity targets have been reached in most of the formerly white residences except one. As anticipated, given our social context, reaching the diversity target for minority white students in formerly black residences has been very difficult (especially in men’s residences). It is hoped that new initiatives will result in more success in this regard for 2009. Other elements of the approved residence diversity plan also create new opportunities for addressing this problem. Everyone expected this to be a very difficult year in respect of residences, given the novelty of the situation and the presence of large numbers of seniors who are accustomed to an earlier age [of segregation]. We have survived the arrival of the seniors and the time of RAG without incidents of racial conflict (so far ...). It is very gratifying, and I would like to thank the SRC and other student leaders for their efforts to assist in the smooth implementation of the new policy. There are of course many pitfalls and challenges that are laying ahead for them and for us. (ibid)*

It was not anticipated that, 19 days later, the student leaders, to whom the rector had offered thanks for their co-operation, would present him with a decisive ‘challenge’. On 20 February 2008, student leaders from the residences went on strike in protest against the way in which the residence placement policy – the blueprint for the racial integration of residences –

was being implemented. A bout of student vandalism ensued, previously unseen at the UFS. The students swiftly dismantled the assumption that the implementation of the residence placement policy had ‘proceeded smoothly so far’. A few days later, the racial conflict that had apparently been avoided so far, erupted when the Reitz video became public on 26 February.

Some careful inquiry is required to explain this turn of events. The speeches delivered by Sonn and Fourie in 2003 described the UFS as a university that has come a long way in transforming itself from a typical apartheid institution to one that embodies the culture and principles of a post-apartheid society. The 2008 opening speech creates the impression that transformation at the UFS had indeed gained significant momentum during the preceding five years and, by 2008, was well on track. However, the image captured in these opening addresses seems to present a false reality in many respects. The Reitz video, produced in 2007 and becoming public in 2008, constituted a deliberate protest against the desegregation of residences. In order to make sense of the context that enabled the production of such material, one needs to trace the history of the post-apartheid transformation process at the UFS back to the early 1990s at least. However, the purpose of this chapter is not to give a comprehensive account of all transformation initiatives at the UFS; instead, the focus is on how transformation was approached in the years leading up to the Reitz video, highlighting the most significant moments within the transformation process and demonstrating how little support this process actually had.

### **SOUTH AFRICA IN TRANSITION AND THE IMPLICATION FOR HIGHER EDUCATION, 1980-2008**

In order to understand the transformation process at the UFS, one should situate it within the context of the broader political transformation process that began in the mid to late 1980s in South Africa. The secret meetings between the apartheid regime and the ANC leadership at the time paved the way for negotiations in the early 1990s that resulted in the dismantling

of apartheid and the birth of a new, non-racial, democratic dispensation in 1994. This political transition from white minority rule to black majority rule happened in the space of just a few years. The new political dispensation had significant implications for all public institutions, and higher education institutions were no exception. According to Saleem Badat, all institutions 'were profoundly shaped by apartheid planning and by the respective functions assigned to them in relation to the reproduction of the apartheid social order' (Badat 2007: 6). Most importantly, the biggest challenge would be for all higher education institutions to move towards a majority black representation at all levels which would be representative of the country's demographics.

Public tertiary institutions during apartheid were sharply divided. Jonathan Jansen describes this as follows:

*All the public sector institutions were created on the basis of race, language and ethnicity under the apartheid system. There were six white Afrikaans-medium universities and four white English-medium universities; four centrally controlled universities for 'Africans'; one each for 'Indians' and so-called 'Coloureds' and four universities located in the former 'independent homelands' for African students. There were seven historically white technikons (also divided by language) and seven historically black ones. In addition, there was one distance education technikon and a large distance education university. (Jansen 2003: 33)*

Furthermore, the NP government put policy in place to prohibit student enrolment across racial divisions and separate authorities were responsible for distinctly classified institutions.<sup>19</sup> If cross-racial enrolment was considered by an institution, the institution had to obtain a permit from the relevant education department. The condition for granting the

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19 In Parliament, the white voters' interests (in this case, education) were designated to the House of Assembly. The House of Representatives was created for 'coloureds'; the House of Delegates for Indians. As no representation existed in Parliament for Africans, their interests were left to 'General Affairs'.

permit was that the course of study was not available to the student at their own racially-designated institution. While white, historically English universities pursued some integration efforts and, at times, assumed an anti-government stance in opposition to apartheid, historically Afrikaans universities remained almost exclusively white. They were closely aligned with state ideologies and actively served these ideologies. For this reason, it seems the four historically English universities faced the 1994 transition with a little less anxiety about their roles in the new state. Predictably, authors differ on how much English universities actually contributed to social and political change in the country (e.g. the conflicting views of Bunting, Mamdani and Gerwel respectively in Bunting 2002). We make no claim that previously English universities experience no problems with transformation, just that the problems seem to differ from those of historically Afrikaans universities and this remains visible today.

Under apartheid, black universities received minimal resources from the state and remained completely marginalised within the public education system on many levels. Jansen comments further:

*The black institutions were mainly located in under-developed, impoverished rural areas with little economic infrastructure for supporting local development and university expansion. In short, South Africa inherited a wide range of institutions spread thinly and unevenly over urban and rural areas with considerable variation in their capacities for teaching, research and development.*  
(Jansen 2003: 32)

Lis Lange confirms:

*The higher education system that the country inherited from apartheid was racially segregated and administratively divided. Mission differentiation depended not so much on the resources, position and visioning of the institutions themselves as on the state's allocating roles in class (system) reproduction to the institutions. The quality of teaching and learning and research production and the levels of community engagement in each of the 36 higher*

*education institutions that then formed the higher education system were uneven and so were the financial and human resources these institutions counted on to discharge these functions. The level of participation in higher education was low at the same time that the distribution of headcount enrolments per race did not reflect the demography of the country or respond to the need for skills geared to the construction of a more distributive economy and a democratic state. (Lange 2006: 44)*

During the early 1990s, the National Education Policy Initiative (1992) and a pre-election framework statement by the ANC contributed significantly in shaping the views on what the higher education sector might look like in a post-apartheid South Africa (Bundy 2006: 10). As can be expected, education was a contentious issue in the negotiations at the Convention for a Democratic South Africa (CODESA) that paved the way for the first democratic election in April 1994.<sup>20</sup> Consequently, during the first few years in power, the ANC-led Government of National Unity had to focus on repairing the deeply fractured education system it inherited.

The Mandela administration was characterised by a period of nation-building, marked by the finalisation of the Constitution (1996) and the work of the Truth and Reconciliation Commission (TRC), a court-like body focusing on restorative justice in the post-apartheid state. Hearings began in 1996 with emphases on bearing witness to human rights violations, reconciliation, reparation and rehabilitation.

One of the first major policy documents on higher education in the post-apartheid era was the report of the National Commission on Higher

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20 In December 1991, a Convention for a Democratic South Africa (CODESA) was formed, laying the foundation for multi-racial discussions that paved the way for the first democratic election that took place in April 1994. From 1994, the first democratic government was guided by an interim Constitution. Two years later, in May 1996, a new Constitution was adopted by the Constitutional Assembly. For an in-depth discussion of these events see the entries of Pdraig O'Malley hosted by the Nelson Mandela Centre of Memory at <https://www.nelsonmandela.org/omalley/index.php/site/q/03lv01508.htm>.

Education (NCHE) in 1996. In the report, the following characteristics of a transformed higher education system were identified: increased participation; greater responsiveness to societal interests and needs; and increased co-operation and partnerships in governance structures and in the operations of higher education (Bundy 2006: 11).

The Department of Education (DOE) released another major policy document in 1997: the Education White Paper 3 – A Programme for the Transformation of Higher Education (1997). This provided the outline of a ‘comprehensive set of initiatives for the transformation of higher education through the development of a single co-ordinated system with new planning, governing and funding arrangements’ (DOE 1997: 3). The Education White Paper also marked a significant change in the governing structures of universities with the introduction of institutional forums.<sup>21</sup> Institutional forums were formed as a means to broaden representation, including, for example, student leaders and worker unions, which may have been lacking in the existing formal governing structures such as councils and senates. The functions of these statutory governance bodies could include the following:

*[I]nterpreting the new national policy framework; identifying and agreeing on problem areas to be addressed; involvement in selecting candidates for top management positions; setting the change agenda, including the race and gender equity plans; improving the institutional culture; providing a forum for mediating interests and settling disputes participating in reforming governance structures; developing and negotiating a code of conduct; monitoring and assessing change. (ibid: 37)*

In 2001, a National Plan for Higher Education was adopted, which had significant implications for all public universities. It involved institutional

21 An institutional forum is a statutory, standing, advisory committee to the university council, consisting of two representatives each from the university management committee, university council, senate, academic staff, administrative support service staff, the SRC and trade unions.

restructuring reducing the existing 36 higher education institutions to 23 through mergers, as well as developing new academic qualification and programme combinations for institutions. The minister of education at the time, Kader Asmal, explained the rationale for this far-reaching restructuring through reference to the apartheid system whose higher education institutions reflected ‘the geopolitical imagination of apartheid planners’ and argued that there was a past to be ‘resolved through the creation of a single, co-ordinated system of higher education without racialised inequalities’ (Jansen 2003: 33). According to Badat, in order to achieve this kind of restructuring it needed to happen simultaneously on two levels:

*On the one hand, it has required the creation of new institutional identities through the development of new institutional missions, social and educational roles, academic qualification and programme mixes, and organisational forms, structures and practices as appropriate for different institutions. On the other hand, the complexity of the restructuring could not end simply with new identities for institutions. It has also needed to confront the historical burden of South African higher education: namely apartheid institutionalised inequities which translated into a ‘system’ of institutions characterised by educational, financial, material and geographical advantage and disadvantage. (Badat 2010: 11)*

Although this intervention was met with resistance from within the higher education system and despite some legal challenges and much institutional opposition as well as fierce criticism from various stake-holders, the mergers went ahead. After the mergers were completed, the government continued to follow a model of co-operative governance for higher education in South Africa ‘based on the principle of autonomous institutions working co-operatively with a proactive government and in a range of partnerships’ (DOE 1997: 30). However, as Badat cautioned even before the restructuring process began, ‘institutional restructuring is a *necessary* condition for the transformation process, it is not a *sufficient* condition’ (Badat 2010: 12).

Consequently, it was up to each of the newly formed institutions to transform their respective institutional cultures since, if they went unchallenged, the entire restructuring process could be compromised:

*Institutional cultures, especially at historically white institutions, could in differing ways and to varying degrees compromise equity of opportunity and outcomes. The specific histories of these institutions, lingering racist and sexist conduct, privileges associated with social class, English as the language of tuition and administration, the overwhelming predominance of white academics and administrators and male academics, the concomitant under-representation of black and women academics and role-models, and the continuing challenge of building respect for and appreciation of diversity and difference could all combine to reproduce institutional cultures that are experienced by black, women, and working class and rural poor students as discomforting, alienating, exclusionary and disempowering. (ibid: 31)*

Many universities, of which the UFS was one, failed in this regard and continued to reproduce an institutional culture that was classed, racialised and gendered. We would argue that this failure contributed directly to creating some conditions that made it possible for the Reitz video to be produced. During this time, the government refrained from interfering directly in the business of public universities, respecting the individual autonomy of institutions and, to the surprise of many, allowed the UFS to continue with racial segregation in residences.<sup>22</sup>

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22 Following the National Plan for Higher Education in 2001 which was formulated in order to implement the directives contained in the White Paper, the next significant intervention from government would be prompted by the Reitz crisis. It resulted in the appointment of the The Ministerial Committee of Enquiry in 2008.

**TRANSFORMATION AT THE UFS PRIOR TO THE 'REITZ' CRISIS: 1980–2008**

In the 1980s, the UFS was still an exclusively white Afrikaans institution as is evident from the 1987 Private Act and Statute of the UFS in which it was stated:

*[T]he University, from the very nature of its history and development is an Afrikaans university with a Christian and culture-specific basis which sets itself the goal of meeting the intellectual, cultural and other needs of the population group it serves in accordance with that group's nature and traditions. (UFS 2006: 264).*

As was the case with all the other universities in the country, this was a result of the Extension of University Education Act (No. 45 of 1959), which 'was premised on the ideal of creating institutions which would reflect the segregated character of the apartheid society'. (Soudien 2010a: 228).

Although the UFS admitted black students from 1978 for postgraduate studies, they made up less than 3 per cent of the total of postgraduate students at that stage. In 1984, permission was granted to admit black students under the 'special circumstances' clause, but again this was decided on an individual basis and only a small number of students were admitted. In 1986, the first 'coloured'<sup>23</sup> (mixed race) undergraduates registered at the UFS and in 1988, the first black undergraduates were admitted. However, while black and coloured students were allowed to attend classes (provided that they were proficient in Afrikaans, since it was the only medium of instruction at the time), they were not allowed to stay in residences on campus because of the Group Areas Act (No. 41 of 1950) which prohibited people of different races to stay together or in the same area. However, in July 1989, the minister of education and culture announced that the Act

23 The term 'coloured', in the South African context, is specifically used to distinguish people of mixed race descent. During apartheid, 'coloureds' were separately classified and occupied different living areas to the other three racially classified groups of 'whites', 'blacks' and 'Indians'. This classification is still used in the country. In the vernacular, people also use the term 'bruin mense' (Translation from Afrikaans: brown people). Many so-called 'coloured' people now identify as black.

would no longer be strictly applied at universities and, in September of the same year, the university council lifted the restriction on residence accommodation for coloured and black students.

In anticipation of the outcome of the political negotiations, the UFS took some steps in the early 1990s to begin with its own transformation from an exclusively white Afrikaans institution to a public institution representative of the new non-racial democracy in the making. In what can be described as the 'first moment' in the university's post-apartheid residence policy, Emily Hobhouse residence was opened to black undergraduate students (including coloured, Indian and African as per apartheid categories) and both sexes in 1991. This moment, therefore, may be typified as a moment of *race-based accommodation*. In other words, all these students were housed together in one residence. However, it was not until the UFS introduced English in 1993 as an additional language of instruction alongside Afrikaans that significant numbers of black students enrolled at the university. While the parallel-medium language policy was initially seen as a transformative step and did assist in unlocking higher education opportunities for black students, one of its unintended consequences was the segregation of students along racial lines in the lecture rooms.<sup>24</sup> Moreover, the changes in student population demographics could not be ascribed to the UFS taking an executive decision to recruit black students into its domain. Rather, it was a result of thousands of students who were previously denied access to the UFS enrolling after the demise of apartheid. Other steps taken

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24 This was still the case in 2007. This language policy was not revised in any significant way and an official parallel-medium language policy was approved by the council in 2003. The policy remained unchanged although it was frequently discussed and identified as a problem area for the UFS. We do note that in 2010 a report from the then language committee was sent to the executive committee of senate and resolutions were made. However, the policy again remained unchanged. Finally, in 2015, the university initiated a comprehensive language policy review process, the outcome of which resulted in a decision by the council on 4 December 2015 to formulate a new language policy. The new policy, adopting English as the primary medium of instruction and business at the UFS, was approved by all governing bodies on 11 March 2016 and will be implemented at the beginning of the academic year, 2017.

towards the transformation of the university during this period included the appointment of the first black UFS council member in 1993 and the first black senior management member in 1994.

After the formal end of apartheid, black students were allowed to apply for placement in any of the residences, but they constituted a small minority – initially, only a handful black students in each residence. The latter was achieved partly on the basis of a decision that black students who did not specify their preference for a specific residence would be placed proportionally across residences. This constitutes the 'second moment' in the university's residence policy, based on racial integration of black minority students into largely white residences.

According to Verschoor, the then dean of student affairs, over time, taking into account all residence students' first and second preferences, a pattern emerged in which the proportion of black students in some residences started increasing significantly (Verschoor 2014: 14). By 1996, Kiepersol residence was the first (previously white) residence in which black students formed the majority (The reasons behind this will be discussed in detail in Chapter 3). Racial tension began to mount in other residences, which resulted in violent clashes between black and white students (Bryson 2014: 22–23; Fairbanks 2013: 10–11). Verschoor maintained that this tension developed because 'when the number of black students reached more or less 35% in a particular residence that would be the tipping point where they would become more assertive' (Verschoor 2014: 27). One can only assume that 'assertive' meant that they (black students) expressed discontent with the dominant Afrikaner culture being forced upon them in the residences.

As a result of the conflict, the university adopted a policy regulating the ratio of racial distribution of students in residences. According to the policy, it was decided that not more than 30 per cent of 'minority group members' would be placed in a residence. Yet, according to Verschoor, this policy decision did not resolve the conflict:

*The 70/30 accommodation policy led to continuous clashes. Students from the various groups insisted that separate hostels be allocated to different culture groups. Eventually a policy of free association was adopted: Students could choose to live in a black, mixed or white hostel. Should they choose the hostel of another cultural group, they had to abide by its culture. (Verschoor 2014: 27)*

This ‘third moment’ in the UFS residence policy, described as a policy of free association, which in practice was one of racial separation, was instituted in an attempt to avoid conflict (and transformation for that matter) and directly contributed to the segregation of residences. For example, in the case of Karee residence, a proposal from the students to physically divide the building into two racially segregated parts, with two separate entrances was conceded to by management. Thus, by the late 1990s the residences were once again segregated along racial lines.

The question is, of course, what were the conditions of possibility that enabled this state of affairs? We argue that in the first years following the 1994 elections, South African universities in general were being entrusted to drive their respective transformation processes independently with little to no interference from government. The UFS, and some of the other universities, viewed this non-interference as a sign that they could continue with business as usual under the protection of the classical ideals of academic freedom and institutional autonomy that have conventionally safeguarded universities from state interference. Within most previously white universities, the transformation process was narrowly viewed as a process of accommodating black students and staff in the already established institutional culture and teaching them to enact that culture.

During the next decade, from 2000 onwards, the UFS university management implemented a four-year financial turnaround strategy which proved to be very successful. Much of the credit for this success must go to Frederick Fourie, the vice-rector, at the time. The demographics of the student body continued to change due to a growth in student numbers – this was also

reflected in the student leadership structures, where more black students began to occupy leadership positions. Equity employment continued to be prioritised, but it resulted in minimal staff demographic changes, especially pertaining to structures such as the Senate, which remained, for the most part, white and male. Changes in institutional culture<sup>25</sup> during this time, in the main was focused on symbolic values, such as the name change from 'University of the Orange Free State' to the 'University of the Free State' in 2001;<sup>26</sup> an honorary doctoral degree conferred on former president Nelson Mandela, also in 2001; and the launch of the Moshoeshoe lecture, named after King Moshoeshoe I (Morena Moshoeshoe), a notable statesman from Lesotho who is highly respected in South Africa and Africa. In this period, the UFS introduced a transformative initiative in the form of 'a pioneering approach' to community service learning and engagement. While the value of this new academic approach to community service learning received wide recognition, it had little impact on the internal transformation process.

On a national level, the early 2000s were dominated by institutional restructuring, which dramatically changed the landscape of the higher education sector in South Africa. As mentioned already, this resulted in the merger of several institutions, as well as the restructuring of the curriculum, which led to the development of new academic qualification and programme combinations for institutions.

With regard to the latter, some 80 academic programmes were added to the curriculum at the UFS, although this was not necessarily reflective

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25 '(T)he term emerged (as 'organisational culture') in business studies in the early 1980s as a strongly instrumental one, promising to be able to bring American business culture in line with the perceived success of Japanese business culture. It was to do so by oiling the wheels of management, and restricting unproductive frictions between leadership and workforce. In the later 1980s, although by now as 'institutional culture', it began to appear in higher education discussions. In its dominant uses overseas, it referred to the restructuring of academic life, its recentring on the administrator rather than the academic' (Higgins 2013: 124–125).

26 'Orange' refers to the Dutch ruling royal family – the House of Orange. The 'Orange' was dropped from the provincial name in 1994.

of an epistemic transformation in curricula. In most departments, the restructuring of the curriculum was nothing more than a shifting around of existing knowledge, thereby occasioning less of a reconstitution and more of a reproduction.

In 2003 and 2004, institutional restructuring resulted in the respective incorporation of the Qwaqwa campus of the then University of the North and the Bloemfontein campus of Vista University. At first, there appeared to be some hesitancy and confusion as to what to do with these 'additional' campuses, especially with regard to the Qwaqwa campus. Nonetheless, on paper, it appeared to be a transformation success. The strategic reconfiguration of these campuses posed several challenges to the UFS, both regarding the sustainability of the campuses and with regard to operational issues. However, it must be mentioned that the UFS could consider itself fortunate, since it did not have to merge with another fully independent institution, like many other institutions had to do, but incorporated two satellite campuses from two other institutions. The original UFS became the Bloemfontein campus; the previous satellite campus of the University of the North became the Qwaqwa campus; and the Vista campus became the South campus. The merger brought little change on the Bloemfontein campus itself but had some implications for the Qwaqwa and South campuses. In a sense, this phenomenon is detectable in the differing institutional cultures on the three campuses. It seems as if transformation in residence life had taken a backseat to the incorporation of the Qwaqwa and South campuses. Residences remained segregated.

In 2004, a campus-wide process was started in order to initiate a social contract for the university community. Diverse groups of staff members and students participated in structured workshops. This was complemented by various diversity sensitisation workshops arranged by the Office of Diversity under the leadership of Billyboy Ramahlele. The year 2005 marked the start of a more structured planning process regarding the transformation process at the UFS. Early in 2005, a Transformation Plan Task Team (TPTT) was

appointed with two vice-rectors as coordinators – Teuns Verschoor and Ezekiel Moraka. Their brief was to compile a coherent and comprehensive Transformation Plan and an Institutional Charter in consultation with staff, students, alumni and other stakeholders.

In October 2006, an institutional quality audit of the quality assurance systems at the UFS was conducted by an audit panel of the Higher Education Quality Committee (HEQC) of the Council on Higher Education (CHE). In its report, the panel expressly alerted the university to the problematic language policy (Recommendation 2) and residence placement policy and recommended that the UFS should review all policies related to student residences that allow for a lack of racial integration (Recommendation 3) (CHE 2008b).

The Institutional Charter was launched at the start of 2007. It would serve as a constitutive framework for the transformation process at the UFS, spelling out its overarching goals, values and principles. The Transformation Plan was also approved in the same year. Yet, more than anything else perhaps, 2007 surely will be remembered for one specific policy that was approved by the UFS council – ‘Increasing diversity in UFS main campus residences: A new policy and role for residences’ (This is generally referred to as ‘the residence placement policy’ in the literature). This council decision constituted the ‘fourth moment’ in the UFS residence policy, and triggered a huge response demonstrating significant tension and defiance against racial integration on campus, as would be illustrated by the production of the Reitz video.

The significant moments in the history of the transformation process at the UFS up to 2007, as discussed so far, suggest that a closer analysis is required, in particular to illuminate two of the key debates shaping the era and establishing how these played out in the UFS context. The first relates to the notion of transformation – a key word in higher education during that era. The second is related to what was sometimes a more implicit debate or position about the relationship between university and society.

In relation to the first, the question is how the university leadership and the various management bodies at the institution understood the concept of transformation. How did their understanding of transformation shift, or not, and how did this influence the manner in which they initiated and facilitated different phases and projects within this process? To answer these questions requires a closer look at institutional documents.

### **The UFS management team's position on transformation before Reitz: 2003–2008**

In the five years leading up to the Reitz crisis, the official opening of the university was used as an opportunity for the rector and his management team to reflect on the events of the previous year and to share their strategic vision and initiatives for the year ahead. For reasons of clarity, we quote at length from these speeches. It can be reasonably argued that the rector represented the dominant discourse amongst staff/faculty at that stage, but, more importantly, he would have been seen as representing the official position of the management team. Therefore, although these representations are communicated by his voice, one cannot assume that it is the rector alone who thought in this way. To some extent, any rector is at the mercy of his or her management, senate and council and, for the most part, they do not act completely independently.

In his 2004 opening address, Fourie framed the decision to separate residences along racial lines positively, saying that the 'jointly-designed residence placement policy' proved to be the 'success of the transformation negotiations of 1996–7' (Fourie 2004). For a university that was in its second phase of transformation, according to the rector, this seems paradoxical.

An analysis of the speeches given at the official opening of the university since 2003 shows that 2005 was a defining moment in the transformation of the UFS as management committed to an action-orientated transformation agenda from that point onwards. The executive management team had a 'bosberaad' ('summit' or 'think tank') in November 2004 where it seems the

next phase of the transformation process was debated in detail. According to Verschoor, who was a member of the management team at the time, it was also at this occasion that the vice-rector of student affairs, Ezekiel Moraka, raised concerns about mono-racial residences being a problem and suggested a process to increase diversity in residences at the UFS (Verschoor 2014: 29).

Fourie's 2005 opening address was entitled 'Understanding our journey from the old to the new: Further thoughts on managing change and continuity' and included a summary of the transformation process since the late 1980s, a definition of transformation and a list of strategic priorities for the period 2005–2007. The most significant announcement was the appointment of a transformation task team under the leadership of two of the vice-rectors, Ezekiel Moraka and Teuns Verschoor, who would be responsible for the development of a transformation plan and an institutional charter.

In his address, Fourie summarised the different stages of transformation prior to 2005 as follows:

*Transformation phase 1: Introduction of parallel-medium teaching; large changes in student demography; the initial appointment of senior black managers.*

*Transformation phase 2: Academic and research revitalising together with the financial turnaround; growth in student numbers; continuous change in the composition of the student body and student leadership structures; the employment of people from designated groups (equity employment); more inclusive management structures and changes in institutional culture.*

*Transformation phase 3 : Incorporation element of transformation: Qwaqwa and Vista Bloemfontein campuses (although all expectations have not been met); significant change in staff composition in departments accompanied by regular appointment of senior black and female managers; further changes in institutional culture; a*

*pioneering approach to community service learning and research (engagement).* (Fourie 2005)

Reflecting on these three phases, the rector remarked that the university handled transformation ‘with distinction, commitment and responsibility’ and has shown ‘remarkable maturity and, yes, robustness’ to such a degree that ‘all of us can be proud of it’ (ibid). Although much had been achieved in terms of transformation, these statements of praise have to be questioned. What the rector did not mention about the term of his predecessor is that the residences became racially segregated again – a significant setback for the transformation process. We argue that it should be considered that Fourie gave such a positive appraisal because he did not want to be seen as too critical of his predecessors, as he only came into office in 2003.

Whilst Fourie had commented in positive terms on the UFS residence policy in the opening address a year before, in 2005 he openly acknowledged the lack of progress in terms of visible transformation, specifically with regards to student life:

*The observation is that on the main campus in effect we have ‘two campuses’ – one white and one black, separated in the classrooms and in the residences. This was certainly never our intention and is an unintended consequence of our parallel-medium policy (which allows for classes in Afrikaans and in English) together with the current hostel placement policy which gives students freedom of choice of which hostel they want to live in.* (ibid)

In announcing a new phase in transformation as ‘a matter of urgency’, it was clear that this would no longer be a continuation of the somewhat short-sighted view of transformation as accommodation. Rather, this phase would encompass deep and comprehensive transformation and change:

*Phase 4 of our transformation is about getting beyond ‘merely accommodating’ and getting to true inclusivity, the university becoming something really new in many respects ... It is about addressing the fears of integration, the fears of white staff who are afraid that they*

*may lose their jobs due to affirmative action. It is about addressing the frustrations of black staff who experience alienation and insufficient space to work and live ... It is about taking non-racialism seriously (black and white): literally unlearning old habits of racism, discrimination and racial thinking patterns. It is about taking multiculturalism and multilingualism seriously – black and white. (ibid)*

The struggle between, on one hand, policy and intent and, on the other hand, preference and practice, is confirmed by Verschoor:

*In practice the residences were largely segregated. While the overall picture showed an admirable 50/50 balance between black and white residence students, many residences were 100% monoracial, with an average racial diversity level of only 3%. In March 2005 Council approved a TPTT project entitled 'Develop, approve and implement a new residence placement policy'. The TPTT consulted widely with stakeholders including staff, student leaders and organisations, alumni and the provincial government. Several strategic discussions were held by Exco<sup>27</sup> from May 2006 onwards, based on a discussion document developed by Dr Moraka and Prof. Fourie entitled: 'Increasing diversity in student residences of the UFS, 2006'. Further discussions were held with stakeholders including alumni, residence heads, the main campus SRC, residence primes (who consulted, in turn, with their residence members) and student organisations. Residence members were also requested, via the primes, to consult with their parents during the April holidays and then submit comments and suggestions. A draft guideline document was made available to all these groups and their comments received. Following all these processes, the Exco submitted a new residence placement and diversity policy for approval by Council at its meeting of 8 June 2007. (Verschoor 2014: 29)*

For the first time then, in 2005, a definition was officially attached to transformation. It was described as 'a process of continual and persistent becoming:

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27 The executive committee of the executive management (Exco) comprises the rector and vice-chancellor, deputy vice-chancellors and registrar.

becoming a truly South African university of excellence, equity and innovation' and 'becoming a high quality, equitable, non-racial, non-sexist, multicultural, multilingual university and place of scholarship ... for South Africa and Africa' (Fourie 2005). Following the TPTT report, this definition of transformation was subsequently amended and presented at the official opening of the university in 2007 as 'continual and persistent' becoming:

- *a world class, engaged university of excellence and innovation and place of scholarship for South Africa and Africa;*
- *an equitable, diverse, non-racial, non-sexist, multicultural, multilingual university where everyone would experience a sense of belonging and achieving; and*
- *an institution that treasures diversity as a unique source of strength and quality. (Fourie 2007)*

This definition was conceptualised out of three models of change and is captured in the Transformation Plan as:

- *a developmental model of improving existing conditions that do not measure up to current or future needs (improvements within the box of what is already known or established practice); or*
- *a transitional change model that does not improve what is, but replaces what is with something entirely different – a process of dismantling the 'old' and creating a clearly designed new state; or*
- *transformational change that demands a fundamental shift in the organisation's culture and people's behaviour and mindset, and has the primary motivation of survival (change or die) or survival (a breakthrough is needed to pursue new opportunities). (UFS 2008b: 51)*

In the 2007 Transformation Plan it was argued that, although 'all three of the above change models are present in institutional transformation at the UFS', the fourth phase of transformation ought to 'be embedded primarily in a transformational change model'. The following working definition of transformation was adopted:

*Without changing the core values of being an excellent university, the entire institution is affected by transformation as a deep and pervasive, intentional (planned) and gradual (phased) process. Transformation alters the institutional culture by changing underlying assumptions and institutional behaviours and processes.*  
(Fourie 2007)

In our view, the emphasis on transformation as a planned, 'gradual (phased) process' may result in an overly futuristic understanding of transformation as 'a phased process of continuous and persistent becoming' as demonstrated here:

- *becoming a world-class, engaged university of excellence and innovation and place of scholarship for South Africa and Africa;*
- *becoming an equitable, diverse, non-racial, non-sexist, multicultural, multilingual university where everyone will experience a sense of belonging and achieving;*
- *becoming a learning organisation where institutional culture, structures and processes are continuously and fundamentally scrutinised, and redesigned to remain optimally fit for purpose; and*
- *becoming an institution that treasures diversity as a source of strength and quality.* (Fourie 2007)

We argue that this understanding of transformation, described by Fourie (2005) as 'a process of continual and persistent becoming' and 'change amidst continuity' moves simultaneously away from discontinuity, stasis

and the present. There is an important secondary qualification in the language of transformation here in that it is placed within the continuity of tradition, the keeping of traditions, but combined with a futuristic way of thinking. The problem with this reframing is the very real possibility that one might never reach the end-goal or members of the institution may never see it; alternatively, as Fourie describes, it is a ‘never-ending quest’ (ibid). Another danger is that this continuity is, in itself, never adequately questioned as it should be. The message can be understood as: The time for change is not now; it is, and always will be, somewhere in the future, undefined and beyond grasp.

Fourie (2005) criticised those who grew impatient with the slow pace of transformation as having a ‘narrow’ understanding of transformation. This ‘narrow’ understanding of transformation can be read as the institution becoming ‘blacker’<sup>28</sup> so to speak. ‘Narrow’ that it might be, we see this as the proverbial elephant in the room – it simply cannot be excluded from the debate.

In his 2006 opening address, Fourie focuses substantially on past and future – this time framed as from ‘the old to the new’ and interestingly comments on the importance of continued excellence and relevance as requiring continuing adjustment and monitoring. This statement is representative of familiar white anxieties in South Africa simplistically articulated as follows: when a majority of black people occupy, and are in charge of, any institution, it will not be looked after, it will become corrupt, standards will drop, and everything will be lost. While Fourie acknowledged the importance of continuing as a university, this continuity in the South African context is problematic because members of the university might be hankering after

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28 Many comments on transformation describe transformation in this way: namely, ‘to become more black and less white’ (Management member interview, 2011). See also Chapter 3, ‘verswart’, an Afrikaans word literally meaning ‘blacken’ used by students regarding residences at the time.

a past founded in an illegitimate state system as they often do.<sup>29</sup> The 'past', in this sense, holds little water in South African society today and some re-imagining of the very role and nature of the university is needed.

Following the Transformation Plan, the Institutional Charter was launched in 2007 at the official opening of the university under the theme of: 'Beyond redress: Towards the 'promised land' of a high quality, equitable, non-racial and non-sexist university'.<sup>30</sup> This was not the first time that the metaphor of the 'promised land' was afforded a prominent position. Fourie used the same metaphor in his inaugural address in 2003 when he posed the following questions after having listed some of the transformation successes achieved by his predecessors:

*Nevertheless, as befits a university as a place of critical inquiry, we must also ask the difficult next question: Is that all we want in shaping a new society? What is the true fabric, true nature of the 'promised land'? What should be its core values? What principles should guide behaviour towards and after the 'redress phase' of our history? (Fourie 2003)*

From 2005, this metaphor was consistently applied, specifically, in relation to the Institutional Charter:

*We see this intermediate outcome – the first promised land – as displaying the structural conditions for an institutional 'space' within which both fears and aspirations/expectations are moderated,*

29 Regarding the formation of the university within the confines of an illegitimate state, one can clearly see the influence of this in Fourie's historical overview of the university in his speech. For example: Refusal of entry to black students; Christian and National education especially after 1948 (cf. Schoeman 2000: 131); 'volksuniversiteit' as an ideology of apartheid development; a necessarily homogenous and isolated campus; there was some outreach to Namibia and Northern Cape probably to recruit Afrikaans students specifically (Fourie 2004).

30 The MCTHE report quoted from the UFS Charter at length and further commented: '[T]he key elements that constitute a broad institutional transformation agenda, and which could serve as a guideline for assessing the state of transformation, are well captured in the constitutive principles of the draft Institutional Charter developed by the UFS' (DOE 2008: 36).

*within which conflict between objectives can be moderated, and which is characterised by a principled balance and symmetry between competing objectives, forces, interests and interest groups ... We intend this first goal – the ‘first promised land’ – to provide a nurturing and fertile environment for proceeding to the ‘final/ eventual promised land’. This would be a normalised university community characterised by truly non-racial, non-sexist and non-discriminatory paradigms and behaviours amongst all the people of the University – a state of affairs where old paradigms, divisions, pains, conflicts and tensions will be transcended, and where race and gender have ceased to be decisive factors in determining behaviour, attitudes and thinking ... Seen together, the values and constitutive principles are intended to provide an incubating environment within which the redress phase can be completed and, even more important, within which the future UFS can be constituted, first in the intermediate term (‘first promised land’) and later in the long term (‘eventual promised land’). (Fourie 2007)*

By framing the Institutional Charter within the ‘promised land’ metaphor, some argued that it was too utopian. A senior academic at the UFS, launched a scathing attack on the Charter in the official quarterly newsletter of the UFS, the *Dumela*:

*The ‘first promised land’ is nothing short of saying: ‘let’s play for time’. The ‘eventual promised land’ is entirely utopian, and we could use either Marxian or Christian terminology to typify and elevate it. But, it remains a ‘Neverland’, because life in reality never leads to an ‘ultimate promised land’, especially not the essential dynamism that should characterize a true university. (Van Rensburg 2007: 8)*

Many agreed with Van Rensburg and criticised the Charter as ‘not implementable’ and lacking specific focus on transformation at the university. It was also alleged that the document aimed at safeguarding the status quo. We would argue that the UFS only wanted to make changes that did not impact on the inherently Afrikaans and Christian character of the university and agree with Van Rensburg here:

*In its current state the document conveys messages of laying a basis for continuation of the current dispensation, of cherishing and perpetuating division, of building a safe nest for particular interests and interest groups, and of doing nothing, or not enough, in the direction of transformation. (ibid)*

The Charter introduced another conspicuous mechanism for maintaining the status quo – the idea of a culture of non-dominance:

*Non-dominance amongst diversity, i.e., transforming the current dominant male or white or Afrikaans or white Afrikaans culture whilst ensuring that it is not replaced by a dominant female or black or English or black English culture [sic], but rather by a new institutional culture premised on non-dominance amongst diversity with regard to language, culture, race, gender and intellectual and political orientation. (UFS 2007: Institutional Charter)*

Fourie also referred to this as the 'Mandela principle' – based upon the now famous statement Mandela made during the Rivonia trial in the Pretoria Supreme Court on 20 April 1964:

*I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and a free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die'. (Fourie 2008b: 11)*

The rector was hopeful that, once such a culture of non-dominance has been established, it might result in a society where:

*... diversity can flourish, where individuals can truly flourish irrespective of their origin, language, race, gender, religion, economic status or class etc., where non-racialism, non-sexism, and respect for human rights can truly become a way of life, where everyone can feel*

*a sense of belonging (irrespective of the presence of ‘majorities’), where there is no systemic marginalisation or alienation?* (Fourie 2008b: 12)

In this instance, the Institutional Charter (2007) seems to be addressing the dramatic shifts in student demographics (see Appendix 3). In the context of the UFS, and the Free State in general, we suggest that the plea for a ‘dominant culture of non-dominance’ was too big a demand for a deeply divided campus and would not develop naturally or organically as hoped. Note that this ‘natural’ development had resulted in the segregation of residences. We reject this notion of ‘natural segregation’ that has been described as ‘organic’ and ‘evolutionary.’ Indeed, separate is never equal. It could be read as another attempt by white South Africans to cement their place in the new South Africa without having to give up their havens or be subject to expectations of alienation that often plague minorities.<sup>31</sup>

According to Fourie, this approach would curb the possibility of a single dominant culture. This is a questionable goal, especially considering the strong culture of conservatism that pervades the UFS. Dwindling numbers might indeed affect dominant discourse but perhaps the institution needed to refocus itself to defining what that discourse might be and how it should be placed and directed. The immediate threat was that the white Afrikaner students and staff members were about to be placed in a position where, for the first time, their views might not be taken for granted by the majority and would be contested more and more as the demographic becomes more heterogeneous, and without a doubt, majority black. Although this would be initiated from the ‘bottom’ (i.e., the student body), it would surely move all the way to the top as traditionalists began to be replaced.

Perhaps the most telling sign of the management’s understanding and handling of the transformation process is evident in how they reported

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31 Readers should note that, in South Africa, the white minority forms many social norms as a result of a long history of white, minority rule and domination which resulted in legal, political and social disenfranchisement of people of colour.

findings of the HEQC 2006 audit report.<sup>32</sup> In the 2007 opening address, it was captured as follows:

*A comprehensive written report on the outcome of the quality audit is still to be completed by the panel. However, in their verbal feedback immediately after their weeklong visit to the campus, the panel indicated that there were no serious quality risks or quality gaps in the core business of the university, namely teaching and learning, research and community service. They also complemented the university on several of its transformation initiatives, including its parallel-medium policy. Of course there are some areas that may require attention, but these are areas which the university is aware of and which we are attending to already – as befits a university that is serious about quality. The findings of the audit panel are very heartening indeed as it supports and validates our efforts and the progress we have made in building a robust, high quality university.*  
(Fourie 2007)

In the 2008 opening address, the rector again referred to the institutional audit and repeated that the panel ‘indicated that there were no serious quality risks or quality gaps in the core business of the university’ in their verbal feedback after the site visit and ‘complimented the university on several of its transformation initiatives’. He further confirmed that the university received a concept report at the end of July 2007 which, according to the rector, contained quite a few shortcomings and some misunderstandings regarding the way in which the UFS functions. The executive management team provided the HEQC with this and other commentary and expected

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32 Fourie (2007) explained the process as follows: ‘This audit of the quality assurance systems at the UFS was done in October 2006 by an audit panel of the HEQC. Their main task was to establish whether the UFS has policies and procedures in place that ensure quality in everything we do as a university. We provided them with documentary evidence of such policies and procedures which the panel duly studied. This evidence was then tested and verified during a weeklong visit to the campus during which interviews were conducted with hundreds of staff, students, alumni, council members, business representatives, and government officials, among others’.

to receive the final report in 2008. Although the rector acknowledged there were ‘some areas that may require attention’, he assured the community that the university is already attending to it and had also created a concept quality assurance plan and identified quality related projects (Fourie 2008a).

Perhaps the rector was allaying doubts in his audience. In actuality, the report summary contained eight commendations on: i) its partnership approach with respect to its three campuses and other national and regional institutions; ii) using the Association of Commonwealth Universities (ACU) University Management Benchmarking Programme in efforts to improve academic quality and management processes; iii) initiating support programmes for underprepared students; iv) Library and Information Services’ contribution; v) strategic clusters responding to national and regional priorities; vi) the development of research capacity and investment; vii) development of black and female staff in particular; and viii) its commitment to community engagement (CHE 2008b).

These stand in contrast to nineteen recommendations, which encompassed some serious cause for concern such as: i) staff profile and UFS’ ability to recruit and retain black staff; ii) an investigation of the language policy and transformation strategy and practices which undermine the goals of non-racism, non-sexism, multilingualism and multiculturalism; iii) as a matter of urgency, review all policies related to student residences; iv) institutional culture and resistance to change; v) academic and management risks contributing to the potential failure of its transformation agenda; vi) improvement of teaching and learning; vii) developing a quality management system that integrates accountability and academic integrity; viii) quality control of short courses; ix) programme design; x) curriculum review and assessment criteria; xi) monitor blended learning areas; xii) academic staff language competence and staff-student interactions especially in the English stream; xiii) assessment policies and practice; xiv) revision of strategy for the development of research; xv) speed and focus of strategic research matters; xvi) establishment of an institutional

ethics committee; xvii) increase international publication and decrease local publication; xviii) review the policy for examination of post-graduate degrees; and xix) review institutional monitoring versus faculty autonomy to ensure consistency (CHE 2008b).

These are very serious matters for concern that demanded a broad and comprehensive policy review as well as significantly altered practice. The following direct citations demonstrate a troublesome reality that should have induced a little more urgency:

*The Panel is of the view that this situation poses two major risks for the institution. The first is the possible development of two universities inside UFS, one that is black English-medium and operates at night, and another that is white, Afrikaans-medium and operates during the day. The second (risk) is the possible development of a two-tier education at UFS in which lack of proficiency in the language of instruction on the part of both students and lecturers undermines the quality of teaching and learning in the classroom and therefore produces two classes of graduates for the labour market. (CHE 2008a: 39; UFS n.d.: 23)*

Of particular concern to the panel, was the racial segregation in residences, specifically the problem within white male resistance:

*An investigation commissioned by the Executive Committee in 2005 to determine the status of a number of aspects of student life, revealed that residences seem to be where racial integration is most resisted and that this resistance is particularly strong among white male students. An investigation commissioned by the institution found that both campus and day-residences are divided along racial lines. The report identifies the residence placement policy as playing a key role in creating mono-racial residences. The Panel is concerned about a number of aspects of the process and structures that regulate placement and conditions in UFS residences, but of special concern is the lack of transparency about the criteria used to decide the placement of students in residences and the way this system seems to be perpetuating racial segregation, racism and sexism*

*at the institution. Senior management is aware that integration in residences has not been effective and that the placement policy and practice has not supported transformation. The Panel concurs with Executive Management regarding the urgency of taking a far more decisive and proactive stand in relation to this issue, which constitutes a fundamental risk for the achievement of transformation. (CHE 2008a: 10, 41)*

The audit panel also commented on the overall social life at the university and the risks that the existing conceptualisations and practices posed for the quality of education offered at the UFS:

*Social life is a crucial aspect of the total student experience at a university and it defines the quality of education as much as curricular experiences do. The Panel is concerned that some of the academic staff who were interviewed did not see a connection between the curricular and the non-curricular aspects of education, such as institutional culture, and therefore, did not consider the current state of affairs a risk to the University's core activities. (ibid: 42)*

The panel also had serious concerns regarding the academic project: The expansion of enrolment at the university was achieved at a high cost for academic standards at programme level (ibid: 32) and, at the time of the audit, the internal mechanisms of quality assurance for programme approval were regarded as insufficient to address what the panel viewed as fundamental problems with curriculum design and assessment (ibid: 55, 56, 65, 66, 70; UFS n.d.: 21–23).

It is apparent that the audit report was not as favourable on either the transformation project or the academic project as the rector would like to suggest. In fact, from this evidence, we can only conclude that the university management was well aware of the treacherous position they occupied.

Yet, time and again, management is seen in some ways as trying to avoid resorting to a clear, simple approach to transformation and then sticking

to it. For example, 'We [management] had different interpretations of transformation' (Verschoor interview, 2011). Moreover, in 2006, transformation was differentiated as: 'transformation for excellence; high quality transformation; sophisticated transformation; deep transformation; imaginative transformation; innovative transformation' (Fourie 2006). In 2007, though, it was said that the university need to address 'the fears, anxieties, expectations and frustrations arising from uncertainty and disagreement about where we are going' and calls upon the university to 'look beyond the stresses and strains of our current situation and imagine a future where we can all feel at home' (Fourie 2007). Finally, in 2008, the rector referred to 'still many potholes' on the road of transformation and highlighted challenges for students and staff in the transformation process (Fourie 2008a). Unfortunately, in our view, the thought processes and the shifts in emphasis proved too complex for large numbers of members of the organisation to understand.

To further complicate the matter, the framing of transformation by UFS management as a 'problem' or 'challenge' is overwhelmingly prevalent. This is clearly evident from minutes of meetings (which are consistently opened in prayer). Moreover, personal correspondence to the rector suggests that the majority of the white UFS community was fearful of transformation. Transformation was routinely distinguished as something which is to be overcome with the help of God. In other words, God will help in the cause because this is all 'for the glory of God' (Fourie 2003). Or, as a management member states: 'that is what God wants us to do' (Staff member interview, name withheld, 2011). As previously claimed here, the Christian character of the UFS is celebrated and it is dominant. This was reflected in its motto: *In Deo Sapientiae Lux* (translation from Latin: In God the Light of Wisdom). This has subsequently been amended in 2011 to *In Veritas Sapientiae Lux* (translation from Latin: In Truth the Light of Wisdom). The invoking of help from a higher hand appears often in the commentary on

transformation. This is exemplified in responses typical to crisis situations and will be discussed in more detail in Chapter 5.

Therefore, we suggest that, what lies at the root of the problem, is that the substance and outcome of transformation was not clear. A simpler approach would have served the institution better, especially if not also couched in a discourse about how long the process will take and how difficult it was:

*We eagerly await the outcomes of this process. But precisely because the team is taking up the challenge put to them, and is not simply falling back on knee-jerk or simplistic approaches to transformation, their process is a longer one than many might have thought. Quality takes time. Quality requires reflection and thorough discourse, asking the difficult questions, challenging your own thoughts and paradigms, and those of others. This initiative will continue, and remains an important strategic imperative for the University – in which a difficult balance must be struck. (Fourie 2006)*

### **The UFS management team's understanding of the relationship between university and society just before 'Reitz': 2003–2008**

The previous section considered the dominant discourses on transformation that were produced and circulated at the UFS during the 2003–2008 period as well as the implications thereof for the way in which transformation programmes and initiatives were implemented and approached. However, it is vital to note that debates on 'transformation', central to the project of reconfiguring the post-apartheid higher education landscape, intersected with, or were underpinned by, key debates and contestations around the nature of the relationship between the university and society more generally. In broad brush strokes, and with reference to Soudien (2010a), these debates can be construed as tensions around the conceptualisation of the university in South Africa as a 'global university' or a 'patriotic university'. In other words, and in all fairness, it must be said that, following the end of apartheid, the whole higher education sector was grappling with defining the nature and role of higher education institutions in post-apartheid

South Africa. The UFS was thus not the only university having to mediate between these two conceptualisations in its struggle to transform itself into a university that truly reflects both the post-apartheid society and its connectedness to the African continent in its outlook and situatedness.<sup>33</sup>

Prior to 1990, universities in South Africa, and white Afrikaans universities in particular, mirrored apartheid society on micro-, meso- and macro-levels. The university formulated its politics from an apartheid ideological stance and acted as 'an instrument for realising its most important policies and ideals' (Soudien 2010a: 224). After the 1994 elections, many viewed the transformation process at universities as a progression in which the allegiance universities previously had with the apartheid government should simply be replaced with an obligatory duty to the policies and ideologies of the ANC-led government. Soudien refers to this view, where the role of universities is narrowly defined by the political agenda of the government in power, as a 'from the outside-in' view or 'the patriotic university'. He cautions against such a positioning and argues that, in a sense, the university should look rather different from the society in which it finds itself:

*The public good interest that it serves cannot be the same, definitionally, as the public good imagined by political power. It has to offer a way forward in modelling for society what it means to be thinking and acting in the public good in ways that exceed party political imaginations. (ibid: 234)*

However, there was another dominant discourse post-1990 that argued that 'the patriotic university' metaphor reduced the essence of a university to being merely 'a conveyor belt of social relations' and an 'ordinary service provider of a public good'. Within this discourse, framed by Soudien as 'the global university' discourse, the distinctive characteristic of a university is that it 'takes its rules and modalities of formation' from the 'habit-forming discourses of the disciplines, which constitute the university' (ibid: 231–234).

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33 In more recent literature and discussions, this has been framed as 'decolonisation'.

It is thus argued that the ‘supposedly intrinsic character’ of the university is, by implication, global and it is, therefore, a ‘decontextualised enterprise with little obligation to the local context’ (ibid).

We agree with Soudien’s observation that neither the ‘patriotic university’ nor the ‘global university’, as far as these exist in opposition to one another, are able to fully explain the complexities of transformation in higher education because: ‘The first subsumes the university entirely within the dominant politics of the day, whatever they might be, while the second extrapolates the university from the society in which it finds itself’ (ibid: 225). Therefore, the challenge faced by universities such as the UFS in post-apartheid South Africa, was how to ‘take its character from the society in which it is located’ without becoming a state apparatus and, at the same time, staying true to the ‘habit-forming discourses of the disciplines’ which make it a university (ibid). The mediation between these two positions and the way in which this played out at UFS is examined more closely in this section. The examination draws again on extracts from Fourie’s speeches at the opening of the academic year, and restates the proviso that the rhetoric emerging from these should not be attributed to the lone voice of the rector, but can be seen as an expression of the dominant discourse produced by the UFS management more broadly.

The incorporation of what became known as the Qwaqwa and South campuses confronted the UFS directly with this challenge. To his credit, Frederick Fourie, who started his term as rector in 2003, did not shy away from addressing this issue as was evident from his inaugural speech entitled ‘Continuity and change, scholarship and community, quality and equity’. Referring to the merger, Fourie stated:

*In very dramatic fashion this reconstitution of the UFS also signals how much a university can and often must change, but also that it does so amidst its continuity of existence as a university – as part of the centuries old university tradition all over the world. At the same time it signals that this university, like others in South Africa, has a significant role to play in shaping our new nation. (Fourie 2003)*

In this quote, the university is placed within the framework of being able to change society while retaining the centuries-old tradition of being a university. It therefore suggests that for management, the incorporation of the Qwaqwa and Vista campuses signals that the structural organisation of the university can alter, without much change to its nature and internal functioning. We note that there is no direct mention of the need to re-evaluate the tradition of critical reflection and scholarship itself. With this omission, the rector therefore situates the university within the 'global university' discourse, which is somewhat naïve regarding the need for self-transformation. In fact, the discourse contained in the rector's comments denies that the university is in need of much reform because the university is construed as removed from social realities and only connected to academic disciplines.

The dominant rhetoric at the UFS was that its standard of excellence needs to be protected at all costs and many saw the transformation imperatives as a direct threat to the 'global university' characteristics. In many respects, this attitude continues to prevail. 'Transforming' in the dominant popular parlance was understood to mean 'letting go of standards' and 'losing excellent people' who can uphold those standards. However, sometimes the declared autonomy associated with 'the global university' is nothing less than 'an undeclared defence of whiteness' and 'an alibi for the preservation of white privilege' (Soudien 2010a: 235). At the UFS, management was often accused of this, especially when they negated valid objections against segregated residences, for instance, by appeals of sensitivity to beliefs, ethics, context, history, culture, tradition, standards and even uniqueness. On this matter, one of the interviewees stated: 'A lot of people felt that Afrikaners were protecting their interests and didn't want to see transformation taking place at this institution' (Masitha interview, 2011).

Yet, at the same time, there was the belief that the UFS could play a significant role in 'shaping our new nation', without shifting much itself. The depiction portrayed in the words of the rector concerning the UFS management's views of the relationship between the university and society is confusing

and problematic. It is a common error in organisational discourse to assume that the organisation must change the members to conform to its systems without having to change itself or its structures. Management's inability to clearly define this relation is further demonstrated later on in the same speech, first in relation to the metaphor of the university as an 'ivory tower' and then in relation to the symbolic gesture articulated in relation to the display of a Basotho blanket and academic gown on stage during the opening.

The 'ivory tower' metaphor is introduced when the focus returns to the central theme of the 2003 opening address: What does it mean to serve society as a university? The context provided is the new approach to community service that has been developed at the UFS, that is, the university uses its intrinsic nature – scholarship and critical inquiry – as its foundation:

*Therefore, when universities provide a broader service, their underlying distinctiveness must be fostered and kept intact, otherwise their basic 'power base' of knowledge and scholarship may be undermined – and that will make them relatively useless for future generations. Let me summarise this by taking up (or taking on?) the analogy of the university as an ivory tower – a cherished caricature in modern folklore. If one ponders that notion for a moment, it strikes one that such an existence can only be true of ivory that has been deliberately detached from the elephant and turned into a lone-standing piece of jewellery or a lone ornament. That is not the kind of ivory we want to be or should ever be. This University of the Free State, this IVORY, is still very much attached to the elephant, to the African elephant, in the veld of the Free State and Southern Africa. Our ivory finds its meaning and its nourishment and vitality from being rooted in the elephant (i.e., the broader environment of the province and the country). At the same time it is a vital part of the elephant – without its ivory, the African elephant is a sad, unbalanced, unwholesome sight, a vulnerable creature. It cannot do without the ivory. (Fourie 2003)*

In this context, Fourie views the metaphor of the 'university as an ivory tower', as positive. This is surprising, given that the general interpretation of the university as an ivory tower would probably be a negative one. A negative understanding of the notion of an 'ivory tower' would see the university as an exceptionalist environment where intellectuals can find refuge and deliver pejorative, irrelevant, disconnected judgments on those who operate with the practical concerns of everyday life. Fourie, in an attempt to save the metaphor in its more positive deployment, depicts the ivory (university) as attached to the elephant (African society), but this comes across to us as highly elitist, as the animal (African society) would seem to be incomplete and even weakened without its ivory (university). The kind of attitude, expressed in the deployment of this metaphor, has led to many among the South African majority rejecting the idea of help that arrives in a condescending package. In other words, the metaphor seems to assume that damaged communities cannot get things right without a more sophisticated form of knowledge being imposed upon them.

The rector argued that because 'universities signal something about the substance, soundness, essence and core values of a society' and 'universities (and ideas) are so central to the development of any society', they are present in order to 'serve' the community (Fourie 2003). The emphasis seems to have been placed on the university's ability to provide support to the ailing surrounding societies, which implies they lack excellence, development and knowledge. The help offered to communities supposedly is going to take the good university to greatness. One could read problematic undertones here that may be interpreted as both paternalistic and patronising. Soudien describes this paternalism aptly: Society is not the university and the university's role is to take 'its holy knowledge' to transform 'the broken nature of the outside world' (Soudien 2010a: 223).

The difficulty the UFS had with understanding the relationship between the university and society was further illustrated with the decision to display the academic gown and the *Seana Marena* Basotho blanket on stage. The

Basotho blanket is a traditional blanket usually worn over clothes and is commonly associated with Lesotho and traditional Basotho culture, possibly replacing leopard skin karosses. At the official opening of the university in 2003, 2004 and 2006 the rector used the academic gown and the *Seana Marena* Basotho blanket as representations of the relationship between the university and society. The academic gown represents ‘the commitment of the UFS to uphold and strengthen the intrinsic nature of the university as an academic institution and place of science and scholarship, of learning and research’ and the Basotho blanket symbolises ‘commitment to engage with the problems of communities, notably in the context of development and poverty alleviation challenges’ (Fourie 2006). Although the gown and the blanket could be used as productive metaphors in explaining how the university situates itself within the community, while staying true to the century old, worldwide tradition of scholarship, it seemed as if the university had no intention of taking on characteristics associated with the Basotho blanket. Likewise, despite well-meaning intentions, the academic gown is largely interpreted as a symbol of exclusivity not to be co-opted into the community. In spite of seemingly adopting the symbol of the *Seana Marena*, this display was precisely that: staged. Therefore, it seemed as if the university had no intention of embracing deep transformation, which would entail adopting such symbols, and that which they represent, into an ontological and epistemic transformation. Such an effort would entail significantly more than the mere presence of diverse cultures on campus.

Given the way in which the abovementioned metaphors were applied, it is clear that management was caught up in ‘the global university’ discourse. As such, the UFS management was unable to situate the UFS within society in the sense of taking its characteristics from society, partly because management refused to acknowledge the problem of internal, institutional lack of change and its incongruence with external societal change: ‘There is no tension in this relationship’ (Fourie 2003). Fourie refers to the knowledge base as a ‘power base’ that does not necessarily have to change itself, but has

to foster change in society. He wants to establish the 'cornerstone of society' argument, which signifies a motive of fixity rather than change, and does not recognise that the university actually has to respond to external change in tangible, meaningful ways, just like any other institution. Service, then, becomes an outwardly directed action rather than an informative exchange for two-way transformation. As we see it, while there is nothing wrong with pursuing some community service to enhance education initiatives and societal awareness, it should not be used as a reputation-saver in order that the institution can avoid dealing with important internal issues under the guise of doing good works in the community. It seems as if this was exactly what was happening at the UFS. In our view, having a clear understanding of its own purpose and relationship with the society in which it is situated ought to inform a university's transformation agenda and should influence not only policy-making processes but also the manner in which such policies are implemented. While the UFS struggled to situate itself in post-apartheid South Africa, it seemed to situate itself with more ease in the 'global university' context that Soudien describes.

### **THE UFS AND ITS 'PUBLICS': INTERNAL AND EXTERNAL CONSTITUENCIES AND THEIR INPUT ON THE TRANSFORMATION DEBATE**

So far, we have analysed the efforts and shortcomings of the UFS management in grappling with the notion of transformation and the location of the UFS within the patriotic versus global university debate. However, in this last section, we want to locate the UFS's management efforts within a broader debate that considers the way in which the university's 'publics', namely its students, alumni, political parties and the mass media, responded to events at the UFS and applied pressure. We argue that the period leading up to the Reitz incident saw a dominant anti-transformative discourse driven by many conservative Afrikaners at the time, not only students. The resistance and resentment permeated every level of the institution and included many external, interested parties, especially alumni and the conservative press.

The implications of the pressure exerted by such ‘publics’, as well as the manner in which these publics historically came into being, have important implications for understanding the transformation process at the UFS. This is perhaps best captured in the following illustration:

In 2009, a year after the Reitz video became public, the (then) acting rector Teuns Verschoor began his opening speech with the following anecdote:

*Last year in November, just before the executive committee was to depart for a summit, Mr Roelf Meyer had a breakfast conversation with the Exco members. He recalled the CODESA talks in the early 90s, and how the National Party government initially focused on trying to retain as much power as possible for the white population in a new dispensation. But then the Boipatong shooting incident took place<sup>34</sup>– and they received a call from Mr Mandela, informing them that the ANC would be withdrawing from these negotiations. This was a watershed moment, as a peaceful agreement would simply not be possible without the co-operation of the ANC. And in this watershed moment, a different train of thought developed among NP leaders. The futility of attempting – whether openly and/or covertly – to cling to as much as possible of the political power of the past, became clear to them.*

*They realised that, instead of trying to see how much of the old power they could retain, they should rather concentrate on how they wished to see a future South Africa – not only from the viewpoint of their own interests, but the joint interests of the nation . This mind shift made it possible to get the CODESA talks back on track again – and a peaceful solution and model constitution and constitutional state could be attained. (Verschoor 2009)*

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34 The Boipatong massacre took place in the township of Boipatong on 17 June 1992. As a result of clashes between the Inkatha Freedom Party supporters and African National Congress supporters, 45 people died and many more were injured or maimed. There were back-and-forth claims of alleged involvement by the South African Police Services or the South African Defence Force. See the TRC website for more information.

Verschoor went on to apply this statement to the situation at the UFS as follows:

*There are views among our staff members and students that many of us are still in the initial CODESA frame of mind – trying to retain or claim as much power as possible out of self-interest, rather than to embrace the enriching aspects of diversity and to have a vision of a joint future for this country, province and university – or, in the words of the SA Human Rights Commission, ‘a vision to a constitutional democracy and to align our practices with the constitutional values and practices in the interest of building a caring society based on respect, social justice, equality and enjoyment of human rights’. (ibid)*

We agree with Verschoor's assessment and would argue that this has largely been the case at the UFS since the 1990s. However, the difference between the CODESA negotiations and those at the UFS was that the negotiations for a new, transformed university were held amongst mostly white Afrikaner males. There was no significant (ANC) 'counter-shove' within the university community. The voiced opinions of black staff, students and alumni were, for the most part, either marginalised or from too small a minority group to have substantial impact. Oftentimes, they were completely absent from the discourse. So, the transformation agenda was decided upon, and driven by, a dominant, exclusive group. This resulted in an attempt to find a way out of what journalist and political commentator, Allister Sparks refers to as the 'Afrikaners' historic dilemma', which he explains as: [H]ow to abandon apartheid and come to terms with the black majority without losing control of the country and ultimately the national identity of the Afrikaner volk (Sparks 1994: 72).

It has been, and still is, a major dilemma among the Afrikaner community: the inability to assert, or retain, an identity without reproducing inequalities and privilege. The sentiments of the white Afrikaner UFS staff and students during the early 1990s, with regard to transformation at the UFS, were similar to views expressed by NP politicians pertaining to the negotiations

at CODESA, captured in interviews with Sparks. For example, former chair of the Broederbond and government minister Gerrit Viljoen declared: ‘Those who want to live, worship, work, or play in specifically defined communities should have the right to do so in the new South Africa, but without laws making it compulsory’ (ibid: 128). Further, FW de Klerk reiterated the ‘need for people and communities to remain themselves and be able to preserve the values that are precious to them – so that the Zulus, the Xhosas, the Sothos, and the whites can each feel secure in their own distinctiveness’ (ibid). One may draw the similarity in outlook here that the majority of Afrikaners who associated themselves with the UFS at that stage, including alumni and parents of students, were also very much in this ‘CODESA state of mind’ as is illustrated by the following extract from an anonymous letter that was published in the *Volksblad* on 28 February 2008:

*For many years, white and black stayed and studied together peacefully without any toi-toi [sic] marches, riots and destruction of property. Then someone decided that students should be forced together and that’s when the bomb exploded! Neither white nor black students were in favour of this, all lived happy lives and stayed happily and attended classes as it was. (Hoopstad 2008: 12)*

Another tactic employed by many Afrikaners was to play the ‘language card’ or the ‘culture card’ instead of openly admitting their opposition to transformation. Racists suddenly reconstituted themselves as language or culture activists. This more sophisticated argument for segregation is well illustrated by Andries Bezuidenhout during an interview on the Reitz crisis:

*This is probably an unpopular thing to say, but [what happened] is an example of the problem in Afrikaner ranks – trying to keep some spaces white – albeit newspapers, or universities ... the efforts are driven by ‘intellectuals and their organisations that put their views in pseudo-philosophical arguments in order to try and justify such incidents’. These efforts are often put forward as a struggle to protect Afrikaans. In that way the language gets abused and in my opinion tremendous damage is inflicted. (Du Toit 2008: 11)*

The influence of political parties also contributed to mobilising resistance against the transformation initiatives at the time, especially a conservative political party such as the Freedom Front Plus (FF+) who had little support nationally, but some significant influence in the Free State province. Acuña Cantero captures this in a publication entitled *After Truth: The Truth and Reconciliation Commission, Media and Race Relations in Post-Apartheid South Africa*:

*Nevertheless, in provinces like the Free State where Afrikaners make up a significant portion of the white population, the FF+ can still rally enthusiastic supporters who feel threatened with official efforts at empowering the previously disenfranchised Black majority. Places like the UFS, where the racial tensions have run high for most of its history, are breeding grounds for potential followers for FF+, despite the fact that when compared with the large reach of major political parties, the party mobilizes only a small number of people nationally. (Acuña Cantero 2011: 114)*

White, Afrikaner, conservative students campaigned under the banner of the FF+ in the elections for the SRC. In the years leading up to Reitz, they won the majority of the seats in the student council. In 2007, their whole campaign was organised around their resistance to the desegregation of residences. But, even after the Reitz crisis, the party continued their call for segregation:

*It has been suggested that the FF+ is guilty of creating a conducive climate for racial hatred at the university by encouraging white students (and members of its youth wing) to protest against the university's decision to reintegrate its student residences. The FF+ has publicly denied direct involvement in the racist incident, but what we need to consider is how its political agendas, and its encouragement and support of racial segregation policies continue to instigate racial hatred. In a press interview, party leader Corné Mulder conceded that his party had mobilized students against reintegration of residences, but then went on to state that 'our party is built on national values such as equality'. It is quite clear Mulder does not understand what the right and value of equality actually means in the context*

*of post-apartheid South Africa. In fact, his use of the language of rights and values to justify action against transformation is simply dangerous and insidious. (Bohler-Muller 2008: 6)*

Management acknowledged that they underestimated the influence of the FF+ on campus, possibly because of a small national support base. The party instructed the students not to take part in any task team or management initiative aimed at preparing members for the implementation of the residence placement policy (until the court case lodged against the UFS had been resolved). This was near the end of the 2007 academic year, so exams were beginning and most students would have been off campus. They later accused management of not consulting adequately with them during this time (cf. Fourie in Retief 2008). The whole process seems to have moved in fits and starts for some time:

*Given the sensitivity of this issue in our still divided society, it was not unexpected that opposition to the council decision was quickly raised, especially in certain circles, and from some alumni. At the same time there was also support from other members and stakeholders. Major political organizing by the Freedom Front Plus and others, especially during the SRC election and afterward, mobilised resistance among some student leaders. This delayed participation and contributions in further planning and consultation. A lawsuit filed by the Freedom Front, but that was withdrawn with costs, contributed to these delays. These delays were very harmful to the process, took the contributions of student leaders often off the track, and may have caused some residences to not be 100% prepared for 2008. (Fourie 2008a)<sup>35</sup>*

In one of the interviews, we confirm the rector accused the Afrikaans press, and specifically the *Volksblad* newspaper, of making themselves available as a platform from which the conservatives were able to voice their opposition to the desegregation of residences at the UFS:

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35 The speech was delivered partly in Afrikaans and partly in English. This section was in Afrikaans and has been translated.

*At the same time the local newspaper, the Volksblad, started playing a major role as a voice for the right-wing Freedom Front students. The newspaper is not supposed to have any political position at the moment. It used to be an NP, apartheid-time newspaper but it is supposed to be sort of neutral. But it is not an ANC newspaper. Let me put it that way. And there was an amazing coverage of the Freedom Front viewpoint ... they gave them [FF+] the voice ... nobody asked the other side. They did not bother to ask anybody – the ANC or SASCO [South African Student's Congress] or just general students – what they thought. It was just the Freedom Front leadership. From a media point of view, the Volksblad had a fantastic avenue there as the main, only, fairly large newspaper in the Free State. (Fourie interview, 2011)*

Jonathan Jansen, who succeeded Fourie as rector, has the same view on the role of the *Volksblad*:

*For both commercial and political reasons the newspaper therefore binds tightly the relationship between the university and its readership of 'lojale Kowsies', creating an intimate scrutiny that has as much to say about the politics of the present as it does the history of the past. The Volksblad not only therefore captures the anxieties of its readership about university transformation; it often leads with crushing editorials lampooning change at the beloved university. It allies with the white Right and nowhere was this more evident than in the Reitz saga. (Jansen 2016: 175)*

This vociferous, unrelenting resistance from right-wing and conservative elements should therefore not be underestimated in terms of influence and it made the situation incredibly difficult for management. At the time the Reitz video was made, the UFS community was grossly divided regarding what the nature of transformation should be but it would seem that the conservatives had the upper hand:

*All of these things, the role of the Freedom Front, the official court case, the role of the newspaper, the alumni ... emboldened white students in their resistance through a kind of a right wing*

*coalition ... and I don't want to say stuff like conspiracy, but this group of the newspaper, the alumni and the Freedom Front openly supporting them, I think gave them a lot of boldness in saying, 'we have got to stop this thing'. But, I think this wave of support amongst conservative white alumni and parents, underpinned by the organisation and the public support of the Freedom Front and its provincial and national leaders as boosted by Volksblad reporting, created a context where the depth and the boldness of the white students and the white student leadership's resistance to the integration policy grew tremendously. They felt we can do this, people are behind us. (Fourie interview, 2011)*

## CONCLUDING NOTES

The Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions (MCTHE) proposed three factors for assessing transformation:

*Therefore, in the broader interpretation, transformation could be reduced to three critical elements, namely policy and regulatory compliance; epistemological change, at the centre of which is the curriculum; and institutional culture and the need for social inclusion in particular. (DOE 2008: 36)*

The UFS did relatively well in terms of policy and regulatory compliance. However, with regard to epistemological change and institutional culture, the transformation process was fraught with problems. It is precisely because of the drive towards transformation, and some real attempts at concrete change, that the Reitz video was produced, albeit as a form of resistance against the project.

Understandably, one may note that formulating policy is the easiest part of the MCTHE's tripartite proposal while mobilising people's thought and action toward social inclusion is far more difficult, especially in a conservative environment. The students in the university were primarily

from rural environments – farming areas of the Free State, Northern Cape and Eastern Cape provinces, which are extremely conservative and often overtly racist. Management seems to have placed a little too much trust in the good character of the institution's members. When, however, the true attitudes began to emerge, they became unable to take a hard line and accept the collateral damage expected, such as the possible flight of some Afrikaner students to more conservative or compliant campuses elsewhere. The fear of losing Afrikaans students pervades transformation discourse in any context at the UFS. This well-worn foreboding will become more apparent in what follows and seems to frame institutional anxieties quite often.

Regarding institutional culture and a sense of belonging, the alienation of black students and staff remained a looming problem. Reasons for, and solutions to, this persistent problematic were seldom addressed or dealt with in decisive ways other than disciplinary procedures for transgressors with special reference to residence students. Based on our analysis, we can demonstrate that the UFS management and staff, as well as some of their predecessors, were trying to find ways in which to integrate and reform received traditions or practices, but they repeatedly stated how difficult the adjustment is. Once again, we suggest that this difficulty is a 'white' difficulty. These are the terms in which the 'problem' is defined. Too often, in the data we analysed, when interviewees were talking about 'the students', they were talking about white students. The difficulties of all other students and staff were framed against this norm, when, in fact, they are, in all probability, negotiating many different kinds of struggles. In other words, the idea of transformation is judged against which white traditions and cultures have been altered, or given up, as opposed to responding to any other group's wants and needs on campus. As one former student, Tom Tabane, laments: 'We haven't propagated transformation here' (Tabane interview, 2011).

At the UFS, transformation (in itself) was seen by many as a threat to the institution and as a laborious, unwanted task, rather than as an engaging opportunity to challenge the very knowledge-base that produced it and

to transform those structures from within. We acknowledge that the UFS management had some well-meaning intentions to go on with plans for integration but large numbers of naysayers in the institution and in the surrounding environment were determined to thwart these plans. Deep transformation that would change the very lives or living and learning conditions of students, was doomed to fail at the UFS because a deeply hegemonic culture formed the actual habitus of the institution.<sup>36</sup> In order to understand how dominant these hegemonies are, one would have to contextualise student life in general, and residence life in particular, quite extensively. In the next chapter, we attempt to show how, what some readers may perceive as shocking or out-of-the-ordinary behaviour by a few menaces every now and again, was, in fact, common practice at the UFS. It was never going to be undone by soft touches of gradual phasing in, extensive dialogue, elaborate framings or nuanced debate.<sup>37</sup>

The very back of that culture needed to be broken.

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36 The notion of 'habitus', as used by Bourdieu, can be read as a system of dispositions (lasting, acquired schemes of perception, thought and action) that become embedded in people's incorporated structures (Van Reenen 2016).

37 In 2005, Matthew Kruger Consultants was mandated by the UFS to investigate student life and the company generated a report that clearly states the problematic culture on campus. See the report for full elucidation (MKC 2005: 24).

RESISTING  
TRANSFORMATION AT THE  
UNIVERSITY OF THE FREE  
STATE: STUDENT LIFE AND  
RESIDENCE TRADITIONS,  
1990–2008

## INTRODUCTION

On Wednesday, 20 February 2008, student leaders from the residences (Residence Committee members) on the Bloemfontein campus of the UFS submitted a memorandum to the rector entitled: 'Pending strike action by the Residence Committees<sup>38</sup> of the University residences'. The opening sentence reads: 'We, the undersigned residences, would hereby like to inform the University that all residence committee members will be leaving their respective residences unmanaged.'<sup>39</sup>

In the memorandum, students list their grievances: The first issue related to the implementation of the racial integration policy for residences. The students alleged that the university did not 'supply' them with 'certain safety mechanisms to make sure that the policy could be enforced in all campus residences', such as interpreting services and security guards, amongst other things. Secondly, they describe the interaction with and communication from the student affairs division as 'unacceptable'. They alleged that the trust between student-elected residence committee's (RCs) and the student affairs division had been broken and that the lack of communication between the dean and the vice-dean had resulted in confusion. Most of the concerns mentioned were aimed at the vice-dean of student affairs, Dr Makhetha and, more specifically, her role in 'the university's new drive for Human Rights'. Thirdly, they raise a point that concerned the appointment of residence heads in four of the male residences. The students felt that 'there should have been some involvement of the residences in the appointments of the new residence heads'. The memorandum concluded as follows:

*We hereby declare that all undersigned RC's are withdrawing from all residence activities until such a time that we are satisfied with the feedback we get from the University. We expect the University*

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38 Residence committees (or house committees) are elected by members of a residence.

39 Personal communication and correspondence with the rector, 2008.

*to be open for discussions, by Friday 22/02/08, that must and will result in appropriate action from management.*<sup>40</sup>

The students submitted the memorandum at 11h00 that morning and went on strike even before management could respond to the request for a meeting in two days' time. Meanwhile, at some of the white male residences, students abandoned their classes and began to mobilise. In the afternoon, RC members (mainly from these white male residences) left their respective residences, moved to the square in front of the main building and set up camp. The scene resembled a typical South African camping scene with tents, music and a fire. Later that evening, pandemonium erupted as students went on the rampage. Tyres were set alight all over the campus; access booms at various gates were destroyed; hundreds of windows were broken; paint and eggs were thrown against buildings (such as the Centenary complex and Main building); roads were blocked with rocks; and a petrol bomb was thrown at the Veritas building (facilities for commuting students).

These acts of vandalism and public violence were initiated by white male students and they were responsible for most of the damage caused that night, estimated to be around R3.1 million.<sup>41</sup> However, some black students joined the action as well. Management members unanimously confirmed that there was 'very little resistance' to integration from black and female students. The chief protests came from white male residents who felt 'threatened' (Management members' interviews, 2011). More often than not, as is common in white social rhetoric, when damage is done to property, it is assumed to be 'angry' black students being destructive. This was not the case here.

Important concerns arise from this situation: If this was a protest action against the integration of the residences, why did black students sign

40 Personal communication and correspondence with the rector, 2008.

41 In one of the interviews with a member of management, this figure was amended to R600 000 (Verschoor interview, 2011). The official figure of R3.1 million was reported in the minutes of the Exco meeting on 21 February 2008.

the memorandum and why did black students participate in vandalising university property?

From the evidence, we suggest the following explanation: At the beginning of 2008, the white student leadership in residences had become well aware that they had to change their strategy. During the previous year, 2007, they canvassed against racial integration of residences with a belligerent, garrulous drive against the university's plan of what they termed 'forced integration'. Ezekiel Moraka, then deputy vice-chancellor of Student Affairs confirmed this strategy, reporting what he was told directly in an SRC meeting by an SRC member: 'If you are going to force racial integration on this campus, a bomb is going to explode' (Moraka interview, 2011). This campaign was supported by many alumni members, as well as the FF+, who took the university to court in a bid to stop the implementation of the new racial integration policy, the reason being 'that the consultation process was not adequate' (Verschoor interview, 2011). But, as reported by journalist Henry Cloete in *Die Volksblad*, after the FF+ withdrew their case, apparently on 'technical grounds', late in 2007, the students knew that the integration policy would be implemented from January 2008 (Cloete 2007). The minister of education at the time, Naledi Pandor, stated in parliament that, if need be, the government would send police forces to the university to ensure that the policy implementation went ahead as planned (Cloete 2008c: 10).

So, early in 2008, the students adjusted the sights of their campaign significantly, redirecting it away from opposition against the integration of the residences per se, instead focusing on 'the way in which the university handled the process' (Schoonwinkel interview, 2011). To lend credibility to this new point of view, they needed support from black residence committees and they were deliberate in capitalising on the alienation that black students had been experiencing in all sectors of the university. Therefore, some of the issues raised in the memorandum addressed particular, genuine concerns of black students, such as not being treated fairly by the dean of student

affairs (Masitha interview, 2011). In an ironic twist of events, white students who participated (most of whom had previously relished the fact that they had access to a conservative, sympathetic dean who supported them and their cause, for their own strategic ends) abandoned that prior loyalty for the purpose of garnering the much-needed signatures of the black primes.<sup>42</sup> On the other hand, many points introduced in the memorandum did not have the support of the black students. Thus, without closer scrutiny, it is easy to see why many onlookers would jump to the conclusion that black students were in total solidarity with white students in their protest against racial integration. Black students were not protesting integration. In actuality, black primes had a problem with the office of the dean of student affairs and were protesting the way in which they were being treated. This more layered reading of the situation was affirmed by Tom Tabane who said the following about black participation in the protest:

*It was not about togetherness of the students, even if you could relate ... to the common problems that they had, that was understandable, we were just saying how this is being addressed is wrong, and we held several meetings with them [black student leaders in residences], and we persuaded them from participating in the process and we told them there's an ulterior motive out of this.*  
(Tabane interview, 2011)

The vandalism that occurred during the strike was well-planned – and it might well be that the white students involved expected that management

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42 This kind of manoeuvring is common at the UFS, and, we assume, many other organisations who are sticky about transforming away from conservative traditions. We have witnessed, on *many* occasions in meetings about specific transformative changes, the line of argument that traditions such as showering women who walk by on pavements or traffic circles outside residences should not stop because ‘even the black primes and the girls want it to continue’ and ‘the most combat you will get in trying to disband the tradition will be from the black primes’ (argued by a senior staff member whose name has been withheld at a meeting at the Institute 2014). While this is often positively framed as ‘buy in’, we would argue that it is a massive failure in the interests of social justice. (Incidentally, this ‘showering tradition’ was explicitly banned in 2014, with some resistance from students, including female students).

would delay the implementation of the policy for fear of more violence and intimidation. Students might have reasoned that a similar tactic worked in 1996, so, why not try it once more in an attempt to derail the transformation process yet again? This will be discussed in detail in the section that follows.

The atmosphere on the Bloemfontein campus was still overwrought two days later, on Friday 22 February 2008, when members of the management team and students leaders held a meeting to discuss the memorandum of 20 February (see above). The following joint statement by the UFS management, SRC and residence leadership was released after the meeting:

*At a meeting between the top management and SRC executive, residence managers and the student leadership of residences all those present committed themselves to increasing the diversity of the student residences at the UFS. All those present at the meeting held on Friday afternoon (22 February 2008) condemned the violence that took place on the campus on Wednesday night and committed themselves to respect the rule of law. All those present acknowledged that much needs to be done with regard to the implementation of the integration in student residences.*

*The memorandum from primes [the student heads of residences] that was submitted to management on Wednesday was discussed. After a lengthy discussion, some of the issues raised in the memorandum were resolved and parties agreed that outstanding issues will receive urgent attention. Management undertook to provide a comprehensive written response to the memorandum of the primes by Monday next week (25 February 2008).*

*At the end of the meeting management and the student leadership committed themselves to working together in the interest of the university, to work closely towards addressing problem issues and to improve communication between students and management and vice versa.<sup>43</sup>*

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43 Personal communication and correspondence with the rector.

The next Monday, on 25 February 2008, the rector handed a written response to the latest memorandum to the students in which he responded to each allegation in detail. He refuted the allegation that ‘management is not doing anything to support students in residences as far as integration is concerned’. On several issues put forward in the memorandum, such as interpreting services, security, recruitment and placement of students, and the appointment of residence heads, he provided evidence that the management of the university was not solely to be blamed for the situation. He pointed out how, in some instances, the students themselves deliberately sabotaged preparations for the integration process by not attending important discussions and contributed to the non-resolution of certain issues at the end of 2007. However, he acknowledged that there are ‘legitimate problems surrounding, for example, communication with respect to the implementation process’ (Fourie 2008a, b, c). He committed management to giving urgent attention to this.

At this stage, the students had returned to their residences because the interdict that management obtained against the students prohibited, among other things, students from camping in any open space on campus. However, in a letter to management, they stated that the strike would continue despite the interdict. Henry Cloete in *Die Volksblad* captured this reaction to the response given by the rector:

*Once again we are disappointed that the university management paid no attention to our grievances. The university chose to ignore the majority of our grievances that we listed in the memorandum ... This is again a reflection of the lack of understanding and communication between management and the residence committees. (Cloete 2008b: 10)*

Since they viewed the response as another delay from management without any specific action, the white students’ leadership was regrouping and plotting their next phase of resistance to the implementation of the policy. Those plans all came to a grinding halt the next day (26 February 2008), when

the Reitz video became public. All of a sudden, the aggressive opposition displayed by white students was converted into fear and uncertainty. The exposure of the video, and the public response, put them on the back foot. The outrage of staff and students was visible all over the campus, to such an extent that management suspended lectures on 27 February as a 'proactive step to allow the emotions of staff and students to calm down' (News 24 2008). In the following days and weeks, protest marches took place. Management applied for a court interdict against student protest actions and various allegations of intimidation were made between black and white students (confirmed in all student leader interviews in 2011). The short-lived 'solidarity' between black and white primes in an attempt to intimidate management was nullified.

### **STUDENT RESISTANCE TO RESIDENCE INTEGRATION, 1990–2008**

The content of the memorandum, and the events that took place on 20 and 21 February 2008, provide a perspective as to the campus atmosphere a few months earlier, when the video was made during August/September of the previous year. There was a widespread lack of institutional will amongst conservative members of the UFS, and although students were the public face of the protest, they had many sympathisers and supporters in staff and management alike. For instance, some key administrators within the Student Affairs division (including residence heads) as well as the dean of student affairs appeared to have failed from the outset to contribute in a meaningful way towards the conceptualisation of the integration policy as well as the implementation thereof. We cannot be sure whether this was deliberate because staff and management members were careful not to state these views publicly. What we presume, is that the support within the institution and from outside the university fuelled the lack of political will amongst conservative, white, Afrikaner male students and they seemed to gain confidence in their quest to impede the implementation of the policy. At first, there were attempts to delay and derail the process. When that fell flat,

they tried to sabotage the process in order to show that it cannot work and should be abandoned altogether. It was no secret that the Reitz residence, like *all* the other white male residences, was against the integration process (confirmed in all management member interviews in 2011).

Here we need to take a step back and perhaps say one or two things about the history of the Reitz residence, which is so central to the events analysed in this monograph. It should be noted that students from the Reitz residence had a longstanding reputation for being troublemakers, which preceded the opening up of the university to black students at the end of apartheid. In the late 1980s, the university continually received complaints from parents about hazing incidents in Reitz. It was decided that, from 1987 onwards, only first-year students who had completed the two-year compulsory military service conscription for white men would be placed in Reitz. The rationale was that first-year students enrolling at the university directly after school would be spared from exposure to students returning from their two-year military service. Yet, on 22 February 1991, first-year students from JBM Hertzog, a men's residence in close proximity to Reitz residence, were attacked by Reitz students while they were singing and walking back from serenading one of the female residences. Four of the first-year students had to be hospitalised. The university council deemed this an 'unpalatable incident'.<sup>44</sup> There was some back-and-forth between the council and management as to what to do with Reitz. Verschoor states in the interview that there had been 'three commissions of inquiry' into the behaviour of Reitz residents prior to the Reitz video incident. All three inquiries had carried a recommendation to management to close the residence but management had ignored each one of these recommendations: 'Every time, the issues that led to these commissions of inquiry were issues where the rights and dignity of other people were involved ... ignored or trampled upon' (Verschoor interview, 2011).

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44 UFS council minutes, 25 March 1991.

Eventually, after yet another incident in 1992 when the Reitz students had thrown a canister of teargas into the Callie Human Hall during a student mass-meeting, the decision was taken to evacuate students from the residence. Some bungalows were to be used by members of the medical staff and others were to serve as guest accommodation facilities. Some had gone so far as to characterise Reitz as ‘a home for disgruntled right-wing students during the mid-nineties’ (Dibetle and Pretorius 2008).

So, as the resistance against racial integration, especially amongst the male residences was made visible from early attempts in the late 1990s, Reitz residence was closed. Kiepersol was the first male residence to house a majority of black students. According to the then dean of student affairs, Verschoor, this happened because the policy at the time stipulated that first-year students could change residences after the first six weeks of accommodation with the written permission of the prime and the residence heads of both residences involved. The permission was almost always granted, resulting in residences becoming predominantly black or predominantly white – and within a few years exclusively black or white (Verschoor 2014: 20). The office responsible for student placement in residences allowed this ‘migration’ and, in doing so, actively worked against the integration process. One could not help but wonder why the university management did not address these deliberate acts of undermining the aims of the transformation process. We will take this up again in the paragraphs that follow.

In 1996, in another male residence, Olienhout, a large number of white students did not arrive to take up their places in the residence. There was a long waiting list of black students who had not yet secured accommodation and students on this list were placed in Olienhout. The result was that the number of black students reached what Verschoor describes as the ‘tipping point’ in that residence:

*It became evident that when the number of black students reached more or less 35% in a particular residence that would be the tipping*

*point where they would become more assertive. Student leaders from black student organisations such as the South African Students Congress (SASCO), found it safe enough to visit them in the residences and to point out the unacceptable issues. Black residents would then start to question the validity of many residence rules – because they had had no say in the making thereof. They started to refuse to do telephone duty, refuse to attend house meetings, stop participating in sport, etc. When house committees wanted to discipline them, they refused to attend the house committee meeting and refused to comply with whatever punishment the committee would impose in their absence, be it extra telephone duty, paying of a fine, or apologising to a house meeting. Their refusal to do telephone duty implied that white first-year students had to do more of it, which in turn led to altercations between black and white first-year students. The university authorities acknowledged the validity of the black students' stance that the residence rules were devised for a purely white residence, and that they needed to be reviewed and amended or scratched. What was needed was a round table discussion where rule by rule was to be discussed. What was the original purpose of the rule? Was it still relevant and acceptable to all parties? And if so, what should the maximum punishment be for contravention of the rule? Most House Committees especially the men's residences flatly refused, arguing that if newcomers did not like the rules they could go and find accommodation elsewhere. The result was that when black students reached the level of 35%–40% there would be an increase of violence between black and white residents and an exodus of change-resistant white students to either private accommodation, or to residences where the old rules and customs were still adhered to. To prevent the tipping point to be reached, it was decided that not more than 30% of minority group members would be placed in a residence. (Verschoor 2014: 20)*

The above passage clearly demonstrates that there was intent to preserve the status quo and there was a clear realisation that a black majority would be a decisive obstacle to that end.

The MKC report confirms that, while white students would have been exposed to this culture from school level, this is not so with black students. White students would see this kind of behaviour as part of the fun while black students would question issues of rights and the legality thereof (MKC 2005: 49). No one knows where the ‘tipping point’ figure of a 70–30 per cent split came from, but it became a common reference point in the discourse at the time.

Predictably, black students in the Olienhout residence began to challenge the traditions and rules within the residence, which led to conflict between black and white students. Management’s attempts to address the conflict failed and in the interviews Verschoor recalls that students became very reactionary – shouting at members of management or leaving the meeting. The end result was that the students elected two separate house committees for the residence – one black and one white. This soon led to chaos. Verschoor recalls:

*My colleagues and I had separate late-night discussions with the black and white house committees who did not want to attend simultaneously. When the white house committee came to see us, they found on their return to Olienhout, that rocks had been thrown from the third floor on cars parked next to the residence building (black students then did not possess cars). When the black house committee came to see us, they found on their return to the residence that entry had been gained to some of their rooms and their blankets had been ejaculated upon. Black students would toyi-toyi through white corridors and some white students would openly wear firearms. (Verschoor interview, 2011)*

On 18 and 19 May 1996, the tension culminated in serious clashes between the Olienhout (predominantly white) and Kiepersol (predominantly black) residences. Allegedly, it started when black students held a party in one of the corridors in Olienhout and shouted racist remarks. On the Saturday night, the tyres of cars belonging to white students were slashed in the parking areas of nearby residences. A coloured student returning to Olienhout in the

early hours of Sunday was accused of vandalising a car and was physically assaulted by white students. On Sunday night, more cars were damaged and, as the confrontation intensified, white students chased black students who ran towards Kiepersol for protection. Staff members commented at length on this incident in the 2011 interviews, as did Ramahlele (in Bryson 2014) and Verschoor who recalls ‘students standing opposing each other, armed with, inter alia, fire-arms, knobkieries, knives, cricket bats, golf clubs and sticks and shouting obscenities at each other’ (Verschoor 2014: 25).

On the following Monday, the white and black primes of Olienhout requested that the white students in Olienhout be allowed to move into Reitz bungalows, which were vacant at the time. Management agreed to this, but before the white students moved out of Olienhout, they went on a rampage and vandalised the residence causing physical damage to Olienhout to the amount of around R82 000. Cupboard doors, taps, light fittings and telephone cords, were broken off. Offensive, racist remarks and threats were painted on the walls such as ‘Go f\*\*k your mother ka\*\*\*r’ as well as some right wing (swastika-type) slogans. The swimming pool was irreparably damaged when quick-drying cement was dumped into the pool and was sucked into the pipes and pump. White students, who had raised money to build the swimming pool, reasoned that this was *their* swimming pool and if they could not use it, they would ensure that nobody else would be able to use it either. Bullet holes were found in some of the windows and furniture was destroyed. All in all, the scene was a mess. The typical line of thought, which is still invoked in some contexts today, is that people will only donate and support to that which benefits them and their own people.<sup>45</sup> If the cause

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45 In 2015, an alumni questionnaire went out regarding possible changes to the language policy. There were specific questions (30 and 36) asking whether members of alumni will withdraw their loyalty from the UFS and whether they would withdraw their contributions to the Kovsie Alumni Trust should Afrikaans as a medium of instruction be removed. When alumni suspect they might not get their own way, they often threaten to withdraw financial support (cf. MKC 2005: 18); this came up again in the convocation meeting of 2014.

does not serve their interests, they either threaten to withdraw their (usually monetary) support, or maliciously destroy what there is.

At the end of 1996, racial conflict broke out in the residence next door to Reitz, namely House DF Malherbe. Again, it was decided that the white students would be allowed to move into the Reitz residence, joining the white students from Olienhout who did not want to live with black students. After the April 1997 holidays, the white DF Malherbe residents moved to the Reitz residence, and the black students remained in DF Malherbe but changed the name to Villa Bravado. At this stage, Karee residence was the only remaining hostel where fairly large numbers of black and white students were housed together. Nonetheless, there was constant tension and some serious incidents occurred. Attempts to end the conflict and intimidation at Karee proved fruitless and, in May 1997, both black and white students drew up petitions which declared the hostel situation to be untenable. The management then allowed the residence to be physically divided in two. The students went on to construct a dividing structure themselves and ‘the black students ironically renamed their part of the hostel “Tswelopele” (progress). Each part had its own entrance and its own house committee, and functioned independently. A code of conduct was drawn up to which both parties had to adhere’ (ibid: 27).

Based on this evidence, we can confirm the university reopened Reitz in 1997 to accommodate white students from Olienhout residence who did not want to share living space with black students and, a few months later, allowed white students from DF Malherbe to join them. Effectively, Reitz re-opened in order to house white students opposed to integration in residences. In this way, the Reitz residence became a monster of the university’s own making. It came as no surprise that at the end of the 1990s, in what has been described as the ‘third moment’ in relation to residence policy, the university formally adopted a policy of free association which resulted in segregated residences, abandoning the 70/30 accommodation policy in practice. Most black and white students continued to live separate

lives on the campus, segregated in residences as well as in classes. Smaller confrontations still took place.

At the end of 2003, the Reitz residence was once again involved in a major conflict – this time with its neighbouring residence, Villa Bravado:

*On a Friday evening some black residents from Villa Bravado walked past Reitz where a number of students were having a braai. It could never be finalised who threw the first beer bottle, but a fight ensued with the two groups being joined by more and more students from their residences. Eventually the Villa students took refuge in their hostel and from there started throwing bottles and other items at the Reitz-students surrounding their residence. Calls went out to the other men's residences to come and assist – which some of them did. At the end nobody was seriously hurt, and no big damage was done to the buildings. (ibid: 26)*

Reitz residence became a fertile ground for separatist and racist adventures. The following entries on the Reitz webpage in 2007, extracted from Maughan *et al.*, confirm how vehement these sentiments were:

*The reason why people are making such a noise about (integration) is because if there is one or another culture that comes into the residence, it is like a cancer in a healthy body,' Gustav Buys – the self-proclaimed 'CEO' of the residence – wrote in July last year. 'Reitz cannot work with two cultures,' he added. In an entry posted under the topic 'Integrasie' (integration) in September last year, the same month the video was recorded, Cornel Human wrote: 'I feel that it's time for us to make a stand. Not just as Reitz men, but as Afrikaners, and someone with the right to freedom of association.<sup>46</sup> Reitz must continue to exist, we must fight for it or make plans to make this reality. With or without the help of the campus.' Johan Koekemoer's contribution to the chat was: 'Push a few garden boys in there and start a dairy on the sideline. (Maughan et al. 2008: 1)*

46 'Freedom of association' is indeed a constitutional value and it is frequently quoted by conservatives as justification to separate. The iGubu Residence Diversity Report refers to this kind of language as the 'abuse of 'rights language' (iGubu Agency 2008: 20).

White Afrikaner students framed their opposition to the transformation process in different terms during each stage of their resistance throughout 2007 and 2008, but they remained adamant in demonstrating to management that they will do anything and everything in their power to put paid to the process. One explanation for this might be that some conservative Afrikaner students, who studied at the UFS after 1994, still felt uncomfortable in the new democratic dispensation. The MCTHE report of 2008 explains:

*In this context, i.e., the role of the residences in building and reinforcing identity and social and cultural bonds, the introduction of integration policies that are perceived as constituting a threat to the 'unity of the group', are not likely to be popular with the students, parents, alumni and the broader community in general. A white student at UFS indicated that what was most feared about integration was the loss of 'their hostel culture' – long-standing traditions going back to their 'forefathers'. The significance of this is major in a context where the Afrikaner community has lost political power and has come to perceive racial integration as but the first step in an inexorable process leading to the eventual loss of culture, language and access to economic resources. (DOE 2008: 82)*

Having lost political power, and the privileges associated with such power in 1994, many Afrikaners assumed the identity of a minority group whose language, culture and livelihood is under threat in an assumed stance of co-victimage.<sup>47</sup> Natie Luyt, then dean of student affairs captured this as follows:

*[A]nd they felt threatened as whites. They said, but everywhere the white person and the Afrikaans per se, were being driven out from all positions in South Africa and now, at university, and also what they considered their homes; the residences were their homes. They said they would integrate, but let us do it slowly. Let us gradually lead people this way. Now you want to throw everything overboard*

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47 See Chapter 5. This is a typical response to a threat according to Situational Crisis Communication Theory as developed by Coombs (2007).

*and we don't even know why and, therefore, we're opposed to it.*  
(Luyt interview, 2011)

Residences at the UFS were one of the last Afrikaner havens where not much has changed since 1994 in terms of institutional culture which will be elucidated in detail below. Luyt described the meaning of the UFS for the Afrikaner community as follows:

*It was very meaningful for the Afrikaans community, broadly speaking, but especially the Afrikaans community in Bloemfontein, the Northern and Eastern Cape areas. Most of our students on the Afrikaans side come from those areas, and also a group from Namibia. But, the role of the university, for the Afrikaner and the Afrikaans community, is something of great value.* (Luyt interview, 2011)

The strong white, Christian, Afrikaans character of the residences had been formed, cultivated and preserved over decades. The young Afrikaners felt obliged to preserve it as a means to stabilise and affirm their identities – that was also the message they received from political parties such as the FF+, their parents, and many UFS staff, parents and alumni (especially residence alumni). This conflation came out strongly in the interviews:

*Many white parents did not want their white kids to live with black kids ... children to mix with black students. Some of the white parents would want their children to reside in residences where they used to reside. Your former predominantly black residences, because they did not have rich alumni, did not have good facilities, because for some of the facilities [in residences] students themselves go out to raise money [also from alumni] and so the former white residences would have more facilities.* (Ramahlele interview, 2011)

Ben Schoonwinkel, the SRC president in 2008 stated:

*In the residence, you make real friends. The residence is where it all happens. You will lose sight of your high school friends, but in the residence you make friends for life ... There is a strong culture-based*

*tradition in the residence and that's why you go there ... culture and race go hand in hand for me.* (Schoonwinkel interview, 2011)

Moses Masitha, the SRC president in 2009:

*The management system was very strongly entrenched as a white Afrikaner model – that included the residences and that included the culture that permeated across the university very strongly – white and Afrikaans.* (Masitha interview, 2011)

We would argue that, given the structure of post-apartheid society, as well as its reproduction in the structure and form of residence life at UFS, these young white students would have had contact mostly with a homogenous group, the members of which shared similar backgrounds and practices, they would have had little or no regard for difference. Even though some had attended multicultural schools, once they took occupancy of the UFS residences, the entrenchment of hegemonic thought and practice took over and continued *ad infinitum*. As a result, concepts such as race, culture, ethnicity and identity would not have been differentiated and developed naturally because there was no need for group members to question the hegemony or justify its (re)production or (mis)application. This is explained further by Elliker *et al.*:

*The predominant term to refer to 'race'-related differences is often not 'race,' but 'culture.' The terms 'race' and 'ethnicity' are not always conceived as concepts distinctly different from 'culture' and are often used interchangeably. They are used in connection with a well-known taxonomy that consists of categories formerly institutionalised by apartheid legislation: 'black' and 'white' people or 'blacks' and 'whites.' The two main categories, namely 'black' and 'white,' are mainly framed as 'different,' and the important differences conceived of as 'cultural.' The students speak of 'different cultures,' 'another culture,' 'cultural differences,' 'different experiences,' 'different people' and 'different language.' In one instance they also speak of different 'ethnic groups.' Some students experienced the focus group discussions themselves as being 'in*

front of another culture.’ *There is hardly any detailed explication, exemplification or discussion of the notion of differences or of the ‘cultural’ or ‘ethnic’ aspects of that difference. The participants frame their experiences by using statements indicating that there are differences, but they seldom elaborate.* (Elliker et al. 2013: 10, emphasis added)

The problem of conflation further becomes evident in the manner in which opponents of the integration of residences framed their anti-transformation arguments. For instance, during the SRC election of 2007, around the time the ‘Reitz’ video was made, students from the FF+ campaigned against what they called ‘forced integration’ and argued that it was equivalent to *discrimination*. They maintained that it was wrong to force people from different cultural backgrounds to share a residence. As reported by Sue Blaine in *The Weekender* newspaper, FF+ youth leader, Cornelius Janse van Rensburg, stated this opposition publicly:

*It’s a problem in the whole society. I’ve been called a f\*\*!ing Boer before and no one ever writes about that. People shouldn’t force integration; you should be able to take part as you want to,’ says Cornelius Jansen van Rensburg, FF+ youth leader. [Forcing integration] has got to do with the university management’s fear of government pressure.* (Blaine 2008:1)

The point is not whether there was government interference, or any other kind of interference for that matter. Discriminating and segregating on racial lines is illegal. Moreover, we would strongly argue that it was the unjust, unconstitutional, abnormal thing to do. Prior to the ‘Reitz incident’, the UFS was described as being the ‘final South African public higher education institution to racially integrate its residences’ (Blaine 2007).

Opponents of transformation seem to have thought that producing all kinds of nuanced and complex arguments in an attempt to defend the indefensible would somehow disguise the facts and help them further their cause. JC van der Merwe has elucidated this problem elsewhere:

*What was implied, but not stated, was in fact that they favoured a policy of forced separation. It was also argued that the UFS was trying to 'verswart' [Translation from Afrikaans: literally 'blacken'] the residences. Again, what was not explicitly stated, was that opponents of transformation wanted to keep the residences white [to use their terminology]. The debate was thus framed as if the UFS leadership expected students to do something unnatural, while in fact the promotion of segregation in residences in a post-apartheid South Africa was the unnatural thing to do. (Van der Merwe 2009: 49)*

Another popular argument against integration was that the UFS should not get involved in facilitating students' adaptation to living in post-apartheid South Africa, since such a project does not form part of its core business. The premise was that the UFS should focus exclusively on the main characteristics of a university such as research, teaching and learning. However, as we have argued in Chapter 2, it is a mistake to frame the university as severed/separate from changes in the surrounding environment. This is quite ironic, since those who were arguing along those lines were conveniently ignoring the fact that the UFS has had a long history of cultivating a specific brand of knowledge and citizenship in service of the apartheid state. The history of the UFS indicates that the NP regime used the UFS (as well as many other institutions) to advance its ideology. A specific brand of Afrikaner culture and conservative, Christian values worked very effectively towards producing law-abiding, uncritically-minded nationalists to be employed in the state apparatus. And as Ramphele argues: 'Residences are ideally suited for such endeavours, since [i]t is a culture-specific model that assumes homogeneity and a shared value system, and customs that have been handed down from generation to generation' (Ramphele 2008: 217). This is illustrated in the way in which residence life was organised in the pre-1990 period and we argue that this is why traditions feature so strongly in their protest against the transformation of residence life. Tradition as discourse provided stabilisation of a meaningful identity and the students believed

that they would lose a significant connection to this identity if the residences were to be integrated. As Ben Schoonwinkel explained:

*I think that was one of the biggest concerns amongst students that there is going to be a culture change or ... the thing is, in the hostels, they have traditions and we are a strong tradition-based nation, if I can call it that ...but each hostel has its own traditions and by this forced integration, some of those traditions must fall away or the people was [sic] afraid that some of those traditions would not go on in the hostel and it is something that is coming from the hostel – from generation to generation and it was fifty years some of those and ... It was really nice stuff and that's why you went to the hostel because you liked that hostel, people and the traditions of that hostel. Our feeling was that it was going to fall apart. The hostel won't be what it used to be in the future. (Schoonwinkel interview, 2011)*

The architecture of the residence, the traditions and symbols – these were all directed towards establishing a strongly conservative, Afrikaner nationalist tradition. This continued into the new dispensation where, for instance, in one of the residences, Karee, the annual residence photo was taken with the old (pre-1994) South African flag.

*My disappointment was great when I noticed that on photos as recently as 2003 and 2004 students boasting proudly with the old South African flag. I doubt that the university tried to address the blatant attempt by students to show their loathing of the South African democracy. (Van Rooyen 2008:13)*

In 2008, *Irawa Post*, the official UFS student newspaper, published a photograph of an old South African flag displayed in a window of another residence (confirmed by Jamie Turkington in the 2011 interview). Incidentally, black students and progressives commonly refer to the pre-1994 South African flag as ‘the apartheid flag’. So, in reality, it may be argued that opponents of transformation were not opposed to the idea that the UFS cultivated citizenship, as much as the *kind* of citizenship being cultivated, namely a citizenship based on (post-1994) constitutional values

grounded in human rights for all. Leading up to the ‘Reitz incident’, many people managed to drag the old South Africa into a new dispensation without being noticed or called to task and the university was no exception: ‘It was like ’94 had never happened at the University of the Free State’ (Masitha interview, 2011).

### **FAMILY METAPHORS AND RESIDENCE LIFE: INTERSECTIONALITIES OF WHITENESS, PATRIARCHY AND SUBCULTURAL FORMATIONS**

In order to understand why white students objected so vehemently to racial integration and transformation, one needs to understand what it was that they felt was at stake; and what it was that they felt was going to be sacrificed in the process. The root of this phenomenon extends into a history that developed long before 2008. The report of the MCTHE acknowledges:

*The distinct identity, culture and tradition that characterizes each residence is built over time and handed down from year-to-year as new residents enter the residence ... Indeed, it is handed down from generation to generation and is a source of pride amongst students who, more often than not, live in the same residences as their parents did before them. In this sense, the bond is much deeper than that between the students themselves and it extends to the family and broader community. And alumni play an important role in maintaining the identity, culture and tradition of the residences. Thus Reitz, which had been closed once before because of its anti-social behaviour in relation to other white students, was taken over and run by the alumni. Similarly, there are also alumni-owned residences at UP, which do not comply with the University’s policies. (DOE 2008: 82)*

In the case of a residence such as Reitz, therefore, we argue that the conflict (and, therefore, an inkling as to what would need to be sacrificed) lies in a particular, historical expectation of what a conservative, white, Afrikaner, male residence should be. In order to illuminate this point, we apply a

theory of metaphor used in the work of Lakoff and Johnson (1980, 1999).<sup>48</sup> In conducting this kind of metaphorical analysis it is important to note that we are looking for widely applicable, plausible identifications that may not apply to every, particular, contextual formation. Briefly, what this theory of metaphor claims is that human thought is neither literal nor purely referential.<sup>49</sup> Metaphorical thought consists in partially identifying domains that are, in fact, different from one another, and this is reflected in the way humans speak about, and explain, their world. Metaphors are not specialised modes of language; they are experientially grounded and they are pervasive in human thought and action. 'In actuality, we feel that no metaphor can ever be comprehended or even adequately represented independently of its experiential basis' (Lakoff and Johnson 1980: 19). We propose that this point is crucial in the residence context of the UFS. It follows that, because cultural experiences differ, metaphorical groundings of what a residence should be will differ greatly among various cultural groupings to the extent that such groupings may be separate and non-overlapping.

In his work, Lakoff applies what he has garnered from his experience as a cognitive scientist to American politics, in order to shed light on the unconscious world views and moral systems of liberals and conservatives respectively. These world views and moral systems, he suggests, are deeply embedded in different models of the family. Thus he asks the following question: 'Do models of the family and family-based moral systems allow one to explain why liberals and conservatives take the stands they do on particular issues?' (Lakoff 2002: 12). Lakoff identifies two distinct

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48 Original arguments appear in Van der Merwe (2009) and Van Reenen (2012) by permission from the editor of *Communitas Journal for Community Communication and Information Impact*.

49 George Lakoff and Mark Johnson would concede that people do make purely referential statements such as: 'This is a ball'. But when people start to cross-identify two or more domains in more and more complex systems of thought, this would no longer be referential and such complex systems are constructed quickly and mostly unconsciously. We are looking for similarities in automatically co-opted thought which might not be obvious and need some connection through analysis (Lakoff and Johnson 1980: 3).

family-based models, familiar to readers of his work, and connects each of these to one of the political groupings: The model of the ‘Strict Father’ for conservatives and that of the ‘Nurturant Parent’ for liberals. In his work, he does an extensive analysis of what these models mean in American politics, citing many events as well as examples of this kind of language used in various contexts to support his claim. Of course, he also indicates that these models do not always function in exclusive or discrete ways, and may be combined in different ways by various groups.

Based on Lakoff’s work, the critical question for our purposes is to identify which *kind* of family life is represented in the metaphor for residence life that have historically emerged at the UFS as well as to examine how that kind of metaphor, or representation, might contribute to shaping the worldview and behaviour of the young men who, over generations, have been produced by these institutions. In other words, we argue that the traditional Afrikaner men’s residences at the UFS up to 2008 can be analysed using Lakoff’s metaphors of ‘the family’ and the moral models that these metaphors produce.

It seems plausible, then, to suggest that large numbers of conservative white students metaphorically, in many ways, conflated the ‘residence’ as a ‘home/house’ and its ‘occupants’ as a ‘family’. Typically, conservative Afrikaans homes operated within a strongly patriarchal configuration with a strict father at the helm and a decent mother, often the buffer against possible aggression and conflict, supporting him and their children. The family cluster would have been a homogenous, tightly-knit unit, enmeshed in an organised community of parallel family clusters with a clear awareness of common features. In such a family configuration, there are fixed roles and clear rules and it is up to all family members to play their designated parts in an acceptable way in order that they may assume their rightful places in the broader community. The following extract from the interview with Natie Luyt demonstrates our point and, at the same time, reproduces the family metaphor. Incidentally, only Afrikaans white staff and students use

this terminology to describe residence life. It is notably absent from black members' descriptions.

*Your hostel life at this university up to 2009 was like a family. You were taken up into a family. You became part of the family. There was a disadvantage – whether you liked the family members or not you were part of the family. And, if I can use the word 'intimate', it was a very intimate relationship that existed between the residents, sometimes to the detriment of your own loyalty. You were more loyal towards your residence than you were to the university. In the sixties when I was at university and even when I came back in the 80s, there was almost more rivalry between the residences on campus than there was between our university and its traditional enemy, Potchefstroom University. So, the residence really played a big role. And it's not strange, even today, to speak to people who used to be in the residences for many years and they still have contact with their peers who were also in the residences. (Luyt interview, 2011)*

Following Lakoff, 'home/house/family' is the 'source domain' with which students are all intimately familiar, while 'residence/occupants' is the 'target domain', which is abstract and which they experience more difficulty in grasping and communicating (Lakoff and Johnson 1980, 1999).<sup>50</sup> For example, past and present students of a residence often refer to the house residents as 'one big family'. Each first-year student gets chosen by a senior to enter into a father-son or mother-daughter relationship with them and these newcomers are expected to address their respective senior students as 'Pa' (Dad) or 'Ma' (Mom) and other senior students in the 'house' as

50 'Source' domains are usually more physical, readily identifiable entities and 'target' domains are more non-physical, abstract concepts that humans have difficulty in defining. What Lakoff and Johnson claim about metaphorical grounding is that 'we typically conceptualise the non-physical in terms of the physical – that is, we conceptualise the less clearly delineated *in terms* of the more clearly delineated' (1980: 59). This conceptualisation results in certain features being highlighted and other features being hidden as well as understandings of domains being tailored to a *particular* experience of a given domain that may be specific to one culture and have no resonance in another culture. This dichotomy, we put forward, is pertinent in the residence model at the UFS.

‘Oom’ (Uncle) or ‘Tannie’ (Aunty). Every residence has a ‘house’ committee who is elected by the ‘house’ members. Regular ‘house meetings’ form an integral part of residence life.<sup>51</sup> One of the greatest fears expressed by students regarding integration was that the residence will be changed from being a ‘house’ into being a block of flats (cf. Van der Merwe 2009: 52).

Masitha and Tabane who both served on the SRC, said in the interviews that most black students were likely to have perceived the residence simply as ‘accommodation’. This view was also shared by progressive, white, English-speaking students. Many such students opt for off-campus accommodation because they have no interest in participating in residence culture. As the editor of the student newspaper at the time, Jamie Turkington, confirms:

*I never wanted to live in them [the residences]. I did not like the ... you know ... there were almost an enforced culture that had been carried on for many generations that did not seem relevant to me anymore. I fancied myself as a free thinker and someone that was not going to come here and conform. I suppose also my English heritage was a factor in me not immediately relating to what was more of an Afrikaans culture dominated residence environment. I remember on the open day when I arrived here, because I was going to stay in the city, I had the option of joining a city residence so we went to an induction meeting and the residence head came out and they started singing the hostel song which was something like ‘Boerseun, Boerseun jy het nie sakgeld nie’ [Farmer’s son, farmer’s son you don’t have any pocket money] or something like that and I did not identify as a Boerseun, you know. So, I knew that I would have to make my own way in the city and find my own friends, so residence life never appealed to me. (Turkington interview, 2011)*

Black students were much less likely to identify a residence as a familial house and very little of their home culture would have been represented in traditional residences. For example, many black students were perturbed

51 Students have even been known to keep pets such as a small dogs, meerkats, chickens and rabbits in the residences, albeit illegally.

that they had to refer to their senior students as ‘father.’ These students were men who had (most often) already undergone initiation ceremonies in their various cultural contexts. In traditional African culture, the initiation ceremony is an important rite of passage from boyhood to manhood and allows a person to assume autonomy as an adult. Therefore, many young black students entering residences viewed themselves as men who could therefore not refer to senior students as ‘Father’ in any way. It would have been considered disrespectful to their cultures and families to do such a thing. It was apparent that there was regrettably little consideration for African culture and concomitant neglect of the consideration of what multicultural traditions would mean on an integrated campus in order to promote a true, collective sense of belonging. This is succinctly stated by Masitha in an interview:

*White students behaved on this campus like they owned the space, like they owned the university and blacks were merely guests ... and for very long, I felt like an unwanted guest at the university. For very long, I felt the university is not a space that belonged to me as it belonged to everyone else. (Masitha interview, 2011)*

We have argued, and provided evidence in support of our claim, that for many Afrikaner families, residence culture was something they dearly cherished because it reminded them of *home*. The ‘Strict Father’ metaphor that was so well established at home was simply continued after school, and purposefully so, in order to continue the accepted moral order. This extended an opportunity for Afrikaner men to continue their development, becoming men outside the familial home, in circumstances similar to the familial home. The attachment to residence culture is therefore not surprising, as we argue that for most Afrikaner families, religion and church affiliation – mostly Dutch Reformed – nationalist ideology, and indeed the UFS itself were extensions of their life world, overlapping and

intersecting in a way that constituted and affirmed (white) society and were jointly premised, upon the ‘strict father’ model.<sup>52</sup>

Following Lakoff (2002), the ‘strict father’ model works from a premise that the world is a dangerous place and life is difficult. The self-discipline required to survive in such a world is therefore learnt through tough measures of discipline, obedience and respect for authority, competition and punishment for wrongdoing. In short, there are clear boundaries for

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52 Van Reenen (2012) notes the following: It seems more plausible that, given our largely conservative patriarchal family systems, most South Africans would have been able to identify with, and operate within, a ‘Strict Father’ model, and further than that, it would seem reasonable that many more South Africans would identify with, what could be termed, an ‘Abusive Father’ model (especially in a cross-racial context with young black people falling under the authority of older white males). We are aware this term may appear a little extreme to some, but it is useful for analytical purposes. The hypothetical ‘Abusive Father’ family model could be loosely formulated as follows: he would exercise power in all levels of society and have expressed it for its own sake. At the most negative end of the scale, this expression has come with the intent of self-definition and self-promotion and has not been exercised in genuine relationship with other members of the society, not unlike the antisocial personality (cf. PDM Task Force 2006: 36). Their relationship with others is largely characterised by fear, manipulation, aggression, violence and exploitation to serve their own ends. This ‘Abusive Father’ persona may come across to some as charismatic and engaging, but that façade often hides a far more sinister and insincere character, with little honest connection to others. They have minimal feeling for the needs of others and lose interest in their targets when their purpose is served and their lack of remorse can be astounding. The difference between this model and the ‘Strict Father’ model is that it is driven, not by straightforward authority, but by fear-inducing domination. The relationship is not characterized by simple establishment hierarchy, but by a more cruel or ominous power over the other. Once people have suffered at the hands of an abusive authority, the ritualized decimation of personal dignity leaves scant hope of a balanced, well-formed relationship based on mutual trust and respect. On the back of this identification, it is possible to suggest that this metaphor may provide some insight about the way in which white authorities on campus might have been perceived by black students following the opening of the university at the end of apartheid. Coupled with the physical confrontations, which have characterised male behaviour on campus for many years, it would not be too much of a leap to understand the mistrust that underlined strained relationalities among racialised groups on campus. It is this broader context that a student leader explicitly referenced: ‘People didn’t understand that there was a lead-up to the video ... an oppressive state that took place, particularly for black people and black students at the institution’ (Masitha interview, 2011).

how to act correctly and clearly distinguished ideas of what the right kind of person is. The strict father family has a moral duty to produce such suitable people for society. The idea is that if members of an institution embody and mirror the characteristics, there will be a good moral result. More of the right kind of people will be produced. Furthermore the hierarchical nature of this kind of thought implies that the 'right' kinds of people deserve to be better off than others. That is simply the order of the world.

Some of the dominant characteristics of a typical white Afrikaner male residence can be listed as follows: a culture of seniority characterised by absolute authority; a shared, homogenous identity; clearly designated roles and intolerance towards non-conformity; an unconditional loyalty to the *residence* and its *occupants*; clearly articulated codes and punishments for violations of those codes; a commitment to being present and participating in residence life; curbing individuality and honouring tradition. These points can all be associated with the 'Strict Father' model of morality (Lakoff 2002: 65–107).

### Seniority and authority

Residence life at the UFS was organised along a very strong hierarchy of seniority.<sup>53</sup> Following Lakoff (2002: 76), this is necessary to the system because it is believed that: the junior does not know what is best for himself or the system; the senior does know what is best and has the best interests of everybody at heart; everyone in the system accepts that the senior members know what actions are in the best interests of all. First-year students in residences had, in effect, no rights or privileges. Second-year students had minimal rights and privileges until they were fully integrated

53 Obedience to strict hierarchical structures is very much a norm at historically Afrikaans universities. This is echoed in Wessels *et al* (2014: 16) who were tasked by the NWU council to formulate a report on troubling treatment and hazing of first year students. This Task Team was dealing specifically with the North-West University in this report but there is a marked similarity to the UFS context and practice throughout this report. For further confirmation of the problem of overblown seniority at the UFS, see iGubu's Residence Diversity Report (iGubuAgency 2008: 22).

into the residence in their second-year – through a ritual similar to the one ('Fear Factor' scene) enacted in the last part of the Reitz video. But, second-year students had a measure of power over first-year students. Third- and fourth-year students were known as 'the seniors' and they had all the power in the system. Wilhelm Jordaan, a professor in psychology at the University of Pretoria, explained it as follows in an article for the *Beeld* newspaper:

*For the real root of the problem is precisely the family ideology of authoritarianism that has been cultivated over the years in many Afrikaner homes, in church and school contexts further evolved, and became entrenched by apartheid. In many Afrikaner circles family authoritarianism still thrives ... This is where the tradition of initiation comes from in which 'seniors' the 'juniors' are humiliated, thrashed, ridiculed, and even assaulted. Essentially, the same sort of hierarchical thinking, are assigned with declining value to every other person you view lesser than yourself. (Jordaan 2008: 16)*

In male residences, first-year students had to address seniors as 'Oom' (Uncle). They were not permitted to speak in residence meetings, nor were they allowed to vote. They had to sit on the floor (not on chairs), were not allowed to use the main entrance of the residence, and had to fulfil certain residence duties (such as telephone duties and making coffee or running errands for seniors). All of these regulations were sanctioned by the UFS in an official, comprehensive residence manual.<sup>54</sup>

A student who was interviewed by a journalist just after the Reitz video became public, gave the following description of residence life:

*Each residence has its own initiation culture. So as a white student in a [mostly] black residence or a black student in a white residence you are subjected to the specific initiation rituals that are unique to that residence. It belittles you. You are told what doors you can use where you can walk, how you should behave. It's like apartheid. (Rademeyer 2008: 8)*

54 For extensive critique of this manual, see the MKC report (MKC 2005).

First-year students were required to attend all activities, regardless of their interest and schedule. They were punished for transgressions – by getting a hiding (in the 1980s). Nowadays, they have to pay fines. They were not allowed to drink alcohol, except when deemed acceptable by seniors. This usually resulted in binge-drinking, typically at so-called ‘Pa-en-seun-aande’ (translated from Afrikaans: ‘Dad and son evenings’). First-years were not allowed in the rooms of seniors, but their rooms were always open for seniors to enter at will. They made food for seniors, made coffee for seniors and washed their dishes. Christopher Rawson, a law student who also served on the SRC, described the experiences of some first years in residences at the UFS in an article in *The Journalist* as follows:

*Curfews, restriction on freedom of movement and association, forced attendance, religious and racial discrimination, forced attire, inferiority complexes due to policy and mentality and limitation of state granted major-rights ... This may sound like a re-hashing of what happened during apartheid or even an exposition on what is happening in a dictatorship or fascist state somewhere else in the world, but unfortunately this is the reality that many first years’ students experience in residence life. (Rawson 2014)*

The seniority and power hierarchy was established in practice through the persistent humiliation and abuse of first-years. A journalist, Pearlie Joubert wrote in the *Mail & Guardian* about student experiences in Karee residence some weeks after the Reitz incident:

*One student complains of being ‘yelled at, jerked around by clothing, limbs, neck or head, being locked in smelly dark rooms, humiliated, degraded, tortured, profane language used’, while black first-years were continuously required to serve their white seniors. (Joubert 2008: 6)*

Etienne van Heerden, a South African writer and academic makes the point that, in order to understand this dynamic cultivated in residences, one has to seriously consider the concept of ‘power’:

*Just think of how a first-year student in a men's hostel gets citizenship and a sense of belonging by submitting to the powerful rituals of initiation. He obtains citizenship by kneeling before the power of the seniors ... The first-year student in the residence is taught from the outset learned to abide by the ruling power, the hands of the seniors. He will crawl, jump and cough to win their favour ... But also remember the irony of the initiation ritual: The first year condones the initiation rituals because he knows that, in a year or three, he will have access to the same power that the seniors now have over him. Then it will be his turn. (Van Heerden 2008: 7)*

Based on the above, it is possible to imagine the problem of legitimate moral authority from the perspective of white residence students. If black students were to enter the residences, they, too, would be occupying these hierarchical positions in the residence and may disrupt the status quo. The juniors might not follow the rules due to social or cultural differences and the seniors might exercise a different kind of morality which would not produce the same kind of people. This would immediately be met with resentment, because many conservative white people have long perceived especially the black male as criminal, lazy and incompetent – ‘useless’ is a word common in the vernacular – in effect the ‘wrong’ kind of people.

### **Identity and conformity**

Against the backdrop of the hegemonic reproduction of a particular kind of residence culture, various residences fostered an identity complicit with obsessive guardianship. This is again identified by Lakoff as essential to the ‘strict father family’ model for the duty of protecting the moral order and producing righteous people (Lakoff 2002: 81). In residences at the UFS, men's residences in particular, this was displayed through songs, the anthem, the credo, the uniforms, and the pledge of allegiance to the residence. Male residence students, we argue, did not see themselves as Koviesies in the first place but as a ‘Reitz man’, or a ‘Karee man’, etc. There was

little to no space for individuality – one simply had to conform to the group identity. In 2008, Tim Cohen, a columnist for *The Weekender*, explained:

*One of the problems is the long embedded history of authoritarianism on the Afrikaans campuses, which has its roots in the rather brutally small-minded culture of the apartheid state. It's a kind of co-operative militarism that enforced obedience and de-emphasised liberty and cultural expansiveness. You might have thought that it would have been utterly vanquished by now. The culture is hostile to open creativity, not to mention the imaginative ingenuity that should be mandatory at a university. The fact that the university authorities have tolerated this kind of inanity in the name of tradition makes them complicit in this outbreak of stupid hatred.*

(Cohen 2008: 6)

Before students arrive at the residence, they are informed via an official letter, about the rules and regulations, prescriptions of clothes, and so on. As a first-year, men had to have shortly cropped hair and a specific uniform was to be worn every day – that is a formal blazer, tie and trousers. Uniforms are still worn by first-year students at the UFS today despite the costly outlay for students (many of whom are on grants which do not cover such expenses) and the fact that the uniform is highly impractical in temperatures that can reach above 30 degrees. The uniform practice has been widely criticised (see Wessels *et al.* 2014: 15). At first glance, this might look like an innocent, harmless practice, however, by wearing these uniforms first-year students can be identified as a vulnerable group, open to abuse from senior students. Furthermore, it forces a specific group identity on them, encroaching on their individuality.

In a debate at the UFS on first-year uniforms in 2015, the residence head of Armentum, Willy Nel, argued that ‘the fostering of hegemonic masculinity in residence culture finds its expression in the suits for first years’ and challenged the ‘demeaning insistence on first years having to wear the impractical suits’. To get to the origin of this tradition, he goes back to the influence of the Broederbond in the 1960s:

*In their outward appearance, the Broederbond took great care to always appear neat, even issuing dress codes like attending meetings in dark suits or where the weather does not permit it or suspicion can be arisen, safari suits) with a ban on shorts, colourful sportswear, multi-coloured shirts, etc. The 1960s also saw RC Hiemstra, a leading Broederbonder and Commissioner General in the state apparatus, going on a charm offensive to solidify the Afrikaner's position in the then National Defence Force. The Defence Force was portrayed as a white nation-building exercise with Afrikaans churches playing a central role in popularising military service among Afrikaners. (Nel 2014)*

Nel then likened the role of senior students in enforcing these traditions today to that of the Broederbond of old:

*The house seniors cannot fathom anyone not dressed according to the prescribed code, nor can they shake the bonds established in rituals which make deviation from the norm unforgivable. Like the Broederbond of old, the house deploys our own Hiemstra characters in the form of the Residence Committee members to make those new to the house understand the militaristic discipline which they have to observe because the concept of resident-warrior can only be earned in adherence to the rules. That is why we have our first years suited-up in the heat of summer; the subjectivation of the individual through state apparatus, i.e., governmentality completed. (Nel 2014)*

The fact that the UFS officially endorses the compulsory wearing of uniforms by first-year students, challenges the seriousness of the university to do away with traditions in residence that humiliate people. Rudi Buys, dean of student affairs in 2014, argued that one of the important steps to be taken in transforming the cultures of residences is 'the intentional and shared redesign of the symbols and traditions, the structures and procedures and various customary behaviours of the residence to reflect and promote its values and aspirational goals.' But when he explained how this could be done, he suggested, amongst other things, that 'senior students wear

formal academic attire so their matured scholarship is recognised, rather than first-years wearing uniforms to learn conformity' (Buys 2014b). This seems to suggest that wearing uniforms, and thus displaying identity and conformity, continues to be encouraged by the university leadership, albeit in altered form.

The overarching values of Afrikanerdom and Christianity guided codes of thought, but not necessarily behaviour, as is evident in the following experience of a black first-year student in a male residence (Karee) at the beginning of 2008, as captured by *Mail & Guardian* journalist Joubert, once again:

*He [name withheld] threw a [FF+] poster to me and he said 'Read!' 'Geforseerde integrasie = rassisme' [forced integration equals racism] was written on the poster. He asked me whether I'm for it or against it. I said that I don't understand it. He told me that all white students are against integration but the university is forcing them. 'He asked me what I want in the white men's residence since I'm black. I said I didn't know that it's a white residence, but that it's good because I will make friends and learn other cultures. Then they locked me in the cupboard for more than three hours with a sack of rotten potatoes. They then asked me whether I was going to move out or not and I said I didn't know'. (Joubert 2008: 6)*

If one was perceived as being weak, one could be 'worked out' of the residence – in all kinds of subtle and more explicit ways – life would be made difficult enough to induce a decision to leave the residence. Moreover, those who did not obey these rigid designations were called 'sluipers' (Translation from Afrikaans: *lagger* – one who lurks in the background or holds others back. In English, 'slackers'). These students were constantly harangued and disciplined in the form of fines and punishments for not participating. Some were excluded and some were eventually eliminated from the system. These measures are typical of 'indirect bullying' which consists of 'a form of social isolation and intentional exclusion from a group' (Olweus 1993: 10). First-year students were not allowed to have female visitors in their rooms

and, needless to say, they were quickly spurned at the slightest suspicion of homosexual behaviour or any difference to the hegemonic normativity. Blatant homophobia was not uncommon which is ironic seeing that many traditions required male residents to remove their clothing. Black students would not have been able to accept these practices as the MCTHE explains further, after meeting with students at the UFS:

*Given the responses of white students, one needs to be aware of how black students are responding to the changes that are taking place in residences. As the demographics of higher education institutions change, black students perceive the responses of their counterparts as a defence of past and continued white privilege, and an attempt to keep black students on the periphery of the institution. As a black student at UFS asked: What is hostel culture? Who decides? Whose tradition? (DOE 2008: 82–83)*

The relevance of the question extends wider than the marginalisation black students experience at the UFS. The MCTHE report was conducted on campuses across South Africa and found the problem to be pervasive. This problem of ‘fitting in’ has equal relevance for, and could be asked by white students who do not ‘fit in’ either because they do not accept the narrow privileging of particular cultures and traditions and/or because they are perceived to be ‘deviant’, that is, gay or lesbian, etc. In this regard, it should be reiterated that, although participation in social and cultural activities in the residences is voluntary, those individuals who choose not to participate may be isolated, ostracised and ‘treated as outcasts’. For example, at the University of Johannesburg, such students are referred to as ‘Gingos’. As quoted in the MCTHE: ‘Though the impression is given that some of these traditions and/or rituals are a matter of choice, the choice made determines the degree to which one is a member of the house or not’ (DOE 2008: 83).

## Secrecy and loyalty

In the men's residences, there was a commonly accepted, tacit code of: 'What happens in the house, stays in the house'. The MKC report (MKC 2005) confirms that this 'code of silence' and 'covering up' is common to white male culture which resulted in white students taking part mostly *voluntarily* while, with black students, the opposite was true. In the memorandum of 2008, one of the students' concerns was that outsiders would be called upon to interpret house meetings. This was deemed unacceptable, and students iterated that they would only accommodate interpreting services 'on the condition that internal interpreters would be used'. By this, the students meant that resident students should be the interpreters. Parts of house meetings included vulgarity which was going to be problematic if exposed to outsiders, especially if those outsiders happened to be female. The students specifically wanted to conduct meetings in Afrikaans and in private. Residence activities were not meant to be open to public scrutiny, as was apparently relevant regarding the Reitz video:

*Their motivation [to make the video] was not political. It was purely a hostel event. They had many traditions [and one of them] was a cultural evening. [They] decided to make a parody and joke a bit about integration. It was not for external consumption. It was only for internal purposes.* (Luyt interview, 2011)

Lakoff does not address the problem of secrecy and loyalty per se. We bring it in here as a specific moral focus in that this function was central to the perpetuation of traditions and initiation which had been banned by policy but continued in practice. (See also Wessels *et al* 2014: 16). The fact that policy did not permit these practices did not sway the moral commitment of students to the received order because the belief in the code was so strong. The focus is honed on the internal family and not the common good or moral norms beyond the residence context. Therein lies the problem: secrecy and loyalty to the house overrides broader moral norms and so must be hidden from the broader community in order to remain intact.

As a residence head comments to management regarding incidents and complaints in his residence:

*Their [residence committee] perception and attitude remain that both incidents and complaints came to light coincidentally and that by waiting it out the status can be refuted as such. They persistently insist on promoting a culture of secrecy and continue to defend all practices as part of non-negotiable traditions.<sup>55</sup>*

### **Violence and vandalism**

Violence has long been a part of male residence culture at the UFS:

*Male residences would occasionally be at loggerheads with each other – especially after having lost a rugby game against a neighbouring residence. Throwing stones or other objects at each other's windows, exchanging unmentionable insults and sometimes ending up in free-for-all fist fights/wrestling/kick-box encounters, where-after they would return to their residences – tired, sometimes slightly injured, but satisfied. No one would afterwards complain to the authorities and damages were automatically debited by the administration to the residence kitty. Only in extreme cases where damages ran high and/or injuries were serious, would the residence head or university authorities be informed whereupon the incident would be dealt with by way of formal disciplinary hearings and steps. (Verschoor 2014: 16)*

Lakoff suggests that 'strict father morality' comes with a moral choice of retribution for violations of the moral authority or accepted order and this would have been broadly extended in the residence context which was extremely tolerant of violent, destructive behaviour. Aggression and force seems to have been extended from the moral strength requirement which encourages men to develop their fighting spirit and 'toughen up' in order to stand up to evil and hardship in the world (Lakoff 2002: 71). As a consequence, students suffered physical and verbal abuse especially during

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55 Personal communication and correspondence with management, 2008

so-called contact-initiation sessions as evidenced in the following reports by journalist Pearlie Joubert in the *Mail & Guardian* newspaper:

*Many human rights are violated during this initiation. They said there will be no physical contact, but two African guys and I were coming into the hostel whistling and a senior grabbed me by the T-shirt and said: 'What the f\*\*k are you doing?' He pushed me backwards while hitting me with his fist on my chest and then after that he bumped me on my mouth with his fist. Then he said I must not be a sissy. (Joubert 2008: 6)*

And:

*[D]uring the yelling I was told to leave the residence: 'I will deal with you until you fuck off'; while [name removed] was grabbing me by my neck and jerking me around and sometimes chocking me. (ibid)*

Often, first-year students who suffered the most severe forms of humiliation at the hands of seniors, became the worst perpetrators of such assaults on new first-year students who entered the residence the following year. As stated above, the roles in these residences resembled those of the conservative family, and so, were very clearly defined. As often happens with bullying behaviour, the worst affected victim sometimes becomes the worst abuser in a perverse, repetitive cycle. It seems that victims would easily assume the roles of those at whose hands they had suffered – perhaps in retaliation for what they went through; perhaps because they could not imagine an alternative way in which to treat the newcomers other than what they had experienced; perhaps in a state of self-blame and feeling they deserved such treatment, they felt that the newcomers deserve it as well; perhaps in attempt to regain a sense of power in the face of loss of control and self-respect; or perhaps in an attempt to simply redirect the pain and humiliation away from their own experience. These responses are all possible explanations to an abusive or bullying cycle that has been perpetuated at the UFS for many decades. Misawa states that, 'bullying in higher education has not

been well researched and even overlooked' (Misawa 2010: 8). However, an extensive study by Chapell *et al.* (in Misawa 2010) reveals their finding that bullying is endemic in higher education). This suggests that there is a problem which needs more attention, especially in South African contexts.

There was also a culture of regularly breaking and damaging residence property such as doors, windows, etc. One of the RC members had a standing portfolio called 'breekskade' (Translation from Afrikaans: breakage damage). Some male residences had sizeable accounts of up to R20 000 to R30 000 per year for such transgressions. The breakages were often carried out after seniors went on a drinking spree. The idea was to return to the residence in a raucous romp and break down doors, for instance, in an effort to 'scare the first-years'. In April 2008, journalist Hennie Pienaar from *Die Burger* raised the following concerns:

*This puts the spotlight on the whole initiation culture at Afrikaans universities in which alcohol use plays an increasingly integral role. The focus in the present case is on race, but white first-year students often undergo similar treatment, also associated with alcohol use (as in the controversial video) in which beer bottles reflect the daily reality. University authorities will need to seriously consider the restriction of the power of senior students to impinge on the dignity of others (regardless of race), especially where associated with drinking. (Pienaar 2008: 17)*

Moreover, assault and abuse was perpetrated against passers-by who might happen to annoy residents on step on their property.

*The campus was so oppressive then that black students couldn't walk past the Reitz hostel, for instance. You know, if you stepped any closer to the Reitz hostel, you would experience incredible abuse. The same thing went for Armentum, for instance. (Masitha interview, 2011)*

### Tradition and humiliation

In line with the obsession to uphold an exclusive residence identity, the men in residences widely believed their traditions to be unique. Accordingly, they kept their traditions somewhat secret from each other and there was great rivalry between the residences (cf. MKC 2005: 18–9). Lakoff repeatedly refers to competition as being essential to the ‘strict father family’ model in order to weed out who is going to survive and succeed in the difficult world ‘out there’. The widespread obsession with a competitive means to morality shows how the majority of traditions at different residences were actually very similar in nature with a gang mentality that masqueraded as ‘koshuisgees’ (translation from Afrikaans: residence spirit). One author of this work confirms that what he experienced in 1987, as a first-year student in HF Verwoerd (renamed Armentum in 2005) residence, was virtually the same as what he witnessed being done to first-year students when he was head of Karee residence in 2008, more than 20 years later.

One of the most important traditions in residences was the final rite to passage ritual for first-year students. This was always done in secrecy and took on different forms in the various residences. Jansen describes the initiation rituals as a ‘deadly cocktail of abuse passed off as normal’. In answering why first years will continue these practices when they became seniors he says that ‘What they had as ‘stock stories’ were the memories of older boys including fathers’ and that these stories ‘passes off medical injury with humour and trauma as pleasant recollections long after leaving the university’ (Jansen 2016: 34). In one UFS residence, the following happened according to an article by journalist, Eve Fairbanks, based on the experiences of some students in Karee residence:

*After he was placed into Karee, he proceeded to fall in love with UFS’s dorm culture. His favourite ritual was freshman initiation. He laughed as he described it to me, because he recognised that it seemed an unlikely memory to cherish. ‘We queued blindfolded and half-naked,’ he recounted. Seniors painted the freshmen’s bodies in*

*red and yellow stripes to resemble the dorm mascot, a bee. Then they made each initiate drink tomato juice from a toilet bowl. 'It looked like vomit! It was horrible! Guys were really getting sick!' Finally, the freshmen were led to a 'huge drum filled with water, cow dung and grass.' A senior shouted at them to dyk – dive! 'Then you get out. You're dripping, smelling like cow dung.' After the cow-dung dip, the black and white freshmen were instructed to go back to their rooms, shower, change into a jacket and tie, and head to the dorm courtyard, where smiling seniors were waiting to hand them a plate of barbecued meat and a beer. 'You are a member now,' they informed Mathibela. 'Colour doesn't count.' 'I felt proud,' he remembered. (Fairbanks 2013: 6)*

The above comment is by a black student who relates his experience with a great sense of pride in joining the ranks of his senior counterparts. There are strong sentiments often expressed across the campus that, when one has managed to get black students and primes to follow traditions, one has achieved success and one has succeeded in attaining 'buy-in', which is actually getting someone to succumb to the dominant order. This view is supported in the management interviews of 2011. Of course, we note that there are also points of overlapping ideologies between the dominant white and black cultures in that relationships based on family bonds are highly valued and both traditions are extremely patriarchal in nature. Men have significant power over women. Any sex/gender differences departing from conforming roles are usually confronted or rejected. Aggression and dominance is prevalent in both types of masculinities and great emphasis is placed on 'becoming a man'. This is perhaps most disturbingly evidenced in traditions such as *'poppekas'* (translation from Afrikaans: puppet show) in which a female student is usually plied with alcohol and taken to one of the male rooms to engage in sexual intercourse while other male residents watch – either from the cupboard or through a window – unbeknownst to her (MKC 2005: 44). Understandably, there is some resonance between different formulations. Pathologies of convergence and divergence are

evident in racialised and gendered interactions. For the authors, this kind of 'buy-in' suggests that removing subcultures one by one would result in a repeated, unfortunate failure of justice.

Tolerance of humiliation for the sake of character-building is prominent in conservative South African culture and a case in point is exemplified in what has now become infamous in South African rugby chatter as 'Kamp Staalraad'. In preparation for the 2003 Rugby World Cup, the coaching staff of the South African rugby team (at the time under the leadership of coach Rudolf Straeuli) decided to take the squad on a military-style team-building exercise. This 'boot-camp', military-type activity was typical of South African army training camps when conscription still existed during apartheid. Participants are subject to harsh, humiliating conditions with the apparent goal of breaking them down to eliminate individuality and ego for the good of the team. Although South Africans broadly condemned this activity of the national team, not much is said about similar activities that persisted in university residences at South African higher education institutions for many years. See Wessels *et al.* (2014: 16) for further elucidation of concern over militarisation practices in university contexts.

These practices were further complicated by the fact that, from January 1987, management decided to place only new students in Reitz who had completed their (compulsory) military training. Most of these students were returning from combat or active training with no debriefing before re-joining civil society. These men could not be expected to assimilate themselves into residence and campus life without problems and these students further entrenched practices of humiliation as they would have experienced in the army for purposes of fraternity in combat. As mentioned by Govier and Verwoerd, this is something black students would not be able to relate to:

*To understand the actions of a typical white security force member in apartheid South Africa, one must unravel his intertwined social identities. These would include a racial (and racist) identity as an Afrikaner; the powerful influence of the Dutch Reformed Church on*

*his religious identity; and growing up in a patriarchal culture, with its macho values further deepened by the militarism and patriotism.*  
(Govier and Verwoerd 2004: 374)

It seems that open condemnation of these practices only comes once evidence of these phenomena appears in the media, just like with the Reitz video. The following commentary in the MCTHE raises similar concerns:

*However, the initiation practices at university residences are anything but a celebration. Instead, and perversely, they signify the 'making' of men out of boys through a process of 'breaking-in', akin to the breaking-in of wild horses. It serves the same purpose as the 'breaking-in' of rookies in the army, namely to instil the values of obedience and conformity, as well as the maintenance of order. And in the military sense it represents a celebration of domination, which was the leitmotif of apartheid.* (DOE 2008: 81–82)

### CONCLUDING NOTES: DISRUPTING THE FAMILY

In our view, the extension of family model has outlived its usefulness in the modern, diverse university. We would argue that an alternative needs to be considered. One cannot reasonably argue that the residence is an extension of the home, as some have argued in the past. The metaphorical extension has lost its relevance in terms of current identity issues playing out on campus. Moreover, if more progressive models could be co-opted into residence life, they would probably come at the expense of the authoritarian hierarchy that is entrenched across the university campus, not just in residences. The overemphasis on residence life and traditions in the transformation debate is noted by a former student: '[Residence] integration was taken as a proxy for transformation at the university' (Tabane 2011). We suggest that all the so-called traditions in the various residences should, at least, have been questioned. The undue load placed on the residences to integrate the campus should become the responsibility of all divisions within the university and not relegated to one sector deemed responsible for correcting

social ills present in the entire institution. The entire culture would have to take new shape, echoing a widespread commitment to mutual respect in all interactions. While this kind of solidarity is practiced by some members of the UFS, it is most certainly not the norm. One might suggest an alternative to family models, given that the limitations and dangers of these models are proving very problematic for the university. We concur with the following suggestion by the MCTHE:

*Furthermore, as indicated above, while the Committee welcomes the move to organize residences in the historically Afrikaans-medium institutions via a value-driven approach, in order to address the negative impact of residence culture and tradition, it is not convinced that this approach provides a long-term solution. It is the Committee's view that the principle of organizing residences in terms of culture and tradition, irrespective of the fact that the latter may be consistent with the values of the Constitution, does not remove the question of 'whose culture' and 'whose tradition' are being celebrated. The focus on culture and tradition implies the need to 'fit-in', being voluntary notwithstanding, and puts pressure on individuals who choose not to conform. And it is precisely this culture of conformity that higher education institutions should challenge. (DOE 2008: 86–87)*

A university driven by a conservative institutional culture with practices such as those exhibited in Reitz (and other male residences) was in no way prepared for the shift toward more progressive models. Moreover, there was extreme distrust between racial groupings prior to the Reitz crisis. The unwavering conviction that the above institutional framings were going to be retained at all costs, and that newcomers must simply learn to co-opt such framings into their learning process was a mistake. The university had ample warnings which should have raised a flare. The culture of hazing as described in the previous section was rife within male residences at historically Afrikaans universities. There were fair warnings as to the dangers of these cultures and practices and the harmful hegemonies

they reproduce. In 2001, the minister of education asked the SAHRC to investigate initiation practices at educational institutions after a student died during an initiation ceremony at the University of Stellenbosch.

*The practice of initiation seeks to undermine the intrinsic worth of human beings by treating some as inferior to others. Initiation practices undermine the values that underpin our Constitution. Initiation therefore impedes the development of a true democratic culture that entitles an individual to be treated as worthy of respect and concern. Initiation practices should accordingly be abolished and prohibited at all educational institutions. On the other hand effective orientation processes should be encouraged to ensure that students from all backgrounds are quickly integrated into learning and social activities.*

*The impression is created that the practices and the monitoring thereof are just organized in a different way and that orientation is just initiation in another guise. What is not acknowledged is that initiations cannot be transformed and the system, which entertains initiations practices, has to be abolished in all its forms and guises. Even the most innocent practices are not organized on a voluntary and inclusive basis but is often well-organized and structured and open to abuse. (SAHRC 2001: 22)*

The Matthew Kruger Consultants report, mandated by the UFS to investigate student life advises against gradual reforms. Instead, the report suggests abandoning the culture altogether and making radical changes to the system. The report argues that the existing culture is so strong that any attempt to reform it on a small scale will fail. The report further suggests a quick and decisive transition and states that ‘whoever controls this battlefield will win the war’ (MKC 2005: 24). It is safe to say that, in this report, the UFS had the problems clearly spelled out for them and some good solutions offered to them. With so many factions unable to align with one another, the legitimacy of the institution was placed in a precarious position. With plans to go ahead with residence integration in 2007, it seemed that a crisis was unavoidable. Indeed, the UFS was about to lose the war.

NO GOING BACK –  
RESIDENCE INTEGRATION AT  
THE UFS AND ‘REITZ’ AS  
A LEGITIMATION CRISIS

## INTRODUCTION

We argue in this chapter that the various governing bodies of the UFS (wittingly or unwittingly) had been slipping gradually into what could be termed a 'legitimation crisis' since the advent of transformation initiatives at the university. In spite of the University painting a generally positive picture of its transformation processes, the furore around the racial integration in residences palpably exposed a rather different reality, possibly because it concerned living spaces and people's traditional, everyday existence at the university. The integration principles that were about to be applied according to the new residence policy were getting 'close to home', so to speak and were squarely at odds with the interests of particular groups (present at all levels of the institution, as well as the proximate public, alumni and parents of students). The most vocal and problematic group was white Afrikaans males as we will show in the analysis below. The CHET audit (2008) and evidence accumulated throughout the MKC report 2005 support this claim. Interviewees also referred to this several times. We argue, therefore, that a delegitimising institutional climate in various forms was present already for some time at the UFS, and with the added energy that erupted as a result of the residence integration policy, this climate made it possible for the Reitz saga to occur. The Reitz incident would cause severe damage to the university's broad legitimacy and its reputational capital suffered.

In this chapter, we take a closer look at the concepts of legitimacy and reputation, the process of legitimation as well as strategies and tactics most often deployed by organisations after suffering a legitimation crisis in an attempt to restore reputation – particularly in relation to the UFS and the residence integration policy that sparked the Reitz event. We focus, therefore, on the various bodies responsible for securing the UFS's legitimacy and reputation and that were tasked with leading transformation at an institutional level.

## LEGITIMACY AND GOVERNANCE IN SOUTH AFRICA'S POST-APARTHEID HIGHER EDUCATION INSTITUTIONS

The value of legitimacy in institutions cannot be underestimated but it is difficult to define.<sup>56</sup> 'Legitimacy' refers to the congruence between the values that inform organisational activities and the widely accepted norms in the broader social system. When these two value systems cohere, an institution is said to possess a high level of organisational legitimacy. Habermas (1973) asserts that members must perceive that the institutions in which they live are just, benevolent and serving their best interests. In this way, members sense that these institutions are deserving of their loyalty, support and commitment. If this relationship is undermined, the hope of 'a rationality contained in everyday practices of communication' will be compromised (Peters 1995: 36). Suchman offers three further statements about the nature of legitimacy as well as the agency and processes through which it is bestowed:

- *Legitimacy is generalised because it shows, to a degree, that widespread favour may transcend specific negative events.*

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56 The concept of 'legitimation' has been in our midst since ancient times (Habermas 1976: 181), the specific function of which was to (often divinely) validate rightful authority, lawful governance and obedience. Aune (1983) and Richards and Van Buren (2000) describe this concept in detail. However, modern organisational studies that have extended the originally political notion to legitimation in social institutions, as adapted and utilised here, were established around the end of the 1960s and Jürgen Habermas' book, *Legitimation Crisis* which was published in 1973, contains many of the key conceptions that have evolved and developed in contemporary literature on the subject. In this publication, Habermas examines the tensions and crises underlying the dynamics of capitalism in western societies. He refers to the work of several social theorists such as Marx, Weber, Luhmann, Parsons and Benjamin. We note that studies in legitimation have been presented in social theory in various forms and we are adapting from Habermas for the purposes of this monograph. Moreover, many of the contemporary sources occur in sociological studies and organisational studies but are applicable in a variety of disciplines. We modified them slightly for analytical purposes and for this (educational) context, specifically.

- *Legitimacy is a perception or assumption that reveals how an organisation is seen by stakeholders.*
- *Legitimacy is socially constructed and, therefore, not dependent on individual ethics or values. If the collective group says that an organisation is legitimate, this will trump concerns about particular behaviours. (Suchman (1975: 574))*

Legitimacy in universities is conferred on different leadership bodies within the institution and these leadership bodies in turn need to take steps to secure the institution's broader legitimacy in the society in which it is located. In order to safeguard the legitimacy of its governing structures, university governance bodies need to justifiably apply power in a way that is beneficial to all members; in a way that has widespread approval beyond the confines of the institution; and in a way that involves the participation of members in order that they have some say about how they need to be governed effectively.

Of course, given that South African universities are public universities, the state also has an important stake in the university as it is funded by public means through the national government. In a report on governance in South African higher education, released in 2002, the CHE Governance Task Team identified 'bicameral governance' as the basis of South Africa's higher education system and described it as 'the shared accountability for governance by lay members of Councils who act as trustees in the public interest, and the academic staff of universities and technikons, represented through Senates' (CHE 2002: 2).

In terms of the governance structure of South African universities, the chancellor is the nominal head of the university who confers degrees on behalf of the university but who has no executive powers. The chancellor, in playing a ceremonial role, is expected to advance the interests of the university. The university is governed by its council as the highest decision-

making body, which is comprised of representatives of all the divisions within the university, relevant stakeholders such as donors, alumni, religious communities, sponsors and representatives from local government, as well as persons appointed by the minister of education. University councils have strategy-making, policy-making and monitoring responsibilities. According to the CHE Governance Task Team, university councils should exercise 'their fiduciary responsibilities in the interests of the institution rather than in furtherance of the objectives of the constituencies from which they are drawn' (ibid). The rector and vice-chancellor is the principal of the university and therefore the administrative, academic and management head who is accountable to the university council.

Vice-rectors assist the rector in the management and administration of the university. The registrar is responsible for specific managerial, administrative and supervisory functions and is the secretary to the university council. The rector, vice-rectors and the registrar together make up the rectorate (the executive committee/Exco, or university management committee/UMC usually includes deans and directors). The senate is a body responsible for academic matters and specifically the strategic direction of the academic, research and community service functions of the university. The senate is accountable to the council and consists in main of all full professors, deans, the UMC and a representative from the council and the SRC, respectively. The Institutional Forum (IF) is a statutory standing advisory committee to the council. The forum consist of two representatives each from the UMC, council, senate, academic employees, administrative support service, service employees, the SRC and trade unions. However, while IFs were introduced as key role players in the governance of universities, there was widespread confusion about their role and the CHE Governance Task Team reported that few were functioning effectively in the sector. The reasons for this vary from institution to institution: at some institutions the IF is seen as a lapdog of the UMC; at others, it is seen as siding too much with either the university council or the student leadership; and, at a few institutions, it is not

functioning at all. The idea behind institutional forums was to create a space 'where student bodies, staff associations, management groups and academic bodies meet as stakeholder groups or as mandated organisations in order to develop policy options for the council to consider' (CHE 2002: 4).

According to the UFS Institutional Statute 2010 (Government Gazette Vol. 542 No. 33490) the university convocation includes all permanent academic staff from lecturer to professor; all permanent support service staff from deputy director to rector; and all current and former students who obtained a formal qualification from the university. The alumni (current and former students who obtained a formal qualification from the institution and an important stakeholder) has a voice through the convocation. The convocation has no decision-making power, but may make recommendations to council (UFS 2010).

In Chapter 2, in a discussion of the debate about the relationship between university and society, we stressed that that universities such as the UFS place great emphasis on their autonomy and, consequently, their exclusivity from the state/public apparatus. This position, particularly in the case of institutions such as the UFS, is ironic given that, during apartheid, Afrikaans universities willingly served the state in many respects. This raises the question of who bears responsibility for the institutional transformation of South African universities after apartheid. We argue that the post-1994 government showed a lot of patience with universities and their troubled transformation agendas and gave institutions considerable leeway to institute transformation processes at their own behest, whether in an effort to respect the autonomy principle or because of legal limitations.

## **GOVERNANCE AND LEGITIMACY AT THE UNIVERSITY OF THE FREE STATE: THE RESIDENCE INTEGRATION POLICY**

The matter of legitimacy is of course of specific importance to South African higher education institutions in the context of the post-apartheid

social transformation imperative. In the case of the UFS, retaining broad legitimacy would have required that the values of the UFS resonate with the broader social values in the context of a 20-year young democracy. Yet, in order to do this, two further requirements would need to be met. First, the broad governance structures (which provided representation for all the stakeholder constituencies) would need to be on the same page regarding the overall project to ensure the institution's broad legitimacy. Second, even if the outcome of such deliberations were to produce policies broadly reflective of a desired value set, the university governance structure would need to be strong enough to also ensure the implementation of such policies. An analysis of the process leading up to the adoption of the racial integration of residences policy in 2007 is offered here to show where and how the matter of institutional legitimacy became compromised.

The key governance structures that played a role in this process at the UFS were the UMC, consisting of the rector, vice-rectors, registrar and senior employees (such as deans) as designated by the rector, the SRC, as well as the formal university residence structures comprising of elected residence committees, the convocation and the council. According to the CHE Task Team, university councils should exercise 'their fiduciary responsibilities in the interests of the institution rather than in furtherance of the objectives of the constituencies from which they are drawn' (ibid). Unfortunately, this did not happen at the UFS. The council did not always support the transformation initiatives proposed by the Exco and, in some instances, many council members opposed such initiatives. In the years prior to the Reitz crisis, the IF at the UFS did not function optimally and was viewed by many as an extension of the Exco. In addition, all layers of the university governance structure, including middle management (deans); and the lower tiers of governance such as residence heads, were crucial in ensuring policy implementation. At this level, too, problems occurred.

We pick up the story in early 2007. In spite of increased diversity in the overall student population at the UFS, the residences remained segregated along racial

lines. As the situation had become untenable in 2006 and throughout 2007, management attempted to get a new residence placement policy approved. The national government had been extremely lenient towards the UFS in the years prior to 2008 – not interfering with the segregated residences situation on the Bloemfontein campus. But, at institutional level, there was significant dissonance regarding the problem of segregation and how to handle it among, and within, all governing bodies at the UFS. This was confirmed in the MKC Report commissioned by management already in 2005:

*The biggest stumbling block to our mind that prevents the successful integration of residences (as well as the elimination of ‘initiation’ activities as discussed later) is the lack of true solidarity amongst leadership of the UFS. We include in this bracket all levels of leadership including Council, management and student leadership. The task at hand is immense even with a united front from leadership, but to believe that it can be achieved with leadership divided is simply unrealistic ... The result is a glaring lack of resolve in this issue that quite conveniently plays into the hands of those subversive elements that would prefer to sabotage the entire process. Such forces are well aware that any form of resistance spells a quick retreat in any attempt to facilitate integration and a reverting to the current status quo ... Currently we have different racial groups playing various management staff off against each other. Black students approach certain staff members for a sympathetic ear and White students another. This creates a divided front and results in no forward momentum. (MKC 2005: 12–14)*

We would argue that, in order to attain or retain legitimacy, it would be important that the council, senate, management, the IF, as well as the SRC function broadly in step with one another when it comes to strategic decision making and policy formulation/implementation such as the residence placement policy. Yet, certain events leading up to the council meeting on 8 June 2007, where a new residence placement policy was on the agenda, demonstrated that this was not the case at the UFS. According to Fourie, everything seemed set for this meeting ‘We felt everything was

in place as good as we could have done it. We had a good rationale, well considered, it took us three years to think through it, a well-reasoned plan looking at all eventualities happening' (Fourie interview, 2011). Yet, after extensive prior consultation and internal discussion, a motion was tabled at the meeting requesting that the matter of residence integration be referred back to management – it was argued that interest groups 'had not been consulted sufficiently'. This is evidence that there was not unanimous support from the council for the new policy. However, the motion to further consult with stakeholders was eventually rejected, although not unanimously. After this discussion, a vote followed in which it was decided that the policy implementation was to go ahead as scheduled. The vote was 13 to 5 for the implementation to proceed. Furthermore, as an indication that stakeholders were indeed perhaps not on the 'same page', at the same meeting, a representative of the Central SRC,<sup>57</sup> presented a letter to the council signed by primes of 13 of the 23 residences on the Bloemfontein campus. The letter argued that students had not been consulted sufficiently. Note that the primes of all the white male residences signed this letter, while none of the primes of the black residences did. It reveals something about the mindset and attitude of the white students – presenting *their* views to the university council knowing full well that not all students were in agreement.

At this point, one may infer that the management was indeed at odds with other stakeholders so implementing their decisions – the very reason for which they hold their posts – was bound to raise tensions across all sectors of the university. Management believed that consultation was sufficient (having taken place since 2004), while some groups of students and their supporters did not. Nevertheless, management seemed to be under the impression that although there are differences of opinion, the vote in the council in favour of the policy had settled the matter and co-operation was

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57 Of the three campuses of the UFS, only the Bloemfontein and Qwaqwa campuses have their own SRCs and representatives from both form the Central SRC.

expected in the new academic year in spite of individual disagreements. In fact, an impasse had formed because of internal contradictions and it seemed nothing more could be done. In this regard, this case demonstrates one of the biggest challenges that the UFS has encountered in the process of transformation: how to move from formulating policies towards implementing them. It seems as if there was often an inability to exercise choice and action beyond list-making and planning. Management drafted the policies, but middle management, including some deans and directors were unable, or unwilling, to enact these plans. It is clear that some student groupings were not prepared to implement such policies relating to students affairs, such as the residence placement policy, and they openly declared their intent to oppose these.

It appears that one of the major issues here was communication regarding consultation. While the rector said in the interviews: 'We did consult with students but it was not a negotiation process' (Fourie interview, 2011), the chair of the council contradicted that statement saying, 'There was very little, if any communication at all, between management and the students' (Hancke interview, 2011). The Afrikaner student leaders alleged throughout 2007 that they were not consulted in the drafting of the policy, while management remained adamant that they were. Fourie made this point on more than one occasion:

*Alumni, council members, students and the Student Representative Council had been consulted. We were going with the 70/30 compromised model which ten years ago was in place ... it is ten years later and we will phase it in and we were as thorough as we could be ... And we had a certain capacity, that is, what you have and we were acting in good faith all the time, we were trying to do something that we thought was right. And we also had a communication strategy in place ... articles in the student newspaper, letters to students, letters to parents featured articles in the local newspapers, communication to staff, so now I can't even*

*think of what we could have done more, except take another three years to wait ... I don't know.* (Fourie interview, 2011)

We suggest that students seem to have viewed consultation as their opportunity to make inroads into some sort of policy change or stopping the policy altogether. Management, on the other hand, saw consultation more as an information session and an opportunity to engage students on how to implement the policy which had already been approved by the council. Of course, one could pose the somewhat obvious question: Why was there any consultation regarding a practice that was, for all intents and purposes, unconstitutional?

The residence placement policy appeared again on the agenda of the next council meeting, held on Friday 15 September 2007. Since its previous meeting, held on 8 June 2007, there had been much public criticism and protest against the decision taken to approve the policy on increasing diversity in residences. The most visible of these was demonstrated in the SRC elections that took place between the June and September meetings of the council. Candidates from the FF+ won with a resounding majority and their campaign was based on an opposition to the new policy. One of their election posters read 'GEDWONGE INTEGRASIE GAAN KOSHUISTRADISIES VERNIETIG! STAAN SAAM MOENIE TERUGSLAAN NIE, SLAAN EERSTE! STEM VF+ KOVSIES'. (Translation from Afrikaans: Forced integration will destroy residence traditions. Stand together. Don't hit back, hit first. Vote FF+ Kovsies). Consequently, it came as no surprise that the policy on diversity in residences dominated the council meeting on 15 September 2007. Two points on the agenda related directly to this: one being the decision of the FF+ to submit an application to the Supreme Court 'to prevent the UFS management from implementing the policy on residence integration';<sup>58</sup> the other being the tabling of a resolution by the convocation that was adopted during its meeting of 11

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58 UFS council minutes, 15 September 2007.

September 2007 which stated the convocation's opposition to the planned desegregation of residences as follows:

*The Convocation of the University of the Free State*

1. *expresses deep concern over the resolution of the Council on 8 June 2007 in connection with the placements of students in university residences arising from a document entitled 'Increasing diversity in UFS main campus residences: A new policy and role for residences';*
2. *urges Council to rescind the resolution immediately or to postpone its operation until other options have been thoroughly investigated and considered after effective consultation with interested parties. Such options*
  - *Should avoid the use of race as the dominant criterion for admission to a residence and any prescribed racial mix of residents;*
  - *Be based on voluntary student participation in the process of the diversification of residences; and*
  - *Provide for incentives for such participation.*
3. *urges Council to investigate the matter of diversity in the university and to consult with all interested parties and role players in this regard;*
4. *requests the chairperson of the Council to convene a special Council meeting for this purpose.<sup>59</sup>*

One should bear in mind that convocation meetings are poorly attended at the UFS. For instance, at the meeting on 11 September 2007, only 100 members attended and two-thirds voted against residence integration

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59 UFS council minutes, 15 September, 2007.

– eventually about 70 people – but the media coverage and alumni correspondence around this matter gave it much more prominence than such a meeting merits. Further, although often mentioned as a scare tactic, the financial contribution from the UFS alumni to the university’s budget is minimal.

The fact that a convocation meeting was held just a few days before the UFS council meeting indicates that opponents of the planned desegregation of residences sensed they were running out of time to halt the process. The council was under significant pressure as they had experienced a considerable amount of criticism in the three months following the approval of the policy. The FF+ court application and the convocation resolution added to the mounting pressure. In the end, the council re-affirmed the decision taken at its previous meeting – that student residences at the UFS should be racially integrated. It was clear, however, as discussed in the previous two chapters, that many stakeholders were unhappy with the decision. This should have been a warning to the council, as well as the management of the time that a crisis seemed imminent. In response to the council’s decision, and only a few weeks later, the video, which would later be referred to as the notorious ‘Reitz incident’, would be screened at the annual cultural evening at Reitz residence.

The role of the UFS council is important here. Although the council ultimately approved the plan, the formal endorsement was not seen by all as sincere or a real vote of confidence in the policy. For example, The MCTHE considered the role played by the council in the implementation of certain policies aimed at transformation, and referred specifically to the failure to implement the residence placement policy at UFS:

*[A]lthough there were apparently strong objections within the UFS Council to the introduction of a mixed residence policy, the policy was nevertheless pushed through as presented by management (UFS meeting with Council). This suggests that policies that may be unpopular are approved in order to comply with legislative*

*and regulatory requirements, but with the full knowledge that, in practice, little attempt would be made to implement the policies or to ensure their success. (DOE 2008: 118)*

The rector at the time confirmed this position and reflected as follows on the role of the UFS council and senate during that period:

*At times there appears to be a covert, unspoken agreement amongst some/many to approve and allow 'transformation' – as long as it doesn't change anything substantive, as long as it doesn't change established patterns of institutional culture, as long as it doesn't change established power relations and patterns of authority. (Fourie 2008b: 6)*

However, the problem between the council and management was not the only factor influencing the poor follow-through on policy implementation. It should be noted that, whilst policies and plans for transformation were clearly deliberated and for the most part aligned with sound principles (see DOE 2008: 36), the above discussion repeatedly shows that implementation was extremely problematic. This was, in part, because senior management handed over policies to staff for implementation where the latter had neither the will nor the know-how to do so. It seems that the management perceived their function to be planning and writing policy with some 'consultation' in between for instructing students and staff to follow suit with the execution of the policy.

Yet, there is a further dimension to this problem. Students, and student leadership, saw 'consultation' as being allowed to actually determine the direction of policy formulation and to have a strong hand in its implementation. The implementation of the 30/70 race distribution policy in residences was a case in point. How was this going to be done? Students had suggested recruiting newcomers themselves (Schoonwinkel interview, 2011) but this did not seem at all realistic. What is more, they clearly wanted to determine who would be allowed into their residences on their terms.

This left a loophole for the rationalisation of discriminatory practice. As a staff member warned:

*In my view, the main obstacle in the way of achieving transformation and meaningful change is the relativity and ambiguity surrounding the interpretation of policies and guidelines. Students will continue to find loopholes in which they rationalise and justify unacceptable and inhumane practices. Policies need to be addressed from the highest levels throughout all residences in a consistent clear and unambiguous fashion that leaves no room for rationalisation.<sup>60</sup>*

This description and analysis of events leading up to the Reitz incident allude to the fact that the communicative relationship among the governing sectors at the UFS was compromising the legitimacy of the institution in the months leading up to the video. Finding themselves under pressure to disband long-held traditions, management scrambled to preserve the legitimacy of the UFS. The long-standing practice of receiving general mass loyalty and silence from the university constituency and its (white majority) members coupled with minimal participation, was beginning to degenerate quickly.

However, the university management stood firm and aimed to implement the residence placement policy by January 2008. The groundwork for this implementation had already begun in 2004 (confirmed in management member interviews, 2011; and UFS council minutes, 8 June 2007). Much attention was focused on this process but, notwithstanding some real attempts to gain legitimacy for policy implementation, the implementation only went forward with some success after the Reitz incident caused a major public outcry. One may draw the inference that the values inherent in any segregated organisational activities or practices are not compatible with the more widely accepted global demands for the equal treatment of people as well as the democratic norms and values contained in the South African Constitution (1996) which, in essence, is transformative. In plain

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60 Private communication and correspondence with the rector, 2008

terms, the residences were still racially (and sexually) segregated some thirteen years into democracy. The danger here is that institutional ethics remained responsive to particularistic traditions which are ‘incompatible with universalistic forms of intercourse’ (Habermas 1973: 20).

### THE FORMATION OF A LEGITIMATION CRISIS AT THE UFS

It would be apparent, at this point, that what we are describing are the features of a legitimation crisis. Drawing on Boxenbaum (2008), Suchman (1995) and Dowling and Pfeffer (1975) one may extract the following framework that outlines the key indicators of a legitimation crisis:

- The institution experiences problems with organisational legitimacy when struggling to implement novel policies and practices which will make its value system cohere with that of the broader society.
- This resistance escalates until the governing body is rendered inert and therefore unable to carry out the managerial actions for which they were instantiated.
- This inertia forms an *impasse* between stakeholders and, with rising tensions, a significant (usually shocking) crisis event ensues.
- The crisis event usually destabilises the institution to such an extent that the event itself becomes the catalyst for transformation to occur.

This framework points out that the process becomes a cycle when the institution in question is unable to reconfigure the structural transformation required to get itself out of a negative feedback loop. Therefore, the types of change that are implemented, and the way in which the institution moves forward from the crisis event, are crucial to the success of a legitimation process. Boxenbaum offers an important comment on the form that a legitimation crisis takes: Relevant literature tends to suggest that ‘a jolt, in the form of a major event, destabilises the organisational field, which then becomes receptive to novel or diffusing ideas.’ (Boxenbaum (2008: 237).

The 'jolt' that Boxenbaum describes, hit the university like a swift one-two punch early in 2008 (ibid). On 20 February of that year, both black and white students protested violently against the residence placement policy on campus – as has been discussed in detail in Chapter 3. A special Exco meeting was called on 21 February 2008 to discuss these events, and the damage to the property of the UFS was estimated at R3, 1 million. In the same meeting, the student affairs representatives reported that a meeting was held on 15 February 2008 with four white male residences and a request was issued for management to stop the policy implementation. While Exco was in intense discussions about the arrests made and what possible legal or disciplinary action should be taken, another special meeting had to be convened on 26 February 2008, less than a week later. The Reitz video had been made public and was shown to Exco at this meeting with the minutes noting a forewarning about the offensive nature of the content. The UFS was officially in crisis.

With the UFS then significantly destabilised, 'Reitz' itself served as the catalyst for real change towards normalisation. The university found itself in a state of ill-repute, both locally and internationally. It was being vilified in the media with numerous reports and letters placing the institution firmly in the spotlight and many questions left open to speculation and commentary. The public was made well aware that the values of the UFS were not harmonious with the values of a democratic state. Here we go along with Chaison and Bigelow (2002: 8) who maintain that democracy is a 'widely shared value'. We hold that it is an undeniable, vibrant attribute of the current South African state, no matter that it has its problems with regard to effectiveness of implementation or the shortcomings of particular government officials. As we indicated, the internal world views formed within and by the UFS allowed for the persistence of values that are incongruent with democratic ideals. Of course, the UFS was unlikely to have been an isolated case, and this point is extended to Afrikaans universities more generally in the work of Sharp and Vally:

*Sadly, historically Afrikaans universities contribute an intellectual environment that is conducive to destructive intervention by right-wing parties and to occasional outbursts of outright racism. Moreover, this environment is formed as much by what is not said, or debated, or even thought about, as by what is. There has never, in all the years since apartheid ended, been a systematic, internal critique of the apartheid thinking on which these universities' intellectual foundations were built, nor any intellectual guidance in this respect from those who lead the universities or from the wider, particularly Afrikaans-speaking, society. (Sharp and Vally 2008: 4)*

It is suggested here that mature, differentiated, discursive actions required for legitimisation were not present in the UFS on a large enough scale because there was extreme hesitancy in adopting and applying democratic values. For this reason, from the first mumblings of 'transformation' on campus, the UFS was rendered vulnerable and open to the threat of a legitimisation crisis and it is still not free from that hazard.

In order to demonstrate how the process of legitimisation, for all intents and purposes, failed in terms of using governing bodies' legitimate position to effect institutional functions, one would have to establish where the internal contradictions were produced during the process itself. To that end, we examined recorded minutes of meetings of the university council, the senate, the Exco and the SRC in the lead-up to the crisis. The aim of our analysis was to establish points of conflict; as well as to determine where 'discursive gaps' between the stakeholders might have been formed at a time when solidarity was vitally important to the success of a suggested transformation process (McDonald *et al.* 2013). We argue that a closer examination of ideas, communications and practices based on these documents provides some elucidation of where the process went wrong.

We begin with the role of the SRC. An integral part of promoting legitimisation in the broader student body would lie with the SRC leaders and residence leadership. The SRC, as listed in the SRC meeting minutes

of 2007, consisted of 18 members, of which three were black. In one of the interviews, a student leader indicated that the final SRC composition for that year was 21 members as three extra portfolios were added (Schoonwinkel interview, 2011) As might be assumed, this student council was not representative of the larger student body, which, according to figures given in the UFS Integrated Report 2012, was around 61 per cent black in 2006–2007 (UFS 2012). These SRC minutes were mostly recorded in handwritten Afrikaans notes and possibly reflect the majority consensus of the student council, which was run by the Freedom Front Plus (FF+), a conservative political party with a white Afrikaans-speaking constituency, as political party politics in the country were aligned with student politics at that time. The provincial leader of the FF+ consulted regularly with these student leaders on campus matters. (This is no longer the case.) While the racial integration of residences was clearly a major issue for this SRC, the minutes of meetings display somewhat of a contradiction.

Integration and transformation matters are mentioned on the agendas (see for example: Transformation Questionnaires 12–16 March 2007; Transformation Workshop 26 May 2007; Transformation Summit 27–29 August 2007 and a meeting to discuss racial integration with the SRC scheduled in the SRC Hall for 14 March 2007). However, nothing is noted about what problems and questions were brought to these meetings, workshops and seminars. There is also nothing noted about what was discussed at these proceedings, how it might affect the student body, or, indeed, what the SRC could do in order to facilitate the integration and normalisation processes, apart from holding social events. This seems to indicate a lack of seriousness in dealing with integration and echoes a sentiment that was highly prevalent in the student body: that students come to university to have a good time and not get involved with politics. Perhaps this is one viable pursuit in higher education, but it should not be the pervasive attitude of any student council.

The bulk of the noted minutes had to do with the organisation and management of events and outings. Every aspect of such events is noted in great detail: menus and quotations for events, venue options, clothing requirements, party planning, music, attendance specifications, photographs, tickets and calls for the responsible use of alcohol, and so on. Judging by the extensive details and notes taken on these matters, these aspects seem to form the largest part of the discussion in such meetings.<sup>61</sup> One can clearly see an imbalance in the material here. Reading through the minutes, it is clear that the roles and responsibilities of an SRC member were not consciously interpreted and viewed as democratic representation and active leadership in tackling problems within the student community – in this case, transformation. We are willing to concede that there might have been some verbal discussion in these meetings which were not recorded (at all?). Perhaps there was more serious-minded concern than that which could be located in the documents. Either way, the lack of such documentation shows clearly how the gravity of these matters was explicitly ignored.

We further contend that the Reitz video was representative of the convictions of significantly more members of the student body and even members of the SRC than the four students who made the video and other sympathisers from the Reitz residence. To validate this conclusion, we have

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61 The minutes also contain much documentation regarding disciplinary procedures and related punishments for contravening those procedures. The reason given for these strict measures is to ensure accountability, and improve efficiency, in the functioning of the student council. Unacceptable behaviour of individuals is reported both to the SRC and superiors such as the dean. For example, a chastisement such as withdrawal of sponsorship is incurred from the dean's office when certain residence primes are alleged to have been 'ungrateful' in their behaviour. There is far more emphasis on what to do when there are contraventions of laws and policies than any strategy on how to implement norms and practices that have genuine merit, characterising the typical regulative practice of hegemony that has its origin in homogeneity. That is the luxury of homogeneity. Obedience is taken for granted and rationally arguing for legitimation of justifiable norms is almost absent. This further shows an immaturity in an institutional structure that was in trouble. The 'radical decentering that denies an epistemic or historical privilege' which should be commonplace in units of higher education shows no disclosure here (Peters 1995).

to mention an illustration, which was the only record we could find in the SRC minutes regarding integration. It is a single page consisting of three demeaning caricatures of senior members of staff who were to conduct a meeting on the subject of integration with the SRC members. Under each cartoon-like image is a multiple choice option for each one requiring SRC members to select which name applies to each image. Due to offensive imaging and to protect anonymity, we have omitted the visual. There were no further records of matters relating to integration.

The documents also give significant attention to the demand for confidentiality, as might be expected in similar council meetings, and spell out confidentiality requirements in great detail. This culture has persisted to the present day, where confidentiality is a major affair when requisitioning information surrounding student affairs. The process is substantially regulated. The reasons given for this are usually concerns about ethics and protection of the institution. The positive side of confidentiality is largely internal, in that it may go some way to create the protected space needed for free and contested debate, which is critically important in the communicative ideal needed for legitimation. From a negative, external perspective, it can simultaneously be perceived as a closing of ranks in order to escape transparency and publicisation of problems. This, in turn, could compromise an expected, automatic belief in the legitimacy of the office, especially if there is a perceived lack of institutional trust and accountability.

From the minutes of the SRC meetings it seems as if the issues pertaining to the residence placement policy was not debated in detail. However, many of the white SRC members regularly consulted the leadership of the political party they belonged to, namely the FF+. One cannot help but wonder whether this state of affairs was part of a specific strategy followed by students in order to try and undermine the institutional consultation process. Furthermore, given the urgency of the problems that the UFS faced in 2007 regarding integration and transformation, and the preceding violent disruptions and damage to property surrounding these issues, it seems quite unbelievable

that the student representatives had little or nothing to contribute to the debate during their meetings.

Turning our attention now to the role of the university council, senate and management in the period leading up to the legitimisation crisis, it is important to set out some of the parameters of our enquiry. In particular, we draw here on the four distinctive components of legitimacy, as outlined by Boxenbaum (2008) in order to enable a more finely calibrated enquiry into the problem of legitimacy and adapt this to higher education institutions, specifically.

There has been a shift of focus in contemporary literature on the function of legitimation in organisations, moving away from a wholly empirical approach to include other factors such as pragmatic, socio-political, moral and cognitive elements, which has significantly extended options for evaluating inertia of power structures and the loss of legitimacy. The four categories are:

- *Pragmatic legitimacy*, which is the most elementary form of legitimacy and is derived from a cost-benefit model of the organisation and its members. If stakeholders experience a high level of favourable exchange, they tend to support the institution.
- *Socio-political legitimacy*, which consists of endorsement by legal authorities, government bodies and other powerful organisations or key players who might be directly or indirectly involved with the institution.
- *Moral legitimacy*, which rests on whether the actions of the institution are ‘the right thing to do’ and produces some sort of social value.
- *Cognitive legitimacy*, which is the framing of an organisation as desirable, proper and appropriate within a widely accepted system of norms.

These kinds of legitimacy may overlap depending on the typology or institution involved. Consequently, they are neither necessarily mutually exclusive nor one-dimensional.

The discussion that follows considers each of these categories in relation to communiqués, practices and reflections by the university council, senate and management during this period. The analysis demonstrates how the UFS failed on all four counts regarding transformation and racial integration in residences. In addition, our analysis shows that the position of these structures in relation to the question of transformation show significant shifts at different stages of the legitimation crisis, with the Reitz video being used as a case in point.

### **Pragmatic legitimacy**

By 2007, pragmatically speaking, the institution was arguably carrying out its primary function of education relatively effectively in that academic activities were proceeding, more or less, as usual. However, there was significant tension and dissatisfaction among and between stakeholders that centred specifically on issues of transformation. The senate, for instance, is typically concerned with matters of an academic nature, as per the usual functioning of a university. Nonetheless, the minutes of meetings show that the university council and management regularly informed senators about events on campus, however, these discussions within the senate more often than not focused solely on their concern for any tributary disruption in academic proceedings. While the majority of white academic staff members rarely engaged on matters of transformation and were seldom heard stating their views in public, many of them were well aware of the problems and had animated conversations among themselves. As such, then, members of the senate contributed just as much as anyone else to the problems inherent in institutional culture. By not engaging with the issues of transformation it seemed as if the reluctance of many of the white academic staff to challenge

the status quo was because they did not support the transformation process at all. This was confirmed by a management member in the interviews:

*[T]he culture, the language, certainly very strong. Even the staff felt threatened by what it is to really become a transformed university ... [Referring to white staff's attitudes to black members] You can be here, we will tolerate you, but don't expect me to even speak English in staff meetings because it's my culture. I've been here for 104 years. (Management member interview, name withheld, 2011)*

Both the Exco and the council were well aware that the legitimacy of the UFS, and its policies were in question, But the problem was not framed as a legitimisation crisis as such. They did not see their authority as being in question, they simply thought that re-educating the stakeholders would be sufficient. The minutes clearly show awareness of the problem:

*There was general agreement and consensus that the current situation regarding diversity in residences was not acceptable and needed to be changed. An educational and re-socialisation approach to residence diversity was agreed upon.<sup>62</sup>*

In order to shed more light on what the problems might have been with regard to the legitimacy of management and its inability to implement the policy successfully, we draw attention to the following related dimensions of pragmatic legitimacy taken from Suchman (1995: 578):

- i. *Exchange legitimacy, which is support for an organisational policy based on that policy's expected value to a particular set of constituents.*
- ii. *Influence legitimacy, which most often arises when the organisation incorporates constituents into its policy-making structures or adopts constituents' standards of performance as its own.*

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62 UFS Exco minutes, 14 March 2007.

- iii. *Dispositional legitimacy, which rests on the fact that the modern institutional order personifies organisations as autonomous, coherent and morally responsible actors who will earn the trust of their members if they can show good dispositional characteristics.*

Because of the substantial dominance of the racial and political debates on campus, transformation pertaining to curricular and academic issues seemed to have taken a back seat, so, it is not surprising that course activities and intellectual outputs carried on as usual for the most part.<sup>63</sup> The focus was placed exclusively on residences and this dominated management and council discussions. In terms of exchange legitimacy, students were still receiving instruction and did not seem to question this aspect much, especially not through the official channels. Study was not perceived to be particularly affected by segregation in residences.

Influence legitimacy was more problematic since the ‘tail had already wagged the dog’, so to speak. As stated, students in residences had elected to be separated following failed attempts at integration in residences in the late 1990s. The ethics and value systems of these students were allowed to influence the policy or, alternatively delay its implementation. As mentioned in the MKC report:

*In the past, when an attempt at racial integration was met with violent resistance, management retreated. While we remain convinced that such retreat was done with the best possible intentions and with concern for student’s safety as the only objective, the long term result is unfortunately disastrous. Such retreat led to a tacit transfer of leverage into the hands of subversive elements that would prefer to sabotage any attempt at integration. (MKC 2005: 12–15)*

63 This situation persists currently in many contexts at the UFS. This concern has been raised in Youth Forums held at the IRSJ in November 2013 and February 2014. Steps are being taken to combat this problem, which is more often South African than unique to the Free State. See, for example, investigations, audits and initiatives by the Centre for Teaching and Learning as well as the Directorate for Institutional Research and Academic Planning on the UFS Support Services website.

Racial placements not based on sound values immediately call dispositional legitimacy into question. According to Fourie in a 2011 interview, when reviewing the policy, students were consulted about what figure of diversity they could 'live with' and the SRC came up with a 25–75 figure which was taken up to 30–70 by management, in other words, at least 30 per cent inclusion of either black or white students in residences that were homogenous in their demographic distribution.<sup>64</sup> The aim was to get the figure to 50–50 by 2010. Failing to offer any valid reason for this decision, the institution becomes personified as racist or morally questionable or corruptible. Moses Masitha, an SRC member in 2008 and SRC president the year after the Reitz incident surfaced, noted in his interview: 'That type of engineering was bound to fail'. Once something like this happens, the organisation can no longer trade on its strong reputation. Masitha poignantly admits further: 'It was hard to take ownership of the University of the Free State. When you went out and people asked you: "Where do you study?" You didn't want to say the University of the Free State' (Masitha interview, 2011).

### **Socio-political legitimacy**

A focus on socio-political legitimacy is chiefly concerned with an institution in relation to its surrounding social, legal and political environments. With regard to the UFS and its socio-political legitimacy in 2007, we argue that organisations in powerful positions were becoming critical of the UFS and its practices – both local and national government bodies had expressed disquiet. However, it should be noted that this was again a polarised reaction. Conservative camps were vehemently opposed to steps taken towards transformation and they raged against management

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64 We could not find any sound theoretical or academic grounding for such a figure. It is unclear how management came up with such a ratio. Two of the management members said during the interviews they consulted with students and this is what they could 'live with' as quoted. The others stated they were not sure how that figure was decided upon.

decisions in meetings and in the media if their cultures and traditions were threatened. Progressive camps were losing patience as they saw the transformation process as unfolding too slowly and with too much conflict, thereby extensively ‘separating today’s reality from tomorrow’s ideal’ (Suchman 1995: 590). It seems that whatever decision was going to be taken (or not) by management, one group was going to be satisfied and one group was going to be outraged. Emotional reactions in politically charged circumstances cannot be expected to be moderate or rational when people are expecting huge losses and the UFS was no exception (cf. Tversky and Kahneman 1981). The fact is that, historically, the UFS was an extension of the apartheid state. The removal of apartheid’s laws and policies required that institutions of the state follow suit in dismantling harmful practices, come what may. An editorial in *The Witness* newspaper of 28 February 2008 titled ‘Invasion of Dignity’ concurs:

*The former Afrikaans-speaking universities have experienced particular difficulties in absorbing the changes required by an open and free democratic society. For they were more than centres of academic learning and research; they were bastions of Afrikaner culture and language. These monoliths had to be dismantled and a new order introduced, recognizing that a true Afrikaner identity can best survive and thrive as one among others in broad interlocking spectrum of language, race religion and culture.* (Editorial 2008: 12)

It is clear from a discursive perspective that the collective system of thought erred tremendously in its taken-for-granted assumption that, with careful consideration and ‘complex’, ‘nuanced’, ‘innovative’<sup>65</sup> solutions, the institution could maintain some of these undemocratic practices and policies simply because they were ‘said to be by choice.’<sup>66</sup> This is illustrated by a comment of the chair of the university council: ‘The policy was one of free association so the students decided which hostel to join. And there was ... you can call it a natural separation. It worked in practice.’ However

65 These are the terms used by a senior management member in the interviews.

66 UFS Exco minutes, 24 October 2007.

he did add that ‘eventually everyone accepted that we must review that policy because the moment you graduate here you become a member of a very big world outside’ (Hancke interview, 2011).

### **Moral legitimacy**

Moral legitimacy points to the question of whether segregating residences was ‘the right thing to do’ and takes the following forms:

- i. Evaluations of outputs and consequences.*
- ii. Evaluations of techniques and procedures.*
- iii. Evaluations of categories and structures.*
- iv. Evaluations of leaders and representatives.* (Suchman 1995: 579)

Internally, perhaps, segregation was perceived as ‘right’ for the UFS because it was the best solution to avoid conflict and maintain the status quo. Students elected it, staff had nothing much to say about it, and management allowed it. The role of support staff did not feature until the video emerged. (In addition, residence traditions were not questioned seriously by the UFS until after the exposure of the video). It seems that, on a utilitarian argument, most affected members were satisfied with the status quo, so there was no need to review the situation. Further, the intent behind the segregation of residences was not to harm students, but to protect them from each other. Numerous violent incidents in the past had shown that there was a clear and present danger when the groups were integrated. The same would apply for a social contract argument of morality in that the various groups had agreed on previous occasions that they could not get along and had agreed to separate. For similar justifications, a virtue ethical argument could be co-opted in that if people want to separate, it does not make them less virtuous. If integrating makes people violent, and they engage in destructive, criminal behaviour as a result, perhaps it is better for

them to be separate and remain virtuous. There is nothing inherently good about people who integrate or with integration *per se*.

Why, then, should such practices not be allowed to go on in universities? The most obvious reason is that the UFS is a *public* university. For many years now, it has not been an institution that serves a white, conservative, Afrikaans, Christian, male minority, even though that minority wields substantial power within the system. The UFS is subsidised by the state. The state confers authority on management and staff. The UFS is public because it is 'open to all', it is not 'closed' or 'exclusive' (Habermas 1989). The main issue is that the UFS is a public institution subject to the ethical and moral standards enforced in society, public forms of life and public space and it ultimately falls under state authority. The state is the public authority, whose function it is to promote the common welfare of its members (Habermas 1989: 2). On the level of moral legitimacy, then, the question moves away from narrow self-interest or the interests of particular cultural groups and becomes one of a prosocial nature: What is the UFS doing to contribute not only to its own good but to the good of society as a whole? It is for this reason that moral legitimacy is a far stronger antidote to the ills of crisis events than purely pragmatic involvements. People are very forgiving of singular incidents when the organisation is generally perceived to be serving the greater good most of the time, and is *publicly* deemed to be doing so.

### **Cognitive legitimacy**

A further consideration, cognitive legitimacy, gives rise to some interesting questions surrounding the Reitz crisis since it seems to be an area in which institutions have relatively little influence over stakeholders. Boxenbaum also raises this problem, which directly affected the UFS: 'This literature also holds, however, that cognition is fairly resistant to change and that new ideas are unlikely to challenge institutionalised beliefs, even if the field is destabilised' which, in turn, raises the intriguing question of '[H]ow new ideas gain enough legitimacy to challenge institutionalised beliefs

in a mature organizational field' (Boxenbaum 2008: 237). The successful implementation of novel ideas shows that they are not propagated by cognitive legitimacy, they procure it. Boxenbaum (2008: 258) analyses the legitimation process as involving three key elements:<sup>67</sup>

- i. *Individual preference, which covers personal responses to a new frame.*
- ii. *Strategic framing, which mobilises support among key stakeholders.*
- iii. *Local grounding, which anchors the new frame in everyday practice.*

From this point of view, legitimation is a necessary, concerted action precisely because the new frame does not resonate with members already present in the organisational field. Integration in residences was never viewed favourably at the UFS by most white staff members and students. Fourie explains: '[T]he residence was an important symbol, a last line of resistance' (in Bryson 2014: 73). Admitting black students to the UFS was one thing, but living with black students was another thing entirely. It does seem that management did indeed try to prepare the field for the new frame (for example: Diversity Training and Support Plan for Increasing Diversity in UFS Residences; Transformation Plan; an Institutional Charter and various communications with stakeholders since 2004), however, the individual reception was inconsistent within the field and residence integration and transformation remains a prickly topic on the UFS campus to this day.

As the time for implementation of the integration policy approached, responses became more negative and more desperate. In the council meeting, the Central SRC member read a letter from the residence primes asking for

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67 Boxenbaum specifically examines the implementation of the novel idea of Socially Responsible Investment (SRI) in Quebec, Canada. We have adapted her evaluation of this process for analytical purposes in this context.

postponement. The UFS council was called upon to support management in correctly communicating the information to all stakeholders and the broader public during the process in order to limit ‘alarmist messages or disinformation as far as possible in the interest of the UFS’.<sup>68</sup> This language clearly shows the expectation of a negative response. The FF+ planned a march against the council resolution for 25 August 2007.<sup>69</sup> The next council meeting reports that the FF+ was to submit an application to the Supreme Court in October of that year in order to ‘prevent the UFS management from implementing the policy on residence integration’.<sup>70</sup> Other stakeholders, including parents and alumni, had expressed either a lack of support or outright opposition. One cannot underestimate the influence of alumni and parents in the traditional context of historically Afrikaans universities, especially concerning residences. Wessels *et al.* caution: ‘It should also be remembered when these alumni attended academic institutions, South Africa was not a constitutional state which aspires to achieve human dignity, equality and freedom at all levels’ (Wessels *et al.* 2014: 13). In the same meeting, the university convocation submitted a letter with alternatives suggested for implementation of the policy.

Strategic framing, with the aim to negate destabilisation, begins to enter the discourse with ‘task teams’ and ‘sub-task teams’ being established to facilitate and monitor the process. The UFS council called on management to act with ‘circumspection and sensitivity’ and to include all interest groups in the consultation process. The language takes on a somewhat militaristic connotation in this context – with words and phrases such as ‘task teams’ and ‘strategy’ and ‘plans of action’ being used more extensively.<sup>71</sup> One may deduce that the planned increase of diversity in the residences was perceived to be a very delicate matter which caused residual anxieties

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68 UFS council minutes, 8 June 2007.

69 UFS Exco minutes, 24 August 2007.

70 UFS council minutes, 14 September 2007.

71 UFS council minutes, 14 September 2007

in spite of a long planning process. At various intervals, management seems to have become panicked and planned to mobilise support and control potential damage to the institution. The rector, as far back as 2005, echoes this cautious approach in his opening speech:

*We also must consider support for staff involved in these transformation steps, including appropriate staff development, capacity to support transformation processes, flexible and supportive administrative practices, stress management support and other ways to handle the possible extra load of transformation.* (Fourie 2005)

The sensitivity to the threatened (white) staff and students is noted while a history of poor ethical choices resulting in injustice and prejudice and constitutional breaches was played down extensively. On several occasions, stakeholders in the 2011 interviews state that changes were made due to external political pressure and pressure from some donors. One might have postulated that a more sound motivation for such changes was that what was taking place on campus was morally wrong and unconstitutional. In the council meeting of 27 November 2007, it is reported that the FF+ had withdrawn its court case against the implementation of the policy and the students gave their support for the plan to go ahead. It seemed that the strategies had worked. We know now, that this assumption was, in fact, what Habermas (1973) calls a ‘false consensus’.

Unfortunately, the events of early 2008 show that transformation was met with enormous resistance. None of the factors that may have led to the successful implementation of new policies in the case that Boxenbaum analysed were realised at that stage.<sup>72</sup> That said, it is possible that one of the most telling problems, in this context, is the habitual silence regarding the broader steering problem of blatant, aggressive racism in communities

72 We do note the massive substantive difference between a case that involves financial inputs and outputs in the case of socially responsible investment, as opposed to a case that involves human and cultural capital and ideology at the UFS, though the conceptual relevance of the theory we chose remains strikingly applicable, with relevant theoretical consensus in the literature.

and small towns across the Free State and similarly conservative ones in the country. Many UFS students come from these communities. Local towns and townships are still vastly racially segregated with negligible social contact between black and white South Africans.<sup>73</sup> With very few exceptions, white people largely live in towns and the black people largely live in townships. Coloured, Indian and Asian families are so pointedly in the minority in the Free State that they are sometimes absorbed into either of the two communities, or are ostracised by both and keep to themselves. Racial separation was enforced by apartheid, but segregation was not the real damage. What is far more problematic is that separate development in South Africa did not imply equal development. Racial contempt imbibes the daily culture in these small towns and, if anyone has spent some time there, they will experience this disdain in the most casual of everyday encounters. It is commonplace in the social vernacular not to speak of 'a black person' but to use words such as 'kaffir', 'meidjie' and 'boy' or other offensive terms such as 'houtkop' and 'bobbejaanskind'. People of Indian descent are called 'charras' or 'coolies' and Asians 'chinks'. Coloured (mixed race) people are referred to as 'hotnots'.<sup>74</sup> This list is not exhaustive and these slurs are regularly heard between all races, even with regards to self-

73 For fuller explications of these problems consult *Race, ethnicity and language in South Africa* (<http://welections.wordpress.com>).

74 'Kaffir' is a derogatory South African term for a black person supposedly having origins in the Arabic word 'kāfir' originally denoting an 'infidel'. 'Meidjie' means literally, 'little maid', a derogatory term for a black female while 'boy' is a derogatory term referring to a black male. 'Houtkop' literally means 'wooden head' and is a derogatory term denoting black people in general. 'Bobbejaanskind' – baboon child – is a derogatory term denoting black people. Using various ape-like references carries the added insulting intimation that black people are closer in biological make-up to primates than to humans. The evolution argument is often invoked in these contexts, which is quite ironic, seeing that many conservatives reject the theory of evolution outright for religious reasons. 'Coolie's is used to refer to workers from India, but now used for anyone perceived to be Indian. In South Africa, Indians are generally not designated as Asians. Indians usually form a separate racial grouping. Asians would be people from the Far East and during apartheid often resided in 'coloured' areas (with the exception of Japanese). 'Hotnot' is a derogatory term for people of mixed race descent, originally used by the Dutch settlers ('hottentot') when referring to the Khoi peoples.

reference at times. Not many people disrupt the conversation to confront the offenders. This by no means applies to *every* person in these areas, but such rhetoric is very commonly heard in these rural contexts.

While all the usual positive rhetoric on diversity is included in the Training and Support Plan of 24 October 2007, the flagrant domination of a negative, conservative, minority world view instilled so much panic and caution in the university management that they become unable to address the problem of resistance to residence integration effectively. The situatedness of the UFS is an undeniable hindrance to progress. Astonishingly, management became desperate enough to suggest offering discount incentives to students who will agree to be part of the minority 30 per cent in a 70 per cent alternative racial majority residence.<sup>75</sup> This proposal backfired as illustrated in the following comment by Wouter Wessels, the leader of the Kovsie branch of the FF+, taken from *Die Volksblad* of 18 January 2008:

*The university management has now proved to the students that forced integration is only cosmetic in nature and that the emphasis falls on race and racism. They tried to offer students bribes in order to try and blow life into a dead corpse.* (Cloete 2008e: 3)

In typical fashion, because the leadership bodies within the UFS could not operate cohesively, despite their best efforts, they had attempted to control conflict by 'segregating environments' The inevitable result is that they 'catered to one at the expense of the other' (Suchman 1995: 590). The student body was well aware that the white students were the ones being privileged, while the black students were left to fight for their place on campus. This climate was unlikely to facilitate broad legitimisation of the UFS, either internally, or externally. Chaison and Bigelow argue: 'Organisations that attain cognitive legitimacy are unassailable; it is difficult to argue against their presence. This is a rare and rarefied status' (Chaison and Bigelow 2002:10).

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75 UFS Exco minutes, 15 January 2008.

We contend that the ideal would be a high degree of legitimacy in all aspects: pragmatic, moral, socio-political and cognitive. The above discussion shows that this ideal appears all but impossible for the UFS directly following Reitz, although some attempts have been made by the current rectorate to find a way forward. So much has to be repaired before the pursuit of this ideal could be considered as a viable future plan, never mind a realisable short-term materiality.

### **SAVING THE REPUTATION OF THE UFS**

The crisis of the publicisation of the Reitz video brought the UFS firmly into the spotlight and all sorts of doubts regarding the accountability and transparency of the institution become prominent. For better and for worse, the video showed a part of the university to itself and the outside world. As can be expected, the reputation of the university suffered a blow and this certainly affected how stakeholders interacted with the UFS. It seemed that everyone was talking about the video and everyone had a reaction to it. Management was consigned the task of leading the institution out of a fairly dark place and minimising reputational damage in the process.

The problem for organisations in a post-crisis state is that reputation is evaluative and it develops via the information that stakeholders receive about the organisation as well as from their interactions with the organisation. Media reports from and about the university, including public commentary or social media activity, are critical in developing/maintaining reputation but would have been extremely difficult for the UFS to control. Essentially, the Reitz video gave people very plausible reasons to form negative opinions about the university; alternatively, it gave weight to possible negative impressions they already had. Here we look at typical institutional responses that can be expected when organisations are in a post-crisis state and reputational capital is either threatened, or already

in need of repair<sup>76</sup>. Specific contextual examples involving responses to the planned integration, and the video itself, are used to show that, while many wanted to frame problematic events at the UFS as ‘isolated incidents’, there is sufficient evidence to suggest that this institution was acting like an institution in crisis.

### Downplaying the matter

The rector at the time, Fourie, initially downplayed the seriousness of the Reitz incident in the following manner: ‘[People] branded the entire University of the Free State and its management as racist because of the behaviour of four students out of 25, 000, behaviour of this kind that could have happened at any other university in South Africa’ (Fourie 2008b: 11–12).

This line of reasoning was also followed by Verschoor when he was acting rector and announced the closure of the Reitz residence a few months later: ‘This was an ‘isolated manifestation of resistance to the impact of ongoing transformation initiatives at the university’, and further, ‘the actions of a relatively small group of students inflicted severe damage on the university’s reputation and standing in the local and international academic community’ (Staff reporter 2008).

In the interviews several white staff members also tried to downplay the reactionary response: The then chair of the UFS council said:

*But, also, as far as the students are concerned (the Reitz students), there is no doubt about it that it was very insensitive at that stage of our history to make such a video but I don’t think it was racially motivated by the students. Apparently, that ceremony they*

76 The headings in this list were derived from Suchman (1995); Rindova *et al.* (2005); and Coombs (2007) and focus on the institutional perspective of reputation, which concerns institutional roles and structural positions, as opposed to the economic perspective of organisations, which focuses on quality or production. A few contextual examples are illustrative of recurring themes in a large variety of sources. Again, these textual examples are not attached to judgment of individuals, but reflect how players in institutions might react to a crisis.

*performed with the ladies, they also do the same thing with the other first-year students but you know it was a lack of sensitivity, it was actually stupid of them, a matter of immaturity. But, you must remember that they were students at that stage youngsters of around twenty years of age, as far as I know, and it was in very bad taste some of scenes there ...* (Hancke interview, 2011)

The then dean of student affairs Natie Luyt described the video as ‘a parody of the university’s policy’ (Luyt interview, 2011). While Hancke tried to downplay the racial problem and also stated that it was ‘an overreaction from all over the world’ (Hancke interview, 2011), Luyt tried to deny any political overtone: ‘Their motivation was not political’ (Luyt interview, 2011).

Another common response was characterised by a reluctance to acknowledge the harm caused by the video. The then SRC president Ben Schoonwinkel argued that ‘it [the video] was not done to harm anyone ... You can see it’s a playful, joyful thing ... It was not racist’ (Schoonwinkel interview, 2011). The National Union of former Reitz men shared a similar view: ‘the video was a satirical presentation of the integration policy and was not meant to disparage anyone’ (Reitz proposals, UFS 2008a).

To deny or downplay the issue was the most common trend in the letters written by ordinary white members of the public, as illustrated by the following extracts from what they commented in the press.

First, from *Die Volksblad* of 29 February 2008:

*Who suffers more pain and anguish and who experiences worse human rights violations: the cleaner who ‘participates’ in questionable initiation rituals, or the elderly whose house is broken into and then brutally assaulted, shot and robbed of meagre belongings? Why do our ruling politicians not use the strong adjectives when black against white acts are committed? The video saga is a ‘storm in a teacup’ compared.* (Hammoerabi 2008: 10)

Second, an extract from the *Sunday Tribune* of 9 March 2008:

*In my opinion the video which recently surfaced, of the UFS Reitz residence students' stupid prank, has created an overreaction and hysteria here and abroad completely out of proportion to its seriousness compared with other vastly more important delinquent behaviour. How dare I trivialise such raw, blatant racism by spoilt, privileged, white Afrikaner students, I can hear many people mumbling. Well I'll attempt to explain my point of view as simply as possible because it's important to deal with the real problems and shortcomings bedevilling our lives in SA, rather than the emotive, easy to grasp, non-lethal matters. (Smith 2008: 21)*

Finally, note the following knee-jerk comment in *The Citizen* of 4 March 2008 referring to the 'Fear Factor' scene in the Reitz video:

*To all criminals out there, when you come to my place, regardless of your colour/creed, please take my money, television, cellphone, car and other items of value. Then rape me, tie me up, beat me, even shoot me and maim me for life. But please, whatever you do, don't pee in my porridge and make me eat it. That would just be disgusting and you might get caught. (Heffer 2008: 13)*

### **Internal and external dissociating**

One of the first reactions when a crisis occurs is to distance oneself, or one's institution, from the event. To align the UFS with an acceptable moral plane, the most immediate response from management after the Reitz video involved several components, including an explicit rejection of the video, barring the students who made the video from campus and starting a process of expulsion.<sup>77</sup> The condemnation of, and dissociation from, the video is evidenced in the official responses of the UFS, however, the individual responses (of which some are listed in the previous section) from members of the council, management, parents, alumni, student leaders,

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<sup>77</sup> Exco minutes, 28 February 2008.

and students were varied. Some thought the students were unfairly treated by the university, or ‘thrown to the wolves’, as was repeatedly stated in the 2011 interviews. While some thought their punishment was too severe, others thought the four students were too harshly maligned in the media. On the other hand, the management received overwhelming support for acting against the four students – as the editor of the student newspaper the *Irawa Post* said, referring to the students that made the video: ‘I was angry and I wanted them gone and I wanted justice’ (Turkington interview, 2011).

In another step, the university council mandated management to explore the possible closure or conversion of Reitz into a beacon of transformation, hope and liberation.<sup>78</sup> While the future of the Reitz residence was still being decided upon, the Reitz rugby team was banned from taking part in the residence league of the Varsity Cup – a national tournament.<sup>79</sup> On the same day that the UFS confirmed the closing of the Reitz residence, and in another response to the reputational threat of the Reitz crisis, the establishment of an institute for diversity was announced:<sup>80</sup>

*In an endeavour to make restitution and to offer a lasting contribution to transformation, both at the UFS and in the country as a whole, the UFS has committed itself to establishing an Institute for Diversity on the premises of the former Reitz residence. (Staff reporter, Mail & Guardian 2008)*

Following the decision to close Reitz and place the students elsewhere, there was a request to management for the Senior Bond committee and the house committee to stay on in Reitz, to address the coming reunion of Reitz, maintain the garden and play the rugby league under the name of Reitz. Management rejected the requests.<sup>81</sup>

78 UFS Exco minutes, 7 March 2008.

79 UFS Exco minutes, 12 March 2008.

80 The institute was officially launched on 27 January 2011 by Archbishop Emeritus Desmond Tutu. (See history and details on the UFS website).

81 UFS Exco minutes, 30 July 2008.

SASCO's memorandum of grievances and demands (12 March 2008) to the minister of education Naledi Pandor and the executive cabinet of the government of the Republic of South Africa also called for a clear dissociation, stating: 'In UOFS [sic] in particular ... The Vice-Chancellor and the EXCO must be fired. The students must be expelled and refused further enrolment in all SA universities for an extent [sic] period of time. The culprits must go to jail. Racial integration will and must continue.'<sup>82</sup>

There was also general concern that parents of prospective students would reconsider enrolment at the UFS, as they wanted to dissociate themselves from the institution, in this case ironically because of the response to the Reitz incident. In a letter to the rector on 28 February 2008, a parent says, '[My child] wanted to study at the University of Bloemfontein [sic], but after this, we have decided against it ... This country is on the same path as Zimbabwe and it will never get better.'<sup>83</sup>

The following strong, condemnatory statement from a South African living in Australia represents aggressive dissociation from the outside:

*I found the conduct at UFS so deeply offensive and so antithetical to every principle of scholarship and collegiality, I felt I had no alternative but to request my colleagues at universities in Australia and elsewhere not make contact with the UFS, not to maintain links with them or to co-operate and collaborate until and unless the university administration demonstrated a change of attitude and a sincere commitment to uphold the rights of all citizens'.  
(Schmulow 2008: 24)*

This is not a comprehensive report of all responses surrounding the issues, but the examples clearly demonstrate that the UFS was acting like an institution in crisis.

82 See SASCO's memorandum of grievances and demands to the minister of education Ms Naledi Pandor and the executive cabinet of the government. Available at the *University News* website: [www.universityworldnews.com/article.php?story=20080321154425687](http://www.universityworldnews.com/article.php?story=20080321154425687).

83 Personal communication and correspondence with the rector.

## Excusing the problem

In a common response to deflect accountability, a professor at the UFS made the following comments in a letter to the rector's office: 'The Americans also have people like this. Every country in the world sits with this problem'<sup>84</sup> and, in the first council meeting after the Reitz video became public, it was minuted that 'the 'students' view is not representative of others.'<sup>85</sup> In interviews, the chairman of the council came up with the excuse that 'students are irresponsible' (Hancke interview, 2011) and the dean of student affairs said that 'It was not for external consumption' (Luyt interview, 2011). Furthermore, management justified the goodness of their intent while, at the same time, perhaps being perceived as underemphasising the outcome, as Fourie stated, 'We were trying to do a good thing here' (Fourie interview, 2011).

In letters written to the rector responding to the Reitz incident, misdirection devices were often employed in an attempt to excuse the problem in order to dilute the blame. Consider the following two statements, both in letters to the rector dated 27 February 2008: 'There you have it. After all the warning, you still went ahead with the laughable idea of forced integration ... All responsibility lies at your door'. And, 'Let every child stay in residence with his specific people, why must we force our children to stay with other-colours? It will never happen that white and black sleep next to each other.'<sup>86</sup> Neither of these two misdirected letters to the rector regarding the Reitz crisis address the Reitz video at all; they simply attack the rector (*ad hominem*) and lament over the traumatic effects on white students regarding implementation of the residence placement policy. Regarding the matter of how information about Reitz was leaked to the media, blame and attack are familiar strategies to deflect culpability from the institution onto individuals, as the director of diversity Billyboy Ramahlele remarked:

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84 Personal communication and correspondence with the rector.

85 UFS council minutes, 7 March 2008.

86 Personal communication and correspondence with the rector.

‘People who were suspected of exposing it were grilled, targeted and marginalised’ (Ramahlele interview, 2011).

### **Panicking and taking unusual action**

Immediately after the Reitz video became public, it was evident that the management team and many staff members were taken by surprise at the extent to which the incident drew national and international attention. In what is a predictable and expected response of not knowing what to do, faith-orientated initiatives such as ‘an inclusive prayer action’ were launched (Status report to Exco, 28 February 2008).<sup>87</sup> Many letters of support were sent to the rector in 2008 and many offered to pray for the university. A staff member acknowledges this in the following response: ‘It is the prayers from people like you that make us strong in times like these.’<sup>88</sup>

That Parliament and the DOE immediately sent a delegation to the UFS, confirmed the seriousness of the crisis at the university. The same can be said for the site visit of the MCTHE on 20 June 2008. Internally, management recommended counselling for victims and affected students and there was also a call to protect the institution from ‘external political role players and their agendas.’<sup>89</sup> But then, one may find a somewhat irrational return to prejudice and fear as witnessed by the then chair of the council who reports what some antagonists said at the time: ‘People told me, stating: You must look after Frederick [the rector] otherwise we’ll get a black rector’ (Hancke interview, 2011). While the chair of council himself was in no way opposed to a black rector, he was not spared pestering from those who were.

### **Justifying the problem**

Another popular response was to focus on possible useful outcomes of the Reitz incident. This was put forward as soon as two days after the video

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87 UFS Exco minutes, 28 February 2008.

88 Personal communication and correspondence with the rector.

89 UFS Exco minutes, 4 March 2008.

became public in a report to management that stated ‘Because of events on campus, the UFS has a chance now to move forward with transformation initiatives and ... the UFS can play a positive role in the debate’ (Status report to Exco, 28 February 2008).<sup>90</sup> The rector at the time concurred: ‘Amidst the pain and embarrassment caused by the Reitz video incident, there is a real opportunity for the UFS – and for other universities’ (Fourie 2008c: 11).

On being questioned whether the Reitz incident was the ‘best thing that could have happened to the university’, Teuns Verschoor answered: ‘Exactly, exactly ... There was a wound that nobody saw and that wound was exposed. Now it can heal and the way in which we heal it can be used by other wounded people as well’. He then continued to say: ‘There’s such a lot of opportunity here to study all these things, to research all these phenomena and see what is the basis for this, where is it coming from ... the origins’ (Verschoor interview, 2011). Ben Schoonwinkel, the SRC president at the time, shared the same sentiments: ‘But, at the end of the day, if we look at where our university is now, we came out of that strong. To an extent, the university turned that situation around to get a positive result, to show the world what our University of the Free State is made of’ (Schoonwinkel interview, 2011). Journalist, Donna Bryson, also came to this conclusion in a book written about the UFS: ‘It [Reitz] might yet be remembered as the spark that set off a cleansing conflagration – the crisis that forced real change’ (Bryson 2014: 203).

Moses Masitha responded differently to the question as to whether Reitz was the best thing that could have happened to the UFS:

*I would not say that Reitz is the best thing that has ever happened. I would say that Reitz was the most necessary thing to happen to the UFS ... ‘Necessary’ in the context that it exposed what had been simmering for so long. It exposed what had been the underlying, operating way of the university for so long and when you had that tipping point taking place, it could only have taken the university in*

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90 UFS Exco minutes, 28 February 2008.

*the right direction ... and that was to force change at the university. It is unfortunate that it had to happen at the expense of so many people, but it essentially had to happen, it was a necessity. It is not good, we should never make the mistake of thinking that Reitz was good for the university in the sense that it was the best thing. I think we should never do that because that would be little the pain that it caused. But I think we should recognise it as a necessary event in history that took place towards shaping a different university.*  
(Masitha interview, 2011)

### **(Mis)explaining the problem**

Institutions that are in a crisis often revert to comparing relevant situations at other institutions in order to make some sense of what happened at their own institution. The minutes of an Exco meeting refer to ‘a similar ‘Reitz situation’ at the North-West University, thereby indirectly saying that this problem is not unique to the UFS.<sup>91</sup> From the minutes of management meetings, as well as from the interviews, it is clear that management laid some of the blame for the Reitz video at the feet of party political influences. This is exemplified in the following explanation: ‘Exco expresses concern about the influence of party politics and SRC’s role on campus, as well as the negative influence of alcohol and drug use in the student body.’<sup>92</sup>

Some have pointed to the alienation and betrayal that white Afrikaners feel in South African society since 1994 as well as these attitudes being ‘reinforced by indoctrination and prejudice within their homes, churches and schools, as well as by their political leaders and community organizations’ (Strydom *et al.* 2008: 12; cf. Fourie 2008b: 12); The then dean of students affairs explains the sentiment in white male residences prior to ‘Reitz’ as: ‘their position as white Afrikaners is being threatened’ (Luyt interview, 2011). However, some blame was directed towards the conservative Afrikaner

91 UFS Exco minutes, 7 August 2008.

92 UFS Exco minutes, 4 March 2008.

community. In her book about the UFS after Reitz, *It's a Black White Thing. Forgiveness isn't for Sissies*, Donna Bryson quotes the rector at the time, Fourie, as follows:

*But these conservative white people never even heard us. The new residence policy was in the interest of their kids' future. But they didn't see it that way. They just labelled the whole initiative 'integration' – a dreaded word in the Afrikaner community – and started a war against it.* (Bryson 2014: 72)

Bryson also quoted Jansen, who succeeded Fourie as rector, as saying: 'They're used to barking orders at black people. And, suddenly, they're in the same classroom, the same res<sup>93</sup>, with black kids' (Bryson 2014: 93).

### **Restructuring management**

In the months following Reitz, various members of management and staff were replaced, or sent on long leave, and some positions were reshuffled. The rector resigned while taking a sabbatical a few weeks after the Reitz video became public. (Although Fourie insisted in an interview that it was his own decision to resign, many former colleagues of Fourie still believe that he was forced to resign.) This is common post-crisis organisational behaviour due to the fact that among modern public sentiments, organisations are typically personified and retributive or reprimanding responses are expected to be carried out on individuals, usually within the upper echelons of the organisation. Commenting on the shift to new leadership, Hancke, the then chair of the council, demonstrates how this reshuffling occurs as a matter of course, in answering the question on whether it was important to appoint a black rector at that stage: 'After Reitz it would have been very, very difficult for a white person to manage this university, because, the things Jonathan [Jansen] is doing, no white man would get away with that' (Hancke interview, 2011). A few years after the incident, Fourie confirmed these sentiments: 'They [the Afrikaner

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93 Residence, hostel or student hall of residence.

community] saw me as a traitor. When I said it, I was torn apart. When Jansen says it, they accept it' (Bryson 2014: 88). Fourie ended up leaving for good. Stef Coetzee, who was the rector of the UFS before Fourie, expresses a comparable outlook that Jansen could get things done quickly 'because he's got legitimacy. He came through the struggle era' (ibid).

### Seeking external help

One of the first steps usually taken by an institution in crisis is to seek external assistance and the UFS did just that. During its meeting in June 2008, The UFS council approved the appointment of the following external agencies: iGubu Leadership Agency for the purpose of dealing with residence integration on the main campus; Brian Gibson Issue Management (BGIM) for the management of the reputation of the UFS after the damage done to its image by the Reitz incident; and Thinking Fusion for strategic marketing and communication.<sup>94</sup> The appointment and function of these agencies were described in the university newsletter *Dumela* on 4 July 2008 under the heading 'Consultants help us to move ahead'. Furthermore, there were suggestions for the establishment of an ombudsman on diversity matters, a whistle-blowing facility for racism and related incidents, and stepping up of new disciplinary procedures.<sup>95</sup> As mentioned in Exco meeting minutes, it was also decided to contract a security firm (Coin Security) for women's residences.<sup>96</sup> It was also minuted that the American ambassador offered Fulbright scholars to 'help at the Institute'.<sup>97</sup> As Teuns Verschoor said in the interview: 'We call on the world to come and help us and advise us because we don't know ... we would be a living laboratory for researchers to come and help us' (Verschoor interview, 2011).

94 UFS council minutes, 6 June 2008.

95 UFS council minutes, 4 March 2008.

96 UFS Exco minutes, 4 March 2008.

97 UFS Exco minutes, 7 October 2008.

## Remembering achievements from the past

Institutions that are in crisis regularly remind the public and stakeholders of their history and past achievements in order to minimise reputational damage. The staff union UVPERSU was the first to employ this tactic when it handed a memorandum to the rector and management team on 28 February, two days after the Reitz video made headlines stating: ‘The UFS is a proud institution with a long history.’<sup>98</sup> The Reitz alumni reverted to this approach as well, but only when they talked about the residence:

*Reitz, as one of the oldest hostels on campus till 2008, played a distinguished role in the history of the UFS, and made a substantive contribution to the image of the UFS as a world-class tertiary institution. Reitz’s unique culture and feel for solidarity produced well-known South Africans. Formidable academics, politicians, cultural leaders and sportsmen, who are alumni of Reitz, have performed well on national and international level. (President Reitz Kamerwonings n.d.)*

At his inauguration as rector in 2009, Jonathan Jansen also listed the proud history of the UFS, which provides a lot of good on which to trade:

*The University of the Free State is 105 years old. In its long and proud history this institution has produced some of the finest jurists (including our Chair of Council, Judge Faan Hancke), teachers, medical scientists, architects, agricultural economists, poets, musicians, authors and nurses. The university has also produced some of our leading sportspersons, including the unbelievably talented Springbok flanker Heinrich Brüssow and Boy Soke, our athletics sensation with his national colours in track and field, cross country and road running. (Hartley 2009a)*

However, although the UFS does have a proud history and can list many exceptional achievements, this cannot be used to sweep the Reitz incident

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98 Uvperso memorandum to the rector and management, 28 February 2008.

away in some sort of moral accounting metaphor. Examples such as these suggest the UFS was in a precarious state.

Moreover, some of the interviewees argued that there was already an insufficient pre-crisis reputation on which to trade, even before the Reitz crisis, given that the UFS had spent many years secure in its status of being a noteworthy shaper of Afrikaner identity (Reitz in particular). It has deep roots in Christian-national principles, including actively serving the power of the apartheid state. Nation, culture and race were inextricably intertwined in a highly problematic ideological matrix. As Schoeman, who comments extensively on Christian-national education in his book, notes:

*This means that despite the significance and importance of the national identity of a person or group of persons, it may never be erroneously regarded (overestimated) as a regulative principle that can exercise a normative appeal on, or bring into play (even demand) normative control of any form of human conduct, like for instance, education. (Schoeman 2000: 131)*

The peculiarities associated with these traditions were no longer supported by the state after 1994 but the university did not undergo the same transformation in terms of key players who formed the power organs of the institution. Consequently, appeals to past glory and achievements would have held little water with present critics who cannot identify with the aforementioned ideology.

### **Adopting a stance of co-victimage**

An institution in crisis often assumes a stance of co-victimage in order to elicit sympathy or diminish angry responses. This was evident in the way in which many staff members and students commiserated with the UFS's position. A few hours after the Reitz video went viral, the UFS issued a statement saying: 'The university is going through a difficult time with its efforts to racially integrate its residences' (Loader 2008). In reflecting on the Reitz incident the rector said: 'For us as a university – for students, staff

and management – it has been traumatic’ (Fourie 2008b: 10). The editor of the *Irawa Post* described the UFS as ‘a university community that was hurting’ (Turkington interview, 2011), while Teuns Verschoor went so far as to say that ‘after the Reitz video, we suffered a period of institutional depression’ (Verschoor interview, 2011).

The above examples serve to show how members of an institution instinctively move to defend or protect reputational capital. Benoit (1997) holds: ‘Perceptions are more important than reality’. It quickly became evident during the aftermath of Reitz that it matters greatly how stakeholders perceive a crisis event and an institution’s handling thereof when evaluating reputational damage or repair.<sup>99</sup> Whether stakeholders perceive the crisis event as accidental, subversive or criminal is critical to how they link accountability to the organisation. If the organisation is deemed responsible for the event, reputation suffers and stakeholders might respond with anger or they might sever connections to the institution and badmouth it in reaction. Management would strive to avoid either of these outcomes (Coombs 2007). If stakeholders had seen the UFS as a co-victim of a random or shock event, the damage to reputation would have been minimal. If the students who made the video were seen as uncontrollable perpetrators who were exercising their own opinion, reputational damage would have been quite limited. However, if the institution were to be seen as purposefully avoiding dealing with such manifestations, or worse, producing, or supporting them, responsibility accorded to the institution would be high. Two comments from the interviews alluded to such perceptions when the video came to light at the UFS. Tom Tabane, student leader and political activist said: ‘We went straight to the media in the belief that the university was just going to suppress [it]’ (Tabane interview, 2011). While a senior management member, Ramahlele, quoted a colleague as

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99 Benoit’s work is associated with Image Repair Theory. We have used Coombs (2007) in this instance for more comprehensive models in his work on Situational Crisis Communication Theory.

saying: 'I know that this university's not going to do anything about this video, they're going to hide it' (Ramahlele interview, 2011).

These kinds of statements are highly problematic, since covering up information, suppressing dissent and a perceived lack of action are extremely damaging to reputational capital. This is why there was immense pressure placed on management to answer for the event and 'get its house in order', so to speak. Reputational capital is extremely important for a university. If a university has a favourable reputation, it paves the way for drawing students, generating funds from donors and sponsors, instituting sustainable financial resources, attracting top academics and researchers in diverse fields, establishing collaborative and co-operative links with international universities and organisations, increasing overall performance of students and staff in terms of throughput and outputs, creating competitive advantages over other educational institutions, garnering broader social and political support, and perhaps, most importantly, being trusted as an active contributor to the greater societal good. Good reputations also reduce stakeholder uncertainty about future exchanges (Rindova *et al.* 2005: 13).

### **REPUTATIONAL DAMAGE CONTROL: THE CLOSING OF THE RESIDENCE**

Given the pressing need to address diminishing reputational capital, the UFS management had to make some bold gestures. On 19 May 2008, after extensive consultation with multiple stakeholders, the UFS management held a meeting at the Reitz residence. According to one of the management members present, Teuns Verschoor, a young student who was residing in the residence at the time stood up during the discussion and said: You don't understand us. You don't hear us correctly [grabbing the collar of his rugby jersey] ... We don't want to mix with black students (Verschoor interview, 2011).

According to Verschoor, that was the moment when it became apparent that any attempt to 'start rehabilitating this residence would be starting

an experiment that was doomed to fail' (ibid). From early in March until the end of July 2008, the newspapers had been peppered with numerous letters and opinion pieces on the pros and cons regarding the closing of the Reitz residence. While the various institutional governing bodies were in continued discussions regarding this matter, 'individuals who are to be affected by the decision have been given the opportunity to make written submissions' on what should be done (Gifford, G. in *The Star* 2008). Suggestions covered a broad range of positions, from a final, full closure of the residence to keeping it open as was and changing nothing. The vote in the council was closely contested (23 against and 27 for the closing of Reitz). In the end the decision was taken to close the residence once and for all. Media reports repeatedly show that the university management saw the closing of Reitz as strategic, unavoidable and an important gesture towards, or symbol for, reconciliation. This was the larger punishment meted out to the whole residence and was hotly contested in the governing bodies as well as in the student body, not to mention the uproar that flared up amongst alumni (taken from the Reitz proposals submitted to the office of the rector in 2008):

*The negative publicity about Reitz and the possible close [sic] down of this hostel is a demonstration of the hate and bitterness against whites, but specifically the Afrikaner. (UFS 2008a)*

And Reitz alumni responded:

*[E]veryone in the hostel was thrown to the wolves ... The fact that Reitz is a problem hostel is also a roomer [sic], since the reopening of Reitz, the NUOR is directly involved and is unaware of any negative incidences since then [1997]. (UFS 2008a)*

Some felt that the residence should remain open and members should be rehabilitated. Many felt that it was wrong to punish a whole residence (and its former residents) for the actions of a mere four students. But this is not entirely true. The residence members, with the exception of the 2008 first-year students, had been present with their partners on the night of the screening

at the cultural evening. The video was celebrated – it won the competition! It was neither condemned by the residents or their leaders at the time, nor was it reported for being offensive. The various staff members in the interviews all stated (without exception) that they had not known anything about the video until February 2008. In effect, the video had been floating around for months before anything was done about it. Therefore, it is reasonable to conclude that the whole residence, and all who saw it, were complicit.

Once again, however, reactions were split. We draw from various sources to show that polarised, anger-sympathy responses are typical and widespread in times of threat. In the case of the UFS, an overwhelming amount of attention to institutional racism was directed at the Reitz residence. It should come as no surprise, then, that this framing would result in a particular emphasis and salience directed at one problem area – Reitz and residences. That Reitz had been a persistent problem for the UFS cannot be denied, but it did detract from the pervasive problem of racism in several areas on campus to a certain extent. The Reitz residence brought white, Afrikaans, physically aggressive, male students into the spotlight but, in reality, integration was sabotaged by many other role players (both main actors and supporting) as the above analysis shows. This framing gave rise to an extremely heightened emotional response as exhibited in the following excerpts: In a letter to the *Volksblad*, a Reitz alumni said: ‘[I] fear that a large part of the heart of Kovies has been wrenched out and buried (Theron 2008:7). In opposition to this view, Moses Masitha the SRC vice president at the time was convinced that ‘You needed to collectively punish the entire residence’ (Masitha interview, 2011). The acting rector at the time agreed, saying, ‘Close the bloody place down’ (Verschoor interview, 2011). However, the chair of the council did not agree:

*To close the whole hostel is arguable. I disagreed with that closure of the hostel ... at that stage there were first-year students in that hostel who were still at school when this whole incident happened [when the film was made] so they were not to be blamed for that and I think it was an injustice to at least the first year students to close the whole hostel. And I think that it is also the view of Prof.*

*Jansen – that the steps taken were too drastic at that stage. There is no doubt about it. One must be firm and as far as the culprits are concerned. It was important to take drastic steps, but not to close the whole hostel ... My main objection is the fact that there were senior members in the hostel who had nothing to do with the making of the film and then, secondly, the first year students at that stage also had nothing to do with that. Actually they were school boys at that stage when the film was made, so you actually penalised a lot of innocent people. (Hancke interview, 2011)*

However, Hancke also acknowledged the advantages the closing of the residence might have:

*I must say, at that stage, there was a lot of pressure on the university to close Reitz, especially from government and parts of the community. To close the hostel also had positive effects. For instance, the outside world could see that the university was not happy with the whole Reitz incident and showed its displeasure to take the ultimate drastic step to close the hostel ... So, it is a weighing up of positives and negatives for the students, on the one hand, and the community pressure, on the other hand. (ibid)*

Jonathan Jansen, who became the rector after Fourie, was also against closing the residence and stated in his inaugural speech that ‘the University of the Free State will re-open the Reitz residence and transform it into a model of racial reconciliation and social justice for all students’ (Hartley 2009a). This never happened.

The question here is whether Reitz was closed for the purpose of salvaging the reputation of the university or as a sincere symbol of reconciliation? The UFS seemed to hold the latter view: ‘The University of the Free State in Bloemfontein announced that it will close down the Reitz Residence ... The university called the closing an important gesture of reconciliation towards all South Africans who had been offended’ (Dugger 2008). However, others have argued the closing of the residence had the opposite effect, in that it

severely hampered the possibility of reconciliation. Rudi Buys, who was the CEO of iGubu and later became the dean of student affairs at the UFS said:

*The decision to close the Reitz residence ... I was uncomfortable with that ... I disagreed with that. We were not involved with that decision as Igubu and we did not comment on it. Now, I agree the university had to do it. There is no question about it. I supported the fact that in the bigger scheme we had to do it ... there is no question about it. But you lost the opportunity to engage with that community. You pushed that community out of the conversation of reconciliation. You can't correct that. It's impossible to correct that.* (Buys interview, 2011)

Jamie Turkington, then editor of the UFS student newspaper the *Irawa Post*, gave a different view, focusing on the effect the closure will have on the dignity of future Reitz students:

*I had no doubt in my mind at the time that the only thing that could have been done to protect the dignity of the other people living in Reitz was to close the place down, because it had become an internationally renowned scandal. It has become an infamous place and anyone who would ever have passed through it after that would have been marked with the same tarred brush as those culprits were.* (Turkington interview, 2011)

Sally Matthews notes that, although many organisations such as the FF+ condemned the Reitz video, they did not see it as a threat to reconciliation. However, they *did* see the closure of the Reitz residence as a threat to reconciliation (Matthews 2010: 4). The apology from the residence itself only came once it dawned upon them that closing Reitz was a real possibility. The sincerity has to be questioned given the timing. Pieter Odendaal, head student of the residence, said:

*The Reitz hostel letter was an 'an unconditional apology for making such a video and the consequent harm done by it ... The guys are worried about the possibility of closure. We have been made out to be the world's worst racists, but we are no worse than any other*

*residence on campus in terms of traditions. We admit it was a mistake. It [to apologise] is the only thing we can do. We need to walk the path of reconciliation.* (La Grange 2008: 5)

After the official closure of the Reitz residence, a private men's residence called Heimat Mannerheim was established by the person who was the Residence head of Reitz and Reitz alumni. Heimat became known and celebrated as the 'new Reitz' and this is evident from the main page of their website where the heading is: President Reitz Kamerwoningen, Heimat Mannerheim, Bloemfontein.<sup>100</sup> Their website states: 'After the closing of Reitz on the campus itself during 2008 there was a need to continue the good and healthy traditions that had been built up over a time period of 60 years'. In a newspaper article written by a Reitz alumnus (which is also posted on Heimat's website), we can see how adamant some members are in their unfailing commitment to the 'Reitz' brand of shared history and group identity that was revived in the form of Heimat Mannerheim:

*Together with my blood-relatives, we became Reitz men forever. Not insane people like those who fly aeroplanes into buildings, but passionate, invested in family and above all, proud to be able to say I was there although some women through the years have raised their eyebrows at this happy news. Yes, a residence with tradition spelt with a capital T.* (Theron 2008: 7)

Considering that the university closed the Reitz residence in an attempt to regain some lost reputational capital, it is somewhat shocking that Heimat's association with the UFS is not also viewed as a potential reputational risk. Quite the opposite, Heimat is allowed to participate officially in sport and cultural activities, although it is a private residence.<sup>101</sup> The UFS boasted about

100 In 2010, Karee and Armentum (two historically white male residences) had similar intentions of establishing private lodgings off-campus. At the time of this publication, these plans had not come to fruition.

101 This problem has been highlighted in the memoranda submitted to management during the 2015/2016 student protests. The student body awaits a final decision as to the terms of association between the UFS and Heimat Mannerheim.

the residence on its official webpage on 9 April 2014 when it represented the UFS at a national rugby competition as though it was recognised as an official residence: 'Heimat is now the third Kovsie residence to win the Varsity Cup league and overall this is the fifth Koshuis Rugby title the UFS has won since the FNB Varsity Cup started in 2008'. In January 2014, the UFS laid a complaint at the SAHRC about a newspaper advertisement that offered private accommodation for 'non-affirmative action' female students in Bloemfontein (Louw 2014). But when it comes to Heimat, which is home to white Afrikaner males exclusively, the university seems to have a different view with regard to the issue of diversity. In 2016, Heimat moved into a new building across the road from the university and only a few hundred metres away from the original Reitz residence.

Returning to the issue of closing Reitz in 2009, we propose that one of the chief motivations behind the closing of the residence was to salvage what was left of the reputation of the UFS at a time when it had become clear that the conservatism present in the structures was far more influential and damaging than anticipated. The framing of the residence closure as symbolic is therefore reasonable as it represents a metonymy of the whole system. We recognise though, that the closure gave some validation to many who were outraged at the slow pace of transformation, in general, and the resistance thereto represented by the video, in particular. It seemed, though, that further action was expected and, possibly, needed. The inauguration of a new rector, Jonathan Jansen, ushered in a new era at the UFS and this impacted how Reitz was handled further, especially with regards to extended gestures of reconciliation.

TURNING THE TIDE:  
RECONCILIATION,  
RESTORATION AND  
RETRIBUTIVE JUSTICE

## INTRODUCTION

The focus of this chapter is on the justice process that followed after the Reitz video became public, which consisted of criminal proceedings (the state versus the students) and a separate Equality Court case (the workers claimed for damages against the students and the university). A restorative justice process also followed, not as an alternative to the criminal justice system, but as ‘a product of the civil proceedings which took place separate from but in addition to the criminal proceedings’ (Taylor 20014: 95).<sup>102</sup> The restorative justice process involved a reconciliation process (between the students and UFS and workers) as well as the launch of Mamello Trading to secure employment for the aggrieved workers.

On 16 October 2009, Jonathan Jansen was inaugurated as the new vice-chancellor of the UFS. During his speech, he unexpectedly announced the following decision regarding the Reitz incident:

*In a gesture of racial reconciliation, and the need for healing, the University of the Free State will withdraw its own charges against the four students. The University will therefore not pursue any further action against the four young men implicated in the Reitz incident. In this spirit of toenadering [Translation from Afrikaans:*

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102 McNamara and Dhani (2003) summarise the difference between restorative and retributive justice as follows: ‘While restorative justice considers wrongdoing as a violation of interpersonal relationships that needs to be addressed, retributive justice views wrongdoing as the violation of a criminal law that needs to be punished’ (quoted in Taylor 2014: 26). Taylor made use of the distinction between restorative and retributive justice as understood by Llewellyn and Howse, which we also find helpful: ‘Unlike other conceptions of justice, the goal of restorative justice is not to restore relationships to the way they were before the wrong occurred. Restorative justice, rather, aims to restore social relationships to an ideal of social equality on the understanding that it was inequality within the pre-existing relationship that caused the wrong. Social relationships are understood to be those between individuals, groups and communities informed by the societal, cultural and historical context within which they are formed. Restorative justice understands that these relationships are all interconnected and thus assumes that wrongdoing caused by inequality in one relationship, is likely indicative of widespread inequality in the society in question’ (Llewellyn and Howse 1998 paraphrased in Taylor 2014: 26–27).

*rapprochement], the University will go further, and invite those four students to continue their studies here.*

*In recognition of our institutional complicity in the Reitz saga, and the need for social justice, the University of the Free State will not only pursue forgiveness but will also pay reparations to the workers concerned for damages to their dignity and their self-esteem.*

*And, in a determined commitment to the urgent task of reconstruction, the University of the Free State will re-open the Reitz residence and transform it into a model of racial reconciliation and social justice for all students. (Hartley 2009a)*

The announcement caught most people by surprise and, yet again, caused divisive reactions and split opinions within the UFS and in the country. The reactions to these announcements were predictably split – largely along racial lines – similar to when the video became public. It is important to note that the decisions announced by Jansen during his inauguration did not have any bearing on the criminal court case that was in progress or on the Equality Court case that was brought against the four students and the UFS by the SAHRC on behalf of the five workers. Jansen made this clear when he addressed the Cape Town Press Club in November 2009:

*They will be and in my view should be accountable in those processes ... This has simply to do with the decision universities make every single day, which is a decision about who studies and who gets expelled and who gets readmitted. (SAPA 2009b)*

While most white students welcomed the decision to forgive the four video makers, many black students were furious. Tom Tabane recalled his reaction as follows:

*I was very angry about it. I could not understand why he would do that There was no justifiable reason why the rector had to forgive the Reitz four ... but the way in which it was done, the manner, the context and the repercussions thereof... fundamentally, it was wrong for him to do it in the manner and the context under which it*

*was done. I don't think it was the rector's place to instigate or to start the reconciliation/forgiveness process. (Tabane interview, 2011)*

Jamie Turkington answered the question as to why he thinks so many black students were furious when Jansen forgave the students as follows:

*I think that there is a sentiment that exists that black people have always been the ones who had to take the short end of the stick and the ones to forgive and they haven't been afforded the same sentiment or olive branch from white people in return. And to this day, and it's been a number of years after Reitz, I agree. I don't think that South Africa's white population in general, have fully come to terms with the past, with how they should live in their white skins in South Africa and how they should relate to people of diverse backgrounds and cultures. I mean, there are still a lot of inherent racism in the white population. So, I can understand when someone comes along and says I am forgiving four people who treated our black mothers in the most awful way, that black people would rally against that and say: But who gave you the right to do that? How could you? (Turkington interview, 2011)*

For Moses Masitha, the issue was not primarily about forgiveness per se, but about the way in which it was done: 'I don't think that forgiving those students in such a grandstanding manner was the way to go about it'. He then explained it further:

*Our reaction could have been better, I think ... we were overzealous in our reaction at the time. A lot of things were said by people in the media. I, personally, was under tremendous pressure on how to react. I think that I understood why he wanted to forgive the people. I really was just totally against the grandstanding manner in which it took place where there was absolutely no consultation and no communication prior ... particularly with the workers about it. And so, it was very difficult to persuade the SASCO people and the ANC people that this maybe the right way to go about things because the person that wanted to forgive the students had not bothered to really communicate that message en masse to the black*

*population at the university ... I think he owed them that much.*  
(Masitha interview, 2011)

The reactions from management members also seemed divided along racial lines as the reactions from Verschoor, Moraka and Hancke clearly show in their reactions to the news that Jansen had forgiven the four students:

*I think it was big spirited. I think Jonathan did the right thing to forgive these students ... It healed wounds that were there.*  
(Verschoor interview, 2011)

*I was totally against that because that was not the position of management ... To me the timing was quite wrong ... He [Jansen] did not have the right [to forgive the students]. He did not have the background of what has happened. He should have given management an opportunity to reflect on that.* (Moraka interview, 2011)

*I supported him ... whether it was the right forum, is a different story ... I was also amazed with the negative reaction to that announcement. But, you know, the majority of people here are Christians and we must forgive each other and ... as long as there is retribution and the Reitz students have on numerous occasions apologised and asked for forgiveness. So, it is one of those things ... we must move on.*  
(Hancke interview, 2011)

The lawyer for the four students, Christo Dippenaar, stated: ‘They are grateful and welcomed the announcement’ (SAPA 2009a). An open letter, written by Archbishop Emeritus Desmond Tutu to Jansen, captured the opinion of many South Africans who welcomed the announcement:

*I want to commend you especially for your magnanimous gesture in forgiving the four students responsible for the disgusting racial episode caught on camera at the Reitz student hostel in 2007, and allowing them to return to the university to complete their studies if they so wish. Your magnanimity has aroused the ire of quite a few, who argue that it could encourage a repeat of such despicable conduct; and that the perpetrators should be dealt with firmly and not with a sentimental wishy-washiness. I, on the contrary, salute*

*you, for you have done us proud! Revenge and retribution are easy, being the path of least resistance. Forgiveness is not for sissies. Our scriptures declare that it is an attribute that makes us Godlike.*  
(Tutu 2009)

However, not to be subdued in the face of Jansen's generosity, the views of those opposing his decision dominated the news at time. Acuña Cantero (2011: 110) notes that the negative response reflected in newspapers 'mirrors sentiments of unfulfilled injustice among Blacks, similar to the way that the TRC process and the foregoing of prosecutions dissatisfied some victims in the past'.

The reaction of the five workers was reported as follows:

*'I feel the vice-chancellor has betrayed us the same way our trust was betrayed by those boys,' charged [worker's name]. 'This is yet another heart wrenching for us. I don't understand how he [Jansen] could have done this after our meeting where he expressed sympathy and unhappiness at what the boys did to us. I am shocked at how he has shown little regard for our experience. It means we are nothing to him. The only thing I would want to hear is justice being served on these boys so that this will not just be a lesson to them and their parents, but even the next generation,' said [worker's name]. 'I don't need their apology or their money at this stage.' For [worker's name], the thought of coming face to face with her abusers when they return to the institution is unimaginable.* (Thakali 2009: 5)

Free State ANC Youth League chairman, Thebe Meeko, launched a vicious personal attack on Jansen, calling him a racist and going so far as to say that should be killed:<sup>103</sup>

103 Julius Malema, then leader of the ANC Youth League, requested a meeting with Jansen to discuss his decision. After the meeting on 29 October 2009, Malema told students: 'We do not agree with any call that he must go ... Jansen is one of our own ... We cannot feed Jansen to the enemy' (*Mail & Guardian*: 29 October 2009). During the same meeting, Meeko and Jansen made peace. Jansen reported as follows: 'At the end of this meeting with Mr Malema I said, as if I didn't know who it was, I said, where is Mr Meeko? He put up his hand, and I took him into my office.'

*Like President Jacob Zuma when he said the police must meet fire with fire [referring to police shooting armed criminals], the shoot-to-kill approach must also apply to all the racists, including Jansen – because he is a racist. He must know that we have removed more powerful people than him before. Jansen is equally criminal like those four racists. (MacGregor 2009: 1)*

There were apprehensions among those who disagreed with Jansen's decision that merit some attention. The Minister of Basic Education and Training, Blade Nzimande, said the following referring to Jansen: '[He] has taken it upon himself to absolve the perpetrators on behalf of the victims and compensate the victims on behalf of the perpetrators' (Chelemu 2009). Mary Metcalfe, the then director general of education, argued that the decision to welcome the four students back to the UFS (if they wish to do so), and to pay reparations to the five workers, was 'fundamentally flawed in several aspects' (Hartley 2009b). Of grave concern, was the danger of conflating institutional complicity with individual responsibility:

*Whilst one person may apologise for the acts of another in which he or she feels themselves to be complicit, this does not take away the responsibility of the person whose action caused the offence to apologise himself or herself. Whilst individual actions do occur within the realities of systemic and institutional culture, this cannot remove individual responsibility. Institutional complicity must be addressed, but the responsibility of individuals must also be addressed. Only the offended person can forgive. No other compensation has meaning if an apology is not offered and*

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He stood at the far side of the office. I said, 'Come towards me,' and he was very hesitant to do that. I said, 'Don't worry, come,' and he came. I went towards him and I took my two arms and I put them around him and I said, 'I need you to know that I love you very much and I think you will still become a good leader.' I wish I could describe to you that emotional moment for him and for me. I wish I could tell you the full apology that came quickly. And I wish I could tell you the sense that he had and I had, that there is another way for getting out of our troubles'. (See <http://www.iol.co.za/news/south-africa/jansen-expects-reitz-apology-this-month-1.464570>).

*accepted. In the absence of an apology, financial recompense can be interpreted and experienced as an insult. (ibid)*

Another source of disquiet was not the decision per se, but rather the process leading up to the announcement. As one student leader expressed: ‘There was absolutely no consultation and no communication prior, particularly with the workers about it’ (interview, 2011). Metcalfe commented as follows on the process:

*Reference cannot be made to consultation that did not result in any agreement as this can be perceived as legitimating an action on which there was in fact no agreement. It is clear that many of the parties you indicated that you had consulted did not assent to your decision. (Hartley 2009b)*

A third concern raised by Metcalfe which, incidentally, did not receive much public attention, was the implication this decision might have on other students who might be found guilty of misconduct in the future. Would they conceivably be allowed to appeal to the UFS for pardon, based on the complicity acknowledged by the UFS with regard to its own institutional culture?<sup>104</sup>

*Were the due disciplinary processes of the UFS followed? If not, what are the implications for any other student misconduct? Is it just this misconduct that will be forgiven because of institutional culture? Have other students been suspended or expelled who might have equal claim to pardon? What precedent does this set for future disciplinary cases? (ibid)*

We concur with Acuña Cantero in arguing that the negative response to Jansen’s announcement should be understood against the background that ‘most South Africans agreed that racism needed to be punished judicially, and that he was going against the will of many individuals given that the

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104 After the violent protests and assaults on the Bloemfontein campus in 2016, the outcomes of which are still to be determined, these are pertinent and extremely important questions.

students had not asked for forgiveness and since a proper measure of redress for the victims had not been discussed, a judicial mechanism would be better suited for the case' (Acuña Cantero 2011: 125). On the other hand, those in favour of the announcement argued for the necessity of reconciliation and restoration 'rather than to choose revenge and retribution' (ibid: 128).

We make no assumption that Jansen did not consult with people before the time but, because the consultation process was neither openly disclosed nor public, it was foreseeable that some commentators might have been indignant. On the other hand, many have argued that a wider consultation process was unnecessary since it was appropriate that some counter-intuitive leadership was needed in order to get the reconciliation process started. In Jansen's announcement, he touched on issues relating to the reputation of the UFS, a possible reconciliation process, as well as the complex process of restoration which requires some further explanation.

## **RECONCILIATION**

We argue that, following a crisis such as the Reitz video, the preliminary focus of the institution should be on the victims of the offence. For obvious ethical reasons, one cannot focus first on reputation and then the individuals who were harmed. The UFS seemed to be well aware of this and, following the Reitz crisis, UFS management made some significant attempts at facilitating a process of reconciliation, beginning with counselling for affected victims.

The UFS initially favoured a legal approach to address the Reitz video and its consequences. This changed with the appointment of Jansen as vice-chancellor, as witnessed in the announcements made during his inaugural speech. Jansen rejected the dismissals he heard from parents and colleagues that the incident was (he quotes) 'blown out of proportion' and that this was the menace of four 'bad apples' (Hartley 2009a). Already, in October 2009, Jansen speculated that a formal, public apology from the students

might be a possibility: 'And I do believe it's going to happen within the next two weeks. You will see a process that I think will transform this country enormously' (Staff reporter 2009: 1).

When that did not materialise, it was reported that there were plans to hold a reconciliation ceremony on 16 December 2010, to coincide with Reconciliation Day (a public holiday in South Africa, previously Day of the Vow). The event was supposed to take place at the Nelson Mandela Foundation, but that did not happen. Later, in February 2011, the reconciliation ceremony finally took place. These delays could be expected, seeing that a reconciliation process is 'not a neat or easy process, and can in itself seem incongruous (Hamber and Kelly 2004: 4). However, the UFS stayed committed to a process of reconciliation throughout.

There were reports that the four students tried on four different occasions to apologise to the workers but were denied the opportunity (Maughan 2009); firstly, by the union, who claimed to be the representative of the five workers when the story broke, and later, when the restorative justice initiative failed. The students made concerted attempts at obtaining an out-of-court settlement. Criminal proceedings were put on hold in 2009 after the four students approached the provincial director for public prosecutions with a request to resolve the case through a restorative justice process, which would entail 'asking for forgiveness, receiving forgiveness and paying 'restorative compensation' (Blaine 2010: 4). The head probation officer of social development in Bloemfontein, Riaan du Plessis, led a three-member committee who met with the four students and five workers in order to negotiate a settlement. However, the five workers decided to abandon the process, the reasons for this were never made public. According to the students' legal representative, Christo Dippenaar, this caught them off guard as the students were preparing to meet with the five workers at a final meeting in the restorative justice process: 'We understood that the expectations of the complainants and the students were very close, and only needed some fine-tuning' (Staff Reporter 2010: 1).

On 27 July 2010, the SAHRC filed an application against the four students and the UFS in the Bloemfontein Equality Court. The SAHRC asked the following from the Court with regard to the students:

*[T]o order that the students be declared guilty of unfair discrimination by act and omission by making the video and distributing it. The commission requested that the students apologise to the women, to all black women and to black people in general ... The commission also asked for an order that the students jointly be made to pay each of the women general and punitive damages of R1 million.*  
(SAPA 2010: 11)

The SAHRC also asked the court to make a ruling with regard to the UFS:

*The commission asked that the university be ordered to present the court with a comprehensive plan, outlining remedial measures to support and afford redress to the women, and to prevent such an incident from occurring again. The commission requested remedial measures to eradicate the culture of racial and gender intolerance at the university. It asked that if the university readmitted any of the students, they be sent for diversity and racial integration training.*  
(ibid)

The SAHRC battled to transact the reconciliation resolution. They complicated matters by not allowing the UFS, or any other person for that matter, to contact the workers directly. Permission to work directly with the workers was only granted to the UFS in March 2013. Prior to this, their legal representative from the SAHRC insisted on being present at all communications.

On 24 February 2011, the five workers came into contact with the four students for the first time since the beginning of the court case in 2008. It was reported that during this private meeting a journey of deep-hearted reconciliation took root and genuine reconnections happened (cf. Jansen 2016). The next day, 300 people witnessed how the UFS and the four students apologised to the five workers at a public ceremony held in the

Centenary Hall on the Bloemfontein campus of the UFS. The SAHRC and the Mangaung Metro Municipality partnered with the UFS in hosting the reconciliation ceremony. The private meeting on 24 February 2011, and the public reconciliation ceremony on 25 February 2011, was the result of the out-of-court settlement in the Equality Court case brought against the UFS and the four students by the SAHRC on behalf of the five workers. A Deed of Settlement was signed among the parties – the UFS, the five workers and the four students. Details about restitution in the form of financial payments to the workers by the UFS are unknown, since this is captured under a confidentiality clause in the settlement. What was agreed upon, however, was a public ceremony to be held at the UFS where the UFS and the four students would offer a public apology to the five workers. Furthermore, the UFS would set up a Centre for Human Rights as well as commit to provide job security for the five workers. The formal launch of Mamello Trading 864CC on 19 June 2014 was hosted by the UFS (although this was not a requirement of the settlement) and marked the final compliance of the UFS with the settlement.

We will examine the public apologies more closely. However, before doing so we situate the UFS ‘reconciliation process’ in relation to the national discourse on reconciliation.

### **‘Reconciliation’ at the UFS and national reconciliation discourse**

For further insight, one could place the reconciliation process initiated at the UFS, between the university and the students on the one side and the workers on the other, against the national reconciliation discourse as it has evolved over the last 20 years in a democratic South Africa.<sup>105</sup> This will

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105 The word *reconciliation* has indeed become a buzz word in South Africa, perhaps being overused and abused in much the same way as *ubuntu*. It is used as a synonym for forgiveness, peace-building, conflict resolution and matters involving social justice. Consequently, it has been argued by some that the concept of reconciliation is rendered impotent – nothing more than empty rhetoric. The way in which people reacted to the ‘Reitz incident’ showed that while reconciliation has a political,

shed some light on the reactions to Jansen's announcement discussed at the beginning of this chapter.

In his opening address to parliament on 2 February 1990, former state president, FW de Klerk announced the release of Nelson Mandela and mentioned 'reconciliation' three times:

*The season for violence is over. The time for reconstruction and reconciliation has arrived ... It is time for us to break out of the cycle of violence and break through the peace and reconciliation ... Practically every leader agrees that negotiation is the key to reconciliation, peace and a new and just dispensation.*<sup>106</sup>

During the rest of his presidency, it became apparent that De Klerk used the term as a way to protect the white minority and its interests, rather than address the political, economic and social injustices suffered by the black majority under apartheid. Nelson Mandela, on the other hand, always used 'reconciliation' in conjunction with nation building as was clear-cut from the outset of his administration when he stated at his inauguration on 10 May 1994:

*We understand it still that there is no easy road to freedom. We know it well that none of us acting alone can achieve success. We must therefore act together as a united people, for national reconciliation, for nation building, for the birth of a new world.*<sup>107</sup>

Throughout the early 1990s, Nelson Mandela used reconciliation as a political concept to facilitate the process of nation building in post-apartheid South Africa through his words and actions. According to Kollapen (2010: 18), reconciliation appeared in 1993 for the first time in a legal text in South Africa when it was included in the interim Constitution, which stated that

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religious, moral and/or legal side to it, reducing it to only one of these can result in an oversimplification of the matter.

106 See FW de Klerk's speech at the opening of Parliament 2 February 1990 in O'Malley, [www.nelsonmandela.org](http://www.nelsonmandela.org).

107 See [www.sahistory.org](http://www.sahistory.org).

'the wellbeing of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society'. With the establishment of the Truth and Reconciliation Commission (TRC), a few years later, the interpretation of reconciliation shifted from primarily being seen as a political concept to one connected with a more religious meaning. Reconciliation and forgiveness became the two sides of the same coin due, in large parts, to the way in which the work of the TRC was conducted under the leadership of Archbishop Desmond Tutu. During ex-president Thabo Mbeki's administration, the primary focus was on his African Renaissance initiative and reconciliation took a backseat. Some have argued that Mbeki tainted the national reconciliation process on occasions such as his 'Two Nations' speech:

*Everyone has respect for [Nelson] Mandela and his rainbow nation, but it was exactly ten years ago that [Thabo] Mbeki made his two-nation speech. He scratched out the rainbow nation with that speech by continuously speaking about two races.* (Dibetle et al. 2008: 2)

President Jacob Zuma stated in his inaugural address on 9 May 2009 that reconciliation will be a central theme during his presidency, but it seems *reconciliation* has made way for *social cohesion* as the dominant concept in South African society. Over a period of 20 years, two dominant discourses have emerged regarding the meaning of reconciliation in South Africa, which can be identified as a narrow interpretation or minimalist approach and a broad interpretation or maximalist approach: According to Matthews, 'Minimalist approaches to reconciliation stress peaceful co-existence, while maximalist definitions stress the more pro-active building of trust and friendship between previously estranged groups' (Matthews 2010: 6). Jody Kollapen (2010) a former chair of the SAHRC argued against a narrow interpretation of reconciliation that on focuses on apologising for the past, with no emphasis on addressing the injustices of the past, especially regarding issues of social justice. Matthews discusses the Home for All Campaign as an example of a broader interpretation of reconciliation: 'Reconciliation

is portrayed in a way that sets it up in opposition to transformation and that regards any action that alienates significant numbers of white South Africans as being inimical to reconciliation' (Matthews 2010: 4).

Many white South Africans subscribe to a narrow approach of reconciliation which results in an understanding of reconciliation as:

*[A] process whereby white South Africans are reassured of their continued (secure, comfortable, relatively privileged) future in South Africa. Mandela is presented as an icon of reconciliation because he went out of his way to reassure white South Africans that the ANC government did not seek revenge and that whites were welcome in the new South Africa. (Matthews 2010: 5)*

Both approaches were demonstrated in the Reitz reconciliation process. As has been apparent all through this saga, reactions were split, mostly along racial lines and this played out once again with the apology.

### **After Reitz: The apologies**

Govier and Verwoerd (2002) view apologies to victims as a step toward reconciliation. A moral apology implies a request for forgiveness and is an initiative toward reconciliation. It is important to distinguish between individual and institutional apologies. Govier and Verwoerd argue for the central importance of 'acknowledgement' in public apologies and distinguish between 'three main dimensions' thereof:

*First, the wrongdoer is acknowledging wrongdoing by himself or the group or the institution he represents ... Second, in apologising, the offender is acknowledging the moral status of the victim(s), the primary person(s) to whom he apologises. The act was wrong and in doing it, the offender (or those he represents) injured the victim or victims, who did not merit or deserves this ill-treatment. Third, the offender is acknowledging the legitimacy of feelings of resentment and anger that victims may feel in response to being wronged. (Govier and Verwoerd 2002: 67)*

The students met only once with the workers before they participated in what was billed as ‘a reconciliation ceremony’. It was reported that, on the evening of 24 February 2011, the students apologised to the workers in a private meeting and asked for their forgiveness. The outcome of this meeting was that the workers forgave the students and that the students would offer a public apology the next evening at a big gala event on campus. Whether the relationships were mended that evening is questionable, depending on one’s definition of reconciliation. This was the first time the two parties had met since February 2008. We cannot be sure what the exchange consisted of exactly but the feedback suggests all went well. Jonathan Jansen recalls it as follows:

*It was quiet for a long time and then, suddenly, a burst of laughter. We knew, then, that a breakthrough had been achieved and this was confirmed as white students and black workers came through the door. ‘The act of humiliation was public,’ I told the group; ‘the quest for forgiveness would have to be public too.’ This was done in a smaller ceremony that also involved the families of the workers (the families of the students did not show up) and then in a larger public ceremony as well. (Jansen 2016: 91)*

The question remains whether the four students really reconciled with the five workers. We do know that the students apologised and have been forgiven. It is important to note that we cannot refer directly to the private apologies offered at the private meeting as these were never made public. Our focus here is on the public apology that was read at the reconciliation ceremony. A study conducted by a masters student at the UFS, Jessica Taylor, focuses on the Reitz reconciliation process as an example of restorative justice. Taylor conducted individual interviews with two of the four students and a focus group interview with the five workers. Taylor’s study proves useful in getting to the bottom of the sequence of events.

This is the original apology written by the students for the public reconciliation ceremony (workers' names changed for confidentiality purposes by Taylor):

*First and utmost importantly I would like to state our heartfelt apology towards Florence, Patricia, Dina, Lindi and William. We always had a friendly relationship towards each other, before and the six months after the video was made. It was never our intention to humiliate or hurt you in any way. We never wanted affect your human right or make you feel in superior [sic]. It was mean as a funny video with no hidden agenda. It was to be viewed internally only by the members of the hostel and persons understanding the history and long withstanding [sic] traditions of the Reitz hostel. Unfortunately it was blown out of context the moment the media got hold of it. People who didn't know of our Reitz traditions were offended by it as they didn't understand it. For this we apologise as it was never our intention to offend anyone. In conclusion we want to amend the broken relationships, wishing you'd accept our apology thereby dissolving all anger so that we can all take hands towards our journey of reconciliation. (Taylor 2014: 153)<sup>108</sup>*

This is the public apology read by Danie Grobler on the night of the public reconciliation ceremony (names changed for confidentiality purposes by Taylor):

*I, Ruan on behalf of Jaco, Stefan and Marius and myself do hereby express our sincere remorse and contrition about our conduct which formed the subject matter of the criminal proceedings brought against us. During the criminal proceedings our regret and apology to the five staff members of the university (four of whom were complainants in the case) were publicly stated. We deeply regret our conduct and the harm it occasioned for the university, the workers of the university, and the broader community of South Africa. In the past few months and years since April 2008, we have lived through*

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108 We would like to note that many people who understand the history and traditions of Reitz, including the authors, were outraged by this video.

*the most horrible period in our lives. We have been rejected by many within our own communities, and reviled by people who don't even know us. We now wish to address ourselves to the five staff members of Kofsies: Florence, Patricia, Dina, Lindi and William. During the time that we were students, you served the university and our residence, and you treated us with kindness and consideration. We were privileged to know you and you clearly reposed trust in us. We failed you and we not [sic probably now] know that our conduct hurt you deeply. We earnestly request that you find it in your hearts to forgive us for what we did. We are sincerely and deeply sorry. We undertake today in the presence of witnesses that we commit ourselves, and with God's help, to contribute to building a truly non-racial society based on respect for all person. With true remorse and humility, we ask you to forgive us. (ibid: 153)*

Note the significant difference between the two versions of the students' apology. It becomes apparent here that the SAHRC was prescriptive in terms of the public apology offered by the students at the reconciliation ceremony. They rejected the students' draft and demanded certain changes before it was approved for reading at the official ceremony. The above citations affirm this. It is almost impossible to resist speculating why it was deemed important to review the students' apology rather than trusting their own initiative. This might have been a more honest apology than the version they offered which was supposedly co-authored by the commission. Alternatively, the commission may not have had confidence in the true sentiments of the students and deemed it necessary to intervene. We have assumed all along that the students had little appreciation for what the video actually meant and they remained adamant that they wished no harm to come of it. Unfortunately, the ambiguity of their intent does not negate the harm of the outcome. The defence of the student remains incongruent – he argues that if the video remained internal, and was only seen by those who know the long-standing traditions of the Reitz residence, there would have been no problem. This is not true, as many people who are

intimately acquainted with residence traditions and culture were outraged by the video.

Taylor confirms that the student who read the apology did not write it himself:

*We weren't really involved but then the one thing they said we must do is we must write a speech that we must give. So I took a lot of time and effort to write the speech ... and when I mailed it to them they just told me no they don't like it, it's not going to happen. So I think I tried to redo it a bit and change one or two sentences maybe and I re-mailed it and they just said no. Long story short I got a letter from the – I don't know if it came from the Human Rights (Commission) or the university but I got a letter from them I had to learn ... so they had written my apology letter for me or know uh for the four of us to go up in front of the public and say it over. So that was the reconciliation, to give you an idea of how big our part really was. (ibid: 100)*

In spite of this conflict, the public apology was viewed and accepted by the workers as genuine and deserving of forgiveness. Very often, people exercise some unusual charity in order to forgive and move on. One of the five workers comments: 'They showed remorse, they owned up to the wrong that they did and that's how we forgave them' (Taylor 2013: 4).

In spite of the workers' capitulation, many onlookers called the authenticity of the public apology into question and Taylor picks up on this as well. One should bear in mind the following possibility:

*Because apologising implies and acknowledgement of responsibility for wrongdoing, it may leave one more vulnerable to lawsuits. For this reason parties are often given legal advice to the effect that they should not apologise, thus setting up a tragic conflict between moral acknowledgement and legal prudence. (Govier and Verwoerd 2002: 81)*

After interviewing the students Taylor comes to the following conclusion:

*When engaging the intricacies of the students' experiences of apology, a complex internal split becomes apparent. This split divides the students' genuine care and concern for the workers from their complete inability to accept their own culpability in the workers' experience of pain. 'I do have remorse for how the thing turned out with them and I'm truly truly sorry'. (Taylor 2013: 3)*

The following explanation given by one of the students during the same set of interviews, which were conducted some time after the reconciliation ceremony is a little more perturbing and calls the issue of intent into question once again:

*I said I'm sorry about what happened, how the thing turned out to the cleaners, but I have never said I am sorry for what I've done because my intention was never to hurt the cleaners, so how can I say sorry for something I really truly feel that I didn't do. (Taylor 2013: 4)*

What is surprising is that the students remain focused on the pain caused to the five workers, specifically. They seldom address the matter of widespread insult that was felt by many more individuals, especially those associated with the university. The students claim no hidden agenda but this begs the question: why was the video kept secret, then? Many Reitz sympathisers assume that without exposure, no harm would have been done. In any event, this is what the intervention and rewrite seems to want to avoid – a half-baked or insincere apology. In an attempt to explain the problem, we refer to Govier and Verwoerd's analysis of former president FW de Klerk's apology before the TRC. They deemed it a failure since the acknowledgement of responsibility for wrongdoing was partial and compromised: 'He regretted what went wrong in the perpetration of these horrors, but did not apologize for them because he – and by implication his National Party government – accepted no responsibility for them' (Govier and Verwoerd 2002: 77–78).

This might be a typical characteristic of public apologies in that they will be constructed according to public perspectives, especially when legal liability is at stake. That could lead to them being interpreted differently by different observers. Some may question their genuineness and, therefore, their effectiveness in bringing about a conclusion to traumatic processes or successful resolution to a crisis event:

*The offering of an institutional apology is a public event, one that may carry implications of legal liability or a duty to compensate victims. Third parties are present, offering opportunities for grandstanding and hypocrisy. The shift from the private to the public realm alters the grounds for the interaction and imposes constraints on flexibility. The public apology is fashioned mainly for the record and may exist primarily to appear on a record. Prestige, honour, and reputation may be at stake, and sorrow is likely to be present only in a diminished form. (ibid: 77)*

The apologies offered at the ceremony were no exception. However, while the four students felt that their views were ignored and that the ceremony was therefore staged, the five workers felt that their needs were met. The students seem unable to let go of their concern for themselves and continued to assert their views for some time following the process. To understand why the two parties experienced the public apology event so differently, one might revisit the private meeting that took place the evening prior to the public apology ceremony (workers' names changed by Taylor).

*On the evening of 24 February 2011 a private trust-building meeting was held in a small meeting room adjoining the rector's office in the main building. The meeting was held between the four students and five workers with the assistance of a facilitator. However, before the main meeting began, Florence and Lindi requested one-on-one meetings with Stefan and Jaco respectively. After these one-on-one encounters had taken place all five of the workers engaged in face-to-face dialogue with all four of the students, in a meeting that went on for a few hours. During this meeting the students apologised to the workers who accepted their apology and responded with*

*forgiveness. After this meeting the students and workers moved to another room where the workers' families were waiting along with a number of other select individuals from the SAHRC and UFS top management. During this gathering the workers introduced their family members to the students and those family members who wanted to speak were given the opportunity. One of the students also spoke and explained to all present what had taken place at the private meeting. Following this a meal was served and shared amongst all present. (Taylor 2014: 16–17)*

It seems both parties were satisfied with the outcome of the private meeting. For the five workers, this was also the most significant event, but they did view the public ceremony as important, if for different reasons. It allowed them the space to validate openly what had happened in private. They had suffered some mocking and humiliation in their communities when the video was exposed. The public ceremony achieved its aims as expected from the five workers – they were not much concerned about the wording of the students' apology. On the other hand, the four students gave much more attention to their public apology, and, as they commented on the interference with the wording, they experienced the event as inauthentic. The workers confirm their point of view in subsequent interviews conducted by Taylor:

*All those who gathered there heard our voices that we have forgiven those boys because they have asked for forgiveness.*

*I think it really helped, that public ceremony that we had for the community. It helped for the public to see when we say we forgive them and when the students ask for forgiveness from us. (ibid: 102)*

Teuns Verschoor read an apology offered on behalf of the UFS at the reconciliation ceremony:

*As a senior member of the University management at the time of the Reitz-video incident, I wish to tender an unconditional apology on behalf of the University of the Free State.*

*Firstly, for the initial way in which we dealt with our workers, blaming them on the technical grounds of having participated in student pranks during working hours. We failed to recognise that the voluntary participation in the degrading frolics suggested by young white males was a sad reminder that the wounds inflicted by Apartheid and colonialism to the self-image and pride of black persons in general and black women in particular, had not yet healed. For this we are TRULY sorry and beg the forgiveness of our workers and South Africans.*

*Secondly, the Reitz-incident provided clear evidence of the fact that the University had not successfully dealt with racism, division and conflict within our ranks. We had failed our students in not confronting racism and upholding the human values compassion and respect for the dignity of fellow human beings.*

*Thirdly, the university also turned its back on the four Reitz students, Mr RC Malherbe, Johnny Roberts, Danie Grobler and Schalk van der Merwe, and also failed to realise that for them and their parents, this incident was extremely traumatic. The families of the four students were inundated with strong and daily public expressions of indignation, reprimand and spite, nationally and internationally, and the University failed to acknowledge this.*

*For our failure to act proactively through correction and compassion, we also apologise and humbly ask that the University of the Free State be forgiven for its part in this terrible tragedy. (Verschoor 2011)*

In general, the institutional apology offered by the UFS was received positively and not much was said about it. We have noted that some members of the UFS council had dismissed the Reitz video as a 'boyish prank' by immature students. The council subsequently denied this notion of a 'boyish prank' and accepted some accountability.<sup>109</sup> Later, this attitude was taken further by Jansen as Bryson (2014: 82) verifies: 'As the new head

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109 UFS council minutes, 7 March 2008.

of the university, Jansen believes he had no choice but to take responsibility for what the four white Reitz students had done' (Bryson 2014: 82).

After the event, the deputy chairperson of the SAHRC Pregs Govender, said:

*The courage and compassion shown by the workers together with the students' willingness to embrace the spirit of change have enabled a process of justice, transformation and reconciliation that is an inspiring example for South Africa. The process, led by Professor Jonathan Jansen, vice-chancellor and rector of the UFS, whose term began just after this incident, has laid a significant foundation for the future. It is significant, not just for this university, but for all educational institutions, including schools. ('Transforming society' 2011)*

According to Jansen this was as a historic event:

*The ceremony of apology, forgiveness, and reconciliation represents a historic event – not only for our campus, but also for the country. It lays the groundwork for building a new university culture and climate. 'Reitz' hurt all of us, and we can finally close the book on the past and rebuild our institution to be a truly non-racial university where we respect each other, first and foremost, for our common humanity. (Event booklet, 19 June 2014)*

As has become a recognisable pattern throughout the Reitz process, people reacted in polarised ways. The majority of white staff members reacted very positively and shared the sentiments expressed by one of the interviewees: 'What I saw was amazing. You cannot rehearse forgiveness. I also believe that is what God wants us to do ... It was a wonderful turning point in the whole Reitz incident' (Management member interview, name withheld, 2011). However, black staff and students had different views and a black student leader stated openly 'The whole reconciliation thing was a sham in that it was just staged' (Tabane interview, 2011).

It seems that the university had taken a decisive turn towards empathy here and moved completely away from previous assertions of justification

in any way. The concern was re-directed towards the plight of the five workers and their suffering. Interestingly, though, in assuming institutional responsibility, the university also recognised the hardship endured by the four students and their families. (Note the workers are not named individually, while the students are named and their families are mentioned. One can only speculate as to why this is the case.) This was a proactive attempt in addressing racialised conflict both within the university and broader society. The university did go a long way to compensate the workers in an effort towards tangible reparation.

## RESTORATION

On 19 June 2014, the Centenary Hall at the Bloemfontein campus of the UFS was once again the venue for a significant moment in the history of the university. In the same venue where the UFS community had gathered before to witness the public apologies offered in 2011, the hall was once again filled in 2014, this time to celebrate the launch of Mamello Trading, the company formed for the five workers who have become co-directors. According to Jonathan Jansen, the launch of Mamello Trading represented ‘a great achievement for the workers of the University of the Free State. This has been a long process starting in 2008 following the tragic Reitz incident and I am grateful to the former students and the staff for the great grace in seeking and offering forgiveness on the road to human reconciliation’<sup>110</sup> (Event booklet, 19 June 2014).

The vice-rector of external affairs Dr Choice Makhetha reflected on the process as follows:

*What a journey! A journey of six years; a time of learning and growth for all of us, and change for the better. Congratulations and thank you for your perseverance during this period. Your strength and unity shaped this journey to where we are today. (ibid)*

<sup>110</sup> At the launch, an official event booklet contained statements from various people involved with the formation of Mamello Trading.

Advocate Mohamed Ameerma, commissioner at the SAHRC, congratulated the management of the UFS on the reparation and reconciliation process they followed in restoring the dignity of the five colleagues. On the day, Makhetha stated:

*The launch means that they are ready to be business owners and run the company. The reconciliation part, the relationship between the university and the five colleagues has really grown to a level where we are all happy and the level of trust is very high. Beyond launching the company we have a four-year cleaning contract with them. (ibid)*

Kenosi Machepe, spokesperson for the Ministry for Women, commented as follows:

*The university did not just give the cleaners a contract. They invested in their capacity development and made sure they were mentored all the way, and even gave them an opportunity to prove themselves. This is sure to have a ripple effect on their families and the communities they live in. (SAinfo Reporter 2014: 1)*

Under the leadership of Dr Makhetha, the UFS embarked on what turned out to be a six-year journey with the five workers to restore their dignity, empower them, and ensure their financial security, all in a spirit of trust and in a way that ensures that all parties are comfortable with every stage of the process. The UFS went beyond the settlement agreement and has also committed to providing free education and training to the children of the five workers.<sup>111</sup> In 2012, the proposed cleaning company was formally registered in the name of the five colleagues, namely Mamello Trading 864 CC. In honour of their commitment to ‘eradicate the culture of racial

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111 The five workers were given the benefit to study for free at the UFS – for themselves as well as their children. Currently, three of the children are registered for study at the UFS and will continue to do so, despite the fact that the five workers have resigned to focus on their business. The children also receive a monthly stipend for lunch on campus.

and gender intolerance' the UFS launched the Human Rights Desk on 15 October 2013.<sup>112</sup>

The UFS appointed Bahai Development and Training to provide training and mentorship to the five workers from 18 June 2013 to 18 June 2014 in order to ensure job security and real empowerment in accordance with the settlement. The UFS provided all the necessary equipment and furniture and, on 18 March 2014, a cleaning contract was signed with the UFS. The UFS continued paying the workers' monthly salary up until they formally resigned in April 2014 to take on their roles as directors of their new independent company. As an independent company, the UFS is providing office space to Mamello Trading for five years (June 2013–June 2018) at no cost. At the launch, the UFS presented Mamello Trading with branding material as a gift to the company. Mamello Trading 864 CC, is free to market itself externally and obtain business contracts from other companies, while working at the UFS in order to ensure independence and job security beyond what the UFS can offer.

The launch of Mamello Trading provided sound evidence that the relationship between the UFS and the five workers has not only been re-established, but the relationship with the workers is now much better than what the relationship was before 2008. In fact, they are now colleagues. However, there is no similar evidence to show the relationship between the five workers and the students has taken on similar reformation. The student's absence from the launch insinuates that the parties play no further role in each other's lives. If they had truly reconciled, one could presume that the students would have wanted to celebrate with the workers on this significant day. It might also be possible that the students were not invited to the launch, but this will also raise the question as to what extent

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112 The Human Rights Desk was situated within the Institute for Reconciliation and Social Justice in DF Malherbe House at the UFS. For more information regarding the Human Rights Desk, visit the institute's website at [www.institute.ufs.ac.za](http://www.institute.ufs.ac.za). The Desk has now become a Centre and will move to new premises.

the relationship between the two parties has been restored. As Govier and Verwoerd note:

*Because practical gestures may include efforts to improve attitudes and relationship, and need not always have a material focus, we prefer to speak of practical amends instead of material amends. For potential reconciliation between parties, and for good evidence of sincerity on the part of perpetrators, a full-fledged moral apology should include a commitment to practical amends. (Govier and Verwoerd 2002: 73)*

Jonathan Jansen made it clear from his first day as vice-chancellor that he wanted to resolve the Reitz affair by means of reconciliation. However, it was not clear what his or his management team's view on reconciliation was. In hindsight, it seems as if they favoured a reconciliation-as-goal approach involving the event of the four students reconciling with the five workers and inviting the students back to the UFS and employing one of them. Simultaneously, a reconciliation-as-process approach was followed in the reconciliation between the UFS and the five workers. The matter between the UFS and the workers followed a more comprehensive approach to reconciliation culminating in much more than a public apology and the granting of forgiveness. Whereas the students interacted with the workers for two days only, the UFS management engaged with the workers for six years after the video became public. Not only was the relationship restored, but it was improved upon and the commitment of the UFS to assist Mamello Trading for four years to come, confirmed the view that reconciliation is indeed an ongoing process which requires considerable effort. This speaks to the perseverance required and exhibited by both parties.

## RETRIBUTIVE JUSTICE

The Appeal Court judgement proved to be the most reliable source of information pertaining to the actual events of the day the video was shot (Van der Merwe & others v S 2011 (2) SACR 509 (FB) ). Since few people

would access this document as a resource, we thought it prudent to quote it in some detail.<sup>113</sup> The views of those who condemned the video as a deliberate racist act seem to be captured by the charge sheet prepared by the prosecution. It was summarised as follows by Judge Rampai when he delivered the judgement on 23 June 2011:

*The prosecution alleged that the four appellants unlawfully and intentionally impaired the human dignity of the four complainants at the University of the Free State in Bloemfontein between 31 August 2007 and 1 April 2008, both dates exclusive; that the appellants did so by preparing 'a meal of some sort' or by brewing a concoction of some sort; that they urinated into the plates containing the brew so concocted; that they offered such concoction to the complainants to ingest; that they videotaped the complainants as they were vomiting the concoction so ingested and referred to the complainants as difebe, in other words, whores (sefebe – whore); that the appellants depicted the complainants as inferior and unintelligent human beings; thereby impairing their human dignity and finally, that by impairing the human dignity of the complainants as they did, the appellants extensively or tacitly impaired the human dignity of the blacks in general or the black students as well as the black personnel of the University of the Free State in particular. (Van der Merwe & others v S 2011 (2) SACR 509 (FB): para 5)*

The four students pleaded guilty to the charge of *crimen injuria*, but they did not plead guilty on all the allegations made in the charge sheet. They were convicted in the Bloemfontein District Court on 27 July 2010 and sentenced as follows on 30 July 2010:

*Each accused is fined R20 000. 00 (twenty-thousand rands) or to undergo 12 months imprisonment in default of payment of fine. In addition, each accused will undergo six months imprisonment wholly suspended for five years on one of the following conditions:*

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113 Note that all court documents have been cited verbatim without added corrections or editing.

1. *That accused is and/or are not convicted of crimen injuria or criminal defamation committed during period of suspension,*

OR

2. *That the Equality Court does not, in terms of Section 21 of Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act 4 of 2000), determine that accused has, in terms of Section 7 of the said Act, unfairly discriminated against any other person/s on the grounds of race, which discrimination is committed during period of suspension. (ibid: para 8)*

The four students appealed the sentence, arguing that the elaborate plea explanation they provided was not sufficiently taken into consideration by the judge upon sentencing them. The court of appeal agreed with them on this point and Judge Rampai stated that ‘the factual foundation of their plea was not strictly in accordance with that of the prosecution which underlined the charge’ (ibid: para 7). He also found that the court erred in not taking into consideration the fact that the four students and five workers had made peace with one another:

*It is of cardinal importance to point out that the court a quo was informed, through the lips of counsel for the respondent, that the victims had made peace with the appellants; that they had forgiven them and that they did not want to see them languishing in jail. The court a quo hardly commented about this important aspect. (ibid: para 78)*

On 23 June 2011, Judge Rampai made the following order:

1. *The appeal against sentence succeeds.*
2. *The sentence imposed on 30 July 2010 is entirely set aside and substituted with the sentences set out below.*
3. *The first appellant and the third appellant are each sentenced to a fine of R10 000, 00.*

4. *The second and fourth appellant are each sentenced to a fine of R15 000, 00.*

5. *The appellants are hereby called upon to appear in this court in person on Monday 25 July 2011, should they fail to pay the fine, so that this court can impose a sentence of imprisonment'. (ibid)*

Judge Rampai made it clear that the four students cannot be denied the right to express this sentiment although this 'smacks of racial intolerance' and many people would condemn their 'separatist attitude' as a 'very irrational, insensitive and flawed sentiment' (ibid: para 31). Nonetheless, he also emphasised that although freedom of expression is a constitutional right it does not 'extend to cynical advocacy of hatred disguised as innocent drama based on race' or 'the demeaning manner of the expression they adopted to dramatize their protest against the integration policy of the university' (ibid: para 32).

The anti-transformative stance of the students at the time was also confirmed by Judge Rampai:

*The four students were of the opinion that the 'forced' introduction of black students into what they regarded as their exclusive and separate white residential enclave, would destroy the traditions and nature of the residence, whatever those traditions and nature were. (ibid: para 31)*

Judge Rampai argued that what is depicted in the video is very representative of the way in which first-year students had been treated in the residence for decades and concluded, therefore, that the motive behind the making of the video was not racist:

*I have had the privilege of seeing eight photographs taken on 21 May 2005 over two years before this particular incident. There the victims of the institutional 'fresher initiation culture' were white just like the perpetrators or initiators. There was a striking similarity between the 2005 incident, as photographically depicted, and the 2007 incident we are here dealing with. I then realised that*

*what happened in 2007 had previously happened in the name of initiation culture. The cutting edge was that in 2007 the initiates were black and not students. This tended to show that there was no evil or racist motive which inspired the 2007 video. (ibid: para 71)*

Furthermore, according to Judge Rampai, the students did not want to violate the dignity of the workers on purpose.

*The injurious video was not instantly released and when it was eventually released, some five or so months after it was produced, the appellants were not behind its distribution. Those two facts significantly supported the submission that they did not by videotaping the incident, primarily scheme to violate the dignity of the victims. (ibid: para 67)*

It is debatable whether the intent of the students was to humiliate these particular five workers in terms of their particular race or class or gender, for that matter. However, the intent was to protest against integration in residences (which is racist). Custodial staff were probably the most accessible people on campus for this exercise. What the video intends to say, it seems far more likely, is that integrating any black people in residences is a ridiculous proposition. It perhaps says, ‘Look how ridiculous it would be for them to become part of the traditions and activities in our place of residence’. In effect, black people have no place here. That a power and trust balance was exploited is without question. Which black people on campus would have participated in such an exercise other than custodial staff? It would be hard to imagine that any other staff member or student would have participated. What does seem plausible is that neither the students who produced the video nor the custodial staff who participated realised, at the time, the grave, broader implications of their actions or the underlying meaning of their behaviour. However, we do agree with Judge Rampai:

*Given their academic enlightenment, the appellants should have had the foresight to realise that selecting black workers and using them as black students for the purpose of demonstrating their opposition as white students to sharing their previously white hostel*

*with black students, could easily be perceived and misconstrued as a racist stance of intolerance and advocacy of hatred based on race. Perceptions emanating from this kind of conduct can dangerously polarise our people. (ibid: para 71)*

It can be argued that the ‘academic enlightenment’ referred to by Rampai was possibly obscured by two factors. Firstly, an underlying and deeply engrained assumption that the workers are not equally dignified human beings or legitimate subjects. Secondly, the epistemic practices in the students’ general academic education, and in their specific courses, which should inform their thinking and behaviour, is decidedly called into question. In all likelihood, the evidence suggests that the students did not consciously intend to harm the workers in their personal capacity. The interviews confirm repeatedly that students were unable to cognitise the broader meaning and impact of the video. Both workers and students clearly did not realise the damage that was being done.

One of the students also addresses one of the female workers as ‘sefebe’ on several occasions in the video. Moreover, the video ends with a sordid scene (scene 17) when one of the students asks one of the workers what the Sesotho word ‘sefebe’ means in Afrikaans. When she answers ‘hoermeid’ he makes her repeat it twice for the camera. On this issue, Judge Rampai noted:

*[N]one of the complainants spontaneously took any strong exception to the use of the word; that none of the complainants withdrew from the video shoot; that they continued to actively participate in the videotaping and that one of the complainants told one of the appellants that he was talking ‘crap’ and none of the appellants objected. (ibid: para 24)*

However, the four students acknowledged that the offensive word, as used in the video, created the impression that they ‘indirectly impaired the dignity of the complainants, although impairing it was subjectively not on the forefront of their minds’ (ibid: para 26). But the judge concluded on this issue: ‘An impairment of the dignity of complainants was not an

impairment of the dignity of every other black’ (ibid: para 27). Further, Judge Rampai strongly condemned the use of the word:

*It is something unheard of in any white or black culture for a man as young as the appellants to refer to an adult as a whore. That is simply not on. It does not get any better merely because it was all in the course of playing. The relationship of familiarity was cynically abused.* (ibid: para 69)

The court went to great lengths in recording that the activities depicted in the urination scene (scene 10) and the ‘Fear Factor’ scene (scene 12) were all simulated. The four students denied that the student in question urinated in the food from the beginning and Judge Rampai agreed:

*The essential factual matrix as pleaded and accepted was that none of the appellants actually urinated into the assorted meal, consisting of leftovers of meat, garlic, Oros<sup>114</sup> and some other unknown ingredients as the video suggested; that the appellants play acted the urination scene by means of a plastic bottle containing water which was hidden in the pants of one of the appellants; that he mischievously pretended to be urinating into the concocted brew by squeezing the hidden plastic bottle.* (ibid: para 34)

Judge Rampai addressed these issues on another four occasions in his verdict. The first reference to this is made in paragraph 35:

*The essential factual matrix as pleaded and accepted was that none of the complainants really ingested whatever the appellants had concocted and offered to them; that the complainants were expressly asked by the appellants not to eat, let alone to swallow the mixed leftovers or concocted brew; that the complainants were not at all nauseous as the video suggested; that they mischievously faked vomiting and that they were also play acting.* (ibid: para 35)

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114 Oros™ is an orange-flavoured juice cordial commonly drunk in South Africa.

Then, in paragraph 36:

*The whole urination saga was optical delusion [sic]. On the facts, I am persuaded firstly that, in truth and in fact, there was no urine ingredient in the concoction. Secondly, I am convinced that there was no concoction ingested by the complainants. The vomiting saga was equally and [sic] optical delusion [sic].* (ibid: para 36)

We note that establishing the truth around the urination scene was inevitable as it was the scene that attracted the most attention. It was repeatedly shown on numerous television reports and discussed in the media. It is still commonly referred to today in connection with Reitz. The judge spent some time establishing some truth around such incidents in residence traditions and hazing. On this matter, the residence head of Reitz was quoted in the press as follows: ‘Reitz has a strong tradition of initiation. The first-year students have to make the tea and there’s this thing we do where we pee in the teapot. So we have a lot of jokes around urine’ (Naidoo 2010: 122). This was confirmed by the prime of the residence who showed a reporter from the *Sunday Times* newspaper a second video that was made for the same cultural evening where the Reitz video was shown. ‘In it, a white student wearing a blue blazer and white pants urinates in the teapot before announcing in Afrikaans, accompanied by laughter: Attention, attention. The piss, I mean teapot, is ready’ (Govender 2008: 8).

The judge emphasised the issue surrounding the simulation scene again in paragraph 42:

*The facts as pleaded and accepted supported the contention that the urination, ingestion and vomiting were all simulated. Simulated offensive conduct towards the complainants was, without their consent, made to look real. In that secret depiction laid the iniuria [sic] – indeed the video was not evidence of the iniuria [sic] – it was iniuria [sic].* (Van der Merwe & others v S 2011 (2) SACR 509 (FB): para 42)

And, towards the end of the judgement, he argued in paragraph 66 as follows:

*Lest it is forgotten, let me accentuate that there was no real urination, no real ingestion and no real vomiting. All these were share acts of playful simulation. It was not shown that the appellants had direct criminal intent to dehumanise the victims in such a disgusting and appalling manner. They did not deliberately and directly intend to harm the dignity of any of the complainants. This lack of direct intention distinguished their matter from the vast majority of classic cases of crimen iniuria [sic]. This was a very rare injurious matter. The conviction based on dolus eventualis is generally characterised by a lesser or lower degree of moral blameworthiness and a leniency of sanction. (ibid: para 66)*

Albeit that the court dismissed the allegation of the students urinating in the food, it was argued that this does not make their behaviour in any way more morally excusable:

*However, by secretly videotaping the urination scene without the knowledge and consent of the complainants the appellants betrayed the complainants in a big way. It was precisely the secrecy around the urination scene that made the black playmates of the appellants to feel very badly betrayed. It rendered the motives of the appellants suspect. Everybody who fleetingly viewed the video became sceptical about the motive of the appellants. The secrecy fuelled the scepticism and precipitated this global saga. Their secret conduct in this regard was dehumanising, degrading, humiliating and offensive. Such ignominious treatment of one by another has all the criminal hallmarks which underscored the essence of the crime of iniuria [sic]. Everyone is entitled, as a matter of right, to freedom from such contumelious treatment. (ibid: para 43)*

However, as the time for sentencing approached, the judge convincingly argued:

*[T]hat a simulated conduct does not have the same adverse impact on the interest of society. A rational public would expect the court to impose a more severe punishment for the actual criminal misdeed committed than for a simulated criminal conduct. (ibid: para 53)*

Incidentally, many people still refer to the urination scene as fact, not a mock-up. We have cited the court case at length here in order to clear up such confusions. We are aware, however, that many people refuse to believe that this scene was a simulation.

## CONCLUDING THOUGHTS

It was almost impossible to establish what really happened when the video was made. The only people that can provide clarification on this are the four students and the five workers involved in the video. However, once the video became public neither the four students nor the five workers gave detailed public statements that explained their involvement in the making of, and participation in, the video. Initially, some of the students agreed to be interviewed by certain newspapers and television channels, but that quickly came to an end once they felt that their side of the story was reported in a biased manner. As is usual, once the students were charged with crimen injuria, their comments in the media were limited to statements made by their legal representatives. Some of the workers did speak to the media initially, describing their hurt and humiliation and claimed their trust had been betrayed. Initially, the worker's trade union (Nehawu) stepped in and restricted most communicative access to the workers. When the SAHRC in the Free State took the five workers on as clients, and initiated an Equality Court action against the four students as well as against the UFS, the workers did not speak directly to the media again. In a matter of days, the legal teams from both sides became the voice of their respective clients.

With the facts of the case scrutinised, dealt with in great detail and, arguably, given some closure in the court proceedings, there remained some questions open after the event: One question came up frequently: Why did the workers participate in the video? At the launch of Mamello Trading, a booklet was presented to attendees in which all five workers wrote a short reflection of the preceding events. Explaining why they participated in the making of the video, all five said that they did so because the students asked them to assist them with an assignment. Significantly, each one of them stated this in very similar wording exemplified in the following citations:

*I was hurt by the video because I innocently participated with the intention to assist the students with their assignment.*

*I took part in the video with knowledge that they had an assignment which they needed us to help them with.*

*I took part in the video because I thought I was helping the students with the assignment as it was shared with me.*

*I innocently participated in the video, under the impression that, I was assisting the students with their assignment as it was shared with us.*

*I participated in the video with the intention to assist the students with their assignment. (Event booklet, 19 June 2014)*

One could therefore conclude that the workers were not forced to participate, but were, in all likelihood, tricked into doing so when the students pretended the video was an assignment which had to be completed for one of their courses. Initial reports stated that the workers participated because the students asked them to assist them in making a video for a competition (Cloete 2008d: 4). Correspondingly, it should be noted that some of the participants were recruited by fellow workers, as was recorded in the court proceedings:

*One of the complainants was employed as a cleaner at Reitz hostel. The appellants were senior inmates of the particular hostel. With the*

*aid of the cleaner in question, the appellants recruited three more black workers to participate as black students in the production of a video for the purpose of the so-called initiation culture. (Van der Merwe & others v S 2011 (2) SACR 509 (FB): para 37)*

It is also true that the five workers did not know the real motive behind the making of the video. Had the students told the workers that the main theme of the video was to protest against the transformation project in a way that ridiculed the planned integration of residences, the workers might have been able to make an informed decision to participate or not. The nagging question persists: why did the workers not choose to leave the situation if they felt that they were being humiliated? Why did they not report the incident after they had been shown the video? For possible answers to these questions, one would have to examine more closely the relationship that existed between the four students and the five workers at the time – that is, during August/September 2007.

Marais and De Wet argue that their participation and behaviour is the product of their generation:

*They were born into and grew up in a society where white people were dominant. Their almost subservient reaction is the result of decades of being told what to do. During apartheid a white child had more power than an adult black man or woman. (Marais and De Wet 2009: 37)*

As additional context to Marais and De Wet's interpretation of relations of domination during apartheid, one of the workers, who had been employed by the UFS for over 20 years, recalls the time when she started to work at the UFS as follows:

*All the rules were a shock. I had to call the young males – the student – kleinbaas and before each shift I had to scrub my hands and put gloves on. I was not allowed to ever take it off on campus. If I touched a student's food with my bare hands, I would be fired. (Korrespondent 2009: 3)*

Naidoo (2010) argues that we have to consider the possibility that the workers ‘might have felt compelled to participate in the video due to the already unequal relationship of power existing between them (as black workers) and the students (as white men)’ within the context of an existing relationship between them. Furthermore, we suggest that, due to the unequal nature of the relationship, there might have been a strange framing of ‘friendship’ in this kind of activity. The workers might well have acquiesced to the requests from the students simply to please them and to share a few moments of fun in a spirit of comradeship while acting out the slapstick scenarios – taking part in the ‘joke’. There are both consensual and non-consensual elements at play here.

Alternatively, Tamara Shefer raises the associated concern of unequal relationships of power between black domestic workers and white employers in the South African context. For Shefer, the Reitz video represents an example of:

*[The] implications of the institution of domestic work, in which intimacy is bound with the relationships of power. The humiliation perpetrated suggests a deep sense of power and ownership of the perpetrators over Black women’s bodies and lives. (Shefer 2012: 309)*

She further notes the problem of such ‘intimate’ framings in these relationships:

*Although the Reitz residence event represents probably only one highly visible example of continued practices of invasion, humiliation, and abuse that may be traced to the domestic worker institution and the larger apartheid project of dehumanising and othering Black South Africans, it serves as reminder of much that has not been addressed in our national process of transformation toward a democratic and equal South Africa. The imperative for a nonviolent and peaceful South Africa requires facing the historical and contemporary renditions of power relations, in their intertwined material, ideological, and psychical forms, so that such humiliations and violence become unimaginable. (ibid: 317)*

This sentiment is similarly noted by Jansen in his inaugural address (see Hartley 2009a) and is not untrue. However, based on the students' assumed position of white superiority, it is impossible to deny that, implicit in their relationship, is a certain kind of condescending care toward custodial staff in general, which has to be questioned and undone for sure. But, this is in no way unique or special in the instance of Reitz and one should take care when singling Reitz out as such an example.<sup>115</sup> Shefer reiterates the problematic connection between intimacy and power in domestic worker/ employer relationships.

*Following the event there were some attempts popularly and reportedly by the community of the perpetrators to argue that they really cared for the women they abused – 'loved the 'squeezas,' is how those who came to explain the young men's actions articulated it. (Shefer 2012: 316)*

Contrary to the above arguments, Jansen questions the view that the students had power over the women. He recalls the interaction between one of the workers and one of the students at the private meeting between the workers and students, on the evening prior to the public reconciliation ceremony:

*We walk into Room 16 where the families are waiting. One of the women grabs the hand of one of the boys as she walks in: 'That's my husband over there; go and greet him'. There is something here I do not understand. The media images of four white boys instructing and dominating five black workers make no sense. It is clear throughout*

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115 Writers (cf. Mordaunt-Bixega 2011; Lewis and Hames 2011) have raised concerns about related themes emerging from representations of aggressive rugby-playing masculinities which are demonstrated in the video. This is a particularly violent, hegemonic representation of masculinity which is well-known and used in many symbols of South African culture. In the video, the workers are shown as trying to mimic the training activities commonly associated with the sport. However, other traditions are portrayed as well (downing beer, dancing and eating terrible concoctions as new students would be forced to do). Though some traditions, such as taking off one's clothes and streaking to the main gate and back or raiding girls' hostels, are also common practice, they are not shown in this video. Given the overall attitudes of ridicule and lack of seriousness with which integration was taken at the UFS, these images can be read as an extension of those attitudes of rejection.

*that the women, in particular, have absolute control over the boys. They listen when they speak, and they do what they are told. There is a complexity here that must still be unravelled.* (Jansen in Times Live 2011)

Given the timeline after the video was exposed, one could argue that, in February 2011, the workers would have been appreciably more empowered than they were initially, when they were asked to participate in the making of the video in August/September 2007. At that time, they did not have power over the students, or able to fully exercise their choice of action, as some have claimed – partly because they did not have full knowledge of the circumstances and partly because they were not fully aware of their rights as citizens. We are in no way assuming that the workers were entirely powerless, but the dynamic of the simulation in the scenes could not have given them complete prior knowledge of the content. However, the roles have changed since 2007, because all participants have become aware of the broader implications of this video. The workers were subsequently informed and empowered by the SAHRC and their legal representatives. So, these four women and one man are hardly the same people in the same conditions that they were in 2007 and definitely not as vulnerable or unwitting in their discretionary abilities. This was demonstrated in their markedly increased self-assertiveness during the meeting Jansen refers to and when they took centre stage at the public reconciliation ceremony the next day. Furthermore, the workers shared the stage with Oprah Winfrey when she received an honorary doctorate in education from the UFS on 24 June 2011. Understandably, meeting an important celebrity figure further validated their sense of self as one of the female workers remarked: ‘I felt so proud today. She [Winfrey] hugged all of us [the workers] and hailed us in front of everyone as heroes. It was a special moment ... we have never felt so important in our lives (Thakali 2011).

The second question that came up concerned the persistent framing of the workers as stand-in ‘mothers’ of the students. It is interesting to note

that some of the workers stated that they viewed the students as their children, and correspondingly, the rhetoric of ‘they were like mothers to us’ was adopted by the students. To boot, the residence head of Reitz at the time stated:

*The black ladies are our friends. They had a good laugh at the film. They saw it in September and they worked here without saying anything until a few days ago when the university put them on leave. Most of the boys at Reitz are from farm areas. They have grown up with a black woman in the kitchen who is like a second mum. These ladies sort of take over that role when the guys come to university.*  
(Smith 2008: 21)

The fact is that although the four female workers might have seen the students as their ‘children’ in terms of their attitude of caring for them, the male worker definitely did not, and we would argue that the students did not really view the female workers as ‘second mothers.’ They were ‘mothers’ in the sense that they served some needs of the students but not in the sense of the sincere love and respect usually accorded to a female parent. This ‘mother-son’ frame would be severely distorted here, to say the least. ‘Parent to child’ frames are typically formulated on a nurturant relationship of love, care, protection and development. The overt play between exploitation and entitlement in the handling of workers in the residences is far removed from the family conceptual cluster and is much closer to the frame of ‘master-servant’ – again a condescending type of care from the students towards the workers. The Matthew Kruger Consultants’ report mentions this master-slave framing as well as it manifests in residence subcultures in concerning ways (MKC 2005: 44). One of the four students commented:

*When you come in the first year you know you actually sort of, you meet them and they come into your room every day, and they clean your room, and I think it’s the same sort of you know as at home you know we have had person coming to clean our home over the last fifteen or twenty years you build a very long term good relationship, you see it on the same basis basically.* (Taylor 2013:7)

But some time later, the student reveals a far more truthful account of their relationship with the workers with the following statement: '[T]hey were never like an authority over us, never um to really say they were like our mother or father (ibid).

Predictably, when the mother-son frame is highlighted to this extent, the male worker disappears into obscurity. It seems that he is often left out of the discourse in the rush to address associated concerns of gender inequality. Several media reports (c.f. Dullay 2008: 20; Editorial 2010: 11; Gazi 2008: 22), as well as more formal discourses, fell into this trap of overlooking the participation of the male worker.

*While we are watching the video we know that we are witnessing a cruel and violently degrading lord-of-the-flies game being played by overgrown boys who might have chosen any victims. Yet we are also aware that their performance is directed by race (and gender). The students are young, white and male; the workers are middle-aged, female black. (Durrheim et al. 2011: 37)*

Consistently throughout court documentation as well, reference is made to the four women or workers and the male is often overlooked. Even the students referred to the workers as 'squeezas' and talked about the 'amaSqueeza team' in the video, which shows the disregard towards the male worker. It is as if he does not exist. The sympathy of commentators clearly lay with the 'black', 'female', 'older', 'poor', 'domestic worker'. Whoever was perceived to be out of that configuration was persistently left out of the discussion.

The workers said that they were tricked by the students to participate in the making of the video while the students claimed that the workers participated voluntarily and that they did not mean any harm. On the day after the video was shown at the cultural evening, other students in the residence congratulated the workers were for participating in the video. Then, some of the workers requested to see the video. The video was shown to them, but, interestingly, the urination scene was omitted. According to the workers' legal representative, the video shown to the workers was a

‘totally different version than the one now discredited’ (Cloete 2008d: 4). That might be why the workers who watched the video did not report the incident or lay a complaint. The fact that the students deliberately eliminated scene 10, indicates that they were already well aware they had contravened the conventions of acceptable behaviour. In our efforts to look at as many angles as possible – included and excluded – we have come to the conclusion that ‘Reitz’ as a theme, and not only an event, should be revisited. Some conflicts in South African society seem to be of the type that are intractable, and race certainly is one of those. That is not to say that others do not matter, simply that they are dominated, and sometimes displaced, by race discourse. This is not unusual, given the history of the country. At the same time, we think it is time to start placing this discourse in a wider context especially if we, in higher education, are to engage productively with the global debate on difference and diversity coming into contact with cultures and practices of rights and democracies.



RETHINKING  
TRANSFORMATION  
AT THE UNIVERSITY  
OF THE FREE STATE

## THE MEANING OF 'REITZ'

In our examination of the context and events leading up to what we have described as 'legitimation' crisis in the form of the Reitz incident and its consequences, two events stand out, namely the convocation meeting on 11 September 2007 and the one held on 15 April 2014.<sup>116</sup> They stand seven years apart, but their similarities are telling regarding the nature of transformation discourse and practice at the UFS. Therefore, we regard these events as indicative of a pressing need to rethink transformation at the UFS if the institution wants to extrapolate itself from the crisis cycles in which it became embedded during the post-apartheid era.

On 11 September 2007, the majority of the UFS convocation voted against the planned racial integration of residences, which was to be implemented from January 2008. In what can be described as a highly emotional and, at times, hostile discussion, members urged the council to rescind the resolution in connection with the integration of residences adopted on 8 June 2007 with immediate effect. Later on in the meeting the proposal that the council should withdraw its decision was amended to read: 'or to postpone its operation until other options have been thoroughly investigated and considered after effective consultation with interested parties' (Cloete 2007a: 6). A counter motion, which stated that the convocation supports the transformation process at the UFS and, specifically, the integration of residences, was rejected. Members of the convocation stated their disappointment when the UFS council decided not to adopt their resolution and when the president of convocation was asked to comment, he simply stated: 'The convocation stands by its point of view' (Cloete 2007b: 3).

Seven years later, on 15 April 2014, the convocation convened once again 'to discuss and take decisions on recent events on the UFS campus, and the way in which management handled them' (UFS Alumni Notice, 1 April 2014). Once again, one of the main points raised that evening involved transformation of

116 JC van der Merwe attended both meetings, while Dionne van Reenen attended only the 2014 Convocation meeting.

the residences. As in 2007, the meeting was chaired exclusively in Afrikaans. It was clear to us from the start that this specific meeting was dominated by a special interest group of white Afrikaner conservatives/traditionalists. This state of affairs quickly led to the polarisation of the meeting along racial lines. Neither the president of the convocation, nor any council members present, made any effort to diffuse this problem. Instead, their silence and inactivity allowed the perpetuation of anti-transformative exchanges in the meeting to go ahead. The discussion was largely characterised by aggressive, offensive, obdurate and largely *ad hominem* arguments pertaining to UFS leadership (predominantly personal attacks on the dean of student affairs and the rector) and the transformation process at the UFS in general.

If the exchanges in the 2007 and 2014 meetings were to have been recorded, one might speculate that it would be difficult for an outsider to discern which one happened first, or indeed that there had been a time lapse or major rupture in between, given that the rhetoric, assumptions and tone of the two meetings were ominously similar. Particularly noteworthy and intriguing, is the way in which the two meetings were chaired. Both in 2007 and 2014, the presidents of the convocation denied parity in the meeting, bluntly favouring the allocation of an opportunity to speak to certain dominant groups – white Afrikaans males. In 2014, the president consistently overlooked the gestures of certain staff members who wanted to voice their opinion – incidentally those who are in favour of transformation and against the disposition of the majority of the convocation present. This type of selectivity surely demonstrates some bias. It certainly does not express a democratic intent toward inclusivity and sound communicative ethics. Both presidents clearly and emphatically demonstrated their sympathies with a particular ideology that is against the transformation agenda of the UFS. By 2014, a new executive management was in place at the UFS, however the verbal attacks levelled against the rector and his team did not change much and some sentiments expressed were an almost verbatim repetition of those heard in relation to the former executive at the previous

meeting. On both occasions, alumni alluded to the fact that there would be a retraction of their financial contribution to the UFS if things did not go their way.<sup>117</sup> Whilst student demographics at the UFS have significantly shifted since 2007, and Reitz has come and gone, these two meetings were eerily similar in tone and rhetoric. What is also evident from the analysis of 2007 and 2014 meetings is that at the UFS, the arguments and accusations levelled at initiators of change remain more or less the same, unaltered by a new context.

Another pattern that remained consistent over the seven years since ‘Reitz’ is the continued trivialisation by some university constituencies of the meaning of ‘Reitz’. At some stage during the 2014 convocation meeting, a person stated: ‘Reitz was a storm in a teacup’. We have heard this comment many times before and we argue that it could be viewed either as an attempt to downplay the episode and opt out of due moral accountability; or, it could reveal that there are groups of people who simply do not care that ‘Reitz’ happened and feel nothing for the damage it caused; or worse, it may suggest that there are some who feel that ‘Reitz’ was justified. As demonstrated, this was not the first time that ‘Reitz’ had been incorrectly framed as an isolated incident.

Seven years earlier, soon after the Reitz video became public in 2008, a parent of one of the four students in the Reitz video told a reporter: ‘It is a storm in a glass of water. If someone can’t see the humour behind it, it is most probably because of cultural differences’ (Dlodlo 2008: 2). Ben Schoonwinkel, one of the student leaders that were interviewed in 2011 shared the same sentiment:

*They [four students who made the video] told us it was for a culture night. They told us they didn’t do it in a bad light. They just did it because it was a funny video and they didn’t try to embarrass. That*

117 Conservatives routinely oppose any transformation initiatives. Threats to withdraw financial support and get others to follow suit, as well as threats to leave the university and privatise are always brought into the discussion. More vicious personal attacks, requests for resignation and/or dismissal and threats of violence are also common.

*was not the meaning of the video, to embarrass the workers, and so on. It was just done for the cultural evening of the residence ... To be honest, some of the content of it was a little bit funny. Because, not in a bad way, but if you know the relationship between the students and the people that work in the residences you will have a better understanding from where it comes from. I am not saying it is right, because it is not. And I also had a press release just the same day to say that I condemn the video, the content of it. But the first time I saw it I was also shocked because it was a whole day of drama and stuff but some of the things I could see where it was coming from ... It was not done to do any harm to anyone ... And if you look at the video and you see the workers and how their response was to the video. You can see it's a playful, joyful thing. Without looking at the deeper meaning and the deeper content of it ... Most of the [the students] say it was blown out of proportion, the whole video thing, it wasn't right but it could have been handled internally amongst the management and maybe the student representative council ... but the students were just thrown to the wolves. There was media all over campus for that whole week and the students were expelled from the campus without any internal disciplinary or stuff like that. Yes, so people think the whole thing was blown out of proportion and there was no protection for the students by the university. (Schoonwinkel interview, 2011)*

We assert strongly that it would be an error in judgment to characterise the video as a 'storm in a teacup' or that it was 'blown out of proportion'. This kind of faulty reasoning is typical of appealing to the exceedingly emotionally charged problem of high levels of violent crime in South Africa in order to sidestep the issue at hand – in this case – persistent racism in higher education. Accordingly, we agree with Jansen who has stated: 'For others, there is a defensiveness with explanations dwelling on cultural stress, social alienation or even youthful adventure. Yet some refuse to even discuss these crimes, pointing in a childish, knee-jerk reaction to white victims of black crime' (Jansen 2008a: 10).

This is because the Reitz video leaves us with telling evidence of the matrix of social dysfunction that *is* the legacy of apartheid. This is the pervasive destruction that lingers in the lives and minds of many South Africans, including the UFS community, years after apartheid has been officially removed from laws and policies. This is then, the core meaning of ‘Reitz’. We argue therefore that the video reveals not only racial prejudice, but also exposes, albeit unintentionally so, several deeper levels of hierarchical power struggles and discrimination in the institution based on intersectionalities of race, gender and class. Nonetheless, and importantly, we argue that in this case and in the context of the UFS, these intersectional forms of discrimination have an undeniable primary origin and a central core, which is racism. Lumkile Mzukwa captures this position very well in a 2008 *Cape Times* article:

*Over the last eight to 10 years into our new dispensation there have been numerous racial incidents across the country, and each has been described as an ‘isolated incident’. This theory of ‘isolated incidents’ is one that is now tired, and can no longer shore up this rampant racism, which we blacks experience in all spheres of our engagements with whites. However, to whoever wants us to believe that the video was for a ‘cultural evening’ or meant ‘in a humorous light’, the question is: would these white students portray their mothers or white women of similar ages in the same grotesque and sadistic light? At the core of outrage is that white people do not have qualms about seeing the black majority low and debased; because their mentality is such that they see blacks’ plight ‘not so much as a legacy of apartheid’ but rather as part of their ‘culture’. The ease with which black people, especially women (our mothers), are exposed to derision and beastly acts, must never be dissociated from the ‘history of abuse and belittlement of people’, to quote Professor Siphso Seepe. One does not want to bundle all whites together as racist, but as black people we find it very hard not to generalise from what happens to us daily. What we experience is not an ‘isolated incident’; we, therefore, cannot be hoodwinked into believing we conquered racism in 1994. (Mzukwa 2008: 8)*

This point is also unmistakably picked up by Jacob Dlamini, who, in 2008, comments on the dehumanising effects of this kind of racism in an opinion piece in *The Weekender* titled 'Understand this: we are people, not types':

*The boys' sick and apparently pathological disdain for black people is not actually about real, live, empirical black individuals. It is about some amorphous category called, if we are to be charitable, 'black'. It is clear from this episode that as far as these boys were concerned, any black person would have done in their effort to make their video. It did not matter that their 'actors' were men and women who, we can safely presume, have no education and no hope in hell of getting into a university, let alone the UFS. These men and women were not potential rivals or classmates but folks whose paths would never cross those of the four boys, except maybe to clean up after them. This is not surprising. Racism cannot deal with real empirical beings. It can only deal with the abstractions. It can only deal with the 'blacks', but never men and women with names, histories and quirks. This is not to say the effects of racism are not real. They are real enough. The physical and psychological damage caused by anti-black bigotry is vast. That is why the victims of this sick video have had to undergo counselling. They may have stood in for 'every black' in the video, but the harm done to them as individuals is real enough. (Dlamini 2008: 5)*

Therefore, in acknowledgement of these two authors' concerns, and based on our analysis, we restate that analyses of the video, in popular commentary as well as scholarly work, as *primarily* about gender or class (or the intersectionality of gender and class) do not hold up to closer scrutiny.<sup>118</sup> The Reitz video was made as a deliberate protest against the desegregation of residences – it was primarily about not wanting black students in the residences *because* they are black. We argue that a consideration as to whether

118 The theoretical and academic interests and agendas of researchers should not distract or displace attention from the problem of outright race-based rejection and the ways in which this manifests in institutional behaviours and structures. This kind of prejudice is extremely damaging, and, along with the more subtle configurations of racism, are monumentally difficult to overcome.

black students who were to be accommodated in the residences would be poor, female, disabled or passive did not enter into the deliberations of the students. In fact, we doubt whether there was much deliberation at all. Based on the evidence and first-hand accounts by the producers, it seems as if the video was made the day before the event. Since only one of the students was responsible for the editing process, some of them only saw the final product when it was shown at the cultural evening. As one of the students said in an interview for the television programme *Carte Blanche* in March 2008: ‘We didn’t think. It was really just for a cultural evening. We just wanted to show something on the night’<sup>119</sup> (RC Malherbe, interview with *Carte Blanche*, screened on 2 March 2008).

There is no doubt that many social issues such as intersectionalities of race with class, gender and power can (and should) be prised open as a result of the Reitz incident, but we suggest that the latter did not occupy a dominant position in the rationale for making the video and cannot be arbitrarily assumed or projected into the thoughts or intentions of the four students. The commentary in the video was about race and we argue that the video is based on the exploitation of the assumed inability of the workers in the video to be carriers of knowledge and insight regarding the full context of the narrative, that is, a narrative of race and racism.<sup>120</sup>

There have been many racist incidents, reported and unreported, at the university since the influx of significant numbers of black students in the 1990s. In reality, while the UFS has become one of the most transformed

119 RC Malherbe interview with *Carte Blanche*, on the M-Net television channel, 2 March 2008.

120 On the issue of disregarding a person as not being a legitimate carrier of knowledge we are referring to the notion of epistemic injustice as argued by Miranda Fricker (2007). More specifically, we have in mind the term ‘testimonial injustice’, which means that the subjects regard the object as unable to give a credible account of knowledge. This is demonstrated when, for example, a white lecturer by means of a point of departure already views a black student as someone who ‘is behind’, who still needs to come to know. Another term related to epistemic injustice that needs attention in future research endeavours is ‘hermeneutic injustice’ where the object subjectively experiences a lack of existing frameworks to relate his/her account of knowledge.

historically Afrikaans universities in terms of student demographics, it has struggled with many aspects of that process. The racial integration of residences was, and remains, one of the most problematic aspects. As a consequence of the parallel-medium language policy, until 2007, many white Afrikaner students attended lectures with fellow white Afrikaner students, were taught by white Afrikaner lecturers and occupied exclusively white Afrikaner campus residences. This situation alone alludes to serious questions about the depth of transformation that the UFS was aiming toward. One could have predicted, with reasonable probability, that many of these students would not have taken kindly to letting go of their 'white existence', extended from home to campus, and enabled by the university for more than a decade. Students' reluctance to normalise was exhibited in the public protests against integration at the end of 2007. The events of February 2008 should not have come as a shock. To boot, they were predicted by many concerned stakeholders and some reports and studies conducted prior to the event (confirmed in management interviews, 2011).

South Africa, while having come some way since 1994, has not yet succeeded in making racism something to be generally frowned upon and ultimately rejected in the broader, material existences of its population. In 2015, South Africa celebrated 21 years of democracy that took care of the legal and political enfranchisement of all citizens, but, quite predictably, once a movement has brought about the liberation for which it was created, the hard work of social and personal normalisation begins – and that is where the country finds itself now – embroiled in that process which, for some, seems to be very difficult. The university is no exception in that it still battles such prejudices daily. Unfortunately, though, if there are no real, valid attempts to adjust the problematic ontology of this life world, another Reitz will come around in the future. It might appear in a different arrangement or could have a more/less sizeable impact, but it will come, over and over. It is only when past wrongs are corrected in multiple spaces, and injustices are experientially altered in deeply transformative ways, that the cycle is

broken and, finally, racism in its various forms can be laid to rest. If the university wants to assume its rightful place as an institution *within* the democracy of our country, this will require the ‘outlay’ of transformation in its internal structures.

The Reitz video put the UFS firmly into the spotlight and raised all sorts of doubts regarding the accountability and transparency of the institution. The reputation of the university suffered a massive blow and management was consigned to lead the institution out of a fairly dark place and to minimise reputational damage in the process. The institutional climate at the time of Reitz was unlikely to facilitate broad legitimisation of the UFS, either internally or externally, because the particularities of this legitimisation crisis had its roots in the conflict and dysfunction which already threatened the integration of the system on a much deeper level. We have argued that there were various challenges related to the adoption and implementation of policies aimed at transforming the UFS and that it is a worrisome fact that resistance and resentment towards the transformation process permeated every level of the institution and extended to many external role-players. Yet, although many policies were in place, we argue from the evidence that the political will to implement these was lacking. In addition, a persistent negative framing of transformation as a ‘problem’ contributed to this inertia. Nonetheless, although it is true that the process was fraught with problems and happened in fits and starts at times, one cannot claim there was no transformation until 2009.

The assumption from much of the data we analysed was that Jonathan Jansen started the transformation project at the UFS when he was appointed rector in October 2009. From the discussion thus far, we can safely assert that this opinion is faulty. However, the tone and form of the convocation meeting that took place in 2014 suggests that there remains significant resistance to the transformation of the UFS and there is a serious need to reflect on the nature of the transformation project at the university.

Looking forward, the question is therefore a Leninist one – in the sense of ‘what is to be done?’ Whilst we recognise that transformation in higher education is multi-layered and should address problems including student and staff demographics; institutional culture; the diversification of knowledge bases and the types and practices of knowledge production; as well as the enhancement of democratic practice in society; we focus here on a handful of core practices that we argue were not in place at the UFS and, therefore, in our estimation, enabled an institutional culture associated with ‘Reitz’. It is our recommendation that these are the five practices the university should focus on in mapping the future of the institution:

- Changing the institutional culture;
- Instituting a rights-based approach;
- Creating space for ‘being political’ on campus;
- Doing anti-racism work; and
- Establishing pre-conditions.

### **Changing the institutional culture**

Cultural heritage in South Africa can assume a number of different semblances that might complicate a simple embracing of ‘being South African’. The problematic collision between different ‘racial’ groups in contemporary South African society is underpinned by the disconcerting history of the direct exclusion of all South African ‘racial’ groups from the UFS, bar whites. Therefore, in post-apartheid, the university is called upon to actively manage institutional transition towards establishing a community whose members enjoy mutually beneficial interrelations. Moreover, a new core of values, including dignity, equality and freedom for, and between, all groupings must be established within a previously non-existing, joint culture. To this end, we argue that adopting the fundamental values contained in the Constitution would help members of the UFS community

to focus on fostering commitments to positively opening communication and interaction.

The difficult task of aligning members towards a common goal in spite of opposing interests and conflicting opinions will remain a challenge. The following two comments show how, even when substantial time has lapsed since Reitz, people can react so differently:

*I really think the chapter is closed. And I think the way how we managed to use this as an opportunity is absolutely fantastic. (Staff member interview, name withheld, 2011)*

*It was an opportunity, unfortunate as it was, for us to start having frank talks ... it was an opportunity for us to say let's acknowledge that there are racial problems, let's acknowledge now what's the way forward, our own TRC if I can call it like that our own moment of closure that's way I say it was grouped and now it is a one man show which really does not assist anything ... I fear the moment has passed and we will only get another opportunity if there is another incident on campus. (Tabane interview, 2011)*

In *The Past as Future*, Habermas (1994) reflects on the question of a new national identity in Germany after the unification of 1990 and the broader ramifications thereof for social relations in the newly formed state. The parallels are obvious. South Africa was a segregated society during apartheid, but has been involved in its own form of unification since the abolishing of apartheid in 1990. This process continued with the first democratic elections taking place in 1994 and the Constitution being adopted in 1996. Therefore, important parallels may be drawn between Habermas' concerns about the German context and the many problems faced in South African socio-political struggles. According to Habermas, the question of nationalism should take its impetus from the political rights granted to all citizens by the Constitution rather than a common ethnic and cultural background. His position implies an 'unmistakable rejection of any form of traditional nationalism as it was proposed by the

neoconservatives' (Hohendahl in Habermas 1994: xiv). We would argue that a similar strategy needs to be co-opted for the diverse population of South Africa, and specifically, this strategy should be employed in its institutions, one of which is higher education.

We make use of Melissa Steyn's description of institutional culture where she describes it as 'the 'sum total' effects of the values, attitudes, styles of interaction, collective memories – the 'way of life' of a university, known by those who work and study in the university environment through their lived experience. One is therefore addressing many layers of practices, norms and attitudes, some of which are more tangible than others' (Steyn 2007: 13; Suransky and Van der Merwe 2014: 3). The UFS has a strong, embedded campus culture which was grounded in white, Afrikaans, Christian, patriarchal and nationalist traditions. Residence traditions form an integral part of that culture. Although these traditions have gradually been removed from policy and prohibited by law, in practice they have continued relatively unimpeded by state, institution or society throughout the apartheid era to the present at the UFS. This has persisted due to the fact that, pre-1990, the university housed an overwhelmingly homogenous group of white Afrikaans-speaking South Africans who had no cause either to question or disrupt this reproductive behaviour. These ethnic and cultural expressions served the political agenda of the time and therefore posed no threat to the accepted order of the apartheid state. In fact, the university was seen as an apparatus of the state.

We would argue that having multicultural or multilingual membership bodies does not imply that each culture and language has to be represented in the policies and practices of the university. Besides, these demographics are in no way stable and may change at any time.<sup>121</sup> It is not the job of the

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121 The Integrated reports of 2012, 2013 and 2014 show that UFS students come from wide-ranging language groups. Therefore, calling for staff to become proficient in Sesotho as Fourie (2007) does becomes problematic. In a diverse setting, matters of hospitable, inclusive institutional cultures become far more important than particular cultural recognitions.

university to validate individual cultures, religions and languages. Due to the public nature of the university it must retain policies which render the institution open to all and therefore work with common denominators as far as possible if for nothing else than pragmatic concerns. Likewise, it is also *not* the task of the university to transform those who enter its gates so that they may fit into a particular, cultural, idiosyncratic paradigm. Yet, we have argued, in many of the statements made by the UFS management, the role of students seems to be defined in relation to the premise that white Afrikaans students are the norm (i.e., ‘the students’) and all ‘others’ are measured against this standard. Those not fitting into the white Afrikaner group are relegated to the ‘diverse’ group. The following extracts from interviews with management members clearly demonstrate this blind spot:

In terms of the importance of creating opportunities for establishing future professional associations, Hancke stated:

*It is important for students to get into contact with blacks, Asians, everyone. So I think we realised that there must also be contact in the hostels. (Hancke interview, 2011)*

And regarding reforming Reitz:

*My dream was that we would create a kind of residence there, at Reitz, which would reflect a diverse student population and start to experiment even with, uh ... different sex residences, allowing gays, different races, students with disabilities. Because that is what we stand for is diversity, and to make that a hub, and a model for, you know, dealing with students coming from a real diverse background – not only race but also sex and whatever, and also sexual orientation. So, I don’t think that is impossible to do it one day. (Staff member interview, name withheld, 2011)*

With respect to black students coming into residences:

*Initially they just fell in with the major culture that there was. (Verschoor interview, 2011)*

On the value of the university in Afrikaner communities Rudi Buys commented:

*With all Afrikaans institutions, there's a general sense that I have built over time that you have ... similar to the church environment, similar to the business environment, and so forth, there is a general sense that the university is a space of conserving stuff that we value.*

(Buys interview, 2011)

The entire approach of having a white, culturally based system that 'others' must allow themselves to be moulded to fit, needs to be rethought. It is most definitely the task of the university to transform itself in order that it can stay abreast of rapid changes in our society, country, continent and world. These are the sectors that the university serves, and yet, has little control over. However, the UFS does have significant control over itself and its actions or responses. The UFS has been an institution in a state of transition for some time now, arguably since 1990. An institution in a state of transition is a somewhat unstable entity and, therefore, is constantly vulnerable to crisis. What seems to lie at the root of the problem is that the will of its leaders is split between acknowledging the need for change while at the same time being unwilling, or unable, to let go of the past. The pressing problem for South African institutions, though, is that an apartheid-type social structure can never be revisited; yet there is genuine fear in some of the old guard about pursuing the unknown future. Some will call for a preservation of as much as possible through cleverly framing symbols and a particular language, knowledge and culture as valuable and, thus, worth preserving. However, the more progressive members will constantly call this attitude into question in the hope that perseverance will allow conservative resistance to yield to more equitable policy and practice. The following statement by the deputy vice-chancellor for student affairs, Ezekiel Moraka, shows the problem: 'There are people in strategic positions at the University of the Free State who are against transformation, and unfortunately are given the space to perpetuate this whole thing' (Moraka interview, 2011).

The dismantling of apartheid marked the start of a massive shift in the racial and cultural demographics at the UFS. The student body on the main campus is now approximately 65 per cent black (see Appendix 3). Therefore, the majority of students on campus would have no identification with these strange habits and behaviours found in residences as there are no historical links – their family members never studied or worked on these campuses and neither did anyone from their communities except perhaps as custodial staff (cf. SAHRC 2001). It follows, then, that there can be no shared cultural or ethnic grounding of students' traditions and practices as they stand currently. There is simply no common history to inform the present shared context and no shared national identity to which one may appeal when attempting to establish social practices. There has to be an alternative basis on which to build new social cohesions.

Habermas cautions, though, that the riddance of an unjust regime is not 'a matter of one single act of liberation, but rather a detoxification process of unknown duration' (Habermas 1994: 33). Indeed, as has been witnessed at the university, we are some twenty one years into democracy in South Africa and many of these old traditions persist. And, to quote Habermas again: 'some things survive that really aren't worth preserving. This new beginning is saddled with false continuities' (ibid: 34). The problem is that the UFS has dragged along these traditions without really examining why it has done so, or even whether these traditions are in any way positively contributing to the learning processes of all of its students. Habermas terms this 'repetition compulsion' (ibid: 67). He comments: 'the temptation to choose models from the past for the interpretation of the future seems impossible to resist' (ibid: 66). The difficulty with which even the smallest traditions are relinquished at the UFS shows this problematic very clearly.

When institutions begin to take steps to transform, there are bound to be casualties from the past. Some neoconservative members of so-called 'historically Afrikaans' institutions want to retain ownership of these cultures and retain power in, and ownership of, the institution through

practicing these cultures. The irony is that, in spite of the political and social shifts that have taken place, there does not seem to be an acceptance that these pasts are not acceptable models for the future. They are 'pasts that shouldn't regain any power over the present' (ibid: 37). The reason for this is that when accelerated social transformation gets underway, there are bound to be crises and those crises affect the life histories of individuals in a very tangible way. How students live and learn in the university environment is materially shaped by the way in which this transformation takes place. Previously-excluded students who do not share 'the past' in which these traditions were formed, will be more sensitive to it. They will possibly be offended by *any* reminder of the past because their present struggle for respect (and future fear that they might never gain such respect) is a direct result of those past practices. Previously-excluded students might have significant anxiety and resentment when confronted with traditions precisely because their present and future inclusion totters on a re-enactment of a past that was not kind to them, their kin or their communities. In plain terms, an apartheid past serves as a reminder of (recent) pain – pain from which they should now be liberated. Moreover, for an institutional environment characterised by trust and hope, students will look forward to a future in which they can further distance themselves from this pain. One can reasonably conclude that if students feel the institution will not embrace such a future, they will not have much loyalty or regard for the institution.

The remedy Habermas suggests is 'to produce a deep identification with a social order whose universalistic principles anchor a potential for self-criticism and self-determination' (ibid: 49). These universalistic principles are contained in the rights and provisions granted to all citizens by the Constitution and are founded on the freedoms and privileges contained in universally accepted human rights. This is the hope for practicing more solidarity among community members. No particularistic self-interests or 'ethnocentric fantasies' may serve as a foundation for the 'realisation

of democratic participation and the development of a true pluralism' (Habermas 1994: 83, 92). Surely, there will be little true solidarity in the university community until all members are willing to support a process by which there are tangible efforts at enacting a common good.

### **Instituting a rights-based approach**

When the Reitz video was made in 2007, South Africa has already entered a second decade of democracy grounded in a Constitution which prioritises human rights. However, at that stage, the UFS had failed to establish a strong human rights culture, especially amongst the white male student population in residences. Students therefore never viewed the traditions in residences as violating the dignity of first-year students as such. To boot, not only did white male students reject a human rights culture, they actively fought against it. This is clearly demonstrated by the following statement in the memorandum that was delivered to management on 20 February 2008 when the residence committees went on strike:

*Human Rights: We do not accept the university's new drive for Human Rights. It would be ideal for everyone on campus to be aware of each other's constitutional rights, we were however not aware that we were grossly undermining anyone's human rights. These ideas were never discussed with the Residence Committees. We see this as a direct threat to our hostels' traditions, which we do not see as a violation of human rights, and undermines student life as we have come to experience it. If we are not correct in our assumption, the University should undertake to enlighten us properly with well-planned consultation (we see workshops as information sessions, and not consultation). We fully realise that we are subject to the constitution of this country, but we feel that the University is concerning themselves with trivialities (we do not see sitting on the carpet as a violation of human rights). This new drive should be done in consultation with RC's. Workshops have been arranged but we feel that any discussions should have taken place*

*before instructions were communicated to RC's. The University can then assist us to address any gross human rights violations.*<sup>122</sup>

One of the most concerning issues that emerged from the Reitz saga is the potential harm that could be caused by singular thought and action, especially in a higher education context, which should be a pluralistic epistemic space. Consequently, we view the students' statement with some serious reservations. We would suggest that human rights frameworks are both effective and reasonable in considering treatment of persons. As with any framework, it is not perfect and there is always a possibility of bad application, but it is useful. Realistically speaking, which person would not want freedom, equality, dignity, justice and peace to be guiding principles regarding their own treatment and the treatment of others? We are well aware that there is a common rhetoric in conservative circles that derisively dismisses rights-based frameworks as 'liberalist kumbaya'.<sup>123</sup> While we do acknowledge that the liberal tradition of John Locke and others did gift us human rights in the modern era, we do not propose a sham framing thereof that favours criminals and deviants. This is a myth that is perpetuated with regular monotony in anti-transformative discourse: transformation means letting go of standards and excellence. It seems the old enemy of South African conservatives was communism (the 'rooi gevaar') and now, since 1990, with familiar ill-considered bias, it is a grossly misunderstood framing of liberal values.<sup>124</sup> We recognise that human rights were indeed formulated as an antidote to the unchecked horrors that came about during World War 2. Incidentally, The Universal Declaration of Human Rights was accepted by the United Nations in 1948 – the same year that the NP in South Africa won the national election and decided to adopt apartheid into state law. The

122 Communication and correspondence and with the rector.

123 See for example, predictable rhetoric on the *Praag* website, <http://www.praag.org/?p=11113> and Hofmeyr (in *Beeld* 11 July 2014, <http://www.beeld.com>).

124 Literally the 'red danger' which was used to denote the danger of communism. The 'swart gevaar' was the 'black danger' and the 'Rooms gevaar' denoted the Roman Catholic danger. These three were often mentioned in tandem as the three big threats to nationalist thought and action in the apartheid era in South Africa.

aim of human rights frameworks is first and foremost to protect victims, not perpetrators. However, history has taught us that countless people have been falsely accused and/or detained for transgressions against an accepted order which has resulted in grave injustices. It seems that a measure of restraint in the treatment of citizens (whether perceived to be guilty or not) befits practices in a responsible democracy.<sup>125</sup>

The students, who drafted the memorandum cited in the opening to this section, argue that they do not see making people sit on the floor (while seniors sit on chairs) to be gross human rights violations. They do not acknowledge that sitting on the floor is a miniscule part of the many ways in which junior members of the institution are systematically demeaned and humiliated. If sitting on the floor was the only problem, everyone would have comparably little to worry about. The myriad of examples (which are not exhaustive) in the preceding chapters show that the problem is more serious than disclosed in this statement from the students and many more people than first-years are affected by these practices and infractions. In fact, these ‘trivialities’ have escalated into violence and people have died as a result of initiation practices at South African universities (cf. Van Wyk 2005; SAHRC 2001, 2014). Together, these practices of humiliation are unacceptable and have precious little to do with positively facilitating an educational process.

In our example above, the students complain about lack of ‘consultation’. We have demonstrated that this has been a standard form of recourse in the UFS context. We argue, however, that in the context of a rights-based approach, this demand is arguably out of place. The very notion of rights is that they are inalienable – each and every individual possesses these rights at the time of their birth. No amount of consultation or negotiation should

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125 Problems regarding wrongful convictions and arrests are discussed in more detail on the *Innocence Project SA* website. Statistics on Africa are not available for the lack of comprehensive research in this area. However, statistics in the United States of America, United Kingdom and Canada are available on those respective *Innocence Project* websites.

alter that fact. Residence committees are not there to decide how many rights or how much of a right a junior student (or any other person) has access to. In this regard, these students are overplaying their authoritative hands quite considerably. If they mean to consult on enabling a more generalised education on human rights in the student body, that would be suitable, and indeed, endorsed. If they mean to consult with governing bodies on how to maintain traditions that violate human rights (grossly or negligibly), that is highly inappropriate and should be rejected forthwith. To be clear, we acknowledge that the student voice is extremely important in the context of a democratically enclosed university. Habermas reminds us that:

*Students experience the university from a sobering perspective – from below ... They understand that they are the prime victims of the absence of university reform. That is why they want to obtain the power of joint decision in all self-governing bodies.*  
(Habermas 1997: 17)

This sentiment is reflected in the memorandum when students demand more meaningful participation, rather than 'instruction and information sessions'. Again, we would argue that many students at the UFS in 2008 clearly needed some instruction and information on human rights and the rule of law and no amount of consultation should be engaging with proposed constitutional violations. Further, the 'ideal' is not just that everyone should 'be aware of each other's constitutional rights'. The ideal is that everyone should practice these rights and endorse them in each other by virtue of their thought and actions. Knowing about someone's rights without doing anything with that knowledge is futile. This is exactly the kind of ill-reasoned claim that arises from a lack of political consciousness in the student body.

Remarkably often, the justification given for unconstitutional behaviour (such as 'Reitz') is that, in post-1994 South Africa, whites feel 'threatened' and 'everywhere, the white person, and the Afrikaners per se, are being driven

out from all positions in South Africa' by the current ruling party (Luyt interview, 2011). This conflation of party standpoints and constitutional values is unproductive and unreasonable. The shameful conduct of a politician or dubious decision-making of a political party is not a valid justification for ignoring the constitution; neither is the preservation of cultural values, traditional values and past histories. This is why we suggest that a rights-based approach is more useful within a multicultural setting such as the UFS. Unfortunately, this approach was considered rather late. The previous rector only addressed this at the beginning of his second term where he stressed a need for a code of conduct with reference to sexism and racism, so as to entrench a respect for human rights (Fourie 2008a). This is the first time human rights are mentioned as a possible, functioning framework but, to date, the values-based approach is still largely favoured, especially in residences (see the UFS Residence Conduct Booklet 2014).

### **Creating space for 'being political' on campus**

Students most definitely have a political role to play on campus and in society. The manner in which that role is played will depend on how students have been educated in well-defined and socially normative models. An optimally functioning democratic society is heavily dependent on its various institutional structures to produce citizens who are politically aware and civil-minded precisely because democracy is, by definition, a participatory system. If members of a university are left to continue their daily practices grounded in particularistic thinking, they will probably not have much to contribute to social justice, either in an academic context or beyond that context.

Habermas raises a point that is extremely relevant to the present social situation in South African universities:

*The structures of the old society, organized according to kinship relations, are the same as those that define the students' families ...*

*The student, removed from a traditionalist home and initiated into*

*the universalistic roles of a society in the process of modernisation, can connect the typical developmental experiences of adolescence with changes in social structure. He can comprehend the epochal process in the framework of his own educational process and conversely link his private destiny with his political destiny.*  
(Habermas 1997: 14)

We agree that students are capable of making this connection, but only if there are structures within the university that provide such an opportunity in a variety of spaces from the lecture halls to the residence. For this kind of development, students need to be exposed to knowledge beyond that technical know-how which is required for them to find employment. As Martha Nussbaum warns:

*It would be catastrophic to become a nation of technically competent people who have lost the ability to think critically, to examine themselves, and to respect the humanity and diversity of others.*  
(Nussbaum 1998: 300)

In order to achieve this, Nussbaum suggests three core values that should shape education (ibid: 9–11). The first value is that of critical self-examination, which is characterised by the capacity to reason logically, to test what one reads or says for consistency of reasoning, accuracy of fact, and, finally, of judgement'. Secondly, the ideal of world citizenship, that is, enabling students to see themselves 'not simply as citizens of some local region or group but also, and above all, as human beings bound to all other human beings by ties of recognition and concern'. Narrative imagination is the third value, which she explains as follows:

*To think what it might be like to be in the shoes of a person different from oneself, to be an intelligent reader of that person's story, and to understand the emotions and wishes and desires that someone so placed might have.* (ibid: 11)

The Reitz video has undoubtedly shown that university problems cannot be severed from the problems of broader social milieus that surround

the institution. These internal problems might be as responsible for the disenfranchisement of students as some more expansive, external problems they could encounter. A multiplicity of issues needs to be addressed and enter the general discourse, including party politics. At the UFS, political gatherings are handled with great suspicion. There are regulative procedures and structures surrounding such meetings which are de facto seen to be volatile. The interviews with various members of the UFS surrounding the Reitz incident indicate that the more conservative members place the blame for the mushrooming of the Reitz controversy on the shoulders of politicians (and the media), evidenced in these responses from several management comments:

*Political opportunism fuelled the national reaction.* (Verschoor interview, 2011)

*[T]hat this [segregated residences] is unacceptable for the present government, the black elite and some sponsors.* (Luyt interview, 2011)

*This [the public outrage] was a political thing.* (Management member interview, name withheld, 2011)

What these statements fail to appreciate is that no matter how well or badly the politicians handled the saga, it does not detract from the problem that the university failed to take racism in hand in spite of many requests therefore, reports thereof, and reported incidents concerning the problem. The unwanted opinions of politicians and/or media do not mitigate the wrongfulness of the deed. The judgements of internal or external entities do not detract from the fact that desegregation was the right thing to do, no matter what the particular circumstances at the UFS were purported to be. A management member aptly states: ‘We did not do our duty’ (Verschoor interview, 2011) but wrongly supposes that this ‘duty’ was to be directed internally – in terms of preparing UFS members adequately for change. Perhaps this ‘duty’ should have been aimed at according with a common good beyond the institution. No argument or explanation for segregation

could be supported on moral grounds in the broader context of the country, continent or international setting.

Unfortunately, the notion of 'being political' has a particularly negative connotation at the University of the Free State. When students (and staff) raise too many difficult questions or become 'activistic' in their intentions, this does not go down well. They are persistently told that they are here to learn and *not to be political*. As most students are made patently aware, it doesn't take much dissent for someone to be labelled an 'angry black' and have one's point of view summarily dismissed from the discourse. This leaves the constitutional value of freedom of speech in a precarious position. By 'political' we mean a consciousness that comes from a pointed appraisal of all relationships of power that exist between people, either individually, institutionally or civically speaking.<sup>126</sup> Thus, we would argue that the following statement does not hold: 'The university is not a political place. It's where young people must be developed and have the freedom to study and develop intellectually' (Staff member interview, name withheld, 2011).

### **Doing anti-racism work**

We would strongly suggest that the work of anti-racism, in whatever form, is still very important and useful in South African society in general and the UFS in particular. The SAHRC reported 500 cases of racism or discrimination in 2014 (at universities and educational institutions) during public hearings into transformation at South African universities (see Magubane 2014). Remaining vigilant and deconstructing harmful discourse is no easy task, and yet it is necessary. In a conference reflecting

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126 To explain further, Jonathan Jansen issued a statement entitled 'UFS position on student politics' on 1 September 2011, stating that SRC elections will be conducted on a non-party political basis and it welcomes politics on campus (UFS website). QwaQwa campus SRC elections still run on party political lines (See UFS website <http://www.ufs.ac.za/templates/news-archive-item?news=2081>). The contentious issue of party politics on campus is mentioned above in Chapter 4.

on the Reitz crisis on 25 November 2009 at the UFS, Melissa Steyn starkly reminded the audience:

*Never underestimate the viciousness of the centre ... We have an increasing polarisation and I think we see it in all sorts of ways. A kind of consolidation of whiteness, rather than people deconstructing whiteness moving towards more complex kinds of identities. I think we are seeing on quite a broad scale and in different kinds of ways a kind of a re-grouping and a development of new kind of certainties around whiteness and the kinds of belief systems and understandings that have shaped that kind of world ... The white supremacists gain a lot of respectability and a lot of validation in the mainstream media. The line dividing the extreme right from our mainstream white society is not nearly as clear cut as we would like to believe. (Steyn 2009)*

At present, the university, and its surrounding community, grapples with similar problems. In 2014, a local newspaper advert called for ‘non-affirmative action’ female students to apply for accommodation in Bloemfontein, which prompted the UFS to lodge a complaint at the SAHRC.<sup>127</sup> The Constitution strongly condemns racial profiling. The 2014 SRC president Phiwe Mathe said the plight of racial profiling against students by landlords was of great concern to the student body and the university: ‘This just shows what we have been experiencing in the town for years, but only on a subtle note’ (in Louw 2014).

In response to ‘Reitz’, ARNHE was established as an organic structure in June 2008. The network acknowledged that such an incident could have happened at any higher education institution in South Africa and that

127 The advertisement (translated from Afrikaans) reads: ‘Safe student accommodation for non-affirmative action female Kopsie students in secure student houses. Walking distance from UFS campus’ (Louw 2014). Incidentally, questions surrounding similar profiling at Heimat Mannerheim (the ‘new Reitz’) have been raised but no action has been taken against the private residence at the time of writing this monograph. (We do note, however, that the issue has been raised by students in memoranda to management during the 2015/2016 student protests and the student body awaits a definitive decision in this regard).

there was a need for addressing the overall challenges of racism in this sector. ARNHE facilitates the co-ordination of events to provide a space for sustained critical dialogue amongst academics, higher education administrators, students and staff, on the impact of racism and the intersections between race and other social asymmetries such as gender, xenophobia, class, and differentiated ability within the higher education sector. The IRSJ hosted an ARNHE colloquium in 2010. True to form, the reaction to this kind of work elicited split responses during the opening remarks. The first is from the vice chancellor of the UFS Jonathan Jansen:

*Don't tell me you are non-racist, tell me what you are and my challenge to you is, don't tell me that you're anti-racist, you know. That's too easy. It's a slogan. We have to ask the question, what are we for? Not, what are we against? That we can agree on relatively quickly but what are we standing for as we try to build this country? We cannot simply build this country in response to an anti-racist impulse. We can only build this country when there is clarity about what the opposite of anti is, the thing we are for, as we struggle to come out of our history. So the request to give attention to complexity is my one appeal. The other, in that context, is to think seriously about the very concepts of the constructs that we work with like anti-racism and whether that is sufficient in going forward as we deal with the past as the future. (Jansen 2010)*

The second is from the then chairperson of ARNHE, Norman Duncan:

*If we are opposed to racism or what appear to be racist practices within the Higher Education system, then it should not be to create comfort zones for ourselves, but rather to transform university spaces into spaces that are more conducive to finding solutions to the equalities and problems confronting the majority of South Africans ... We're involved in the Anti-Racism Network because of the problems that manifest themselves in the Tertiary Education Sector and yes, we want to eliminate racism as it manifests itself in that sector. But we cannot eliminate racism only for the sake of eliminating racism in that sector. We are opposed to racism largely*

*because we want to recreate the spaces in which we find ourselves, so that we can do more productive, more transformative research and be involved in more transformative activity that will not only change our lives but the lives of ordinary people ... Higher Education is uniquely positioned to challenge racist and gender assumptions and to promote and to model non-discriminatory practices.*  
(Duncan 2010)

One of the more constructive outcomes of Reitz is the establishment of this anti-racist network. Firstly, it transcends the artificial boundaries in, and between, higher education institutions in South Africa. The discourse generated by their work is not contained in disciplines, faculties, management bodies, and so on. ARNHE allows for some relief from structural and cognitive steering. Secondly, a space is opened for frank discussion and engagement which is not too common in academia. Finally, it serves as a pastoral haven for like-minded people all over the country who are creatively participating in challenging, anti-racism work on a daily basis. This work is notoriously difficult and many do not last long in these posts.

### **Establishing pre-conditions**

Those in the upper echelons of the institution who hold real power and continue to exercise it from within perceptibly self-serving agendas can only do so as long as they are shielded from criticism, public reflection and justification (cf. Gehlen in Habermas 2006: 66). Hopefully, continued discussion emanating from the Reitz crisis, and associated discourse, can expose this effectively and allow public discourse to do one of its most fruitful jobs. An empirical reality such as the Reitz video affords institutions the opportunity to step out of ignorance and denial. Once one knows, one cannot 'unknow' what has been happening. This public exposure allows freedom of speech to operate in one of its most useful capacities, that is, not simply stating points of view publicly, but informing oneself against competing discourses and testing them against public debate. Action

could thereby replace this symbolisation of power and move away from the egoistic satisfaction of subjectivity. 'This deep-seated "degenerative" tendency can only be blocked by normatively binding actions' and displace, or disrupt, an aggressive group particularism (ibid: 67).

In light of what Reitz showed the UFS, it seems that the university governing bodies could benefit from committing themselves to establishing the following preconditions if a successful co-existence of members is to be pursued with earnest:<sup>128</sup>

1. *An effective governing apparatus through which collectively binding decisions can be implemented.*
2. *A clearly defined 'self' for the purposes of self-determination and self-transformation to which collectively binding decisions can be ascribed.*
3. *There must be a membership that can be mobilised for participation in institutional opinion-formation and will-formation orientated to the common good.*
4. *There must be an educational and social milieu in which a democratically programmed administration can provide legitimacy-enhancing steering and organisation.*

Points 1 and 4 have been dealt with in detail in Chapter 4. Suffice it to say, that the main issue preceding Reitz is that, although the governing bodies were in place, they failed to implement the policies and decisions they had agreed upon. They had also failed to prepare the organisational field for the implementation of those policies. Moreover, the institution was not democratically programmed to provide legitimacy-enhancing steering or organisation because this was not their primary focus. They relied far too heavily on an organic, gradual realisation of racial integration at a time when the institution had not yet succeeded at desegregation. Further,

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128 Derived from Habermas 2006: 76.

the educational core function of the university and its supporting social structure was not geared towards instilling an institutional culture that allowed for such integration of the races. It largely supported the opposite:

*The first day we arrived at the institution, I think one kind-of picked it up immediately, that black students were on the one side and white students were on the other side. I did not live on campus and what it meant for the students that lived off campus – we had to go to city residences and the city res that we went to was an all-black residence and the others were white in a residence we went to. We didn't understand that and, over the next few months, we kind of realized that the place was racially segregated ... Everything was done in Afrikaans, the mass meetings the students had, the sport events that took place were in Afrikaans and the students were racially divided. And, that was quite a hard pill to swallow because I don't think that is what we had expected coming the university.*  
(Masitha interview, 2011)

It follows that the institution needs to rethink transformation and come up with clear, strong foundations and principles on which to base their decisions and commitments. There can be no more assumption that everyone will 'do the right thing' and normalisation will happen 'in a more evolutionary process' (Luyt interview, 2011). The central question for stakeholders becomes: *What must I/we do?* For analytical purposes, we make use of Postural Theory as formulated by Johann Visagie in his model of Discourse Archaeology which takes this question as its point of departure in terms of viable ethical options for pragmatic implementation (cf. Van Reenen 2012; 2013; Visagie 1990, 2006). Postural Theory deals with the most basic characteristics of the human condition and forms an idealised model for members or groups to live ethically and meaningfully within their various institutional-existential contexts. In this version of the model, there are 'dark', 'grey' and 'light' postures which inform behaviour<sup>129</sup>. Dark postures

129 Visagie employs metaphors of 'light' as an action which may be performed outwardly and 'dark' as absorbing – in other words, dark postures may be experienced by a

include the experience of *suffering*, *meaninglessness* and *guilt*. People may allow themselves to experience such dark postures, but they may not be outputs, since formulating an ethical attitude implies that it must be a good one. The light postures that members may assume for themselves (between the alternating pursuits of *creative work* and *rest*) include withdrawal into *contemplation*, *letting go*, *humility*, *taking care*, *peace*, *joy* and *hope*. Visagie goes on to discuss the polar opposites of *success* and *failure* as well as the grey postures which form the necessary, day-to-day tasks which are harmless, neutral and simply have to be done for optimal operational functioning but do not contribute actively to educational activity as such. In an educational context, these would be tasks such as administration, security and support services. Without these 'nuts and bolts', the system would definitely not be able to operate smoothly, but they are not core functions of academia so are not ends in themselves.

It might be obvious that the dark postures could not be reasonably accommodated within the learning process as it is conducted within the life world of the university. No-one wants to be part of a learning process that allowed suffering, meaninglessness or guilt to dominate that process. For example, while students may experience *suffering* after failing an exam, or *meaninglessness* when they do not understand complex material, or *guilt* when they are caught plagiarising a paper, they should not be made to experience these postures arbitrarily by any other member of the institution. In other words, it would be up to all members within the process to work creatively to avoid such postures as far as possible.

Assuming a mentor-member role and incorporating that role in all institutional attitudes is suggested here as a workable manner in which to designate what light postures could hold for outputs as required by the theory. We are looking for models which could facilitate valid discourse for the university and legitimately allow critique of the existing state of affairs.

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subject as 'incoming arrows' but he may not project them onto another person (2006:15).

The central concern of the university life world should be knowledge – the imparting, acquiring, facilitating, developing and expansion of knowledges. Other radial concerns may be technical know-how, practical knowledge, life-and work-skills development, personal development, project-based research, training, organisation financial management, events, community service, health and wellbeing, and so forth. These may be accommodated so long as they support the kernel function of knowledge without assuming power over it. Light postures, then, would ideally be pursued by all active members of the institution.

Pragmatically speaking, the whole relationship between institution and members, or between members themselves, would be designed against a backdrop of creatively working towards successful actualisation of all positive aspects of knowledge. For example: the postural positions of *contemplation* and *reflection* on what kind of knowledge are members pursuing and what role is it playing in their lives; *letting go* of potentially harmful agendas even when one feels deep personal attachment to them; personal *humility* in the higher pursuit of knowledge that may threaten deeply held beliefs and histories; *taking care* of all members in all institutional activities; facilitating an overarching, or general, atmosphere of *peace* and *joy* instead of conflict and controversy with a clear direction to problem-solving for the success and good of the learning process. This would require a positive turn away from abusive and authoritative models towards more communicative and participatory models whose emphasis is firmly on empowering and enabling members in all sectors of the institution.

With such a model, one would want to avoid instances such as a lack of understanding on what transformation entails, preservation of harmful traditions and practices, and a lack of cohesion among university structures. However, these pursuits require concerted efforts from the moment a problem is detected. We would argue that these ends cannot be achieved through one crisis or event. Habermas correctly states:

*[I]sn't a matter of one single act of liberation, but rather a detoxification process of unknown duration. A dragon has been slain; the octopus is dead – but it doesn't let go of everything in its grip. Therefore, some things survive that really aren't worth preserving. This new beginning is saddled with false continuities).*  
(Habermas 1994: 33–34)

The university needs to come to terms with the inevitable modernisation, progress and transformation that will have to occur. These developments can 'brutally devalue the past' which, we recognise, can be painful and frightening (ibid: 36). But a badly modelled past cannot be allowed to determine a future in the university. It must be acknowledged that the South African university emerges from a past in which the Extension of University Education Act (No. 45 of 1959) made it a criminal offence for a black student to register at a university without written permission from the Minister of Internal Affairs. Black people were not deemed suitable for certain positions in society, so higher education was not seen as relevant to the learning processes of the black population.<sup>130</sup> Given the past and the country's constitutional responsibility to tackle matters of redress, it is reasonable to work towards a university campus that is representative of the country's demographics at all levels.

The postural model shows that the complex generated in order to answer questions is exactly that – a *complex*. This shows that people are able to formulate intricate structures in order to clarify and differentiate which applications of power are acceptable in certain circumstances and which are not. This seeks to eliminate confusion; when one makes the unconscious conscious, one exercises power over assumption, thereby allowing oneself to relate in a far more meaningful, deliberate and productive manner. In an ideal university, this should be the primary goal of all stakeholders in order to diminish imbalance, unreasonable expectations and distorted representations.

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130 For further contextualisation of the Extension of University Act of 1959, the Bantu Education Act of 1953 and the Job Reservation Act of 1926, see O'Malley, <http://www.nelsonmandela.org>).

Interfacing valid models, without pitting them against one another, would feasibly point members in the right direction so as to generate discourse that is clear about what can be accommodated, as well as to eliminate elements that could undermine the legitimacy of the learning process. We propose that the university, in a healing South Africa, needs insight and empathy as well as better foundations on which to build for the future.

Together with postures and ethical-existential concerns, the institution also needs guiding principles that can be communicated to all members and direct them toward a common good and common values. We take it to be self-evident that neither the pretentious disapproval of difference, nor the preservation of tradition for its own sake, is a legitimate reason for decision making. We argue that transformation needs to take place within a deep-seated commitment to the protection of every individual's liberties. South African society has changed, so the formulation and application of policies must change and, realistically speaking, they will have to change again in the future. However, we argue that the Human Rights framework is a sound base from which to work currently. This is not a unanimously accepted view at the UFS. Competing frameworks might arise in different contexts or in the future. If that would be the case, we would welcome these alternatives, should they prove more effective and acquire broader consensus than those of human rights acts and declarations.

### **CREATING HAVENS OF DEMOCRATIC HABITS**

The Reitz video was born out of students' refusal to live with difference or diversity and, by implication, showed their struggle to adapt to living in a democratic society. Arguably, the greatest failure that was starkly exposed by those indelible images was the university community's inability to re-imagine and reconstruct systems and frames that generate contexts for more productive social solidarity in a new democracy. We suggest that the university has an important responsibility in this regard as a public institution that is housed in a democratic state. It is time to go back to the

drawing board and establish creative ways in which to foster democratic participation and create havens for democratic habits in the university. These habits should be infused in all university practices and policy with the realisation that it is, in fact, through inter-subjective engagement that we come to *understand*. John Samuel summarises this well in his introductory remarks at the 5th colloquium of ARNHE at the UFS:

*Universities occupy a unique space in democratic societies. Universities are the places where ... both the learning and practice of democratic habits should happen. Unfortunately, our universities lag behind somewhat in performing this particular responsibility. And, at the heart of it, is the cultivation of what is called social democracy. And reduced to its essence, social democracy is the issue of how do we relate to each other and how do we talk to each other. And universities throughout this country fail our students in the sense that we aren't havens of democratic habits. Neither in what we teach, nor ... in the culture and behaviour of universities do we encourage democratic habits. And so, when we look at conflict, when we look at what happens on our campuses, our ability to understand that has to be located in the context of universities ... occupying this very, very critical space, this very critical public space in democratic societies. (Samuel 2010)*

In 2015 and 2016, South African higher education witnessed its largest uprisings since democracy was established in the country. Contrary to Reitz, though, which was more or less institutionally contained in terms of student action, the current protests are nationwide and have even had some international resonance with support for movements coming from other countries. It would appear that students across the sector are indeed holding university/national governing structures accountable for taking what Martin Luther King Jr. in his 1963 'I Have a Dream' speech called, 'the tranquilizing drug of gradualism'. The general source of frustration in student bodies is the realisation that transformation is simply taking too long. And, at present, we, the members of the higher education sector, find

ourselves at a critical juncture – a crossroads – providing us with yet another opportunity to transform the way we think, act and feel about the business we do every day. Should we continue to falter and flounder, or prolong transformation endeavours, our legitimacy as educators, as managers, and as citizens of a democratic state, will continue to be called into question by the very publics that we serve.

In these uncertain times, we see the same cycles forming in the same way that Reitz formed. The rhetorical structure does not change even when the specifics of the conversation or context do. We can detect that authoritarian governance is not working. Paternalistic command is not working. Establishments and power politics are not working. These are remnants of colonial, apartheid, primordial and imperialist pasts that lack the innovation and vision required for much-needed new possibilities. Students, particularly, are driving these disruptions and, once again, universities find themselves in the midst of various crises. However, they are now increasing – both in number and severity – and they are extending well beyond the gates of institutions. What seems to be threatening the centre of the order, is the widespread need to ‘make real the promise of democracy’ (ibid). To this end, we would suggest adopting an alternative strategy of dialogue towards a majority consensus. Fundamental values contained in the Constitution (1996) would help guide members towards fostering positive, open communication and interaction. The academy, and its associated governing structures, would do well to remember that they all, in fact, serve the public – not the other way around. In this way, the university could get on with its core business *within*, not against, pursuits of normalisation and the ultimate goal of social justice.

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[USED WITH PERMISSION FROM THE UFS]

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The University of the Free State [www.ufs.ac.za](http://www.ufs.ac.za)

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United Nations [www.un.org](http://www.un.org)

University of the Free State Support services <http://www.supportservices.ufs.ac.za/>

US History [www.ushistory.org](http://www.ushistory.org)

World Elections <http://welections.wordpress.com>

# APPENDIX 1: THE INTERVIEWS

Eight staff and four student members who occupied senior positions at the UFS in 2008 were interviewed.

## **Those interviewed**

Frederick Fourie (Rector and Vice-Chancellor)

Ezekiel Moraka (Vice-Rector: Student Affairs)

Teuns Verschoor (Vice-Rector: Academic Operations)

Natie Luyt (Dean of Student Affairs)

Billyboy Ramahlele (Director of Diversity)

Rudi Buys (iGubu)

Faan Hancke (Chairperson of the council of the UFS)

Ben Schoonwinkel (SRC President 2007/2008)

Moses Masitha (SRC President 2009/2010)

Tom Tabane (SRC Vice-President 2008/2009)

Jamie Turkington (Editor of the student newspaper, the *Irawa Post*, 2008/2009)

One staff member requested to be quoted anonymously.

## **Questions asked**

The following questions were used as an interview schedule and asked as contextually relevant to each interviewee.

*To staff members:*

1. *What does being Afrikaans mean to you? Add to that, what does this university mean to you? Do you think that history or culture or how they were raised impacted why the four students did what they did?*

- 2. Did you attend UFS? What was the university like as an institution then? What was the culture of race on campus/transformation like then?*
- 3. Ramahlele – What was it like to be the first black person working on a high-level at the university? How has that experience shifted over the years?*

*To students:*

- 1. Did you live in a residence? What did that experience mean to you?*
- 2. Did you ever consider living in a residence? How did you perceive the residences?*
- 3. Why did you choose to attend UFS? What does UFS history mean to you?*

**To staff members and students:**

*General questions:*

- 1. What was your role/job at the university in 2007?*
- 2. Tell me about the atmosphere at the university in 2007? Specifically, the racial dynamic.*
- 3. How do you think the university was doing in their efforts at transformation?*
- 4. How did you feel about the decision to integrate the residences? Was it the right time? (Too late/too soon) Do you think the students were prepared?*
- 5. What about the event a week prior when the residence committees had their protests?*

*The Reitz video:*

1. *Where were you when you heard about the video first the time? What was your immediate thought?*
2. *When did you first watch the video? How was that experience for you?*
3. *What was your immediate reaction? Did you feel like you needed to do something in response?*
4. *Do you think that people higher up knew about the video when it was made – before You Tube?*
5. *How did you think the video would impact the university?*
6. *What did you think when you heard it won first prize?*
7. *What did you think of the public/media/national response to the incident?*
8. *Why do you think this video of Reitz happened?*
9. *Why do you think the cleaners agreed to participate?*
10. *People have mentioned that it looked like the cleaners were having fun – they were laughing. What are your thoughts on that?*
11. *How is it that the boys could have done this and really thought that it was not a racist or humiliating video?*
12. *There were many responses to the video – some said it was satire, it was blown out of proportion, others were devastated and saw it as a real indication that the country was not where we thought it would be, others said the Free State was not in tune with the rest of the country. How would you respond to each of those reactions?*

*University response to the video and the closing of the Reitz residence:*

1. *Do you think the university did a good job of handling the video/boys?*

2. *How should the university have responded to the video in a broad sense – both to the broad university community and to the country?*
3. *How were you involved in the decision to close Reitz?*
4. *Reitz is currently empty. What do you think should happen to the building?*

*Reconciliation and the new rector, Jonathan Jansen:*

1. *What were your feelings when you heard Jansen would become the rector of UFS?*
2. *How did you feel when he forgave the boys in his inauguration speech? Given that he was not at the university in 2008, did he have the right to forgive?*
3. *How did you view the reconciliation process? Do you think he went about it the right way?*
4. *Do you believe that the boys and the cleaners really reconciled?*
5. *Do you think the reconciliation process helped the rest of the country deal with the incident?*

# APPENDIX 2: STAFF AND STUDENT PROFILES

**Table 1: UFS Student Headcount by Race and Gender for 2001-2014**

Headcount		Year												
Race	Gender	2001	2002	2003	2004	2005	2007	2008	2009	2010	2011	2012	2013	2014
Unknown	Male										1			
<b>Unknown Total</b>											<b>1</b>			
African	Female	3270	5037	7084	8521	7885	7709	8874	9572	11210	12622	13742	13377	12800
	Male	2522	3549	5163	5956	5458	5379	6017	6268	7197	7698	7579	7303	6963
<b>African Total</b>		<b>5792</b>	<b>8586</b>	<b>12247</b>	<b>14477</b>	<b>13343</b>	<b>13088</b>	<b>14891</b>	<b>15840</b>	<b>18407</b>	<b>20320</b>	<b>21321</b>	<b>20680</b>	<b>19763</b>
Coloured	Female	328	413	523	820	814	1014	1042	1027	1045	1040	991	1052	1076
	Male	255	329	393	457	465	524	483	509	516	529	532	599	577
<b>Coloured Total</b>		<b>583</b>	<b>742</b>	<b>916</b>	<b>1277</b>	<b>1279</b>	<b>1538</b>	<b>1525</b>	<b>1536</b>	<b>1561</b>	<b>1569</b>	<b>1523</b>	<b>1651</b>	<b>1653</b>
Indian	Female	100	128	200	246	250	238	238	229	213	205	224	302	352
	Male	151	219	282	333	359	311	284	264	251	238	234	276	272
<b>Indian Total</b>		<b>251</b>	<b>347</b>	<b>482</b>	<b>579</b>	<b>609</b>	<b>549</b>	<b>522</b>	<b>493</b>	<b>464</b>	<b>443</b>	<b>458</b>	<b>578</b>	<b>624</b>
No Information	Female					1					3			
	Male					1								
<b>No Information Total</b>						<b>2</b>					<b>3</b>			
White	Female	3665	3917	4286	4548	4851	4992	4859	4981	5054	5000	5012	4967	4981
	Male	3876	3859	4053	4343	4575	4517	4393	4391	4415	4250	4061	4001	4011
<b>White Total</b>		<b>7541</b>	<b>7776</b>	<b>8339</b>	<b>8891</b>	<b>9426</b>	<b>9509</b>	<b>9252</b>	<b>9372</b>	<b>9469</b>	<b>9250</b>	<b>9073</b>	<b>8968</b>	<b>8992</b>
<b>Grand Total</b>		<b>14167</b>	<b>17451</b>	<b>21984</b>	<b>25224</b>	<b>24659</b>	<b>24684</b>	<b>26190</b>	<b>27241</b>	<b>29901</b>	<b>31586</b>	<b>32375</b>	<b>31877</b>	<b>31032</b>

**Table 2: UFS Staff Profile by Race and Gender 2004–2014**

Staff Headcount		Calendar Year												
Personnel Category Description	Gender	Race Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Crafts/trades	Female	African	1	1	1	1	1	1	1	1	1	1	1	
		Coloured	0											
		White	2	2	2	2	1	1	1	1	1			
Crafts/trades	Female Total		3	3	3	3	2	2	2	2	2	1	1	
		African		0			1	2	2	1	1	1		
		Coloured	1	1	1	1	1	1	1	2	2	2	1	
Crafts/trades	Male	White	13	13	14	12	12	12	11	7	7	6	6	
			14	14	15	13	14	15	14	10	10	9	7	
			17	17	18	16	16	17	16	12	12	12	10	8
Crafts/trades Total	Female	African	2	3	3	5	5	5	5	11	10	14	8	10
		Coloured						1	1	1	1	3	3	3
		Indian									1	1	1	
Executive/admin./mgmt. professional	Female Total	White	13	17	17	18	22	27	30	40	41	52	41	
			15	20	20	23	27	33	42	52	59	64	54	
		African	8	8	7	6	8	8	14	14	20	18	12	10
Executive/admin./mgmt. professional	Male	Coloured	3	3	3	3	3	3	5	4	7	8	6	6
		Indian									2	3	1	2
		White	46	50	50	54	52	55	52	67	70	72	55	
Executive/admin./mgmt. professional Total	Male Total		57	61	60	63	63	68	72	97	97	92	73	
			72	81	80	86	90	101	114	149	156	156	127	

**Table 2: UFS Staff Profile by Race and Gender 2004 – 2014**

Staff Headcount		Calendar Year										
Personnel Category/Description	Gender	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Instructional/research professional	African	133	138	154	147	188	192	203	172	142	131	149
	Coloured	9	15	10	13	19	20	30	26	18	23	21
	Indian	6	7	7	7	9	11	7	7	10	12	11
	No Information		1									
	White	567	583	594	620	612	672	675	670	675	687	724
	<b>Female Total</b>	<b>715</b>	<b>744</b>	<b>765</b>	<b>787</b>	<b>828</b>	<b>895</b>	<b>915</b>	<b>875</b>	<b>845</b>	<b>853</b>	<b>905</b>
		1										
	African	212	215	227	246	284	317	337	302	211	185	209
	Coloured	17	22	24	22	18	23	28	30	26	26	27
	Indian	10	15	20	20	19	19	17	19	20	19	18
No Information							3					
White	611	666	674	696	701	720	710	690	707	685	734	
<b>Male Total</b>	<b>851</b>	<b>918</b>	<b>945</b>	<b>984</b>	<b>1,022</b>	<b>1,082</b>	<b>1,092</b>	<b>1,041</b>	<b>964</b>	<b>915</b>	<b>988</b>	
Unknown					1	1	1	1				
<b>Unknown Total</b>					<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>				
<b>Instructional/research professional Total</b>		<b>1,566</b>	<b>1,662</b>	<b>1,710</b>	<b>1,771</b>	<b>1,851</b>	<b>1,978</b>	<b>2,008</b>	<b>1,917</b>	<b>1,809</b>	<b>1,768</b>	<b>1,893</b>

**Table 2: UFS Staff Profile by Race and Gender 2004 – 2014**

Staff Headcount		Calendar Year											
Personnel Category Description	Gender	Race Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Non-professional administration	Female	African	126	191	179	195	185	189	195	206	241	242	299
		Coloured	27	29	35	40	55	60	70	87	97	103	109
		Indian	3	5	5	8	10	6	7	3	7	8	8
		No Information		0				1					
		White	470	542	537	588	588	583	630	635	624	616	627
		<b>Female Total</b>	<b>626</b>	<b>767</b>	<b>756</b>	<b>831</b>	<b>838</b>	<b>839</b>	<b>902</b>	<b>931</b>	<b>969</b>	<b>969</b>	<b>1,043</b>
	Male	African	144	183	198	205	224	198	189	207	201	208	241
		Coloured	16	16	13	12	14	12	12	12	25	24	33
		Indian	1	1	2	1	3	3	3	2	2	2	
		White	145	158	200	194	210	193	168	187	191	208	200
		<b>Male Total</b>	<b>306</b>	<b>358</b>	<b>413</b>	<b>412</b>	<b>451</b>	<b>406</b>	<b>372</b>	<b>421</b>	<b>418</b>	<b>449</b>	<b>480</b>
Unknown	African								1	1			
	Coloured											1	
	Indian					1							
	White										1		
	<b>Unknown Total</b>					<b>1</b>			<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	
<b>Non-professional administration Total</b>		<b>932</b>	<b>1,125</b>	<b>1,169</b>	<b>1,243</b>	<b>1,290</b>	<b>1,245</b>	<b>1,275</b>	<b>1,353</b>	<b>1,388</b>	<b>1,419</b>	<b>1,523</b>	

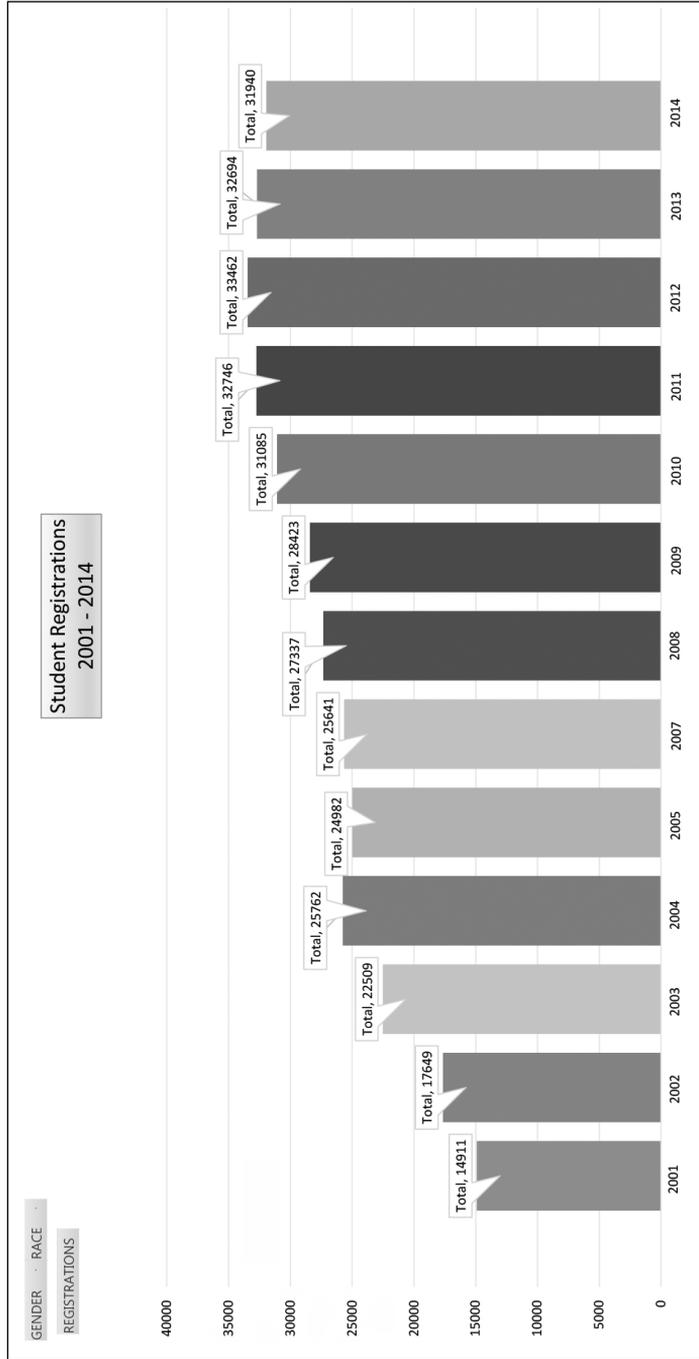
**Table 2: UFS Staff Profile by Race and Gender 2004 – 2014**

Staff Headcount		Calendar Year												
Personnel Category Description	Gender	Race Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Service	Female	African	173	179	176	184	180	178	176	169	157	159	142	
		Coloured	11	12	10	13	13	13	14	15	15	14	11	
		Indian							1					
			White	6	7	7	5	5	5	7	5	4	6	3
		<b>Female Total</b>	<b>190</b>	<b>198</b>	<b>193</b>	<b>202</b>	<b>198</b>	<b>196</b>	<b>198</b>	<b>198</b>	<b>189</b>	<b>176</b>	<b>179</b>	<b>156</b>
	Male	African	144	163	167	175	173	182	199	188	186	186	173	159
		Coloured	6	7	9	10	10	15	17	18	16	16	16	14
		Indian								1				1
			White	1	3	3	3	5	9	16	9	9	7	4
		<b>Male Total</b>	<b>151</b>	<b>173</b>	<b>179</b>	<b>188</b>	<b>188</b>	<b>206</b>	<b>233</b>	<b>215</b>	<b>211</b>	<b>196</b>	<b>196</b>	<b>178</b>
	<b>Service Total</b>	<b>341</b>	<b>371</b>	<b>372</b>	<b>390</b>	<b>386</b>	<b>402</b>	<b>431</b>	<b>404</b>	<b>387</b>	<b>375</b>	<b>375</b>	<b>334</b>	
Specialised/support professional	Female	African	12	8	12	8	8	8	11	12	12	10	10	11
		Coloured		1	1	1	1	1	2	2	3	3	2	2
		Indian		1	1	1	1							
			White	128	124	122	125	127	128	115	104	92	96	94
		<b>Female Total</b>	<b>140</b>	<b>134</b>	<b>136</b>	<b>135</b>	<b>137</b>	<b>141</b>	<b>129</b>	<b>119</b>	<b>105</b>	<b>108</b>	<b>107</b>	
	Male	African	9	11	13	9	9	9	6	8	7	9	9	9
		Coloured	1			2	3	3	2	3	3	3	2	2
		Indian								5				
			White	60	49	40	39	38	35	38	35	29	31	28
		<b>Male Total</b>	<b>70</b>	<b>60</b>	<b>53</b>	<b>50</b>	<b>50</b>	<b>43</b>	<b>54</b>	<b>45</b>	<b>41</b>	<b>42</b>	<b>39</b>	
	<b>Specialised/support professional Total</b>	<b>210</b>	<b>194</b>	<b>189</b>	<b>185</b>	<b>187</b>	<b>184</b>	<b>183</b>	<b>164</b>	<b>146</b>	<b>150</b>	<b>146</b>		

**Table 2: UFS Staff Profile by Race and Gender 2004 – 2014**

Staff Headcount		Calendar Year												
Personnel Category Description	Gender	Race Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Technical	Female	African	33	39	39	49	47	62	55	70	69	73	85	
		Coloured	3	5	4	5	6	4	2	9	7	8	7	
		Indian	7	3	3	6	7	6	5	4	4	4	6	
		White	63	99	83	92	88	84	117	124	126	109	106	
		<b>Female Total</b>	<b>106</b>	<b>146</b>	<b>129</b>	<b>152</b>	<b>148</b>	<b>156</b>	<b>179</b>	<b>207</b>	<b>206</b>	<b>194</b>	<b>204</b>	
	Male	African	41	57	54	66	66	76	76	7	92	103	106	89
		Coloured	3	4	5	6	7	8	7	5	5	5	7	5
		Indian	3	5	4	5	5	1	4	6	6	4	7	4
		White	56	77	80	71	71	67	96	96	113	108	93	
		<b>Male Total</b>	<b>103</b>	<b>143</b>	<b>143</b>	<b>148</b>	<b>149</b>	<b>152</b>	<b>183</b>	<b>199</b>	<b>225</b>	<b>228</b>	<b>191</b>	
<b>Technical Total</b>		<b>209</b>	<b>289</b>	<b>272</b>	<b>300</b>	<b>297</b>	<b>308</b>	<b>362</b>	<b>406</b>	<b>431</b>	<b>422</b>	<b>395</b>		
<b>Grand Total</b>		<b>3,347</b>	<b>3,739</b>	<b>3,810</b>	<b>3,991</b>	<b>4,117</b>	<b>4,235</b>	<b>4,389</b>	<b>4,405</b>	<b>4,329</b>	<b>4,300</b>	<b>4,426</b>		

**Table 3: UFS Student Registrations 2001-2014**





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Two decades after the democratic transition, South African universities are in turmoil. Whilst the old is slowly becoming unhinged, reimagining the new is protracted and contested. The challenges ahead, including a funding crunch, are formidable and bear the imprint of South African postcolonial specificities and global transformations in higher education. At this moment, critical and engaged socio-historical scholarship is indispensable. *Transformation and Legitimation in Post-apartheid Universities: Reading discourses from 'Reitz'* is such a work. Revisiting the notorious 'Reitz incident' of 2008, when a satirical video made by students from the University of the Free State (UFS) to register their resistance to the racial integration of 'black' students into historically 'white' residences became public, the text offers an analysis of the broader cultural and socio-political context that constituted the conditions of possibility for the incident and its aftermath. Attention is shifted from the principal actors in the original drama – a handful of students and workers – to a critical interrogation of the broader structures, positions, discourses and practices that fed into the 'Reitz incident', reaching into the present with violent and racially-charged student and worker protests in 2016. Van der Merwe and Van Reenen deliver a theoretically-rich analysis of the anatomy of current contestations about race and transformation in higher education in South Africa, the resultant legitimisation crisis facing the UFS and South African universities more generally, as well as ways to restore institutional legitimacy and reputation, focusing on instituting deeper, more durable change that unlocks the promise of democracy.

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