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Thoughts on strategies and a paradigm shift to achieve equality in education

ABSTRACT

Although the terms "equity" and "social justice" are often used together in phrases such as "equity and social justice", and although these concepts are clearly related, I will confine my discussion to the concept of "equity".

There are clear signs of a widespread belief that equity can indeed be achieved in education in South Africa if policy can be implemented better and become practice, and if everyone can intensify their efforts in this regard. This belief suggests that equity remains elusive in education in South Africa, despite the fact that innumerable policies have been developed that were assumed to be suitable for addressing some of the more urgent challenges, and enabling education to progress towards the goal of equity. Seemingly uncontested notions exist, among others the notion that equity can be operationally defined, and the idea that laws and policies can be used as levers to turn around a worrisome situation, such as an apparent lack of equity in education. Policymakers, in particular, seem to believe that goals, whose attainment can be measured quantitatively, can be set in regard to equity in education.

Some of the assumptions in regard to education and equity are questionable, and possibly even mistaken, and I will examine them in this article. I will argue that merely re-examining the causal relationship between policy and practice in regard to equity in education is not likely to bring equity within reach in education, or through education. Meaningful strides towards equity cannot be made before clarity has been achieved on the meaning and implications of equity. I will argue that a paradigm shift regarding equity needs to precede a rethinking of policy and practice.

I propose to develop my argument, which I expect to be eminently contestable, by
1. *Seeking to trace the origin and meaning of the concept of "equity",*
2. *Examining the apparent general confusion over terminology such as "equality", "equity", "redress", "quality", "affirmative action", "(re)distributive justice", and "social justice" in the educational policy, law and practice literature,*
3. *Asking questions that could provoke answers that could illuminate the concept; these questions would relate to, among other things, points of departure when thinking about equity, for example*
   - *"Is it an aim, a point of departure, or an outcome?"*
   - *"Is it measurable, and is there a way in which to measure its achievement?", and*
   - *"Can people, through education, be brought to a place where they will recognise whether they are enjoying equity, or not?", and*
4. *Proposing that the ultimate meaning of equity is to remove what impairs people's inherent human dignity and is therefore untenable, repugnant, and unconscionable in any social sphere (such as education). Although equity is hard to measure (if it can be measured at all), I will argue that it can be sensed when people believe that a previously abhorrent, unconscionable or untenable situation that affected the essence of their human dignity and existence or being negatively has been removed and that it is now possible for them to live their lives in dignity. A change in thinking, or a paradigm shift, needs to take place, where we come to the realisation that we cannot keep on pursuing numerical targets, which, in the final analysis, do not do much to prove that we have moved towards equity. In*

addition to following obviously needed educational strategies to eliminate inequities, we need to develop a coherent understanding of what would constitute equity in people's minds, and to consider ways and means to make people aware of such a place, and move them towards it.

Equity plays itself out in, and must essentially be achieved in, the sphere of interaction and contact between people, and, as such, it is closely bound up with, among other things, people's human dignity and social justice. If equity is to be employed to achieve equality, it should be remembered that absolute equality seems impossible, and is, in any case, statistically improbable, given the highly complex multiple sub-contexts from which people come. One should also remember that people do not have a right to equality per se, but rather that they are equal before the law, and that they have the right to equal protection and benefit of the law (Section 9(1) of the Constitution of the Republic of South Africa of 1996). I cannot provide definitive answers to questions such as "What is equity?", "How does one achieve equity?", and "How does one know that equity has been achieved?" I will, however, suggest ways that we can think differently about equity, in which we can get closer to a proper understanding of the concept.

ABSTRAK

GEDAGTES OOR STRATEGIEË EN 'N PARADIGMASKUIF OM BILLIKHEID IN DIE ONDERWYS TE BEREIK

Alhoewel die terme "billikheid" en "sosiale geregtigheid" dikwels saam gebruik word in frases soos "billikheid en sosiale geregtigheid", en al is díé begrippe duidelik verwant, sal ek my bespreking beperk tot die begrip "billikheid".

Ek sal my bespreking ook beperk tot billikheid in die konteks van onderwys in skole.
Daar is duidelike tekens van 'n wydverspreide oortuiging dat billikheid bereik kan word as beleid net beter geïmplementeer en praktyk gemaak kan word, en as almal net hulle pogings in díé verband kan verskerp. Hierdie oortuiging dui daarop dat billikheid 'n ontwykende doelwit bly in Suid-Afrika, ten spyte van die feit dat 'n menigte beleide ontwikkel is wat as gepas beskou is om van die meer dringende uitdagings aan te spreek, en om impetus aan die onderwys te verleen op die pad na billikheid.

Dit wil voorkom of daar opvattings is wat sonder meer aanvaar word, soos die aanname dat mens 'n operasionele definisie van billikheid kan formuleer, en dat wette en beleide gebruik kan word as hefbome om 'n kommerwekkende situasie, soos 'n skynbare gebrek aan billikheid, om te keer. Dit is, in die besonder, beleidmakers wat oënskynlik glo dat doelstellings, waarvan die bereiking in kwantifiseerbare terme geformuleer kan word, in die onderwys gestel kan word.

Van die aannames oor billikheid en die onderwys is aanvegbaar, en moontlik selfs verkeerd, en ek sal dit in hierdie artikel ondersoek. Ek sal aanvoer dat deur bloot die kousale verband tussen beleid en praktyk ten opsigte van billikheid te herbesoek waarskynlik nie die bereiking van billikheid in en deur die onderwys in die hand sal werk nie. Betekenisvolle vordering kan nie gemaak word voordat helderheid bereik is oor die betekenis en implikasies van die begrip "billikheid" nie. Ek sal aanvoer dat 'n paradigmaskuif oor billikheid 'n herbesinning oor beleid en praktyk in hierdie verband moet voorafgaan.

Ek wil my argument, wat waarskynlik hoogs debatteerbaar sal wees, ontwikkel deur, onder andere,

1. *Te poog om die oorsprong en betekenis van die konsep "billikheid" na te speur,*
2. *Die oënskynlik algemene verwarring oor begrippe soos "gelykheid", "billikheid", "herstel", "kwaliteit", "regstellende aksie", "(her)verspreide geregtigheid", en "sosiale geregtigheid" in die onderwysbeleid, -reg en -praktykliteratuur te ondersoek,*
3. *Vrae te stel wat kan lei tot antwoorde wat die konsep sal verhelder. Die vrae sal verband hou met, onder andere, vertrekpunte om oor billikheid te dink, soos*

a.   *"Is dit 'n doelstelling, 'n vertrekpunt, of 'n uitkoms?"*

b.   *"Is dit meetbaar, en is daar 'n wyse waarop die bereiking van billikheid gemeet kan word?", en*

c.   *"Kan mense deur die onderwys gelei word na 'n plek waar hulle sal besef of hulle billikheid geniet, of nie?", en*

4.   *Aan die hand te doen dat die essensiële betekenis van billikheid is om dit wat mense se inherente waardigheid aantas en wat dus onhoudbaar, verwerplik, en ondenkbaar in enige maatskaplike sfeer (soos die onderwys) is te verwyder. Alhoewel billikheid moeilik meetbaar is (indien dit hoegenaamd meetbaar is), sal ek aanvoer dat 'n mens daarvan bewus kan word wanneer hy oortuig is dat 'n voorheen-ver-werplike, -ondenkbare of -onhoudbare situasie, wat die kern van sy menswees en bestaan negatief geraak het, uit die weg geruim is en dat dit nou vir hom moontlik is om menswaardig te lewe. Daar moet 'n paradigmaskuif kom waar ons besef dat ons nie bloot daarmee kan aanhou om numeriese teikens, wat op stuk van sake nie werklik bewys dat ons nader aan billikheid beweeg het nie, na te strewe nie. Ons moet onderwyskundige strategieë om ongelykhede uit die weg te ruim volg, maar tesame daarmee moet ons ook 'n samehangende begrip van wat mense as billikheid verstaan ontwikkel, en ons moet dink aan wyses waarop mense van so 'n moont-likheid bewus gemaak kan word, en nader aan so 'n plek beweeg kan word. Bil-likheid speel homself af in, en moet essensieel bereik word in, die sfeer van interaksie en kontak tussen mense. As sodanig is dit nou verbonde aan, onder meer, mense se menswaardigheid en sosiale geregtigheid. As ons billikheid wil gebruik om gelykheid te bereik, moet onthou word dat absolute gelykheid, gegewe die hoogs-ingewikkelde veelvoudige sub-kontekste waaruit mense kom, prakties onmoontlik voorkom, en, in elk geval, statisties onwaarskynlik is. Verder moet onthou word dat mense nie die reg het op gelykheid per se nie, maar dat elkeen gelyk is voor die reg en die reg het op gelyke beskerming en voordeel van die reg (Artikel 9(1) van die Grondwet van die Republiek van Suid-Afrika van 1996). Ek kan nie afdoende antwoorde verskaf op vrae soos "Wat is billikheid?", "Hoe bereik mens billikheid?" en "Hoe weet mens dat billikheid bereik is?" nie. Wat ek wel kan doen is om te suggereer dat ons anders kan dink oor billikheid, en dat ons sodoende nader daaraan kan kom om die term behoorlik te begryp.*

Sleutelwoorde: *Billikheid, gelykheid, herstel, beleid, regstellende aksie, reduksionisties, aanvullend, paradigmaskuif*

"I am convinced that if we are to get on the right side of the world revolution, we as a nation must undergo a radical revolution of values. We must rapidly begin the shift from a 'thing-oriented' society to a 'person-oriented' society" (Martin Luther King, as cited in Quigley, 2007:14).

"We must never confuse law and justice. What is legal is often not just. And what is just is often not at all legal" (Quigley, 2007:15).

"Having lost sight of our objectives, we redoubled our efforts" (Walt Kelly).

1.   INTRODUCTION

All human beings want to feel important and want their dignity to be acknowledged and respected. Tiemie, one of the protagonists in PG du Plessis's drama *Siener in die Suburbs ["Seer in the Suburbs"]* expressed this profound human need when she cried out in desperation to her mother, "Ek wil van geweet wees, Ma, ek wil nie vrek soos 'n hond nie, ek wil van geweet wees [I want to be known about, Mom, I don't want to die like a dog, I want to be known about]" (Jordaan, 2017) (free translation by the author).

In the recent Constitutional Court case *Federation of Governing Bodies for South African Schools v Member of the Executive Council for Education, Gauteng and Another* [2016] ZACC 14, Deputy Chief Justice Dikgang Moseneke commented on the importance of education to human beings and pointed out that

> [t]eaching and learning are as old as human beings have lived. Education is primordial and integral to the human condition. The new arrivals into humankind are taught and learn how to live useful and fulfilled lives. So, education's formative goodness to the body, intellect and soul has been beyond question from antiquity. And its collective usefulness to communities has been recognised from prehistoric times to now (paragraph 1).

The Deputy Chief Justice's comment that education is associated with arrival into humankind (which I assume to be a reference to equitable, responsible, accountable, equal and dignified humanness) provides an underpinning for the belief that man's realising that he is part of humankind and that he enjoys dignity, equity, and social justice is at least in part dependent on the education he receives. To pursue equity, through education, is therefore an appropriate and ideal goal for an education system in a country where equality was noticeably absent in the past, and whose foundational values now include the establishment of a society based on democratic values, social justice, and fundamental human rights (Preamble to the Constitution of the Republic of South Africa of 1996 (Republic of South Africa, 1996), hereafter "the Constitution").

The Deputy Chief Justice went on to say that

> [d]espite these obvious ancient virtues, access to teaching and learning has not been freely and widely accessible to all people at all times. All forms of human oppression and exclusion are premised, in varying degrees, on a denial of access to education and training. The uneven power relations that marked slavery, colonialism, the industrial age and the information economy are girded, in great part, by inadequate access to quality teaching and learning. At the end of a long and glorious struggle against all forms of oppression and the beginning of a democratic and inclusive society, we, filled with rightful optimism, guaranteed universal access to basic education. We collectively said: "[e]veryone has the right to basic education, including adult basic education" (paragraph 2).

The Deputy Chief Justice may just as well have said that *they* (the people who drafted the Constitution) wanted, through education, to guarantee for their children (individually and collectively) access to, and awareness and enjoyment of, a personal and collective sense of dignity, equity, and social justice. In other words, they wanted to give their children what the character Tiemie longed for.

In the paragraphs below I explore the meaning of the word "equity", after which I will discuss equity in the educational context.

2. EQUITY

2.1 The problem remains, and the goal is elusive

Politicians, researchers, and officials often quote statistics to show that there is equal access to education, and to justify intensifying their efforts in this regard through new and revised measures, but learners at school and students in the higher education sector still feel that they are being treated unfairly. Despite the legislative provisions to ensure access to education and prevent unfair discrimination in this regard, there are learners who, together with their parents, do not believe or feel that they are being treated fairly, equitably, justly, or equally regarding education. They feel that some receive a better deal from education than they do. They feel as if they do not count and are not respected.

In a paper dealing with a number of the issues currently under scrutiny regarding equity in education, Herman (2017:36-37) discusses the issue of affirmative action in education in South Africa, and he comes to a conclusion that to a large degree supports the idea that merely pursuing numerical targets (equality of results) is not likely to result in achievement of equity in education. He points out that, due to the nature of the political regime before 1994, affirmative action was essential and unavoidable in education in particular, and in society in general, when the first democratic government came to power in 1994. In 2014, the constitutional law scholar Prof Pierre de Vos, expressed the same sentiments in his blog entry titled "Why redress measures are not racist", published in *Constitutionally Speaking* on 24 January (De Vos, 2014).

Herman (2017:34) quotes Claassen (1993), who seems to have been aware of the fact that affirmative action, when examined in terms of access to educational institutions, would not mean much in terms of achievement of equity (synonymous in this context with social justice), and who therefore mooted the idea of two variations of affirmative action, namely affirmative action aimed at equality of educational opportunity, and affirmative action aimed at achieving equality of results.

Herman (2017:35) goes on to emphasise that affirmative action is entrenched in the notion of transformation, and that what is at stake in South Africa at the moment is "the pace and internal dynamics of educational transformation towards racial and gender equity". To him, the main question is whether affirmative action has been successful as a mechanism for redress (Herman, 2017:36). For the purposes of this article, one can regard Herman's use of the word "redress" as a synonym for "equity in education".

Herman (2017:36) observes that the "de-racialisation of primary and secondary schooling has proceeded apace over the past two decades". To his mind, the affirmative action enrolment policies have worked, even if he finds it necessary to point out that, although the racial exclusivity of the former white schools has been ended, it has been replaced by socioeconomic class as a barrier to educational opportunities. He believes that it is to a large extent only the children of rich and middle-class black parents who have benefited from affirmative action. He believes that "neoliberal economic and educational policies have exacerbated the class divide to make South Africa the country which now has the widest gap between the rich and the poor in the world as measured by the Gini coefficient". He also quotes Maphai (1991), who criticised affirmative action for rewarding race and gender, which was one of the most "obnoxious features of Apartheid".

Herman (2017:37) quotes Adam (1997), who suggested that even those who have been successful following implementation of affirmative action "may feel degraded and inferiorised if their success is attributed to supportive policies rather than own achievement". It can be inferred with a great deal of certainty that those who have become successful in these terms will not feel that they have accessed equity.

During his presentation at the Bulgarian Comparative Education Society conference held in Borovets in Bulgaria from 20 to 24 June 2017, Herman concluded that affirmative action has failed the vast majority of black children and youth in South Africa. Equalisation of access to higher education institutions, including implementation of affirmative action (in 2015 most of South Africa's universities had a majority black student enrolment), does not seem to have satisfied students in the higher education institutions, who are now demanding free higher education for all, and are also demanding "decolonisation of the curriculum at universities with the dominant western epistemology".

It would seem, then, that equality of access and equality of outcomes cannot, of their own, satisfy the inherent desire of people to have their dignity respected by the achievement of equity, which remains elusive.

In the section below I will therefore explore the concept of "equity", before I examine the manifestation of equity in education, and the efforts made to realise this notion, which is a national ideal in South Africa. I will focus on equity itself, and not link it to qualifiers such as "gender" or "racial", and I will also attempt to keep it separate from seemingly synonymous concepts, such as "equality" and "redress".

2.2   What does equity mean?
Equity: Etymology and legal definition

According to the Merriam-Webster Dictionary (2017, s.v. "equity"), the word "equity" is derived from Middle English *equite*, from Anglo-French *equit*é, and from Latin *aequus*, which all mean "equal", or "fair". The first known use of the word was in the 14th century. This dictionary defines equity as justice according to natural law or right, specifically freedom from bias or favouritism. It seems that the core meaning of the term is located in terms such as "fairness", "equal", and "equitable".

The Merriam-Webster Dictionary (2017, s.v. "equity") also defines equity as a system of law "originating in the English chancery and comprising a settled and formal body of legal and procedural rules and doctrines that supplement, aid, or override common and statute law and are designed to protect rights and enforce duties fixed by substantive law". It is noticeable that equity law supplements, aids, or overrides common and statute law. This would seem to suggest that the meaning of the term "equity law" is not to be found in the meaning of the term "ordinary law", but rather in the idea of a set of rules regarding people's reciprocal rights and duties, which may be outside normal legal parameters, but equally valid, and also enforceable.

The Merriam-Webster Dictionary (2017, s.v. "equity") also provides a useful list of synonyms for the concept of "equity". This list further illuminates the concept and includes words such as "even-handedness", "fair-mindedness", "fairness", and "justice", which all seem to suggest efforts to effect equity where it is absent or lacking. It also lists synonyms for equity such as "disinterestedness", "detachment", "neutrality", and "objectiveness". These words seem to have negative connotations, which do not seem consistent with words that express concern about, and a desire to address and resolve, a lack, or an absence, of equity in a phenomenon, through fairness, justice, and equality. Together, the above synonyms define what it means to pursue equity.

According to US Legal (2016, s.v. "equity"), the meanings of the word "equity" include the following:

1. The body of principles constituting what is fair and right or the natural law
2. It could refer to fairness, impartiality or even-handed dealing […]
3. The principles of justice used to correct or supplement the law as applied to particular circumstances. For example the judge decided the case by equity because the statute did not fully address the issue. In this sense it is also termed natural equity
4. The system of law or body of principles which originated in the English court of Chancery, which superseded the common law and statute law when there was a conflict between the two.

Like the definition from the Merriam-Webster Dictionary, US Legal (2016, s.v. "equity") states that equity is about fairness, and even about "correcting", or superseding, the law applied to particular circumstances. It also states that equity is derived from principles which originated in the English Court of Chancery, where it superseded the common law and statute law when there was a conflict between the two.

Wikipedia (s.a., s.v. "Court of Chancery") provides more information about the courts of Chancery (equity courts), which reinforces the idea that equity is about more than complying

with positive law. Courts of Chancery were seen as extensions of "the Lord Chancellor's role as Keeper of the King's Conscience", and a court of Chancery was "an administrative body primarily concerned with conscientious law". It had a far greater remit than the common law courts, whose decisions it had the jurisdiction to overrule for much of its existence, and was far more flexible. Until the 19th century, the Court of Chancery could apply a far wider range of remedies than the common law courts, such as specific performance and injunctions, and also had some power to grant damages in special circumstances.

Wikipedia (s.a., s.v. "Court of Chancery") also points out that the courts of chancery were fused with the common law courts in 1873.

All of the above suggests that even complying with legal rules of redress and affirmative action cannot guarantee achievement of equity.

US Legal (2016, s.v. "equity") adds a notion not evident from the Merriam-Webster Dictionary definition, namely that equity is also about what is deemed to be right in terms of natural law. The word "right" has moral overtones, which also seem to be present in the exposition of "natural law" found in *The Law Dictionary, featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.* (s.a., s.v. "natural law"). This account of natural law (or *jus naturale*) points out that it is

> a system of rules and principles for the guidance of human conduct which, independently of enacted law or of the systems peculiar to any one people, might be discovered by the rational intelligence of man, and would be found to grow out of and conform to his nature, meaning by that word his whole mental, moral, and physical constitution. The point of departure for this conception was the Stoic doctrine of a life ordered "according to nature," which in its turn rested upon the purely supposititious existence, in primitive times, of a "state of nature;" that is, a condition of society in which men universally were governed solely by a rational and consistent obedience to the needs, impulses, and promptings of their true nature, such nature being as yet undefaced by dishonesty, falsehood, or indulgence of the baser passions.

These definitions shed valuable light on the etymology of the word "equity", and they suggest that equity is subject to the rules of law, as well as to natural and moral principles and convictions or feelings about justice (what is right). However, these definitions do not make it easier to pursue and achieve equity in education, or to know when it has been achieved.

The Cornell Law School Legal Information Institute (s.a., s.v. "equity") drives the above points home forcefully, by indicating that "equitable doctrines and procedures are distinguished from 'legal' ones. Equitable relief is generally available only when a legal remedy is insufficient or inadequate in some way". *The Law Dictionary, featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.* (s.a., s.v. "equity") echoes US Legal's notion of natural justice, by saying that "[i]n its broadest and most general signification, this term [equity] denotes the spirit and the habit of fairness, justness, and right dealing which would regulate the intercourse of men with men".

One could with some confidence, then, deduce that equity goes beyond laws and other forms of regulation and speaks to the intelligence or common sense of man, appealing to rational principles which guide his conduct and are uncorrupted by "dishonesty, falsehood, or indulgence of the baser passions" (*The Law Dictionary, featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed*., s.a., s.v. "natural law"). It would also follow, then, that one should not attempt to understand or measure equity solely in terms of the law and other forms of regulation.

Having dealt with the notion of "equity" from a legal perspective in the above paragraphs, I will now explore the way this term features in educational policy and other relevant literature.

2.3   Equity in the educational literature

A blog entry that deals with most of the issues

In a blog entry dated 31 March 2009, titled "Educational equity and educational equality" (Harry, 2009), Harry, who describes himself as "a professional philosopher who thinks a lot about education", touches on a number of issues related to equity in education.

1.   He asks the question "But what on earth is equity?" Everybody seems to have a good idea of what "diversity in education" means, but nobody seems to know what equity in education is. Other related words and phrases that are generally well understood by educationists include "equality", "redress", "affirmative action", "equality of access", and "equality of results".

2.   When reading a paper titled "Equity, Equality, and Social Justice in Education" at a school of education, Harry only spoke about equality and social justice. He bluntly admitted that he did not understand "equity", and that he wished people would stop using the term. One can agree that it would solve some problems if people stopped using the word and did not have to worry about whether or not it existed, or whether the phenomenon was achieved in a particular setting. However, such an approach would be akin to the ostrich burying its head in the sand, and it would fail to address, for example, a crucial human rights issue which is at stake when equity is at issue, namely human dignity.

3.   An Amazon search that he conducted for books with the words "equity" and "education" in their titles produced 7,235 titles. Most of the books did not seem to have "equity" in the title, but it was "somewhere in the text". However, Harry was convinced that there was enough to "confirm that equity in education is a standard phrase that ought to be easy to understand".

4.   After the Amazon search, he read some books on school improvement and the "internal life of schools", and he found that only one book had the word "equity" in the title. However, he found that most authors in this field preferred the term "equity" to the word "equality".

5.   He is convinced that "equity" is a "vague concept", but that "the best authors who use it do so knowing that it is very vague, and feeling, rightly, quite comfortable with that". Harry explains that it is a vague term because it is a moral term, which needs to be defined by reference to the best moral understandings that are available. One of these understandings is that it is unfair of society to set things up so that some people's lives will go worse than those of others despite the fact that they are not responsible for doing anything that makes their lives go worse. Society doles out the goods that it produces very unequally".

6.   He makes a profound statement about education and equality, or equity (for the purposes of this article), when he states that society makes education "one of the key instruments for succeeding in the competition for" social goods. Equity represents an effort by society to counter, or nullify, this unfairness.

7.   In his opinion, other principles of equity (justice) are more important than educational equality. In this regard, he emphasises the importance of the principle of "upholding the psychological and physical integrity of the person […] [which] prohibits lobotomizing the cognitively normally abled" by lowering the achievements expected of learners. To him, it is "more important to arrange social institutions to maximize the prospects for a flourishing and enjoyable life of those whose prospects are worse than it is to ensure

equality of opportunity (or educational equality)".

8. He offers his conclusions about the meaning of "educational equity". For him, it means committing to "raising the prospects for achievement of the lower achievers, while giving [...] some weight to improving the achievement of other students, and to compromise with the barriers that will be placed in the way of improving low-end achievement".It is noteworthy that equity, for him, implies both help to learners at the low end of the achievement spectrum and opportunity for those at the upper end, to improve their level of achievement. Equity does not imply a lowering of standards or expectations towards the lowest common denominator. It is not reductionist, but additive, in nature.

9. Harry raises two concerns about the use of the word "equity", namely that it is a "loose" term, allowing educators to feel that they are not responsible for any failure to improve "low-end achievement". It is also vague and not easily distinguished from related terms.

Although Harry's blog entry may not exactly be a scholarly treatise, it introduces a number of issues central to a proper understanding of equity, and which crop up in most treatises of equity in education. In the paragraphs below I will analyse some selected writings, with the aim of exploring the manifestation of equity in education.

3.   UNESCO

UNESCO usually represents an authoritative voice on all educational matters. UNESCO's World Education Forum 2015 was held in Incheon, Republic of Korea, from 19 to 22 May 2015, and it had five key themes, one of which was equity in education. The forum said the following in this regard:

> Equity in education is the means to achieving equality. It intends to provide the best opportunities for all students to achieve their full potential and act to address instances of disadvantage which restrict educational achievement. It involves special treatment/action taken to reverse the historical and social disadvantages that prevent learners from accessing and benefiting from education on equal grounds. Equity measures are not fair per se but are implemented to ensure fairness and equality of outcome (UNESCO, 2015).

This explanation of equity does not provide an unambiguous, authoritative definition of equity, but it does illustrate the confusion over terms such as "equity", "equality", "addressing and reversing disadvantages", "fairness", and "equality of outcome". It links all these ideas together but reduces equity to a formal instrument in the pursuit of equality (which is a well-defined legal term), and it does not reflect an awareness of equity as something more than the law and more than formal or legal equality. Its point of departure is a systems perspective.

Barbara A Bitters (s.a.) also views equity as a systemic and policy issue, and not as an essentially social and human phenomenon. She defines educational equity as "the educational policies, practices, and programs necessary to: (a) eliminate educational barriers [...] and (b) provide equal educational opportunities and ensure that historically underserved or underrepresented populations meet the same rigorous standards for academic performance expected of all children and youth".

4.   Other papers/reports that deal with equity and strategies to promote and monitor progress

I conclude this section of the article by referring to a number of papers/reports/commissioned papers that shed light on the concept, I will suggest ways that progress can be tracked, and I will propose strategies through which equity can be actively pursued.

A paper by Badat (2010), commissioned by the Development Bank of Southern Africa and titled "The challenges of transformation in higher education and training institutions in South Africa", has relevance to the issue of equity if one considers that it is embedded in the transformation process (Herman, 2017). Badat refers to *Education White Paper 3: A Programme for the Transformation of Higher Education* (Department of Education, 1997a) and the *Higher Education Act 101 of 1997* (Republic of South Africa, 1997b). In the introduction to his paper, Badat (2010:4) sketches the context in which higher education in South Africa was to be transformed. Like Herman (2017:35), he refers to social inequalities that necessitated government intervention. He highlights the fact that the Constitution of 1996 "committed the state and institutions to the assertion of the values of human dignity, the achievement of equality, and the advancement of non-sexism and non-racialism and the human rights and freedoms that the *Bill of Rights* proclaims" (Badat, 2010:5). It would be defensible to deduce that the state committed the higher education system to the principle of equity.

On page 7 of his paper, Badat (2010) points out that *Education White Paper 3* explicitly states the principles and values that had to be embodied in the transformation of higher education, and he refers to, among other things, equity and redress. Badat (2010:7) discusses achievements in this regard during the time before 2010. He refers to the "progressive realisation" of "a higher education system that is congruent with the core principles of social equity and redress, social justice, democracy and development".

To support this statement, he mentions that student enrolments had grown from 473,000 in 1993 to approximately 799,388 in 2008 (Badat, 2010:7). On the next page, he indicates that there has also been progress in terms of gender equity, where females constituted 56.3% of the student body in 2008, as opposed to 43% in 1993.

Badat's paper is typical of many papers on the issue of equity, in the sense that it uses terms that are hard to define, and even harder to quantify, and it tries to express achievement of the phenomenon of equity in numerical terms. I believe that the paragraphs above clearly establish a link between equity and concepts such as "fairness", "human dignity" and "equality", and that papers such as this one of Badat do not provide convincing evidence of progress towards the aim of equity.

Wood, Levinson, Postlethwaite and Black (2011), of the University of Exeter, were commissioned to prepare a report for Education International (the international alliance of teacher unions), and they titled their report "Equity matters". Wood *et al.* (2011:16) observe that

> current international drivers for improving quality focus on technical characteristics, and have limited impact without attention to equity as an ethical dimension of policy and practice, for teachers and for children. This is particularly salient in view of consistent evidence that, after children's socio-economic status and home learning environments, the quality of teachers, and of teaching, is the key variable in improving equitable outcomes for children.

A significant part of the literature consulted confirms the above observation that equity improvement efforts should focus on more than just technical characteristics such as access statistics and pass rates.

The authors comment that factors that contribute to inequality never function in isolation, and that the fact that multiple factors may be at play "can increase disadvantage several times over" (Wood *et al.*, 2011:18). This seems to imply that strategies for dealing with inequity need to be chosen very carefully, and that the tendency to only deal with dimensions that can be manipulated, monitored, and reported on relatively easily can be very dangerous and may exacerbate inequity, instead of alleviating its effects.

Although quality is "also associated with technical characteristics such as test scores and other outcomes indicators" (Wood *et al.*, 2011:19), "there is not a direct relationship between quality and equity" (Wood *et al.*, 2011:19). Outcomes indicators are often used to the exclusion of qualitative indicators to monitor progress towards equity. The authors warn that

> [t]he use of outcomes indicators may drive inequity, by creating a bigger divide between high and low quality schools. [...] in the UK and the USA [...] the increased marketization of the education system has meant that those schools with higher test scores are rewarded both in terms of being seen as more desirable by parents, and being allocated more resources from government. Such schools are likely to have a relatively low proportion of disadvantaged students, and although in theory families are able to express a preference for schools [...] those schools with higher test scores continue to reap the benefits of a more privileged intake. In contrast, the more disadvantaged families whose children are likely to benefit most from such schools, are those who are least in a position to exercise such choice, whether that is due to geographical location, language, or cultural barriers. Those schools that are not seen as so desirable by parents have a more disadvantaged intake, lower test scores, and fewer resources from government, and therefore find it hard to escape the cycle of inequity and inequality. It is probably not a coincidence that "ineffective" schools are often found in disadvantaged areas [...] whilst some teachers are motivated to work in schools with high levels of disadvantage, often for altruistic reasons, it is harder to retain teachers serving low-achieving, low-income and minority students. Therefore teacher retention issues may also be implicated in the cycles of disadvantage that perpetuate inequity (Wood *et al.*, 2011:10-20).

The paradox that the above authors highlight so persuasively makes it so much harder to fathom why the neoliberal use of numbers to guide the direction of the education system is continuing seemingly unchallenged. At the very least, one would expect to see more voices critiquing the unabated use of neoliberal and performativity approaches to address the elusive issue of equity, which is, in essence, a multifaceted concept (Tjabane & Pillay, 2011:10-11), which can simply not be described adequately in terms of numbers only.

Tjabane and Pillay (2011:10-11) examine the issue of social justice in South African higher education, using the lenses of the three traditions of conservative, liberal and radical social justice (which term is used as a synonym for "equity", for the purposes of this article). They raise certain points that are important in the quest to answer the questions posed in this article, namely "What is equity?", and "How does one achieve it?" They state that social justice is a contested concept in theory and in practice, with many different definitions. They choose to "adopt the position of Gerwitz (2002) who advances a plural conception of social justice"; hence, "social justice is viewed as possessing a variety of facets" (Tjabane & Pillay, 2011:10-11), including redistribution of socioeconomic amenities, and recognition and promotion of difference and cultural diversity.

They comment that "[p]lural conceptions of social justice enlarge the agenda of such justice, the complexity and multiplicity of which has been an issue of concern throughout modern civilisation" (Tjabane & Pillay, 2011:11). I would agree with their view that a broader view of equity is advisable, as a narrow view tends to reduce the issue of equity to application of the

neoliberal performativity paradigm, which tends to neglect broader and more intimately human aspects, such as fairness and human dignity.

Tjabane and Pillay (2011:12) assert that the agenda of the radical tradition of social justice is "much broader, in that it advances social justice beyond redistribution to recognition and absolute freedom". This approach is resonates with the views quoted above, namely that equity is more than formal compliance with the law, and that it augments the law in some cases.

The fact that equity implies freedom from oppression in order to give people a sense of dignity and self-esteem, as well as a sense of fairness about their situation, is confirmed by Tjabane and Pillay (2011:12). They endorse Young's (2000) compelling theory that justice (equity) can be seen as "freedom from the five faces of oppression, namely exploitation, marginalisation, violence, powerlessness and cultural imperialism" (Tjabane & Pillay, 2011:12).

One could add that equity implies more than removing oppression from the place a person finds themselves in. However strong the influence of oppression may be, it is just one of the faces of inequity that need to be removed before a person can experience equity. Among the factors that make it difficult to resolve the problems regarding equity are issues such as race, socioeconomic status, gender, language, the curriculum, funding of education, and the quality of teachers.

Wood *et al.* (2011:59) make the point that "the education sector alone cannot solve all the problems of society", and that "equity issues [in education] need to be addressed in different areas of social and economic policy in order to have sustained impact" [the author's own insertion]. They use a figure developed from Milner's (2010) work to give an indication of the magnitude of the factors that have to be taken into consideration when strategies are designed to achieve equity in education (see figure 1).

Figure 1: Milner's (2010) figure depicting the achievement gap and the equity gap ((Wood *et al.* (2011:59))

Noticeable in its absence from Milner's list of factors that cause equity (achievement) gaps is education itself, in the sense that what learners are taught and how they are taught may not enable them to know what to expect regarding equity, how to strive towards it, and to know when it has been achieved.

In 2016, the Centre for Public Education (CPE), an initiative of the National School Boards Association, published an overview of educational equity and its various, sometimes

overlapping parts (Centre for Public Education, 2016:1). The overview was written by the director of the CPE, Patte Barth. This report includes discipline in the list of factors that "research shows have the most impact on student learning and therefore deserve close attention when developing equity plans" (CPE, 2016:7).

In its discussion of discipline, the report has this to say:

> [D]iscipline policies that make heavy use of out-of-school suspensions […] can place students at risk of academic failure […] students with multiple suspensions have a higher likelihood of dropping out […] Such policies can produce a harmful school climate for students overall. But they also have a disproportionate effect on students of colour and students with disabilities (CPE, 2016:6).

Although the overview does not deal with them in detail, it mentions that "extra academic supports for low-performing students; access to technology both in school and at home; comprehensive family services; mentorships and trained counsellors" are other important resources for ensuring equity.

In 2012, the Organisation for Economic Co-operation and Development (OECD, 2012) published a report on equity and quality in education, subtitled "Supporting disadvantaged students and schools". This report is important for this article in particular, in three ways.

Firstly, the report reminds us of the grim realities of educational inequity, and how it impacts human beings (learners):

> Across OECD countries, almost one of every five students does not reach a basic minimum level of skills to function in today's societies (indeed, many are effectively excluded). Students from low socio-economic background [sic] are twice as likely to be low performers, implying that personal or social circumstances are obstacles to achieving their educational potential (indicating lack of fairness). Lack of inclusion and fairness fuels school failure, of which dropout is the most visible manifestation. Across OECD countries, one of every five young adults on average drops out before finalising upper secondary education (OECD, 2012:37).

Secondly, the report draws attention to the fact that equity is a plural concept:

> Equity in education can be defined in many different ways […] equity in education can be seen through two dimensions: fairness and inclusion […] Equity as inclusion means ensuring that all students reach at least a basic minimum level of skills […] Equity as fairness implies that personal or socio-economic circumstances, such as gender, ethnic origin or family background are not obstacles to educational success (OECD, 2012:15).

The report also states that these two dimensions of equity, namely fairness and inclusion, overlap: "Often, low socio-economic background and low performance converge in specific population groups; disadvantaged students are at higher risk of low performance than their more advantaged peers" (OECD, 2012:16). One can add that equity does not display only two features, and that all the multiple features of equity overlap.

Thirdly, unlike other reports, which do no more than analyse problems associated with equity, the report proposes strategies through which equity can be promoted. The report proposes two broad kinds of strategies. Chapter 2 of the report deals with the first group and focuses on "how to redress the negative impact of five *system level policies that hinder equity* by proposing alternative policy approaches to improve equity and performance" (OECD, 2012:47) [the author's own emphasis].

The report suggests that education systems can promote equity, prevent school failure, and reduce dropout (thereby promoting equity), using two parallel approaches. The first approach would be to avoid system-level factors that are conducive to school failure, and the second would be to help disadvantaged schools improve (OECD, 2012:38).

In chapter 2 of the report, the OECD (2012:49-88) makes five recommendations to avoid system-level factors that are conducive to school failure (I have inserted some comments in brackets):

Recommendation 1. Eliminate grade repetition [South Africa already has a system which provides that no learner may fail more than once in a school phase. This recommendation has to be applied circumspectly, so as to prevent learners from progressing from phase to phase without actually having passed anything and not becoming self-sufficient adults.]

Recommendation 2. Avoid early tracking and defer student selection to upper secondary [this suggests compulsory basic education up to the end of Grade 9, after which learners can make a choice about which pathway to follow. Successful implementation of this recommendation is dependent on the realisation of recommendation 5 below, which requires equivalent upper secondary pathways. In South Africa, a vocational upper secondary pathway will have to be developed virtually from scratch. Countries such as Finland and Norway bear testimony to the way equivalent upper secondary pathways (in Grades 10 to 12) can promote equity by increasing student success, thereby reducing unemployment and stimulating the country's economy.]

Recommendation 3. Manage school choice to avoid segregation and increased inequities [In this regard, the state has not succeeded in providing sufficient school places for learners, so that it is possible to make meaningful school choices.]

Recommendation 4. Make funding strategies responsive to students' and schools' needs [South Africa already follows a pro-poor funding approach, by virtue of its *National norms and standards for school funding*, notably the quintile system of per capita funding (Department of Education, 2006). There is evidence that South Africa has made some progress towards achieving greater racial equity in education, but it is not clear that enough is being done to provide sufficient funds to facilitate the achievement of equity. Fiske and Ladd (2004:4) analysed South Africa's progress towards racial equality, and they concluded that equal treatment had been achieved, through implementation of race-blind policies for allocating state funds to public schools. They asserted that equal educational opportunities and educational adequacy, however, had not been achieved. They also pointed out that the country's economic growth rate in the late 1990s was too slow to generate additional public funds for school facilities and other reforms, and that the state was compelled to focus on the symbolic aspect of educational equity, namely equal treatment (Fiske & Ladd, 2004:15-16). They expressed their uncertainty regarding future developments in the funding of education, and they pointed out that availability of additional funds would depend on South Africa's economic growth rate, its rate of job creation, and the importance that policymakers attach to education, relative to other social services. They believed that "South Africa may have lost an important window of opportunity to make needed investments aimed at redress in the inequities of apartheid in education" (Fiske & Ladd, 2004:15-16). It would seem that the uncertainty of these authors was not unreasonable, based on the fact that if one looks at the years since 2004, one can see that South Africa's economic growth rate has not increased, that unemployment has risen, and that, although the state allocates a significant portion of its budget to education, such allocation is not sufficient to address all the problems inherited from the pre-1994 regime.]

Recommendation 5. Design equivalent upper secondary pathways to ensure completion [at the moment, there are very few upper secondary vocational education opportunities available for learners. As this would seem to be an important way of facilitating achievement

of equity, the state will need to urgently address the lack of upper secondary vocational education opportunities.]

Chapter 3 of the report (OECD, 2012:104-146) offers five recommendations to improve low-performing disadvantaged schools (once again, I have inserted some comments in brackets):

Recommendation 1. Strengthen and support school leadership [It is widely accepted that the success of the school system depends to a large extent on the quality of its leadership. In South Africa, concerted efforts are now being made to raise the level of proficiency of education leaders, through implementation of the *Policy on the South African Standard for Principals* (Department of Basic Education, 2016). For this policy to make an impact on the quality of education, it is essential that all current and aspiring education leaders be provided with sound in-service professional development opportunities in this regard. At the moment, there is no uniform national certification system for education leaders, and the only two criteria with which candidates for leadership positions have to comply are that they have to have a recognised teacher's qualification (where currently just a three-year post- secondary school qualification is regarded as acceptable) and they have to have seven years' experience as educators. See also the quote from Fiske and Ladd (2004:14-15) after recommendation 3 below.]

Recommendation 2. Stimulate a supportive school climate and environment for learning [Successful implementation of this recommendation is dependent on successful implementation of recommendation 1.]

Recommendation 3. Attract, support and retain high quality teachers [This is a serious constraint in South Africa's education system. Fiske and Ladd (2004:14-15) observed that at the dawn of the country's new dispensation, in 1994, "[p]olicy makers did not have the option of simply installing a new breed of managers and teachers imbued with the values of the new era. Rather they had to work with existing educators who in many cases were underqualified and who had worked within the system at a time of great stress and turmoil". Apart from the lack of funding to train more educators, there is also insufficient capacity at higher education institutions to train sufficient numbers of educators.]

Recommendation 4. Ensure effective classroom learning strategies.

Recommendation 5. Prioritise linking schools with parents and communities [Recommendations 4 and 5 can only be implemented successfully if sufficient funding is available, and if the quality of leadership and of educators allows it.]

In 2013, UNICEF released a publication titled *Simulations for Equity in Education (SEE): Model description and user's guide*. I will briefly refer to aspects of this publication which could help educational practitioners pursue the system-level recommendations of the OECD (2012) in a more informed and purposeful manner.

SEE was developed "as part of a collaborative initiative between UNICEF and the World Bank to support cost-effective and pro-equity programming for education" (UNICEF, 2013:1). On page 12, UNICEF (2013) provides a schematic overview of the "SEE model" (see figure 2).
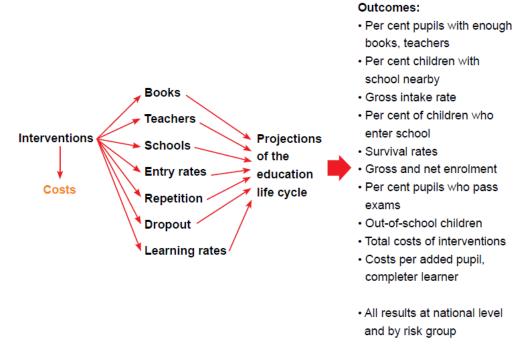
Outcomes:
- Per cent pupils with enough books, teachers
- Per cent children with school nearby
- Gross intake rate
- Per cent of children who enter school
- Survival rates
- Gross and net enrolment
- Per cent pupils who pass exams
- Out-of-school children
- Total costs of interventions
- Costs per added pupil, completer learner

- All results at national level and by risk group

Figure 2: Schematic overview of the SEE model (UNICEF, 2013:12)

Outcomes:

- Percentage of pupils with enough books, teachers
- Percentage of children with a school nearby
- Gross intake rate
- Percentage of children who enter a school
- Survival rates
- Gross and net enrolment
- Percentage of pupils who pass exams
- Out-of-school children
- Total costs of interventions
- Costs per added pupil, completer learner
- All results at national level

Figure 2 illustrates the complex nature of the concept of "equity". It indicates what has to be addressed, what has to be taken into account, and what outcomes could give an indication of the success of an equity intervention. Policymakers and system managers will have to contextualise this scheme to suit their unique circumstances.

On page 13 (UNICEF, 2013), SEE provides a visual representation of the building blocks of the SEE model, and of the relationships between the building blocks (see figure 3).
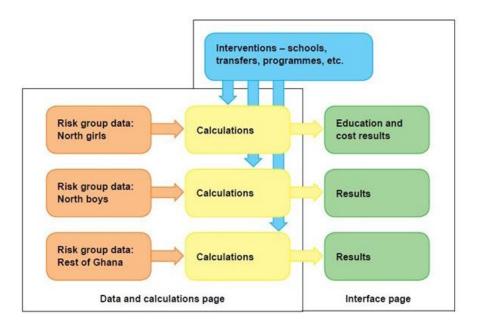
Figure 3: SEE's four building blocks and their relationships (UNICEF, 2013:13)

Risk group data and interventions feed into calculations, which simulate possible education and cost results. As is the case with the SEE model scheme (see figure 2), it is clear that successful implementation of the model as depicted in figure 3 will require a great deal of professional planning and execution skills. Here, too, policymakers and administrators will have to contextualise the model in terms of their particular and unique circumstances.

5.   CONCLUSION AND SUGGESTIONS

Equity is a multifaceted concept. It is related to a number of concepts, such as "equality", "redress", "affirmative action", "equality of results", "equality of access", and "inclusion". These concepts are not always clearly distinguished, and are often confused, misunderstood, or even misused.

The term "equity" is derived from Latin *aequus*, which means "equal", or "fair". "Equal" and "fair" denote two dimensions of equity.

In its equality meaning, "equity" implies that law- and policymakers and state executive authorities realise that bestowing formal equality on previously disadvantaged people is not sufficient to enable them to fully enjoy their constitutionally guaranteed fundamental rights and freedoms. Equal treatment can be legislated by repealing laws that discriminated unfairly against individuals or groups, among other things on racial and gender grounds, and this is the first step towards equity. However, equal treatment does not constitute equity or equality.

Those in power often resort to strategies to improve the lives of their people, so that those who were previously disadvantaged do not have to contend with the consequences of past injustices indefinitely and are freed from the barriers to which they were subjected previously. Such strategies are referred to as "equity or redress strategies", and they are intended to ensure, among other things, equal opportunities for all. However, such equity is exceptionally hard to achieve, as the sheer magnitude of the factors that contribute to inequality and lack of opportunity is such that it makes it almost impossible for policymakers and executive authorities to design, implement, and monitor interventions that would reverse the lingering effects of past injustices and set people free to live their lives in dignity.

Those responsible for the well-being of their people resort to setting numerical targets that represent progress towards greater equality or equity. For the same reason, they use statistics to demonstrate progress towards equity, because they are responsible for the quality of their people's lives and are accountable to the people and before the law. Such numerical targets and statistical accounts are a necessary part of the pursuit of equity, but they do not capture the full meaning of equity, and they often serve only to emphasise that equity is very elusive.

Equity also connotes fairness, even-handedness, dignity, and justice. As such, it describes people's perceptions of how they are being treated, what their opportunities are, and what share they are getting of essential resources. In this sense, equity is essentially a mental and emotional concept formed by people who believe that what impaired their inherent human dignity in the past and was therefore untenable, repugnant, and unconscionable in their lives has been removed and will no longer prevent them from living their lives in dignity.

Equity as fairness is probably more difficult to measure or prove than equity as equality. Although such equity is hard to locate and measure (if it can be measured at all), one should be able to sense when people come to believe that a previously abhorrent, unconscionable or untenable situation that affected the essence of their human dignity and existence or being negatively has been removed and that it is now possible for them to live their lives in dignity.

I would suggest that, in education, a paradigm shift needs to take place. We cannot keep on only pursuing numerical targets, which, in the final analysis, do not do much to prove that we have moved towards equity. In addition to following obviously needed educational strategies to eliminate inequities, we also need to develop a coherent understanding of what would constitute equity in people's minds and lives, and to consider ways and means that we can make people aware of what equity means. In this regard, human rights education as part of Life Orientation may be a way of consciously developing people's ability to understand equity, so as to be able to contribute to it and enjoy it when it has been achieved.

If we are aware of both dimensions of equity when we plan, implement, and assess interventions (educational or otherwise), we will get to understand the concept better and be able to respond more appropriately to the need for equity.

6.   Acknowledgements

7.   References

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