

CHAPTER 4

KNOWLEDGE FOR, NOT OF: INTERNAL QUALITY ASSURANCE AND THE UNFINISHED WORK OF TRANSFORMATION IN HIGHER EDUCATION

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This paper is dedicated to the memory of Lis Lange, whose intellectual courage, philosophical rigour, and unflinching commitment to transformation in South African higher education shaped a generation of scholars and practitioners. The questions Lis posed continue to challenge us; her legacy demands that we find the courage to answer them.

‘Las palabras no hacen el amor / hacen la ausencia/’

[‘Words do not make love / they make absence/’]¹

— Alejandra Pizarnik

1 From the poem by Alejandra Pizarnik, ‘En esta noche, en este mundo’ in the collection, *Textos de sombra y últimos poemas* (1971–1972).

A history of hurt: higher education in South Africa

There can be few images that speak to the pain of education under apartheid as starkly as Sam Nzima's photograph of a mortally wounded twelve-year-old Zolile Hector Pieterse, a learner who was shot by police on 16 June 1976 when Black schoolchildren were protesting the proposed change to Afrikaans as medium of instruction. The South African education system's alienation of students from their mother tongues and cultures would echo again thirty-seven years later in the 2015 #FeesMustFall and #RhodesMustFall protests in higher education. South Africa was and continues to be 'a battlefield, in which the struggle to build voice, agency and community continues' (Zinn & Rogers 2012: 76). Having known Lis Lange for many years, the analytical precision and passion with which she approached issues in higher education continue to sustain our practice. It is her theoretical and conceptual framework on which this tribute is premised.

No serious discussion on education in South Africa can omit mention of the stains of the 'apartheid legacy of defining and dividing institution types by race or jurisdiction' (Menon & Castrillón 2022: 51). The absurdities of apartheid meant that the five separate legislative and geographic entities or provinces contained thirty-six higher education institutions (HEIs) controlled by eight distinct authorities. Fiercely enforced racial divisions and language and cultural differences 'skewed the profiles of the institutions in each category' (Bunting 2006: 35). The four 'races' identified by the National Party, African, 'coloured', Indian and white were restricted to certain institutions. A total of nineteen institutions were reserved exclusively for whites, two for Africans, seven for 'coloureds' and two for Indians. The remaining six were for Africans in the so-called 'homelands' (Bunting 2006: 36). In 1994, the democratic state looked to higher education as one mechanism for the change so badly needed to democratise society and the economy. The implicit, although questionable, assumption was that by providing equal education to all, the foundation for the profound change that was needed would be laid.

As early as 2014, Lis made the conceptual distinction between knowledge *for* transformation and knowledge *of* transformation (Lange 2014). Knowledge *for* transformation is contextually grounded and institutionally specific. It is always generated in and from a particular site of change. Knowledge *of* transformation, on the other hand, is the reflective, evaluative knowledge we produce about whether the practices implemented are achieving what we claim they are (Lange 2014: 5). In addition to being different orders of knowledge, each articulates a different narrative form of institutional and sectoral accountability. Drawing on this distinction, it becomes clear that external quality assurance mechanisms are trapped in an inescapable compliance logic. Lis's framework demands that we also ask what kind of knowledge the sector's own self-evaluation produces. The answer, as reported twenty years after the transition to democracy, was telling. According to the Council on Higher Education (CHE), there were then roughly one million students in public HEIs—a significant increase from the half a million students in 1994—in addition to which there were approximately 90,000 students at private institutions (CHE 2016: 6). One important aspect of change in the sector was in student demographics, despite persistently skewed participation rates. The higher education sector, the CHE asserted, was by then 'more unified in terms of governance arrangements, quality assurance processes, qualification types, funding arrangements and enrolment planning processes' (CHE 2016: 6). The student uprising of 2015, reminiscent in many ways of the 1976 Soweto protests, made it clear that apparent changes to the system had been inadequate to address the deep-seated iniquities and inequalities inherent in the system. In a response to the CHE's evaluation twenty years into democracy, Lis (Lange 2017: 32) describes the student protests as indicative of the dissonance between the students and 'universities stuck in a colonial frame both intellectually and aesthetically'. Although universities had Black students on campus and even though these students often constituted a majority, they were vocal in their need to be recognised as Black and called for the decolonisation of higher education. In 2020, during the

Covid-19 lockdowns, the persistent realities of what it means to be a Black student were again brought into focus. As Menon and Motala (2022: 49) show, emergency remote teaching made desperately clear how poor students remained disproportionately negatively affected by socio-economic circumstances. The continued economic stratification of South African society along racial lines still means that ‘poor’ by and large means ‘Black’.

In her poem used as epigraph to this chapter, Pizarnik states that language does not produce love. By the same token, policy about transformation does not necessarily lead to transformation. On the contrary, it may exacerbate the absence of transformation; or the absence of transformation may be presented in the very language of transformation. More than thirty years after the transition to democracy and twenty-nine years after the promulgation of Higher Education Act 101 of 1997 it is time for a substantial interrogation of the *manner* in which quality assurance (QA) has and continues to be enacted across the sector.

Because Lis was a historian, she was able to interrogate power structures according to the different ways in which they surface over time while also critically interpreting policy documents as historical documents, as manifestations that resist presentism. Policy is never ‘natural’ or ‘inevitable’. This historical sensibility and analytical disposition stand in stark contrast to QA discourse. She named the gap between what transformation had been designed to achieve and what three decades of systems building and enactment had actually produced.

Transformation: a diagnosis

Lis’s diagnosis of transformation (or the lack thereof) in South African higher education is as pertinent today as it was ten years ago: ‘Since the early days of the democratic transition in South Africa, “transformation” as a concept has lost its intellectual, political and moral content through becoming institutionalised’ (Lange 2014: 1).

This was no simple criticism of policy but rather a philosophical interrogation of an entire QA system's fitness for purpose. The analysis that follows views QA as one of the primary mechanisms through which this institutionalisation was accomplished and, with Lis, asks whether the sector retains the capacity to name what is wrong and to imagine how it could be different.

The 'National Plan for Higher Education' (Department of Education 2001: 36) asserts:

In fact, quality is central to redress and equity. It is unacceptable for graduates in general and those from disadvantaged communities in particular, to be shortchanged in terms of the quality of programme provision as it would not only impact on their ability to improve their own life chances, but it would also adversely impact on the broader agenda for social and economic development.

From the outset, quality was seen as equal to funding and planning, and as central to advancing transformation in South Africa. As the Higher Education Quality Committee (HEQC) stated in its own self-evaluation seven years later, 'issues of quality were thus linked with broader socio-political reform objectives within higher education and beyond' (CHE 2008b: 5). What went unacknowledged was the fact that regulatory bodies were not, in institutional terms, operating *tabula rasa* as far as internal quality assurance (IQA) was concerned. On the contrary, part of what regulatory processes did was to rename or reframe existing activities, structures and processes as part of IQA processes that external quality assurance (EQA) and regulatory bodies were now mandated to oversee. Implicit in the practices at HEIs was a plethora of structures, systems and policies for ensuring quality. While these were not necessarily labelled as QA systems or policies, they existed in different forms and detail. For example, processes for external examination have been a time-honoured tradition at universities through which external validation of the quality of

students' work is obtained and standardised. Lange and Kriel's 2017 case study of documents at the University of the Free State (UFS) surfaced an assemblage of policies, processes and systems for the governance and management of academic matters. This pointed to the existence of a viable IQA system prior to the introduction of an external audit process. EQA did not precipitate QA in institutions that, historically, had no similar mechanisms in place but rather introduced a new criterion-referenced vocabulary for existing practices. The absence of systematic research comparing QA practices before and after their formal incorporation into EQA requirements reflects exactly the kind of deficit in knowledge of transformation that Lis identified. QA systems across the sector have grown in complexity without any concomitant and evaluative knowledge of and about that growth or its consequences.

The formation of the CHE dovetailed with continental and global trends towards the establishment of EQA processes in higher education. While institutional audits and programme reviews would come to form a significant part of the CHE's core work, in its initial phase (1994–2000) it was tasked with setting targets for indicators such as growth, participation, equity and redress (CHE 2000). These responsibilities were not without their challenges. As Soudien (2007) argues, transforming and redressing historically neglected facets of the higher education system needed to be balanced with preserving the excellence of what were often historically white, privileged institutions without allowing these to remain racially exclusive enclaves. Establishing the HEQC as a national body with operational responsibility for QA rather than devolving this responsibility to individual institutions was indicative of the state's commitment to creating a 'single, co-ordinated system' (DOE 1997a).

Menon and Castrillón (2019a; 2019b) suggest that national policy governing higher education can be divided into three loose regimes that more or less correspond with the periods reflected below. In the period between 1994 and the release of the 'National Plan for Higher Education' in 2001 the focus was on compliance with the provisions

of the South African Qualifications Authority (SAQA), which was established in 1996 with the mandate to determine and administer the National Qualifications Framework (NQF). The NQF identifies levels of learning achievement and their relation to established qualification standards, enabling standardised and nationally recognised pathways for further education and training. Compliance with the NQF was embedded within a commitment to transformation, equity and redress by expanding access to higher education and revitalising the structure and regulation of the sector (Menon & Castrillón 2019a). Importantly, the authors argue that

[t]he preoccupation of 1990s policy on widening access and narrowing the rift between apartheid Higher Education Institutions (HEIs) created further synergies in the post-school education and training landscape which served further to heighten government's focus on the link between the economy and skills development (subsumed into HE) (Menon & Castrillón 2019b: 5).

This signals the initial creep of an instrumentalist and technicist notion of higher education that would eventually throw up some of the sector's most important contestations around the role and function of higher education within national planning. Lis's analytical approach interrogated whether the infrastructure of transformation was akin to a simulation.

Soudien (2007) and Lange and Kriel (2017) note that, alongside planning and a complex funding model that brought public universities in line with the standards set by the national department, QA became a core steering mechanism to compel the system to deliver on both its technical and socio-political mandates. The period between 1994 and 2000 was essential for setting up the system (Badat 2004) and for establishing a context for cooperative governance to take root between historically disparate and often antagonistic members of the higher education landscape (Hall et al. 2002).

From 2001, government began a process of restructuring higher education through mergers and the incorporation and redesignation of HEIs (Lange & Kriel 2017). The resulting institutions were either universities of technology, comprehensive universities, or traditional academic universities. The CHE's 'Size & Shape' report articulated the body's view of quality in higher education:

Quality and standards are historically specific and must be related to the objectives of higher education institutions and to educational and broader social purposes ... Quality and excellence are not in competition with equity and redress (CHE 2000).

Soudien's (2007) assertion was that pure managerialism in QA was not an option for the post-1994 government, which needed to counterbalance the apartheid landscape with the transformation of universities, using the audit and review processes of the HEQC to deliver on the latter mandate. The HEQC was tasked with overseeing programme accreditation, national reviews of specific programmes, institutional audits, and quality promotion and capacity development (CHE 2014).

By 2004, a national process of institutional auditing had begun which included the then twenty-three public universities and eleven private institutions (CHE 2014). The HEQC recognised the importance of 'an analytical and self-reflective approach to quality assurance based on continuous self-assessment' (CHE 2001: 16). National reviews were underway and the first programme to undergo this process in 2003–2004 was the Master of Business Administration (MBA), which resulted in the HEQC withdrawing accreditation from at least 40% of the programmes evaluated (Bhengu et al. 2006). This period was characterised by a shift from equity, redress and transformation to efficiency, effectiveness and affordability (Bhengu et al. 2006).

For those of us who knew Lis well it was unsurprising that she argued that academics needed to become 'critical agents'. This

required active defiance of the implicit institutional curriculum. The failures of the curriculum, for example at UCT, were highlighted in the ‘Mamdani furore’ twenty years earlier. Once again, she insisted that the problem lay not in what was taught but in whose knowledge was recognised as valid and to whom. Extending this argument, Lis called for the institutional ideals of excellence to embrace what Mbembe had termed ‘pedagogies of presence’, which require epistemic openness. What Lis’s 2014 framework (developed further in 2018) demonstrated was that the incremental standardisation that had been unleashed by EQA overrode the contextually grounded and institutionally specific knowledge needed for real transformation to occur.

Menon and Castrillón (2019a) argue that by 2010 the curriculum transformation foregrounded as part of the post-1994 reform period had been collapsed into an imperative for HEIs to deliver economically viable skills and degrees with clear professional and vocational pathways (Menon & Castrillón 2019a) devised to salve South Africa’s economic woes. The pull towards securing measurable indicators of transformation such as graduate and staff demographics intersected with pressures for academic freedom that limited the QA function of the CHE and HEQC to *regulation*. As Menon and Castrillón (2019a: 35) argue, ‘It is not clear therefore whether the task of the EQA agency is in fact to focus on curriculum transformation, or whether this task is being conflated and consequently subordinated to other accreditation activities’.

It is useful to consider the contemporary period as defined by a tripartite matrix of tensions that animate the current higher education landscape and inform the scope of QA processes: (a) the drive for transformation understood as ‘decolonisation’ that underpinned the #RhodesMustFall and #FeesMustFall movements; (b) the growing demand for universities to respond to the challenges and opportunities inherent in the impending fourth industrial revolution / 21st century skills; and (c) the pressures emanating from the post-1994 trajectory towards instrumental and technicist approaches to regulating, managing and delivering higher education. The net result of all this

is the direct insertion of bodies external to the institution into the day-to-day management of programmes and academic activities. As a result, the curriculum, the intellectual core of the academic project, becomes constrained by external requirements, obviating the academics' disciplinary and contextual judgement, which Lis (2017: 46) considered essential to transformation and which informed her call for academics to become 'critical agents'.

As recently as 2024, she reiterated that being 'incapable of saying "no" because we are scared of the consequences that it may have for funding, shows just how trapped we are in a system we are not capable of critiquing and do not know how to get out of' (USAf 2024). She goes on to point out how for thirty years universities have generated policy and made changes 'without really engaging the limits and obstacles to our own conceptualisation and practices of transformation, or, for that matter, the contradictions between our transformation ideas and the instruments we use to implement them' (USAf 2024).

Seeking to entrench QA in IQA systems through two cycles of audits, the CHE's stated intention was to evaluate the HEIs' IQA systems. However, this was sublimated into the management of higher education arrangements. It is possible that these actions are not viewed as intrusive by the regulatory bodies but are rather seen as constructive or developmental. To illustrate, during the CHE's national review of the MBA it became clear that structures, processes, and policies to achieve the aims of the review were already in place and were actively and credibly assuring the quality of most of the offerings reviewed.

What the review also revealed was that the CHE processes operated on a deficit model, with preconceived notions of what systems should be in place, what they should look like, and what procedures and processes/policies should govern all aspects of the MBA programme. A deficit model departs from an assumption of inadequacy or lack. The implicit assertion is that without the external QA body's standards, universities will not be successful. As Lange and Singh (2010) argue, this systemic predisposition eclipsed existing contextual achievements, replacing sound assessment with the performance of compliance.

These preconceptions made the process of meeting the criteria and minimum standards incredibly difficult for institutions since, in the absence of clearly articulated and stated expectations by the CHE, these were mired in confusion. Lis, writing about these HEQC processes (Lange 2017: 46), argued that, while the analysis of the reviews could have triggered interrogations of curriculum and while ‘quality assurance in whichever incarnation (enhancement or improvement) can encourage institutions to pay attention to a particular issue, ... it is not an appropriate tool with which to approach curriculum transformation’. Methodological limitations coupled with the needs of curriculum transformation should ‘originate in the critical engagement of academics and students with their disciplinary fields and not as the imposition of a national agency’ (Lange 2017: 46).

In 2026, the impact on institutions’ practices in relation to curriculum review and transformation remain unresolved in the face of a ‘compliance-focused and bureaucratised accreditation system’ (Lange 2017: 46).

At present, there are twenty-six public universities in South Africa and around 132 private HEIs. Across the sector, both public and private institutions are at different stages of development and inhabit different spaces in terms of differentiation. Institutions vary in age, size, purpose and place. The current process of institutional audits, which will shortly begin in the private sector, was presented as the ‘ground zero’ from which the operationalisation of the QAF would springboard.

The CHE’s ‘Framework for Institutional Audits’ (2021b: 14) sets out the purpose of audits as follows:

A full audit of an institution determines whether or not, and to what extent, an institution’s IQA systems, policies and procedures ensure the effective provisioning of good quality higher education that enhances the likelihood of student success through quality learning and teaching, research opportunities and integrated community engagement.

The audit framework (CHE 2021b: 21) clearly states that differentiation in the sector will be accounted for. In so doing, the CHE will consider the following in its process: the uniqueness of different institutions and institutional types with their differentiated missions and niche areas; the unique context in which each institution is situated; and the different levels of institutional maturity as reflected in the effectiveness of their IQA systems.

There is no systematic evidence available on how HEIs experienced the 2021 round of audits. However, a brief parse of the CHE website reveals audit reports that are substantively similar to those released of the 2005 round, suggesting that they are not directed at enabling the CHE's own goal, which is to move HEIs from compliance to institutional responsibility and accountability. This phenomenon is not limited to South Africa. As Reichert (2008: 8) notes in response to outcomes in European QA, 'quality and funding agencies have to ensure the independence of the peers and beware of mainstreaming effects which may occur through peer review'.

What is currently happening at institutional level is that IQA faces an increasingly incoherent national quality-and-regulatory system. Where IQA is sound, the dissonance in the system is mostly manageable and the institution can resolve the dissonance, even if only temporarily, to satisfy a particular EQA process. In such cases, a compromise can be devised that meets the needs of both the institution and the national structure. It cannot be overstated that this is not a satisfactory quality outcome for either party.

In truth, IQA systems can achieve high levels of sophistication and still not meet the requisite technical or formal 'look' determined by regulators. Although well-intentioned, incoherent intrusions into the academic and governance autonomy of institutions by various bodies place a colossal and unnecessary burden on institutions with mature QA systems. Institutional systems that are working, whether codified as per the requirements or not, are often simply not respected or recognised as having value or, conversely, are forced to change to comply with the prescribed 'look and feel'.

As Lis asserted in 2017, despite the CHE's use of the language of transformation, it nonetheless remains limited in its ability to precipitate institutional change. There is an argument to be made that the gaps in the language of policy instruments, which must accord with the different EQA mandates, make it virtually impossible to induce the transformation envisaged at institutional level. The distance between the regulating bodies and the institutions themselves cannot be breached. Institutions must be able to exercise agency if institutional accountability is to mean anything.

Given that IQA has been shaped and incrementally developed at institutions over the last three decades and assuming that institutions are aware of the reputational and regulatory risks of poor quality, it is time to acknowledge that the degree of quality control currently in play in the sector is beginning to have an inhibiting effect on the ability of institutions to stay abreast and ahead of the developments in the broad contexts of flux in which we all operate.

In Lis's framework, the logical corollary is that a maturing higher-education system must progressively shift the locus of QA inward, not as a concession to institutional convenience, but as the only mechanism adequate for interpreting the complexity of what *quality in context* means. The argument is not hypothetical, as Lange and Kriel's 2017 case study of IQA at the UFS reveals. QA originating from inside the university remains responsive to the institution's specific contexts and history. The university's unique student profile and academic purpose will generate 'contextual knowledge' no external audit can discover. A 'pedagogy of presence' (UCT News 2018) should be the catalyst for change, not compliance or performance.

Lis's call to take seriously the distinction between the knowledge *for* and the knowledge *of* transformation is achievable in universities who assert their agency and define the parameters for change.

Social justice as political (academic) action

Three decades of QA later, the systemic faultline remains an epistemic

one, and the two forms of knowledge remain the preconditions for the kind of genuine transformation Lis (2014: 5) had argued for. Social justice, as articulated by Bell (1997: 4), is ‘democratic and participatory, inclusive and affirming of human agency and human capacities for working collaboratively to create change’ and cannot be advanced by an apparatus that produces neither form of knowledge. In what follows, we trace how the gap between the aspirations for social justice that were encoded in quality policy and the compliance machinery deployed to realise them has produced not transformation but its absence—dressed up, as Pizarnik might say, in transformation’s name.

One of the recognised challenges in fostering social justice through public institutions is the failure to bring about the shift in consciousness that is required for the vision implicit in public policy to be actioned. In the past, social justice in South Africa was variously framed through the principles of *batho pele* (people first) or ubuntu, signalling a notion of shared humanity and mutual dignity. The problem with these ‘people first’ views has always been that they required ‘the human’ to be abstracted from the country’s racist history in order to construct a mythical past and future without necessarily interrogating the violence of racial categorisations and hierarchies of social and cultural value that made those abstractions possible (Barolsky 2013; Musara et al. 2021), resulting in an ongoing historical layering (Matsuda 2017; Pogge 2004) of inequalities alongside redress mechanisms that may ironically intensify rather than resolve the experiences of exclusion, impoverishment or misrecognition.

In the context of higher education, Singh (2011: 490) presents the argument that very often QA arrangements are instruments of the ‘evaluative state’ with its focus on measurable outputs that often contradict the broader transformation and social justice agendas of countries:

One of [the contradictions] ... related to the ideological and operational challenges of using a ‘hybrid’ policy model which sought to graft together approaches to quality and accountability from two different genealogies—the one from

the global template informed by new public management understandings of accountability and cost effectiveness and the other from the local setting which was driven by strong equity and transformation imperatives. The challenge was to develop a workable fit between the neo-liberal lineages and functions of quality assurance, and a local emancipatory agenda which stressed social justice and social transformation.

This tension between accountability and transformation is not unique to South Africa. In Harvey and Green's (1993) foundational taxonomy of qualities that constitute the general notion of 'quality'—quality as exceptional, as consistent, as fitness for purpose, as value for money, and as transformative—transformation is considered the most ambitious and contested precisely because it demands of the QA process to engage questions of power, access, and knowledge that standard audit methodologies are not designed to address. Stensaker (2003) has similarly argued that, over time, EQA systems internationally tend to drift toward accountability functions at the expense of the improvement and enhancement functions that justified their establishment. What distinguishes the South African case is that this drift has been accelerated by the particular urgency of the post-apartheid transformation mandate: QA was expected to do the work of transformation with compliance instruments, which produced the contradictions Lis spent her career identifying.

Singh's argument was published at the time of the development of the QA system in South Africa, which at that stage precluded a discussion on the impact these systems would have on the sector. From a sectoral perspective and after at least twenty-four years of active QA, social justice imperatives have become subsumed by a web of compliance-bound systems. Current QA mechanisms and processes are unable to uncover the rich contextual realities of how institutions achieve particular indicators or fail to. For example, institutions where students are heavily reliant on funding and bursaries are often expected to do more with fewer resources. The impact of these realities on the

teaching and learning projects broadly is often neither recognised nor understood. There are clear cases where these circumstances are absent from reports and the consequences of national processes, resulting in the acontextual public shaming or celebration of institutions. In South Africa, the uneven playing field has not miraculously disappeared, with the result that the trials and tribulations institutions face and the significant constraints they operate within have become invisible because formal compliance is what is required. Conversely, other institutions are lauded and celebrated because ostensibly much transformation has occurred although internally this may be far from the truth.

In Lis's framework, the distinction between knowledge *for* and knowledge *of* transformation provides us with a tool to measure the failure of QA quite precisely. If 'knowledge for transformation ... is the knowledge that needs to be produced to make change possible, and knowledge of transformation ... is the knowledge we generate about transformation itself' (Lange 2014: 5), it is clear that current QA mechanisms produce neither. Knowledge *for* transformation requires understanding institutions in their particularity: their resource constraints, their student demographics and their local and historical contexts. For instance, institutions serving students who are heavily reliant on NSFAS funding face constraints that the standardised audit template simply cannot register. The impact of these realities on teaching and learning runs the risk of being neither recognised nor understood. Knowledge *of* transformation, by contrast, requires systematic reflexivity and an honest examination of whether QA practices are achieving their stated purposes. But this is not happening. Processes are generally not evaluated in terms of their actual effects before additional processes and advancements are introduced. Simply put, the machinery accumulates without generating knowledge of what it does. Without both forms of knowledge, quality assurance operates blind, producing compliance documentation while transformation remains elusive.

Lange and Singh's 2010 analysis of equity in the HEQC's QA framework documented this failure in its early stages: even where

equity was explicitly incorporated into QA criteria, the methodological constraints of audit practices meant that institutions could demonstrate compliance with equity indicators while the substantive educational experiences of disadvantaged students remained unchanged. The gap between the indicator and the reality it claimed to measure was from the beginning a structural feature of the system's architecture and not a problem that better implementation would resolve.

Not a silver bullet: higher education and QA in post-apartheid South Africa

When the legislation that would govern higher education in democratic South Africa was drawn up, it was with full awareness of the implications of section 29 of the Bill of Rights in the Constitution of the Republic of South Africa, Act 108 of 1996, which states:

Everyone has the right-

- (a) to a basic education, including adult basic education; and
- (b) to further education, which the state, through reasonable measures, must make progressively available and accessible.

Read in conjunction with the equality clause (s 9 (3)), section 29 means that unfair discrimination in higher education on any of the grounds that had characterised apartheid was explicitly forbidden. Legislation and policy go hand in hand, and the new democratic government addressed the disgraceful state of education with vigour. In its 1995 'White Paper on Education and Training', the Department of Education (DOE) emphasised its aim in the subtitle 'Education and Training in a Democratic South Africa: First Steps to Develop a New System'. As part of the development of the new system of non-racial education, the Higher Education Act established the Council on Higher Education (CHE) and the South African Qualifications Authority (SAQA). By 1999, the CHE was in the early stages of establishing its part of the most necessary new system as envisaged by the politicians in the White

Paper. Quality education in South Africa was to become the driver for the achievement of equity and equality, not only in higher education but also in the economy and the body politic. The laudable political campaign and worthy intentions of the regulators could not have anticipated the gap that would soon appear between what regulators intended and the responses from various role-players in the sector. The creation of different directorates in the CHE, including those with a focus on national review and standard setting, the national audits of HEIs from 2005 and the development of standards for qualifications in addition to a raft of policies on language, internationalisation and the implementation of the recognition of prior learning alongside substantial changes to the funding model, placed an ever-increasing and complex burden on institutions.

While it is not within the scope of this tribute to determine whether these regulatory and quality assurance bodies, policies, frameworks and other documents were or are fit for purpose, it is nonetheless possible to assert boldly that no institution has been unaffected, whether positively or negatively, by these developments. It is pertinent to point out that in laying the foundation for the democratic order in South Africa, it was necessary to emphasise the contrast between what had been in the past and what was needed for the future. That said, precisely because of the exclusionary and limiting race-based apartheid system, the principles of the new democracy and the transformatory potential of higher education have acquired the status of something almost ‘sacred’—analogous to the notion of the ‘rainbow nation’. And just as the notion (or myth) of the ‘rainbow nation’ has been incisively probed (eg. Gqola 2025; Mogomotsi 2023), so too should the transformatory potential of QA in higher education. As part of their responsibility towards this ‘sacred’ duty, EQA agencies have fallen into social meliorism, focusing so closely on a commitment to what *should be* that it has become increasingly difficult to consider what *is* (McKinney & Westbury 1973) while risking an approach in which token compliance is rewarded. In addition to that, higher education

QA processes tend to homogenise institutions and run the risk of implicitly intending to improve ‘the other’ (Chankseliani 2022: 458).

Programme accreditation processes, for example, revealed insights into what HEIs were doing or not doing, and why. In their turn and in response to these processes, HEIs appointed staff with the specific purpose of ensuring compliance or with the responsibility to steer or ‘drive’ quality into, or in, the grooves predetermined by the EQA body, the CHE. Thirty years later, it is fair to say that some of the conversations and processes that took place and were implemented failed to delve deeply into the more substantive issues, focusing instead on the achievement of formal equality (such as access measured numerically rather than substantively) and on compliance with frameworks, criteria, minimum standards, QA processes and policy prescriptions.

Contemporary concerns about the way in which QA processes have been implemented and about the implications of past decisions and present practices for the future remain. Decontextualised performance indicators continue to obscure rather than reveal the real stories of institutions. In effect, the decontextualised uniformity of EQA functions (even when ostensibly acknowledging ‘differentiation’) can themselves be said to constitute a ‘hidden curriculum’ (or at least, an unintended covert strategy) that promotes institutional *compliance* (which is antithetical to the essence of IQA) while confounding the *agency*, both *of* the institution as well as *in* the institution (among academics and management). Regulatory bodies, frameworks, policies and processes are set up to define parameters for the sector as a whole and not to operate from a granular, reality-based and holistic view of how successful institutions actually do work. Here, it is important to note that the QAF’s recognition of differentiation allows for the understanding that different institutions in different contexts may achieve the same goal using different mechanisms.

Any discussion of QA processes would be incomplete without mentioning the cognitive and administrative load imposed on academic

staff and managers who must simultaneously interpret, translate and respond to the often-contradictory requirements of multiple regulatory bodies, a burden that, as Lange (2017: 32) observes, diverts institutional attention away from substantive educational engagement towards the production of compliance documentation. In response to this, the QAF has committed to simplification ‘to address the administrative burden currently faced by institutions’ (CHE 2021a: 34), which means that EQA processes will be

streamlined to eliminate and reduce the duplication of actions and information required from HEIs and reduce the burden of reporting by institutions with well-established IQA systems. Wherever possible, EQA requirements and processes will be made more understandable and manageable without compromising their focus or pointedness, robustness and effectiveness. As part of this process, the streamlining of the information requirements for HEIs and statutory professional bodies will be considered. The integrated institutional QA-dashboards will assist in this process of simplification by building up a track record of the HEQC decisions for an institution (CHE 2021a: 34).

The 2021 QAF represents a genuine, if incomplete, attempt to address the contradictions. Its commitment to differentiation, its acknowledgement of institutional maturity as a variable, and its stated aspiration to shift from compliance to responsibility and accountability all reflect the influence of precisely the critique Lis and others had developed over a decade. Lis herself recognised this aspiration, and it would be reductive to dismiss the QAF as merely a repackaging of the existing compliance regime. The question this tribute poses, however, is whether aspiration is sufficient. As Lange (2017: 32) observed of an earlier moment of policy reform, the sector’s evaluations of itself tend to be ‘at the same time evaluative and prospective’ but fall short of the radical self-critique that genuine

change requires. The same risk attends the QAF: its instruments of evaluation, which are still organised around audit, accreditation, and external review, remain the compliance tools of the previous system. Whether the aspiration to move from compliance to responsibility and accountability (CHE 2021a: 14) can be realised through instruments designed for a compliance logic, is the central unresolved question the sector now faces. Without generating knowledge of transformation—systematic evaluation of whether the new framework is producing different outcomes—the QAF risks becoming another iteration of what Baudrillard (1994) calls the simulacrum: a representation of reform that substitutes for its substance.

The nuanced approach suggested above will be widely accepted if implementation is clear and it fully recognises institutional autonomy and the diversity of contexts. As Lis (Lange 2017: 32) observes,

the results of the QA body's reflections on the achievements and failures of the higher education system ... was at the same time evaluative and prospective, but it did not provide radical critiques of the shortcomings of existing policies or point out gaps in policy development or implementation.

Internationally, there is adequate evidence of EQA agencies re-defining their QA frameworks, requiring sectoral fit-for-purpose responses (Unesco 2024). HEIs legitimately seek differentiation and, provided that this is grounded in equity and excellence, can be held accountable. But since HEIs are configured with different functions and purposes, any viable IQA must account for internal and contextual variables.

Conclusion

The critique in this tribute goes beyond the limitations of an evaluative retrospection. At the USAf Higher Education Conference in 2024, Lis identified the underlying problem with surgical precision:

In the last three decades, universities developed policy and institutionalised change without really engaging the limits and obstacles to our own conceptualisation and practices of transformation, or, for that matter, the contradictions between our transformation ideas and the instruments we use to implement them.

While QA was imagined as the instrument of transformation, it has in practice become its simulacrum, a copy without an original, a representation that precedes and determines the reality it claims to represent (Baudrillard 1994: 1). This describes with uncomfortable accuracy what three decades of QA machinery has produced. Transformation has become a signifier detached from its signified, circulating endlessly through policy documents while the reality it once named has disappeared. Lis's conclusion at that conference of what this means was unsparing:

We thought we could use them productively, but we have to recognise that we haven't done particularly well in this regard. We have bureaucratised the system and, in a sense, institutionalised change in ways that are no longer transformative, but conserving the status quo (Lange 2024: n.p.).

The diagnosis is acute: it identifies not only a failure but a paralysis. Lis (2024: n.p.) named our collective entrapment with a typical directness that is worth repeating:

The idea that we can only exist in this context, and that we are incapable of saying 'no' because we are scared of the consequences that it may have for funding, shows just how trapped we are in a system we are not capable of critiquing and do not know how to get out of.

Power (1997) concurs, arguing that the institutional mechanisms of audit routines, coupled with deferential adherence to performance measures, result in the maintenance of credible systems in appearance while the system falls short of achieving its goals despite complying with its requirements. Lis's diagnosis goes deeper than Power's because she asks not only how compliance has come to substitute for accountability, but why institutions cannot even formulate the critique. The answer lies in her analysis of institutionalisation: when transformation loses its intellectual, political, and moral content, institutions lose the conceptual resources to imagine alternatives so that compliance is all that remains. Standardised criteria displace contextual judgement. Responsibility is replaced by documentation. The auditable displaces the innovative. Lis drew attention to this already in 2017, noting that the CHE's twenty-year review 'did not provide radical critiques of the shortcomings of existing policies or point out gaps in policy development or implementation' (Lange 2017: 32). She was calling for precisely that which the institutionalisation of transformation had foreclosed, namely the capacity to think critically about our own practices, to name what is not working, and to imagine otherwise: 'the attention of institutions would in most cases be on compliance with the minimum standards and not critical engagement with the curriculum. This was beyond the scope and the purpose of quality assurance' (Lange 2017: 45–46). The compliance reflex, then, is not a pathology of institutions but rather the logical, inevitable response to how QA has been structured.

Drawing on Arendt (1998[1958]), Lis argued for an education oriented to new beginnings rather than the reproduction of existing structures—an education that preserved the capacity to act differently, to refuse the given, and to imagine what does not yet exist (Lange 2012). She consistently questioned whether transformation had become the empty signifier of a reality that had become conspicuous in its absence. Real, continuous transformation demands courage, a courage Lis modelled throughout her career, consistently asserting

that genuine transformation must organically and naturally arise from real, reflective contextual knowledge, obtained by posing and responding to the difficult questions that compliance has allowed us to evade. She would urge us to have the courage to restore its meaning.

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