

FINAL

HESA'S PROVISIONAL RESPONSE TO THE DRAFT REGULATIONS FOR THE ESTABLISHMENT OF A NATIONAL INSTITUTE FOR THE HUMANITIES AND SOCIAL SCIENCES

1 BACKGROUND

HESA welcomes the Minister of Higher Education and Training's stated commitment to strengthening scholarship in the humanities and social sciences in South African Higher Education. We fully agree that the current research funding from what is commonly referred to as the National System of Innovation, at the apex of which is the Department of Science and Technology (DST), its agencies and the science councils, has not been sufficient to support the research in humanities and social sciences in our universities. To this end, we recognise the critical role that humanities and social sciences play in society's development, and that the overall health of these disciplines is in the national interest. Our comments therefore are aimed at encouraging government (through the Department of Higher Education and Training), Universities and the humanities and social science communities, and other relevant statutory bodies, to work together to strengthen the standing of humanities and social sciences in the National System of Innovation.

We note further that the Minister commissioned an initiative which led to the publication of the Charter for Humanities and Social Sciences in 2011 and that one of the main recommendations in the Charter report was the establishment of an "Institute of Humanities and Social Sciences". Public comments on the Charter report were invited and a conference was convened by the Minister to, amongst others, discuss the Charter. According to the Department of Higher Education and Training's website, "the Conference supported the establishment of the Institute as recommended in the Charter" and the "Minister has since initiated a pilot project to set in motion a process towards the establishment of the Institute". However, it is most unfortunate that the Ministry has not published its response to the public comments received on the Charter report, nor has it gazetted an overarching policy framework emanating from the Charter report and, in particular, regarding the Ministry's rationale for the establishment of an Institute of Humanities and Social Sciences, including its powers and functions, relationship to higher education institutions and other entities with similar functions and its funding, amongst others.

2 COMMENTS

The following sections provide HESA's recommendation with regard to the draft Regulations for the Establishment of a National Institute for the Humanities and Social Sciences (NIHSS) (Government Notice No 441 dated 19 June 2013). HESA would wish to suggest to the Ministry that the following matters be clarified in the regulations:

2.1 Mandate, powers and functions of the Institute

The mandate, powers and functions need to be clarified in relation to the role and functions of public Universities, National Research Foundation (NRF), Academy of Sciences of South Africa (ASSAF) and Council on Higher Education (CHE). In the current form as stipulated in

the draft regulations, the functions of the NIHSS are a collection of advisory, agenda-setting, executive, advocacy, training and development and grant making activities, many of which overlap with the statutory responsibilities of other organisations and structures in the national higher education and research environment. It should be noted that:

- The CHE is the advisory body to the Minister of Higher Education and Training and could be asked to provide advice on the humanities and social sciences.
- The NRF disburses funding for post-graduate study in all fields of study including the humanities and social sciences and has a dedicated operational structure to do so.
- ASSAF's mandate is to promote the sciences including the humanities and social sciences.
- Universities, through their own academics, are responsible for curriculum reform and staff development.

The connection between the scope of NIHSS functions and the same functions carried out by/in other organisations and structures is not evident in the regulations, thus opening up a new bureaucratic silo, potentially exacerbating problems of co-ordination and territorial insularity in the national system, and raising questions about the availability of human and budgetary resources to discharge the multiple functions of the NIHSS, many of which are performed by other dedicated structures in the system. There are also serious concerns about the curriculum development role of a statutory national institute and how this will play out in relation to the curriculum development responsibility and choices of academics and universities.

Against this background, HESA would like to propose that the functions of the NIHSS be critically reviewed to exclude any role in advisory and training and development activities, but rather focus on advocacy and grant-making activities. To this end, we submit that the following proposed functions be deleted, as they fall within the purview of universities:

- Develop innovative and path-breaking curriculum in Humanities and Social Sciences;
- Strengthen a student-centred culture in the higher education system and help create an environment where critical, analytical and normative capacities of students are released;
- Provide remedial and mentoring functions to faculties in Universities; and
- Advise the Minister on policy affecting teaching and research in humanities and social sciences.

In this way, the NIHSS will focus its work on “catalysing” the teaching of humanities and social sciences within universities. In addition, it is proposed that the other remaining functions be reformulated to focus the work of the NIHSS on advocacy, agenda-setting and grant-making activities.

Against this background, HESA therefore requests the Ministry to reconsider the functions, and in particular, to clarify the scope and powers of NIHSS with respect to each of the intended functions.

2.2 Governance

HESA notes from the draft regulations that the NIHSS will be governed by a board, consisting of a chairperson and not more than 12 ordinary members with voting rights. Given the powers and scope of other relevant organisations such as the NRF, ASSAF, CHE and Universities in the proposed scope and functions of NIHSS, HESA is of the view that such a Board should be established through the constitution of the substantive Board by the Director-General of the Department of Higher Education and Training, through a public call

for nominations of prospective Board members. It is our understanding that this is the commonly used procedure for the establishment of new statutory bodies. Regarding the composition of the Board, HESA requests the Minister to consider an amendment of Regulation 5(4) to read as follows:

“At least five of the members contemplated in sub regulation (3)(a) must be appointed from nominations received from the Deans of the Faculties of Humanities and Social Sciences of the public universities and the Academy of Science of South Africa (ASSAF).”

In addition, HESA would wish to request the Minister to consider the appointment of the Chief Executive Officers of NRF and HSRC (or their nominees) to the Board as ex-officio, non-voting members. The Director-General of the Department of Higher Education and Training (or his/her nominee) should also be an ex-officio, non-voting member of the Board.

Finally, in regulation 11(1) provision should be made for the establishment of an audit and risk committee.

2.3 Funding and organisational structure of the Institute

While HESA looks forward to the prospect of new investment by the DHET to support the humanities and social sciences, we are concerned that the Ministry has given no indication of the source of funding for the work of the NIHSS. However, we have since established that for the first year, the Institute would be funded through National Skills Fund (NSF), and a bid proposal has been developed for consideration for continued funding from the National Treasury. HESA urges the Ministry to give an indication of the source of funding for the work of NIHSS, as universities would be deeply concerned if the funding of NIHSS would be top-sliced from current and future projected allocations.

Assuming that the NIHSS will only be staffed by programme and administrative officers since the bulk of research work will be taking place in universities' faculties of humanities, HESA would like to request the Minister to indicate the envisaged organisational structure and size of the NIHSS in the draft regulations.

3 RECOMMENDATIONS

In summary, HESA would like to make the following recommendations for the Ministry's consideration. The recommendations are divided into two broad categories: (i) substantive recommendations; and (ii) process recommendations.

3.1 Recommendation on the substance of the regulations

Mandate, powers and functions of the Institute

- a. HESA requests the Ministry to reconsider the functions, and in particular, to clarify the scope and powers of NIHSS with respect to each of the intended functions, along the lines proposed under **2.1** in this document.

Governance:

- a. The Board of NIHSS should be established through the constitution of the substantive Board by the Director-General of the Department of Higher Education and Training, through a public call for nominations of prospective Board members.

- b. Regarding the composition of the Board, HESA requests the Minister to consider an amendment of Regulation 5(4) to read as follows: *“At least five of the members contemplated in sub regulation (3)(a) must be appointed from nominations received from the Deans of the Faculties of Humanities and Social Sciences of the public universities and the Academy of Science of South Africa (ASSAF).”*
- c. HESA would like to request the Minister to consider the appointment of the Chief Executive Officers of NRF and HSRC (or their nominees) to the Board as ex-officio, non-voting members. The Director-General of the Department of Higher Education and Training (or his/her nominee) should also be an ex-officio, non-voting member of the Board.
- d. In regulation 11(1) provision should be made for the establishment of an audit and risk committee.

Funding and organisational structure of the Institute

- a. HESA urges the Ministry to give an indication of the source of funding for the work of NIHSS in the regulations.
- b. HESA requests the Minister to indicate the envisaged organisational structure and size of the NIHSS in the draft regulations.

3.2 Process recommendations

In addition, HESA would like to make two process recommendations, for consideration by the Ministry:

- a. After the Ministry has collated and analysed inputs from the public and relevant stakeholders on these draft regulations, HESA would like to avail **two of its Board members** to support the Ministry in revising the draft regulations, in a way that addresses some of the concerns raised above.
- b. In order to build sufficient consensus among key role players on the powers and scope of the work of the NIHSS, HESA would wish to propose that a stakeholder workshop be convened by the Ministry during the month of September 2013 to discuss the next version of the draft regulations with a focus on clarifying the relationship between the NIHSS and such bodies as the Universities, NRF, ASSAF, and CHE.
- c. While HESA hopes that its comment and advice will be taken up in the revision of the draft regulations, it stands ready for further engagements in this regard.

4 CONCLUSION

Notwithstanding the comments above, HESA welcomes the Minister's commitment to adequately resource humanities and social sciences. We are committed to supporting the Ministry and the Department to achieve this objective. Finally, HESA is more than willing to meet with the Ministry's officials to discuss its response in detail.

END.