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Education decentralisation in South Africa: Equity and participation in the governance of schools

Yusuf Sayed
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Education decentralisation in South Africa: Equity and participation in the governance of schools

Yusuf Sayed, Senior Research Fellow, Human Sciences Research Council, South Africa

Rashid Ahmed, Department of Psychology, University of the Western Cape

1 Introduction

The new democratic state that emerged in South Africa after 1994 was greeted with multiple and contradictory demands. First, it was expected to deliver a more just and humane society in a climate of rising expectations. Simultaneously, the state was expected to provide the conditions for economic growth and development. The state was thus positioned as the modernising instrument for advanced capitalist accumulation in a context of increasing globalisation and financial austerity. Second, it was presumed that the state would unify a divided society without threatening the ‘white’ population. Restitution was therefore to take a limited form. Third, the state was expected to be responsive to the will of the people and to guarantee increased participation and extend democracy in society. In particular, the state was expected to establish a sound and vibrant relationship with organizations in and out of civil society. In summary, the new South African state was expected to ensure distributive justice, to provide the conditions for capital accumulation, and to ensure greater responsiveness and participation in forging unity/nationhood (the ‘rainbow’ nation/state). These functions capture the contradictory character of the South African state, which was expected to meet the dual imperatives of securing for capital the conditions for accumulation, while simultaneously developing a legitimate hegemonic discourse through meeting the needs and expectations of citizens. It is in the context of these demands that the new post-apartheid government began the process of education transformation.

Central to the process of education transformation was the policy of education decentralisation¹ and two noteworthy pieces of legislation: the South African Schools Act (SASA) and the National Norms and Standards for School Funding (NNSFF). It is these

¹ This paper builds on previous work which has analysed in greater depth the notion of decentralisation and its efforts in more general terms. Previous papers have argued that the notion of decentralisation means different things to different people ranging from signalling changing forms of educational governance and management to changes in classroom practice and pedagogy and analysed the impact of policies of decentralisation with specific reference to South Africa. A synthetic framework which considers decentralisation as a process effecting change in four arenas: at the global, the national, the local and at the institutional school level has underpinned the analyses.

policies which this paper analyses in relation to the move towards educational decentralisation, with particular reference to the governance of schools and the privatisation of public schooling. The paper begins with a description of the major policies enacted in South Africa since 1994. It then traces the roots of the move towards decentralisation in South Africa, analysing the SASA and NNSSF in relation to equity and participation. Thereafter it analyses the recent no-fee school policy as an amendment to the NNSSF and the extent to which this amendment continues or departs from state policy. The paper concludes by considering the extent to which the policies in South Africa have managed to transform the system of school governance in a pro-poor direction.

2 The policy context

Post apartheid education transformation has been, if nothing else, impressive in scope, coverage and orientation. The new government systematically embarked on dismantling the previous segregated education racial order as well as comprehensively revising the entire education policy environment at all levels of the education system. The full scale of the change which the previous Global Monitoring Report (GMR) notes as ambitious (UNESCO 2008) is manifest in the fact that the government has:

- Revised the entire curriculum framework from a narrow subject based orientation to an outcome based one.
- Integrated education and training through the National Qualification Framework, placing all forms of learning (in schools and outside of schools) on a single qualifications ladder with equivalent forms of certification.
- Changed the higher education landscape by merging and closing down institutions.
- Integrated all teacher education institutions with universities.
- Changed the governance of schools, including the private sector which, subject to certain conditions, are eligible for a state subsidy.
- Created a new values-in-education programme.
- Committed itself to an inclusive education programme which provides for a mainstreaming approach to ‘special education’.
- Extended Early Childhood Care and Education(ECCE)by creating one additional year of pre-primary (Grade 0) with full coverage envisaged by 2010.

The table below summarises a selection of major policy changes that has taken place since 1994. It is illustrative of the scale and coverage of the process of education transformation in South Africa.

Table 1: Key education policies in post apartheid South Africa

Name	Brief summary
White Paper on Education and Training 1995	Describes the first steps in policy formation by the Ministry of Education in the Government of National Unity. It locates education and training within the national Reconstruction and Development Programme, and outlines the new priorities, values and principles for the education and training system. Discusses the implications of the new Constitution for the education system, especially in respect to Fundamental Rights, discusses the division of functions between national and provincial governments in the field of education and training, provides information about how the national and provincial departments of education are being established, analyses the budget process in education, and the necessity for a strategic approach to education funding in relation to the national priority for human resource development. Discusses in detail two significant policy initiatives for the school system: the organisation, governance and funding of schools, and the approach to the provision of free and compulsory general education.
The Organisation, Governance and Funding of Schools Notice 1996	Sets out the policy of the Government of National Unity on the organisation and governance of schools, and the development of capacity for school leadership and governance throughout the country. Describes how the Ministry of Education intends to meet its obligations to negotiate with public school governing bodies whose rights, powers and functions are to be altered.
The South African Schools Act 1996	Sets out the framework for school governance which allows for democratically elected School Governing Bodies as juristic persons in charge of school. Crucially it allows schools the right to charge school fees and ceded a great deal of autonomy to schools.
National Norms and Standards for School Funding Act 1998	Lays out the basis on which it will fund public schools, the exemption of parents who cannot pay fees and the public subsidies to independent schools. This memorandum follows the SASA and attempts to address the deferred and contentious issues of the act, particularly the issue of school fees.
Curriculum 2005 1997	Lays out the new Outcomes Based Education (OBE) curriculum, characterised by learning areas rather than subjects. Places the emphasis on education outcomes rather than content. Outcome divided into general, specific and critical outcomes. Represents the most significant curriculum shift in education.

Education White Paper 3: A Programme for Higher Education Transformation 1997	Outlines 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.
Education White Paper 4: A Programme for the Transformation of the Further Education (FET) Sector 1998	Resulted in the establishment of a new FET system. Outlines close collaboration with the Ministry of Labour in the governance of the FET sector. The central objective is to build the policy foundation and scaffolding for a new FET system that is responsive to the needs of our people and that is efficient, effective and accountable to its clients and stakeholders.
Education White Paper on Early Childhood Education. 2001	Sets out policy guidelines for the Department of Education's Early Childhood Development Programmes for poor children and to improve the quality of these programmes. While its main thrust is to close the gap in programmes for five-year olds, thus giving effect to the Constitution and the Education White Paper 1 on Education and Training, it also addresses itself to the Early Childhood Development (ECD) challenge in respect of children younger than four years.
Manifesto on Values, Education and Democracy 2001	Ten fundamental values were described, namely, Democracy, Social Justice and Equity; Non-Racism and Non-Sexism; Ubuntu (Human Dignity); An Open Society; Accountability and Responsibility; Respect; Rule of Law; and Reconciliation. The Manifesto further identified 16 strategies for familiarising young South Africans with the values of the Constitution, which were to find expression in the Revised National Curriculum Statement (RNCS) (2002) including: nurturing a culture of communication and participation in school; Role-modelling and promoting commitment as well as competence amongst educators; Learning about the rich diversity of cultures, beliefs and world views within which the unity of South Africa is manifested; Making multilingualism happen.
Education White paper 6: Special Needs Education: Building an inclusive education and training system 2001	This document makes it clear that special schools will be strengthened rather than abolished. This White Paper, together with Education White Paper 5 on Early Childhood Development, commits the government to the provision of educational opportunities in particular for those learners who experience or have experienced barriers to learning and development or who have dropped out of learning because of the inability of the education and training system to accommodate their learning needs. Inclusive education is defined as that which acknowledges that children and youth can learn and that all children and youth need support, enabling education structures, systems and learning methodologies to meet the needs of all, acknowledges and respects differences in learners, whether due to age, gender, ethnicity, language,

	class, disability, etc. Commits the government to the mobilisation of out-of-school disabled children and youth of school-going age, within mainstream schooling, the designation and phased conversion of approximately 500 out of 20,000 primary schools to full-service schools.
Education Laws Amendment Bill 2001	Amendments to the South African Schools Act of 1996 including sanctions against the failure of a governing body to perform its functions; the prohibition for public schools to raise money by means of loans or overdrafts without the approval of the Member of the Executive Council; clarify the manner in which disciplinary proceedings must be conducted; to provide for a process to establish norms and standards for school funding by means of quintiles; clarify the charging and payment of school fees.

These changes noted above are grounded in Education White Paper 1 (Department of Education (DoE) 1995) and the National Education Policy Act (NEPA) (DoE 1996a). The NEPA specifically inscribed in law the policy, legislative and monitoring responsibilities of the Minister of Education and to formalise the relations between national and provincial authorities. It affirmed the principle of “the advancement and protection of fundamental rights of every person” spelt out in Chapter 2 of the Constitution (1996), with respect to a number of areas, such as equal access to education, protection against discrimination and protection of their language rights.

The NEPA, however, was only a ‘framework’ instrument. Its purpose was to lay down the guidelines for the determination, implementation, monitoring and evaluation of national policy. It did not specifically speak to the detail of educational practice, its shape, scope and the modalities to be pursued within it. This was left to a number of subsidiary, but key policies and laws such as the South African Schools Act (DoE 1996b) the Higher Education Act (DoE 1997), Education White Paper 6 on Inclusive Education (DoE 2001), and Curriculum 2005 (DoE 1997), a policy adopted by Executive decision (and its revision, the Revised National Curriculum Statement (RNCS) (DoE 2002) as noted in the table above.

Changes to education in South Africa can be conceived of involving three major periods coinciding with changes in ministers and senior officials. The first phase which followed the election of 1994 was characterised by two interrelated concerns. The first was the dismantling of the inherited legacy, a substantial task given that there were 19 distinct education departments in Apartheid South Africa, each with their own systems and structures

underpinned by a philosophy of segregation. The second concern was creating an alternative and new vision of education and hence an overriding concern with creating policy frameworks. Hallmark legislation during this period was the South African Schools Act, the National Qualifications Framework associated with the OBE curriculum, and the restructuring of the higher education system. The second phase is associated with a new minister who launched the Tirisano ('Call to Action') programme. As the name indicates the emphasis during this phase was on actions which were visible and which were argued to make a difference to education. Two landmark policies were enacted during this period. The first was the Whole School Evaluation policy which emphasised monitoring school performance to improve education quality. The second was the Manifesto on Values, Education and Democracy which defined the fundamental values of education including Democracy, Social Justice and Equity; Non-Racism and Non-Sexism; Ubuntu (Human Dignity); An Open Society; Accountability and Responsibility; Respect; Rule of Law; and Reconciliation. The Manifesto specifically identified 16 strategies for familiarising young South Africans with the values of the Constitution, which were to find expression in the Revised National Curriculum Statement (RNCS) (DoE 2002), the document that emerged after a process of enquiry into the efficacy of the original C2005. The third phase beginning in 2004 saw a shift in that the trajectory of transformation focused much more on learner achievement. Schools were set targets and placed under greater scrutiny to enhance learning achievement. This approach is best manifest in the most recent government regulation called the Foundation for Learning Campaign (DoE 2008) which list specific learning targets for schools to achieve for learners in the Foundation Phase in the subject of literacy and numeracy. It also indicates that South Africa will withdraw from all regional and international assessments until 2011 when it is assumed that all learners would meet the learning targets set. Crucially this document commits the government to a census test of learners.

Collectively the raft of education policy documents produced in South Africa since 1994, mark the essential contours of the construction of education transformation in South African characterised by the values of Social Justice and Equity, Non-racism and Non-sexism, Ubuntu and Reconciliation. The scale of the change has inevitably placed great stress on schools and teachers resulting in a significant policy intention and practice disjuncture, with a growing divide between what government hopes schools are doing and what schools are in

fact able to do. Thus, while the intentions are laudable, there is a long way to go in achieving good quality education, particularly for the marginalised and disadvantaged.

3 The roots of the policy of educational decentralisation in South Africa

Discourses of educational decentralisation in the South African context found expression and support in the policies of the ruling ANC government and the opposition, the National Party, which was, for a period of time, a member of the Government of National Unity (GNU). Two inter-related, though potentially contradictory, forces feed into the discourses of educational decentralisation in South Africa. Both the previous ruling National Party and the opposition anti-apartheid movement shared a commitment to some form of educational decentralisation albeit for very different political and ideological reasons. For the National Party, the clearest expression of a commitment to educational decentralisation was to be found in its Model B and C Regulations² and in its Educational Renewal Strategy (ERS). In these regulations, the National Party argued that educational decentralisation allowed for greater control of schooling by those who had to pay and that it would enhance efficiency, effectiveness and quality. The National Party's commitment to educational decentralisation prioritised individual freedoms and rights in matters of social service provision.

The commitment of the progressive anti-apartheid forces' support for policies of educational decentralisation was, by contrast, rooted in the trajectory of resistance politics. Such politics were underpinned by an oppositional discourse which drew upon local community support and participation. Grassroots mobilisation and struggle were the basis for resistance. It thus constituted itself in a call for 'community control', and 'grassroots control'. In the educational sphere, the most poignant illustration of this notion was the call for 'structures of dual power' in the discourses of the National Education Co-ordinating Committee (NECC) and the formation of Parent, Teacher and Student Associations (PTSAs) which were conceived as vehicles of community expression. The notion of grassroots community participation was constituted in the context of a state which was oppressive and where the state itself was the primary apparatus of oppression. Thus, grassroots, community control was the anti-thesis of state control. Power to the people as opposed to that of the state

² The previous ruling Nationalist Party passed the Model B and C regulations respectively in 1991 and 1992. These regulations gave then whites-only schools control over key school policy issues such as admission of pupils. However, such schools were then expected to cover operating costs, resulting in high school fees. See Carrim & Sayed 1992a & 1992b for a more extensive discussion of the Model B and C regulation.

reflected a strong commitment to participatory democracy and the decentralisation of control.

Furthermore, in the discourses of the progressive anti-apartheid education movement, there had been a strong call for the democratisation of the state and the education system. It was believed that the transition to post-apartheid society would usher in the installation of a legitimate political centre which would transform education to meet the needs of all, in particular, the historically marginalised and disadvantaged sectors of society. This call was underpinned by a strong commitment to a representative state in a constitutional democracy.

For the progressive education movement, the discourse of educational transformation reflected a commitment to a strong, interventionist state and a belief in the desirability and efficacy of grassroots control. The latter suggests a strong move towards civil society activity and participation in the polity. With the elections, the new education system was charged with giving expression to both sets of commitments. The first white paper (WP1, DoE 1995) on education set up this framework. It proposed a strong regulatory state with a commitment to civil society participation in the education sphere. The latter is captured, *inter alia*, in recommendations that motivate the need for strong, advisory bodies at all the appropriate levels of the education system.

The key challenge facing the new government elected in 1994, with the passing of the SASA, is the attempt to find an acceptable balance between a commitment to strong forms of citizen participation and the need for strong state intervention. Creating strong forms of citizen participation may diminish the power of the elected authority (government), and consequently potentially undermine the will of the electorate who expect the elected government in South Africa to fulfil the mandate upon which it was voted into power. Hence, the Ministry of Education and the South African government has tended not to grant stakeholder bodies decision-making power. Instead, such bodies in the South African context have been accorded mainly *advisory* powers. On the other hand, strong forms of government control and intervention with stakeholder bodies having weak advisory powers may minimise and militate against increased participation as citizens may feel unable to effect change. An example of this tension in the South African context was the Constitutional Court ruling in favour of the Minister of National Education which stated that the National Minister

of Education did have the constitutional power to issue national norms and standards over and above provincial wishes³. The Constitutional Court case highlights the difficulty of trying to balance central authority and regulation with the devolution of educational control. It signals a key tension between the ability of an elected government to act decisively and, at times, unilaterally, and simultaneously the desire on the part of such a government to be receptive and responsive to all views from whatever source.

4 The South African Schools Act of 1996

The preceding section highlighted the tensions that the Government of National Unity faced in creating a system of educational governance that entrenched citizen participation at the school level and simultaneously intervened to redress the inherited educational imbalances. In trying to understand the discursive shape of the evolving policy of educational decentralisation in South Africa, the paper focuses on two key questions that affect the implementation of the SASA which was passed in 1996:

- To what extent will the power to raise school fees as proposed in the SASA further exacerbate inequities in education in South Africa?
- What are the underlying assumptions regarding the forms of parental participation envisaged in the SASA?

Equity and school fee charging in the SASA

A key tension in the SASA is the proposal that School Governing Bodies may raise additional revenue in the form of school fees (referred to as user fees in this paper). The idea of user fees is premised on the assumption that parents who wish to provide quality education for their children, over and above the state subsidy, are able to do so. Thus, the Act (DoE 1996b: Chapter Four) indicates that parents, as the majority constituency on the school governing body of public schools, may decide to levy school fees that are binding on the school community. This approach, known as the Fourth Option, has its origin in the Hunter Review Committee Report (1995) which proposed three models of school financing, namely,

³ Political parties such as the Democratic and National Part took the Minister to Constitutional Court at the time of the issuing of the National Education Policy Bill. In essence, they argued that the bill undermined provincial responsibilities and powers for education and consequently the bill contravened the constitution. The Constitutional Court disagreed with this view and asserted the power of the Minister to determine national educational priorities and objectives. In essence, the Constitutional Court ruled that the Minister of National Education was within his constitutional powers to issue national uniform educational norms and standards for the whole country, overriding provincial authority in this respect.

- the minimalist-gradualist approach which would allow most existing governing bodies to continue to function including the ex-Model C schools
- the equitable school-based formula approach which is similar to the previous approach but argues for equal per capita expenditure and prohibits schools from raising additional monies
- the partnership approach that includes an equal per capita expenditure but where the state's commitment to operating costs is reduced depending on parental contribution (DoE 1995).

The White Papers', Bill and Act concerning the organisation, governance and funding of schools refutes all three approaches and proposes a Fourth Option based on the advice of international consultants. The Fourth Option essentially suggests that schools should be allowed to levy user fees over and above state subsidy.⁴ This paper considers the notion of user fees as an instance of the introduction of market forces in educational provision in South Africa.

The market that is introduced through user fees does not function on the classical supply-demand model. The ideal or pure market, rarely, if at all, operates in education. More accurately, what is created through the devolution of educational control in South Africa is, 'quasi-markets'. The market mechanism that is introduced is the generation of additional resources based on the principle of self-interest. User fees reflect the deregulation of educational provision and is premised on the assumption that the quality of educational 'goods' is correlative of the price (value) that is paid. The worth of the educational product is thus secured in the value of the exchange. User fees secure market logic by engendering commitment to monetary transaction as a basis for the determination of quality and worth. In this case, not every citizen is therefore able to maintain the same level of financial investment and consequently, the level of substantive equal social entitlement depends on a citizen's wealth. The long-term tendency of such an approach is, as has occurred in South Africa, the creation of a two-tier system of public schooling stratified into well-resourced schools and a

⁴ The views of the consultants cement into policy positions only because their views resonate with a growing shift in educational policy-making towards neo-liberal economics, emphasising financial stringency and austerity. The positions become more palatable as the dressing for the shift evokes the language of the left of equity and redress; commitments which are not sustained. In a previous paper (see Sayed & Carrim 1997) this is referred to as the 'Middle Class Mandatory Fee Clustering (MMFC)' option. Also see (Sayed 1997) for a critique of the assumptions that underpin the Fourth Option.

majority of marginalised, state-reliant schools. This is a result of wealthier parents being able to pay more for their children's schooling and their relative 'cultural capital'.

Mindful of the possibility of schisms in public education, the state intervened in educational governance in an attempt to regulate the operation of the market. Thus, the Parliamentary Committee inserted a clause (DoE 1996b: section 39.4) in the final Act that states that the Minister would, after consultation, set 'equitable criteria for the total, partial, conditional exemption of parents unable to pay school fees'. Thus, an attempt was made to curb the possible excesses of the market.

What the SASA proposes is the operation of the market by removing regulatory control over the raising of additional funds. It introduces notions of private in public education and consequently redefines the private versus public boundary in South African education. Thus what the SASA reflects is the ways in which public education takes on characteristics of the private free market. Concurrently, it argues for state regulation to prevent widening the rift between the rich and the poor. This 'balance' is not easy to achieve nor are the trade-offs and compromises satisfactory. However, there are less difficult trade-offs and compromises⁵.

Participation and the SASA

Parental participation has been the officially stated position of all progressive educational organisations in South Africa. The SASA gives expression to this call but in potentially conflicting ways. SASA downloads or trickles down responsibility for day-to-day school management to the institutional site, with the state now taking responsibility for overall monitoring and evaluation of actors' behaviour within a national framework. The institutional site of schooling thus sits at the nexus between juridical regulation and self-management.

In devolving control to schools through SASA, the post-apartheid state has introduced in South Africa key policies of choice and participation which underpin most efforts at

⁵ See Sayed 1997b for a discussion of a possible alternative to the Fourth Option referred to as the Fifth Option. In essence, the Fifth Option proposes that school may raise additional fees but that a certain proportion of funds raised be placed in Development Funds which all schools could access for projects that promote equity and redress.

educational restructuring in the international context⁶. Choice and participation in SASA is understood as the rights of parents as citizens to determine key areas of school policy and in particular the determination of school fees. But the parent as school citizen represents a specific type of citizenship. As the first version of the second White Paper on the organisation, governance and funding of schools (WP2a, DoE 1995: sections 4.15 & 4.16) indicates, the citizen parent is an individual with rights which are interactively constituted in the context of a strong commitment to equity and redress and where such rights are held in partnership with the relevant education authorities. The rights of the school citizen do not therefore imply, as the WP2a (DoE 1995: section 4.16), puts it; '*to turning over the school to parents*'. Parents are framed as assisting with the professional functioning and work of the school.

Implicit in the above conceptualisation is the notion of a school citizen as an individual whose rights are not 'self-contained' but for whom the exercise of the right is to contribute instrumentally to the better functioning of the school because that is to his/her benefit. Put differently, the school citizen in the SASA is one who works with the school and is not, as has been the case in the past, the locus of opposition. Thus, the parent is constituted in the image of the state, a citizen who is unlikely to be oppositional or come into conflict with the relevant education authorities. The form of citizenship that is espoused is, as Deem *et al* (1995) argues in their study of School Governing Bodies in the UK, is largely administrative; the citizen who functions as part of the larger workings of the public administration of the state. This could thus be viewed as de-concentration of administrative educational control with parent citizens expected to take on greater administrative responsibility for schooling, a system of administrative downloading.

The preceding point highlights two distinct conceptualisations of the parent as citizen⁷. The first form of citizenship is the individual as self-reliant and not hostage to the state. It is a citizenship constituted on the basis of the person him/herself making his/her life better and

⁶ The review of notions of choice and participation in a market system of educational participation (see Munn, 1993; Ball, 1994; Ball et al., 1995; Gewirtz et al., 1995; Vincent, 1996; Fine, 1997) reveal two different dimensions of the debate. The first dimension of the debate focuses on the advocacy, elaboration and critiques by researchers of either market or democratic egalitarian approaches to educational choice and provisions. (See Chubb and Moe, 1990; Ball, 1994; Gewirtz et al., 1995). The second dimension reflects the work of researchers in the empirical research tradition (both qualitative and quantitative) who are engaged in empirically determining issues such as how choice occurs, whether more choice results from greater deregulation through markets and whether markets result in the privileging of some and greater inequity

⁷ These forms of citizenship emerge powerfully in Deem et al's (1995) fascinating account of citizenship and governing bodies.

not dependent on the state. This version, it is argued, is invoked in the SASA. The second version, the left form of citizenship, is the citizen who through public association in the space of civil society, recognises the bonds of community and consequently works for the public good and the assertion of civic virtue. This is essentially political citizenship and what distinguishes it from the first is that the citizens' recognition of him/herself is located within the context of a broader collective.

The discourse of the parent as consumer and his/her identity as a market agent is constituted in the SASA through two distinct mechanisms. Firstly, the notion of the school consumer is engendered through the assertion of parents as the primary clients, who should always be the majority constituency in the school governing body. The parent consumers are the ones who, in the words of the second version of the second White Paper on the organisation, governance and funding of schools (WP 2b, DoE 1996: section 3.15) *'have the most stake in their child's education because of the heavy legal and financial decision for which governing bodies would be responsible'*. Secondly, the parent consumer is constituted on the basis of the fees which he/she pays to provide additional finances for school provision beyond the state subsidy.

The operation of the market in education creates a conception of the consumer citizen who is a self-interested, utility-maximising, rational individual. This is the cornerstone of the philosophy of the consumer citizen. In this conception, the school community simply becomes the locale for self-interested possessive behaviour. Put differently, community involvement simply becomes the expression of strong consumer rights. This is evidently the case at most, if not all, of the ex-Model C schools where the school community becomes the locus for the self-interested behaviour of the individual driven toward competition and the acquisition of marketable credentials. The school community is thus a collective resource for self-aggrandisement.

For the consumer citizen to operate, two conditions need to be met, namely, that of choice and that of the ability to control the product by virtue of the fees contributed. The first condition operates in the South African context through 'conditioned or constrained' choice which feeds into the privileging of the middle class. In other words, the choice that is available for all South Africans is conditioned or constrained by the principle of 'soft zoning'

which privileges pupils from the immediate school locale. In the context of South Africa's unequal racial geography this gives preference to those who have been privileged and the newly-emerging elite who are able to move to such areas. Constrained choice in the South African context ties in neatly with the stratification reproduced by market relations which the SASA opens up.

Second, where parental contribution is high and significant, the parent consumer is likely to be interventionist in nature. This is clearly the case. However, the one key clause that the Parliamentary Committee removed from the Act was that which gave parents the right to determine the school's admission policy. In theory, no child can be denied access to a school due to user fees. The exemptions policy (DoE 1998) stipulates the conditions and process for both parents and schools to follow in the event of a learner being unable to afford the user fees. However, the key problem surrounding the exemptions policy is at the level of implementation. First, the conditions for fee exemption do not, in the absence of any monitoring mechanism, prevent schools from 'screening out' those who are unable to pay. Thus, the main beneficiaries are likely to be parents who already have children in high fee-charging schools. Second, the NNSSF document shifts the onus for determining who is exempt and who is not to school governing bodies. In so doing, the school bears the responsibility for exclusion rather than the state. The state thus recedes as an active interventionist agent and passes the responsibility for ensuring equity and redress to individual school governing bodies. Third, the NNSSF document assumes a high degree of knowledge on the part of parents, which would enable them to apply for exemption. This is likely to benefit the middle classes, who possess the necessary capital to manipulate the system to their advantage.

The SASA introduces particular notions of parents, privileging the notion of the parent as consumer. Public education and the participants therein begin to structure their interactions on the basis of market logic. In this context, the distinction between the public and private is blurred as the patterns of interactions that are likely to govern public schooling in South Africa will reflect that of consumers in the market place. This is the case in many schools in South Africa.

The SASA and NNSF texts thus not only reconstitute the basis of citizen choice and participation at the institutional site. They also reduce, at one level, the degree of leverage the provincial site has over the school. In this respect, the texts open up a possible conflictual relationship between the provincial and institutional sites, which, consequently, further isolate the state at centre from the effects of struggles. At another level, SASA, in circumscribing the actions of provincial sites, opens up the possibility of conflict within the state between the centre and the provincial sites.

5 The case of ‘No fee schools’ in South Africa: Amendments to the NNSF to promote equity?

The preceding sections have analysed how state policy unfolded in relation to equity and participation. While there were many gains there was a clear recognition from both within and outside of the state that there was essentially a two tier education system in South Africa, one catering for the wealthy (which also still remained white) and one catering for the poorer (which still remained black). Do the current amendments (the Amended National Norms for School Funding (ANNSF, DoE 2006) which became effective on 1 January 2007), signify a departure of the state policy identified earlier? Do the no fees policies though signal a more interventionist state policy and a significant attempt at addressing existing inequities? In particular, does the state intervene with the marketisation of education and fulfil its pro poor and human rights mandate. We attempt to examine these issues by analysing the no fees schools policy in the current document.

The Amended National Norms and Standards for School Funding (DoE 2006) amended the previously published National Norms and Standards for School Funding (DoE 1998) and the proposals for amendments gazetted in 2004. The document covers aspects of public funding including the public funding of public schools, school fee exemptions policies and public funding for independent (private) schools. The text of the document itself details various aspects of the aforementioned areas. There are also sections on the policy framework and implementation. Various aspects of state policy about public funding are specified in the document. State funding to public schools is provided in two forms; personnel expenditure and non-personnel expenditure referred to as the school allocation. Personnel expenditure remains unchanged in the current policy, with the major change being the school allocation. The current ratio of personnel to non-personnel expenditure is set at 80:20 (DoE 2006).

The school allocation is developed using five considerations. These include; the rights of learners, the minimum basic package to ensure quality education, prices of goods and services, national distribution of income difference and poverty, and finally the state budget (DoE 2006, 25). The document specifies what items are covered by this allocation (DoE 2006, 25). The majority of the items specified, fall into what can be termed running costs (stationery, maintenance, services like electricity, etc.) with learning support materials like textbooks, the only item more directly related to learning. The WCED recommends that 60% of the allocation be used to purchase textbooks with the target being a textbook for each subject for each learner (Western Cape Education Department 2007c).

Previously all schools had to complement the state school allocation by the collection of school fees. In current policy, a fee charging school (previously all schools) can now apply to the Provincial Education Department (PED) to be declared a no-fees school, should it qualify. This would entitle the school to an increased allocation by the state to offset revenues previously generated through school fees. The lists of no-fees schools are determined provincially by the PED, using a standard national procedure. Each school is assigned a poverty score using data from the community in which the school is located. The three poverty indicators utilised for this purpose are income, unemployment rate and level of education of the community which are weighted to assign a poverty score for the community and school. It will then be assigned to one of the poverty qualities determined nationally (*see table one below*). The middle quintile R554, is referred to as the adequacy benchmark and the schools will receive either; this minimum amount or more (the no-fees schools) or less (the fees schools) than this benchmark depending on where they fall. These amounts refer to per learner allocation, per school category and information is provided on the per learner amounts for 2007 – 2009 (Column A); the national percentages per quintile (Column B) and Column C specifies, “the maximum percentage of learner in each national quintile that could be funded to the no fee threshold level” (DoE 2006, 31). Schools falling in quintiles 1, 2, and 3 (the poorest, i.e. no-fees schools) would receive allocations of R738, R677 and R554 per learner respectively and 100% of learners would be covered in these categories. The percentage of learners who receive these allocations also differs. The allocation would target respectively, 30%, 27.5% and 22.5% of learners in quintiles 1, 2 and 3. By comparison, richer schools (fee schools) would now receive less than the adequacy benchmark of R369 and R123 for quintiles 4 and 5 respectively.

Table 1

	A	2007		2008		2009	
		B	C	B	C	B	C
NQ1	30.0	R738	100%	R775	100%	R807	100%
NQ2	27.5	R677	100%	R711	100%	R740	100%
NQ3	22.5	R554	100%	R581	100%	R605	100%
NQ4	15.0	R369	67%	R388	67%	R404	67%
NQ5	5.0	R123	22%	R129	22%	R134	22%
Overall	100.0	R492	89%	R517	89%	R538	89%
No fee threshold		R554		R581		R605	

Resource allocation will also differ for different provinces and nationally determined poverty tables are used to guide the school allocation (*see table two below*). For example, the Eastern Cape is identified as the poorest province, with 34.8% falling in quintile one (most poor) compared to the Western Cape (least poor) with only 6.5% falling in quintile one. The PED targets for each province would therefore differ, 34.8% for the Eastern Cape and 6.5% for the Western Cape.

Table 2

	2007		2008		2009	
	A	B C	B C	B C		
NQ1	30.0	R738 100%	R775 100%	R807 100%		
NQ2	27.5	R677 100%	R711 100%	R740 100%		
NQ3	22.5	R554 100%	R581 100%	R605 100%		
NQ4	15.0	R369 67%	R388 67%	R404 67%		
NQ5	5.0	R123 22%	R129 22%	R134 22%		
Overall	100.0	R492 89%	R517 89%	R538 89%		
No fee threshold		R554	R581	R605		

Exemption Policy

The fee exemption policy was viewed as a way of ensuring that access was not denied to any pupil and parents of learners had the opportunity to apply for a full or partial exemption at any school, and applied to richer and poorer schools (DoE 1998). With poorer schools now being declared no fees schools, exemptions only apply to fee-charging schools. The exemption policy is revised from the previous document and it is claimed that it is more user friendly. Learners who are poor can apply for exemptions from school fees at fee-charging school. The criteria and procedures for this are specified in the document. There are two major classes. The first is an automatic exemption for two categories of learners; orphans or abandoned children, and those receiving a poverty-linked state social grant. Parents in this group qualify for a full exemption. The second class is not automatic and parents may be granted a full or partial exemption based on parental income in relation to school fees. The proportion of parental income to school fees is determined by a set formula which schools need to utilise, upon receiving a written application from a parent. Exemptions in theory permit even the poor to attend rich or fee charging schools (DoE 2006).

A pro-poor policy?

Given the enormous inequalities in state expenditure in the pre-apartheid period, achieving equity was always going to be a major challenge. Current reviews (Fiske and Ladd 2006; Motala 2006) concur that there have been enormous gains in racial equity in terms of state per capita expenditure per pupil. What is more contentious is the extent to which redress (or differential spending) has been achieved. Motala (2006) provides a convincing account of why equity cannot be measured by state per capita expenditure per pupil. When school fees

are added to per capita expenditure per pupil, there are enormous inequities between schools. She concludes that the fees policy continues to benefit the previously advantaged and a 'new deracialised middle class'. What then are the likely consequences of the no-fees policy within this context?

The recognition of the two-tier system that developed as a consequence of the fee policy is acknowledged in the document and is viewed as an unintended outcome of the policy.

“Ironically, given the emphasis on redress and equity, the funding provisions of the Act appear to have worked thus far to the advantage of public schools patronised by middle-class and wealthy parents. The apartheid regime favoured such communities with high-quality facilities, equipment and resources. Vigorous fund-raising by parent bodies, including commercial sponsorships and fee income, have enabled many such schools to add to their facilities, equipment and learning resources, and expand their range of cultural and sporting activities. Since 1995, when such schools have been required to down-size their staff establishments, many have been able to recruit additional staff on governing body contracts, paid from the school fund” (DoE 2006, 10).

These acknowledgements and the interventions that follow from this are clearly progressive measures. The primary interventions, i.e. the promised shift in inter-provincial funding (the poorest provinces will receive more) and greater school allocations for the poorest pupils, are clearly pro-poor. The promised support for poorer provinces consolidates the gains made in inter-provincial equity in the post-apartheid period (Fiske and Ladd 2006). More importantly, the differential allocation is a significant departure from previous policies that focused on equalising state per capita expenditure per child. It is an acknowledgement that the poor need greater support, but also that the apartheid legacy of this poverty remains. These measures therefore bode well for the poor and can facilitate greater financial inclusion.

The extent to which these measures address the two-tier system and start to level the playing fields is a significant concern and two questions can be raised. First, how are these pro-poor policies connected to policies that exclude, like the fees policy? Secondly, is the allocation adequate? The answer to the first question is dependent on the position taken on the fees policy. Fiske and Ladd (2006), in their review, argue that the intended goals of the fees policy, like forestalling a flight from public schools and retaining islands of excellence, have been

achieved. Motala (2006) on the other hand points to the vast inequities that developed as a consequence of the fees policy, something that is acknowledged in the current document. These differing positions may explain (in light of the recognition of the two tier system) the curious assertion in the current document, “[o]n the side of policy, it became clear that though the 1998 policy was fundamentally correct, certain policy improvements were needed” (DoE 2006, 26). As suggested by Porteus (2003) it is more helpful to explore how processes that have been designed to include have resulted in different forms of exclusion. The exclusion that has been a consequence of the fees policy continues to exist and can this co-exist which a policy intended to reverse it by targeting the excluded schools? The different positions on the fees policy; contamination (Motala 2006) or abandonment (Fleisch and Woolman 2004; Roux 2003), and the way the policy may unfold makes an answer unclear at this stage. The likely scenario is that richer schools will simply increase fees to offset lost state allocations thereby excluding even more of the poor and there is nothing to suggest that the current policy can reverse this process. As Reschovsky (2006) points out, international experience suggests that this “Robin Hood” financing system is likely to be subverted by those who pay.

While South African discourse on the financing of education is not at the stage at which benchmarking in terms of adequacy can take place (Amsterdam 2006), questions can be raised about whether the costing per learner is adequate and correctly channelled. A body of evidence emanating from the Education Law Project at the Centre for Applied Legal Studies has consistently shown how the current costing per learner unit is underestimated (Roux 2003; Veriava 2005; Wilson 2004). No fees technically do not amount to no fees for the poor, as costs like transport and uniform are not added to the cost and form a significant part of poor households’ income (Roux 2003; Wilson 2004; Veriava 2005). It is unclear therefore how R554 is determined as the adequacy benchmark and how this was costed. It seems to have been drawn from the 2003 review but there appears to be no clear link between the estimates provided in the review, the consistent concerns raised about undercosting and the current benchmark. As Wilson (2004) shows, the Department’s own estimates in its Plan of Action for Improving Access to Free and Quality Basic Education For All, place per learner costs between R600 – R1000, but R500 was chosen due to budgetary constraints. Tomasevski (2006) concurs that while a minimum is provided, it is below the actual cost of education.

What is perhaps most significant is that adequacy is confined only to non-personal recurrent expenditure. This is specified as follows: “*As a policy target, based on both local and international evidence, the Ministry of Education has determined that personnel: non-personnel spending in ordinary public schools should be of the order of 80:20*” (DoE 2006, 8). The reference to the local evidence is surprising given the evidence on the current inequities in education. Wilson (2004) drawing on departmental data, cites the provisional budgetary allocation as R1 billion for 2001, with private fees amounting to R3.5 billion for 2002, with 90% being generated from the richest schools. Jansen and Amsterdam (2006) argue that the playing fields are not level and differences in the number and quality of personnel at high income schools remains the significant divide between high and low income schools. Motala’s (2006) work convincingly shows how fees allow high income schools to alter teacher-pupil ratios and attract better qualified personnel. The resource divide extends into all areas of schooling and includes personnel and infrastructural resources and unless substantially more funds can be channelled to address these, current inequities will remain.

Education is an unqualified right?

The section discussing the policy framework is short, but telling. It opens with and foregrounds the right to basic education as stipulated in the constitution of the Republic of South Africa. The Bill of Rights, in the Constitution of the Republic of South Africa, 1996 (No. 108 of 1996) establishes the right to education in these terms:

“*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 (Section 29(1))*” (DoE 2006, 7).

The inclusion of these clauses from the constitution can be interpreted as indicating that these are central to policy formulation and that the various policy measures (like differential funding for the poor, fee exemptions) are pro-poor and help realise this right. Rights are presented as being unconstrained, with exemptions permitting access even when school fees are charged. The following quotes illustrates this, “*School fees must not be allowed to become an obstacle in the schooling process, or a barrier preventing access to school*

especially as far as the most marginalised are concerned” (DoE 2006, 45). This message is reinforced by suggesting the no-fees policy and exemptions policy protects the marginalized, as the paragraph continues, *“Effective criteria determining which schools should not charge fees, as well as an effective exemptions policy to protect those who are less advantaged economically within fee-charging schools, are of utmost importance”*, (DoE 2006, 45).

The critique of the state’s interpretation and implementation of the right to education has been consistently documented (Roux 2003; Wilson 2004; Veriawa 2005) and two key issues are highlighted here. First, the policy implementation divide is too big for education to operate as an unqualified right. A range of constraints like, the exemptions policies in practice, fees, costing, etc. significantly impact on the ability of the poor to fully access education. The key argument emanating from this position suggests that the constitution confers education as an unqualified right and any overt or covert constraints that restrict this right, do not fulfil this constitutional mandate (Roux 2003; Wilson 2004; Veriava 2005). For example, school fees exemptions remain a small portion of many schools (Fiske and Ladd 2006) and barriers such as School Governing Body (SGB) authority, the status of poor parents, geographical barriers (Roux 2003; Wilson 2004; Veriava 2005) all serve to make exemptions a small part of the access to education picture. Second, policies have been formulated within the parameters of the national budget and macro- economic policies, rather than a constitutional mandate. Mechanisms like the fees policy are premised on the assumption that resources for education are limited and must be provided without any changes to a macro-economic policy. Tomasevski (2006) argues that the fiscal restraint runs counter to the realization of education as a human right. Roux (2003, 2) succinctly captures this as, *“ [t]he constitution does not say that South Africa’s macro-economic strategy is the supreme law of the republic, and everything that government does must necessarily fall in line with this strategy”*.

The arguments and evidence reviewed suggests that instead of a policy structuring device as claimed, it appears more likely, that the “...state has used rights discourse to shape up its ailing legitimacy as an agent of pro-poor change, while conditioning the specific right in play to fit in with its pre-existing policy choices” (Wilson 2004, 446). Like Jansen (2004), he argues that this ‘re-definition’ serves as a rhetorical and symbolic device, rather than (as claimed) a policy structuring device. According to Wilson (2004), current state interpretation of rights and pro-poor discourse in education, serves to silence critics, limit social change

and promote ideological legitimacy for conservative fiscal policies that have widened the gap between rich and poor in post-apartheid South Africa.

Governance and the no-fees policy

We have argued that the form of citizen participation that emerged was largely that of a self-interested, utility-maximising rational, consumer citizen. Particular notions of participation were evoked that confined participation to school level administrative functions. This position remains unchanged in the current policy as our analysis indicates. This conclusion is quite different from the stated policy position which presents governance as a form of empowerment. This is specified as “[g]overnment sees the school allocation as a key means of empowering school communities, and realising democracy at the level of the school. It is important for the local level to participate in decision-making relating to what non-personnel inputs to purchase for particular schools. For this reason, government supports the gradual transfer to the school level of decision-making powers relating to the school allocation.” (DoE 2006, 25) Does the policy in fact deepen democracy and promote empowerment or is it more accurately represented as a decentralisation process related to the privatisation of education?

The various clauses in the document pertaining to governance are interesting in the way the governance discourse is presented and highlight different issues. One of the most striking points is the transfer and imposition of responsibility for finances and quality to schools, as the following quotes illustrates. “*The SASA imposes (our emphasis) a responsibility on all public school governing bodies to do their utmost to improve the quality of education in their schools by raising additional resources to supplement those which the state provides from public funds (Section 36). All parents, but particularly those who are less poor or who have good incomes, are thereby encouraged to increase their own direct financial and other contributions to the quality of their children’s education in public school*” (DoE 2006, 10). A parental obligation is clearly specified with respect to school fees. “*Furthermore, if a majority of parents vote in favour of school fees, each parent is responsible for paying the required fee, unless an exemption has been granted, and unless the school has been declared a no fee school*” (DoE 2006, 12). SGB responsibility is highlighted and clearly linked to financial management. This is stipulated as, “*parents of learners at a public school, therefore, carry serious responsibilities with respect to the determination of a school’s budget, its*

sources of revenue, and (if fees are charged) the level of fees and the conditions for exemption of parents from fee paying” (DoE 2006, 12).

The governance policy remains unchanged and two key issues can be identified. Firstly, governance appears to be inextricably linked to management rather than democratisation. While SGBs potentially could operate as spaces for civic participation, the imposition of responsibility for management tasks is highlighted in the document. Responsibility for finances and quality is being devolved to schools as management, rather than empowerment functions. The unfolding of this space is well documented. Roux (2003) and Wilson (2004) question whether parental participation like voting on budgets and school fees amount to substantial participation. Secondly, SGBs at the wealthier schools have used various overt and covert criteria to exclude the marginalised. Very few of the previously ‘white’ schools reach the 35% critical mass of students of ‘colour’ stipulated (Soudien 2003). SGBs are constituted from the demographics of the school and given the ‘race and class’ composition of schools, the voice of the poor is unlikely to be heard in these schools. SGBs retain significant power in decisions like exemptions from school fees, the decision to charge school fees and the level at which to set fees. SGBs remain spaces for exclusion, rather than inclusion. (Sayed and Soudien 2005).

The discourse on deepening democracy and civic participation, it can be argued, is symbolic. Similar to other areas, the decentralisation and the commodification of education has actually served to constrain space for civic participation. In an analysis of consultation in higher education, Barnes (2006) concludes that there has been a distinct shift in civic participation in the post-apartheid period. Her work demonstrates how broad based consultation and vigorous civil society participation have been replaced by elective stakeholder participation. Key educational decisions remain squarely in the sphere of the state and the current policy does not appear to be any different.

Decentralisation and quality education

While considerable attention has been paid to the extent to which the fees policy relates to equity, less attention has been paid to the fees policy and quality. Jansen and Amsterdam (2006) suggest that efficiency is a useful and necessary addition to the South African education financing discourse. Equity markers give an indication that expenditure is being equally distributed (or redistributed), but do not reflect whether these inputs make a difference to educational outcomes. This is however a complex and contested area, and Porteus (2003) useful accounts of some of the debates. The debate is wide-ranging and there is much contestation about what processes make ‘quality’ education possible. For the purposes of this paper two key questions can be identified. First, are inputs correctly channelled to produce the required outcomes? Second, what is the relationship between the input and the system’s processes that may either facilitate or prevent successful outcomes.

The document makes frequent references to quality as captured by the following statement, “*Moreover, the school allocation is primarily and exclusively intended for the promotion of efficient and quality education in public schools*” (DoE 2006, 27). What is striking about this statement is the association between the school allocation and ‘quality education’. This assertion is of concern and belies the complexity of the input-outcome relationship. The evidence is mixed, with some (Hanushek 2003) suggesting that the inputs do not necessarily improve quality, while others suggesting that inputs do matter for poorer schools (Case and Deaton 1999). Van Der Berg (2005) excludes richer schools in his analysis and concludes that inputs do not make a difference for outcomes in poorer schools. What is perhaps clearer is that quality education depends on a careful consideration of both inputs and process.

A range of factors that influence outcomes have been identified (Hanushek 2003; Van Der Bergh 2005) and remain a matter of debate, but it may be helpful to assess whether the allocation addresses the more immediate significant process factors. Jansen (2004) suggests that the, “*...associational evidence is strong and should guide planning: high performing schools are associated with qualified experienced teachers, accessible textbooks and learning materials, and the optimal use of instructional time*”, (Jansen 2004, xiii). The focus of the current policy is out of step with this conclusion. Learner materials and textbooks is the only item more directly related to ‘quality’. Moreover, it is also open to provincial and school stipulation in terms of how much can be spent on this item. The inability to substantially

address the factors identified above is likely to compromise outcomes and maintain inequities.

While future research needs to address the complexity of the input-output relationship to maximize quality outcomes, it may be helpful at this point to examine the policy-practice disjuncture. Specifically, can the current educational system implement the policy change required? Put differently, will the resources even be available to produce quality outcomes? It is too early to assess the implementation of the policy and this section confines itself to some of the issues emerging from selected sources like newspapers and stakeholders such as teacher unions and civil society organizations.

The unfolding of the no-fees schools policy is dependent on PED capacity to implement and monitor the policy. Care is taken in the document to detail the resources required by PEDs as well as some of the outcomes required to ensure accountability (DoE 2006). However, PED capacity to perform these functions has been consistently questioned. Concerns about PED functioning relate to the accurate dissemination of information, communication with schools, monitoring and administrative inefficiency (Jansen and Amsterdam 2006). Jansen and Amsterdam (2006) point to the general report of the Auditor General for the financial year ended, 31 March 2004, highlighting these difficulties. The emerging evidence suggests that these problems remain.

An article in the Mail and Guardian (Macfarlane 25 May 2007) that interviewed school principals reports that one principal asserted that “the no fee act hasn’t been passed, I heard the minister is still trying to get it passed” (it became effective on 1 January 2007). Another added that, “her school was only due to become a no fee school next year and this year, only pilot schools were affected”, (there was no pilot project). There have also been concerns about the way in which the Kwazulu-Natal Department of Education implemented the policy. The policy has been misunderstood by some to mean that additional funding will be set aside for no fee schools in addition to the allocation specified in the National Norms and Standards for School Funding document (Kwazulu-Natal Department of Education 2006). A significant concern in terms of the monitoring was the extent to which schools may continue to charge fees in spite of being declared no-fees schools. As late as May 2007, media reports still continued to raise the issue (Macfarlane 2007b). Citing data from the Learner

Representative Forum (LRF), the article reported that as many as 44 schools were still charging fees and 16 of these visited by the LRF confirmed that they were.

The delay in the process of gazetting the policy appears to have continued in the release of provincial funding timeously. The Mail and Guardian (Macfarlane 2007a) documents numerous reports of delays in payment, a fact confirmed by Duncan Hindle, Director General of the Education Department in the same report. In his response, he cites it as a, “transitional problem during this first year of implementation.” The reliability of the information supplied by the PED’s is also of concern. For example, two media releases for the Western Cape Education Department are revealing in the number of errors they contain. The first release reports that there are 654 no fees schools representing 36.65% of schools in the province (Western Cape Education Department 2007a). The second report cites it as 652 with the respective percentage of 45% from a total school figure of 1452 (Western Cape Education Department 2007b). The second release also reports that there are 345 000 learners at these schools representing 38% of learners in the Western Cape (Western Cape Education Department 2007b). While the number of schools is not supplied in the second release, the difference translates to about 98 schools (if accurate). By comparison, the Minister of Finance’s report (2007), cites the percentage as 14% of learners and a figure of 132 560 learners. The latter figure is assumed to be correct as this is consistent with the figure reproduced in the Government Gazette (DoE 2007).

6 Conclusion

Equity and redress, understandingly, has been the major impulses for education transformation in South Africa. The extent to which the policies of education decentralisation in relation to the governance of school promotes equity and redress is, as this paper argues, open to question. While many questions remain unanswered about the extent to which post-apartheid education transformation can be regarded as pro-poor, a number of policy conclusions emerge. First, decentralisation, as the South African case illustrates, is not a panacea for enhancing participation, effecting equity, and/or improving quality. The extent to which policies of education decentralisation can and do achieve such goals is as much a matter of implementation as it is a matter of how the policies are constructed and what assumptions are inscribed in their articulation. Second, the South African case strongly illustrates the fact that policies of education decentralisation cannot easily affect equity in

societies with a high degree of social inequity. Some scholars have suggested that policies of education decentralisation are most likely to succeed in societies that already have a high degree of social equity. In addition, it could be argued that effective education transformation relies on an active and interventionist state which has the political will and capacity to monitor and regulate institutional level actions. Third, ambitious education programmes are only effective to the extent that institutions are able and committed to engage with processes of change. In many instances the capacity of the state to deliver policy frameworks outstrips institutional level capacity to implement them. The story of education policy in South Africa is one, as many analyses have argued, a disjuncture between rhetoric and reality. Finally, the South African case suggests that fee charging at the school level is not a policy that has engendered greater equity in South Africa. The extent to which the no fee school policy can achieve greater equity remain an open question. Notwithstanding these observations, the post-apartheid education policy has made significant strides in deracialising education. The challenge remains of tackling the deep seated and endemic inequities in society in general and education in particular.

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