

ACADEMICS UNION

Comments from individual members of the Academics' Union Are given below:

For what it is worth my basic concerns and thoughts that have been raised through various conversations:

1. The potential use of the document to drive fake-news (this has already been seen) unless it is carefully qualified,
2. The possible requirement for factual verification in as much as some of the assertions made in the document may have been contextualised in grievance processes, this context may or may not have qualified the assertions e.g. who said what, where and when – the specific calling out of people and departments without qualification can be seen a problematic,
3. The moral hazard associated with conflating live-experiences (qualitative and subjective) as a factual basis for quantitative and objective truth, when it is know that response based studies or surveys can be biased, and then through positive feed-backs drive polarisation,
4. The opportunity created by the process and document for short-term prestige markets for particular political perspectives that may be counter-productive for long-term transformation at the institution, and hence counter-productive to the key social good that the IRTC was aimed at,
5. The key objective of the IRTC was student amnesty, venturing beyond that objective has moral hazard.
6. The broad outcome is agreed with; however, concrete and specific actions to be taken and the realism of these remain unclear, the document is unclear on how response based live-experiences can actively inform decision making at the collective, and hence institutional level. On an individual case-by-case basis the perspective changes, this merely reinforces the critical role played by the grievance processes, and transformation processes within the institution, and as such the pivotal role played by the academic union in intermediating the institution with its individual components in a manner that is focused on the “terms of employment” rather than various political perspectives.

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The submissions to the IRTC inform its outcome, hence for me there are glaring gaps in the data. Proper research outside of these submissions would inform us of the conspiratorial truths and or untruths of the involvement of other forces, political and personal that may have stimulated and funded student action including the transportation of human excrement and erection of a shack on campus. The assumption is that FMF and RMF were entirely student initiatives driven by charismatic student leaders, some of whom may soon be representing us in parliament. The document also notes that based on its findings, the commission has formulated a 'general recommendation' but does not qualify how it will conduct the research to drive future policy. I would hope that this document does not become the placemat for driving future policy. In my opinion, like the curriculum document, it is another expensive coffee table book to impress UCT and its clients that something is being done regarding transformation.

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The IRTC report endorses restorative justice, not just for the student amnesties it recommended, but in general. The IRTC expressly conceives of a restorative justice approach as excluding punishment.

Over the last few years, UCT Executive has used a restorative justice approach selectively. For instance, in some cases where it finds a staff-member has committed a serious violation of UCT rules it proceeds to discipline the staff-member and suspend or dismiss them, while in other cases it declines to do so, recommending instead that a process of restorative justice should proceed to repair relationships within a department or faculty.

The IRTC does not provide any help on how restorative justice should be integrated into UCT's general policies on violations of rules. Its only general recommendation for disciplinary proceedings in the future is that UCT should pay for legal representation for student defendants.

There's a danger that both the student amnesties and UCT Executive's selective use of a restorative justice approach are or appear unprincipled. There might, for example, be a perception that the university declines to apply its own rules in cases involving staff-members or students who it worries could harm UCT or its reputation.

So, if the university is going to accept the restorative justice approach which informs the IRTC amnesties, this is the time to ask for clear policy from UCT on its use of restorative justice in the future:

*What criteria must a violation by a student or staff-member meet, for the restorative justice approach to be suitable, rather than the normal disciplinary approach?

*Who decides whether these criteria are met, and what degree of transparency will there be as to the reasoning behind their decision?

[This comment was endorsed by 3 other members]