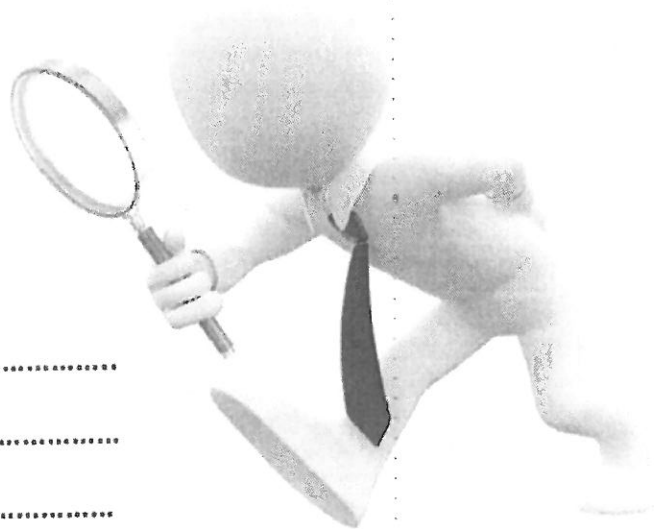


The Independent Investigation Task Team duly delegates its
Chairperson, Dr Leon Wessels to present this final report to the
North-West University Council:

Signature: Leon Wessels
Signed at: Centurion
On this date: 26/05/2014

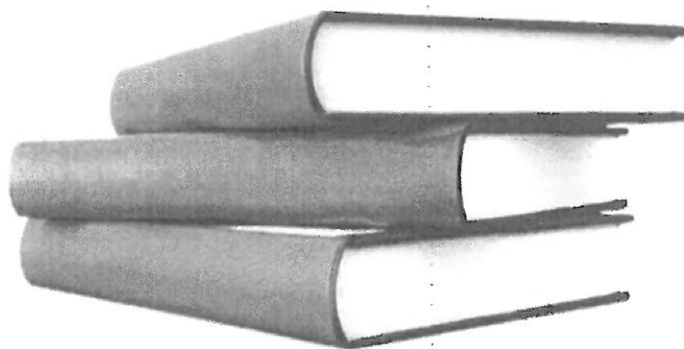
The Chairperson of the North-West
University Council
or designated recipient:

Signature:.....
Signed at:.....
On this date:.....



A. BACKGROUND AND PROBLEM STATEMENT

In a period of ten years since the merger, the North-West University has managed to make great strides in becoming one of the top South African universities in the field of research, teaching and student throughput rates. It has consolidated its areas of excellence. The development of infrastructure, such as new residences and classrooms, is equally impressive. All these achievements, however, could be undermined by negative recurring incidents, such as the much-publicized initiation of new students. These incidents cast a negative



spotlight on the university and begin to suggest that these old traditions are an indication of a university or its campuses which refuse to embrace transformation. This reputational risk has far-reaching consequences on the image of the university and its ability to mobilize resources and establish partnerships. This, in turn, could also affect the perceptions of prospective students and academics who may have wanted to be part of this institution. All the achievements of the university could easily be overshadowed by these negative aspects. It is in the university's own strategic interest to swiftly address both the causes and manifestations of these negative experiences. Failure to do so could easily and inevitably attract external intervention, which could also impact on the university autonomy. It is in the university's own strategic interest to proactively and decisively resolve these negative aspects, which already impose a reputational risk on the institution.

On 21 and 22 February 2014, the *Beeld* newspaper published reports on the "initiation" of first year students at the Potchefstroom campus of the North-West University. These articles also showed the images of students performing the "Pukke salute Heil", which was reported as proof of existence of "Nazi Culture" within NWU. This led to a widespread coverage of this controversial incident in print and broadcast media, as well as the social media, and also triggered a debate that put the spotlight on the nature and character of orientation/initiation rituals and ceremonies of first year students at the university.

The management of the university and different stakeholders within the institution responded to this incident and entered the debate. The National Minister of Higher Education and Training, Dr Blade Nzimande, also intervened by writing a letter to the Chairperson of NWU Council, Mr Peet Van der Walt on 4 March 2014. In this letter, the Minister made some critical observations and pronouncements on the initiation and the media reported salute incident. More importantly, the Minister requested the university to look into the matter by way of an investigation.

In March 2014, the University Council appointed an Independent Investigation Task Team to investigate cultural, orientation, initiation and demeaning practices associated with the welcoming and introduction programme for first-year students at the North-West University. This Task Team was chaired by Dr Leon Wessels and its other members were Dr Bismark Mzibanzi Tyobeka, Adv. Rehana Rawat, Ms Rhoda Khadalie and Professor Somadoda Fikenj. Ms Rhoda Khadalie, unfortunately, had to resign after the first meeting due to work commitments in the organization she is heading. The Independent Investigative Task Team commenced its work on 20 April 2014 with the aim of completing its task on the given deadline of 22 May 2014.

It is worth noting that content analysis of documents immediately revealed that there has been numerous reports on the subject of first-year orientation and welcoming programmes as well as informal initiation activities.

This report briefly outlines the methodology used to obtain information on the induction, orientation and initiation practices at NWU. This also includes observation of policies and institutional mechanisms in place to deal with abuses that may occur during the welcome and induction of new students. A summary of previous reports that look into transformation, integration and induction programmes at universities in South Africa with a particular focus on NWU, is also presented. Observations from the submissions and hearings are presented and the report concludes with recommendations.

B. THE MANDATE

In response to the directive of the Minister of Higher Education and Training, the University Council agreed to the offer of the then Vice-Chancellor Prof Theuns Eloff to step down from his position earlier than planned, in order to give the university an opportunity to deal with the problem described above in an impartial manner. Specifically, the Task Team was mandated by the University Council to perform the following tasks:

1. *Institute a thorough investigation into cultural/induction/orientation/initiation and other demeaning practices, "including acts of Fascism and Nazism that seem to exist at the institution".*
2. *Determine whether these practices "exist under the tacit approval by the university management".*
3. *Determine the level of malpractices (initiation or "ongroening") against first-year-students and determine the effectiveness of mechanisms to prevent these from occurring.*
4. *Evaluate the respective welcoming and introduction programmes at all the campuses and do a benchmarking exercise to determine best practice nationally and internationally, in this regard, with recommendations on possible restructuring or abolishment.*
5. *Determine the level of understanding of fundamental human rights in the student community.*
6. *Determine the understanding and importance of traditions in the student community and evaluate the content of the present traditions and the sustainability thereof.*
7. *Evaluate the institutional and residential culture to determine whether it is open and welcoming.*
8. *Consider the findings of the internal campus investigation of a committee appointed by the Potchefstroom Campus on the matter.*
9. *Determine, as posed in the minister's letter, whether there is a "culture of intimidation, harassment, fear and purging" at the university against staff and students who try to take a stance against such practices.*

The IITT would operate from the North-West University, Potchefstroom Campus, under the full support of the Institutional Office. To that end, the Institutional Office provided Secretariat support to the IITT through a staff member, in the person of Mr. James Botha, Senior Legal Counsel of the Institutional Office. The IITT was further mandated to present its findings to the University Council Chairperson by no later than 22 May 2014.

C. METHODOLOGY

The University announced the appointment of the Independent Investigation Task Team (IITT) and invited different stakeholders to make both written and oral submissions to the IITT. The call for submissions was done through the local newspapers, emails to the university community, campus radio and the university website. An effort was made to ensure that submissions from academic and management staff and students from the three campuses of the NWU, namely Potchefstroom, Mafikeng and the Vaal, were presented.

The IITT had the benefit of listening to oral submissions. As expected, those presenting their arguments held different points of view. The oral presentations would be transcribed for the benefit of those not being able to attend a particular session. Additionally, the presentation given in a language other than English was planned to be translated for the benefit of those IITT members who are not good in Afrikaans, in particular. All oral presentations were recorded, and all presenters were made aware of this. The names of people who appeared before the IITT, and those who opted for written submissions are listed in the list of sources. It is also important to point out that due to time constraints for the IITT, not all of those who requested to make oral submissions were accorded the opportunity to do so. They were instead requested to submit written presentations.

Site visits and walk-about were also undertaken for the Vaal and Mafikeng Campuses on the 29th and 30th April 2014 respectively. During these site visits, arranged interviews and impromptu discussions were held with students and staff.

The IITT also perused the relevant newspaper articles during this period, but articles in Beeld, Sunday Times and Mail & Guardian received special attention as they were the specific ones that reported on the issue at hand in an extensive manner. Lastly, the IITT also had the benefit of perusing a plethora of reports of investigations previously conducted around the same or related issues at the North-West University, conducted either internally by the university itself, or directed by external entities such as government or the Human Rights Commission. A synthesis of these reports is presented in the next section.

By its very nature, this investigation requires an institutional analysis, which ultimately should render its results in the formulation of concrete recommendations. As mentioned above, there have been numerous investigations/findings and recommendations made on the issues at hand, and this report considers it imperative that in order for it to be a working document, it should not serve merely to repeat the findings of these previous documents. It should emerge with clear-cut, workable, and, most importantly, implementable recommendations for the university council and management. The IITT also resolved that this report will make no reference to personal identification or single out names of residences that may have been referred to during the investigation. With that in mind, it should be noted that whilst all three campuses were fully investigated on the same basis and level of inquiry, the Potchefstroom Campus presented the majority of the submissions, obviously owing to the fact that it is at this particular campus where the incidents that sparked this investigation were alleged to have taken place.

D. SYNTHESIS OF PREVIOUS RELATED REPORTS

As mentioned in the previous section, a number of reports have been produced, dealing with the issue of initiation practices in institutions of higher learning. Some of the reports perused by the IITT include the following:

- ❖ Report into Initiation Practices and Educational Institutions and Preliminary Report on Cultural Initiations issued by the South African Human Rights Commission in October 2001.
- ❖ Final Report of the Ministerial Committee on Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institution, issued in November 2008
- ❖ A Report on the Investigation by the Ministerial Task Team into the North West University appears in Government Gazette Number 31863, dated 4 February 2009 under General Notice, Department of Education.
- ❖ Report of March/April 2014 to the Rector of the NWU Potchefstroom Campus relating to the investigation of the alleged irregularities during and/or after the reception and introduction of the first year students.
- ❖ Lourens de Koning's (SC), "Report on the investigation of the alleged irregularities during the reception and introduction (RoI) of the first-year students during January 2011 and related matters". (February 2011).

Of more importance are recent reports pertaining to irregularities during and / or after the R&I programmes at various residences at the Potchefstroom campus as late as April 2014, which were also submitted to the IITT. These reports involve different residences, both male and female. One report at a particular men's residence issued the following mandate:-

- 1.1. Whether, contrary to the prescriptions of the University, a culture approving and/or including the initiation of first years during and/or after the Reception and Introduction programme (R&I) exists at the men's residence in question.
- 1.2. Whether the culture contemplated in paragraph 1.1 constitutes a violation of human rights as contained in the Bill of Rights.
- 1.3. Whether disciplinary steps should be taken against house committee members and/or seniors and/or first-year students in the residence referred to in 1.4 below.
- 1.4. Whether the residence where the said culture exists is the men's residence in question.

After an investigation, the following recommendations were made:-

"Given the fact the University provides seniors and house committee members with training regarding human rights, and that the various house committees are provided with guidelines prohibiting certain practices, the following recommendations are made:

1. *That disciplinary steps be taken against the house committee of the men's residence in question;*
2. *That the management of the Potchefstroom Campus authorise a full study/action that, among other things, involves the themes of;*
 - 2.1. *The understanding of fundamental rights by the student community, and the identification methods to supplement this understanding, if necessary;*
 - 2.2. *The understanding and importance of traditions in the student community, and the establishment of the sustainability of these."*

Another report which investigated the alleged irregularities during and / or after the reception and introduction of the first-year students at another of the men's residences, with the same mandate as the report above, was issued. Its findings were as follows:

- ❖ *A culture that includes the initiation of first years during R&I and afterwards does exist in the men's residence concerned.*
- ❖ *The incidents discussed above with respect to the first-years in the men's residence concerned establish serious violations of their human rights.*
- ❖ *These incidents are also serious violations of the University's rules, ethos and student disciplinary code.*
- ❖ *The actions by the house committee members and senior members do not correspond with the University's values; integrity, commitment, respect and accountability.*
- ❖ *Although the assaults and cursing did not involve all the members of the house committee, the house committee members present did nothing to stop the assaults and cursing. They, therefore, had a concurrent intention with the above house committee members. The principle of concurrent intention provides that when a number of people deliberately join forces to achieve an illegal objective, each member of the group is accountable for actions of the other member or members of the group that fall within the joint intent.*
- ❖ *Although the doctrine of concurrent intention referred to above is concerned, certain members of the house committee were identified as having participated more actively in the assaults, cursing and verbal abuse.*
- ❖ *With reference to the student who was injured, the University is at risk in accordance with the principle of vicarious liability if the student were to file a civil claim for damages for medical expenditure, future medical expenditure and for pain and suffering. In such a case the University will probably have to pay the amount of the claim, together with interest and legal fees.*
- ❖ *A more serious problem seems to be the fact that these initiation practices have been a part of the culture of this residence on the Potchefstroom Campus for a very long time. This poses serious risks for the North-West University.*
- ❖ *It is furthermore also the finding of the investigating team that the changing of this culture and misperceptions that exist about the role of the residence within the greater NWU structure will not be able to take place under the leadership of the house committee as it is at present.*
- ❖ *It is further given that this culture has no place in a modern society.*
- ❖ *After the above had been taken into account, it was also found that the house committee of the men's residence in question, as well as certain senior students of the men's residence acted in violation of Article 80 of the Statute of the North-West University."*

Given the above findings, the following recommendations were made:

- *That disciplinary steps be instituted against every member of the house committee of the men's residence in question.*
- *That disciplinary steps be instituted against all seniors who were guilty of corrupt practices.*
- *That the Management of the Potchefstroom Campus authorise a full study/action that, among other things, involves the themes of:*
 - ◆ *The understanding of fundamental rights by student community, and the identification and implementation of methods to supplement this understanding, if necessary;*
 - ◆ *the understanding and importance of traditions in the student community, and the establishment of the sustainability of these;*
 - ◆ *Although it was not our mandate to make a recommendation with respect to the housemaster, we are of the opinion that sufficient prima facie evidence exists that the temporary suspension of the housemaster should remain in force and that he should be investigated by the appropriate division of the NWU".*

Over and above the above findings and recommendations of the reports, a special legal statement was attached to both the reports as further advice to the university about the gravity of these practices. The legal statement alludes to the following:

- ◆ *"In terms of the judgment in Gibbins v Williams, Muller, Wright & Mostert Ingelyf en andere 1987 (2) SA 82 (TPA), members of a house committee are employees of the University when they are involved in the activities of the University, like adopting first-years during R & I. According to this judgment the University is in certain cases civilly liable on the basis of vicarious liability for any damage that an employee may cause to somebody else in the course of his duties.*
- ◆ *All the said "traditions" that are actually abuses or corrupt practices constitute wrongful deeds and can, in certain instances, lead to the University being liable, as was mentioned above.*
- ◆ *In addition, the good name and reputation of the University are at risk, and these types of violations, offences and corrupt practices cause unnecessary risks to the University.*
- ◆ *The Gibbins case arose from events that occurred during an R&I week for first-year students at the PU for CHE. A first-year student was injured so badly that he was a quadriplegic and he held the PU for CHE liable.*
- ◆ *The students involved can naturally also be held liable individually in their personal capacity, or jointly with the University".*

The report by Lourens de Koning SC mentioned in the above list of reports warrants closer attention. It also relates to an investigation of alleged irregularities during and / or after the reception and introduction and related matters of the first-year students at another of the men's residences. The following mandate was issued in regard to this investigation:

1. The allegations that first-year students had been assaulted during the R & I programme at the men's residence concerned.
2. The allegation that the authority of the university had been or was being undermined in that:
 - 2.1. House committee members of the men's residence concerned in the presence of the housemaster on 15 January 2011 made statements to parents and students during the house committee presentation that amounted to the fact that there were certain customs and /or methods in the men's residence concerned and, if parents did not like these, they had to take their children and leave.
 - 2.2. Contrary to the prescriptions of the university, a culture existed on the campus that included abusing first-years as part of an initiation and/or orientation process.
3. The question as to whether other residences on the campus had committed similar offences to those that had allegedly been committed at the men's residence concerned.
4. The role played by housemasters and the dean of students in carrying out the prescriptions of the university with regard to the R&I programme and the prohibition on initiation and / or orientation.
5. The appointment of houseparents.
6. The instruction was furthermore to make recommendations to the university in the light of any findings that are made, including recommendations with respect to disciplinary action against those persons who were guilty of offences and /or dereliction of duty.



In the narrative of this report the following facts (amongst others) are recorded:

1. "It sounded strange that, for fear of victimization, the great majority of persons who were interviewed requested their identity and sometimes also requested certain information provided by them not to be disclosed.
2. It should be mentioned that a significant number of the staff members of the university with whom interviews were conducted indicated that they felt intimidated by certain individuals within the university context.
3. It is remarked in passing that this spirit of intimidation inhibits the open expression of opinions and that this attitude is apparently not limited to the airing of opinions and the sharing of information with the investigating team.

The report contained the following recommendations:

1. That disciplinary steps be taken against the following persons:
 - 1.1. The entire house committee of the residence concerned on the one hand for ignoring the prescriptions of the university regarding the prohibition of "every form of initiation or initiation" (direct translation), specifically the prohibition on physically or psychologically degrading conduct towards newcomers and the violation of fundamental rights, and on the other hand for ignoring the direct instruction of the housemaster, that there may be no physical contact, shouting or cursing with respect to the first years during the first meeting with the HC on 15 January 2011.
 - 1.2. Mr. XXX (a senior student) for assaulting the three first-year students, and the fact that he brought the university into disrepute with his statement to the parents of first-year students on 15 January 2011.
 - 1.3. The housemaster of the men's residence concerned for culpable failures as set out in paragraph 37 to 38 above.
2. That the appointment of this houseparent as housemaster be not renewed when his term ends.
3. That adjustments be made to the disciplinary process as spelled out in paragraph 68 to 73 of this report.
4. That one-on-one interviews be conducted by the Rector with all houseparents, as well as that a conference and/or think tank be held as contemplated in paragraph 55 of the report, during which a uniform adoption programme can be drafted, if necessary, with the inclusion of traditions unique to each residence, which will spell out what may be done to first-year students and what may not be done.
5. That the enforcement of discipline and the implementation of disciplinary steps with respect to offences against fellow students and the disregarding of instructions be done consistently and relentlessly, in order to cultivate a culture of human rights and respect for the physical and mental integrity of fellow students and so-called law abidingness.
6. That consideration be given to including a module on human rights in the curriculum of all students. Such a step has the potential of becoming a valuable marketing instrument for the university in the future".

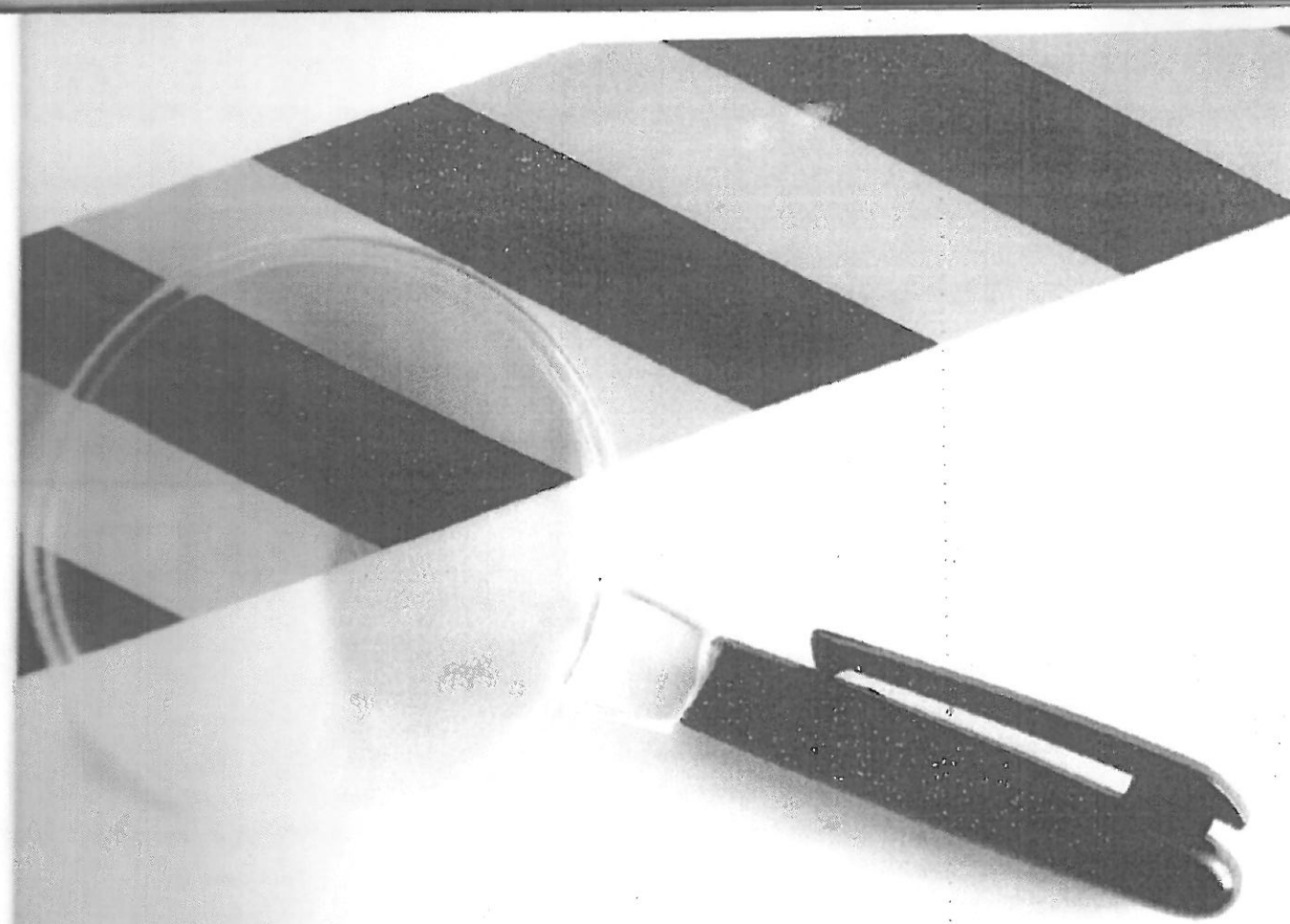
A question was asked whether similar practices existed in other residences on the campus in the framework of this de Koning report of 2011. The report concluded that "although the same in-depth investigation into other residences as that for the residence concerned was not done, the answer to the above question seems to be that practices amounting to serious human rights violations do exist in other residences. However these practices are not limited to first-year students".

The last report of relevance commissioned internally is the 2011 report regarding the investigation into alleged irregularities during the reception and introduction of first-year students during 2011 and related matters. The mandate was given to Mr W Coetzee from the Campus Rector's office who instructed that the following matters be investigated, namely:

1. Whether, in contravention of the prescripts of the University, a culture that approves /includes the abuse of first-year students during the Introduction and Reception programme ("R&I") is prevalent in some residences.
2. Whether the culture, as contemplated in paragraph 1, constitutes the violation of human rights as contained in the Bill of Rights.

After the investigation, the report concluded thus:

- It was clear from discussions with the leaders of these residences that they have no idea what it means to treat someone with human dignity. The term "human rights" has no true meaning to them; it is merely a cliché.
- Initiation procedures have existed in these residences for decades, and are merely carried over from one generation to the next. Many of these so-called "traditions" originated during apartheid, before the country had a Bill of Rights.
- It is clear that the obvious purpose of certain initiation procedures is to strip the first-year of human dignity, identity, and individuality.
- It causes them to function only as part of a group. All decisions are made for them by the RC. If they are not up to standard, they are humiliated and shouted at.
- This is especially true regarding the so-called greeting that has to be learned, the residence songs and the titles senior students, members of the RC, SRC members, the dean of students, etc, have to be addressed by.
- These greetings placed whoever is being greeted in a superior position with the first students in the position of subservience. This in itself is a humiliation. If a first-year student fails to execute the greet properly, he or she is humiliated by being shouted at and scolded in front of other first-years and all others present.
- The first-year students later identify with the RC and follow their commands without question.
- The purpose of some of the abovementioned practices is to reduce first-years to their most vulnerable, because this is the level at which one most seeks the acceptance and support of peers or authority figures.
- The consequence is that the so-called "traditions" play such a dominant role in the life of the first-year students that they have an exaggerated sense of loyalty to the residence; more so than to the University. Thus, the residence is superior to the University.
- It appears that many of these practices have been in existence since long before 1994.
- It also appears that the University has tacitly, or by implication, approved or tolerated these practices for a long time. This is the reason why it never changed and never adapted to the current landscape in South Africa and the University.

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- after the questioning had been concluded, the members of the RC realised that the practices are unacceptable and that it affects the human dignity of first-year students. They were also visibly shocked to hear that said practices could lead to civil and/or criminal action.
 - Members of the RC's, however, felt that they had received insufficient guidance from the University management, especially from the office of the Dean of Students, to empower them to compile an acceptable "initiation programme" for first-year students living in the residences. Thus, it appears that students feel a need to initiate first-years into their residences.
 - The University has at its disposal all the knowledge to compile an acceptable "initiation programme" in cooperation with students and house parents of residences that complies with all the relevant requirements.
 - The practices mentioned above must be urgently revised or completely abolished because the University is running a very high risk of something going terribly wrong during future initiation or similar activities."

Amongst the recommendations that accompanied this report are the following:

- The University should immediately prohibit the following practices at the women's residence concerned:
 - The smearing of any mixtures/substances during the camp;
 - Ordering first years to eat something out of the ordinary – like raw eggs – at the camp;
 - The presence of a pig's head at the resident concerned camp;
 - First-years singing while they are using the toilet and/or shower;
 - The compulsory and humiliating practice of first-years pulling their pants up beyond their navels;
 - The annual rugby match between first year and senior students.

- ❖ The housemaster should attend all residence concerned camps to ensure proper supervision;
- ❖ First-year students at the women's residence concerned should be allowed to use all facilities".
- ❖ For the men's residence concerned, current "tradition" of "introduction to the seniors" should be prohibited by the University at once.

From the 2001 South African Human Rights Commission report mentioned in the above list of reports, the role of the alumni and parents in the maintenance of the traditions of an institution and continuation of initiation practices, is investigated.

"This is particularly the case in the residences where generation to generation is almost guaranteed a place at the residence because of the family affiliation with a particular residence. Alumni members have a strong affiliation with the particular institution and its traditions, which they perceive as rites of passage for themselves and their children. The oldest residences, with strong initiation traditions are in many instances sponsored by some of the more prominent members within a particular sector of society. Students belonging to such families often experience strong parental pressure in either, firstly, experiencing initiation as a rites of passage and then, later, themselves initiating new students as part of the age old traditions of their families and their university. The compositions of universities and schools have over the past few years changed drastically and now have to accommodate a variety of learners and students from different backgrounds. It should also be remembered when these alumni attended academic institutions South Africa as not a constitutional state which aspires to achieve human dignity, equality and freedom at all levels." (Emphasis added)

On peer pressure, the SAHRC reports goes on to say:

"Like parental pressure, peer pressure also plays a role in the practice of initiation. According to interviews, peer pressure is particularly rife in residences. In many residences students feel pressurized to act and participate in activities in order not to feel "out". Peer pressure is also an influencing factor in students coming forward after being initiated as they fear victimization. In one of the schools referred to above where many learner privileges and access to facilities were taken away from new learners as part of their initiation into the school, the initiation ritual was also prefixed by the sentiment: "Your good behaviour will determine when you will be allowed these privileges." Conformity in many instances in these circumstances becomes a survival mechanism to avoid ongoing alienation and in certain instances such as this one, being once again allowed access to basic facilities such as the school toilet. The institutions do not take into account the effect of peer pressure and the subtle manner in students who do not participate are ostracized." (Emphasis added)

In contextualizing these reports against the backdrop of the university's own official position on initiation, it has to be stated here that the University is opposed to and prohibits every form of initiation or initiation (*direct translation*) i.e. actions or activities that are in any way in effect physically or psychologically degrading with respect to a newcomer and/or first-year student and legally amounts to a violation of the fundamental rights of an individual. In the latter context initiation is against the ethos and value system of the University.

E. OBSERVATIONS

This report commenced from the perspective that the investigation at hand is not a new one.

The issues and related ones have been investigated, considered and very constructively recommended on, time and again, by skilled and competent individuals and / or teams. These are well documented and available. However, in order to give an independent view, the IITT used the submissions and representation made to it to paint a picture of observations. These were categorized into broader 'themes' within the life of the University for purposes of amplification.

E1 ORIENTATION/INITIATION PRACTICES

From the onset, it must be pointed out that the process of orientation of 1st year students at NWU differs from campus to campus. However, a code of conduct governing the orientation programme seems to be the only common factor across all three campuses. For the Mafikeng Campus, the orientation programme is nothing more than an induction process, managed by a group of stakeholders including the SRC, academic departments, support departments and management. Residence Management plays a critical role as first-year students are allocated to 5 residences and they have no interactions whatsoever with seniors at the residence.

For the Vaal Campus, the orientation programme progresses more along the same lines as Mafikeng, but adapts most of its practices from the Potchefstroom Campus. The big difference between this Campus and Potchefstroom is that it is composed mostly of African students (blacks). Whilst it was revealed that certain initiation practices carried out at the Potchefstroom Campus, it seems the practices are quite moderate and largely acceptable to the management.

According to management's submission, a clear distinction has to be made between the Reception and Introduction (R&I) programme of the Potchefstroom Campus and the initiation practises. The first is an officially approved and managed programme aimed at assisting first-year students with their orientation to university life whereas the second are illegal practices performed by senior students on first years often transgressing human rights, the rules and regulations of the university and laws of the country. In our investigation, it emerged that the differences between campuses on orientation/initiation practices are justified on the basis of developing, maintaining and preserving certain traditions and a culture for each campus; much against the assertions made in the NWU Statute, which states among other things, that

STATUTE:

- *"is a unitary multi-campus institution;*
 - *has a single set of policies, systems and standards,*
 - *is driven by a single set of constitutionally based values, especially human dignity, equality and freedom;*
 - *has a vision and mission to promote unity in diversity by inculcating tolerance and respect for all perspectives and belief systems thus ensuring a suitable environment for education, learning, research, and community service;*
 - *develops its own corporate brand name and identity; and*
 - *develops a unique institutional culture and ethos based on the unity and value system of the University.*
- " (emphasis added).*

From the submissions received, campus visits, and hearings conducted, there is clearly no noticeable effort made towards "developing a unique institutional culture and ethos" when it comes to the issue of student orientation or initiation practices. The Potchefstroom Campus stands out from the other two campuses in that the practices around initiating first year students to the university and, in particular, to the residences is a decades' old tradition, which has been preserved from generation to generation. Whilst this may have been well intended to make residence life more interesting and welcoming to the first-year students at its origin many years ago, it would appear that this culture has graduated to exhibit problematic traits, especially becoming more problematic to preserve in a post-1994 democratic South Africa. To illustrate this point, it is important to recall that the Potchefstroom Campus or the erstwhile PU for CHE was a historically white, Afrikaner-dominated institution. It follows that the initiation practices during that period in history were mostly, if not entirely, based on Afrikaner culture. It is common cause that the prevailing practices still continue on the same basis, despite the 20 years of democracy and despite the efforts by the university to introduce bilingual academic programmes.

The presentations made to the team point to the fact that initiation practices are meant to introduce new students to the culture of the university and to foster a sense of belonging to a particular residence. To that end, among other things, first year students are expected to subscribe to certain ethos, such as memorizing praises and salutations to their residences, senior students, house committee members (HKs), etc. As part of the process, they are made to sing, dance, and do these praise singing almost exclusively in the Afrikaans language, inferring an Afrikaner-based culture of some sort. This does not take into consideration the fact that in this era of our democratic dispensation, not all generations speak Afrikaans, or come from an Afrikaner background. The net effect of these impositions results in a self-regulating control of access to the residences, because if these traditions are carried out in Afrikaans, non-Afrikaans speakers are almost unwelcome. It becomes clear that in this regard, culture and language are used as tools to restrict access to the residences. The hearings conducted revealed that students are tacitly compelled to participate in these exercises, described as demeaning by some, and funny by others, because non-participation always results in one being ostracised by the residence community and penalized by forfeiting one's place in the residence in the following term. Apparently, since places in the residences are limited, a criterion/formula is used to determine retention or forfeiture of one's place in the residence. Part of the formula involves 30 points accrued from participating in residence activities, which, as described above, may not be suitable for, or acceptable to all residents. Language restrictions, cultural and religious differences being the main causes of such non-participation, among others. It follows from these revelations that the issue of consent to participating in these activities is not a consideration because there are consequences for not participating in any case.

As part of the initiation practices, residences have unique dress codes by way of uniforms. These uniforms are ostensibly used to easily distinguish students from one residence to another. Whilst there may be nothing wrong with this practice, there is an economic downside to it, namely that students have to pay for these from their pockets. This does not take into consideration the hard realities that some students come from very poor families, where buying an unnecessary uniform is a luxury they cannot afford. These students are mostly bursary sponsored, and such things as residence uniforms are usually not catered for in the bursary allocations. It must be noted that not wearing a uniform is interpreted as resistance to the initiation, and therefore one cannot participate in some activities without it, and there are consequences to this, as explained earlier. Economic disadvantage then becomes another tool used to restrict access to the university residences in this regard.

The explanation of campus management regarding the nature of initiation practices in the residences revealed that every year, there is a process of vetting all the activities that form part of the R&I programme to ensure that they are not against university policies. Despite this, it is clear that what is submitted to management for vetting is actually a watered-down version of the actual activities, and therefore, without active monitoring of what actually take place, there is no way of making sure that these take place within the ambit of what is acceptable in the university regulations.

Close scrutiny of these activities/traditions reveals that the obvious purpose of certain initiation procedures is to strip the first-year students of human dignity, identity, and individuality. It causes them to function only as part of a group. All decisions are made for them by the HKs. If they do not meet the expectations of the HKs, often times they are humiliated and shouted at. This is especially true regarding the so-called greeting that has to be learned, the residence songs and the salutations that senior students, members of the HKs, SRC members, the Dean of Students have the privilege to be addressed by. These greetings placed whoever is being greeted in a superior position with the first year students in the position of subservience. This in itself is humiliation. If a first-year student fails to execute the greeting properly, he or she is humiliated by being shouted at and scolded in front of other first-year and all others present. The first-year students later identify with the HKs and follow their commands without question. Another consequence of some of the practices is to reduce first years to their most vulnerable, because this is the level at which one most seeks the acceptance and support of peers or authority figures. The consequence is that so-called "traditions" play such a dominant role in the life of the first-year students that they have an exaggerated sense of loyalty to the residence; more than to the University. Thus, the residence becomes superior to the University.

One element of concern is the observed militarization of these practices. The strong military type behaviour is not only observed in the use of uniforms to depict each hostel residence, but this often extends to the students with same hairstyles, marching, parading, and the strict code of respecting seniors (even if they only a year in seniority to the first year student. Another fact which must be included here is that some seniors who lead the marches all carry sticks or "bats" as they command the march. This takes place in innocent and valuable excursions to places of relevance for first year students in terms of R&I programmes. The result of this is obvious' power abuse and total disregard for individual vulnerabilities, and enforcement of conformity in unacceptable ways.

Whilst management has expressed their strong opposition towards these demeaning practices through well-written policies and campus notices and address to student leaders, it is difficult to take this stance seriously. As one student leader succinctly puts it "there are exceptions to the rules, and there is a lack of guidelines. The tendency is to let the students run the whole thing on their own, and there is very little guidance from the house parents". Furthermore, it is clear from the presentations and submissions we received, that not a lot has been done in terms of harsh punishment of the culprits. The most severe punishment meted out in recent times seems to have been the suspension of those found guilty, from the residence. Due to the very high risk that these practices pose to the university's reputation and consequently that of the country, suspension from residence is not a good enough punishment to send a strong message. It can be implied therefore that campus management has tacitly, or by implication, approved or tolerated these practices and preservation thereof for a long time. To amplify this, one must also look at the role of the SRC as a very important stakeholder and partner to management in this whole issue. The SRC and in particular its leadership plays a pivotal role in lives of students and in many respects their role is positive.

However, it also is an important role player in the adherence of the notion of preservation of the exclusivity of persons to the SRC office, who dares to expound and express issues such as racism, sexism, the Lesbian, Gay, Bisexual & Transgender (LGBT) movement, initiation practices, to create debate, and to speak from the heart. A very interesting case is that of a student who made a written submission stating that he was once summoned by the SRC after he had ventured to perform his task fearlessly as a journalist to expose some of these inhumane practices and was asked: "do you love this campus or do you want to destroy it"? This student and his team also endured the constant threats of hearings, boycotts and protests from student community which was led by the SRC and from management. The student authorities, in addition, refused to speak to this journalist and his team, refused to have the paper delivered to certain places on campus and students were instructed by the SRC not to speak to the newspaper.

It is also important to also mention that a number of submissions and testimonies were also received from those who are strongly for the preservation of the residence traditions and initiation practices. The feeling from this segment, which comprised mostly of House Parents and HKs or former HKs was that there is a lot of media distortion of what the actual residence R&I practices entail. Their view is that the residence environment breeds a caring environment, where multiculturalism is promoted. It was unfortunate to note that most of these persons who testified along these lines were always strongly on the defensive mode and always appeared to have been coached to present a positive side only, despite numerous reports of investigations of initiation practises carried out in their respective hostel residences in the past. Most importantly, most of the testimonies in this direction tried to emphasise that participation in any of the activities was optional and by choice and consent of the participants. Whilst it can be acknowledged that it is not possible to satisfy everyone, it is difficult to believe the statistics/survey results presented by management regarding student satisfaction with residence traditions because clearly these represent a certain segment of the hostel residence population. The testimonies we received paint a different picture. Among other things, these were said about initiation practices at the NWU Potchefstroom hostel residences by the students:

"We are forced to respect the HKs and seniors, to know their names but they make no effort to know ours, they don't respect me, they make fun of my name".

"I cannot say I had a choice to participate or not, because if you do not participate, you are systematically excluded and ostracised from the residence life".

"We had to pay 'ganggeld', if you do not afford it, you are also excluded. I come from a very poor family, where I could not even afford transport money to come to Potch for my studies except for the bursary money which has to be paid directly to the university. Where would I get that ganggeld?"

"A lot of fear is instilled, you have to feel that you do not belong here, it is a privilege for you to be here"

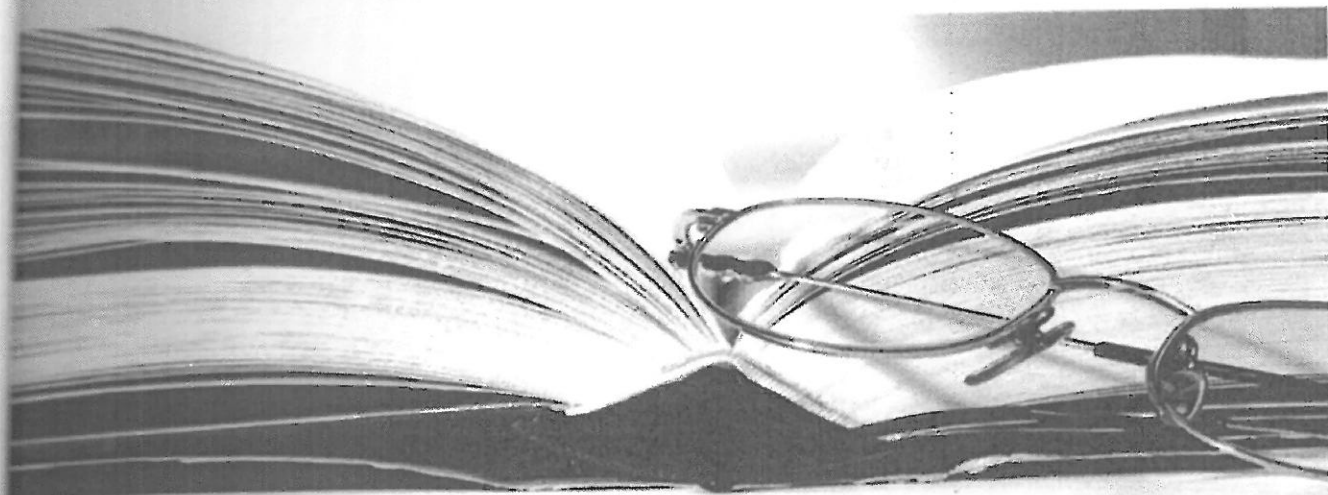
"We were made to do praise singing to a 'hostel ghost', based on the movie Scream, which is a horror movie. As a Muslim student, I could not do that because it is against my religion".

"Afrikaans language is used to exclude people. There was this HK who always tried to comfort me to say, if you cannot cope, please feel free to leave instead of subjecting yourself to this difficult thing". I felt he was basically telling me, you are not really welcome here because it is not your thing".

"These traditions leave many of us emotionally scarred. I remember one student from the Eastern Cape almost had to leave the hostel and return back home due to a psychiatric condition she had, which was made worse by the treatment we received at the hostel by the seniors and the HKs".

"It did not make me a better person or help me to socialize because I could not make friends, most students in the hostel were white and they were not interested in making friends with me. In fact, one white student came to me and told me she was leaving the hostel next term because she cannot live in place where there are blacks"

"I would laugh about it after the three weeks, but I wouldn't say I am thankful for those three weeks. The intimidation and subjugation I endured over the three weeks were not worth it"



Finally, the issue of the alleged Nazi salute, which sparked this enquiry, deserves attention at this stage. The question to be asked is whether this alleged Nazi salute is true or was it a mere incidental movement photographed in an innocent movement as has been rendered as an explanation by the Council of NWU to the Minister. The picture / video giving rise to this enquiry of the alleged Nazi salute is but one of many on different dates and in different years, all from the NWU Potchefstroom campus, which shows such a hand movement which, at face value, looks like the Nazi Salute. A closer examination of one particular photograph shows a group of female students with their arms and hands in an upward movement. This photograph was taken by a certain professor who brought it to the attention of senior management of the Potchefstroom Campus by way of electronic mail. In the email, the Professor alludes to the following --.....:

"The highly explosive nature of it (the photo), given that a black student also performs the sieg heil salute, is self-evident. The woman in the bottom right corner seems to be in a Hitler-trance. The NWU-logo is clearly visible. One can only think what happens if images like these become available to media that are at odds with the NWU-Potchefstroom campus. I do not know the name of the residence".

After a rather terse response from management, which simply said something to the fact that "it is a matter of interpretation", the Professor goes on to say in another email to senior management:

"When I took the photo I did not interpret it incorrectly – i.e. an innocent initiation ritual, that is probably the intention with most initiation rituals. I just thought it was absolutely idiotic and disturbing to let students perform it – given our situation on the Potchefstroom campus and given the negative publicity we get in certain media. I have sent it to you because of our discussion on 3 October 2013 when I mentioned the incident and your question if I possibly took some photographs. Interpretation... perceptions... a photo tells more than a thousand words, and these rituals in my opinion have no place on this campus."

Senior Management pressed on, to say the following:

"I agree with you. The facts are that it looks like if the photo was taken during a rector's greeting. The students sing songs and point their hands occasionally at anybody (mostly the rector) on stage. This seems to me to be the case. To look only at the photo can easily lead to incorrect interpretations, and this is the reason for my remark. Perhaps you know better what the event was and what the students said and sang?"

"We will gladly look deeper into the matter."

to which the Professor relentlessly responded:

"You were not there that evening.... I have other photos as well. The other students greeted differently. It was this specific hostel that repeated the salute the whole evening. If I can give you advice (you probably do not need it), don't defend this type of photo as a sort of rector's greeting, and that it is a type of index to point to something or someone. Our critics will run away with this, especially if you attach your position (rector's greeting) to it. Believe me, I was in the media industry, and this stuff is dynamite. If I remember correctly, the NWU was recently in the news because of the swastika. All that I propose is to inform the students (who I believe are innocent) about the negative perceptions that these gestures create. I believe that most of the students on the photo don't know where it comes from or what it is being associated with. It points the finger even more to the people from who they have learned it. Therefore, on the one hand, we must be careful not to create opportunities for wrong perceptions, but on the other hand we cannot offer innocence as sufficient excuse.

A few people know of the existence of the photo and I am determined to keep it this way."

Management response was:

"I hear you {name} and I won't answer the media like this. We do not encourage students to do anything that will create negative perceptions. The fact is that sometimes things are being reported out of context. I would have liked that responsible journalists make sure of their facts. I hope that {name} will get us some facts because the photo is a bit old.

Thank you for the advice – I do take it to heart".

It is self-evident from the exchange above that the Nazi salute has been going over the years, in full view of management or at least staff members of the university in positions of influence. Whilst it cannot be definitively said that the salute was carried out knowingly and consciously by the students (first-year students for that matter), the same ignorance cannot be apportioned to management, staff or senior students. Evidence to this fact is the concern expressed by the Professor in the extracts above. What is even more disturbing is the apparent denial by the Campus Senior Management person in the above exchange, which points to either reluctance or inability to deal with these racial and Nazis undertones.

The Nazi salute photos and videos cannot be viewed in isolation from other related symbols. In more than two submissions, we were made aware of swastika painted on the pavement/ the cement of the Potchefstroom campus which existed for a long time. On the day of the death of former President Nelson Mandela, a lecturer took to the pavement and painted a white dove over it with the words:-"Dankie Madiba" This was erased by persons unknown, shortly thereafter.

A student leader in the residences who is also postgraduate student in Visual Communication once designed a float depicting Hitler and Mona Lisa as the overriding characters for a residence competition. In her articulation during the hearings, she mentioned that it was simply an idea of art on her side with the aim of showing the "good and the bad", and the theme which was determined by a committee was "Surrealism". She mentioned that her initial design did not have a Hitler in but she was advised by a friend, who is a senior student to include Hitler in the design. The concept was vetted by the committee and nothing wrong was found with it, and so, she was given a go-ahead to construct it. The impression gleaned from her presentation is that it was an innocent work on art from her side, but it is still shocking that the vetting process did not advise against the idea, given the connotations attached to such characters vis-à-vis the reputation of the University, and of the Potchefstroom Campus in particular.