

**EDLS018**

**Educational Leadership in South Africa**  
**Lecture 3**  
**Legal and policy reform since 1980**

Institute of Educational Leadership  
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(The policies and laws touch on all the interrelated sectors of the education system: ECD, General Education and Training, Further Education and Training and Higher Education as well as sub-divisions such as Inclusive Education)



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- 1) The De Lange (HSRC) Commission 1981
- 2) The Constitution of 1983
- 3) The Education Renewal Strategy
- 4) The ANC Framework for Education and Training Policy
- 5) The ANC Implementation Policy for Education and Training
- 6) The Interim Constitution of 1993
- 7) White Paper on Education and Training I
- 8) South African Qualifications Authority Act, 1995.
- 9) The Constitution of 1996 and human rights applicable to education



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- 10) The National Education Policy Act of 1996
- 11) The South African Schools Act of 1996
- 12) The Higher Education Act of 1997
- 13) The Further Education and Training Act of 1998
- 14) The Employment of Educators Act of 1998
- 15) Education White Paper 6 ("Inclusive Education")
- 16) Norms and Standards for Public School Funding
- 17) Outcomes-Based Education, Curriculum 2005, NCS and RNCS

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**1 The De Lange (HSRC) Commission 1981**

This was an investigation commissioned by the then government to investigate the provision of education to **all South Africans**. It recommended the formation of a single department of education but the Constitution of 1983 provided for a number of departments. It recognized commonalities as well as own affairs.

**2 The Constitution of 1983**

Although this Constitution gave the vote to Coloured and Indian people and made provision for common and own affairs of all population groups, the White Paper on Education and Training (1995) points out:

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**2 The Constitution of 1983 continued ...**

- The historic pattern of (education) organization has changed many times during a century and more of public educational provision, but from the viewpoint of the majority of the population, it has always been the case that schools and colleges were ethnically segregated and ultimate control of funds and policy was retained by White central governments. From 1983, education was organized through the three separate "own affairs" services of the tricameral parliament, for Indians, Coloureds and Whites respectively (the latter being organized in four semi-autonomous provincial departments), with provision for the Black population being divided between six self-governing territory departments, a central government department administering education for Africans living in the "White RSA", and four nominally independent state departments. A "Department of National Education" controlled policy and budgetary allocations on behalf of the central government.

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**2 The Constitution of 1983 continued ...**

- All these separate systems operated in more or less total isolation from each other, except at the level of top management. Mutual ignorance has therefore been the norm, even between teachers and administrators working virtually side by side in neighbouring systems within the same city, town or rural village.

**3 The Education Renewal Strategy**

This was published in 1992 by the then regime and it recognized for the first time that race was not a valid basis on which to differentiate provision of education to people.



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**4 The ANC Framework for Education and Training Policy**

The Framework states that the education and training system under apartheid has been characterized by three key features. First, the system is fragmented along racial and ethnic lines, and has been saturated with the racial ideology and educational doctrines of apartheid. Second, there is lack of access or unequal access to education and training at all levels of the system. Vast disparities exist between black and white provision and large numbers of people, in particular, adults, out-of-school youth and children of pre-school age, have little or no access to education and training. Third, there is a lack of democratic control within the education and training system.



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**Of course democracy means whatever people take it to mean. The interpretation of “democratic control” has led to conflict between the government and the unions and has led to conflict on what a right means and whether rights are linked to responsibilities. One can also distinguish between constitutional democracies and social democracies etc.**



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**The Framework proposed the following principles**

- The state has the central responsibility in the provision of education and training.
- The provision of education and training shall be planned as part of a coherent and comprehensive national social and economic reconstruction and development programme, including a national strategy for the development of human resources, and the democratization of our society.
- A nationally determined framework of policy and incentives shall ensure that employers observe their fundamental obligation for the education and training of their workers.
- Education and training policy and practice shall be governed by the principle of democracy, ensuring the active participation of various interest groups, in particular teachers, parents, workers, students, employers, and the broader community.



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**The Framework proposed the following principles continued ...**

- In the process of ensuring education and training for all, there shall be special emphasis on the redress of educational inequalities among historically disadvantaged groups such as youth, the disabled, adults, women, the unemployed and rural communities.
- There shall be mechanisms to ensure horizontal and vertical mobility and flexibility of access between general formative, technical, industrial and adult education and training in the formal and non-formal sectors.
- There shall be nationally determined standards for accreditation and certification for formal and non-formal education and training, with due recognition of prior learning and experience.



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**The Framework proposed the following principles continued ...**

- The education process shall aim at the development of a national democratic culture, with respect for the value of our people's diverse cultural and linguistic traditions, and shall encourage peace, justice, tolerance and stability in our communities and nation.
- Education shall be based upon the principles of co-operation, critical thinking and civic responsibility, and shall equip individuals for participation in all aspects of society.

It is clear from documents that followed after the Framework that it had a profound impact on the thinking of all decision- and policy makers.



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