

GUARDIAN'S REFLECTION: THE *PSLR* AS A SITE FOR THINKING ABOUT COMMUNITY ETHICS IN THE UNIVERSITY

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In this reflection I draw on the *PSLR* Editorial Board's experiences to broadly think about our understanding of community within the university, and beyond. The purpose of this reflection is to remind readers of the *PSLR*'s significance and potential, and to encourage a radical rethinking of the type of university community we nurture.

1 Introduction

This publication is a rare find. There are very few opportunities for students to serve on editorial boards of academic journals so early on in their careers. Similarly, there are not many opportunities for student authors to build confidence in academic publishing by engaging with their peers as editors. Although no less serious than any other review and publication process, I believe this encounter between student-editor and student-author offers safer, less intimidating waters for authors to test and develop their writing and critical thinking skills. The *Pretoria Student Law Review (PSLR)* is a space where the voices and abilities of students are affirmed. This, I consider, to be an invaluable enterprise for the thinkers and makers of the world-to-come.

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With this special character of the journal in mind, the editorial board is asked to do more than just communicate with authors and reviewers, edit articles, and ensure the timely publication of a volume. They are also tasked with sustaining and growing a meaningful and instrumental vehicle for dialogue, knowledge production, and social change among young scholars. With a proper appreciation for the value and significance of this project, the *PSLR* is fertile soil for a rewarding and valuable human experience.

The *PSLR* faced many challenges and claimed just as many victories during the coronavirus pandemic over the past two years; emphasising the importance and value of community. The nature of the pandemic required that we physically distance ourselves from one another, with the unfortunate consequence of severing human connections at a time when they were most needed. Social distancing measures prevented communities from gathering and highlighted just how fragmented and fragile the world community is. For some, community was a source of strength and support during this frightening time. For others, the pandemic demanded a re-evaluation of their membership to their community and brought into question the meaning of community itself.¹ In this short reflection, I look at the university's conception of community – that is, the meaning of community and the system of ethical values that orchestrate human relations – and its implications for humane experiences.

2 The dominant conception of community within the South African university

Depending on where one looks, the definition and understanding of community, as well as the ethical values that regulate human relations in and between communities, will vary. This is because meaning, as Mogobe B Ramose points out, is both historical and contextual.² The idea of community and the ethical system that guides and ensures community wellbeing is experiential and culturally particular. According to H Odera Orika, the dominant cultural system in a heterogenous community can be understood as an ideological assertion.³ On this score, Orika writes that

[i]n every community there may be several competing ideologies but usually there is one common and dominating culture for the people.

- 1 For some examples of such reflections within the academe, see https://lareviewofbooks.org/article/quarantine-files-thinkers-self-isolation/#_ftn1 (accessed 17 September 2022). I am grateful to Tumelo Modiselle for sharing these essays.
- 2 MB Ramose 'In search of an African philosophy of education' (2004) 18(3) *South African Journal of Higher Education* at 150.
- 3 HO Orika 'Ideology and culture: The African experience' in PH Coetzee & APJ Roux (eds) *The African philosophy reader* (2003).

Every ideology spells out a possible cultural system which it posits as alternative to the cultures advocated by its rivals. The dominating culture is a result of the victorious ideology, it becomes both a theory and a practical form of life. It sublimates both as a living spiritual culture and the philosophy underlying the dominating culture in society. The dominating culture utilizes its underlying ideology as the official socio-political philosophy in the society.⁴

The university then, as a product and producer of community, is always faced with two pertinent questions: Firstly, *what* is the dominant cultural system and victorious ideology in the university community? And secondly, *should* this be the dominant culture and victorious ideology of the university? To answer the first question, one need only look at the content of the curriculum and the conditions of everyday university life. The second question is an ethico-political provocation – a question of historical justice – which then leads to more questions: in what way, *if any*, are universities in South Africa ‘African’ if these institutions are not grounded in African epistemologies, ethics, and culture? Said differently, what would universities in Africa look like if the meaning of ‘African’ was not taken for granted?⁵ But more importantly, what are the material, *real life*, implications of non-African universities for Black and white people in Africa and elsewhere? Is the dominant culture and victorious ideology in our contemporary university space oppressive, or liberatory? These are the questions justice demands we not only grapple with, but answer.

Ndumiso Dladla answers this call. He argues that ‘we *continue* to have [Western] universities in Africa, rather than African universities in Africa’.⁶ Institutions of higher education were, and still are, precisely where people are trained to (re)produce a ‘province of Europe’.⁷ This is as Western epistemologies, values, and ways of being continue to dictate the terms of knowledge and power in the South African university. This much is evidenced by the fact that the current curriculum includes the odd ‘African’ module or course, which can only mean that the rest of the curriculum is non-African – i.e., Western.⁸

As a response to student demands for the decolonisation of higher education and institutional culture, the Faculty of Law at the University of Pretoria (UP) in 2016 launched the Curriculum Transformation Drive.⁹ The aim of this drive was to remedy the

4 Oruka (n 3) 71.

5 See Ramose (n 2) 143-146.

6 N Dladla ‘Racism and the marginality of African philosophy in South Africa’ (2017) 18 *Phronimon* at 213. Emphasis added.

7 See SB Biko *I write what I like* (2017) at 148.

8 See Dladla (n 6) 212-213.

9 <https://www.up.ac.za/faculty-of-law/article/2291240/curriculum-transformati-on-framework> (accessed 22 September 2022).

marginalisation of indigenous knowledge systems and to cultivate a culture of critical thinking.¹⁰ Whether the university *can* undo its fundamentally (white) Western epistemological identity remains to be seen. However, in this reflection I wish to pay special attention to how the naturalisation of Western *ways of being*, i.e., culture, within the university affects affect, or the quality of human relations and experience. Put another way, I consider the ways in which a Western conception of community within the university normalises a culture of social disintegration.

Over the years the South African university has certainly made some strategic adjustments to mould to the dominant political temperament and economic agenda of its time. Originally the exclusive domain of European settlers who sought to preserve ties to the metropole, the university, in what came to be known as 'South Africa,' eventually admitted Africans into its ranks in order to stabilise and swell the racial capitalist enterprise and rid Africans of their 'barbarism'.¹¹ In our present moment, the purpose or mission of the Western university is to produce a steady supply of so-called 'skilled' labourers that service a fundamentally racist neoliberal capitalist structure.¹² To this end, the institutional culture of the South African university is characterised by what Wendy Brown describes as a 'neoliberal rationale'.¹³ She explains that

neoliberalism is a governing social and political rationality that submits all human activities, values, institutions, and practices to market principles. It formulates *everything* in terms of capital investment and appreciation (including and especially humans themselves).¹⁴

Within the neoliberal order then, human relations are governed by a supposedly deracialised economic schema that not only glorifies individual success; fragmentising communities and communal resources to maximise the profits of a small elite. No, this order also reduces human encounters to transactions and transforms humans themselves into atoms of capital. The neoliberal university is then driven and managed by an ethics of economic competition, premised on the logic of killing one's opponent even when killing is avoidable or unnecessary.¹⁵ The prioritisation and monopolisation of projects based on market factors – such as the potential to generate profit, enhance the university's ratings and rankings, or the ability to attract

10 See https://www.up.ac.za/news/post_3018862-every-field-of-study-requires-regular-renewal-reinvention-and-new-knowledge-up-law-professor-on-curriculum-transformation (accessed 22 September 2022).

11 Dladla (n 6) 209-213.

12 See S Terreblanche *Lost in transformation* (2012).

13 W Brown 'Neoliberalized knowledge' (2011) 1 *History of the Present* at 118. Emphasis added.

14 As above.

15 See Ramose (n 2) 157; MB Ramose 'Better see than look at Ramose: A reply to Cees Maris' (2022) *South African Journal of Philosophy* at 17-19; MB Ramose 'Globalization and *ubuntu*' in Coetzee & Roux (n 3) 750-752.

donors – is characteristic of this neoliberal logic. For example, I submit that the use of competitive market-orientated language employed by UP to describe its ‘vision, mission, and values,’ is illustrative of this ethics of competition that underpin a neoliberal rationality.¹⁶ Perhaps the most explicit example of this logic is where staff and students are described as UP’s ‘core assets’.

Within a neoliberal paradigm, the university’s conception of ‘community’ mirrors that of a business firm.¹⁷ It operates with a Western understanding of community, which Ifeanyi A. Menkiti describes as

nothing more than a mere collection of self-interested persons, each with his private set of preferences, but all of whom get together nonetheless because they realize, each to each, that in association they can accomplish things which they are not able to accomplish otherwise.¹⁸

This conception of community might get the job done if the job is focused on the final product and unconcerned with the conditions under which the job is completed. The question then is whether it is *at all* possible for the university claiming to be committed to African knowledges and ways of be-ing which ‘promote[s] life and avoid[s] killing’ to subscribe to an economic fundamentalist dogma premised on the licence to kill?¹⁹ In the section that follows, I think through how this Western neoliberal, individual-centred conception of (university) community shaped the *PSLR*’s experience over the past year.

3 What the *PSLR* reveals

The *PSLR* is an interesting site to reflect on the meaning and value of community within the university space. It is a social project where students, academics, and technical staff join forces as members of the UP community in pursuit of a shared goal: the facilitation of dialogue in the form of a published law review. The overall or general character of the publication – that is, the language used, the sources

16 See <https://www.up.ac.za/article/2749453/vision-mission-and-values> (accessed 22 September 2022). A few examples of such competitive market-orientated language would be captured on the UP site, when it states that: ‘[UP’s aim is to] be a leading research-intensive university in Africa, recognised internationally for its quality, relevance and impact, as also for developing people, creating knowledge and making a difference locally and globally’; ‘membership [to the UP community] acquired on the basis of intellectual merit, ability and the potential for excellence’; ‘in a resource-constrained world where vast disparities remain, the University must endeavour to produce graduates who appreciate the importance of community service, entrepreneurial endeavours and innovative actions in generating employment and development in our local communities.’ Emphasis added.

17 Brown (n 13) 120.

18 IA Menkiti ‘Person and community in African traditional thought’ in RA Wright (ed) *African philosophy: An introduction* (1984) at 179.

19 See Ramose (n 15) 17-19 & 750-754.

cited, the problems identified, the assumptions and arguments presented – reveals the dominant culture and reigning ideology of the university. It is then also a site where trends and transformation in the legal curriculum can be detected. But to make an evaluation of the institutional culture within the university space requires that one looks at that which is missing from the pages of the publication. In other words, we ought to look at the character and quality of the interactions and experiences of those involved in the publication process.

Of course, the motives or reasons for why individuals join this venture will vary. In a few instances, authors are motivated by their desire to improve and refine their writing and thinking skills, or by the emotional and intellectual commitments they have towards their topics. On the other hand, some editors join the *PSLR* to learn the ins-and-outs of academic publishing, or to make a meaningful contribution to an important social initiative. But if we are honest, I think it is safe to admit that in most cases, students submit their work to the *PSLR* or join the editorial board to bolster their 'value' or earning potential as they prepare to enter a highly competitive job market.

Then there are the reviewers: some academics accept the invitation to review as they consider it an ethical duty they have towards their students or their ethical causes, while the majority probably conceive of it as an inconvenient but unavoidable part of the job as they too try to enhance their individual portfolios in a market-focused 'community'. However, what I am suggesting is that it is precisely a culture of self-interest cultivated and encouraged by a Western conception of community in a neoliberal paradigm that determines the quality of human experience when working with others towards a shared goal.

This year was especially testing for the *PSLR*, and I commend the editorial board and Editors-in-Chief for their tenacity. Perhaps their greatest challenge was securing reviewers. All editors will know that the search for suitable reviewers usually starts with a familiar face – after all, charity begins at home. For the undergraduate and postgraduate student editors of the *PSLR*, these faces are often limited to nearby teachers or colleagues. And when this search is unsuccessful, they must turn to academics (strangers) located elsewhere. But even when editors with ties to different universities could recommend potential reviewers to their colleagues, securing reviewers proved to be very difficult. Reasons for this difficulty are many. Some academics reject the request to review as they are disinterested in the topic, or the subject matter is beyond their field of expertise. In most instances, however, the reason for rejecting the invitation to review appears to be that reviewers simply did not have

the time – especially as lockdown restrictions were relaxed and students returned to campus.

Much is expected of academic staff. Teaching and learning responsibilities are generally demanding and especially taxing with student-to-staff ratios becoming more disproportionate every year. On top of that, the pressure to publish, present at conferences, serve on committees, and meet numerous deadlines is unforgiving. The *PSLR* then asks of academics to dedicate time they often do not have to review for an unaccredited student journal. I suspect, sympathetically, that the status and nature of the *PSLR* might disincentivise academics from accepting the invitation to review. This is as they are compelled to prioritise more profitable or influential journals and projects that actually pay for services rendered, or have the greatest potential to boost their professional portfolios.

In my view, the struggle to secure reviewers is a symptom of a fragmented conception of community; a community in which communal wellbeing and mutual care and responsibility is undermined by a self-serving economic rationality. This symptom had a direct impact not only on whether authors and editors could publish a quality publication, but it also normalised a questionable way of interacting with and relating to others. At the end of the day, the authors and editorial board – those with the least bankability in a system motivated and regulated by market logic – absorbed the effects of this fragmentation.

I consider it necessary to remind readers that every year the *PSLR* has a brand-new editorial board, and that most members are unfamiliar with the process of academic publishing and review. The *PSLR* is precisely an extraordinary opportunity for students to acquire editorial knowledge and experience in academic publishing. As each new editorial board learns the ropes, they are entrusted with handling every author's work with the utmost care and respect. Of course, this can be quite a daunting undertaking, but with a shared vision, dedication, and mutual support, it can also be enriching and exciting. However, the economic terms of the review process in a neoliberal paradigm are a source of anxiety for an editorial board entirely dependent on the altruism of academics. More time spent finding reviewers means less time for authors to digest the reviewers' feedback and effect the recommended changes; and less time for editors to edit. This threatens to not only taint the quality of the publication, but also the editorial board and authors' ability to learn from and truly appreciate their time with the *PSLR*.

This fragmentation (which was beyond the control of the editorial board) was further exacerbated by the nature of the pandemic. Knowing that you are working together and supported as you pursue a shared goal can be a source of comfort and reassurance. It is a sense of communal solidarity that gives editors the confidence to perform

and allows them to savour this treasured experience. Such support is founded on trust – a feeling fostered through communion, sharing, and mutual recognition. But the pandemic made communion dangerous and highlighted just how invaluable the intimacy of physical proximity and sharing space is when forming and nurturing a supportive community. Social distancing and the technological depersonalisation of contact made it difficult to resist Menkiti's Western understanding of community mentioned above. It became too easy to succumb to the idea that contact with others is no more than a means to a self-serving end. Under these conditions, learning opportunities become burdens and an atmosphere of detachment and hostility was perceived as natural and normal.

This past year has left me, as Guardian, with many questions: How will authors, editors, and reviewers remember their encounter with the *PSLR*? Is it not the feelings stirred by this memory that determines whether an endeavour was ethical, humane, and meaningful? Or is the significance of a project merely limited to a decontextualised final product? In what ways are we impoverished as Beings with feelings by this Western conception of community in a neoliberal university? To what extent do we carry this impersonal and mechanised way of relating to one another when we leave the university space?

To reflect on the *PSLR*'s challenges is not to guilt academics into reviewing. Admittedly, the work of authors and editors would be much easier if reviewers weren't so hard to come by. But if reviewers were to donate their time and efforts with everything else being what it is, it will be these very reviewers that will pay the price when a system that generates a culture of emotional distress and spiritual decay is not corrected. Rather, the point of reflecting on the *PSLR*'s experience over the past year is to emphasise the need for a *radical* reimagining of community and community ethics in the university, and beyond.

I conclude this reflection with a few questions the university community in (southern) Africa is then to contend with if it is sincere and genuine about its intention to decolonise the university: What is the mission of the university in a liberated Africa? What do we make of the view that an African conception of community founded on *ubuntu* ethics – a way of be-ing in the world that accords primacy to harmonious and *humane* human relations – is completely at odds with the present fragmented, economic fundamentalist mode of existence within the university space?²⁰ Will the inclusion of indigenous

20 See MB Ramose *African philosophy through ubuntu* (1999) 35-46, 149-151. Ramose argues that '*ubuntu*' is better understood as a hyphenated word. The prefix *ubu-* is understood as the general unfoldment of be-ing and speaks -*to 'motion as the principle of be-ing' in African thought. The stem, *-ntu*, is the point at which the continuously unfolding of be-ing is temporarily concretised. *Ubu-*, then, represent 'be-ing becoming', and *-ntu* an interim moment in which be-ing

knowledges into the curriculum not be performative and superficial if the university clings to its neoliberal culture?

Despite uncomfortable circumstances, the *PSLR* achieved great things. Editors, authors, and reviewers all worked hard to publish this volume. A hearty and well-deserved congratulations and thank you to every author who submitted a paper and trusted the editorial board with their hard work.

A massive thank you to all the reviewers who dedicated their time and energy to this project, and for educating both authors and editors in the process. It ought to never be lost on more senior academics that the students who submit their work to the *PSLR* rely heavily on their insights and expertise to grow and improve their writing and thinking.

I applaud both the previous and the current Editorial Board with whom I had the great pleasure and honour of working with. Together we faced many challenges, but all was well precisely because there were hands to hold. These champions were excellent teachers of many treasured lessons on dedication, wisdom, innovativeness, respect, care, and to never underestimate the value of a good laugh. The 2022 Editorial Board can pass the torch with pride, and it is my hope that their successors do not underestimate the value of communal support and their own ability to nurture a healthy community.

I give special thanks to our Editors-in-Chief, Adelaide Chagopa and Marno Swart, as well as their predecessor, Pheny Sekati, who all steered this ship like seasoned pros. The waters were rough, but you made it to the other side with your chins held high. I am so very proud of the teams I've worked with. The *PSLR* is richer for all your contributions.

Lastly, a word to future authors and editors: I urge you to be bold and to be brave. Say what you need to. Call on those you trust to guide you along the way – be receptive, be generous with your thoughts, be deliberate. Treat the *PSLR* with thoughtfulness, be kind to yourself, and be sure to appreciate your shared journey. There is only one *PSLR*. You have a responsibility to make sure it lives on. Take it seriously, and who knows what can happen.

has become. Ramose explains that *ubu-* and *-ntu* are not opposites or distinct realities. Rather, their joinder speaks to the 'be-ing as a one-ness and indivisible whole-ness'. Accordingly, I borrow Ramose's use of '*ubu-ntu*' which refers to the 'philosophical concept', as opposed to '*ubuntu*,' which refers to the everyday use of the word with no explicit mentioning or meaningful appreciation of the philosophical concept of *ubu-ntu*. See Ramose (n 15) 1.