Recognition of prior learning:
A critique of Council on Higher Education policy provisions

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Abstract

Using Margaret Archer's constructs, namely structure, culture, and agency, this paper argues that although there are commendable structural changes in the CHE (Council on Higher Education) and RPL (Recognition of Prior Learning) policy which *accommodate* marginalised and unstructured experiential knowledge, thus equating it with 'scientific' knowledge produced by the university, there remains subtle preservations of material interests of the corporate agent (CHE policy maker) and the ideas, beliefs, and theories the latter holds about the place of unstructured learning and knowledge in universities. To advance this argument, a critique is mounted on *three accommodative* sub-units of the CHE RPL policy, namely: the notion of *exemption*, *residency clause*, and the *ten percent* ceiling on the number of applicants admitted through RPL. The rare allowance for *exceptional* deviations to the *two* latter notions (by CHE) is infused in the foregoing critique. In the final analysis, a reconsideration of these provisions is suggested.

Introduction

The origins of RPL (Recognition of Prior Learning) in South Africa are political. It was driven by labour movements (Ralph, 2016). They reflected political and moral concerns, over and above economic needs and human capital development (Cooper, et al., 2016; Ralph, 2016). There was a need to redress the past imbalances to those who were closed out of the doors of education, and to ensure access to those who do meet the formal requirements for entry into school (De Graaff, 2014). RPL would then become critical to the development of an equitable and just higher education system that facilitates access to mobility and progression within the

higher education qualifications sub-framework (Baijnath, 2016), especially for those who are historically marginalised and excluded from access to education (Cooper, et al., 2016).

Effectively, it would be radical and paradigmatic. 'Radical RPL' (Harris, 1999: 133), or a 'critical paradigm' (Luckett, 1999: 72) is a liberatory conception that is 'politically interested and socially constructed', in that it questions the notion of organisation of knowledge phenomena into 'objective' and objectivising formalistic structures by presenting other forms and modes of knowledge which are informal, unstructured, and/or uncodified as equally legitimate and worthy of equal recognition. In a sense, it disrupts the powerful rules of knowledge production and distribution, the historically powerful mainstream 'scientific' discourses (Cooper, et al., 2016).

The (hesitant) acceptance of this disruption and intrusion is clear in the CHE (Council on Higher Education) RPL policy. The latter provides for the '"inclusion" [of informally acquired learning] to overcome a variety of barriers to access and success in higher education' and speaks of RPL as a specialised pedagogical device which makes 'possible [the] contribution of informal and/or non-formal knowledge' (CHE, 2016: 7).

To this end, CHE warns against the use of mainstream assessment methods because prior learning may not always be expressed in languages that are inherent in the pedagogies of a particular institution (ibid.). This is consistent with the view by Cooper et al. (2016: 124) which sees RPL practices as a specialised pedagogy and a fund of tools to 'navigate learning and assessment practices' between and within different contexts of learning. It necessarily involves the 'translation of informal and non-formal bodies of knowledge into the formal and structured equivalents based on specified competencies' (CHE, 2016: 27).

To make RPL possible, institutional policies are to clearly state how RPL will be applied to gain entry to or achieve the qualification in higher education (SAQA, 2013), and how it would be applied to achieving qualifications or part qualifications (Bolton and Samuels, 2016). These should speak to RPL as a possible alternative access (SAQA, 2013) in order to make the previously disenfranchised participate in the education and training system (Bolton, et al., n.d.). However, the notion of how this accommodative alternative access, RPL, is understood, fashioned, and actioned derives from and is especially framed by the CHE which functions under the national policies (such as SAQA, South African Qualifications Authority) related to RPL.

These policies themselves draw from and reflect particular discourses in the domain of ideas about what constitutes knowledge and the implication on how the latter is to be recognised as valid. In these discourses, even after consensus – unanimous or not – the challenge is always about how to recognise, compare, validate, and certify knowledge that is pre-structured by and in a university with knowledge that has occurred outside university (Ralphs, 2016). The answer to this requires reference to how enabling and/or constraining are the elements of the CHE RPL policy provisions, and how they reflect the broader ideas or

theories the policy makers (corporate agent) hold about knowledge and the extent of its boundedness.

Using Archer's (1995; 1996; 2000) constructs of structure, culture, and agency, this paper critically contends that though CHE RPL policy makes accommodative provisions and some structural changes have occurred in regards recognition of knowledge from outside university, there are instances of convergences of material interests and ideas of policy makers (corporate agent) in the manner these policy provisions are conceived. These convergences reflect the subtle, unpronounced, inferiority of prior and unstructured learning and knowledge. Three CHE RPL provisions are used as sub-units against which the critique is mounted. These are: the notion of *exemption*, the *residency clause*, and the *ten percent* ceiling on a number of RPL applicants which can be admitted. The critique of the concept of 'exception to the rule' as provided in the policy is infused in the critique of the latter two units.

It is worth noting that this paper does not necessarily defend any of the two broad discourses on RPL *per se*, the constructivist or the social realist account of knowledge. Instead, the critique of CHE provisions on RPL reveal the broad differences in these discourses on the nature of knowledge and its extent of boundedness in order to conclude that those at the sector policy level (corporate agent) draw on these discourses, in agreement or disagreement with them, when making policy, and as such the discourses have a bearing on what comes out as policy provisions of CHE, in as much as social actors (university officials) cannot avoid making inferences of the same nature when making their RPL-*ing* decisions in institutional contexts.

Archer's constructs: structure, culture, and agency

The critical analysis of CHE RPL provisions constituting the *three* sub-units is predicated on Archer's (1995; 1996; 2000) constructs of structure, culture, and agency.

Archer is a social realist who is influenced by Bhaskar (1975), a critical realist who argues for different layers of reality, namely the realm of real, actual, and experience. At an ontological level, Archers argues for a stratified nature of social reality (Collier, 1994). There are 'parts' and 'people' (Archer, 1995, 1996, 2000). Parts are divided into social structures and cultural systems. Structure refers to relations of material interests, while a cultural system refers to ideas, beliefs, and theories which exist at a particular time in any social institution's propositional register. People refer to reflective and reflexive individuals/agents who have divergent interests to either reproduce or transform such structures and cultural systems which they are embroiled in.

So that, ontologically speaking, structure is independent from or predates, and conditions, people's actions, as much as it is irreducible to ideas, beliefs, and theories (culture) in the propositional register. Yet, people are also independent from both structure and culture because they can take any number of courses of actions in the face of structural constraints and can influence each other at the socio-cultural level, which in turn add to the propositional register.

Theoretically, actions are *not* determined, but *conditioned*, by structures (Archer, 2000). By this ontological premise of stratified reality, she does not propose philosophical dualism (Newman, 2017). Instead, she believes in the temporal separation of 'parts' from 'people', including structure from culture (Archer, 1995). She does this separation for purpose of analysis of each stratum's irreducible and causally efficacious emergent powers in order to explore how each stratum acts back on others and vice versa in the *interplay* to produce a particular social outcome that is reproductive or transformative of structure, culture, and agency.

Structure-agency relation

Regarding structure, she says there are *three* levels of analysis one can engage during an investigation, namely institutional, positions, or roles. Positions tell us where agents are situated in the social system in terms of power and distribution of resources, whether financial, intellectual, or otherwise. Some are privileged whilst others are disenfranchised (Archer, 1995). Tied to positions is the notion of bargaining power deriving from the extent of access to resources in relation to an interest group (corporate agent). SAQA, for example, has the power (backed by the political government department of higher education) to set the framework on issues of RPL and other higher education policies in order to advance an integrated and well-articulated system of education and training in South Africa.

On the other hand, the CHE RPL policy makers have the power of making sector policies. The universities enjoy the independence of making institutional policies within the sector and national framework. More, university academic actors, such as Heads of Departments, Deans, and RPL coordinators, are located differently in the distribution of power and resources in that they are executors of these policies but may – certainly few of them – or may not be involved at the policy making level of the sector. Lecturers are located at the lower level of the ladder but have the power to take certain academic decisions on articulation through RPL. But their decisions get a ratification or rejection at a collective faculty and senate level.

Thus, the distribution of resources (structure) in which agency navigates is critical. The people who draft policies at CHE also belong to the higher education institutions and have vested interest to maintain or control the outcome of interaction on issues of higher education in their favor. So that, policy statements and principles in CHE (2016) documents reflect their own vested interests, vested in the positions they occupy as the corporate agent.

Yet, vested interests of this group affect the primary agents: they affect the students (applying for RPL) who cannot articulate their interests or have only aggregate effect on the structure owing to the fact that they are disorganised and not so active in structural modelling (Archer, 2000). Furthermore, the number that can be admitted through RPL, including the exemptions which can or may be granted, spells out these dynamic interests of the group, whatever may be advanced as reasons for the latter.

Apart from exercising their agency in a group, when social actors go back to their *roles* in *institutional* contexts, they may exploit ambiguities appearing in the policy prescripts or its flexibilities in ways which serve their interests. Yet, these roles in which they act in unpredictable ways and the expectations therein predate them and therefore condition the actions they may wish to engage in as actors (Archer, 1995). But as actors with certain ideas and beliefs, they may draw from the discourses on the nature, form, and conception of knowledge and the classifications of the latter to justify their decision-making processes. In this context, their agency comes out, either in opposition to, or in concordance with, the policy provisions which they were part of their making.

Culture

Archer, analytically and temporarily, separates and distinguishes a Cultural System (CS) from Socio-Cultural interaction (S-C). CS pertains to ideas, theories, and beliefs at the level of the systems, whether known or unknown to agents (Archer, 1995; Porpora, 2011). Thus, it pertains to logical relations which may either have low or high degree of integration or contradictions in the CS (Archer, 1995). Yet, it is the making of agents. S-C pertains to influences of people on one another at the level of interaction (ibid.).

At this level, there is a dialogue, group formations, organisation, articulation, and pursuit of various vested interests; however, these may be of little or to great effect, depending on the extent of power and exchange at this level, and the distribution of resources such as power, sanctions, expertise. Here Archer talks of ways in which causal consensus is produced, namely through 'manipulation, mystification, legitimation, persuasion and argumentation' (Archer, 1995: 179). For her, causal consensus at the S-C level 'tends to be intimately allied to the use of power and influence, whereas logical consistency [at CS] is entirely independent of them since it exists whether or not it is socially exploited or concealed, and regardless of it even being recognised (ibid.: 179). S-C requires agential instigation. Yet, CS and S-C mutually influence one another and overlap.

A constraining contradiction

Archer speaks of a constraining contradiction as one of the *four* situational logics at a CS level. Constraining contradiction is the site of cultural tension. It is that 'part of the system in which A and B are located, and is characterised by a form of 'strain' which arises from their incompatibility in the context of an internal and necessary relationship' (Archer, 1995: 230). There are two logically inconsistent ideas/beliefs/theories, say A and B. The discourses show these to be the notion of situated socially constructed knowledge versus social realist view which holds knowledge to be different.

Here two ideas, beliefs, and theories – as embedded in the sector policy made by the corporate agent – are embroiled in an internal and necessary relationship of dependence, and one cannot extricate from the other (A is in contradiction with B). The way out is one of *three* methods of correcting the contradiction, namely: first, either the reinterpretation of B by A to make the B consistent with A.

It follows that because A wants to retain itself, B is at stake since the object of its interpretation is to 'tame it through reinterpretation' (Archer, 1996: 233). At the same time the point is to accommodate the contradiction not as is, but as now reinterpreted.

The result is what she calls 'ideational *syncretism*' in terms of which differences are sunk, not eliminated (ibid.). The second is the reinterpretation of both, in which case each of them sheds some of their earlier elements. What happens during correction here is 'concept stretching'. If this method does not work, the final one is the reinterpretation of A by B, implying that A has now to do the adjusting in order to avoid its total extinction in light of B.

In terms of this paper, somewhat consistent with method two above, RPL – as a radical and paradigmatic pedagogic device – certainly forced the higher education sector to call for the creative construction of tools of assessment which are out of the ordinary in comparison to the traditional ones. Thus, it was forced to elasticate its concept of assessment, together with its procedures in order to accommodate informal knowledge and learning. As such, it also had to shed the sole claim to knowledge production and distribution of its benefits, as much as prior learning had to subject itself to a rigorous process which seeks to scientificise it. Though repair of the contradiction between A and B leads to some form of *syncretism* or ideational unification (Archer, 1996), the latter does not mean proportional or absolute consensus at the S-C level. This is precisely because policy itself is a contestable document even by its drafters. It is a product of negotiation, argument, and compromise.

Nevertheless, 'everything depends on whether syncretism happens to coincide with a prolonged lack of antagonism in society or whether it meshes with structured cleavages between social groups' (Archer, 1996: 234). Yet, successful syncretism may save the 'social structure from pronounced ideational division and diversity' (Archer, 1995: 316). The latter already demonstrates the critical analysis in the next section in that the ideational division is not so pronounced, but it is subtle and requires much labour to bring to the fore.

Agency

Agency refers to the reflexive, creative, innovative, and purposeful actions of people as social actors or organised groups (Archer 1995; 1996). In general terms, agency does two key things: first, it mediates between the human and actor by supplying activity with a *purpose*; and, through mediation, it accounts for who acquires which role within the role array (Archer, 1995). It also tells us 'why they [actors] do what they do when the role does not require them to do it' (Archer, 2000: 257). The answer to this lies in the fact that though constrained by roles and

institutional expectations, they are not robotic executors of those roles. They are actors who have interests and concerns which they pursue and want achieved. They actively mobilise and organise for shared interests, i.e. they become a corporate agent.

A Corporate agent is defined by its power to define and re-define structural forms and is fundamental to whether systemic fault-lines are split open or maintained. 'Its typical powers are capacities for articulating shared interests, organising for collective action, generating social movements and exercising corporate influence in decision-making' (Archer, 2000: 266). Archer locates vested interest groups in the hierarchy of resource distributions (Archer, 1995: 300). The one resource in hand is expertise of the corporate agents, expertise in a subjective manner since these can be contestable, especially given the discourse on knowledge in hand.

The question of distribution of intellectual resources and power has significant implications, namely, 'the greater the concentration of resources, the fewer the number of parties who will be able strategically to transact societal change' (ibid.: 298). Effectively a corporate agent acts in pursuit of its interests.

However, Archer does not see members of the same group as neatly homogeneous in relation to the question in hand. They may have similar or different end goals. Within a group of corporate agents, she asks: 'how far do corporate agents get on with one another and pull together to attain joint or mutually compatible goals?' (Archer, 1995: 301) This question is critical in terms of particular interactive processes engaged in by the agents in each particular case. The case in point does not make that assumption of homogenous goals precisely because of the positioning of the agents, and because of the fact that they do not come from the same university.

This being the case, and members of the powerful group being actors in their own right in certain institutions, it follows that decisions taken at that level are a result of negotiation of argument, compromises, and eventual broad – though not absolute – consensus. In this regard, this paper relies on the analysis of policy documents, not interaction with policy makers and actors *per se*. So that, the argument is abstracted only at the level of structural and cultural properties of the CHE policy and how these impinge on actors in institutional contexts.

Corporate agency – 'the structural and cultural elites' (Archer, 2000: 273) 'who play the major part in institutional decision-making' (Archer, 2000: 189) – thus shapes the *context* for all actors (usually not in the way any particular agent wants but as the emergent consequence of corporate interaction) (Archer, 1995: 261). In some instances, structure and culture can so correspond as to mutually reinforce reproduction against transformation. As Archer puts it: '[t]he reciprocal influence between the structural and cultural domains reinforces the status quo and, in the process, perpetuates the preliminary divide between Corporate and Primary Agents by precluding re-grouping' (1995: 261). As things seem, at the level of the systemic influences, some elaboration of structure has happened with regards to RPL and the extent of accommodation thereof as an assessment tool and a specialised pedagogy.

This progress has, however, only gone so far and not yet further in that there are certain ceilings on how many RPL candidates can be admitted, how to conceptually treat RPL in respect the notion of credit and exemption, and the number of credits on which an exemption can happen. What is retained by these sector provisions at the cultural level is that the university is the one that does the validation of learning from outside. By this, it is shown shortly that culture has reproduced its ideas of power and control of knowledge, though some structural properties have been elaborated. Thus, the policy aspects which enable RPL do not at the same time help eliminate the ideas and beliefs about marginalised knowledge coming in the form of RPL. So that, corporate agent ideas remain hegemonic and are reproduced at the level of primary agents, and to some extent institutional actors; thus, maintaining cultural unification (Archer, 1996; 2000).

As stated above, the way institutional actors act is not predetermined, no matter how stringent the constraints, nor do enablements predetermine that people will exploit these enablements, for RPL may not be in concert with their own interests. Nor is it a matter of fact that they will act in their material interest at all material times, for they can sacrifice those interests – provided they value certain values more than their immediate interests. The nuanced argument inserted here is that actors are not absolutely powerless; it is that they stand in a relation of at least less powerfulness in comparison to the corporate agent, and their degree of negotiation and transacting at the level of action and decision can only *tend* to conform to policy.

However, their own view on politics of knowledge boundaries and how to cross the latter through RPL cannot be divorced from the provisions of the CHE policy as conditioning and enabling structural properties and powers. This is even more so if one takes into account the discourses that they (corporate agent and actors) draw from and the implications thereof. The outcome at the level of institutional practice can only be as dynamic and complex as the discourses.

The discourse on knowledge boundaries: its relation to RPL

The one broad theory which seems to enjoy acceptance is that knowledge is stratified and differentiated (Cooper, 2016; Harris, 2014). This view is premised on the notion that 'the way knowledge is acquired *does* matter and cannot be assumed to be unimportant in the assessment and certification of this knowledge' (Cooper, 2016: 26). The university-produced knowledge prides itself on being scientific, and thus rigorous and credible. It claims to be unshackled by the peculiar nature and context-boundedness of everyday knowledge concepts, in the process seeing itself as possessing great explanatory potential because it is specialised or scientific knowledge and its concepts are capable of cross-cutting various contexts (Young, 2008).

It is opposed to the notion that knowledge is knowledge and, therefore, equal in value, regardless of where it is acquired. Michelson's (1996) critique of knowledge difference is vital.

The author says that knowledge difference takes a westernised Cartesian view of mind and body. This worldview sees a strict dichotomy between different knowledges. The author instead advances the view of knowledge as socially situated in sites of production (ibid.).

The issue of importance, given these two broad views on knowledge, is how structured and unstructured knowledge is brought together and put on an equal footing. Cooper (2016: 26), though taking the view of knowledge as differentiated, admits that knowledge is contested, to the point where there are 'unequal power relations that lead to the privileging some sources of epistemological authority over others'. RPL is forced to operate in this contested boundary space. Under these circumstances, it may be validated that equating experiential learning with codified knowledge is not easy (Cooper, 2016). As a consequence, 'any process of RPL would require the RPL candidate to embark on a process of navigating the boundaries between different knowledge discourses, and hence the need for a specialist pedagogic role in mediating the complexities of knowledge recognition across different learning pathways' (Cooper, 2016: 24). The tension between knowledge discourses and power relations between structured and unstructured knowledge is further reflected when academics as actors in institutional contexts experience what Osman (2003: 159) calls 'knowledge paradox' with regard to codified and experiential knowledge:

> If they value experiential knowledge only, they marginalise the students in a university environment where academic knowledge is powerful. If on the other hand they render experiential knowledge invisible then they are contributing to the dominance of academic knowledge in the academy.

Michelson (1996; 2006) associates the paradox with the politics of knowledge, especially the rationalist epistemology that is skewed towards higher education. Implicit in the representation of the paradox is the dominance of the academy over those modes of knowing which are outside it on the one hand, and the pre-dispositional potential tendency of the actor/academic to subscribe to the institutional mode of thought where politics of knowledge production and distribution are concerned. Thus, it is without dispute that the codified or structured knowledge produced by the university already enjoys the power in the interactive negotiation and exchange by these discourses.

This power is expressed in, and derives from, various linguistic conceptions in the literature advocating for, and justifying the importance of, RPL, such as 'accommodation' and 'inclusion' of the historically 'marginalised' modes of knowledge. In this connection, Michelson (1996; 2006) is right in concluding that alternative forms and sources of epistemological authority outside structured forms remain marginalised. Evidently, if knowledge is contested (even contestable), then the contestants are interest groups (corporate agent) with vested

interests, owing to material and/or ideational interests which either side wishes to preserve or transform (ibid.).

Michelson (1996) sees RPL as a mechanism to accommodate such contested knowledge. During such recognition, RPL – for it to be inclusive – must recognise and consider the nature of the structure of a discipline or academic field concerned and relations between formal and informal knowledge within that discipline or field (Breier, 2003; 2006). It is precisely this notion of accommodation which demonstrates that power and control – in terms of how and by who prior learning is to be integrated, formalised, assessed, and ultimately given value – actually lie in the academy. The analysis of the policy provisions should necessarily reveal both the power and the structural and cultural form they take.

Similarly, the corporate agent at the CHE RPL policy making level must have been driven by the material interests they seek to promote or preserve and the ideas they hold and the discourses which support those ideas about academic and experiential knowledge. In a sense, what precedes the sector policies on RPL are theories which frame them.

This goes to show that policy provisions cannot be insulated from interestedness of the corporate agent who made them, nor can their successful production produce uniform responses from institutional actors, some of whom are involved in the policy formulation processes – as the case may be.

The latter being the case, we contend that the sector policy on RPL contains prejudicial and subtle conceptions in the form of the following accommodative policy provisions, namely: the notion of *exemption*, *fifty percent* ceiling, exceptions, and the *ten percent* ceiling on the number RPL applicants to be admitted to a university. These prohibitive provisions, it is argued below, reflect the convergence of material benefits and ideational power of the structured institutions of learning as against unstructured learning.

A critique of the accommodative notions

There are at least *four* problematic notions suggested in the sector policy which merit critical analysis through the constructs of Archer, namely structure, culture, and agency. These are: the notion of exemption, the residency clause, the notion of exceptions, and the *ten percent* ceiling on the number of RPL applicants that should gain admission.

The notion of "exemption"

The sector policy conceived the notion of 'exemption' of an applicant if prior learning is demonstrated (CHE, 2016) as an accommodative provision for RPL processes. The academic transcript of the RPL-*ed* applicant would, as per this conception, show that one has been exempted from the modules (CHE, 2016). Of critical importance here is that this accommodative provision does not conceptually tally with the national policy.

The latter talks of 'credit' being awarded on the basis 'knowledge and skills acquired through experience and not for experience alone' (SAQA, 2013: 6). Showing that one is exempted from modules achieves one side of the equation; namely, it removes the structural barrier and ensures inclusiveness and provision of alternative for the applicant.

However, it does not get rid of the idea of how the certificate was gathered, and the beliefs of others who hold that valid and credible knowledge is acquired at the university. At any rate, the notion of exemption violates one of the responsibilities of the Quality Councils, according to which the latter should 'ensure that no distinction, other than for data analysis, is made between qualifications awarded through conventional and RPL routes' (SAQA, 2013: 10). This violation, it is argued, may not necessarily be mistaken. It may be an attempt to insulate its own produced knowledge from that produced from 'outside'. By this conceptual maneuver, its status as a university is preserved, and as such there is a prolongation of its ideations as the center of power in knowledge production and distribution.

The above shows that structural elaboration seems to take place so far as the structural barrier to access and inclusivity of other forms of learning has been removed. However, at the level of culture, there is morphostasis. This is consistent with Archer's (1995) view that structure may be elaborated without culture necessarily following suit, or *vice versa*. To understand this argument further, Archer (1995) maintains that certain ideas endure for long, and do not necessarily change radically and suddenly, especially if their reproduction serves those in power insofar as discourse and material resources are concerned. It is true that RPL proponents represent a new corporate agent whose accommodation is a result of contestation in the arena of politics of knowledge. So that, Archer (1995: 265) would say that RPL-*ing* processes by universities result from 'alliance formation [with structured higher education], goal dilution, and ideological accommodation from the interest groups who constitute it, precisely in order to become an effective force'.

In other words, the notion of 'exemption' as a symbol of accommodation of elements of RPL in the politics of knowledge at least implies on one hand the parity of competencies acquired through prior learning (SAQA, 2018), while the sector and conservative institutions retain some epistemological indictment on prior learning through this conception. It gives (hesitantly) the recognition, not credit *per se*, whilst it preserves its superiority. After all, it is itself that is doing the accommodating, and RPL which is getting the accommodation from it. It is RPL therefore that has been reinterpreted in a way that appears to stick with the structured notions. What the university had to shed is not so much its power, but that it had to stretch its assessment processes into a medium commensurate with RPL. In the final analysis, the stereotypical view with which history has looked at learning occurring 'outside' the jurisdiction of universities is preserved by this conception, certainly at the level of ideas and beliefs about learning.

Fifty percent: the predetermined ceiling

The structural property (exclusion of prior learning) which denied the crossing of boundaries and navigation is somewhat gone. However, the sector policy has another powerful structural mechanism which in the final analysis could have a prohibitive effect on the one hand, whilst reinforcing the ideas and theories held about knowledge on the other hand. It says that a qualification *cannot* be awarded in full on the basis of RPL (CHE, 2016). This prohibition, it must be contended, is suffixed and couched with the view that this could done without precluding a possible exemption (SAQA, 2018).

Yet, the rule goes on to say that *exemption* by means of RPL should be limited to no more than *fifty percent* of the modules or courses of the qualification in question. Precisely speaking, the sector policy says that 'full qualifications are not awarded solely on the basis of RPL' (CHE, 2016: 8).

This residency clause is viewed by Blom (2013) and Needham (2012) as a generally outdated rule that needs revision.

This ceiling, at any rate, is subtly, if not directly, inconsistent with SAQA's policy on RPL which maintains that 'qualifications and part-qualifications registered on the NQF may be awarded in whole or in part through RPL' (SAQA, 2018: 94). Nor is it consistent with what other renowned scholars say about knowledge which should inform sector policy. In a study by Cooper and others, it was found that, amongst other things, 'knowledge and knowledge structures do not impact in a deterministic way on the feasibility of RPL in relation to a particular programme' (Cooper, et al., 2016: 39). Interestingly, these are authors who subscribe to the notion of knowledge difference and boundedness of knowledge into disciplinary contexts.

The preceding resonates with other findings. For example, one empirical example shows that institutions (corporations, for example) outside a university can have codified knowledge as a particular context with bounded knowledge (De Graaff, 2014). This knowledge might or might not be transferrable to another context (ibid.). The key here is *might*. This implies that transferability cannot be known *a priori*, nor should, as a consequence, RPL officers be guided in advance by a ceiling of *fifty percent*. After all, the sector policy, though it has the ceiling, does admit that articulation should be determined by the nature, purpose, form, and content of a curriculum (CHE, 2016).

If the *a priori* blocking (of transfer of credit) is done, as the case is now, it basically places a structural constraint concordant with the idea and belief about knowledge *what* and *how*. The subtle dynamic here lies in the fact that the ceiling (of *fifty percent*) already places a pre-suppositional prohibition, though it claims to offer an exception. In the end, the prohibition enables those actors interested in the preservation of the status quo to defend their decisions and actions, including feeling validated in their ideas in the contested space of knowledge.

The notion of 'exception', on the other hand, allows those wishing to advocate and engage in boundary-crossing practices to do so. Yet, the latter gets embroiled into a complex interplay,

because his/her decision are still subjected to decisions of an institutional corporate agent whose interests are as diverse, but who operate on the basis of that pre-determined ceiling by the sector policy. Evidence appears to show in a recent study that despite SAQA allowing awarding full qualifications, institutions often rely on the *fifty percent* rule (Bolton et al., n.d.); this is based on the existing regulation that a candidate must obtain *fifty percent* at the institution that will be awarding a certificate for the qualification (CHE, 2016). This justification considers funding and certification related issues, not articulation.

Effectively there is a corporate agent with a vested interest in the preservation of funding (structure) which happens to converge with the cultural systemic property (knowledge *what* and knowledge *how*) at the level of discourse about RPL. The outcome under these interplaying constructs is more complex, depending on the beliefs and theories of role players in institutional contexts. The study by Cooper et al. (2016), for example, shows mixed empirical results on RPL practices of institutional actors, with some holding a stronger view on dichotomy of knowledge, while others do not.

In this connection, it may be argued that 'a person occupying a particular role [RPL practitioner or academic] acquires vested interests within it and is both constrained and enabled by its 'dos and don'ts' in conjunction with the penalties and promotions which encourage compliance' (Archer, 1995: 187).

Yet, these are not determinants – as the empirical study above shows mixed results – because there is leeway for interpretation deriving from the ambiguity of policy provisions, especially given that they are also only partial in their coverage and clarity. The leeway in this case is the notion of "exception" to the *fifty percent* rule. Whilst there is openness in the vague concept "exception", the actors who may also be part of the corporate agent responsible for the policy on RPL may be of such nature that they exploit these depending on whether they will not lose – or are in any case willing to pay the price of acting out of sync with normative expectations – their prior position in the distribution of resources. Those in the prior distribution who hold a sympathetic view towards RPL may – it is possible – engage in transformative decisions. The point is that these policy provisions (the ceiling and exception) in this regard only serve to complicate and delay RPL's paradigmatic and radical aims. The reason may be that of wanting to keep longer some systemic integration of ideas.

The latter somewhat buttresses the argument that there are unwritten cultural precepts which are inherently held about the power RPL may be made to have in the epistemological legitimation of its radical 'intrusion' into the historically predominating structured and formal forms of education, the institutional mode of thought and belief which has long been grounded on its autonomy and academic freedom. For example, Shalem and Steinberg (2006) talk about the need to demonstrate logic of practice and value specific elements during the RPL practice.

This demonstration is skewed towards the understanding of the institution. In this process, power relations between the actors and institution and the applicant are manifest in the former

having the final word on whether the latter passes or fails at that point of RPL assessment (De Graaff, 2014).

The need to refresh prior learning (?)

Over and above being aligned to CHE RPL policy, but not with the SAQA's RPL policy, this prevention or ceiling is based on the insufficient proposition that the student may have to refresh his or her prior knowledge with new, cutting-edge content, theories, and concepts in the chosen field (CHE, 2016). While the prohibitions look *prima facie* fair, the recent SAQA impact study says that this kind of rule is applied by CHE 'no matter how up-to-date and rigorous such learning [by an applicant] might have been' (SAQA, 2018: 95). This confirms the kind of cultural capital and grip institutions have in determining the final narrative on RPL.

Offering advice, SAQA believes CHE should avoid creating an impression that it is diluting the underlying principles and purposes for which it was created (ibid.). The CHE should 'engage with whether it adheres to the belief that traditional forms of knowledge attainment holds equal or greater esteem and value when compared to knowledge forms from non-formal, informal and non-academic channels, including technical, vocational, occupational and professional' (SAQA, 2018: 95). It can be argued that in this connection, the ceiling is ideational, even ideological, in that the CHE (wrongly) holds a firm belief that the university is best capable of teaching cutting-edge knowledge alone. Ultimately, this proposition is found wanting in relation to articulation principles of equity, fairness of procedures related to assessment and validation of learning (DHET, 2016).

The ten percent rule

Another important difficulty pertains to the admission rule in relation to RPL applicants. CHE (2016) says that only *ten percent* of the total admissions through RPL is permissible. It makes an *exception*, again, that provided there are motivations for an excess number. This is too restrictive and does not act in the spirit of increasing access for a specific group of people; it is thus discriminatory and appears to undermine the constitutional imperative according to which there is a right to education and equal opportunity (SAQA, 2018). This, like many others in the preceding sections above, demonstrates the power of the university structured knowledge and its thinking about informal knowledge acquired from outside. This requires attention by CHE.

Conclusion

The paper acknowledged the contested nature of knowledge and how the politics thereof transport itself into the policy-making processes of the sector policy, and how these in turn play out at the institutional contextual level of practice by social actors in unpredictable ways. Archer's constructs of structure, culture, and agency demonstrate in the foregoing critique that

the CHE policy provisions under analysis are skewed towards preserving the university as the *only* powerful producer and distributor of knowledge – hence it is doing the accommodating. Through linguistic techniques the sector creates enablements whilst putting predetermined policy provisions which somewhat seem not to rely on a valid and strong academically defensible argument but on protecting vested interests.

Whatever the case may be, the CHE's suggestion that articulation depends on the nature, form, content, or complexity of the qualification is violated by the view of not awarding qualifications *only* on the basis of RPL, and only recognising no more than *fifty percent* except under certain undefined circumstances. In this connection, it has been shown that there is a convergence of material and ideational interests where funding and certification requirements (structure) coincide with the idea of retaining university hegemony over unstructured forms of learning (culture). The provision on the *ten percent* ceiling (structural and cultural property) has been shown to obstruct applicants in a fundamentally unfair, even unconstitutional, way. But that obstruction demonstrates the convergence of structural interests and cultural defense of the university which may be seeking to insulate the latter from dilution by RPL in a long run. Given the critique, it is vital to revisit the CHE RPL policy provisions and clarify, justify, or revise them to enable further leeway for the equalisation of structured and unstructured knowledges at the level of ideas and beliefs about knowledge.

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