

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities will be held on **Tuesday, 22 November 2016** at **12:00** in the **Mafeje Room**, Bremner Building, Lower Campus

**AGENDA**

In line with the provisions of the Institutional Statute transcribed below, a special meeting of the Board of the Faculty of Humanities is called to discuss a single item.

*Extract from the Institutional Statute (2013)*

**28. Boards of faculties**

**(8) Special meetings must be held -**

- (a) when called by the dean; or**
- (b) when a written request for a special meeting, stating the object of the meeting, is received by the dean from at least 10 members of the faculty board.**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign and circulate the attendance register. Apologies to Liz Werth (liz.werth@uct.ac.za) **before 10:00 on Tuesday 22 November 2016.**

**1.2 Chair for meeting**

The Dean has recused himself as chair. The Deputy Deans will propose a chair for the meeting shortly.

**2. PETITION FOR EMERGENCY SPECIAL FACULTY BOARD**

We, the undersigned, request that the Dean call a special faculty board for the following reasons:

In light of the recent announcement about Prof Sakhela Buhlungu's departure from UCT and from his position as Dean in the Faculty of Humanities, we request clarity on the plans and procedures that are put in place to find a replacement for Prof Buhlungu.

Furthermore, given the particular path of transformation that the faculty has embarked on under Prof Buhlungu's deanship, we believe that it is imperative that as a faculty, we are able to participate in setting the parameters for the appointment of any interim and incoming Dean.

We recommend that this meeting take place before the end of the semester before members of faculty go on leave.

Signed by:

Divine Fuh  
Zethu Matebeni  
Chris Ouma  
Khwezi Mkhize  
Shose Kessi  
Ana Deumert  
Jay Pather  
Asanda Benya  
Nomusa Makhubu  
Adam Haupt  
Horman Chitonge  
Berni Searle  
Amrita Pande  
Ruchi Chaturvedi  
Floretta Boonzaier  
Lungisile Ntsebeza

*Extract from the Institutional Statute (2013)*

**28. Boards of faculties**

- (1) For each faculty there is a committee of the senate known as a faculty board.
- (2) The composition of each faculty board is as decided by the senate from time to time, but in –
  - (a) each faculty other than the Faculty of Health Sciences the composition of the faculty board must include –
    - (i) the professors in the faculty;
    - (ii) the heads of departments in the faculty;
    - (iii) the permanent full-time associate professors, senior lecturers, lecturers and assistant lecturers in the faculty; and
    - (iv) student representatives.
  - (b) the Faculty of Health Sciences the composition of the faculty board must include -
    - (i) the professors in the faculty;
    - (ii) the heads of departments in the faculty;
    - (iii) members elected by the full-time and part-time associate professors, senior lecturers, lecturers and assistant lecturers in the faculty;
    - (iv) and student representatives.
- (9) The dean of the faculty is the chairperson of his or her faculty board and presides at all meetings of the faculty board at which he or she is present.
- (10) In the absence of the dean, the acting dean presides, and in the absence of both the faculty board must elect a member to preside at that meeting.
- (11) The faculty board -
  - (a) is responsible to the senate for organising and controlling the teaching, curricula, syllabuses, examinations and research of the faculty;
  - (b) must make proposals to the senate for rules prescribing the requirements for each degree, diploma and certificate offered in the faculty, including the requirements for admission and readmission;
  - (c) must advise the dean of the faculty on policy for resource allocation in the faculty;
  - (d) must carry out such functions as the senate delegates or assigns to it;
  - (e) is accountable to the senate for its work; and
  - (f) may by resolution establish committees of the faculty, and may appoint as members of such committees any people whether they are members of the faculty board or not.
- (6) The procedures at meetings of faculty boards are as decided by the senate from time to time.
- (6A) The quorum of a faculty board is as decided by senate from time to time but may not be less than one third of the total membership of the faculty board where the total membership is reduced by –
  - (a) the number of those who are on approved leave at the date of the meeting; and
  - (b) the number of those who have missed the last three ordinary meetings of the Board prior to the meeting in question.

*(New sub-paragraphs (6) and (6A) inserted, February 2004)*

- (7) Ordinary meetings are held on the dates decided by the senate.
- (8) Special meetings must be held -
  - (a) when called by the dean; or
  - (b) when a written request for a special meeting, stating the object of the meeting, is received by the dean from at least 10 members of the faculty board.
- (9) The faculty board decides its own rules of debate.
- (10) The ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her ruling without discussion to the meeting which decision is then final and binding.

## UNIVERSITY OF CAPE TOWN

## BOARD OF THE FACULTY OF HUMANITIES

A special meeting of the Board of the Faculty of Humanities was held on **Thursday 13 July 2017 at 13:30**, in the **Mafeje Room, Bremner Building**.

## CONFIDENTIAL MINUTES

**1. REGISTER, APOLOGIES AND WELCOME**

*The acting Chair, Vice-Chancellor Dr Max Price, welcomed members to the special meeting which had been convened to receive the recommendation of the Selection Committee on the appointment of a new Dean of Humanities.*

**2. PROCEDURAL NOTES**

*Dr Price outlined the procedure for selection of a new Dean, noting the Selection Committee had been constituted in terms of the Senate procedures for appointment of Deans. As there had been insufficient time since the meeting on 11 July to draft a written report, Dr Price reported orally. It was noted*

- The Board had been convened to consider a single agenda item.*
- The quorum for the meeting was 54 and with 106 members present, the meeting was considered quorate.*
- Members would be invited to indicate their support (by secret ballot) for the candidate recommended by the Selection Committee for the position of Dean of Humanities. Support from 60% of those voting either for or against was needed for the recommendation to be taken forward. Should the 60% in support not be attained, the Selection Committee would reconvene to decide whether to submit its recommendation to the Institutional Forum and Council, or whether to return to the selection process.*
- That Senate had recently approved an amendment to the procedure which affected the votes of members who abstained. Under the revised procedure, these would be excluded from the total count.*
- Only those members present at the meeting could vote and that proxy or postal votes would not be permitted.*

**3. PROCESS TO DATE**

Dr Price outlined the process of the Selection Committee. It had initially convened on 25 January 2017 and agreed, in terms of employment equity considerations, that a black African candidate would be the first preference, followed by candidates drawn from other black equity groups. International candidates would be considered but only where they were able to demonstrate familiarity with the context of South African higher education. Members of the Board had also been encouraged to nominate candidates they considered eligible for the position.

There had been two search rounds. The first delivered an applicant pool of eleven, four of whom were black equity candidates, the short-listing sub-committee identified three candidates as having met the minimum requirements in terms of the advertised post: an International (Coloured) female, a Coloured male and a White male. The Selection Committee did not consider the pool strong enough to proceed with the shortlist and entered into a second recruitment round, during which head-hunters were retained to identify potential candidates. One shortlisted candidate was retained in the pool and another White male applied bringing the shortlist to two. The entire applicant pool was re-graded and the Vice-Chancellor approached potential candidates identified by the Committee. There were five more applications including brought two black African candidates and two women, but several candidates then withdrew their applications leaving a final shortlist of two: one International Black male and one South African White male.

As the Selection Committee judged it had exhausted the field as it currently existed, it proceeded with interviews. The shortlisted candidates were Prof Sabelo Ndlovu-Gatsheni and Prof David Attwell.

The two shortlisted candidates had presented to members of the Board on Monday 10 July on the topic 'How would you differentiate UCT's Humanities faculty to make it a destination of choice for students and researchers in these challenging times?'. The presentations had been followed by a question and answer session, all of which was live-streamed for those unable to attend. The candidates' curriculum vitae

(CVs) had been circulated to the Board prior to the presentations. Board members were invited to comment on the presentations by 09h00 on Tuesday 11 July. Shortly thereafter, the Committee interviewed the candidates and considered referee reports.

The Selection Committee had debated the relative merits of the two candidates, noting the context and needs of the Faculty, their experience in managing complex units, and their understanding of the broader context of higher education in South Africa. In line with the Senate-approved procedure, a single recommendation for appointment was put to the Board.

#### 4. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES

Dr Price reported the Selection Committee recommended the appointment of Prof David Atwell for the position of Dean of Humanities. He enumerated Prof Atwell's positive qualities. He was considered a strong candidate in terms of scholarship and was well-versed in management of a complex unit, holding a cognate position at another university. The Committee had probed his position on transformation and reported he demonstrated a strong understanding of transformation and decolonisation and would contribute constructively to debates about curriculum reform. The Committee had also been satisfied with his responses to questions about academic freedom and institutional autonomy and their relationship to decolonisation. Furthermore, he had indicated that he understood an equity candidate was preferred and would step aside if one were found. While his absence from the country during the recent student protests placed him at a disadvantage, the Committee considered he understood what was required for the position and had confidence that he could manage the Faculty. The Committee had voted on whether to proceed with a recommendation to the Board and 11 out of 14 had voted in favour with two against and one abstaining. This met the requirement of a two-thirds majority for supporting a recommendation to the Board, and subsequently, to Council.

The Chair invited comments and questions from the Board.

In response to

- A question about whether the candidate's age had been taken into account, Dr Price reported that the Committee had discussed this noting he would only be eligible for one term. This was considered positive as it opened the field again in the near future.
- A question about whether the Committee was equipped to engage with concerns about racism and decolonisation, Dr Price reported that the Committee had explored with each candidate the issue of racism and how he would deal with it. The Committee was convinced, within the limitations of the position, that Prof Atwell would take a strong position against any discriminatory practices. He had also addressed the issue of sexism and women's entry into, and progress within, the Academy and could draw on the practical experience of the Athena SWAN programme in the UK universities to address gender discrimination issues here.
- A question about why the International candidate had not been recommended, Dr Price responded that the proceedings of the Selection Committee were confidential and that he was not able to report on its discussions and how members had voted. While he was not able to comment on the appointability of the International candidate, he reported the Committee had been near unanimous in its recommendation of Prof Atwell.
- A call for individual Committee members to report, Dr Price responded that this would be unconventional and in breach of the spirit of confidentiality of proceedings, but that members were at liberty to report if they wished. Several Committee members addressed the Board, outlining the reasons for their positions. These revealed that the discussion had considered the relative importance which should be attached to finding an equity candidate at all costs as opposed to filling the vacant position and providing the Faculty with longer-term direction and leadership, while ensuring the candidate was committed to transformation.
- A Board member reported critically on a personal engagement with the candidate. Dr Price cautioned against attaching too much weight to the reports as the candidate was not there to respond and the issue had not been put to the candidate in the interview.
- In answer to a question about Prof Atwell's age (61) and whether the Selection Committee had taken this into account, the VC said that it had not. The question continued, if Prof Atwell were to be appointed, would the Selection Committee immediately reconvene to identify an equity candidate? Dr Price responded that it would not. However, he suggested that the UCT employment equity policy created a mechanism that if a suitable candidate for a particular position was identified at any time, even if the position was not vacant but would become so, and that an equity post could be created in the interim which would allow the candidate to step into the position as soon as it was vacated (with an option for negotiation for an early exit with Prof Atwell).

Discussion continued around the issue of transformation and identifying a black candidate. The Board was split. Some considered that the imperatives of transformation, the political context of higher education generally, and UCT specifically, and the need for a leader who could unite the Faculty demanded that only a black candidate would be acceptable. The counter position acknowledged that the difficulty in attracting black candidates pointed to structural problems in recruitment, mentoring and support for academics from these groups; but that the position demanded certain skills and experience, and the Faculty could not be left without a full Dean without inflicting long-lasting damage. It was noted that there had been no internal candidates and that the current environment possibly made potentially suitable candidates reluctant to apply, particularly given the demands placed on those in leadership and management positions by the wider political context.

**5. SECRET BALLOT**

Having confirmed there was a quorum, the Chair asked members to complete the ballot papers each had collected at the entrance to the venue. The outcome was as follows.

Does candidate Professor David Atwell [sic] have your confidence as Dean of Faculty?	Yes	No	Abstain
	52	44	10

Excluding those who abstained, this left 54% in favour of the recommendation and 46% against.

It was noted the Selection Committee would be required to reconvene to consider the outcome of the ballot.

*Secretary's note: the Faculty Manager (Academic Administration) was chief electoral officer. The votes were counted in the room in front of remaining Board members and the outcome reported to the Chair.*



UNIVERSITY OF CAPE TOWN  
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**DEAN, FACULTY OF HUMANITIES  
 REPORT TO THE FACULTY BOARD  
 ON THE RECRUITMENT AND SELECTION PROCESS**

I hereby submit a report to the Faculty Board on the process followed in the recruitment and selection of a new Dean of the Faculty of Humanities.

**SELECTION COMMITTEE**

In accordance with the Procedures for the Appointment of Deans which has been circulated to Faculty Board members, a selection committee was constituted as follows:

Dr Max Price	: Chair
Professor Mamokgethi Phakeng	: Deputy Vice-Chancellor
Professor Anton Le Roex	: Deans Representative
Professor Penny Andrews	: Deans Representative
Ms Jaamia Galant	: Faculty Employment Equity Representative
A/Professor Jay Pather	: Faculty Employment Equity Representative
Professor Bernhard Weiss	: Professor in the Faculty
Professor Francis Nyamnjoh	: Professor in the Faculty
Professor Lungisile Ntsebeza	: Professor in the Faculty
Professor Mark Solms	: Professor in the Faculty
A/Professor Berni Searle	: Non-professorial member of the Faculty
Dr Roman Roth	: Non-professorial member of the Faculty
A/Professor Tanja Bosch	: Non-professorial member of the Faculty
Mr Roger Gachago	: PASS Member of the Faculty
Dr Jonathan Clark	: PASS Member of the Faculty
Mr Luke White	: Student Representative
Mr Mila Tshaka	: Student Representative
Ms Rahmat Omar	: External Council member
Prof Shirley Zin	: External Council member (alternate)

**REPORT ON RECRUITMENT AND SELECTION PROCESS**

**1. Search Process**

The selection committee first met on 25 January 2017 as a search committee.

The committee agreed in terms of employment equity that a strong preference would be for a black African South African candidate as first choice followed by an equity candidate from the designated groups. The committee also discussed the consideration of a non-South African candidate from the African continent and white candidates. It was largely agreed that should these candidates be considered they would have to be well grounded and familiar with the South African context. The committee agreed to make every effort to search for a black South African, but also to open up the advertisement to as wide a pool of candidates as possible.

The advertisement appeared in local media and on a number of local and international websites. In addition, the advertisement was sent to relevant institutions and societies and members of the committee were encouraged to identify and nominate potential black South African candidates. Four potential black South African candidates were identified at the search meeting whom the Chair contacted and the advertisement was brought to their attention.

The advertisement called for applications and nominations, with a closing date for applications of 3 March 2017.

## 2. Grading Process

10 applications were received by the closing date with one late application, which the committee also considered. The breakdown of the 11 applications is as follows:

		International Black	International White	SA Black	SA White
Males	9	2	1	4	2
Females	2	1	0	1	0
<b>Totals</b>	<b>11</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>2</b>

The initial grading of the sub-committee resulted in three candidates being recommended for further consideration:

		International Black	International White	SA Black	SA White
Males	2	0	0	1	1
Females	1	1	0	0	0
<b>Totals</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>

## 3. Shortlisting Process

The full selection committee met on 16 March 2017 to consider all the applications.

The committee considered the initial grading of the sub-committee and agreed that the pool was unsatisfactory and particularly weak with designated group candidates. The committee also expressed disappointment that none of the candidates that were identified at the search meeting considered making application for the position. Although three candidates - one black South African male, one white South African male and one International black female with South African citizenship were initially recommended the committee deemed that their candidature was not strong enough particularly at professorial level. After further probing of the candidates the committee agreed that the International black candidate was the only candidate eligible for shortlisting. The committee agreed to retain the candidature of the International black candidate and to re-open the search process for a second time through the use of a headhunting agency and a targeted search for potential candidates; internal to the faculty and external.

The committee met again on 19 April 2017 for a second time to consider the applications yielded from the targeted search and headhunting agency. Whilst the headhunting agency was unsuccessful in producing any potential applications, there was one new application of a white South African male. The committee agreed that although the application was strong, the concerns remained regarding employment equity and whether they're satisfied that the targeted search was broad enough.

A sub-committee was constituted to conduct an extensive search of African and black candidates in South African institutions and Humanities departments. A list of 43 black potential candidates was compiled and assessed by the sub-committee for initial grading. The initial grading resulted in ten potential candidates being identified to be contacted by the Chair and Staff Recruitment Office for consideration of submission of an application.

The breakdown of the ten potential candidates identified for further consideration:

		International Black	International White	SA Black	SA White
Males	6	1	0	5	0
Females	4	0	0	4	0
<b>Totals</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>9</b>	<b>0</b>

The selection committee met for a third time on 19 June 2017 to consider the applications of the candidates who responded to the invitation for application and to agree on a final shortlist. Two of the ten candidates who were invited to apply made application.

Subsequent to re-opening the search process the International black female applicant notified the committee of her withdrawal from the process.

The committee agreed on a final shortlist of two candidates.

Professor David Attwell	:	South African white male
Professor Sabelo Ndlovu-Gatsheni	:	International black male

### Candidate Presentations

The two mentioned candidates offered their presentations to the Faculty on 10 July 2017. The presentations followed by questions and answers were open to all Humanities staff and students who were invited to provide feedback to the selection committee. The presentations were live-streamed and recorded for those who could not attend and members were given the opportunity to forward questions to the servicing officer.

### 4. Interviews

The selection committee interviewed the final two candidates on 11 July 2017. The committee engaged in a thorough debate on the merits of the candidates in the context of the needs and challenges facing the faculty at this time.

#### Prof Atwell

Through the presentations and interview, Prof David Attwell displayed passion, humility and thoughtfulness. He demonstrated a high level of emotional intelligence and diplomacy in connecting with students and staff and engaging with difficult questions. There was a strong view that he has demonstrated an understanding of transformation and has engaged with issues of decoloniality with a focus on African writers from the continent and South African black writers on different levels since the start of his academic career in the 1980's. He was self-reflective in his responses and sensitive to many of the issues of curriculum reform.

He is a strong candidate and has an impressive scholarship record attested to by both his CV and his referees. The committee is confident that he understands the position and has the requisite managerial and financial experience, having headed the English and Related Literature department at York University for eight years, which functions like a faculty in terms of devolved responsibility. One of his referees commented that in his 40 years of being in academia, Prof Atwell has been the most effective and professional Head of Department. He has also headed English departments at two South African universities.

He was questioned on his resilience in working in a difficult environment and faculty and why he submitted himself to the selection process for a second time. He responded that he is fully committed to the task and believes he can make a significant contribution to the faculty, while also recognising that if there were to be a strong equity candidate, he would accept that that was the more appropriate appointment.

The key concerns expressed were around the employment equity targets and how Prof Atwell, having been outside the country for the last while would engage with the current debates and protest challenges.

#### Prof Ndlovu-Gatsheni

In spite of many strengths, the committee eventually decided that it would not recommend Prof Sabelo Ndlovu-Gatsheni for the post.



After taking into account all the information on the candidates, including feedback from their referees and presentations to the Faculty and formal interviews a proposal was put forward to vote in two stages. First, whether the committee should defer the decision and not make an appointment at this time; and, second, if the decision was to recommend an appointment now, whether to support the appointment of Prof Atwell.

Three members voted in favour of the decision to be deferred, 11 favoured making the appointment. In the second round of voting for support of the recommendation of appointment; 11 out of 14 members voted in favour of recommending Prof David Attwell as the preferred candidate for appointment as Humanities Dean, 2 opposed and 1 abstained.

I submit that the process has been thorough, and within the specified rules.

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**Dr Max Price**  
**Vice-Chancellor & Chair of Selection Committee**  
**12 July 2017**

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**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities will be held on **Wednesday, 29 May 2019** at **14:45**, in the **Mafeje Room, Bremner Building**.

**AGENDA**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign the attendance register on arrival and to collect their ballot paper. Apologies should be sent to Liz Werth ([liz.werth@uct.ac.za](mailto:liz.werth@uct.ac.za)) by **Wednesday, 29 May 2019 at 12:30**.

**2. PROCEDURAL NOTES**

This item is for information.

- The meeting must have a quorum.
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting will be confirmed at the meeting.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council. This majority excludes those who abstain. In other words, a spoilt ballot or abstention is effectively a vote against.
- Only those Board members present at the meeting may vote.
- No proxy votes are allowed.
- There is no postal ballot.

The membership of the Board, as approved via special Dean's Circular on 22 May 2019, is attached. Corrections to the membership are incorporated into this version of the list as follows. Errors to titles, positions or home department are not included but will be reported as corrections in the next Dean's Circular:

Annexure 1 (pages 3 – 8)

**3. PROCESS TO DATE**

This item is for information.

- On Monday, 27 May 2019 the four candidates for the Deanship gave presentations to Faculty (staff and students) in the Mafeje Room, Bremner Building. The topic for the presentations was *"How would you address the perceived precarity of Humanities within the current climate of tertiary education in South Africa and beyond? You may consider the more pressing practical issues of resources and student numbers, to broader debates of interdisciplinarity, the decolonial project, and the critical place of Humanities in a transforming society."*
- The candidates were Professor Adam Haupt, Professor Rose Boswell, A/Professor Shose Kessi and Professor Grace Khunou.
- The candidates' CVs were circulated before the presentations by email.
- Board members were invited to submit comments after the presentations, by midnight, on the same day, to Shanaaz Jaffer of the Staff Recruitment Office.
- On Tuesday 28 May 2019, the candidates were interviewed by the Selection Committee. The Committee's report will follow and its recommendations will be put to the Board at this special meeting on Wednesday, 29 May 2019 at 14h45.

The policy on the appointment of new deans is included as Annexure 2.

Annexure 2 (pages 9 – 15)

**4. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES**

Deputy Vice-Chancellor A/Professor Lis Lange will present a proposal to the Faculty Board from the Selection Committee for the Dean of Humanities.

Faculty Board members will be asked to indicate on the ballot paper their response to the following question.

Does candidate Professor Grace Khunou have your confidence as Dean of Faculty?	Yes	No	Abstain
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Professor Grace Khunou's abridged CV is included as Annexure 3.

Annexure 3 (pages 16 – 17)

Ballot papers will be distributed at the point at which the attendance register (listing all members) is signed. Completed ballots will be collected in a sealed box.

Sashni Chetty (Faculty Manager: Academic Administration) will act as chief electoral officer with assistance from Academic Administration managers. The electoral officers will count the ballot after the meeting.

**Outcome of the ballot:** Where a majority (60%) of the votes in favour is required this must be a majority of votes cast (in other words a spoilt paper or an abstention is effectively a vote against).

The Faculty Board will be informed of the outcome by the Chair of the Selection Committee at the meeting. The detailed result of the ballot will also be recorded in the minutes of the special Board meeting.

**Sashni Chetty**  
**Faculty Manager: Academic Administration**

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**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities will be held on **Thursday, 30 May 2019 at 14:00**. The venue will be confirmed.

**AGENDA**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign the attendance register on arrival and to collect their ballot paper. Apologies should be sent to Liz Werth ([liz.werth@uct.ac.za](mailto:liz.werth@uct.ac.za)) by **Thursday, 30 May 2019 at 11:00**.

**2. PROCEDURAL NOTES**

This item is for information.

- The meeting must have a quorum.
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting will be confirmed at the meeting.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council. This majority excludes those who abstain. In other words, a spoilt ballot or abstention is effectively a vote against.
- Only those Board members present at the meeting may vote.
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- There is no postal ballot.

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- The candidates were Professor Adam Haupt, Professor Rose Boswell, A/Professor Shose Kessi and Professor Grace Khunou.
- The candidates' CVs were circulated before the presentations by email.
- Board members were invited to submit comments after the presentations, by midnight, on the same day, to Shanaaz Jaffer of the Staff Recruitment Office.
- On Tuesday 28 May 2019, the candidates were interviewed by the Selection Committee. The Committee's report was meant to follow and its recommendations were to be put to the Board at a special meeting on Wednesday, 29 May 2019 at 14:45. This meeting had to be postponed following a notice from Human Resources.
- Recommendations will be put to the Board at a special meeting on Thursday, 30 May 2019 at 14:00.

The policy on the appointment of new deans is included as Annexure 2.

Annexure 2 (pages 9 – 15)

**4. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES**

The Vice-Chancellor Professor Mamokgethi Phakeng will present a proposal to the Faculty Board from the Selection Committee for the Dean of Humanities.

Faculty Board members will be asked to indicate on the ballot paper their response to the following question.

Does candidate Professor Grace Khunou have your confidence as Dean of Faculty?	Yes	No	Abstain
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Professor Grace Khunou's abridged CV is included as Annexure 3.

Annexure 3 (pages 16 – 17)

Ballot papers will be distributed at the point at which the attendance register (listing all members) is signed. Completed ballots will be collected in a sealed box.

Sashni Chetty (Faculty Manager: Academic Administration) will act as chief electoral officer with assistance from Academic Administration managers. The electoral officers will count the ballot after the meeting.

**Outcome of the ballot:** Where a majority (60%) of the votes in favour is required this must be a majority of votes cast (in other words a spoilt paper or an abstention is effectively a vote against).

The Faculty Board will be informed of the outcome by the Chair of the Selection Committee at the meeting. The detailed result of the ballot will also be recorded in the minutes of the special Board meeting.

**Sashni Chetty**  
**Faculty Manager: Academic Administration**

**UNIVERSITY OF CAPE TOWN  
FACULTY OF HUMANITIES  
MEMORANDUM**

**TO:** Members of Humanities Faculty Board

**FROM:** Sashni Chetty  
Faculty Manager (Academic Administration)

**DATE:** 31 May 2019

Dear Members of the Humanities Faculty Board

I am writing to you to update you on two matters:

1. Outcome of the Faculty Board vote for a new Dean at the Special Faculty Board meeting, 30 May 2019
2. Vula poll on quorum for future Dean's selection special Board meetings, as agreed at the normal Faculty Board meeting on 29 May 2019

1. Outcome of the Faculty Board vote for a new Dean

At the special Board meeting of 30 May 2019, members were asked to vote on the following:

"Does candidate Professor Grace Khunou have your confidence as Dean of the Faculty?"

YES – 33	NO – 76	ABSTAIN (COUNTED AS NO) – 13	TOTAL VOTES – 122
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The voting outcome reflected 27% support for Professor Khunou and the Vice Chancellor reported that the Selection committee will reconvene.

2. Vula poll on quorum for future Dean's selection committees

At the normal Faculty Board meeting on 29 May 2019, the formula for quorum was discussed. You are reminded that quorum is calculated as follows:

- The meeting must have a quorum
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting will be confirmed at the meeting.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council.
- Only those Board members present at the meeting may vote.

Members were concerned about the low quorum requirement, given the number of people who may have sent in apologies or missed 3 meetings, whilst there were opposing views that a quorum set too high could stop a meeting from proceeding. It was agreed that proposals for new quorum rules could be sent to the Faculty Manager by 16:00 on 30 May 2019 so that a Vula poll could be run on 31 May 2019. It was noted that the outcomes of the voting would be reviewed and discussed so that recommendations could be made to Senate and Council based on the voting. It was also noted that for the current selection process, the current rules for quorum would still apply.

There was one proposal received from A/Professor Sa'diyya Shaik and seconded by Dr. Bodhisattva Kar and is captured as received:

*"I propose that we adopt an exceptional rule to calculate a quorum when a Faculty Board needs to approve a new dean – and in this case, I propose that we calculate quorum as 41% of the total membership of Faculty Board reduced by those who are on approved leave at the date of the meeting".*

A Vula poll will run from this afternoon, 31 May 2019 through to 16:00 Friday 07 June 2019, allowing members to vote on the above proposal, or the option to leave quorum as is.

Any questions can be referred to me, in my capacity as Servicing Officer of the Faculty Board.

Sashni Chetty  
Faculty Manager: Academic Administration

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF**

A special meeting of the Board of the Faculty of Humanities will be held on **Friday, 14 June 2019 at 09:00**, in the Dining Hall, Baxter Hall Residence, Lower Campus. This is a meeting for voting members of the Faculty Board.

**AGENDA**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign the attendance register on arrival and to collect their ballot paper. Apologies should be sent to Liz Werth ([liz.werth@uct.ac.za](mailto:liz.werth@uct.ac.za)) by **Thursday 13 June at 17:00**.

**2. PROCEDURAL NOTES**

This item is for information.

- The meeting must have a quorum.
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting will be confirmed at the meeting.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council. This majority excludes those who abstain. In other words, a spoilt ballot or abstention is effectively a vote against.
- Only those Board members present at the meeting may vote.
- No proxy votes are allowed.
- There is no postal ballot.

The membership of the Board, as approved via special Dean's Circular on 22 May 2019, is attached. Corrections to the membership are incorporated into this version of the list as follows: (*additions underlined, deletions struck through*)

Deputy Vice-Chancellors: ~~Professor K Naidee~~ Professor S Harrison (from 1 August 2019)

School of Education: Ms L-A Naidoo

Dept of Knowledge & Information Stewardship: ~~Mr-Dr M Shongwe~~

School of Languages & Literatures: Dr G Singer

Representatives of the tutors and teaching assistants: ~~Mr M Mena~~

Head or Nominee, Academic Development Programme: ~~Mr-Dr M Arend~~

Head or Nominee, Archaeology Dept: ~~Associate-Professor S Chirikure~~

Annexure 1 (pages 3 – 8)

**3. PROCESS TO DATE**

This item is for information.

- On Monday, 27 May 2019 the four candidates for the Deanship gave presentations to Faculty (staff and students) in the Hlanganani Junction, Level 6, Chancellor Oppenheimer Building, UCT Libraries, UCT Upper Campus. The topic for the presentations was *"How would you address the perceived precarity of Humanities within the current climate of tertiary education in South Africa and beyond? You may consider the more pressing practical issues of resources and student numbers, to broader debates of interdisciplinarity, the decolonial project, and the critical place of Humanities in a transforming society."*
- The candidates were Professor Adam Haupt, Professor Rose Boswell, A/Professor Shose Kessi and Professor Grace Khunou.
- The candidates' CVs were circulated before the presentations by email.
- Board members were invited to submit comments after the presentations, by midnight, on the same day, to Ms Shanaaz Jaffer of the Staff Recruitment Office.
- On Tuesday 28 May 2019, the candidates were interviewed by the Selection Committee.
- The Committee's report followed and a recommended candidate, Professor Grace Khunou, was put forward at the special meeting on Thursday, 30 May 2019.
- The vote reflected 27% support for Professor Grace Khunou.
- The selection committee reconvened and a second special meeting took place on Tuesday 11 June 2019. The voting process was not concluded.
- This special meeting has been called to hear the recommendation of the candidate and to conclude the process of voting in accordance with a Council approved policy and process.

The policy on the appointment of new deans is included as Annexure 2.

Annexure 2 (pages 9 – 14)

**4. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES**

Vice-Chancellor Professor Mamokgethi Phakeng will present a proposal to the Faculty Board from the Selection Committee for the Dean of Humanities.

Faculty Board members will be asked to indicate on the ballot paper their response to the following question.

Does candidate Associate Professor Shose Kessi have your confidence as Dean of Faculty?	Yes	No	Abstain
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Associate Professor Shose Kessi's abridged CV is included as Annexure 3.

Annexure 3 (pages 15 – 16)

Ballot papers will be distributed at the point at which the attendance register (listing all members) is signed. Completed ballots will be collected in a sealed box.

Sashni Chetty (Faculty Manager: Academic Administration) will act as chief electoral officer with assistance from Academic Administration managers. The electoral officers will count the ballot forms at the meeting.

**Outcome of the ballot:** Where a majority (60%) of the votes in favour is required this must be a majority of votes cast (in other words a spoilt paper or an abstention is effectively a vote against).

The Faculty Board will be informed of the outcome by the Chair of the Selection Committee at the meeting. The detailed result of the ballot will also be recorded in the minutes of the special Board meeting.

**Sashni Chetty**  
**Faculty Manager: Academic Administration**



## UNIVERSITY OF CAPE TOWN

### SPECIAL BOARD MEETING OF THE FACULTY OF HUMANITIES

A special meeting of the Board of the Faculty of Humanities will be held on **Tuesday 16 July 2019 at 12:00**, in the **Mafeje Room, Bremner Building**.

#### AGENDA

#### 1. REGISTER, APOLOGIES AND WELCOME

##### 1.1 Attendance register

Members are required to sign the attendance register on arrival. Apologies should be sent to Liz Werth ([liz.werth@uct.ac.za](mailto:liz.werth@uct.ac.za)) by **Tuesday 16 July 2019 at 09:00**.

#### 2. PROCESS TO DATE

This item is for information.

- On Monday, 27 May 2019 the four candidates for the Deanship gave presentations to Faculty (staff and students) in the Hlanganani Junction, Level 6, Chancellor Oppenheimer Building, UCT Libraries, UCT Upper Campus. The topic for the presentations was *"How would you address the perceived precarity of Humanities within the current climate of tertiary education in South Africa and beyond? You may consider the more pressing practical issues of resources and student numbers, to broader debates of interdisciplinarity, the decolonial project, and the critical place of Humanities in a transforming society."*
- The candidates were Professor Adam Haupt, Professor Rose Boswell, A/Professor Shose Kessi and Professor Grace Khunou.
- The candidates' CVs were circulated via email, before the presentations.
- Board members were invited to submit comments after the presentations, by midnight, on the same day, 27 May 2019, to Ms Shanaaz Jaffer of the Staff Recruitment Office.
- On Tuesday 28 May 2019, the candidates were interviewed by the Selection Committee.
- The Committee's report followed and a recommended candidate, Professor Grace Khunou, was put forward at the special meeting on Thursday, 30 May 2019.
- The vote reflected 27% support for Professor Grace Khunou.
- The selection committee reconvened and a second special meeting took place on Tuesday 11 June 2019. This meeting was for the presentation of the committee report and recommendation of the candidate, A/Professor Shose Kessi. The voting process was not concluded.
- The following email was circulated to members of the Faculty Board from the Vice Chancellor on 25 June 2019.

*"Following on the last reflective meeting of the selection committee, we requested a legal opinion in order to ensure that procedurally and substantially the university had followed all the necessary steps and made the correct decisions in the appointment of the dean of the Faculty of Humanities. The instruction to the lawyers included to look at the correctness of the processes and decisions in relation to the university rules for the appointment of deans and its commitment to the implementation of its employment equity targets.*

*According to the legal opinion, the University followed all the correct steps both procedurally and substantively until the Selection Committee presentation of Professor Khunou to the Faculty Board. The outcome of the voting at the FBH did not provide Professor Khunou the required 60% support. The Faculty Board only provided 27% support for Professor Khunou. The legal opinion maintains that according to the university's rules and in pursuit of the institutional equity targets, the selection panel should have: a) requested the Faculty Board to provide the reasons why it did not give the necessary support to Professor Khunou; b) made a decision based on this engagement.*

*According to the legal opinion, based on the university rules, should the candidate not receive the above majority vote, the selection committee must reconvene to make a decision on whether to submit its recommendation to the Institutional Forum and Council, or to return to the selection process. In the event that the selection committee decides to proceed with its*

*recommendation, the Faculty Board will be entitled to submit a report containing the views of its members to the Institutional Forum and Council.*

*Thus, taking into account the legal opinion, the selection committee met on Tuesday, 25 June 2019 and decided to rescind its recommendation to proceed with the presentation of A/Professor Shose Kessi to the Faculty to express support through voting."*

This special meeting of the Faculty Board has been called to provide reasons for its lack of support for Professor Grace Khunou. The outcome of this meeting will be considered by the Selection Committee as it has the responsibility to recommend a suitable candidate to Institutional Forum (IF) and Council.

**Sashni Chetty**  
**Faculty Manager: Academic Administration**

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A meeting of the Board of the Faculty of Humanities will be held on **Thursday 08 August 2019 at 14:00**, in **Mafeje Room, Bremner Building**.

**ADDITIONAL AGENDA**

**1. EXECUTIVE OFFICER'S FORUM**

Dr Reno Morar will respond to questions submitted in writing in advance.

**Questions received from members of the Faculty Board as per the attachment:**

On 14 July, 27 members of the Faculty Board signed a letter of objection to the executive's handling of the Dean's Selection Committee, to which no response has been received to date. Therefore, following consultation with signatories of the letter, members of the Faculty Board ask the Executive's representative to answer the two principal questions which were raised in the letter. These are:

- We ask that the Selection Committee return to its original commitment to conclude the process of voting on the 2nd proposed candidate, since this was the outcome of a legally and procedurally correct faculty process prior to the unlawful disruption of the ballot by Dr Lushaba.
- We ask for a written response on what processes of accountability the university has put in place to address Dr Lushaba's aggressive disruption of the vote on June 11<sup>th</sup>.

Annexure 1 (pages 2 – 5)  
Appendix 1 (pages 6 – 7)  
Appendix 2 (pages 8 - 10)

Faculty Manager (Academic Administration)

14 July 2019

Chair and Members of the Selection Committee - Humanities Dean Selection Committee 2019  
Chair and Members of Council, University of Cape Town

We are writing as members of the Humanities Faculty Board to object to the 16<sup>th</sup> July meeting and its advertised agenda set out in a faculty communication of Friday, 12<sup>th</sup> July. In this Special Board meeting members are being asked to "provide reasons for its lack of support for Prof Grace Khunou" in the recent voting process for the appointment of a new Dean of Humanities.<sup>1</sup> For the reasons set out below, we find this request 'to explain' our lack of support to be unacceptable, procedurally problematic and unjust. Such a request is also contrary to established protocol and institutional policy.

As background, our reasoning is tied to the following unfolding of events in relation to the selection process of the Dean for the Humanities Faculty<sup>2</sup>:

1. The faculty *duly participated in all necessary procedures* and protocols associated with the nomination of Prof Khunou by the selection committee on the 30<sup>th</sup> May 2019 and the subsequent vote. The outcome of the vote was that Prof Khunou only garnered 27% (33 of 122 members) of support from members present at the meeting.
2. As per the process, these details informing the voting process were subsequently discussed and deliberated by a reconvened selection committee. We assume that the selection committee deliberated at length on this matter (including the equity targets) and then, according to procedure duly decided to return to the selection process.
3. Given the robust discussion at the meeting at the meeting of 30<sup>th</sup> May 2019 and given the deliberation of the selection committee around the recorded vote on that day- all according to policy- there is simply no reason for Faculty members to now be required to explain why they voted as they did on the day. Furthermore, a secret ballot is exactly that, and we would claim that it is legally untenable for members to explain their reasons (especially when the voting result was so categorical).
4. Based on the decision of the selection committee to then proceed with the selection process, members of the Faculty Board were subsequently invited to a second nomination process on the 11<sup>th</sup> June 2019 in the Mafeje Room at Bremner, where we were asked to deliberate and vote on the selection committee's recommended candidate, Associate Professor Shose Kessi.
5. At this meeting, the Vice Chancellor as the chair of the selection committee, motivated for their nomination of A/Prof Kessi. Unfortunately, the *counting of the ballot process* was disrupted by Dr Lwazi Lushaba. All the votes had been cast at that point and faculty staff were counting the ballots. But staff members could not unfortunately complete this counting task due to the aggressive disruption of the process by Dr Lushaba.
6. In official communication of 13<sup>th</sup> June, it was further noted that a second vote (on the selection committee's recommendation of A/Prof Kessi) was originally scheduled for 14<sup>th</sup> June, but that it had been postponed, and that the Faculty Board would reconvene on the 19<sup>th</sup> June 2019 to cast a second vote on the recommendation of A/Prof Kessi.

We are therefore aghast that Faculty Board is now being asked to discuss why they had voted in the way they did on the 30<sup>th</sup> May 2019. As far as we are concerned, the selection committee concluded this matter (after serious deliberation around a number of considerations, most importantly including equity targets) when it decided to return to the selection process and chose to recommend A/Prof Kessi as Dean of the Faculty of Humanities. As members of Faculty we

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<sup>1</sup> See Appendix 3

<sup>2</sup> See Appendix 1 for detailed outline of events relating to the Dean's Appointment process.

anticipated that the next Special Faculty Board would reconvene to vote on the selection committee's already-determined recommendation.

In light of the developments outlined above, we strongly object to the advertised agenda for the meeting on 16<sup>th</sup> July which is asking us to revisit Prof Khunou's candidacy. Our objections are based on the following:

- **The set of events that have led to this proposed agenda (July 16<sup>th</sup>) are procedurally flawed and substantively defective.**
- **There is no reason or logic in the current process to return to a discussion on the consideration of Prof. Khunou's nomination. Such an agenda has been set in motion by the unlawful disruption of a faculty process by a member of the Board, Dr Lwazi Lushaba.**
- **The selection committee and/or executive, as a consequence of an unlawful and aggressive disruption of the process, decided to obtain a legal opinion (and we deal with the problematic issues of this legal opinion in more detail below).**

The critical point here is that due to the unlawful disruption of the process, the original and correct process of the selection of the dean was not concluded. In fact, the process that is now being followed is aligned to and responsive to the demands made by the individual who disrupted the process.

As such, we argue that the decision to return to a discussion of Prof Khunou's nomination process will present a number of serious implications for the Faculty and the University.

- a) There could be significant fall-out if lawful and appropriate procedures attached to the voting process of the current selection committee recommendation (A/Prof Kessi) are not followed. **This legitimate process has not been concluded.**
- b) A serious and unacceptable precedent is being set that tolerates the aggressive disruption of a legitimate faculty selection process by a member of the faculty, a disruption which is then allowed to further determine subsequent decisions.
- c) Official faculty selection processes (as per official documents and outlines that have been circulated) are being undermined both by a return to discuss Prof Khunou's nomination as well as the call for legal counsel.

2) In the advertised agenda for July 16<sup>th</sup>, it states "This special meeting of the Faculty Board has been called to provide reasons for its lack of support for Professor Grace Khunou." In effect, faculty members who voted in their individual capacities as members of the Faculty Board on May 30<sup>th</sup>, are now going to be asked to provide a **public justification** for their vote. We object to faculty board members being asked to explain their voting rationale for three reasons:

- a) **It violates the members rights to a secret ballot** and nullifies the democratic process. In a secret ballot process, members cannot be asked to explain why they vote in any particular way. This defies the very idea of a 'secret ballot' and contradicts the protection of the rights of individual members not to be intimidated to vote in particular ways. This kind of position would have serious ramifications for any further voting processes within the university.
- b) The faculty board did not vote as a block but as individual members, so is it meaningless to ask "the Faculty Board" for its view.
- a) There is a record of the robust discussion, concerns and views raised by individuals at the meeting on 30<sup>th</sup> May which the selection committee can revisit to ascertain the available opinions in the public domain regarding the concerns with Prof Khunou's candidacy.

We thus object to this proposed agenda for the 16<sup>th</sup> July meeting as it is:

- a) **the consequence of a flawed procedure being set into motion by a violent disruption of a legitimate ballot, and**
- b) **a violation of board members democratic rights to a secret ballot.**

3) In terms of the argument presented by the Chair of the Selection Committee (based on a purported legal opinion), the Committee has decided to "rescind its recommendation to proceed with the presentation of A/P Shose Kessi to the Faculty to express support through voting" based on a legal opinion that seems to suggest that the procedure was flawed. We believe the selection committee has not 'made a mistake' nor followed a flawed process (as the July 16<sup>th</sup> advertised agenda seems to suggest). The selection committee's decision to revert to the selection process

after the meeting of 30<sup>th</sup> May 2019 was in fact a legitimate and ethically defensible route in terms of the regulations, as one of two routes that they could have followed.<sup>3</sup>

Given our reservations of the correctness of the legal opinion obtained, **we hereby request access to the legal opinion that the Selection Committee used to base their above approach on**, in order that we may understand (and respond appropriately to) the legal argument prior to any further meetings being scheduled in this regard.

To all intents and purposes the Selection Committee had deliberated purposefully on the various considerations and legal requirements and made a decision to return to the selection process based on clear determinations. It cannot backtrack on this decision at this late stage, nor seek to show a flaw in the selection process to explain this. The selection committee had the opportunity to proceed with its nomination of Prof Khunou to Council and the IF notwithstanding the low vote of confidence in the candidate. It did not.

In fact, it was the selection committee that chose to revert to the selection process and nominate A/Prof Kessi as candidate for Dean of Faculty. We urge the Selection Committee to return to its original commitment to conclude the process of voting on A/Prof Shose Kessi, as per Chair's original email commitment expressed in an email (see appendix 2- SC Chair's email on disruption)

4) Lastly, we object to the advertised agenda for the meeting on 16<sup>th</sup> July based on an incorrect characterisation thus far of developments on the day. Members of faculty are deeply concerned that events at the Special Faculty Board of 11<sup>th</sup> June 2019 have been recorded as the voting process being simply "not concluded" because:

- a) It implies that the voting process was not concluded on the 11<sup>th</sup> June 2019, which is factually incorrect. The voted had been cast but the counting of votes was disrupted.
- b) The voting process did not run out of time as was alleged. The chair of the selection committee halted discussions at a given point and asked members who were present to cast their vote.
- c) It is incorrect to say that "voting proceeded before discussions were concluded". Discussions are merely there to assist members with making their decisions. It is not deemed a requirement for a vote to be cast. Most faculty members rather patiently stayed until discussions were formally and officially called to a halt, and then casted their votes. Other members were within their rights to cast their vote and leave during the meeting.
- d) It is critically important to record and reiterate in this instance that the actual voting process was disrupted while ballots were being counted, and that the actual voting had been concluded by this time. This fact has implications for the overall appointment process as members of faculty had already by then cast their views on the recommended candidate. As such any further discussions and deliberations can only procedurally and officially occur once the advertised agenda of 12<sup>th</sup> June 2019 has been concluded.
- e) As a final point, we return to our serious concerns *vis a vis* the lack of communication about how the university leadership is to hold Dr Lushaba accountable for his unlawful misconduct on the 11<sup>th</sup> June 2019. His conduct bordered harassment and aggression and has negatively impacted on staff morale in the Faculty. The institution has a legal obligation to provide safe working spaces for its staff, especially during legitimate, official, and pre-determined institutional processes. There has been little indication thusfar of a proper recording of misconduct and of what processes of accountability are in place for people who violate the rights of fellow staff members. Without this, the university is now setting precedent for future aggressive disruptions of university governance procedures when individual staff members do not agree on the outcome of democratic processes.

**In summary:**

On basis of the above, we object to the agenda for the special faculty board meeting to reopen

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<sup>3</sup> Rule 7.9 for approval process in UCT policy on on Appointment of new Deans state:

"Should the candidate not receive the above majority vote, the selection committee must reconvene to make a decision on whether to submit its recommendation to the Institutional Forum (IF) and Council, or to return to the selection process."

discussions on the candidacy of Prof. Khunou or to ask faculty board members to provide a public rationale for their secret ballot vote on 30<sup>th</sup> May.

We ask that the Selection Committee return to its original commitment to conclude the process of voting on A/Prof Shose Kessi, since this was the outcome of a legally and procedurally correct faculty process prior to the unlawful disruption of the ballot by Dr Lushaba.

We ask for a written response on what processes of accountability the university has put in place to address Dr. Lushaba's aggressive disruption of the vote on June 11<sup>th</sup>.

A/Prof. Sa'diyya Shaikh  
Prof Harry Garuba  
Dr Nomusa Makhubu  
Prof. Floretta Boonzaier  
Prof. Herman Wasserman  
Dr. Ruchi Chaturvedi  
Prof. Azeem Badroodien  
A/Prof. Horman Chitonge  
A/Prof. Roman Roth  
Dr. Asanda Benya  
A/Prof. Sandy Young  
Prof. Imraan Coovadia  
A/Prof. Frank Matose  
A/Prof. Asonzeh Ukah  
Dr. Shari Daya  
Dr. Chris Ouma  
A/Prof. Salma Ismail  
Prof. Abdulkader Tayob  
Dr. Divine Fuh  
A/Prof. Shamil Jeppie  
Prof. Lesley Green  
Dr Bodhisattva Kar  
Rose-Anne Reynolds  
Dr Natasha Vally  
Dr Yunus Omar  
Dr Hedley Twidle  
Dr. Mandisa Mbali

**Appendix 1**

## Detailed Outline of Events relating to Dean's Appointment process to Date

1. The faculty *duly participated in all necessary procedures* and protocols associated with the nomination of Prof Khunou by the selection committee on the 30th May 2019 and the subsequent vote. At the Special Board meeting on 30th May 2019, the Chair of the selection committee announced its recommendation of Prof Khunou and spent a significant amount of time motivating the reasoning that informed their decision. The chair further entertained detailed discussion on the matter. A substantial number of views were put forward that expressed misgivings, concerns about as well as support for the recommended candidate. On the basis of the motivation from the selection committee and the various recorded standpoints at the special board meeting, faculty members then proceeded to vote via a secret ballot. The outcome of the vote was that Prof Khunou only garnered 27% (33 of 122 members) of support from members present at the meeting. According to policy, the faculty followed the necessary protocol on the day. Faculty members based their votes on three processes, namely the presentation by Prof Khunou, a detailed motivation from the selection committee, and standpoints expressed by a variety of staff members at the meeting. It was a robust, informed, and substantial process whereby various concerns, as well as motions of support, were discussed and debated before voting began.

2. As per the process, these details informing the voting process were subsequently discussed and deliberated by a reconvened selection committee. According to policy, the selection committee has to make a decision on whether to submit their original recommendation to the Institutional Forum and to the University Council notwithstanding the low vote for their recommended candidate, or to return to the selection process. We assume that the selection committee deliberated at length on this matter (including the equity targets) and then, according to procedure, duly decided to return to the selection process. According to UCT policy and tabled HUM faculty processes, this is standard protocol. Had the selection committee decided to proceed notwithstanding the faculty member vote, the Faculty Board could have written a co-report to Council and the IF noting their differing viewpoint.

3. Given the robust discussion at the meeting at the meeting of 30th May 2019 and given the deliberation of the selection committee around the recorded vote on that day- all according to policy- there is simply no reason for Faculty members to now be required to explain why they voted as they did on the day. Furthermore, a secret ballot is exactly that, and we would claim that it is legally untenable for members to explain their reasons (especially when the voting result was so categorical).

4. Based on the decision of the selection committee to then proceed with the selection process, members of the Faculty Board were subsequently invited to a second nomination process on the 11th June 2019 in the Mafeje Room at Bremner, where we were asked to deliberate and vote on the selection committee's recommended candidate, Associate Professor Shose Kessi. As far as Faculty members were concerned, the call to proceed with the second nomination officially concluded the first recommendation process, thus signalling the clear intention of the selection committee, after considering the equity targets, to return to the selection process.

5. At this meeting, the Vice Chancellor as the chair of the selection committee, motivated for their nomination of A/Prof Kessi. This was followed by lengthy debate (far longer than the first discussion on the 30th May) and a subsequent vote. This was recorded as such by the Chair of the Selection Committee in a communication on the 12th June that stated "we had robust discussion (yesterday) and proceeded to a vote on the matter." In a further communication on the 13th June, it was noted that "the Humanities faculty board met to consider a recommendation of a candidate by the selection committee and, importantly, to determine the view of the board on the matter".

6. Unfortunately, the *counting of the ballot process* was disrupted by Dr Lwazi Lushaba. All the votes had been cast at that point and faculty staff were counting the ballots. But staff members could not unfortunately complete this counting task due to the aggressive disruption of the process by Dr Lushaba.



7. As noted in official communication on 13th June 2019, this was deemed as “not optimal” and “demanded a new vote altogether”. This was also recorded in official communication on the 12th June where it was noted that “in order for us to proceed with due process, namely to hear the recommendation of the candidate and to conclude the process of voting in accordance with a Council approved policy and process,” faculty members would be called to a second meeting to conduct a second (unspoilt) vote.

8. In official communication of 13th June, it was further noted that a second vote (on the selection committee’s recommendation of A/Prof Kessi) was originally scheduled for 14th June, but that it had been postponed, and that the Faculty Board would reconvene on the 19th June 2019 to cast a second vote on the recommendation of A/Prof Kessi. As noted in the same communication (13th June), it was recorded that “if the candidate receives 60% support, the selection committee will present the candidate to Council for consideration. This is stipulated in the Council policy for the recruitment and selection of Deans.

9. As far as we are concerned, the selection committee concluded this matter (after serious deliberation around a number of considerations, most importantly including equity targets) when it decided to return to the selection process and chose to recommend A/Prof Kessi as Dean of the Faculty of Humanities. As members of Faculty we anticipated that the next Special Faculty Board would reconvene to vote on the selection committee’s already-determined recommendation.

**Appendix 2****EMAILS from VC to Faculty Board members****13 JUNE****From:** Mamokgethi Phakeng <mamokgethi.phakeng@uct.ac.za>**Date:** Thursday, 13 June 2019 at 9:44 PM**To:** Liz Werth <Liz.Werth@uct.ac.za>, "humfacbd-l@lists.uct.ac.za" <humfacbd-l@lists.uct.ac.za>**Cc:** Karen Van Heerden <karen.vanheerden@uct.ac.za>, Shanaaz Jaffer <shanaaz.jaffer@uct.ac.za>, Craig Alexander <craig.alexander@uct.ac.za>**Subject:** [Humfacbd-l] Special Faculty Board meeting: DEAN: Faculty of Humanities

Dear Members of the Humanities Faculty Board

As you know, I am currently chairing the selection process for the post of Dean of Humanities. This is a critical post for the faculty, the Leadership Lekgotla and the institution.

On Tuesday this week (11 June 2019), the Humanities faculty board met to consider a recommendation of a candidate by the selection committee and, importantly, to determine the view of the board on the matter.

After considerable debate and for several reasons, we unfortunately did not succeed in concluding the business of voting on the candidate. We ran out of time in the venue and discussions were proceeding whilst voting was taking place. This is certainly not optimal and the situation in my view demands a new vote altogether.

An additional reason why the voting did not conclude successfully on Tuesday is regrettably related to an individual who disrupted the voting process through interference with the ballot boxes and the ballot papers some of which they removed.

I condemn this conduct. It is unacceptable, inappropriate and it nullified part of a legitimate governance process. In addition, it denied colleagues their legitimate right to participate in that process. It was, in my view, disrespectful and contrary to the values of our University.

I have issued a letter of reprimand to the person involved in the incident and I am considering the matter further. Such conduct has no place at UCT and shall not be tolerated. I regret that the incident occurred and that it contributed to a situation where we could not conclude important work.

Our plan was for the faculty board to reconvene tomorrow (Friday, 14 June 2019) with the aim of concluding this necessary work. This, however, will not be possible because the selection committee has requested that we meet first before we go back to the faculty. It is important that we conclude the work of this selection committee and to do our utmost to attract the best possible candidate to this post.

We all understand the importance and value of contestation, engagement and diverse views that emerge before, during and after selection processes. This is to be expected, however, it is not acceptable for any individual or group of people to stop a legitimate recruitment process of the university.

The faculty board will reconvene on Wednesday, 19th June so that we can bring this recruitment process to conclusion. If the candidate receives 60% support, the selection committee will present the candidate to Council for consideration. This is stipulated in the Council policy for the recruitment and selection of Deans.

HR will send you details of the time of special faculty board meeting to be held on Wednesday.

Many thanks to all the members of the faculty board for the sustained efforts in trying to conclude the process.

Yours sincerely  
Kgethi

Professor Mamokgethi Phakeng, PhD(Wits); MASSAf, GCOB  
Vice-Chancellor  
University of Cape Town

**VC EMAIL to FACULTY BOARD (JUNE 12):**

**From:** Liz Werth <liz.werth@uct.ac.za> **Date:** Wednesday, 12 June 2019 at 14:03  
**To:** "humfacbd-l@lists.uct.ac.za" <humfacbd-l@lists.uct.ac.za> **Cc:** Karen Van Heerden <karen.vanheerden@uct.ac.za>, Craig Alexander <craig.alexander@uct.ac.za>

**Subject:** [Humfacbd-l] Special Faculty Board meeting: DEAN: Faculty of Humanities,

Dear members of the Humanities Faculty board  
cc.: Members of the selection committee  
Yesterday the Faculty Board met to consider a recommendation of a candidate for the position of the Dean of the Humanities faculty by the Selection Committee.

We had robust discussion and proceeded to a vote on the matter. Unfortunately, the voting process started before the discussion was concluded. Moreover the voting itself was disrupted.

I am therefore reconvening the meeting in order for us to proceed with due process, namely to hear the recommendation of the candidate and to conclude the process of voting in accordance with a Council approved policy and process.

Thank you to all the colleagues that were present at the meeting. HR will notify you shortly of the date of the new meeting.

Regards  
Kgethi

**Email from VC to Faculty Board - on changing track and with Agenda for July 16th (JUNE 25)**

**From:** Liz Werth <Liz.Werth@uct.ac.za>  
**Date:** Tuesday, 25 June 2019 at 1:46 PM  
**To:** "humfacbd-l@lists.uct.ac.za" <humfacbd-l@lists.uct.ac.za>  
**Subject:** [Humfacbd-l] Communication from the VC - special Faculty Board

Dear Members of the Faculty Board  
Following on the last reflective meeting of the selection committee, we requested a legal opinion in order to ensure that procedurally and substantially the university had followed all the necessary steps and made the correct decisions in the appointment of the dean of the Faculty of Humanities. The instruction to the lawyers included to look at the correctness of the processes and decisions in relation to the university rules for the appointment of deans and its commitment to the implementation of its employment equity targets.

According to the legal opinion, the University followed all the correct steps both procedurally and substantively until the Selection Committee presentation of Prof Khunou to the Faculty Board. The outcome of the voting at the FBH did not provide Prof Khunou the required 60% support. The Faculty Board only provided 27% support for Prof Khunou. The legal opinion maintains that according to the university's rules and in pursuit of the institutional equity targets, the selection panel should have: a) requested the Faculty Board to provide the reasons why it did not give the necessary support to Prof Khunou; b) made a decision based on this engagement.

According to the legal opinion, based on the university rules, should the candidate not receive the above majority vote, the selection committee must reconvene to make a decision on

whether to submit its recommendation to the Institutional Forum and Council, or to return to the selection process. In the event that the selection committee decides to proceed with its recommendation, the Faculty Board will be entitled to submit a report containing the views of its members to the Institutional Forum and Council.

Thus, taking into account the legal opinion, the selection committee met today and decided to rescind its recommendation to proceed with the presentation of A/P Shose Kessi to the Faculty to express support through voting.

A special meeting of the Faculty Board will be convened early in the second semester to provide reasons for its lack of support for Prof Grace Khunou. The outcome of this meeting will be considered by the Selection Committee as it has the responsibility to recommend a suitable candidate to Institutional Forum (IF) and Council.

Thank you for your patience.

Regards  
Kgethi

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities will be held on **Wednesday, 18 September 2019 at 14:00**, in **Snape Lecture Theatre 1, Upper Campus**.

**AGENDA**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign the attendance register on arrival and to collect their ballot paper. Apologies should be sent to Liz Werth ([liz.werth@uct.ac.za](mailto:liz.werth@uct.ac.za)) by **Tuesday, 17 September 2019 at 15:00**.

**2. PROCEDURAL NOTES**

This item is for information.

- The meeting must have a quorum.
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting will be confirmed at the meeting.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council. This majority excludes those who abstain. In other words, a spoilt ballot or abstention is effectively a vote against.
- Only those Board members present at the meeting may vote.
- No proxy votes are allowed.
- There is no postal ballot.

The membership of the Board, as approved in PC05A of June 2019, is attached.

Annexure 1

**3. PROCESS TO DATE**

This item is for information.

- On Wednesday, 14 August 2019 the Recruitment Office, on behalf of the Vice Chancellor and chair of the selection committee, Professor Mamokgethi Phakeng, wrote to members of the Humanities Faculty Board explaining the process for the selection of the Dean of Humanities. This communication is attached.

Annexure 2

- Professor Khunou was invited for a second interview with the selection committee, which took place on 21 August 2019.

**4. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES**

The Vice Chancellor, Professor Mamokgethi Phakeng, or Deputy Vice Chancellor, A/Professor Lis Lange will present:

- a. The outcome of the second interview with Prof Grace Khunou;
- b. The recommendation of A/Professor Shose Kessi as Dean of the faculty of Humanities. The CV of the candidate is attached.

Annexure 3

- c. The policy for the appointment of Deans is attached.

Annexure 4

Faculty Board members will be asked to indicate on the ballot paper their response to the following question.

Does candidate A/Professor Shose Kessi have your confidence as Dean of Faculty?	Yes	No	Abstain
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Ballot papers will be distributed at the point at which the attendance register (listing all members) is signed. Completed ballots will be collected in a sealed box.

Sashni Chetty (Faculty Manager: Academic Administration) will act as chief electoral officer with assistance from Academic Administration managers. The electoral officers will count the ballot immediately after the voting.

**Outcome of the ballot:**

The Faculty Board will be informed of the outcome of the ballot by the Chair of the Faculty Board at the meeting. The detailed result of the ballot will also be recorded in the minutes of the special Board meeting.

**Sashni Chetty**  
**Faculty Manager: Academic Administration**  
Humanities Special Faculty Board Meeting

UNIVERSITY OF CAPE TOWN  
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD**Staff Recruitment & Selection  
Human Resources Department**

Postal Address: Private Bag, Rondebosch, 7701  
Physical Address: 16 Glen Darrach Road, La Grotta House, UCT Lower Campus, Rondebosch  
Email: Shanaaz.jaffer@uct.ac.za  
Tel: +27 21-650-4983  
Mobile: +27 84 696 2233

**CONFIDENTIAL**

Dear members of the Humanities Faculty Board

**Communique: Dean of the Faculty of Humanities**

Following the UCT executive decision to cancel the 16 July 2019 Special Faculty Board meeting due to several objections raised by different faculty members about the recruitment and selection process for the appointment of the dean, the Selection Committee convened on 17 July 2019 to consider the situation and agreed that in light of the many contestations it was best to abort the whole process. A report on the selection process including the Selection Committee decision to abort it was presented to the Council Exco on 25 July 2019. The Council Exco also had the opportunity to study a legal opinion on the selection process obtained by the Vice-Chancellor.

At the Exco meeting it was reasserted that according to the university rules, the vote of the Faculty Board in the selection of the dean is a material factor in the selection process but it is neither the only one nor is it decisive. The vote of the faculty is a test of support, but it does not have the power of a veto. The EXCO of Council noted the legal opinion that no sufficient reasons were provided, besides the percentage of the vote, from the Board for the lack of support to Prof Khunou for her to be declared unappointable.

The EXCO was of the view that it would be premature for Council or its EXCO to consider the matter substantively until the process had been completed in terms of UCT's existing procedures for the selection of senior staff. Therefore, the recommendation of the Selection Committee together with the faculty opinion had to be submitted to the Institutional Forum for it express an opinion on the process and, after this, the whole documentation including the Institutional Forum report will be taken to Council for its consideration.

Therefore, the UCT Executive has proceeded to reconvene the selection committee to discuss these concerns. It was then agreed that the Selection Committee must engage with the reasons offered by the Faculty Board on 30 May 2019 against the appointment, and, if deemed necessary, invoke the option of approaching the candidate for comment on the reasons put forward by the Faculty Board. It must then make a final decision on the appointability or not of Professor Khunou.

The University of Cape Town seeks to ensure that fairness, equal opportunity and appointment of candidates from designated groups are the driving principles of its recruitment processes. It is in this spirit; and in accordance with the university's procedures for appointing a new Dean, that the selection committee will be inviting Professor Grace Khunou again to discuss and probe further the areas of uncertainty which emanated from the Faculty Board.

The Selection Committee would like to assure the Faculty Board that all the necessary steps are being followed to safeguard and ensure that a fair and compliant recruitment process is guaranteed for all applicants and that the best suited candidate is appointed for this position.

A tentative date for 21 August 2019 has been set aside to conduct the interview and the Selection Committee would welcome any further issues that members of the Faculty Board would like to raise during a second interview with Prof Khunou. All questions will be treated as confidential to the process and should be sent to Ms Shanaaz Jaffer by no later than **12h00pm on Monday, 19 August 2019.**

We recognize the importance of appointing a Dean and the Selection Committee sincerely appreciates your continued patience with us and the process thus far.

Yours sincerely

On behalf of the Chair of the selection Committee  
Prof Mamokgethi Phakeng

Ms Shanaaz Jaffer  
Recruitment Advisor



**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities was held on **Thursday 30 May 2019** at **14:00**, in the **Beattie Lecture Theatre, Beattie Building**.

**CONFIDENTIAL MINUTES**

**1. REGISTER, APOLOGIES AND WELCOME**

The meeting was chaired by the Acting Dean, Professor Lance van Sittert. He welcomed members to the special meeting which had been convened to receive the recommendation of the Selection Committee on the appointment of a new Dean of Humanities.

**Present:** Abdullah S; Alexander J; Anderson P; Arnold M; August L-S; Bacharova F A; Badroodien A; Bennett J; Bezuidenhout M; Blond L; Boonzaier F; Bowerman S; Bruyns C; Campbell K; Chandler C E; Chaturvedi R; Chitonge H; Chuma W; Clarke Y; Collins L; Coovadia I; Corwin J; Davids N; Daya S; De Oliveira R; Deumert A; De Wet J; Dowling T; Du Toit G F; Evans M; Fakie A; Field S; Fleishman M J; Garuba H; Green L J F; Gxubane E T; Hamilton C; Harrison S; Hattingh A; Higgins J A; Higgs R; Holtzhausen L; Hurst E; Inggs S C; Jaffer S; Job J; Jolobe Z; Josephy S; Kahn M; Kar B; Kell C; Kubeka A; Langerman F; Levine S L; Loots S; Mabandla N; Macaluso P; Macdonald H; Makhubu N; Malcolm-Smith S; Marie A; Matchett S; Matose F; Mbali M; McKinney C W; Mdamba M; Mohamed K; Moji P; Moore E; Mtshali M; Murray J; Naidoo L-A; Ndlovu A; Ndlovu M; Nikolaidou E; Ntunja T; Nyamnjoh F B; Omar Y; Phaahla E; Phakeng M; Porcu E; Possa-Mogoera R; Raju J; Reddy T; Rijsdijk I-M; Ritchie J; Ross F C; Rossi M J; Roth R; Samuel G M; Sandmeier R; Schmid K; Schrieff-Elson L; Searle B; Seedat F; Seekings J F; Sen A; Shaikh S; Shongwe M; Spedding M; Steltzner B; Steyn M; Swai M; Tame B; Tayob A I; Thomas K; Thompson M; Twidle H; Ukah A; Vally N; Van Der Merwe I; Van Der Schijff J; Van Sittert L; Vawda S; Walton M; Ward C; Wardle D; Wasserman H; Watt M; Weiss B; Wild L; Williams F; Young S; Zaayman C.

**Apologies:** Angier K; Arend M; Barnard-Naude J; Bhorat H; Davis Z; Dunsby P; Feris L; Fried G; Galgut E; Hardman J; Kekana M; Lamprecht A; Lilley A C; Long W; Ma Y; Maasdorp L; Mackenny V; Mbulawa C; Murriss K; Noyoo N; Odendaal N; Ramutsindela M; Reynolds R-A; Saptouw F; Smit A; Tiffin A; Van Niekerk L; Van Rooyen I; Wittenberg M.

**Leave:** Angier T; Benatar D; Benya A; Botha M P; Bruinders S; Crankshaw O; Fuh D; Hambidge J H; Herbst A C; Hofmeyr A; Hull G; Hyland G J; Ismail S; Kaminer D; Kapp R; Kotze K; Laugksch R C; Leibbrandt M; Lipinska G; Luckett K; Lushaba L; Malinga M; Marx L G; Modisane L; Motinyane M R; Mulaudzi M; Ouma C; Pande A; Posel D; Tredoux C G; Tuccini G; Wilson L.

**Absent:** Abdulla A; Addinall R; Adebajo A; Akokpari J; Amosun S L; Andrews D I; Ardington C; Atmore E; Baxter V; Bentel B; Black A; Bosch T; Boswell B; Brigaglia A; Brundrit J; Burns J; Butler A; Cameron R G; Chagunda C; Chirikure S; Conradie B; D'angelo A; Daniels R; Davids V C; Deja R; Deyi S; Dunne J; Edwards L; Eyal K; Frith V; Goodman S; Govender R; Grzybowski L; Guzula X; Haarhoff M; Haubrich W; Haupt A; Herbst T; Hoadley U; Hofmeyr H P; Irwin R H; Jeppie S; Kessi S; Keswell M; Kincaid H; Lange L; Leiman A; Lepelle R; Madiba M; Makanza C; Mateane L; Mathews S; Maw A; Maxaulane G; Mbothwe M; Mendelsohn A; Mesthrie R; Meyer I; Mkhize Z; Mlatsheni C; Mona M; Morreira S; Mpendukana S; Msomi Z; Muchapondwa E; Muthivhi A E; Naicker C; Naidoo V; Nattrass N; Ndlovu G; Neethling L; Ng'ambi D; Njomboro P; Nolutshungu S; Ntsebeza L; Paremoer L; Pather J; Penn N G; Pillay N; Piraino P; Plaatjies M D; Ranchorhod V; Rani M X; Recuenco Penalver M; Reolon J; Ross D; Saldanha J; Sarr M; Scanlon H; Scott L; Shaw M; Silver J; Singer G; Skotnes P A; Solms M; Stopford C; Thiam D; Tietze A C; Tikolo P; Tshazibane M; Turpie J; Van Walbeek C; Visser M.

**In Attendance:**

Van Heerden K; Chetty S.

**2. PROCEDURAL NOTES**

Professor van Sittert outlined the procedure for selection of a new Dean, noting the Selection Committee had been constituted in terms of the Senate procedures for appointment of Deans. As the special meeting of the Faculty Board scheduled on 29 May 2019 was cancelled via communication from Human Resources, this special meeting of the Board has been called. It was noted that:

- The Board had been convened to consider a single agenda item.
- The quorum for the meeting was 48 and with 121 members present, the meeting was considered quorate.
- He reminded members that quorum was calculated by one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who were on approved leave at the date of the meeting.
- Members would be invited to indicate their support (by secret ballot) for the candidate recommended by the Selection Committee for the position of Dean of Humanities. Support from 60% of those voting either for or against was needed for the recommendation to be taken forward. Should the 60% in support not be attained, the Selection Committee would reconvene to decide whether to submit its recommendation to the Institutional Forum and Council, or whether to return to the selection process.
- Only those members present at the meeting could vote and proxy or postal votes were not permitted.

**3. REPORT FROM THE SELECTION COMMITTEE**

The Chair invited Professor Phakeng to present the report.

**3.1 PROCESS TO DATE**

Professor Phakeng outlined the process of the Selection Committee. The committee initially convened in April 2019 with a search committee chaired by A/Professor Lange. It was agreed that a targeted equity statement in the advertisement would be used to signal the dedication of the committee to transformation. The committee identified 10 people, including 2 internal candidates, who could be invited to apply. Professor Phakeng reported that 9 people applied and 1 met the targeted search. At shortlisting, the selection committee shortlisted 4 candidates - 1 South African coloured male, 1 South African black female and 2 non South African candidates, one of whom received citizenship after 2002.

The 4 candidate presentations took place on 27 May 2019 and the 4 candidates were interviewed on 28 May 2019.

**3.2 PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES**

Professor Phakeng reported that the committee engaged on the kind of leader that was required. She presented Professor Grace Khunou as the recommended candidate. She explained that Professor Khunou displayed honesty and integrity and responded well to questions asked. The committee agreed that she lacked experience, but acknowledged that she had the ability to learn. The committee appreciated her honesty about what she knew and her willingness to learn. Professor Phakeng reported that the recommended candidate had funding experience in her discipline, although not outside, and was committed to the academic project and could work with diverse groups. Her referee reports indicated her ability to work with diverse groups. After taking into consideration the information about all the candidates, referee reports and committee reports, the selection committee looked at whether Professor Khunou was appointable and whether she could be recommended to the faculty. Professor Phakeng noted that she had focused only on Professor Khunou as she was the recommended candidate.

Professor Phakeng invited questions and comments from members of the Board. The following questions and comments were noted:

- A position of this nature required executive experience and Professor Khunou did not have executive experience.
- Whether the committee recommended a second candidate and if so, why the name of the candidate was not on the ballot.
- The presentation of the recommended candidate was not the best, in the opinion of some members, and if she was not supported, would the process move to a second

candidate?

Professor Phakeng responded that there were 3 appointable candidates, but that the other 2 were not put up for recommendation. She noted that they were not South African citizens for the purpose of employment equity requirements, with one having obtained citizenship in 2002. She explained that the selection committee was presenting the appointable candidate from the designated groups and asked that members of the Board consider that candidate. She added that the university had committed to transformation and that this was a way to show commitment to the transformation process. She further explained that the selection committee could present one candidate to the Board.

In response to concerns about the candidate's experience and her presentation, Professor Phakeng noted that Professor Khunou had been a Deputy Dean, Chair of the Transformation Committee and that Professor Khunou had spoken to this aspect in her presentation. She reported that the selection committee felt that Professor Khunou presented differently in the interview than in the presentation. The committee felt that she answered questions well and did not seem to be swayed by politics. She did not disown her disruptive nature that she displayed in the presentation. Professor Phakeng noted that that recommended candidate came with some experience, although it was not the highest experience.

In the second round of questions and comments the following questioned and comments were noted:

- That the faculty had experienced great difficulty over the past 5 years and needed someone with staying power. There was a further question about whether the Selection Committee had probed why Professor Khunou's DeputyDeanship had been terminated prematurely.
- That the recommended candidate had 1 years' experience as a Deputy Dean, whereas another candidate had 11 years' relevant experience.
- That it would be useful to know, in terms of ranking, whether there were relative rankings in categories and how Professor Khunou was placed in each of them.
- Whether there was a rule referenced that did not allow the Vice Chancellor to mention who the second recommended candidate was.
- Whether those who were unable to be present at the voting would be given an opportunity to do so.
- Whether the Board could expect 20 years' experience from someone who had been disadvantaged for a long time.

Professor Phakeng responded that there was no second candidate to present to the Board at that stage. She explained the Employment Equity policy stated that if someone was naturalised before 1994 they could be considered as a South African in terms of the Employment Equity policy. She explained that this was the reason for the late postponement of the Board meeting of the previous day – clarity regarding a candidate's citizenship was required. She explained that the candidate she was referring to was a student in 1992 and applied for permanent residency. Had this candidate applied for citizenship before 1994, and had she been rejected for some political/apartheid reason, Professor Phakeng explained that this factor would have been considered by the Selection Committee; but this was not the case. Professor Phakeng reminded the Board that the university was bound by legality and needed to act fairly. She reminded the members of the Board that they had a voice in whether they believed in this person as their Dean.

In response to questions about Professor Khunou's staying power, Professor Phakeng acknowledged that Professor Khunou had not remained in her previous position as Deputy Dean but reminded the Board that this could not be construed as her not having staying power. She noted that if the faculty supported Professor Khunou, the process would go ahead. She reminded the Board that there could be no discussion about a second candidate at that stage in the process, as there was no second candidate before the Faculty Board.

On the question of whether those who were not present would be given the opportunity to vote online, Professor van Sittert responded that the current terms of reference did not allow for online or proxy voting.

On the question of scoring and ranking, Professor Phakeng explained that this was not done all the time and it was not done in this case. The committee rather used the following grouped categories:

1. Transformation and a track record of success;
2. Financial management – recruitment and wise use of resources;
3. Administrative and strategic leadership – how would the candidate work with people in the faculty to unite the faculty and work towards the goals of the faculty;
4. Collective leadership – to lead and not just build a team but also be a member of the Senior Leadership Group of the university;
5. Institutional relationship, partnership and internationalisation – negotiation about funding, building relationships, recruiting international students and maintaining the reputation of the faculty;
6. Academic excellence – a decolonial lens was key in the faculty but the person would be required to work with other issues in the curriculum, physical infrastructure and students. These issues were not always related to the decolonial project.

Professor Phakeng explained that Professor Khunou satisfied the above criteria.

Further comments from members of the Board were as follows:

- Following the pure, literal letter of the law did not make it a moral and ethical choice.
- If UCT positioned itself as a Pan African university, why were other candidates who were part of the global South even invited to interviews?
- A caution was made about using equity as a blunt instrument in a very sensitive case.
- Members of the university community did not want to apply when positions were advertised because they thought that they will be overlooked or disadvantaged. It was acknowledged that the instrument of equity was very necessary and there was a request that the university find intellectual ways to apply the instrument of equity.

Professor Phakeng responded that members were raising very important questions and noted that this conversation needed to continue. She noted however, that in this case, the Selection Committee had found a South-African female candidate appointable, and that could not be overlooked. She explained that if the committee ignored the appointability, UCT could face a legal challenge. She noted that the Humanities Faculty had previously, in 2017, voted against a recommended candidate and due to not obtaining the 60% support required, the candidate was not appointed. She urged members of the Faculty Board to proceed with the vote to ascertain an outcome.

#### 4. SECRET BALLOT

Having confirmed there was a quorum, the Chair asked members to complete the ballot papers each had collected at the entrance to the venue. The outcome was as follows.

Does candidate Professor Grace Khunou have your confidence as Dean of Faculty?	Yes	No	Abstain (counted as NO)
	33	76	13

This left 27% in favour of the recommended candidate and 73% against.

It was noted the Selection Committee would be required to reconvene to consider the outcome of the ballot.

*Secretary's note: the Faculty Manager (Academic Administration) was Chief Electoral Officer. The votes were counted in the room in front of remaining Board members and the outcome reported to the Chair.*

The meeting concluded at 15:05

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities was held on **Tuesday, 11 June 2019** at **12:00**, in the **Mafeje Room, Bremner Building**.

**CONFIDENTIAL MINUTES**

**1. REGISTER, APOLOGIES AND WELCOME**

The meeting was chaired by the Acting Dean, Professor Lance van Sittert. He welcomed members to the second special meeting which had been convened to receive the recommendation of the Selection Committee on the appointment of a new Dean of Humanities.

**Present:** Abdullah S; Akokpari J; Aloni A; Anderson P; Angier T; Badroodien A; Bezuidenhout M; Boonzaier F; Bosch T; Boswell B; Bowerman S; Bruyns C; Butler A; Chandler C E; Chaturvedi R; Chitonge H; Chuma W; Clarke Y; Coovadia I; Davis Z; Daya S; Deja R; De Oliveira R; Deumert A; De Wet J; Dowling T; Evans M; Fakie A; Feris L; Galgut E; Garuba H; Green L J F; Gxubane E T; Haarhoff M; Hambidge J H; Harrison Simon; Hattingh A; Haubrich W; Herbst T; Higgs R; Hoadley U; Holtzhausen L; Hurst E; Inggs S C; Irwin R H; Ismail S; Jaffer S; Job J; Jolobe Z; Kahn M; Kaminer D; Kar B; Kekana M; Kell C; Kubeka A; Lange L; Long W; Loots S; Lushaba L; Maasdorp L; Mabandla N; Macaluso P; Macdonald H; Makhubu N; Malinga M; Marie A; Matchett S; Matose F; Maxaulane G; Mbulawa C; Mdamba M; Mesthrie R; Mkhize Z; Mohamed K; Moji P; Moore E; Morreira S; Mtshali M; Murray J; Murris K; Muthivhi A E; Naidoo L-A; Ndlovu A; Ntunja T; Pather J; Penn N G; Phaahla E; Phakeng M; Porcu E; Possa-Mogoera R; Raju J; Ranchhod V; Reddy T; Reynolds R-A; Rijdsdijk I-M; Ritchie J; Ross F C; Rossi M J; Roth R; Sandmeier R; Schmid K; Schrieff-Elson L; Searle B; Seedat F; Sen A; Shaikh S; Shongwe M; Smit A; Spedding M; Steltzner B; Steyn M; Stopford C; Tame B; Thomas K; Thompson M; Twidle H; Van Der Merwe I; Van Der Schijff J; Van Rooyen I; Van Sittert L; Vawda S; Walton M; Wardle D; Weiss B; Williams F; Young S.

**Apologies:** Alexander J; Arnold M; Bhorat H; Burns J; Corwin J; Dunne J; Dunsby P; Fleishman M J; Fried G; Hardman J; Hofmeyr A; Lamprecht A; Lilley A C; Lipinska G; Ma Y; Mbali M; McKinney C W; Meyer I; Mpendukana S; Muchapondwa E; Nyamnjoh F B; Pande A; Scanlon H; Singer G; Tayob A I; Tiffin A; Wilson L; Wittenberg M.

**Leave:** Benatar D; Benya A; Botha M P; Bruinders S; Crankshaw O; Herbst A C; Hull G; Hyland J; Kapp R; Kotze K; Langerman F; Laugsch R C; Leibbrandt M; Luckett K; Marx L G; Modisane L; Motinyane M R; Mulaudzi M; Ouma C; Posel D; Samuel G M; Tredoux C G; Tuccini G; Wasserman H.

**Absent:** Abdulla A; Addinall R; Adebajo A; Amosun S L; Andrews D I; Angier K; Ardington C; Arend M; Atmore E; Bacharova F A; Barnard-Naude J; Baxter V; Bennett J; Bentel B; Black A; Blond L; Brigaglia A; Brundrit J; Cameron R G; Campbell K; Chagunda C; Chirikure S; Collins L; Conradie B; D'angelo A; Daniels R; Davids N; Davids V C; Deyi S; Du Toit G F; Edwards L; Eyal K; Field S; Frith V; Fuh D; Goodman S; Govender R; Grzybowski L; Guzula X; Hamilton C; Haupt A; Higgins J A; Hofmeyr H P; Jeppie S; Josephy S; Kessi S; Keswell M; Kincaid H; Leiman A; Lepelle R; Levine S L; Mackenny V; Madiba M; Makanza C; Malcolm-Smith S; Mateane L; Mathews S; Maw A; Mbothwe M; Mendelsohn A; Mlatsheni C; Msomi Z; Naicker C; Naidoo V; Natrass N; Ndlovu G; Ndlovu M; Neethling L; Ng'ambi D; Nikolaidou E; Njomboro P; Nolutshungu S; Noyoo N; Ntsebeza L; Odendaal N; Omar Y; Paremoer L; Pillay N; Piraino P; Plaatjies M D; Ramutsindela M; Rani M X; Recuenco Penalver M; Reolon J; Saldanha J; Saptouw F; Sarr M; Scott L; Seekings J F; Shaw M; Silver J; Skotnes P A; Solms M; Swai M; Thiam D; Tietze A C; Tikolo P; Tshazibane M; Turpie J; Ukah A; Vally N; Van Niekerk L; Van Walbeek C; Visser M; Ward C; Watt M; Wild L; Zaayman C.

**In Attendance:** Van Heerden K; Chetty S.

**2. PROCEDURAL NOTES**

Professor van Sittert outlined the procedure for selection of a new Dean, noting the Selection Committee had been constituted in terms of the Senate procedures for appointment of Deans. It was noted that:

- The Board was convened to consider a single agenda item.
- The quorum for the meeting was 51 and with the members present exceeding 51, the meeting was considered quorate.
- He reminded members that quorum was calculated by one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who were on approved leave at the date of the meeting.
- Members would be invited to indicate their support (by secret ballot) for the candidate recommended by the Selection Committee for the position of Dean of Humanities. Support from 60% of those voting either for or against was needed for the recommendation to be taken forward. Should the 60% in support not be attained, the Selection Committee would reconvene to decide whether to submit its recommendation to the Institutional Forum and Council, or whether to return to the selection process.
- Only those members present at the meeting could vote and proxy or postal votes were not permitted.
- Professor van Sittert further noted that observers, including the SRC President who had requested permission to be at the meeting, were present. He reminded all present that observers were not allowed to speak or vote.

**3. REPORT FROM THE SELECTION COMMITTEE**

The Chair invited Professor Phakeng to present the report.

**3.1 RECOMMENDATION OF THE CANDIDATE**

Professor Phakeng thanked everyone for attending. She reported that the Faculty had heard the outcome of the vote at the special Board meeting held on 30 May 2019, with 27% support for Professor Grace Khunou. She explained that the faculty vote was not a decision making vote, but a consultation. The process involved the Selection Committee making a recommendation to Council where the final decision would be made. At the reconvened meeting of the Selection Committee, following the 30 May 2019 Special Faculty Board meeting, after a long discussion and considering the vote of the faculty, the Selection Committee decided not to recommend Professor Khunou to Council for appointment. Professor Phakeng reported that the committee had 2 other appointable candidates, and that she was presenting A/Professor Shose Kessi to the Board. Because A/Professor Kessi was the recommended candidate, Professor Phakeng indicated that the focus of the discussion at this meeting would be on A/Professor Kessi. She indicated that the vote and voice of the faculty was important, because this person would lead the faculty.

Professor Phakeng reported that the Selection Committee decided on A/Professor Kessi by evaluating her presentation. The committee was of the view that of the three appointable candidates, A/Professor Kessi's presentation was very good and the best of all 3 presentations. Her presentation was found to be insightful and focused on all 3 aspects of the question as important. The committee was of the view that A/Professor Kessi interviewed well and answered all questions thoughtfully and competently. Professor Phakeng reported that the questions ranged from transformation, dealing with a diverse faculty with diverse views, bringing the faculty together and representing the faculty nationally and internationally. A/Professor Kessi was found to be goal oriented, reflective and insightful and the committee was impressed by her diligence and work ethic. Professor Phakeng explained that the committee was of the view that A/Professor Kessi had the ability to build the faculty and bring people together.

The Selection Committee recognised that A/Professor Kessi was not a conformer and did not always tow the line. Professor Phakeng reported that the Selection Committee recognised that this was an academic institution and respected that A/Professor Kessi was someone who did not just conform or tow the line and they valued her thoughtfulness. They were of the view that she would move the faculty in a thoughtful manner that would build rather than break the faculty. The referee reports were strong and reflective of A/Professor Kessi's leadership skills that did not only start in her time at UCT, but also where she studied and came from externally. Professor Phakeng reported on A/Professor Kessi's good listening skills, caring demeanour and reported that the Selection Committee noted her relationship building skills with students and colleagues, which they viewed as important.

A/Professor Kessi's strategic skills and expertise were reported to have been valuable in the short time she had been at the faculty. The Selection Committee wanted someone with a strategic eye, leadership and relationship building skills who could bring balance and build the faculty. Professor Phakeng completed her recommendation of the candidate, A/Professor Kessi, and indicated that she would take questions about the candidate that had been presented at the meeting.

### 3.2 QUESTIONS FROM MEMBERS OF THE BOARD

Dr Lushaba thanked Professor Phakeng for enlightening members of the Board. He indicated that he had a question at end of a long point that he needed to make. He indicated that he found it very noticeable that Professor van Sittert gave the details of how the process unfolded but began at the presentation of candidates and process thereafter, and did not talk about the constitution of the Selection Committee. Dr Lushaba shared his view that problems began at the point of the constitution of the Selection Committee where the Faculty had proposed a Selection Committee that did not have a single Black South African on the committee in a country where Black people constituted 86 percent of the population. He indicated that the Faculty found the constitution of the Selection Committee acceptable and that this was indicative of a larger problem for Black people in the country. Dr Lushaba said he did not understand how this was acceptable and claimed that that the cabal called the Black Academic Caucas (BAC) kept quiet, that his emails on the Selection Committee constitution were embargoed by the former Acting Dean, Professor Wardle, so his matter was taken to the Transformation Committee. He explained that he was a member of the Faculty Transformation Committee and argued at that committee that it would teach the Faculty a good lesson if the Faculty had to deal with the constitution of the Selection Committee. He argued that the Vice Chancellor instead co-opted people onto the Selection Committee, thus condoning the racism of the Faculty. He argued that the opportunity was lost for the Faculty to deal with its ability to function without giving due respect to Black South Africans and said that Professor Phakeng wanted to ameliorate the racism of the Faculty.

Dr Lushaba said that the people he came from were poor, had been excluded for 350 years, did not identify with or see themselves in the university, and that he and others carried the hopes and aspirations of such people and were ready for consequences. Dr Lushaba said that he and others were ready to say how they felt, irrespective of the consequences, even at the risk of being shot at the Faculty Board or expelled from the university. He argued that the Faculty did not have Black professors and said this was not because Black people were dumb, but due to the systematic exclusion of Black people. He spoke of the spirits of Hector Pieterse, Bantu Biko, Matthew Goniwe and others who had sent him to the meeting to express how they felt about the happenings in the Faculty.

Professor Phakeng asked Dr Lushaba to make his point and ask his question, given that there was a need to hear the views and questions of others as well. Dr Lushaba responded that there would be the opportunity to listen to them patiently. He continued his point, making reference to the sacrifices of Black people like Hector Pieterse, who made sacrifices for the people and the country and was murdered by white people. Dr Lushaba said that anyone who was a serious thinker who went to the United States of America would notice a tiny section of the population - Black Americans, former slaves, who did not prosper. He asked why this was the case and answered that it was because there was a normalisation or culture to disregard the previously enslaved people in America.

Professor Phakeng asked Dr Lushaba to stop and explained that as a Black, South African woman she was in a position of leadership and had come to the meeting to present on the candidate. She indicated that she had been patient in allowing him to speak but felt undermined by one of her own people in an argument that was meant to support her. She indicated her discomfort and asked Dr Lushaba what the both of them would benefit from this. She indicated that she heard Dr Lushaba's point but said that she was leading the meeting and felt undermined. Professor Phakeng said that she had spent 90 minutes at the last special Faculty Board meeting with Faculty with black South African people and after engaging in discussion, the decision was made following a vote. She noted that this meeting was 25 minutes in progress and asked that if Dr Lushaba had a question, he ask it at that point.

She indicated her willingness to answer a question if it was about the Selection Committee and explained that the committee consisted of 18 people. 6 were Black South Africans, 4 were other black South Africans (Indian and Coloured), 2 were foreign nationals - with some of these being black African and 6 were white people. All members attended all meetings except 1 white person. She explained that the decisions of the Selection Committee were made collectively. Professor

Phakeng explained that the Selection Committee recommended a Black South African woman, and all except 2 members of the Selection Committee voted for the Black South African woman. She said that the Selection Committee could not be faulted for its constitution, attitude towards black people and transformation. She said she knew that a democratic process may not have been perceived as the best system and could be faulted, but noted that it was the system used. She indicated that due to the democratic process the last recommended candidate, Professor Khunou, was presented at the last special Faculty Board meeting, on 30 May 2019. Professor Phakeng indicated that at the last special Faculty Board meeting, 2 white people spoke and they asked questions about weaknesses of the candidate and did not speak against the candidate. Everyone else who spoke was not white. Professor Phakeng explained that she was making this point because she had not had the sense that this was a matter about black or white. She said that the Faculty Board could not make the conclusion that the last candidate had been "set up" by white people. She explained that in the Selection Committee white people voted for a black candidate and said that the university was a place to think and make decisions, not just based on race.

Professor Phakeng acknowledged South Africa's past and said that whilst the faculty could not undo the past, it could move forward, acknowledging the history of this faculty and the difficulty in attracting and keeping a Dean. She therefore asked that members of the Board support A/Professor Kessi as the recommended candidate. She acknowledged that A/Professor Kessi's appointment would not deal with the problem of Black African South Africans' invisibility in academia and positions of leadership, and that A/Professor Kessi would face a tough job, but asked that the Faculty support A/Professor Kessi's appointment due to her performance in the presentation and Selection Committee.

Dr Lushaba responded that he had no inclination to undermine Professor Phakeng and asked that he be allowed to ask his question as he felt that Professor Phakeng had addressed what was not his question. He responded that his problem was not with black or white and referred to the Employment Equity Act 55 of 1998 and proceeded to take the Board through the preamble of the Act and purpose of the Act by reading these sections. He said this clause meant institutions had to take active steps to deal with the country's problems and deal with the derision and scorn of Black people in the past. He referred to the need to implement measures to appoint people in designated groups and said that the Humanities Faculty had the opportunity to appoint a Black South African professor.

Dr Lushaba indicated that he needed to read to other sections of the Act and Professor Phakeng intervened and asked that he ask the question. Dr Lushaba indicated that he was being bulldozed by members of the Board and Professor Phakeng responded that this was not the case. Professor Phakeng said she felt undermined by the situation and that this resulted in her having to manage a rowdy faculty membership. She spoke about the perception this created that the Black South African woman could not manage a faculty Board meeting.

Dr Lushaba proceeded to read the section of the Employment Equity Act referring to burden of proof and the responsibility of the employer to establish fairness. Dr Lushaba felt that the process was unfair and the burden of proof was with the employer to ensure fairness. Dr Lushaba referred to the subsection of the Act that referred to conflict between the Employment Equity Act and any other law that states that "if conflict arises between this act and the provision of any other law, other than the Constitution or an Act of Parliament, the provision in this act prevail". He argued that in the eventuality of two or more appointable, preference must be given to a black South African candidate. He asked when the Faculty Board became a legislative Board that it could go against this law. He argued that Human Resources should have recognised that the selection process would come into conflict with the law. He argued that the Faculty Board turned itself to a legislative body by ignoring the Act.

The following questions and comments came from other members of the Board:

1. If the Faculty Board received the candidate report and voted as part of a consultative process, what was the reason that the Selection Committee was recommending a second candidate?
2. Members said that they did not understand the impact of their vote in the first Special Faculty Board meeting.



3. Did the Selection committee decide not to go with Professor Khunou's recommendation due to the 27% support and if so, what would be the position if A/Professor Kessi also received a similar show of support after this voting process?
4. How could the Faculty Board undo the previous vote at the first Special Faculty Board meeting and/or move forward ethically given that an equity candidate was brought forward and did not receive support and may not have received support due to her not being eloquent?

Professor Phakeng responded that the purpose of this Special Faculty Board meeting was to discuss A/Professor Kessi's recommendation. She noted that at the first Special Faculty Board meeting some members of the Board had opted not to talk about Professor Khunou, but now that another candidate had been brought forward, members wanted to talk about the first recommended candidate. She said that Professor Khunou had said in her presentation that she had failed in her position as Deputy Dean and Dr Lushaba responded that Professor Khunou could have meant this paradoxically. Professor Phakeng said that it was not the case that Professor Khunou was not going to be recommended because she was not eloquent.

A member commented that members did not understand the logic of having to vote, if members were expected to rubber stamp the decision. Professor Phakeng responded that members were not just expected to vote as they had been given the opportunity to see candidate presentations, ask questions, send comments and had received the reports on both recommended candidates at the special Faculty Board meetings. Professor Phakeng commented that members of the Board had been granted the opportunity to discuss Professor Khunou at the May special Faculty Board meeting. She said that this meeting was not to discuss Professor Khunou. She said that she was of the view that the majority of members present at the May special Faculty Board meeting were black and that when voting did not produce the results people liked, some members of the Faculty now wanted to go back to a first candidate.

Professor Phakeng noted that there had been past appointments of people when a Faculty was not of one mind and the candidate had received over 50% support, but not 60%, and the vote and discussion at the meeting gave a sense of that Faculty's view. She explained that in one Faculty voting reflected 57% support but there were 3 issues of concern that the Selection Committee went back and addressed with candidate.

Other questions and comments were as follows:

1. All members had different views that needed to be respected. There was evidence presented of a past candidate and now have evidence of another candidate. A/Professor Kessi had proven evidence of a calm way of dealing with tense situations.
2. A member of the Board who identified himself as white Afrikaans speaking declared that he had voted in support of Professor Khunou so it should not be assumed that only black people voted in support of Professor Khunou.
3. Professor Khunou be presented to the Faculty Board again because of the argument that the university was losing a Black, South African, Employment Equity candidate.

Professor Feris responded to the employment equity question and reminded the Faculty that when setting employment equity targets we must commit ourselves to meeting those targets. She noted that sometimes decisions made people uncomfortable, but that the Employment Equity Act required people to engage with the discomfort. She disagreed with Dr Lushaba's interpretation of the Employment Equity Act and said that the Act did not drill down to individual appointments. She explained that the Act required the university to set targets and have a process in place that got the university to where the Act required us to be. Professor Feris further disagreed on the one Act being in dispute with the other. Professor Feris agreed with Professor Phakeng in terms of the Selection Committee's decision and was of the view that institutionally UCT was meeting targets.

Professor Phakeng indicated that another meeting was scheduled to take place in the venue this special Faculty Board meeting was being held in, and noted that this meeting had run over time. She noted that more hands were being raised and asked that members vote whilst the discussion continued. Dr Lushaba said his question was not answered on how the Faculty Board made itself a legislative body to trump the laws of the country. He indicated that if members were forced to vote, members would be forced to disrupt the vote if it proceeded. A/Professor Lange responded that there was a difference between legislative process and a managerial situation and responded that the university could not get someone in who did not

have a full faculty support. Professor Phakeng agreed that it was unfair to appoint a Dean who did not enjoy the support of the Faculty Board.

Dr Lushaba asked why members were asked to speak if others were voting, as the discussion was inconsequential. Professor Phakeng responded that the continued discussion was not meant to stop the voting process. Dr Lushaba suggested that the meeting be postponed so that discussion could continue or that the whole process be stopped and restarted from the constitution of the Selection Committee.

An unknown person who could not be identified as a member of the Faculty Board said that the procedure had not been followed in terms of the Employment Equity Act and that people were asking for procedure to be followed. Professor Phakeng responded that the Selection Committee had the role to make a recommendation of a candidate to Council and they were of the view that it was unfair to place Professor Khunou in a position where she did not have the support of the Faculty. She indicated that the matter on Professor Khunou was closed. The unknown person responded that his question was on procedure.

#### 4. SECRET BALLOT

The counting of ballots was disrupted by Dr Lushaba who pushed the ballot boxes and ballot papers off the table, spread them around and then left the venue with some of the forms.

*Secretary's note: the Faculty Manager (Academic Administration) was Chief Electoral Officer.*

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A meeting of the Board of the Faculty of Humanities will be held on **Tuesday 08 October 2019 at 14:00**, in the **Mafeje Room, Bremner Building**.

**AGENDA**

**1. REGISTER, APOLOGIES AND WELCOME**

**1.1 Attendance register**

Members are required to sign and circulate the attendance register. Apologies to Liz Werth (liz.werth@uct.ac.za) **before 10:00 on Tuesday 08 October 2019**.

**1.2 Introduction of new members**

Incoming members of the 2020 Undergraduate Humanities Student Council

**2. MINUTES**

The minutes of the meeting of 08 August 2019 are attached for consideration.

Attachment 1 (pages 3 – 6)

The minutes of the special Faculty Board meeting on 18 September 2019 are attached for consideration.

Attachment 2 (pages 7 - 10)

**3. EXECUTIVE OFFICER'S FORUM**

Professor Mamokgethi Phakeng will respond to questions submitted in writing in advance.

**4. QUESTIONS FOR THE FACULTY EXECUTIVE**

Members of the Faculty Executive will respond to questions submitted in writing in advance.

Question Received from Professor Bernhard Weiss:

*"Unruly behaviour at Faculty Board meetings both frustrates Faculty business and operates to silence those members of the Board who are willing to abide by the decorum of the meeting. In view of recent cases of such indecorous behaviour, will the executive:*

*(i) remind the Faculty of the requirements on acceptable behaviour in Faculty Board meetings;*

*(ii) remind the Faculty of the powers available to the Chair to bring order to the meeting; and*

*(iii) affirm the commitment of the Executive to use those powers to ensure future Faculty Board meetings are conducted in a manner which respects everyone's right to make legitimate contributions?"*

**5. UNIVERSITY INSURANCE POLICY**

Mr Shai Makgoba will present on the above.

**6. MATTERS ARISING**

**6.1 ELECTRONIC APPOINTMENT FORMS FOR EXTERNAL EXAMINERS**

*(Minute 4 of 12 March and minute 4.1 of 08 August 2019 refers)*

The Faculty Manager: Academic Administration reported that all faculties had agreed to the use of electronic appointment forms for external examiners. This would remove delays in paperwork and loss of paperwork when assigning external examiners. The request was with ICTS and the development of the electronic form and the workflow was under discussion.

**6.2 PROPOSED CHANGE OF DEPARTMENTAL NAME**

*(Minute 5 of 08 August 2019 refers)*

The Department of English Language and Literature, A/Professor Sandy Young, had submitted a proposal for consideration by the board to change the name to the 'Department of Literary Studies in English', but asked that the matter be deferred to this Faculty Board meeting.

Attachment 3 (page 11)

**7. EXTERNAL EXAMINER REPORTS – 1ST SEMESTER 2019 EXAMINATIONS**

The Acting Deputy Dean for Undergraduate Affairs, Dr Jack Ritchie and the Acting Director for Postgraduate Studies and Funding, Professor Jane Bennett, will brief the Board on external examiner reports for first semester 2019 taught courses.

**8. DEAN'S TEACHING AWARD**

The Deputy Dean for Undergraduate Affairs, Dr Jack Ritchie, will report on the above.

**9. TRANSFORMATION COMMITTEE REPORT**

The Acting Chairperson of the Transformation Committee, Ms Jaamia Galant, will report on activities for 2019.

**10. STUDENTS' COUNCILS REPORT**

Incoming representatives from the undergraduate Humanities Students' Council (HSC) and postgraduate Students' council (PGSC) will present their items for discussion.

**11. ANY OTHER BUSINESS**

**12. DATES FOR MEETINGS FOR THE 2020 COMMITTEE CYCLE**

To be advised in due course

Faculty Manager (Academic Administration)

**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A meeting of the Board of the Faculty of Humanities was held on Wednesday 29 May 2019 at 13:30, in the Mafeje Room, Bremner Building.

**MINUTES**

**1. REGISTER, APOLOGIES AND WELCOME**

**Present:** Abdullah, S; Akokpari, J; Arnold, M; Badroodien, A; Bosch, T; Bruyns, C; Campbell, K; Chandler, C E; Coovadia, I; D'angelo, A; Davis, Z; Daya, S; Deumert, A; De Wet, J; Dowling, T; Evans, M; Green, L J F; Gxubane, E T; Hambidge, J H; Haubrich, W; Hoadley, U; Inggs, S C; Irwin, R H; Jeppie, S; Josephy, S; Kahn, M; Kekana, M; Kell, C; Lange, L; Langerman, F; Loots, S; Lushaba, L; Ma, Y; Macaluso, P; Malcolm-Smith, S; Malinga, M; Maluleke, G; Matose, F; Maxaulane, G; Mbali, M; McKinney, C W; Mendelsohn, A; Mesthrie, R; Mohamed, K; Moore, E; Naidoo, L-A; Ndlovu, A; Ntunja, T; Pande, A; Penn, N G; Porcu, E; Raju, J; Reddy, T; Reynolds, R-A; Ritchie, J; Ross, F C; Roth, R; Sandmeier, R; Scanlon, H; Schmid, K; Schrieff-Elson, L; Sen, A; Shaikh, S; Shelton, M; Singer, G; Tame, B; Tayob, A I; Thomas, K; Tredoux, C G; Tshazibane, M; Tuccini, G; Ukah, A; Vally, N; Van Niekerk, L; Vawda, S; Ward, C; Weiss, B; Wild, L; Young, S.

**Apologies:** Anderson, P; Angier, T; Barnard-Naude, J; Baxter, V; Benatar, D; Boswell, B; Busuku, S; Chaturvedi, R; Chitonge, H; Collins, L; Dunsby, P; Fakie, A; Fleishman, M J; Fried, G; Harrison, Simon; Harrison, Sue; Haupt, A; Herbst, A C; Herbst, T; Hofmeyr, H P; Holtzhausen, L; Jaffer, S; Lamprecht, A; Levine, S L; Lilley, A C; Mabandla, N; Macdonald, H; Marx, L G; Matchett, S; Morreira, S; Mtshali, M; Murray, J; Muthivhi, A E; Odendaal, N; Ouma, C; Pather, J; Recuenco Penalver, M; Saptouw, F; Shongwe, M; Silver, J; Skotnes, P A; Steyn, M; Twidle, H; Van Rooyen, I; Wittenberg, M.

**Leave:** Alexander, J; Arend, M; Benya, A; Boonzaier, F; Botha, M P; Bruinders, S; Brundrit, J; Corwin, J; Crankshaw, O; Frith, V; Garuba, H; Higgins, J A; Hull, G; Hyland, G J; Ismail, S; Kapp, R; Kotze, K; Laugksch, R C; Leibbrandt, M; Luckett, K; Maasdorp, L; Mulaudzi, M; Nyamnjoh, F B; Possa-Mogoera, R; Searle, B; Seedat, F; Seekings, J F; Thompson, M; Van Der Merwe, I; Van Sittert, L; Wardle, D; Wasserman, H.

**Absent:** Abdulla, A; Addinall, R; Amosun, S L; Andrews, D I; Angier, K; Ardington, C; Atmore, E; Ayerigah, T; Bacharova, F A; Bennett, J; Bentel, B; Bezuidenhout, M; Bhorat, H; Black, A; Blond, L; Bowerman, S; Brigaglia, A; Burns, J; Butler, A; Cameron, R G; Chagunda, C; Chirikure, S; Chuma, W; Clarke, Y; Conradie, B; Daniels, R; Davids, N; Davids, V C; Deja, R; De Oliveira, R; Deyi, S; Dunne, J; Du Toit, G F; Edwards, L; Eyal, K; Feris, L; Field, S; Fuh, D; Galgut, E; Goodman, S; Govender, R; Grzybowski, L; Guzula, X; Haarhoff, M; Hamilton, C; Hardman, J; Hattingh, A; Higgs, R; Hofmeyr, A; Hurst, E; Job, J; Jolobe, Z; Kaminer, D; Kar, B; Kessi, S; Keswell, M; Kincaid, H; Kubeka, A; Leiman, A; Lepelle, R; Lipinska, G; Long, W; Mackenny, V; Madiba, M; Makanza, C; Makhubu, N; Marie, A; Mateane, L; Mathews, S; Maw, A; Mbothwe, M; Mbulawa, C; Meyer, I; Mkhize, Z; Mlatsheni, C; Modisane, L; Moji, P; Motinyane, M R; Mpendukana, S; Msomi, Z; Muchapondwa, E; Murris, K; Naicker, C; Naidoo, V; Nattrass, N; Ndlovu, G; Ndlovu, M; Neethling, L; Nefdt, R; Ng'ambi, D; Nikolaidou, E; Njomboro, P; Nolutshungu, S; Noyoo, N; Ntsebeza, L; Omar, Y; Paremoer, L; Phaahla, E; Phakeng, M; Pillay, N; Piraino, P; Plaatjies, M D; Posel, D; Ramutsindela, M; Ranchhod, V; Rani, M X; Reolon, J; Rijdsdijk, I-M; Rossi, M J; Saldanha, J; Samuel, G M; Sarr, M; Scott, L; Shaw, M; Smit, A; Solms, M; Spedding, M; Steltzner, B; Stopford, C; Swai, M; Thiam, D; Tietze, A C; Tiffin, A; Tikolo, P; Turpie, J; Van Der Schijff, J; Van Walbeek, C; Visser, M; Walton, M; Watt, M; Williams, F; Wilson, L; Zaayman, C.

**In Attendance:** Chetty, S; Van Heerden, K; Galant, J.

1.1 The Acting Dean, A/Professor Shose Kessi, welcomed all members to the meeting. She noted the passing of Emeritus Professor Peter Horn, previously Head of Department of German in the School of Languages and Literatures. She explained that she would chair the first portion of the meeting and would hand over to A/Professor Tanja Bosch for the adoption of the minutes of the special Faculty Board meetings, as these related to a selection process for which she was a candidate.

The following members were introduced as new members to the faculty:

*Dr Matthew Shelton – lecturer in the School of Languages and Literatures*  
*Dr Ryan Nefdt – lecturer in Philosophy*  
*Dr Gavaza Maluleke – lecturer in Political Studies*

It was noted that *Ms Sindiswa Busuku*, would be introduced at the next meeting.

A/Professor Kessi handed the meeting to A/Professor Bosch to chair the agenda items related to questions for the Executive Officer and adoption of minutes of the special faculty board meetings and left the meeting.

## 2. EXECUTIVE OFFICER'S FORUM

There was a proposal that the meeting deal with questions to the Executive Officer, before moving to the minutes, and this proposal was accepted. The questions posed were as follows:

*On 14 July, 27 members of the Faculty Board had signed a letter of objection to the University Executive's handling of the Dean's Selection Committee, to which no response had been received. Following consultation with signatories of the letter, members of the Faculty Board asked the University Executive's representative to answer the two principal matters which were raised in the letter. These were:*

- That the Selection Committee return to its original commitment to conclude the process of voting on the 2nd proposed candidate, since this was the outcome of a legally and procedurally correct faculty process prior to the unlawful disruption of the ballot by Dr Lushaba.*
- For a written response on what processes of accountability the university had put in place to address Dr Lushaba's aggressive disruption of the vote on 11 June 2019.*

Dr Lushaba requested confirmation that the above questions had been received and accepted by the Executive Officer, as they were circulated to members of the Board at 9.38am on the morning of the Faculty Board meeting. Deputy Vice Chancellor (DVC) Lis Lange responded that the University Executive were aware of the questions and were prepared to respond.

Dr Lushaba proceeded to read the questions and list of names of people who had signed the letter. There were objections from the floor about the questions and names being read out, about one person monopolising the meeting and the Chair was asked to manage the meeting. A/Professor Bosch asked Dr Lushaba to ask his question rather than read the list of names, given that these had been circulated. He responded that he was raising a principle of law and read the list of twenty seven names. He made reference to the first two names on the list, that being A/Professor Sadiyya Shaikh and Professor Harry Garuba. He referred to a matter in the Linguistics Department where a staff member was accused of sexual molestation and stated that the specific matter related to a complaint about a staff member, was of a disciplinary nature and therefore confidential. He made reference to A/Professor Shaikh and Professor Garuba were part of this process and therefore understood the disciplinary process and confidentiality. He asked whether these staff members subscribed to the principle of law or approached the two matters differently because one related to a white lecturer and the other to a black lecturer. He said that asking the question suggested that there was basis for his disciplinary hearing and insinuated that it was a fact. A/Professor Shaikh responded that the both matters could not be conflated; the disruption of the Faculty Board voting on 11 June 2019 was a public act and disabled a voting process and took away the voting right of the members of the Board. She asked that Dr Lushaba retract his comments and comparison to the sexual harassment case as both matters could not be compared.

A/Professor Lange indicated that she was willing to respond to the questions posed and would do so, taking rights of all parties into account. She explained that there was no ill intention in the questions being circulated the morning of the Faculty Board meeting as the University Executive had received the questions twenty four hours prior to the meeting, the questions were retracted and then resent on the evening before the meeting.

A/Professor Lange responded to the first matter of the Dean's selection committee being requested to return to the process of concluding the vote on candidate two, A/Professor Shose Kessi. She explained that the Vice Chancellor had received legal advice on the matter. She explained that in relation to the first question, the Council Executive Committee met on 25 July 2019 and reviewed the full report of the selection committee, including detail of meetings, disruption and the legal opinion. The vote of the Faculty Board was re-asserted and it was also important to note that whilst the vote of the Board was important, it did not constitute a veto. She explained that the Council EXCO felt that it was not enough, in terms of

Employment Equity Law, to say that the candidate did not have sufficient voting support. The selection committee discussed the idea of halting the process and starting over, but A/Professor Lange explained that Council EXCO wanted the process to proceed. This involved a reconvening of the selection committee, recalling Professor Grace Khunou to an interview and addressing concerns about Professor Khunou's candidacy based on the May 2019 special faculty board meeting feedback. She indicated that if there was a recommendation, it would be sent to the Institutional Forum and Council.

There were questions from members of the Board about the process and how the university managed or manages its selection processes given the anomalies in this process and the resultant uncertainty. It was noted that the faculty did not decide to go to candidate two, the selection committee chose to do that but the vote was disrupted – members of the faculty believed that they had a right to know the outcome of the 11 June 2019 vote that was disrupted. A member questioned how the faculty was expected to go back to candidate one, when they were told to go to candidate two and this process was not concluded. There were also questions about the purpose of the Faculty Board vote if the vote had no power. A/Professor Lange responded that the process had not been managed consistently, however based on legal advice there was a responsibility to finish a first process before moving to a next candidate. She noted that moving to candidate two prematurely was done in error but there was an opportunity to rectify the situation.

There were comments about why a single legal opinion was sought as another or a few other legal opinions may have derived other results. A further comment was that the honesty on the mistakes the executive had made were appreciated, but that there were questions on whether the University Executive had the ability to manage a process of this nature. A/Professor Lange noted a comment that had the legal opinion been sought before the vote of 11 June 2019 was disrupted, it would have been ethically acceptable but the fact that the legal opinion was sought after a disrupted vote made it questionable.

On the issue of the disciplinary process against Dr Lushaba, A/Professor Lange indicated that the Vice Chancellor had constituted a preliminary investigation committee and that the outcome of this investigation was between the university and Dr Lushaba.

### **3. MINUTES**

The minutes of the meeting of 29 May 2019 were approved by Dr Jack Ritchie and seconded by Professor Rebekka Sandmeier.

The minutes of the special meeting of 30 May 2019 were approved by Professor Zain Davis and seconded by Professor Imraan Coovadia.

The minutes of the special meeting of 11 June 2019 were approved by A/Professor Sadiyya Shaikh and seconded by Dr Frank Matose, with an amendment on the last paragraph, changing the word ballot to ballot.

### **4. MATTERS ARISING**

#### **4.1 ELECTRONIC APPOINTMENT FORMS FOR EXTERNAL EXAMINERS**

*(Minute 4 of 12 March 2019 refers)*

The Faculty Manager: Academic Administration reported that all faculties had agreed to the use of electronic appointment forms for external examiners. This would remove delays in paperwork and loss of paperwork when assigning external examiners. The request was with ICTS and the development of the electronic form and the workflow was under discussion.

#### **4.2 REVIEW OF RATES OF PAYMENT FOR EXTERNAL EXAMINERS**

*(Minute 4 of 12 March 2019 refers)*

A query was raised about the possibility of differentiation in payments of external examiners for full research and coursework thesis and whether the rates paid could be reviewed. A/Professor Tanja Bosch reported that the matter was discussed at the Board for Graduate Studies and was not approved due to budgetary implications. It was noted that the Office of the Deputy Registrar was doing a comparison of rates with other offices.

### **5. PROPOSED CHANGE OF DEPARTMENTAL NAME**

The Department of English Language and Literature had submitted a proposal for consideration by the board to change the name to the 'Department of Literary Studies in English', but asked that the matter be deferred to the next Faculty Board meeting.

### **6. HUMANITIES COMMITTEE HANDBOOK**

The Humanities Committee Hand book was submitted to the Board for consideration and approval. It

was noted that all reference to LISC had to be changed to DKIS. Professor Sandmeier noted that she was a member of the Baxter Board but had never been invited to a meeting. She was asked to follow up with the servicing officer.

A/Professor Shaikh noted that under names of members of the Dean's Advisory Committee (DAC) members, there was an error as the incoming Head of Department for Religious Studies was A/Professor Ukah.

**7. STUDENTS' COUNCILS REPORT**

Representatives from Humanities Students' Council had no matters to report.

**8. ANY OTHER BUSINESS**

There being no other business, the meeting concluded at 15.20.

**9. DATES FOR MEETINGS FOR THE 2019 COMMITTEE CYCLE**

Tuesday 8 October 2019 @ 14:00

Faculty Manager (Academic Administration)



**UNIVERSITY OF CAPE TOWN**  
**BOARD OF THE FACULTY OF HUMANITIES**

A special meeting of the Board of the Faculty of Humanities was held on **Wednesday, 18 September 2019 at 14:00**, in **Snape Lecture Theatre 1, Upper Campus**.

**MINUTES**

**1. REGISTER, APOLOGIES AND WELCOME**

The Chair of the meeting was Deputy Dean, A/Professor Tanja Bosch, who welcomed all members. She noted that quorum for the meeting was 53, and with over seventy people present, the meeting was quorate.

**PRESENT:** Akokpari, J; Angier, T; Arnold, M; Benatar, D; Bennett, J; Bezuidenhout, M; Blond, L; Boonzaier, F; Bosch, T; Boswell, B; Bowerman, S; Campbell, K; Chuma, W; Clarke, Y; Coovadia, I; Davids, N; Davis, Z; Daya, S; De Oliveira, R; Dowling, T; Evans, M; Fakie, A; Galgut, E; Green, L J F; Gxubane, E T; Harrison, Simon; Irwin, R H; Jaffer, S; Job, J; Kahn, M; Kar, B; Lange, L; Levine, S L; Loots, S; Ma, Y; Macdonald, H; Makhubu, N; Malcolm-Smith, S; Matchett, S; Mckinney, C W; Mendelsohn, A; Modisane, L; Mohamed, K; Moji, P; Moore, E; Morreira, S; Murray, J; Muthivhi, A E; Naidoo, L-A; Nyamnjoh, F B; Omar, Y; Pande, A; Pather, J; Phakeng, M; Porcu, E; Raju, J; Reynolds, R-A; Ritchie, J; Ross, F C; Roth, R; Saldanha, J; Sandmeier, R; Scanlon, H; Seedat, F; Sen, A; Shaikh, S; Shelton, M; Singer, G; Steltzner, B; Thomas, K; Thompson, M; Tredoux, C G; Tuccini, G; Twidle, H; Ukah, A; Vawda, S; Weiss, B; Wild, L; Young, S.

**Apologies:** Anderson, P; Angier, K; Arend, M; Barnard-Naude, J; Bhorat, H; Burns, J; Chandler, C E; Chitonge, H; Dunne, J; Feris, L; Field, S; Fleishman, M J; Fried, G; Hambidge, J H; Hamilton, C; Harrison, Sue; Hofmeyr, A; Hofmeyr, H P; Holtzhausen, L; Inggs, S C; Kaminer, D; Kell, C; Lamprecht, A; Lilley, A C; Lipinska, G; Mabandla, N; Marx, L G; Matose, F; Mball, M; Mesthrie, R; Ouma, C; Saptouw, F; Schmid, K; Schrieff-Elson, L; Spedding, M; Tame, B; Tayob, A I; Tiffin, A; Van Der Merwe, I; Van Der Schijff, J; Walton, M; Ward, C; Wittenberg, M.

**Leave:** Alexander, J; Benya, A; Botha, M P; Bruinders, S; Brundrit, J; Corwin, J; Deumert, A; Frith, V; Garuba, H; Higgins, J A; Hull, G; Hyland, G J; Ismail, S; Kapp, R; Kotze, K; Laugksch, R C; Luckett, K; Maasdorp, L; Marie, A; Mkhize, Z; Mulaudzi, M; Murris, K; Odendaal, N; Possa-Mogoera, R; Searle, B; Shongwe, M; Van Sittert, L; Wardle, D.

**Absent:** Abdulla, A; Abdullah, S; Addinall, R; Amosun, S L; Andrews, D I; Ardington, C; Atmore, E; Ayerigah, T; Bacharova, F A; Badroodien, A; Baxter, V; Bentel, B; Black, A; Brigaglia, A; Bruyns, C; Busuku, S; Butler, A; Cameron, R G; Chagunda, C; Chaturvedi, R; Chirikure, S; Collins, L; Conradie, B; Crankshaw, O; D'angelo, A; Daniels, R; Davids, V C; Deja, R; De Wet, J; Deyi, S; Dunsby, P; Du Toit, G F; Edwards, L; Eyal, K; Fuh, D; Goodman, S; Govender, R; Grzybowski, L; Guzula, X; Haarhoff, M; Hardman, J; Hattingh, A; Haubrich, W; Haupt, A; Herbst, A C; Herbst, T; Higgs, R; Hoadley, U; Hurst, E; Jeppie, S; Jolobe, Z; Josephy, S; Kekana, M; Kessi, S; Keswell, M; Kincaid, H; Kubeka, A; Langerman, F; Leibbrandt, M; Leiman, A; Lepelle, R; Long, W; Lushaba, L; Macaluso, P; Mackenny, V; Madiba, M; Makanza, C; Malinga, M; Maluleke, G; Mateane, L; Mathews, S; Maw, A; Maxaulane, G; Mbothwe, M; Mbulawa, C; Meyer, I; Mlatsheni, C; Motinyane, M R; Mpendukana, S; Msomi, Z; Mtshali, M; Muchapondwa, E; Naicker, C; Naidoo, V; Natrass, N; Ndlovu, A; Ndlovu, G; Ndlovu, M; Neethling, L; Nefdt, R; Ng'ambi, D; Nikolaidou, E; Njomboro, P; Noluthungu, S; Noyoo, N; Ntsebeza, L; Ntunja, T; Paremoer, L; Penn, N G; Phaaahla, E; Pillay, N; Piraino, P; Plaattjes, M D; Ramutsindela, M; Ranchhod, V; Rani, M X; Recueno Penalver, M; Reddy, T; Reolon, J; Rijdsdijk, I-M; Rossi, M J; Samuel, G M; Sarr, M; Scott, L; Seekings, J F; Shaw, M; Silver, J; Skotnes, P A; Smit, A; Solms, M; Steyn, M; Stopford, C; Swai, M; Thiam, D; Tietze, A C; Tikolo, P; Tshazibane, M; Turpie, J; Vally, N; Van Niekerk, L; Van Rooyen, I; Van Walbeek, C; Visser, M; Wasserman, H; Watt, M; Williams, F; Wilson, L.

**2. PROCEDURAL NOTES**

A/Professor Bosch referred members to the following points for noting:

- The meeting must have a quorum.
- The quorum for Board meetings is one third of the total membership reduced by the number of members who missed the last three ordinary meetings of the Board (with or without apology) and less those who are on approved leave at the date of the meeting. The quorum for this meeting was 53.
- A 60% majority of those voting must be in support of the candidate for the recommendation of the Selection Committee to be forwarded to Council. This majority excludes those who abstain. In other words, a spoilt ballot or abstention is effectively a vote against.
- Only those Board members present at the meeting may vote.
- No proxy votes are allowed.
- There is no postal ballot.

Before she handed over to the Vice Chancellor to present the report, A/Professor Bosch noted that there were dissenting views and welcomed questions, healthy debate and people disagreeing with each other. She highlighted the need for respectful and collegial communication and proceeded to outline basic ground rules for engagement. She requested that all questions be asked through her as the Chair, that people ask questions succinctly and respectfully, and not interrupt each other. She indicated that there would be a three minute time limit on each question and people would be asked to stop if they went over the three minutes. She also requested that any person asking a question begin by providing their name and department – this was for the benefit of the Chair and Servicing Officer who did not know all members. There were no objections to the rules of engagement set out by the Chair and she handed over to the Vice Chancellor, Professor Mamokgethi Phakeng.

### 3. PROPOSAL FROM SELECTION COMMITTEE FOR DEAN OF HUMANITIES

Professor Phakeng said she thought it was important to provide a brief overview of the process up to the point of this meeting. She noted that this was the third special Faculty Board meeting convened for the Dean's selection process. The selection process began on 29 March 2019, the first special meeting was held on 30 May 2019 and the outcome was that the candidate presented, Professor Grace Khunou, did not receive sixty percent support of the Faculty Board, but instead received twenty seven percent support. The second meeting on 11 June 2019 was disrupted and could not be concluded.

She explained that the selection committee noted that they wanted to appoint a black African South African female candidate as a first choice, a black South African female as a second choice and a black African South African male as a third choice. She explained that this was important as it guided further conversations on the process as it unfolded. There were 9 applications and the following four candidates were shortlisted:

1. Professor Rose Boswell
2. Professor Adam Haupt
3. A/Professor Shose Kessi
4. Professor Grace Khunou

Two were South African black candidates and the other two were non-South Africans based on the equity policy of the country. Candidates were given a topic to present on and were then interviewed. She reminded members of the Board that whilst presentations were open to all candidates, interviews were closed to selection committee members only. Questions in the interview related to transformation, financial sustainability, administration, strategic leadership, collective leadership, institutional reputation, partnerships and internationalisation and academic excellence. She explained that after taking into consideration all the information about the candidates, their presentations, feedback from their presentations, the interviews and feedback from their referees, the selection committee, through secret ballot, confirmed the appointability of each candidate. The following three candidates were deemed appointable:

1. Professor Rose Boswell
2. A/Professor Shose Kessi
3. Professor Grace Khunou

She pointed out that all sixteen members of the selection committee voted that A/Professor Kessi was appointable. Fifteen people voted that Professor Boswell was appointable, with one vote against her and Professor Khunou was the third appointable candidate with fourteen votes in support and two votes against her. The committee agreed that all three female candidates were appointable and the Vice Chancellor explained that in terms of employment equity considerations, the selection committee recommended Professor Boswell and Professor Khunou. This was done on the assumption that Professor Boswell was a South African citizen. Her date of attaining her

citizenship, which in her interview she claimed to have attained in 1992, was followed up on. The committee had to check if she had applied and may have been declined because of political reasons. The committee had agreed that Professor Boswell would be the first choice of the two South African candidates, if her citizenship details were confirmed. At that point A/Professor Kessi was not considered, as this consideration was made only on employment equity considerations. There was a vote and the selection committee voted and ranked Professor Boswell above Professor Khunou. It was subsequently confirmed that Professor Boswell had gained citizenship after 1992 and could not be considered in terms of employment equity as a designated candidate. It was for this reason that Professor Khunou's name remained on the list, and because of the commitment to transformation, her name was presented to the faculty board, on 30 May 2019 where she received a twenty seven percent vote in favour of her appointment. The Vice Chancellor reminded members of the board about the sixty percent vote in favour of a candidate that was required.

She explained that the concerns raised at the special Faculty Board on 30 May 2019 were about Professor Khunou's leadership ability, a lack of strategic vision for the faculty and the need for further exploration of her concept of 'disobedience'. At that stage, the selection committee met again and voted on whether further engagement with Professor Khunou was needed or whether to move to the other two remaining appointable candidates. The matter was taken to a vote and of the fourteen people present, eleven voted against further engagement with Professor Khunou and 3 voted for further engagement. The committee then considered Professor Boswell and A/Professor Kessi's candidature and recommended A/Professor Kessi to the Board at the special meeting of 11 June 2019 that was disrupted. She explained that much transpired after the meeting of 11 June 2019 and that there were meetings with the Faculty Board, Council and that legal opinion was sought. The basis for the legal advice was to ensure that the committee had acted procedurally. Based on the legal advice, there was a decision to re-invite Professor Khunou to interview so that issues that were raised during the Faculty Board could be probed.

Professor Khunou was invited to another interview where the following questions as per the Faculty Board concerns, amongst others, were probed.

1. Why she failed as Deputy Dean at the University of Johannesburg and what led to that failure?
2. The need to understand her disobedient personality, and how this would serve her as Dean.

The Vice Chancellor reported that after comfortable interaction and instructive conversation with Professor Khunou in the interview, the selection committee decided that she was not appointable. The selection committee found that she did not understand the real concept of being a Dean, in her short time as Deputy Dean she did not develop a sufficient understanding of the work of a Dean, there was no demonstration of strategic leadership and that she did not demonstrate the ability to manage a large, complex faculty. The selection committee found that her response to the questions on leadership and the greatest challenges of the role of the Dean were not convincing, she could not share what her vision as Dean of the faculty would be and she could not explain her notion of disobedience in a convincing way. She could not articulate how she would use a perspective of disobedience to help her move inside the faculty and how this translated into a broader vision and strategy.

Her responses were reported as being limited to her personal experience and she could not explain how her notion of disobedience would benefit the faculty. The selection committee noted that strong leadership was required. The selection committee was of the view that the faculty required strong leadership to give it direction and coherence and the Vice Chancellor reported that Professor Khunou was unable to demonstrate or persuade the selection committee of her ability to do so.

The committee was concerned about her confusion around the concepts of critique, criticality and radicalism. She was asked again about the critique of her presentation which she argued was what led her to talk about disobedience. Her explanation gave the impression of the confusion of these concepts and this concerned the selection committee as the Dean in a Faculty of Humanities at UCT needed to understand these concepts.

On 10 September 2019, the selection committee met again and agreed that they had two options:

1. Recommend no appointment to Council
2. Recommend a non-South African candidate

The Vice Chancellor reported that the selection committee voted with 12 for option 2, and 2 against option 2. She explained that she would not provide the full detail of the selection committee but reminded members that Professor Boswell was listed before A/Professor Kessi previously when she was deemed South African, in terms of employment equity considerations.

The Vice Chancellor, at this juncture, went on to explain to members of the Board why A/Professor Kessi's name was being put forward at this meeting. Her presentation was said to be superior to all the others and focused on all three aspects of the topic, she interviewed well, the committee was impressed by her diligence and work ethic, she had good referee reports, and had the ability to build the faculty. The selection committee recognised that she was not a conformer but the committee respected this and respected people who did not just tow this line; the selection committee believed that she would take the faculty forward. Her relationship building skills were noted and this skill has proven to be invaluable in her time in the acting Dean role. The selection committee was of the view that her leadership skills would bring balance and build the faculty. It was for these reasons that the Vice Chancellor said that the selection committee was recommending A/Professor Kessi as Dean of the Faculty of Humanities.

The opportunity was granted for members to ask questions and/or provide comments and the following were noted:

1. Whether members would be allowed to vote and leave - the Vice Chancellor highlighted the importance of being present and participating in the discussion first and then voting.
2. Commendation of the selection committee for considering all factors in coming to a decision.
3. That there had been much inconsistency in the process and legal opinion had been sought. A question was posed on whether the selection committee was certain that it had now covered all aspects of policy and process and that the selection committee or Faculty Board would not be asked to reconvene to revisit these decisions made. The Vice Chancellor responded that having sought the legal opinion, there was a discussion in whether to disband the committee and restart the process, but that the Executive Committee of Council had asked that the process continue. She assured members that the legal opinion had been taken into account and that due process had been followed. She explained that the decision from this special Faculty Board meeting would be taken to the Institutional Forum who would interrogate process, and then the matter would go to Council.

Faculty Board members were asked to indicate on the ballot paper their response to the following question and the result was as follows:

Does candidate A/Professor Shose Kessi have your confidence as Dean of Faculty?	Yes	No	Abstain
	68 86%	10 13%	1 1%

The votes were counted in the presence of members and the outcome was announced at the meeting.

The meeting ended at 14:45.

**Sashni Chetty**

**Faculty Manager: Academic Administration**

Humanities Special Faculty Board Meeting