

*A Critical Examination of Public Policy  
Related to Transport for Learners*

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## **Abstract**

Transport for learners has been problematised by some South African scholars as being a significant factor in access to education. This study takes the view of access further by focusing on South African public transport policy provisions for learners.

The key research questions are:

1. What are the political discourses in public transport policies that are relevant to school transport and learners?
2. To what extent are these public transport policies coherent in their treatment of and provision for learners?

Through using a blend of Scheurich's Policy Archaeology and Fairclough's Critical Discourse Analysis approaches for an analysis of selected excerpts from relevant policy texts issued in the period 1994-2009, I find that school learners are assigned marginalised positions and neo-liberal trends temper school learner interests. These findings about South Africa's transport policies and how they serve the interests of learners and position them in the social hierarchy, point to discourses in public transport policy that infringe the rights of school learners to have their best interests served in all matters related to their wellbeing as indicated in Section 28 of the *Constitution*.

## DECLARATION

I, Sheryl Flügel, declare that,

- (i) The research reported in this dissertation, except where otherwise indicated, is my original work.
- (ii) This dissertation has not been submitted for any degree or examination at any other university.
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## SUPERVISOR'S DECLARATION:

As the candidate's Supervisor I agree/do not agree to the submission of this dissertation.

Signed: \_\_\_\_\_

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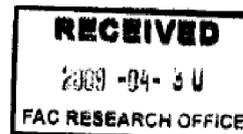
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The idea for my study of the intersection of public policy, transport, and education came from my supervisor, Dr Jenni Karlsson. Thank you Jenni, for being well organised, supportive, and for sharing your knowledge.

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### **Abbreviations**

CDA: Critical Discourse Analysis  
MEC: Member of the Executive Council

## **Chapter One: Introduction and Rationale**

### **1.1 Problematizing learners in public transport policy**

In my dissertation I examine the South African State's intentions for school learner transport as expressed in public transport policy texts that pertain to learner transport for the period 1994 to 2009. The ruling party in South Africa, the African National Congress, set out in 1994 to redress the inequitable distribution of resources that arose from the earlier apartheid system that was discriminatory on the basis of race. Since 1994 the legislative framework in South Africa has been evolving as evidenced in government policy documents. Transport for school learners has been affected by the policy direction. It is not clear if the policy direction accords with the interests of learners and this deserves investigation. As became apparent, in the struggle for equitable distribution and the subsequent tensions, the extension of transport subsidies to the entire schooling system was beyond the financial capacity of the state. Thus it appears the state withdrew resources related to school learner transport and thereby decreased access of the poor to schooling (Chisholm, 2004; Kraak, Lauder, Brown, & Ashton, 2006). Therefore, in the post 1994 South African democratic state, self-imposed fiscal discipline resulted in a decline of subsidised transport for school learners. This is contrary to the notion of equitable redistribution weighing in favour of the poor.

The reason that I focus my study on public transport policy texts for learners is that the majority of South African learners still travel to school under challenging conditions (Department of Transport, 2003; Nelson Mandela Foundation, 2005). Although the *Constitution* (Republic of South Africa, 1996e, pp. 13-14) promotes the rights of all children to education, transport for school children is a barrier to education for poor South African households (Department of Transport, 2003, pp. 19-24). A set of transport policy texts has been developed since 1994, yet neither the Department of Education nor the Department of Transport appear to take leadership and responsibility for the administration of school learner transport. Anecdotal evidence is that families of poor learners are left to make their own arrangements for schooling transport. The eThekweni Transport Authority, in its founding document stated that the Department of Education should also bear financial responsibility+

(Durban Metropolitan Council, National Department of Transport, & KwaZulu-Natal Department of Transport, 2000, p. E2), for learner transport, indicating some disjuncture in budgetary alignments between transport at service level and other government departments. The Department of Education has not taken full budgetary responsibility for learner transport as suggested by the *National Guidelines for Learner Transport* (Department of Education, 2006a). Another pointer to disjunctures of policy between government authorities is a statement by Michael Sutcliffe, the City Manager of eThekweni Municipality, who commented %the provincial education department [should] subsidise such [learner] transport. It is not directly [the local government's] function+(Pers. Comm. Dr M Sutcliffe, on 4 June 2009, in Durban).

The Department of Education issued a policy on school learner transport in 2007. Two years later, the Department of Transport also issued a policy on school learner transport, namely the *National Scholar Transport Policy* (Department of Transport, 2009). The Department of Transport policy suggests a new and different governance model for learner transport than that put forward by the Department of Education. In its policy the Department of Transport claimed ownership over a national budget for school learner transport and the distribution arrangements for school learner public transport subsidies. While the policy terrain of school learner transport is contested, practical arrangements for school learners are not mentioned in the policy so that it appears that despite the imperatives of post-1994 policy for an equitable distribution of resources, many school learners are having to make their own school transport arrangements (Karlsson, 2007). The issue with learner transport is that neither the transport nor education department carries sole responsibility on the matter of public transport for learners. This is problematic if neither Department will act and make adequate provision for them. This omission is compounded with each additional level of government, namely national, provincial and local government.

Although the provision of public transport for learners may be contested between government departmental interests, both the National Departments of Education and Transport take an interest in scholar road safety. To this end, both Departments offer educational material to school learners and the general public. Such material can be accessed from the internet website, [www.transport.gov.za](http://www.transport.gov.za). In addition, the local transport authorities have instituted measures such as traffic calming road humps

near schools. However, neither curriculum nor physical environment measures address the spatial legacies of apartheid. The poor and working classes are geographically distanced from accessing equitable education opportunities. In the absence of re-organising neighbourhoods and the school system, equitable education opportunities can only be brought within reasonable reach (in terms of space and physical accessibility) of the masses if public transport resources are directed to this end. A curriculum of safety and limited physical traffic barriers do not address the underlying problem of the lack of adequate transport for poor school learners.

Does this barrier have some connection to a disjuncture in power relations between the Departments of Education and Transport? I intend to explore public transport policy texts critically to shed light on how poor school-going children are served. I will consider discourses in education and transport policy texts in order to understand and expose the discourses that shape the policy direction for the provision of school public transport. From the limited texts I was able to source it is apparent that scholarly attention to matters on the periphery of education such as trips to and from school is lacking in the debates on education. Yet these are essential daily experiences that help shape education outcomes. Thus this study's purpose is to explore the under-researched field of school transport policy.

In my critique of policies from the Departments of Education and Transport I will be exploring policy as text and policy as discourse (Ball, 2006). The National Departments of Education and Transport have published transport policies yet their transport service to school learners appears to have decreased since 1994 so that it appears that the policy texts and the transport practices do not accord.

Another example of the unresolved issue of which government department should take responsibility for school learner transport, is found in a media statement on the establishment of Full Service Schools issued by the Provincial Member of the Executive Committee (MEC) in KwaZulu-Natal, Ina Cronje (2009). She mentions several government departments, yet omits any reference to the Department of Transport as a participant in an intra-regnum initiative for broadening access to education. This example indicates the complexities of inter-regnum relations. In

seeking to understand the shared responsibility for public transport for learners, I critique selected transport policy texts to undercover policy intentions and power relations concerning the state and learners. I expect power relations to be revealed through thematic commonalities in the texts. My dissertation attempts to identify and foreground the way learners are positioned by these themes. By examining public transport policy texts, I will critically analyse public transport policy for learners to uncover whether there is redistributive potential for school learners. As policy manifests in text, and transport texts for school learners have not yet been fully explored in the South African context, I have mapped out an area of study that examines such texts to uncover discourses that shape learner transport experience.

The education sociologist, Stephen Ball (2006), distinguishes policy as text from policy as discourse. He argues that policy texts can be manipulated so that policy intention becomes diverted and subject to other agendas. Ball suggests that the inherent changing of power relations are part of policy text processes, that is, discourses. One notion of policy as discursive in public transport could be understood as the way school learners make meaning of transport policy through their own agency. Yet policy texts may contain assumptions that originate with the sources of the text. As Scheurich (1997, p. 96) suggests in the case of policy analysts, it is possible that the dominant social understandings of policy authors can be reproduced through discourses in texts. By reproducing the key characteristics of a dominant perspective, those influencing policy may be constructing policy texts within a definable grid of social regularities. Therefore intentions as stated through texts may serve undisclosed agendas. The effects of policy text as experienced by school learners through hidden discourses may be shaping learners lives in ways that are not yet understood.

### ***1.2 Key research questions***

My research questions arise from the problems outlined above. They are structured by my interest in how policy both reflects ideas and shapes them and how past policies are residual and thus determine how the transformative environment positions learners. The research questions are:

1. What are the political discourses in public transport policies that are relevant to school transport and learners?
2. To what extent are these public transport policies coherent in their treatment of and provision for learners?

### **1.3 Scope of the study and assumptions**

The scope of this study is an examination of key selected public transport policy texts from the national, provincial and local government arenas produced during the period 1994 to 2009. Four texts have been selected that have sections relevant to school learners or scholar transport and these are, *White Paper on Land Transport* (Republic of South Africa, 1996e); *National Guidelines for Learner Transport*; (Department of Education, 2006a) *KwaZulu-Natal Public Transport Policy* (KwaZulu-Natal Department of Transport, 2005a) and *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000). Using a methodology that blends elements of Fairclough's version of critical discourse analysis and Scheurich's theory of policy archaeology, the selected texts will be examined for evidence of political discourses and how they position learners. An assumption that underlies this work is that policy texts contain themes which reveal core characteristics of the social conditions framing their construction (Scheurich, 1997). Another set of assumptions is that the language of the texts can be examined in order to reveal intentions of the state and therefore the policy direction will be contained in language (Fairclough, 2001, 2003, 2006).

### **1.4 Key concepts and terms**

In the South African context the concepts %education+, %school+, %child+, school child+, %learner+, %school learner+ are used often in policy texts. Similarly, transport has its own terminology. Although concepts may be defined within policy texts, there exists fluidity and crossover of use with older terms remaining in use, while new terminology is introduced, and layered on more established language use. The words denoting such concepts also hold everyday meaning which is generally understood by the South African public and does not require interpretation in ordinary use. However, in order to ensure that my research is understood, I provide brief explanations or descriptions of common concepts used in my study.

By the term %learner+I mean those children aged from approximately seven years to approximately eighteen years of age who attend public and private schools in South Africa. This meaning is coherent with the intentions of the *South African Schools Act* (Republic of South Africa, 1996c, p. B5) which defines a learner as %any person receiving education or obliged to receive education in terms of this Act.+

%School+ means a public school or an independent school which enrolls learners in one or more grades from grade R (Reception) to grade 12. This is the same meaning as in the *South African Schools Act* (Republic of South Africa, 1996c).

By %public transport policy texts+I intend more than the printed renditions of public transport legislation which govern the management of transport in South Africa. As I will be critically examining such texts to determine the core characteristics of discourses, transcripts of politicians' statements which may enlighten or add to the meaning of legislation are also considered to be %public transport policy texts+for the purposes of my dissertation. I have also used strategic planning texts and I extend the notion and refer to a public transport policy *suite*. By public transport policy suite I mean acts, regulations, strategic planning documents and other texts that serve to inform the transport policy environment. Such texts include statements from politicians and explanatory texts that are published by government departments on official websites or that are made available by government departments.

I use the term %public transport+to mean the various modes of transport that school learners use to travel between their homes and the schools they attend. This includes walking, mini-bus taxis, buses and trains. I have broadened the meaning of the term %public transport+ in my dissertation to include the infrastructure and networks which make transport possible such as the engineered landscape of pavements and roads, and the routes, entry and exit points on these routes.

In the South African context, the concept of %public transport+includes transport that is privately owned and operated as a business enterprise such as mini-bus taxis. There are also private companies offering bus services. Therefore the term %public transport+ includes transport services that are funded by the state and transport services that are owned and operated by individuals and organised business.

The focus is on the positioning of learners in texts and I do not discuss modes of transport in any detail although modes are part of transport practices.

### ***1.5 Summary***

In this introductory chapter I problematised school learner transport in the context of the redistributive intentions of the state. I have set out the two research questions, the scope and assumptions of my study and defined how I will use key terms. Chapter Two is a review of international and South African literature which provides an orientation to the problem of learner transport. In Chapter Three I describe my theoretical framework and methodology. The first research question pertaining to policy texts is the subject of Chapter Four. In Chapter Five the second research question is addressed through data analysis and I present the findings. In the last chapter I re-contextualise the problem as informed by my findings.

## ***Chapter Two: Others who've explored the terrain: Literature Review***

### ***2.1 Introduction***

Transport can be considered an enabling factor or a barrier to education. However it is peripheral to education. Nevertheless, a review of relevant literature requires the researcher to link the two fields. What has been researched in recent years linking learners, transport and policy either internationally or from South Africa? In this chapter I review scholarly literature on transport for school learners. I have reviewed relevant literature from fields as diverse as transport engineering, urban studies, civil society activism and socio-economics. Such fields may offer useful theoretical and methodological insights. A second reason for crossing the boundaries of education into other fields is that transport policy for learners overlaps into the political and economic sphere. In a search of the University of KwaZulu-Natal library catalogue in late 2008 I found thirty-seven items which linked transport and engineering but only two of those items were about education. Jenni Karlsson, Roger Behrens and Michael Rogan are South African scholars that have gone beyond pedagogical aspects of scholar safety in linking education and transport in South Africa. Their knowledge and insights on the effect of learner transport policy in the unique situation of a transforming South Africa are significant contributions to my understanding of school transport policy in South Africa.

I have structured the literature review in the following way: international literature that provides a view of trends in some English-language countries followed by South African literature. I have organised the South African review to look at political stakeholders interest in learner transport; the literature by technical and professional transport scholars, for example, engineers; those of academic consultants to government such as Behrens; that of Rogan's impact evaluation study, and, those of critical and social justice scholars such as Karlsson, Aslam Fataar, and Meshack Khosa.

## **2.2 International literature**

The work of international agencies and scholars writing about transport in South Africa offer insights into influences in public transport policy development in South Africa. I begin this section by examining the views of an organisation which provides financing for transport infrastructure to developing countries such as South Africa. This is followed by a review of the work of the transport scholar, Gakenheimer (1999) who suggests that the mobility of urbanites including those seeking education in developing countries is on the decline because of traffic congestion. The third review is of a case study in Britain in which researchers attempted to understand learner transport behaviours. I have selected these three works because transport infrastructure development, learner mobility and learner transport research are themes that are relevant to South Africa learner transport.

The World Bank is an international private financing corporation which offers loan agreements to developing states according to its own criteria and it publishes texts in which its views are made known. In exploring urban transport in South Africa and generally highlighting the effects on the poor, the World Bank states that the average distance of a black township from the central business districts of the seven largest South African cities is 28 kilometers (World Bank, 2002, p. 26). As the World Bank acknowledges, access via privately provided public transport is used to overcome the disadvantage of distance from social services such as education. In doing so, the World Bank argues that competition is pro-poor and that the introduction of carefully managed competition in which the role of the public sector as regulator complements that of the private sector as service supplier (2002, p. 14). These ideas were being pushed at the same time as issuing of the key public transport policy texts of South Africa. The Bank also suggests that the budget for transport services should be a line item allocation to the government department responsible for specified groups of citizens. In the South African transport for education context, the line agency responsible for school learners is the Department of Education. If applied according to the World Bank's ideas, the Department of Education is responsible for the budget for learner transport and the budget would offset transport costs for learners. This offset takes place within the framework of a competitive transport industry meaning that private interests offer a service to government departments in a free market. In South African cities the implementation

of Mass Rapid Transport Systems, which are also intended for use by school learners, have similarities with such systems as envisaged by the World Bank. Such developments compete for a share of the national budget against education. Critical scholars tend to hold the view that the World Bank influences policy choices in debtor countries to align with neo-liberal tendencies (Bond, 2005; Crossley Michael & Watson Keith, 2003) which result in lesser services to the poor than would otherwise be the case. The relevance is that in this text the World Bank positions school learner transport in South Africa in a competitive rather than a protective transport environment. The ideas of the World Bank as a funding agency for transport and how these ideas help to shape the transport economic environment informs my identification of themes in South African policy and assists in contextualising the findings.

Transport related economic decisions and the notion of mobility are of particular relevance in school learner transport. In writing about urban mobility in the developing world, Ralph Gakenheimer (1999) mentions education in congested cities in developing countries and he offers insights into the political environment of urban learner transport. Gakenheimer comments that travellers mobility and access to their destinations are in decline due to congestion through increased transport demand. He suggests that transport policy is a means to improve the lives of the poor, which is also a view of the World Bank (2002). Gakenheimer asserts that education opportunities in developing cities increase transport needs and this leads to policy disjunctures in developing or transforming states. Therefore he places transport in the political, economic and social spheres. I understand this to indicate the strong linkage of education to the transport infrastructure, capital and other requirements shared by all users.

Gakenheimer uses a quantitative approach to describe problems associated with transport whilst suggesting that a new way of thinking about personal mobility and access is necessary. His views are also aligned with the notion of transport affecting daily life such as education. He asserts that transport is an integral part of urban culture and economy and that more knowledge in developing states is needed on how transport should be managed. This view that knowledge of social transformation

is necessary to understand the transport needs of urbanites, including the need of those seeking education, resonates with the work of some South African scholars.

Gakenheimer's work does not speak directly to school transport issues but it offers useful insights into the effect that political and infrastructure arrangements can affect school transport for poor urban learners. However, three scholars, Colin Black, Alan Collins and Martin Snell (Black, Collins, & Snell, 2001), do deal directly with learner transport in their British study which focuses on a specific sector of school going learners.

In Britain some local authorities provide free school transport to the nearest suitable school (Rutland County Council, 2003). This is inconsistent with other English-speaking countries. Walking to school is regarded as a legitimate public intervention for school transport because of health benefits in at least one part of the United States of America (Fesperman, Evenson, Rodrigues, & Salvesen, 2008). In *Encouraging Walking: The Case of Journey-to-School Trips in Compact Urban Areas*, Black, Collins and Snell (2001) describe their attempt to develop a research model to study transport behaviour associated with the transport of young children to school. Their work is relevant as the beginning school age of South African children is six years for compulsory education and even younger for the reception year of school. Black, Collins and Snell provide insights into the difficulties associated with behavioural studies in an area of human practice such as transport. The methodology of this study on families transporting children to schools melds several competing yet interdependent interests in the field of child and learner travel. They used statistical methods and approaches from psychology to construct a model for surveying transport. The study provides useful insights into the complexities of analysing social behaviour associated with transport and also foregrounds potential methodological issues of transport research. Their study suggests that transport for learners can be targeted by governments for long term (into adulthood) behavioural modification related to sustainable public transport usage. As noted by Gakenheimer (1999, p. 672), motorised transport relieves some of the transport burdens of the poor in developing countries. This is especially true in the case of South Africa where vast numbers of learners regularly walk long distances to schools. Black, Collins and Snell encourage walking and cycling to school as a sustainable transport modes.

This may not be well supported in the South African social context which is significantly different from that found in Britain. The challenges of balancing the expectations of citizens about transport in general (Department of Transport, 2003; Nelson Mandela Foundation, 2005) and school transport in particular in the South African context should be understood in terms of a transforming political landscape and the additional challenges of geography, distance and overt poverty. I find in this review that Black, Collins and Snell suggest that understanding the context and behaviours associated with school learner transport is an important aspect of policy decisions. This finding is useful when I interrogate the South African policy environment in the data analysis process so that I may be aware of whether the social contexts of school learner transport in South Africa are addressed in policy.

To sum up, this review of international literature shows the intersection of education and transport and this places school transport in the political, economic and social spheres. The intersection of education and transport in the work of South African scholars is the focus of the next section.

### ***2.3 South African Literature***

In this literature review I examine the work of South African scholars for insights are relevant to my study of transport policy for learners. South African scholars take different positions in relation to school learner transport. The South African literature review reflects the low number of relevant studies and the dichotomies represented in this limited set of works.

Roger Behrens (2004; 2005) work links transport policy, economics and education emphasizing the need for further research into learner transport. Michael Rogan investigates a transport intervention and its effect on education. Jenni Karlsson (2007) touches on the aspirations of learners and their families to access better lives through public transport. Patrick Bond (2005) view of globalisation processes in the South African economy is discussed in contextualising policy in South Africa since 1994. Bill Freund and Vishnu Padayachee (2002) critique current policy trends and consider how the legacy of local government policy underlies policy discourses. Jeremy Seekings and Natalie Nattrass (2007) inform on intersections of class and legacy social structures. I apply Aslam Fataar (2006) description of policy

developments within the dynamics of influential social and political networks to transport policy. Meshack Khosa gives a view of the problems associated with legacy infrastructure. The choice of literature for the review is influenced by my assumption that current public transport policy discourse may be undergirded by submerged legacy discourses. These South African scholars are relevant because they provide insights about school learner transport and the South African social and political contexts.

I begin this section with a review of texts which give an indication of stakeholder interests in transport policy.

Various stakeholders can be discerned in the South African policy transport environment. These include political parties, the three tiers of government, and business interests. An important political stakeholder statement that is framing government policy direction since 2007 is known colloquially as the *Polokwane Statement* (African National Congress, 2007). This document was adopted at the close of the 2007 conference of the African National Congress, which is the ruling party. In the document transport is identified as an input to achieving political objectives such as economic growth. The statement recommends that the transport sector be allocated significant resources that will result in a subsidized and integrated public transport network. School learner transport is not mentioned directly. It is in the interest of learners that public transport is signposted in this text as an area for political concern and economic support in the form of subsidization.

Texts such as the *Polokwane Statement* come into the public domain and may be accompanied by other stakeholder statements which reinforce or refute the values and ideologies of interested stakeholders. The speeches of politicians are examples of such statements which provide insights into the Ministerial view of a government department's mandate. Jeff Radebe (2007), as Minister of Transport, offers a glimpse of such insights in his speeches published on government websites. For example, a social values discourse that links to the *Constitution* (Republic of South Africa, 1996a) is identifiable in his references to rights, social justice and administrative freedom when he addressed the South African Commuters Organisation on the renewal of public transport fleets. Minister Radebe said: "The

safety and rights of commuters remains one of the Department of Transport's main priorities. (2007, p. 1)

The website of the Department of Transport has links to many transcripts of ministerial speeches made to various transport stakeholders. The breadth and depth of the reach of the transport department and its political head into South African life, business and policy circles obscures the limited direct references to school learners or school transport by the minister, except when mentioning road safety. However, it is significant that this speech and others focus on the economic aspects of public transport. The economic significance of public transport as revealed in monetary figures, quoted by the Minister, reveals the significance of every aspect of transport to the economy of South Africa. The issue of the affordability of school transport raised in the two national surveys (Department of Transport, 2003; Nelson Mandela Foundation, 2005) highlight the significance of the economic importance that is likely to exert influence over public transport policy.

In the next section I discuss two commissioned transport-related research projects conducted by South African scholars. The first of these studies is the first national household travel survey (Department of Transport, 2003) conducted since 1994. The second is a case study of living and schooling conditions in rural areas (Nelson Mandela Foundation, 2005). Both of these works mention transport in the context of education.

The *National Household Travel Survey* (2003) was commissioned by the National Department of Transport. Jeff Radebe, in the Foreword, indicates that transport users have voiced their needs for transport to be "more available, more affordable" (2003, p. iii). The survey does not indicate whether learners, my primary area of interest, were interviewed and given voice on their travel habits. However Radebe suggests that the Department of Transport will institute measures to alleviate identified transport-related problems. These measures include increasing investment in public transport infrastructure, subsidies that are linked to integrated settlement and projects to improve access to opportunities for the poor.

In *Emerging Voices* (Nelson Mandela Foundation, 2005) conducted by scholars and research assistants under commission by the Nelson Mandela Foundation, the expectations of poor citizens are related to reducing the cost of transport for learners and increasing transport safety. The respondents of this survey indicate that even though the majority of school learners walk to school, they do not do so out of choice. The cost of transport modes other than walking prohibits poor households from using mini-bus taxis, buses or cars as school transport. After the high costs of school transport, which are viewed by respondents in both surveys as an economic burden preventing access to education, safe transport infrastructure is an important consideration to South African households. Respondents in both surveys were concerned with safety of children travelling to school and back home. Respondents mentioned problems associated with walking to school which include the dangers of road traffic. In the rural survey they mentioned danger associated with adverse weather conditions such heavy rainfall when footpaths, roads and bridges, where these exist, may be under water. Exposure to social problems and criminality were also mentioned as a danger to children in transit to and from school when learners are compelled to walk between their homes and school. Respondents were concerned that children walking long distances to school suffer fatigue which affects their school performance and subsequent school progression. The lack of transport choices for the South African poor accords with the finding that poor children in the United States of America walk to school because they have limited transport choices (Fesperman et al., 2008, p. 3).

The two South African studies also categorise travel to school as a normal daily South African activity. This is an example of how school travel may be operating with regularity. Scheurich (1997) refers to this as a social regularity: a social activity that occurs because of normative social influence. For school transport education policy regulates the necessity of school transport. The related activities of transport and school are linked essentially by respondents to the surveys. The concepts of school and travel are linked by the respondents even as they note a variety of concerns regarding school transport. One of these concerns is the cost of education travel. Table 1 below shows the extent of trips for education in South Africa. The table is adapted from the *First National Household Travel Survey (Department of Transport, 2003, p. 10)* and shows that schooling creates the greatest total number of daily

trips. This accords with a finding of Behrens and Phillips (2004) in Cape Town that the reason for most trips by children is for education.

Table 1: Travel by household members according to purpose (adapted from the First National Household Travel Survey)

Settlement type	% of household members naming trip purpose			
	Education	Shopping	Visiting	Work
Metropolitan	32.8	35.8	28.3	36.6
Urban	37.1	31.5	31.0	31.0
Rural	51.0	23.4	27.0	15.9
RSA	40.9	29.9	28.6	27.2

The results of the *First National Household Travel Survey* show that education is an important contributor to transport economics because at least 40% of all travel is for education. Yet this type of travel is overshadowed in discussions in the survey about work related travel which generates 13 percent less trips than education. The total number of children travelling for the 7-14 and 15-19 ages groups is 12 209 000. This is 2, 2 million more than the 10 000 000 trips of workers (2003, p. 15). As school learners are a larger number of travellers than workers I expect that their interests should be important in transport policy.

Other South African research supports the view that the cost of transport is the reason that seventy percent of South African learners walk long distances to school. The South African scholar, Roger Behrens, takes a particular interest in learner transport and has published numerous papers on the topic. *In Child and Learner Travel in Cape Town* Behrens (2004) notes how the history of research and strategic planning for public transport in South Africa is closely linked to public sector officials. He says that the perspectives of officials, who are often economists or transport engineers, may have contributed to the emphasis on high cost engineered transport systems that are prevalent in South African cities and that form legacy infrastructures (Khosa, 2005).

Behrens notes that before apartheid ended research failed to link education and transport. He indicates there are gaps in knowledge about learner transport. Behrens shows that the foremost interest of government research is on transport engineering based on modelling infrastructural growth in the service of the geo-racial spatiality entrenched during the apartheid years. Behrens contends that government transport data centres on quantitative variables, for example, travel time and distance analysis and focuses on motorised travel. This is consistent with my own search for relevant literature, I found that transport engineering texts or texts slanted to road safety curricula were the most prevalent of the available literature. Behrens observes that transport research omits learner data as a discrete variable and that learner transport is little understood. I suggest that this omission may be attributed to the science discourse of engineers and economists, which is dominant in South African transport research. Behrens discusses travel survey data from the City of Cape Town which suggests that school learner transport accounts for about 22 percent of travel daily, indicating that school learner transport is significant in transport economics as transport planning tends to be about quantifying travel as trips. Based on data gathered in 2001, he finds that the most common trip purpose amongst children from all household income bands and age group categories is education (2004, p. 256). This finding coheres with the finding of the *National Household Travel Survey* that trips for education are the highest percentage of all daily trips. Behrens found that learners travel in the early morning and then almost continuously from 12h30 to approximately 17h00. He explains that the mobility of children is understood from the view of road safety and traffic congestion and that this focus is an alignment with the dominant engineering discourse in government research. As an alternative to motorised travel which increases the concerns with safety and congestion, Behrens suggests cycling as a mode of transport for learners. To promote cycling as a suitable alternative to the motorised transport of school learners Behrens mentions that there is a correlation between mobility and child development that could be explored in local research initiatives. Arguing for more research into learner travel he cites the emotive issue of transport-related child injuries and death in the Cape Metropolitan area.. While this focus is entirely in line with a social concern of protecting children, I find that his emphasis often coheres with engineering interests. Behrens looks into transport policy and attempts to uncover at which level of government and in which government department the

responsibility for formulating policy on learner transport lies. I am also interested in the question of the locus of authority and responsibility for school learner transport policy. However, my research takes a different direction from Behrens's in that I am examining discourse and coherence in transport policy. Behrens looks at which tier of government is responsible for learner transport from the point of view of which department is interested in researching learner transport. My focus is on examining policy to discern the discourse influences of public transport policy for learners, and how learner transport is imagined by policy makers. I want to understand how learners are positioned as public subjects in transport arrangements. Behrens's work may be said to take a stand on the positioning of learners in research. I find that he positions learners as users or consumers of policy and transport, who are also victims of its apartheid-era engineering legacy. Karlsson's (2007) assertion that learners may be engaged users of transport for betterment of their lives is a positive view of learner travel and is an interesting contrast to Behrens's foregrounding of the negative aspects of the transport system (such as injury and death) to motivate research.

In another study Behrens and Phillips (2004) note that learner travel behaviour, *per se*, has not been researched. They propose a longitudinal study of learner travel behaviour arguing that establishing a longitudinal database of learner travel would enhance the development of curriculum material for both learners and teachers. The paper indicates that learners are viewed as discrete entity of the transport passenger market. The idea that school learners are a segment of the domestic transport market accords with new public management models and neo-liberal ideology. Bill Freund and Vishnu Padayachee argue that this is also the prevailing discourse in local government policy texts. Neo-liberalism translates to a public discourse of transport markets and it is associated with cost-recovery mechanisms that are counter productive to redistributive intentions.

The worth of Behrens and his cohort articles for my study is that the lack of research on learner transport and the trend of transport literature towards either engineering or road safety curricula are highlighted. These works also introduce the idea of transport markets which brings out the economic importance of learner transport.

The effect of transport on education is the topic of an intervention study undertaken by Michael Rogan and I discuss his thesis next.

The scholar Michael Rogan studied the impact of a transport intervention in one school district in KwaZulu-Natal. The study, *Dilemmas in Learner Transport: An Impact Evaluation of a School Transport Intervention in the Ilembe District, KwaZulu-Natal* (Rogan, 2006) is of interest for my study. Firstly because of the shared topic of school transport and secondly, because the study took place in KwaZulu-Natal and I analyse data from the same province. Rogan approaches school transport from a developmental perspective and my study is located on the cusp of education and development. Rogan makes the case that learners in KwaZulu-Natal are protected by rights yet they do not benefit from positive rights in policy as the provincial Department of Transport has left parents to negotiate school transport with private taxi associations. This can be interpreted as the KwaZulu-Natal Department of Transport performing a minimum obligation to learners (2006, pp. 86-87). Where learners experience transport disadvantage their education suffers because they reach school late or are too tired to concentrate. These and other negative effects of excessive travel times were found by Rogan to be alleviated by a transport policy intervention. Rogan contends that the KwaZulu-Natal Department of Transport, despite its rights based policy environment, is not fulfilling the rights of learners to a safe and efficient trip to school. (2006, p. 47). Rogan's finding is of interest to my analysis of policy from the provincial sphere of government. It also is in line with Behrens and Phillips in that the notion of school learners is in the transport supply and demand market chain. School transport arrangements linked to private business interests brings me to Meshack Khosa's critique of public-private relations in the infrastructure policy environment.

As Behrens explained public transport is bound up with infrastructural arrangements. In this regard Meshack Khosa's research on infrastructure policy for the period 1994-1999 is pertinent. In *The Uneven in Re-Thinking Infrastructure Policies in the 21<sup>st</sup> Century* Khosa (2005) discusses stakeholder interests. He contends that although government attempts to bring together diverse role-players, the voice of well resourced and well organised private interests shape policy direction more than do the voices of the poor. Civic and community-based organisations are disempowered

in the infrastructure policy development process because they do not command resources and technical expertise to the extent of private interests which can buy in technical experts. Thus, Khosa indicates that although public-private-partnerships are intended to further economic development, this is achieved at the expense of the poor. He asserts that through a lowering of standards, increased cost recovery and increasing privatization, the government is turning to neo-liberal principles. His conclusion is that policies from the apartheid era are continued after 1994 under the influence of policy stakeholders such as the World Bank. As I noted in the discussion of Rogan's study, some parents have to deal with increasing private provision of transport as a matter of provincial policy. Khosa's contentions are a fitting introduction to Aslam Fataar's notion of policy networks. I view public-private partnerships such as those suggested by recent transport policy in a similar light to Fataar's notion of policy networks which is that these are groupings that organise the arrangements in policy to conform to their views and interests.

In *Policy Networks in re-calibrated political terrain: the case of school curriculum policy and politics in South Africa*, Fataar (2006) employs the notion of 'policy-networks' to describe the relationships among interest groups seeking to influence policy. In constructing the narrative of this policy cycle process, Fataar reveals some of possibilities of policy influence through compatible, or competing, political discourses which are used by interest groups. These discourses shape and are shaped by personal, professional and political relationships. Norman Fairclough's (1999, 2003, 2006) critique of how specific discourses remain operational through the type of linkages identified by Fataar make this notion of policy networking relevant to my study. The political stakeholders and the policy environment of transport have commonalities with the education policy processes. Khosa (2005) suggests, and it is evidenced by the participants list in the *White Paper on Land Transport* (Republic of South Africa, 1996e), that the government attempted to bring together stakeholders to re-design or re-organise the transport sector in order to align transport policy with political objectives, much in the same way as was done in the education and other sectors. Referring to education, Fataar's concern that 'what is unaccounted is the subjective character of the post-apartheid state's make-up and functioning in the arena' (2006, p. 642) may be considered to be as relevant to the arena of transport as it is to the arena of education. Indeed, as

education and transport have been shown by Behrens and the results of the *National Household Travel Survey 2003* and *Emerging Voices* to be linked by economic concerns of households, understanding the influence of policy networks on public transport policy for school learners could clarify perspectives on the positioning of learners in public transport policy and the neo-liberal trends in public transport policy.

The effect of policy texts in creating a habitus or way of living locally is closely linked to the subject of this study.

In the discussion and analysis of local government public transport policy I focus on the social and economic entity namely the eThekweni Transport Authority, that has been formed around some legacy infrastructure of apartheid in the City of Durban, a city with its own set of political, social and economic drivers. In their book *(D)urban Vortex: South African City in Transition*, Bill Freund and Vishnu Padayachee (2002) argue that historically the City of Durban perfected a system of public management, including a public transport system, that foregrounded the interests of business and this model of governance is taken up by other post-apartheid municipalities. Freund and Padayachee suggest that the coupling of private interests with public services has been a feature of the authority structures in the city for more than a century. They equate this legacy governance model with the concept of New Public Management which has a tendency towards privatization of public assets. The eThekweni Municipality instituted the eThekweni Transport Authority and allocated the provision of transport services to a private company (Naidoo, 2008). This is permissible in terms of the *National Land Transport Transition Act (Department of Transport, 2000)*. The City Manager, Dr Michael Sutcliffe, of eThekweni Municipality, when asked what the city was doing for learner transport, indicated that the Department of Education was being encouraged to pay for such transport as the city is not directly responsible (Pers. Comm. 4<sup>th</sup> June 2009 at Durban).

How policy changes affect citizens is the concern of civil society activists such as Patrick Bond who takes up this theme.

As a civil society analyst Patrick Bond is a critic of what he describes as a turn away from pro-poor strategies in African National Congress economic policies. In his study

*Elite Transition: From Apartheid to Neoliberalism in South Africa*, Bond (2005) claims that under neo-liberalist policy tendencies, goods and services such as transport, which were formerly delivered by the state are privatised, commercialised and commodified. Bond argues that neo-liberal tendencies in the policy direction since 1994 have benefited a small segment of society and sustained class-race divisions from the apartheid era. Bond claims that post-apartheid neo-liberalism in state policy has not met the human rights expectations generated in the *Constitution*. Bond contends that privatisation in the public transport sector has failed and resulted in additional cost to the poor. In discussing the failure of partial privatisation which occurred in the transport sector, Bond mentions how the poor, and in the South African context this includes the majority of learners, cannot afford to use the toll roads adjacent to their homes. Another failing area of partial privatisation that Bond identifies is the mini-bus taxi industry. It is also one of the important interest groups influencing public transport policy. It is noted in the first national transport survey (Department of Transport, 2003) that poor households cannot afford this mode of transport for school learners. Khosa contends that privatisation of infrastructure leaves parents to make school transport arrangements with taxi associations. Bond suggests that there be a dissection of the state's spending line items in order to find out if there are policy biases in budgets. In terms of the World Bank's ideas, school learner line items would be allocated to the Department of Education. My research on the positioning of learners in transport policy texts may be considered to be within Bond's suggested project, not in tracking the funding itself; but in attempting to track the dominant discourse of policy flows.

The redistribution intent of policy presupposes racial characteristics that define the criteria for beneficiary status. In *Class, Race and Inequality in South Africa* Jeremy Seekings and Natalie Nattrass (2005), contend that the National Party, broadened economic access which slowly resulted in a Black middle class that narrowed the income equity gaps between Whites and Blacks. However, the effect of this redistributive regime was to solidify class inequality based on the legacy of apartheid. Seekings and Nattrass typify the late apartheid era as a welfare capitalist regime with redistributive policies and they say that public policies need to be understood in relation to these economic trends. Karlsson (2007) uses this class-based argument of inequality to understand family strategies to access what they say assume are

better education opportunities in suburbs rather than townships, by way of learner mobility crossing the city daily between townships and suburban school.

In *Mobility and Equity: School Transport, Cost of Schooling and Class Formation in Post-Apartheid South Africa* Karlsson (2007) describes education policy since 1994 as intended for increasing access to quality education and the redistributive of public resources. She suggests the open school policy offers the opportunity for school choice. She found that in cities families from townships use public transport to send their children to better schools than those where they live; thus poor black learners access the redressive intentions of education policy by using public transport to travel into the suburbs of the city. Karlsson foregrounds how transport and education are dialogically related through the mediation of families eager to improve their socio-economic or class status. However such choices are contingent on families possessing the necessary social capital, including transport knowledge. The cost of public transport constrains their school choices and lessens the impact of the open school policy. In another work, Karlsson, Gregory McPherson and John Pampallis (2001) construe transport costs as one of the exclusionary mechanisms that prevent poor learners from accessing the schools of their choice. Karlsson's work on transport policy brings to the fore the nuances of policy processes in action that are also referred to by Aslam Fataar. Karlsson's linkage of school choice, public transport and class aspirations are useful to my analysis of policy because these ideas provide an insight into the social background of school transport and how people weave public policy into their daily life in innovative ways.

There appears to be a dichotomy in the South Africa transport policy market. The transport policy environment is a market in the sense that there is the transport industry lobbying government with its conferences, publications and media statements, which focus on the economic aspects and impacts of infrastructural development, the price of fuel, and the effectiveness of government service delivery, particularly in timeous transfers of subsidies. Situated in this lobe are scholar-consultants such as Behrens, who focus on the effectiveness aspects of delivering learner transport. Joining the transport industry, with its consultants are the (arguably) pro-poor politicians and government officials who with others from the academic and engineering fields, speak at transport industry conferences about

policy and more research being directed at transport. This side of the dichotomy I construe as the efficiency aficionados. In the other lobe of the dichotomous arrangement I place critical scholars such as Karlsson, Fataar, Khosa, Bond, and Freund and Padayachee. They are a pro-poor grouping critically examining policy directions.

Although scholars such as Karlsson and Behrens are engaged in the field of researching public transport policy for learners, neither examines the political discourses and the positioning of learners in such policy. As Dawes, Bray and van der Merwe (2007) argue in *Monitoring Child Well-Being: A South African Rights-Based Approach*, even those policies intended to improve the lives of children may be based on ideologies such as neo-liberalism. Taking a rights-based effectiveness and efficiency approach, Dawes, Bray and van der Merwe contend that the context in which children develop is important in measuring child outcomes and that the policy environment is a key facet of the context of the child's environment. In considering the rights of children to improved access to education through policy alignment, and taking transport as a contextual factor, and having found that the dichotomous arrangements in transport policy literature in South Africa has left knowledge gaps it is worthwhile to examine transport policy texts to determine how school learners are positioned in public transport policy.

## **2.4 Summary**

In this literature review I have found that transport and education are in a relationship that influences the daily life of school-going learners and economic activity in South Africa. This is evident in work emanating from The World Bank. Scholars such as Gakenheimer, Behrens, and others have shown that transport is a field that spans levels from the international to the local. There are also knowledge gaps about school learner transport policy. For example, in referring to Fataar's notion of policy networks I have suggested that there may be similarities in public transport policy cycles to the way the state conducted the education policy cycle and these similarities may be worthy of research. I noted also noted Karlsson's concerns with the lived experience of scholars and this, together with the omission of scholars to discuss the meaning of policy for learners and how the state positions learners in public transport policy, has alerted me to a gap in knowledge about school learner

public transport policy. This is the gap in knowledge about the power relations between the state and learners and this indicates that this field is under-researched. My study around the discourses in public transport policy concerning texts for learners will be a contribution to filling that gap.

In the following chapter I discuss my paradigmatic stance and the theoretical and conceptual frameworks which are appropriate and fitting to my key research questions which are about the themes flowing through transport policy and how learners are positioned by these thematic discourses.

## ***Chapter 3: The route map: Methodology and design of the study***

### ***3.1 Introduction***

In my review of South African literature I found that transport is identified as both an enabling and a limiting factor in education access in South Africa. Using the starting point that schooling is mandatory for children aged six to fifteen in South Africa (Republic of South Africa, 1996c) and understanding that education has a vital role in fulfilling the aspirations of families to improve the life chances of their children I have employed a critical stance to examine school learner transport as described in policy texts. Children and poor families may lack the social capital necessary to critique policy texts adequately and thus far, the attention of scholars on transport policy for school learners is minimal. A defining feature of critical theory is that there is an engagement of a social and political nature in the 'sociologically informed construction of society' (Wodak & Meyer, 2001, p. 2). Critical discourse analysts consider language as a social practice and understanding the social context of language as vital for making sense of what is being communicated. In this chapter I explain how I understand policy texts to be a form of language operating as a social practice and I accept Fairclough's (2001) notion that critique brings into the open the connections between language and practice. I make the assumption that school learner transport policy texts contain cues about the direction of the state in relation to school learner transport and I also assume that language in policy use will disclose how school learners are positioned by the state. To do this I employ elements of Fairclough's (2001, 2003) version of critical discourse analysis blended with elements of Scheurich's (1997) policy archaeology.

I now describe the qualitative nature of the study, my critical standpoint, and how I have used Fairclough's critical discourse analysis and Scheurich's policy archaeology frameworks for this study. I provide an example of how my methodology is practised and discuss my handling of issues of credibility and trustworthiness.

### **3.2 Critical standpoint**

This study is qualitative. I have taken a critical stand. The critical standpoint is aligned with qualitative research and acknowledges the potential for subjectivity. To deal with credibility and trustworthiness scholars suggest that the methodology is to be made as transparent as is possible (Henning, Van Rensburg, & Smit, 2004; Titscher, Meyer, Wodak, & Vetter, 2000).

The political and social nature of my policy study, which must take cognisance of the historical inequalities in South African society, has influenced the choice of analytical framework. According to Elizabeth Henning, Wilhelm van Rensburg and Brigitte Smit (2004) critical research is about the lived experience and the social relations that structure those experiences. This is a fitting description of my study because the social positioning of learners in public transport policy texts is the focus of my research. Henning (*et al*) refer to researchers who take up socio-political issues as practising standpoint epistemology. They indicate that critical theorists emphasise ideology where social and economic contexts are understood within ideological critique and practices. The methodological implications of the critical paradigm, as noted by Henning, van Rensburg and Smit, are that the research be participatory, there is involvement, engagement or collaboration of the research with the participants and the data. In this study I examine policy texts; therefore there are no participants. However my paradigmatic stance is critical because I examine the power relations inherent in transport policy texts. School learners are disadvantaged due to their immaturity in age and many are also disadvantaged due to poverty and under-education of their parents and guardians. My stand contributes to the debate on state transport provision for poor learners and brings into the open the state's direction for school transport.

The underlying assumption of the critical theory tradition is that it sets out to change or improve society (Rasmussen, 1996). Critical discourse analysis examines social inequality as % expressed, signalled, constituted or legitimised in discourse+ (Wodak & Meyer, 2001, p. 2). Policy for education and for transport in South Africa are linked through inter and intra-governmental relations. The regulatory framework is designed according to the ideas of the political party in power, the African National Congress. As such the policy environment since 1994 has been shaped by a constitutionally

determined ethos that is intended to change the operation of the state from the discriminatory policies of the apartheid era to a rights discourse. Transport as a social system undergirds the daily life of South Africans. In order to obtain access to education many learners are dependant on the transport system. This is more acute for poor learners because the homes of the poor are often geographically distant (Gakenheimer, 1999; World Bank, 2002) from schools which they perceive to offer quality education. School choice is not an option for poor learners unless the state provides adequate resources such as subsidized transport. Modern geographers such as Jessop (2001, 2004) and social commentators and analysts such as Khosa and Seekings and Nattrass (2005) have shown that spatial relations are relevant to economic and social factors. Apartheid's spatial and transport engineering policies have laid down a legacy transport system and hard landscape of transport infrastructure that support class divisions long after the end of apartheid (Khosa, 2005). The legacy of this cost-intensive infrastructure is unlikely to be erased in the near future but the inequality can be alleviated if the state is pro-active in policy and makes arrangements that support poor learners to access quality education. An objective of my study is to discern if the unequal legacy transport arrangements have been mediated by redistributive mechanisms as evidenced in the discourses in public transport policy. Thus my standpoint is in line with the hermeneutical tradition which aims to understand and interpret a world of constructed meanings and social practices and to make this world more intelligible (Howarth, 2000).

The confluence of political, social and economic aspects in my topic found a suitable transdisciplinary framework in Fairclough's theory of critical discourse, which is the topic of the next section.

### ***3.3 Critical discourse according to Fairclough***

Fairclough's approach to discourse is an appropriate theory frame for my research project because I am interested in the political and economic influence of the policy environment as social change occurs post 1994 and Fairclough construes discourse with social forces such as capitalism and their impact on many areas of social life (2003, p. 4). The relationship between language and other elements and aspects of social life is the underlying theory for Fairclough's notion of critical discourse analysis.

Thus Fairclough (2003, p. 3) describes discourse more explicitly when he says:

oscillating between a focus on specific texts and a focus on the order of discourse; the relatively stable social structuring of language which itself one element of the relatively durable social structuring and networking of social practices.

Critical discourse analysis is a form of textual analysis (Denzin & Lincoln, 2000, 2005; Fairclough, 2003; Titscher et al., 2000; Wodak & Meyer, 2001). Fairclough places it within a larger critical social research project. The aim of critical social research is to bring an understanding of how societies work and produce effects for their citizens and whether negative effects can be mitigated. The aim is achieved through an analysis of language as an element of social life. Social transformation is effected through language and through the study of language social research is advanced (Fairclough, 2003, p. 203). In setting out the theoretical issues of his approach to critical discourse analysis, Fairclough proposes the notion of social practices that are interconnected as networks. He sees the economic, the political, the cultural and the family as networks of social practice, which are stable forms of social activity. Each social practice has various elements, such as time and place, subject and their social relations, activities, values and discourse. These elements, such as discourse, are dialectically related to each other. This means that the elements are connected and have internalized each other to some extent although being distinct and having distinct properties and tensions. As simplified by Fairclough: (2003, p. 205) critical discourse analysis is analysis of the dialectical relationships between discourses. In other words, critical discourse analysis is a method by which to examine the changes and transformations in the relationships between the elements of social practices. Language contributes to the way social relations operate. Language therefore produces and reproduces social identities and relationships. Fairclough is specifically interested in the concrete language use and the wider social and cultural structures (Titscher et al., 2000, p. 149). For my study, I have appropriated Fairclough's use of the term discourse in the sense of meaning language as a particular way of representing the world.

Howarth (2004) states that Fairclough brings together diverse currents of thought using Giddens's theory of structuration. These currents stress that people need to

explain the world and do so in their own terms and that social systems determine the way people explain the world. In Fairclough's critical discourse analysis the task is to examine these dialectical relationships and to expose the way in which language and meaning are used by the powerful to achieve their own objectives even if this is through domination. For the purpose of my dissertation, the 'powerful' is construed as policymakers and the 'dominated' as learners. Policy is designed and set to work to circumscribe what people may or may not do and under what circumstances. Kincheloe and McLaren (2005) problematise the ways that the economy, discourses and social institutions constitute social relations where people have become socialised to accept less democracy and freedom and to feel comfortable with domination and subordination. In terms of Fairclough's (2003) approach to critical discourse analysis, a policy suite is a chain of connected texts in the same genre and the discourse works intertextually to support the central message and strengthen the prevailing hegemony. The task therefore in my analysis will be to examine the dialectical relationship between policy texts and the world of transport for learners and to foreground the ways in which the construction of learners in policy texts may influence their expectations of equity and equality.

### **3.4 Using critical discourse analysis**

Although rigid prescriptive measures are eschewed by critical discourse analysts (Denzin & Lincoln, 2005; Fairclough, 2003; Howarth, 2000) and indeed one of the criticisms of critical discourse analysis is that the methodology is untraceable (Widdowson, 2004), its location in the qualitative paradigm allows for certain guiding principles. These are set out by Tesch and printed in Henning, van Rensburg and Smit (2004, p. 127). These principles are:

- Analysis takes place throughout the data collection process as the researcher reflects on impressions, relationships and connections;
- The researcher seeks similarities, differences, categories, themes, concepts or ideas;
- Analysis begins with a reading, the data is then deconstructed in smaller units
- An inductive process occurs as the data units are organised into units that present from the data itself;

- Comparisons are used to build and refine categories, discover patterns and define conceptual similarities;
- Categories are flexible and may be modified during the analysis;
- Analysis should reflect the respondents' perceptions; in reading the text I am responding to the text and its contexts and from that give my interpretation. Thus I will be the respondent in this study.
- The result of analysis is a synthesis in the form of themes that are discussed.

In describing qualitative analysis, Henning (2004, p. 127) insists that data analysis shall be subject to rigorous, systematic, methodologically disciplined and documented reasoning and argumentation. I intend, in applying aspects of Fairclough to analysis of policy texts to be as systematic as is feasible. Given that the context of the policy texts is dynamic, that every policy environment is unique and that New Public Management in the South African policy environment is not yet orthodox. Discourse analysis practitioners are criticised for their lack of adherence to strict parameters of analysis (Cohen, Manion, & Morrison, 2007; Henning et al., 2004; Maree, 2007; Widdowson, 2004) and Fairclough has answered these claims by providing descriptions of the terms he uses and by situating his praxis in terms of globalising economics.

What I did in the analysis of each extracts was to place learner transport policy within social and political discourse at a specific level of state authority, for example, national, provincial or local government. I show the reach of discourse genre chains by discursively linking the texts to other policy texts in the policy suite. I contextualize learner transport policy within legacy discourses through reference to policy archaeology typology such as identifying stakeholders and the probable normative values associated with the field represented. For example, a business association will be represented as having an interest that aligns with the principle of upholding market sustainability. I identify themes that position learners within historic discourses that evidence power relations where learners are subordinated.

Fairclough (2003) describes a schema to contextualise his praxis which takes in i) a description of the text as text analysis, ii) an interpretation of the text as the process

of analysis and iii) an explanation related to the analysis of the social setting. This schema is sometimes represented as a set of nested boxes (Titscher et al., 2000). This does not do justice to the more fluid concept of discourse as described in Fairclough (2006) *Language and Globalisation*. For example, Fairclough explains that people adapt to situations, discourse flows from one context to colonise another. The concept of fluidity describes the movement of ideas across disciplines and he suggests that commonalities that occur in texts can be traced to their origin. An example of how the method works is now given. I first discuss the setting and background to the policy and show how the policy is incorporated into a particular section of the genre of public transport policy texts for learners. Then elements of the extract are analysed and a discussion ensues. For example:

To assist in the evaluation and targeting of public transport subsidies+

The word evaluation coupled with targeting is an example of a collocation in which two or more words are used together to form an idea and the same collocation is repeated until the separate ideas are bound together discursively. Following Fairclough (Fairclough, 2006), one could read this collocation as a political indirectness that elides political will with the needs and desires of citizens. The discourse can be read as re-distributive if it were not closely examined and understood to be vague: how subsidies are to be redistributed are not clarified here.

A second example:

The extract:

Objective (ii): To identify disadvantaged regions and communities+

This is an example of categorisation. Categorisation occurs in order to permit labelling and therefore assists in problem identification. The survey was a quantitative study of how many people, which people, travelled how many times, how far, when and by which mode of transport. This categorisation evident in the survey has provided many field and opportunities for problem identification and policy solutions.

### **3.5 Key terms used in this study**

Fairclough uses some technical terms that are used in a particular way. Below are the key terms I have used in this study.

Discourse: A way of representing social ideas and practices. For example, the phrase %public transport+ carries the meaning that this type of transport can be used by all citizens: it is not reserved or restricted to the use of specific groups.

Collocation: Distinctive patterns of co-occurrence of words that signify discourses being operationalised. An example of this occurs in the text *Quantifying the needs of special user groups* (Durban Metropolitan Council et al., 2000). The phrase %special user+ refers to groups of transport users who are marginalised such as the aged and disabled. By including school learners in this group, each time the phrase %special users+ appears an association with these other groups is intended.

A discursive event: Texts as an instance of language use that discursively shapes social practices. An example of a discursive event is the presentation of a speech by a politician to an interest group such as the speeches of Jeff Radebe to various business groupings.

Text: The generic meaning of text is any printed form of communication such as a policy text printed in a gazette. Text can also mean communication posted on the internet and which can be read online. In my study, text means the transcripts of public transport policy texts and associated texts that are analysed in Chapter Five.

Interdiscursivity: The constitution of text from diverse discourses and genres, that is, the common elements within texts that are drawn from other associated texts and that support the arguments or positioning of a particular way of representing the social world. An example of interdiscursivity is the reference that subsequent texts make to the human rights values in the *Constitution* thereby creating an association or impression of coherence with the values of the *Constitution*.

Genre: The category of texts that shape public transport for school learners, for example, the *Constitution*, the *White Paper on National Land Transport*, the *National Guidelines on Learner Transport*.

Order of discourse: The relatively durable social structuring of language as an element of the relatively stable structuring and networking of social practices, for example, transport has its own terminology and uses words and phrases such as passenger, commuter, stranded and survival to convey specific meaning.

To deepen my analysis of school learner transport policy texts I have chosen to blend elements of Scheurich's policy archaeology into the framework of analysis. Using more than one theoretical framework is a strategy that is suggested by critical discourse scholars as a means of enhancing the acceptability of critical studies (Titscher et al., 2000).

### **3.6 Scheurich's policy archaeology approach as an analytical framework**

James Scheurich (1997, p. 98) policy archaeology approach divides policy analysis into four focus areas. The first area is the study of how the specific problem is constructed socially. The second area of focus is the identification of the social conventions or the network of social regularities which are used to define the social problem and the solutions. The third area of focus is the study of how acceptable solutions are formulated. The fourth area of focus is about the social function of the study of policy. As Scheurich admits, separating the four areas of focus is very difficult in practice. For my study, the first, second and third focus areas, that of understanding how the problem is constructed, its social conventions and acceptable solutions are briefly explored in Chapter Five. The fourth focus area, the social function of policy is to understand the social positioning of learners in transport policy texts. The purpose of the study falls into the fourth arena

Scheurich (1997, p. 112) accuses policy analysts of retaining the core characteristics of the dominant social orders to which they are exposed and of reproducing the grid of social regularities associated with their own backgrounds. In my application of Scheurich's concept of core characteristics the assumption is that if I substitute policy makers or policy implementers for policy analysts, this brings into sharper focus the power relations in the public transport policy process..

Uncovering that history and exposing the history of the social and professional connections of policy makers can provide insights into the policy process and how the participants in that process construct the problems and the solutions. Aslam Fataar (2006) does this when he shows how policies change and evolve over time according to the influence participants have in the policy process.

In critical discourse analysis the concepts of history, ideology and power are the underpinning principles (Wodak & Meyer, 2001, p. 15). These concepts are also inherent in Scheurich's policy archaeology and form the basis of his approach to laying bare social forces and conventions. The methodologies used in critical discourse analysis and policy archaeology are contingent on the social problem under investigation and the research questions that are asked. In my study, the first question asks what the school learner transport policies are and the second question is about the discourses that position learners in these policies. Therefore, underlying my questions are assumptions about the history, the ideologies and power relations in policies that shape the direction of public transport for school learners. Scheurich's policy archaeology approach is a narrower approach to policy than that of Fairclough who has moved into the field of analysing how political discourses are managed by politicians. In adding the texts of political speeches as elements of the public transport genre I have gone a little way into the territory of discourse management. So, I use Fairclough's approach to structure my study as an examination of language as social practice and also to enter into an examination of the social management of policy by politicians and others in a limited way. I use Scheurich's focus areas in different ways. Arena One I use to understand how the problem of learner transport is constructed and how this construct appears as discourse. Arena Two and Three I use to understand the social conventions such as those of that shaped ideas of the scholars in the literature review. As noted above, Arena Four is the purpose of my study, to uncover the discourses that position learners. These various uses may not always be explicit. However, the selection criteria for texts are informed by Scheurich's approach.

### ***3.7 My application of the methodology***

In discussing policy within a critical discourse analysis methodology and policy archaeology, contextualisation is fundamental to arriving at a critically acceptable

interpretation (Fairclough, 2001, 2003). In developing the criteria for choosing policy to use in my close critical discourse analysis of those texts I have had to contextualise public transport policy for school learners. My social history of these policies is presented below in Chapter Four. The problems I encountered centred on designing a method so that my study would be critical but also that it would be reliable. Fairclough gives some indication of his discourse analysis method but these do not apply directly to policy text analysis. I therefore had to find my own way and devise a way of working that suited the purpose of my study. In this I found that Scheurich's policy archaeology terminology was useful in structuring the choice of policies and in identifying themes that were applicable to the positioning of learners. I am referring specifically to the notion of core characteristics and social regularities which both guided the structure of the literature review and were useful in establishing the criteria for selecting texts.

### **3.8 Criteria for selecting texts**

I used four criteria to select texts for analysis: these are time span, the policy regulatory framework, stakeholder statements and the geopolitical arena. The selection of texts is purposive within the selection criteria frame (Maree, 2007). The texts were accessed through a variety of sources: the University of KwaZulu-Natal libraries, other institutions, contact persons and the Internet. A brief explanation of the criteria follows.

**Time span:** Texts were selected that fall within the period from 1994 to 2009. The reason for this time span is that the policy climate in South Africa after the transition from the pre-1994 apartheid era to the start of democracy in 1994 dynamic. Many policy texts were issued after 1994. For the purposes of the study I have used 2009 as the ending year. Thus the period spans sixteen years. An example of a text from this period and which is anticipated to have a long reaching effect is the *National Household Travel Survey* (Republic of South Africa, 2003b). It is an important text because policymakers may still draw from the findings for at least a decade.

**Policy Regulatory Framework:** The policy regulatory framework is the set of texts which emerges from the three levels of government and determines public transport arrangements and regimes of practice. These texts frame the actions and responses of policymakers, bureaucrats and other stakeholders such as those with business

interests and will affect the transport choices of learners. An example of a text with a regulatory purpose is the *White Paper on Land Transport* (Republic of South Africa, 1996d). It is the seminal document on which the development of the post 1994 revised transport sector is founded.

Stakeholder statements: Stakeholder statements are comment and opinions from organisations and individuals which have an interest in the direction and implementation of the policy regulatory framework. An example of such a text is the *Keynote Address* given by the Minister of Transport at the KwaZulu-Natal Transport Indaba in February 2008.

Geo-political context: The geo-political context of my study is South Africa with a focus at provincial and local government level in KwaZulu-Natal and eThekweni Municipality. An example text from the local level is the *Integrated Transport Plan for 2005-2010 for the eThekweni Transport Authority* (De Leuw Cather & Emtateni, 2005).

### **3.9 Access, authorship and status of the texts**

1. Access: I used policy texts that were in the public domain.
2. Authorship: The authorship of policy texts can be difficult to discern. I either acknowledged the authors as they were set out in the text or allocated an assumed institutional authorship.
3. Status of texts: Policy is not viable until it is implemented therefore the status of policy can be problematic. As my study is a critical textual analysis I assumed that if a policy was in the public domain then I could further assume the existence of discourse and positioning in such policy.

### **3.10 Issues of trustworthiness and credibility**

Critical discourse analysis as a method is accused by Widdowson (2004) as lacking in scholarly credibility. Fairclough (2001) countered this accusation of a lack of methodological rigour by describing his way of working and in defining the terminology used in his works. I deal with the issue of credibility and trustworthiness by providing an explanation of my stance, of explaining which elements of the analytical frameworks I have applied and how I applied them to extracts from policy texts. I have attempted to argue in a logical manner based on my knowledge of the topic as informed by relevant scholars, and in the context of the political events and

social milieu that pertain in South Africa. As this environment is dynamic and there is much that I could not know or find out, I acknowledge there may be undiscovered knowledge that could discredit what I attempted in this study as much as there may be knowledge that will support my findings.

### **3.12 Summary**

In this section I set out the analytical framework which blends elements of Fairclough's version of critical discourse analysis with elements of Scheurich's policy archaeology method. The criteria for choosing texts were set out and a motivation for my blended methodology was provided. I then gave two examples of how the methodology is practised in Chapter Five.

The next section, Chapter Four, is about the first research question and sets out the policy suite which I am examining.

## **Chapter 4: Travel guides and byways: A history of relevant public transport policies since 1994**

### **4.1 Introduction**

This chapter refers to my first research question about which policies from national, provincial and local government frame public transport for school learners. I briefly describe those policy texts. Texts from the transport and education fields are organised according to the level of government from which the specific policy emanated: national, provincial or local. The geo-spatial focus narrows to the Province of KwaZulu-Natal and to the point of delivery focus which is the local authority, namely the eThekweni Municipality. This chapter therefore provides an overview of policies that frame public transport provision; policies that govern public transport provision; and policies that make provision for the practical arrangements of scholar public transport policy.

### **4.2 National Policy Framework**

This section on national policy begins with the *Constitution* which sets out the values intended to shape and infuse government service delivery, followed by a discussion of *The White Paper on National Land Transport*. They are two seminal texts for all transport policy in South Africa. Texts issued by the National Department of Transport follow. For this the primary texts I discuss are the *First National Household Travel Survey* and *Moving South Africa Strategy*. They provide information and suggestions for the direction of policy. This is followed by the *National Education Policy Act*, a text associated with the national Department of Education, the *Report on the Status Quo of Learner Transport* and the *National Guidelines on Learner Transport*. The latter refers to standardised practical arrangements on learner transport.

#### **4.2.1 The Constitution**

During the transition period towards the end of apartheid (1990-1994), stakeholders first drew up an interim Constitution and then in 1996 the *Constitution of the Republic of South Africa* (Republic of South Africa, 1996a) was adopted. The *Constitution* required all subsequent policy to comply with human rights, amongst other

principles. Government authority is structured as a co-operation between the national, provincial and local levels which are distinctive, interdependent and interrelated+ (Republic of South Africa, 1996a, p. 25). This is set out in *Schedule Four, Functional Areas of Concurrent National and Provincial Legislative Competence* and *Schedule Five, Functional Areas of Exclusive Provincial Legislative Competence*. *Schedule Four* includes matters allied to transport, such as road traffic regulation, and vehicle licensing, all of which indirectly affect school learners using public transport. *Schedule Four* also sets out public transport under municipal authority. *Schedule Five* speaks to matters about traffic. These areas of provincial governance all have implications for school learner transport and public transport policy. The significance of these *Constitutional* provisions is that children are specifically mentioned as being in need of protection in Section 28 and Section 29 which deal with their rights to education. Thus, I see the *Constitution* as paving the way for other policy texts to cover the specific policy terrains of education and transport. These are the policies described in the rest of this chapter.

#### **4.2.2 White Paper on Land Transport**

After 1994 stakeholders such as officials from the transport authorities, technical experts from university engineering departments and transport business interests came together to draft new transport policy. This led to the issuing of the *White Paper on Land Transport* (Department of Transport, 1996). It informs the basis of transport policy since 1996. The *White Paper* proposes arrangements for the devolution of transport authority to local government levels, where competency for transport provision exists. It stipulates that transport arrangements must be coherent with national developmental objectives. One of these national objectives entails ensuring the right of access to quality education. School transport arrangements are directly influenced by the terms of this *White Paper*. Another stipulation of the *White Paper* is that further texts will set out the detail of transport arrangements. Therefore government extends transport policy in order to restructure transport in line with national transport objectives. It does this through issuing a suite of policy or policy-related documents that fall under the remit of the two departments, namely, the Department of Transport and the Department of Education.

### **4.2.3 Department of Transport**

The National Department of Transport has published several documents that touch on school transport since the *White Paper on Land Transport*. Among these is *The First National Household Travel Survey* (Department of Transport, 2003). It was the first survey of how South Africans experience public transport. The results of the analysis of the survey support the policy process through providing quantitative and qualitative information of the concerns of South African citizens about their daily transport needs and experiences. A summary of the report published as *Key Results of the National Household Travel Survey* (Department of Transport, 2003) provides an overview of the statistics about experiences and perceptions of citizens, including school learners, using public transport. An important finding was that trips to education institutions are significant in the transport sector, comprising approximately one third of all national daily travel. This finding points to the effect that education transport has on other transport-related business sectors such as the road building, the vehicle trading and fuel industries. Another significant finding was that households experience transport as an economic burden, thus transport costs pose a barrier to education for poor households.

The results of the survey appeared only after an important public transport policy document, *Moving South Africa Strategy* (Department of Transport, 1999), was published. This sequence raises a question about the evidence and theoretical basis for the strategy document and other transport policies that were issued between the *White Paper on Land Transport* in 1996 and before the *First National Household Travel Survey* in 2003. The recommendations of the strategy document and consequent policy direction are problematic if they are not founded in evidence from such surveys. However, *Moving South Africa Strategy* informs other subsequent texts in which plans are laid for long term public transport provision which include the *Proposed National Transport Master Plan 2005 – 2050* (Department of Transport, 2006), the *Public Transport Strategy* (Department of Transport, 2007), and the *National Land Transport Bill* (Republic of South Africa, 2008). In these transport policy documents there are allusions to public transport for school learners but there are no definitive statements as to the source of funding for school transport and there are no timelines for the implementation of a standardised scholar transport systems. Thus the school transport arrangements are open to interpretation by the

implementing departments. In terms of Schedule Four of the *Constitution* (Republic of South Africa, 1996a), transport is an inter- and intra-governmental matter. Thus the Department of Transport must work with other government departments to ensure the coherence of policy to governmental objectives. Thus ambiguous policy areas should be worked out between the various authorities and it is likely that the outcome will be dependent on the levels of co-operation between them. In these various texts the government also does not provide specific relief measures for poor households, which is a need indicated in the *First National Household Travel Survey*. This has consequences for learners from poor households in that their access to transport is constrained by household income. These strategy and planning documents indicate that the existing transport infrastructure is to be reconstituted as the basis of transport planning for the near and distant future. The omission of specific relief measures for households, the couching of transport provision in economic terms, and the reworking of the legacy transport in ways that are more symbolic than transformative, brings into question the coherence of transport policy for poor urban learners especially. One of the national objectives is to promote increased access to education (African National Congress, 2007) and transport is a key enabling condition for that to happen. Transport is the support system that undergirds increased access to quality education due to the geographic legacy of apartheid infrastructure. The geo-spatiality of South African cities has been recognised in transport policy in terms of this legacy infrastructure (Khosa, 2005).

In 2009 the State issued the *National Scholar Transport Policy* (Department of Transport, 2009). The Department of Transport situates this policy in terms of a raft of legislation and policy documents that it has issued. Citing the fragmented treatment of scholar transport and the fact that some provinces had transferred responsibility for learner transport from the Department of Education to the provincial Department of Transport, in this text the national Department of Transport formulates policy to standardise the implementation of school transport. This policy allocates the Department of Transport custodianship over scholar transport. This appears to overtake the roles and responsibilities set out in the Department of Education's earlier *National Guidelines on Learner Transport* (Department of Education, 2006a). The principle of co-operative governance and coherence is emphasized in the Department of Education's guidelines which allocate the Department of Transport

merely the status of a partner and transport provider. Another important difference between the two scholar transport policy texts is that in the *National Scholar Transport Policy* the Department of Transport acknowledges and attempts to resolve the fragmentary nature of school transport funding.

In the next section, I discuss policy texts from the national Department of Education.

#### **4.2.4 Department of Education**

The national Department of Education's task after 1994 was to transform the education system and thereby to bring equity of education service provision to learners. Values and principles such as equity and redress as enshrined in the *Constitution* appear in the education policy. In the *White Paper on Education and Training: First steps to develop a new system* (Department of Education, 1995) the message from the then Minister of Education, Professor Sibusiso Bhengu, is that the interests of learners are the Department's first consideration. Of the broad policy considerations mentioned in the first *White Paper on Education and Training* the second is that there are barriers that prevent school attendance. The lack of transport and the distance from school are two of the barriers. In discussing barriers to education, *White Paper One on Education and Training* makes the statement that not all the barriers can be alleviated by the education department. The *White Paper* states that the Reconstruction and Development Programme will provide some relief of the barriers to education. The Reconstruction and Development Programme that was designed in the early stages of the new democratic regime in South Africa was later re-organised according to a different economic regime, known as the Growth, Employment and Redistribution Programme. This new regime impacted negatively on the equitable delivery of services such as transport (MacDonald & Pape, 2002). In the second white paper on education, the Department of Education notes that the Ministerial Committee tasked with revising the organisation, governance and funding of schools recommended that transport be provided, especially for rural learners. The Department of Education responds indirectly in Section 6.23.5 of the second white paper on education, by noting that the costing implications, budgetary mechanisms and other implications of this recommendation such as the legal, financial, political and administrative implications were still under construction. In Section 6.33, the Department notes that the review committee recommended that

school transport for Learners with Special Needs should be rationalised. No explanation is given. The Review Committee had recommended that a collaborative effort was needed between the departments of education, welfare, health and transport so that efficient services would be provided. The response of the Department of Education is to refer these matters to the National Co-ordinating Committee on Special Needs Education. The second *White Paper* concern regarding budgetary constraints and the deflection or postponement of responses indicates that the Department of Education found the suggestions of the Ministerial Review Committee challenging. There were no new developments until 2007 when in response to the Parliamentary Monitoring Group on education, the head of finance of the national Department of Education said that transport policy for school learners was not devised or funded at a national level although a national policy document was under consideration.

Alongside the first and second *White Papers* the government passed legislation that is relevant to schooling. I turn to these statutes now to consider how they may have addressed transport issues. As mentioned above, all South African policies must be couched in the human rights and co-operative governance discourses of the national *Constitution*. Thus, Section 3 of the *National Education Policy Act 27 of 1996 (Republic of South Africa, 1996b)* refers to co-operative governance between all levels of authority in taking forward education policy. Section 3(o) mentions a number of social services linked to the optimal provision of education. It is notable that public transport is omitted from this list of education support services. However, Sections 2.5 and 3.2.3 refer to national traffic and road safety in relation to the annual school calendar. This inclusion of transport safety issues which relate only to the annual close of the school year ignores the impact of daily school travel not only on learners'safety but on their school attendance and performance.

Section Three of the *South African Schools Act* (Republic of South Africa, 1996c) makes school attendance compulsory and makes it the duty of parents to ensure that eligible children attend school. Yet transport arrangements for school learners are not discussed in the *South African Schools Act*. However, there are two later documents at national level which deal exclusively with school learner transport. The first is the *Report on the Status Quo of Learner Transport Assistance Schemes*

(Department of Education, 2006b). This report problematises learner transport in South Africa in terms of international and local practices in order to identify key issues, and to develop and evaluate intervention strategies to help increase access to schools (2006b, p. 4). The second text is the *National Guidelines on Learner Transport* (Department of Education, 2006a). It sets out a framework of inter- and intra-governmental relations for school learner transport. The term learner transport assistance as used in the text is ambiguous. It does not intend, for example, standardised subsidies fare per user, or a standardised level of service. This means that the level of service is open to interpretation by the provider authorities. There is a schematic representation (2006a, p. 10) that shows that transport policy is spread across four levels of authority, namely, the national Department of Education, national Department of Transport, Provincial Education Departments, Provincial Transport Departments, and education districts, regions and schools. There are two separate national and provincial departments involved in determining school learner public transport policy. At the local level, the school must work with the provincial education department and local metropolitan transport authorities to identify beneficiaries and providers and to design and monitor the provision of the transport service. This framework is complex and it creates additional work at the delivery level for districts and schools which are already under pressure due to social problems that impact on education. The framework has implications for social power relations in that it requires extensive levels of inter and intra-governmental co-operation to ensure equitable service. It appears from this guideline document that the national government tasks the provinces and local governments with monitoring and evaluating service delivery on its behalf. In these texts the messages that the Department of Education communicates on the future of learner transport assistance are unclear.

To sum up, in this section about the national level of government, I have argued that learner transport policy should be couched in terms of human rights and co-operative governance. Yet the potential for policy incoherence and subsequent distortion of the rights discourse is revealed by the questionable contextual relevance of certain texts, the hesitant responses to review committee concerns and the ambiguity of crucial terminology. Due to the sequence of a critical strategy text being composed before research into the national experience of public transport was undertaken, and the

complex legislative relationships required to nurture policy coherence (Maile, 2008) the potential for policy disjuncture is evident. Despite there being national guidelines for learner transport assistance the national Department of Education disclaims budgetary responsibility. It is a truism in policy analysis that unfunded programmes suffer implementation and delivery crises therefore the provision of regulatory guidelines without making budgetary allocation is an example of what Jonathan Jansen (2001) may term symbolic policy-making. Although provincial authorities are given responsibility for implementing learner transport assistance they do so according to criteria of need as determined at school level pointing to the potential for unequal treatment of learners.

I will now discuss provincial policy with specific reference to the Province of KwaZulu-Natal only.

#### **4.3 Provincial Government**

In terms of Schedule Four of the *Constitution*, each provincial government is responsible for public transport arrangements within its boundaries. Owing to the scope of this study a full discussion of policies from all nine provinces cannot be undertaken here. Thus, I have selected policies and policy-related public transport texts from the Province of KwaZulu-Natal for discussion. The provincial authority's text, *Programme of Action for the Interdepartmental Priority Clusters* (KwaZulu-Natal Provincial Government, 2004) locates transport and education together as community infrastructure sectors of the provincial authority. This notion of clustering assumes that the provincial Departments of Education and Transport are able to work co-operatively and produce a joint policy on school learner transport. As will be seen from my discussions below, such assumptions are fraught.

The complex roles and responsibilities envisioned by the co-operative governance model of the *Constitution* are problematic in the context of the political history of KwaZulu-Natal. The provincial authority has constraints on its delivery of standardised learner transport assistance. These constraints include its geographic size and hilly terrain, the underdevelopment of transport infrastructure in rural areas, high levels of children living in poverty and high numbers of school-age children. I now discuss policies from the KwaZulu-Natal transport department.

### **4.3.1 KwaZulu-Natal Department of Transport**

At the provincial level, transport in the Province of KwaZulu-Natal is a key component of safety and security. Therefore, the provincial cabinet has one provincial member of the executive committee (MEC) who is responsible for these dual portfolios of transport, and safety and security.

The *Report of the Head of Transport 2004-2005* (KwaZulu-Natal Department of Transport, 2005b) states that passenger planning in a province takes place in terms of the prescripts of the *Constitution* (Republic of South Africa, 1996a), the *White Paper on National Transport* (Republic of South Africa, 1996e) and the *National Land Transport Transition Act* (Republic of South Africa, 2000). However, constraints of capacity and misunderstanding of national guidelines were noted (2005b, p. 85). What these constraints and misunderstandings might mean for school learner transport in KwaZulu-Natal is unclear. Although a provincial transport policy is reported as having been drafted, it is not available in the public domain. Nevertheless, there is mention of school transport in the resolutions adopted at the *KwaZulu-Natal Department of Transport Annual Summit: Resolutions as adopted by Commissions* (KwaZulu-Natal Department of Transport, 2005a). There were various commissions that presented summaries of their resolutions at this summit but no other information about the Summit is available in the public domain. The Summit resolved to recognize scholar transport as a dedicated service – accelerate the development of a special permit for scholar services – to extend subsidies to scholar services – to compile a development programme (2005a, p. 1) and to identify high risk schools and work with municipalities to fast track the process of setting up scholar patrols (2005a, p. 2). The Summit also resolved to work on a multi media project that may be about road safety for children and to strengthen the Memorandum of Understanding between the Department of Transport and the Department of Education (2005a, p. 3). The discourse of child and learner safety is strong in these resolutions. The mention of a memorandum of understanding is of significance as the two departments, education and transport, are government community infrastructure cluster. Therefore the intention to engage in co-operation between the provincial Departments of Transport is recognised. The resolutions dealing with dedicated school transport and the administrative arrangements indicate that the KwaZulu-Natal Department of Transport are participating in the discussion

about school transport as a service delivery area. The KwaZulu-Natal Department of Transport ([undated]) has a draft *Procedure for the Regulation of School Transport*. This text sets out the process to be followed by operators requiring licenses to transport school children. Item 1.4.9 (unknown, p. 2) of this text provides for input by the Department of Education into the requirements for school transport but there is no evidence that this occurred. The KwaZulu-Natal Department of Transport also published *Public Transport Regulations* (KwaZulu-Natal Department of Transport, 2007). This text regulates learner transport but does not provide a framework for the standard of that service for learners. The inter-governmental nature of school transport at the provincial level of authority is evident in this set of texts from the KwaZulu-Natal Department of Transport. In terms of the *National Guidelines on Learner Transport* issued by the Department of Education, it is evident that provincial Departments of Transport is a service provider to the provincial Departments of Education yet there is no convincing evidence of this partnership in KwaZulu-Natal in the provision of transport services to learners. The next part of this section on the provincial levels of authority deals with school transport and the KwaZulu-Natal Department of Education.

#### **4.3.2 KwaZulu-Natal Department of Education**

At the time of conducting this study there are no KwaZulu-Natal Department of Education policy texts on learner transport available in the public domain. This is despite the provincial Department of Education being clustered with the Department of Transport and the Department of Transport indicating in its internal documents that it is in a partnership with the Department of Education as regulator and provider of learner transport. This gap signals unresolved policy issues in the provincial level of government. It also indicates that the coherence of policy matters and working relations within and between departments is encountering challenges. National policies on transport allow for local governments having the necessary competence to be responsible for delivering local transport services. The next section discusses local transport policies in one municipality.

#### **4.4 Local Government Policies: eThekweni Transport Authority**

In the province of KwaZulu-Natal, the eThekweni Municipality fulfilled this competence criterion and so it established the eThekweni Transport Authority. The municipal area of eThekweni is made up of the City of Durban and a large outer area that incorporates several minor municipal authorities of the apartheid era. This transport authority exerts authority over transport arrangements in the largest, most densely populated and developed municipal area in the province. The school infrastructure in the eThekweni Municipality is extensive and includes approximately ninety schools and thousands of learners. Therefore transport for school learners is a policy area that this municipal authority might reasonably consider for special attention in transport texts. Thus, the eThekweni Transport Authority, an entity constituted in terms of the *National Land Transport Transitional Act* (Republic of South Africa, 2000), serves as a good case of a local government authority developing public transport policy related to school learners. The *Founding Document: eThekweni Transport Authority* (eThekweni Municipality, KwaZulu-Natal Department of Transport, & National Department of Transport, undated) is a three-party agreement of the national government, represented by the Department of Transport, and the KwaZulu-Natal Department of Transport and eThekweni Municipality.

The Founding Document sets out the operating principles of the Transport Authority. The municipality takes total control of transport, manages the movement of people and it can set fares for subsidised services and concessionary fares for special categories of passengers – includ[ing] – learners+ (undated, pp. 2-3). In Section 4.3.1 above, I noted that the KwaZulu-Natal Provincial Department of Transport resolved in 2005 to extend subsidies to scholar services. Yet it is significant for school learners that the local transport authority, i.e. the municipality, can determine such fares for subsidised and concessionary services. The significance of the local authority determining fares for school learners is that learners have limited choices as to the transport modes they can use to reach schools. Therefore their choice of school is affected by the affordability of transport. The founding agreement further determines that the local authority is represented on the governing body of the eThekweni Transport Authority by three councillors who are political appointees. Thus political control over fare-setting for school learners may leave scope for the interests

of vulnerable citizens, such as school learners, being marginalised. However, if the authority is sympathetic to a pro-poor agenda, then such a composition of the Authority may benefit vulnerable citizens.

A local policy-related study, *Durban Metro Public Transport Policy Study: Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000) confirms learners as special users of transport. There are two compelling reasons for situating this text in the suite of public transport policies of the early post-apartheid policy environment. Firstly, the policy study was a joint project of national, provincial and local governments. Secondly, the authors contextualise and situate special user groups in public transport. As shown above, school learners are also identified with special user groups in other policies such as the *National Land Transport Transition Act* (Republic of South Africa, 2000), *Moving South Africa Strategy* (Department of Transport, 1999) and the *Constitution* (Republic of South Africa, 1996a). In invoking the *Constitution*, the text acknowledges the human rights discourse pertaining to children in Section 28 (2). The authors accept the arrangements envisioned by the national government for transport responsibilities in competent municipalities. This text argues that the special user groups such as school learners have economic implications in transport provision. The text further places the burden of paying the school learner transport service with the Department of Education. From the position taken in these texts on the transport services for school learners, it is clear that the eThekweni Transport Authority, as an entity of the eThekweni Municipality, recognizes that school transport needs special attention. The authority has signaled its concern over the cost implications of the special needs groups in which it has categorized learners. It has also signaled that it intends to recover these costs from transport subsidies. The categorization of learners in the special needs group which qualifies for economic support signals can hold positive outcomes for learners if the national developmental goal to support education access position is upheld by the transport authority. There is the possibility however that this may marginalize learners whose lack of social capital lends them to be exploited. Their needs can be overwhelmed by economic considerations of other, better organized and well resourced groups in the transport industry.

#### **4.5 Summary**

In this chapter I set out the framework of public transport policy in relation to school transport. The national, provincial and local levels of authority were listed as the main authorities responsible for policies relating to my research questions. I found that responsibility for transport for school learners is an area of authority that is located between the education and transport departments. Policies do not exist at all levels and in all segments of government thus the provision for learner transport is hampered when necessity for cooperation at provincial and local level is limited or does not take place. Transport policy at all levels is framed within the *Constitution* (Republic of South Africa, 1996a) and *White Paper on Land Transport* (Republic of South Africa, 1996e). The national Education and Transport Departments issue texts acknowledging that school transport should be regulated and that there should be cooperation between their departments. However, at the time of this study in the Province of KwaZulu-Natal there is no evidence of a strong interdepartmental framework of public transport policy for school learners. Nevertheless draft regulations and documents which mention aspects of learner transport such as safety and the procedure for licensing operators. An important aspect of support for learners, a transport subsidy, is mentioned by the transport department of KwaZulu-Natal but how this is to be raised or distributed is unclear in the policy document. Similarly, at the local level of the eThekweni Municipality, public transport policy takes school learners into account but does not make any explicit arrangements that advance the best interests of children, as required in the *Constitution*.

Having provided a brief history and outline of the policy frameworks in this chapter, I now discuss the findings based on my close reading and critical discourse analysis of key policy texts.

## **Chapter 5 Route markers and signposts: Findings**

### **5.1 Introduction**

The dynamic and exciting policy transformation in post-apartheid South Africa has resulted in extensive new policies. Critical scholars and ordinary citizens have debated these policies. Particularly in education there has been a raft of policy produced, implemented, and revised because such policy falls short of expectations. Transport policy is also under construction. Texts describing a transport vision for the next fifty years are in the public domain. Such transport policy pronouncements also touch the lives of learners. The effects of these transport texts have come under some scrutiny in the public media and from business interests, yet the vital link between access to education and learner transport is under-explored by scholars.

In this chapter I discuss extracts from selected public transport policy. I identify words and phrases that position learners in particular ways. The texts I use include the *White Paper on Land Transport* (Republic of South Africa, 1996e); the *National Guidelines on Learner Transport* (Department of Education, 2006a); and *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000).

To begin with the analysis: the first finding incorporates two concepts, that of rights, and that of decentralised governance.

My first finding is about the centrality of the principles of human rights and decentralised government as set out in the Constitution for transport policies. My second finding is there is a complex legal regulatory framework that raises issues of the policy coherence within and between the levels and departments of government. My third finding is that the provincial Department of Transport and Education in KwaZulu-Natal appear to be out of step with each other on school learner transport and this confirms the potential for policy incoherence in complex legislative and regulatory frameworks in my second finding. My fourth finding is that the positioning of learners in transport policy is within an economic discourse. My fifth finding is that learners are assigned a marginalised position in transport policy as special users. My sixth finding is that learners' voices are absent in the transport policy process. My seventh finding is that the State positions itself as having a minimal obligation to

learners as a special user group. My eighth finding is that the State is fully aware that learners suffer travel disadvantage and that this has a negative effect on education. My ninth finding is that the assistance from the State for learners is promised but the extent of the assistance and the time frames are unclear.

## ***5.2 The constitutional principles of rights and decentralisation underpin transport policy***

My first finding is about the centrality of rights and decentralisation of governance of transport. This finding is based on the discourse in the *White Paper on Land Transport*, the seminal policy for the post 1994 transport system.

Extract 1: *White Paper on Land Transport* (Republic of South Africa, 1996e, pp. 19-22)

The mission for land passenger transport is guided by the RSA Constitution

[ ð ]

In observing national development principles, the policy is mindful of the principle of subsidiarity, which is the exercising of devolved power at the lowest competent level of government. Devolved transport powers and functions may either be exercised exclusively or concurrently with a higher level of government. Where functions are devolved exclusively to a lower level of government, the policies expressed in this White Paper are the policies which the Department of Transport will follow in a supportive role.

[ ð ]

The principle of subsidiarity and devolution of public passenger transport functions, powers and duties to the lowest appropriate level of government is confirmed.

In the first line of the extract the mission statement refers to the *Constitution*. This reference implies that principles such as human rights, which are enshrined in the *Constitution*, inform public transport arrangements. Thus all transport policy is intended to comply with the *Constitution* and the human rights discourse. The *White Paper's* reference to the *Constitution* is an example of intertextuality. Fairclough (2003, p. 193) says that the language device of intertextuality is a strategy used in texts to link them to other texts in order for discourses to be reproduced. Thus the

voices that drew up the *Constitution* are implied in the mission statement of the *White Paper on Land Transport*. The implication of the notion of human rights for transport arrangements for learners is that their human rights are protected in terms of the *Constitution*. Furthermore, Section 26 of the *Constitution* refers to the rights of children and the importance of their interests in all matters affecting them. Thus school learners, being children, are protected as vulnerable citizens, and this discourse of the protection of children I find reproduced in other transport policies. For example, in the resolutions taken by the KwaZulu-Natal Department of Transport at the 2005 Annual Summit, in Section Four of the text (KwaZulu-Natal Department of Transport, 2005a, p. 1) there is a resolution that scholar transport is recognized as a dedicated service. Therefore, by treating learners in public transport policy within a human right discourse the State indicates that transport falls within learners' rights to education.

The word "*subsidiarity*" (the second part of the extract) occurs with the explanation being that it refers to the devolution of transport provision to lower levels of government authority. The meaning of subsidiarity for school learner transport is that, although policy is formulated at the national level, the operational responsibility for learner transport rests at the lowest level of competent government. Thus, for school transport policy, subsidiarity might decrease the degree of authority at an operational level such as a city while increasing the level of the city's responsibility. The lowest competent level of government becomes responsible for implementing the policy and managing the service according to a nationally devised principle. Subsidiarity can be seen in the allocation of the roles and responsibilities of the various governance and management bodies as detailed in the *National Guidelines on Learner Transport* (Republic of South Africa, 2006a, p. 10). These references to role and responsibility allocation in these different texts are an example of discursive intertextuality. Fairclough's (2001, 2003) discursive intertextuality tool serves to reinforce the national policies of the devolution of operational responsibility within national guiding principles. I take up this notion of subsidiarity as related to the allocation of roles and responsibilities and the implications for learner transport policy in Section 5.3 below.

What I make of the alignment of these two underpinning concepts is i.e. human rights and subsidiarity, is that I expect the rights discourse to be infused into transport texts at all levels with a mandate to serve the best interests of school learners. I expect to find the interests of learners embedded in other public transport policies so as to provide a coherent and integrated public transport policy environment for school learners. The notion of subsidiarity points to a legislative framework of public transport policies. In the next section I examine a text from the national Department of Education which sets the various government authorities involved in school learner transport.

### **5.3 A complex legal framework and issues of policy coherence**

My second finding is that policy for school transport is framed in a complex legal and regulatory framework that raises issues of the coherence of such policy. My argument is that the public transport policy environment, as set out in Section 5.2 above, is infused with notions of devolved and decentralized governance that sets the scene for a complex legal framework. This complex legal framework presents a challenge to policy coherence. The meaning of policy coherence for learners is that the elements of the legal structures should work in tandem, be complementary and supplementary, so that access to quality education is supported. To illustrate these ideas I present a table from the *National Guidelines on Learner Transport* (Department of Education, 2006a) (see Extract 2 below). The *National Guidelines on Learner Transport* has the status of a policy text because it has been commissioned and published by the national Department of Education. The notion of subsidiarity or devolution of authority, which I consider aligns with the concept of coherence, is set out under section 3.1 as Roles and Responsibilities and section 3.2 as Structures. The notion of subsidiarity is first provided for in the *White Paper on Land Transport*.

Extract 2 : *National Guidelines on Learner Transport* (Republic of South Africa, 2006a, p. 10)

	National Education	National Transport	Provincial Education	Provincial Transport	Provincial Education Districts /Regions	Schools
National policy	√	√				
Provincial policy			√	√		
Communication of provincial policy			√			
Development implementation strategies & plans			√	√		
Funding			√			
Beneficiary identification			√		√	√
Registration and licensing of operators			√	√		
Service design			√	√	√	√
Contracting of service			√	√		
Monitoring of service			√	√	√	√
Monitoring achievement of accessibility to schools	√		√			
Monitoring achievement of transport objectives		√		√		

This table sets out the governance tasks for school transport. As can be seen from the extract in section 5.2 above, the vertical and horizontal governance relationships accord with the *White Paper on Land Transport*, in that it shows concurrent and joint relationships between different levels of government. The extended list of governance role-players represented in the table are the national Education Department, the national Transport Department, provincial Education Departments,

provincial Transport Departments, provincial Districts or Regions, schools, and the structures within schools: the school management teams and school governing bodies. Five of the functions in the Table imply co-operative working relationships between provincial Departments of Transport and Departments of Education. There are several other interlinking strands where vertical and lateral governmental connections are described, for example, in monitoring service provision. If these inter- and intra- governmental relations at service delivery level are to exhibit coherence then interactions between such structures must be organised and the practical arrangements such as communications worked out. Where such working relationships between authority structures are not yet in existence, they must be initiated and fostered into working relationships. This requires time and other resources, such as an understanding of the school environment or an understanding of the technical transport requirements. Thus the implication of this policy for school learner transport is positive if the political will, the practical means, and the capabilities to cultivate vital working relationships and manage resources efficiently exists or can be brought into existence within the relevant government departments, school districts and schools.

The *National Guidelines* are part of an emerging policy suite that appears to align with the national policy of co-operative government as envisioned in the *Constitution*. It shows the intentions of the state as to the way transport for school learners should be practised. The notion of subsidiarity as indicated in the *White Paper on Land Transport* (Department of Transport, 1996) is also part of this dialectic. Subsidiarity here is evident in the series of tasks to be undertaken by different government departments at their varying levels of competence. Here the notion of subsidiarity within co-operative government includes joint and combined authority and responsibility of the role-players on the same and at different governmental levels. The complex arrangements in the *National Guidelines on Learner Transport* make provincial Departments of Education and provincial Departments of Transport jointly responsible for several areas of learner transport. These include co-operation in drawing up the provincial policy. Maile (2008, p. 7) suggests that clear policy frameworks and policy co-ordination mechanisms are two of the building blocks for policy coherence in horizontal intergovernmental relationships.

Aslam Fataar (2006) notion of policy networks and Scheurich (1997) notion of policy archaeology are both relevant here to understand how the issues of policy coherence can affect school learner transport policy. As Fataar would have it, the policy players can constitute different policy influence groups and their commitment to national policy positions differs according to their group interests. According to Scheurich's theory, their belief systems would be reproduced in the policy text. Therefore I understand the notion of policy coherence to be mutable: policy coherence is relevant to context, and as Fairclough (2001, 2003, 2006) would have it, discourses can be embedded in social practices and therefore hidden.

In this Table I find the dialectical nature of the policy environment has produced elements of an intended praxis of public transport for school learners. What I make of this complex intra-governmental regime is that while there is a clear division of responsibility and authority outlined in the framework as suggested for coherence by Maile (2008) theory of policy coherence, the policy co-ordination mechanisms that would ensure practical arrangements for school transport delivery are unclear. The name of the text indicates, through the use of the word 'guidelines', that this text is not mandatory and that it represents an imaginary for school transport arrangements. In other words, this is the Department of Education describing a vision for school transport. Thus, in this policy I find that although an attempt has been made to design a coherent structure for supporting school learner transport, the complex legal framework, and the complexity of the various roles are likely to hinder service provision due to the administrative considerations of co-ordinating these various bodies. The likely outcome for learners is that service delivery will become snared up in the complex governmental relations. Maile (2008) theorises that relationships between authority structures at different levels impact on policy coherence and Extract 2 demonstrates the potential in the legislative framework for misalignment and policy incoherence.

This leads me to the next section in which I take the notion of coherence further and explore public transport policy for learners at the second tier of governance: the province. I examine the public transport policy environment in the Province of KwaZulu-Natal and explore its coherence with national public transport policy.

#### **5.4 Incoherence in provincial policy**

My third finding is that transport policy for school learners in the Province of KwaZulu-Natal is out of step with the *National Guidelines* and this is because the Department of Transport and the Department of Education are out of alignment with each other. In Section 5.3 above I pointed to National Department of Education policy which raised issues of coherence in vertical and horizontal government relationships dealing with school transport. Arrangements in the province of KwaZulu-Natal are less coherent than is intended in the roles and responsibilities as outlined above. Emanating from national public transport policy, the considerations for public transport in the *KwaZulu-Natal Public Transport Act, 2006* (Province of KwaZulu-Natal, 2005) make no direct reference to schools, learners or education. However, the Act provides the framework for the provincial public transport arrangements that learners would use in terms of the *National Land Transport Transition Act* (Republic of South Africa, 2000). Thus it forms part of a policy suite of transport legislation enacted in the period 1994-2009. My finding about incoherence emerges in Extract 3 taken from the preamble to the *KwaZulu-Natal Public Transport Act, 2006* (Province of KwaZulu-Natal, 2005, p. 1):

Extract 3: *KwaZulu-Natal Public Transport Act, No. 3 of 2006* (KwaZulu-Natal Department of Transport, 2006)

ō to substitute provincial arrangements for matters dealt with in Chapter 3 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) within the framework of prevailing national land transport policyō

Although the dialectical nature of public transport policy is evident in this extract, which refers to the *National Land Transport Transition Act* (Republic of South Africa, 2000), this provincial statute, although published in the same year as the *National Guidelines on School Transport* only indirectly provides for school transport. There is no direct link between the *Statute* and the *Guidelines* and this may point to a disjuncture in the vertical government relations that Maile (2008, p. 6) says is necessary for policy coherence. If there are disjunctures in vertical government relationships, a guideline policy can fall into the chasm between the national and provincial legislatures. All transport policy in South Africa from 1994 to 2008 stems

from the *White Paper on Land Transport* which invokes principles from the *Constitution*. As school learners form a large part of the population of KwaZulu-Natal, the omission in the provincial policy of special arrangements for school transport supports my finding that there is a vertical discontinuity or incoherence between national and provincial public transport policies. The best interests of school learners may not be served if the provincial government ignores or distorts the messages of texts such as the *National Guidelines on Learner Transport*.

Between the national and the provincial levels of authority, the *White Paper on Land Transport* (Republic of South Africa, 1996e) makes provision for two types of transport authorities to govern local arrangements including facilitating the practical transport provision. The next finding concerns how a local government transport text positions learners in economic terms. The notion of subsidiarity as introduced in Section 5.2 above describes the state's vision for provincial authority to either provide services or for these services such as school learner transport arrangements to be devolved to a competent level of governance such as a local authority. This implies that an additional policy-making authority can occur at a municipal level. In the next section my finding is an implied tendency towards neo-liberalism in the way that policy positions learners in economic discourse.

### **5.5 Learners are positioned in economic discourse**

My fourth finding is that learners are categorised as marginal users and this categorisation is used to position them in an economic discourse about which government agency bears financial responsibility for paying for the school transport service. The legal provision for transport authorities as indicated in section 5.4 above allows the eThekweni Municipality to establish a local transport authority that provides public transport, including school learner transport, within its boundaries. In so doing, in the year 2000, the eThekweni Municipality conducted a joint study with the National Department of Transport and the KwaZulu-Natal Department of Transport. This study entitled *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000) problematised the provision of transport for special users, a category that includes school learners. In a section on the preferred policy options, the authors introduce concerns about costs of transport services for school learners.

Extract 4 *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000, pp. E-2)

The primary responsibility for scholar transport should rest with the Department of Education who (sic) should also bear the financial responsibility.

In making this statement about which government department bears responsibility for funding scholar transport, the authors, comprising representatives of all three levels of government, appear in agreement that it is the Department of Education that is to take on the budgetary responsibility for learner transport. However, the Department of Education is not represented in the authorship of the study and therefore potential for policy misalignment exists. In the period following 1994, government departments were being transformed and intergovernmental roles and relationships were being rescaled (Jessop, 2001). This extract points to economic discursive strands in that recalibration process. The economic discourse is implied in that the financial considerations for transport is assigned to another department, that is, the local transport authority which declines responsibility for bearing the costs of school transport. This introduces a neo-liberal consideration for marginalised users such as school learners and leaves them to make their own financial arrangements if the Department of Education does not make adequate arrangements. In the *White Paper on Land Transport*, mention was made of %high costs+ %limited financial resources+ (1996, p. 11) and other references to the economics of public transport. Since the authors represent all three levels of government and refer to the *White Paper*, I find that this positions school learners within an economic discourse about transport for school learners.

This quantification study groups learners with users such as the disabled and the aged who are assigned marginalised social positions thus implying that learners are also marginalised. The notion of marginalisation of school learners in public transport policy gains ground in my fifth finding.

### **5.6 A transport policy that marginalises learners**

Fairclough (2003, pp. 22-23) suggests that texts are used to structure perceptions and this is carried through by the linking of elements within the texts to social

relations. Transport arrangements for school learners transport experiences can also be shaped by discourse in complementary texts which are linked into an order of discourse (Fairclough, 2001, 2003). In this section about the marginalisation of learners I explore how school learners are mentioned in the *Moving South Africa Strategy* (Department of Transport, 1999). I find that the terms used to describe and categorise learners place them in particular social groupings and this placement has the potential to limit learners' social capital as a social group with special needs thereby diminishing their access to quality education.

*Moving South Africa Strategy* is an expansion of public transport policy pronouncements that fall within the regulatory policy suite issued by the Department of Transport in 1999. The companioning of these texts in the policy suite is a contextualisation (Fairclough, 2003, p. 53) which is known to be one of the strategies employed in the reconfiguration and representation of discourses. I have three reasons for including the Strategy document in the policy suite. Firstly, the text refers directly to school learners who are a significant group that relies on public transport daily. Secondly, the strategy document is published by the Department of Transport on its website, [www.transport.gov.za](http://www.transport.gov.za), and thus it relates to other policy texts issued by the national level of government in the same period. Thirdly, within the text, the subdivision of elements of transport evidences a contextualisation of issues within transport and related social systems. *Moving South Africa Strategy* (Department of Transport, 1999) conveys the idea that school learners' positioning is marginalised.

Extract 5 *Moving South Africa Strategy* (Department of Transport, 1999, p. 7)

Mainstream urban public transport operations will meet the needs of currently marginalised users, including the Stranded and Survival customer segments, scholars, users with disabilities,

The word 'marginalised' in Extract 5, describes particular users of the public transport system. This word signals the peripheral social placement of a category of users. Persons who have such status of being peripheral or in the margin may lack social capital and their interests may be subordinate to the interests of others in policy matters. Two conditions in learners' lives that lead them to be grouped among

the marginalised within South African social structures are their immature world experience due to their biological age and their low socio-economic status as part of the majority of South Africans who are not earning an income. The implication in *Moving South Africa Strategy* of describing learners as marginalised is that they are assigned a subordinate status or position in the social hierarchy. In the context of a transformative policy environment, the word 'marginalisation' implies that school learners have needs that deserve social action and this may include care and protection. In this study I am foregrounding the direction the state has taken with regard to learner transport and I find the positioning of learners as a 'marginalised' category of users is significant. The authors of *Moving South Africa Strategy*, who commissioned and wrote the text, explicitly allocate school learners with a peripheral status in terms of public transport services. Despite the notion of care and attention that the category may imply in theory, I find that the categorisation renders learners as of lesser significance than some other transport consumers such as employed workers who also commute daily, or transporters with economic clout. This categorisation makes learners potentially vulnerable to receiving a low standard of transport service from the authorities. When economic priorities are being set the peripheral status assigned to learners increases the potential for their specific transport needs to be overlooked by providing them with transport that is of low standard or by not responding timeously to their needs. In South African and international policy texts on learner transport the notion of walking to school as the first option for most learners is found. This accords with the real situation which is that most learners in South Africa do walk to school. Therefore, the potential exists for transport and education officials to justify the low cost and other benefits of walking above that of motorised transport which can improve school to quality schooling for those learners who wish to pursue alternatives to their neighbourhood schools.

In Extract 5 learners are grouped in the same marginal category as 'stranded' and 'survival' customers. These terms are defined in a later part of the text: 'Stranded' customers have 'no affordable transport available' and 'survival' customers are 'captive to the cheapest mode of public transport' (Department of Transport, 1999, p. 9). 'Stranded' and 'survival' are technical terms used by transport theorists to refer to users who lack freedom of choice, power and economic leverage in the mode of

travel (Behrens, 2003). Thus, in Extract 5 the conflation of %scholar+ with %tranded+ and %survival+ traveller or user is a collocation. In discourse analysis a collocation indicates the juxtaposition of words in order to create an association (Fairclough, 2003). Thus, in this text, the association being created is that school learners are marginalised by being unable to afford transport, or they are constrained by resources to the cheapest travel mode. Through this association too school learners are categorised as possessing limited choices with regard to transport, that is, their social capital in respect of transport for accessing education is constrained for economic reasons. When I extend the logic of this association the policy text implies that if poor school learners are perceived by policymakers to have limited choices, it is incumbent on poor learners to use available public transport regardless of the standard of that transport service.

I now turn to discuss the first phrase in Extract 5: %Mainstream urban public transport operations+. In the strategy document and companion texts, such as, the *White Paper on Land Transport* (Republic of South Africa, 1996e) and the *Proposed National Transport Strategy* (Republic of South Africa, 2006b), it is made clear that mainstream urban public transport operations include walking as a mode of transport. In South Africa, surveys have found that the majority of learners walk to school (Republic of South Africa, 2003a). From this extract, then, when the authors say that mainstream operations that %will meet the needs of currently marginalised users+ I understand this to mean that the State's long term strategy is to prefer learners to walk to school. The implication is that walking to school *per se* forms a significant public transport strategy. Walking is %mainstreamqin the sense that most learners walk to school and will continue to do so in the future in terms of this national strategy.

To sum up, my major finding demonstrated in this extract is that school learners are subordinated in transport policy within an economic discourse, and, as is the case with the poor who have few options; this is related to their meagre economic power and low leverage as children over decision-making.

In the next section there is no extract for discussion. Instead, I discuss the participants who were included in the process of reviewing public transport policy that led to the formulation of the *White Paper on Land Transport*.

### **5.7 The absence of learners as users in public transport policy processes**

Various participants represent interest groupings that are involved in the formulation of public transport policy. The *White Paper on Land Transport* policy (1996) provides a list of those who participated in shaping and informing the ideas of this foundational public transport policy text. A total of 112 organisations or institutions were represented in the consultation process. I have categorised these representatives according to their assumed area of interest as indicated by the names of organisations. Although this may be a subjective categorisation as the submissions were not available for an analysis of their content, I make the assumption that these categories represent institutional and organisational interests.

Table 2 Categories of participants in the public transport policy review process post 1994,

*White Paper on Land Transport* (Republic of South Africa, 1996e, pp. 31-35).

Category	Number of organisations/institutions
Taxi operators	6
Bus operators	5
Organised labour	6
Technical academic experts	11
Business and professional interest groups	27
Government, including semi-autonomous government institutions	36
Freight operators	21
Total	112

School education and specifically, school transport interest groups, do not appear to have participated in the public transport policy process to lay the foundations for transforming land transport after 1994. This omission indicates that the interests of school learners may have been sidelined early in the public transport formulation process. Instead of public transport users being represented proportionately to

ensure that public transport policy would serve the majority of citizens, the participating interest groupings reveal a skewing of interests. Public authorities have 40,32 per cent participation; air, rail and freight operators are represented in 23,53 percent of participants. Business and professional groups providing such services as insurance, accounting and legal advice are represented in 30,24 per cent of participants. Technical academics experts are represented by 12,32 per cent and taxi operators form 6,72 per cent, bus operators 5,6 per cent and organised labour having 6.72 per cent of participants.

The breakdown of this list of participants shows that that government has the highest representation at 40,32 per cent. This is even higher if one considers that at the time some air, freight and freight operations were also under government authority as were some passenger bus services. In this list of participants, I could not discern an organised grouping of passenger transport consumers such as school learners. Research (Barnes, 2005; Behrens, 2003, 2004; Department of Transport, 2003) shows learners are the most frequent users of passenger transport services. Although the authorities represent the citizenry, I assume some elements of Fataarø (2006) notion of policy networks informed the arrangements in the *White Paper*. Scheurichø (1997) notion of core characteristics being reproduced is also useful to understand that certain interests may have been reproduced while others never entertained for consideration on the agenda. What these interests are or the extent of those interests is outside the scope of my study and I have organised this categorisation in a convenient way to illustrate my finding about school learners voices being absent from the policy process.

My finding is that the participants in the early transport policy transformation process do not include organisations with direct interests in school learners and their parents. The process was facilitated by government and the participants were those invited by government. The types of participants may have reproduced the discursive regimes dominant at the time of the policy formulation process. School learners lack the social capital for representing their own interests in such processes. Thus, other participants must voice their concerns. These may be their parents or school governing bodies or professional educator organisations as existed at the time. These voices are not apparent in this list of policy participants and this points to the

potential for learner needs to have been neglected in public transport policy. The omission of school learners as an interest group by State policy makers in formulating public transport policy is serious because school learners are a large segment of the users of public transport. The issue of administrative justice, as provided for in the *Constitution*, is also impinged when stakeholders are omitted from consultative processes when public policy and services are debated.

Although school learners are not directly represented in the interest groups which drew up the *White Paper*, schools are bracketed with other social systems and services such as the economic system and health care (Republic of South Africa, 1996b, p. 3). Thus, school learners are linked to the transport system implying that the transport requirements of education are similar to the transport requirements of other social systems. If school learners are engaged in transport as users, then they are exposed to the social practices within the transport systems. The values which ensure equitable distribution of resources should also ensure that learners are not marginalised within transport practices.

In the next section I discuss how the state aligns itself to providing for the minimum needs of learners.

### **5.8 The State's minimum obligation to learners as a special user group**

The state provides for a minimum level of transport services to school learners by the insertion in the *Constitution* of the condition that the limitation is reasonable and justifiable (Republic of South Africa, 1996a, p. 18). At the operational level of the transport system, this condition underpins the decision of the eThekweni Transport Authority to argue that the minimum provisions of the *National Land Transport Transition Act* guides its transport policy for learners. Thus my sixth finding is that the eThekweni Transport Authority performs the minimum obligation in respect of school transport services. This is evident in the statement from the Authority that it will provide a minimum level of for special user groups such as school learners. My finding is based on an extract from a policy study text: *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000). This policy provides

a rich source of data which gives insight into the discourses that underlie the responses of the eThekweni Transport Authority to the transport needs of powerless transport user groups such as school learners. As noted in Chapter Four, the eThekweni Transport Authority took care to align its policy text in terms of the human rights discourse of the *Constitution*, however, an extract from page E-1 of the *Executive Summary* illustrates intertextuality (Fairclough, 2003) in layering together ideas that are contrary to the best possible interests of child transport users.

Extract 6: *Quantifying the Needs of Special User Groups* (Durban Metropolitan Council et al., 2000):

On the other hand the National Land Transport Transition Act prescribes a minimum obligation to plan for and to develop strategies to cater for the public transport needs of special users (sic) groups and to provide for special users as far as possible within the mainstream of public transport without being prescriptive on implementation responsibilities.

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takes a more pragmatic approach and states that the needs of special user groups should be catered for on the basis of proven demand and budget considerations.

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The extent to which special needs user needs are catered for is therefore only dependant on the availability of funds.

In this policy special needs users are construed as the aged, the disabled, pregnant women and school learners. In this extract I find that special needs users requirements are addressed in terms other than the human rights provided in the *Constitution*. For example, the extract refers to a prescription from the *National Land Transport Transition Act (Republic of South Africa, 2000)*, of 'minimum obligation' on the part of the implementing authority. This is underscored by there being no set minimum standards to be followed. This finding indicates that the authors are aware that adhering to prescriptions of the *Constitution* can be attenuated by introducing the notion of economic constraints on service provision. This extract shines a light on the potential for what Scheurich describes as intra-regnum discourses. The intention of this intra-regnum discourse is to retain the core characteristics of dominant social

discourses that reproduce social regularities such as the economic inequalities associated with class (Scheurich, 1997, p. 111). Here it is the perpetuation of the social inequalities experienced by transport users such as school children that are subordinated to the grid of social regularities constituted by the co-operation of transport and municipal authorities. Freund and Padayachee (2002) claim that the Durban Corporation perfected an economic system that was favourable to business and that this neo-liberalism trend is perpetuated in municipal governance even after 1994. The eThekweni Transport Authority is linked to the legacy order of the former Durban Corporation through municipal structures. The minimum obligation to marginal transport users in this special users study is artfully referenced to a transition act that has already been overtaken in 2009 but the foundation of the minimum obligation discourse is the *Constitution* as I noted in the introduction to this section. Scholars such as Behrens and Phillips (2004) have noted that children are particularly vulnerable to injury in transport accidents and therefore special transport arrangements may have to be made for them. Yet *Quantifying the Needs of Special User Groups* brackets the needs of learners as special users in terms of minimal service delivery. There is no sense of learners being vulnerable citizens and future leaders of society who deserve more than the minimum service.

As the title of the document indicates, a quantitative discourse frames the State's response to special users such as learners. By the use of the phrases 'proven demand' and 'budget considerations' the State underscores its minimal obligation discourse even though special needs user groups comprise sixty-five percent of the total population of Durban Metropolitan Area (Durban Metropolitan Council et al., 2000, p. E2). As is noted by Behrens (2003), transport expertise in government is normally drawn from fields associated with the applied sciences rather than the social sciences. The social value versus cost-benefit ratios in policy are evidence of this bias. In section 5.5 above my finding that learners are positioned in economic terms and that there are elements of neo-liberal discourse in South African public transport policy, points to learner transport needs being weighed in terms of the costs of satisfying such needs rather than in their best interests as required by the *Constitution*. As discussed in section 5.7 above, the type of participants dominating the policy process are in the applied sciences and government and this mitigates against the considerations of offering more than minimum service at minimum cost.

My finding is that in taking the approach that special users are to be offered a minimal service, there is a loss of value associated with human rights, such as equitable distribution of resources and protection of the weak and vulnerable citizens, especially children. Thus, the policy's statement about a minimum transport service to school learners appears to undermine one of the national objectives being the broadening of access to quality education. What this holds for learners is that the State is sending ambiguous signals about its commitment to quality education.

Thus far, except for the discussion on the *National Guidelines on Learner Transport* I have concentrated on policy from the national government and from entities within government that are concerned mainly with transport. The Department of Education has a link to the transport policy when it mentions transport in its White Paper One and Two. As I have argued up to now, the scale at which the State intends to provide transport for school learners is clouded by the positioning of school learners as marginalised users, by positioning them within neo-liberal economic discourses that proscribe the maximum service. This allows municipal service providers to employ minimalism in their school transport services. It forms disjuncture between the State's vision and its perceived capabilities and by designing complex performative steering mechanisms (Ball, 2006) that obscure the realities of limited service provision. This negative aspect is one side of the State vision, as I show in the next section, the Department of Education perspective on transport is both positive on human rights and negative in the sense that its seminal texts ignore the reality of daily school travel.

### **5. 9 Rescaling disadvantage by invoking rights**

My seventh finding is that the Department of Education places school learners in the human rights discourse and recognises that transport is a barrier to education. However, the Department also disclaims full responsibility for school transport when it allocates roles and responsibilities to other government departments as it does in the *White Paper Two* and the *National Guidelines on Learner Transport*. Although the provisions of the *White Paper* and the *Guidelines* follow the principles of cooperative governance and subsidiarity, as I have shown in my other findings, this does not translate into the transport barrier to quality education being conquered.

The Department of Education recognises omissions in national education policy regarding learner transport. As noted in Chapter Four, the *White Paper One on Education and Training* mentions the lack of transport as disadvantaging school learners and this transport disadvantage being a barrier to their education. *White Paper Two on Education and Training* suggests that combined interdepartmental policies and programmes could address areas such as transport that are not the preserve of education. Although silent on the daily travel needs of learners, the *South African Schools Act* (Republic of South Africa, 1996c, pp. 91-91) does speak to transport in the context of the school calendar and it recommends aligning the school calendar to national traffic management during peak holiday travel periods. Its silence about daily travel is partially addressed in a set of guidelines for the provision of learner transport nationally.

Extract 7 National Guidelines on Learner Transport (Department of Education, 2006a).

Access to education is a constitutionally guaranteed right

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promoting access to education through learner transport assistance schemes

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current national policy and legislation does not address the matter of learner transport

In this extract from *National Guidelines on Learner Transport* policy invokes the human rights ethos of the *Constitution*. In this way, access to education through transport is associated with the human rights of learners. This is repeated elsewhere the *National Guidelines on Learner Transport* which shows the importance of this human right. The second part of Extract 7 implies a recognition that learners experience transport as a barrier to education and therefore the State positions learners as disadvantaged and needing assistance in relation to transport. The notion of transport disadvantage of school learners is continued through pages four and five of the text through references to the negative effects of walking long distances to school. The effects of transport disadvantage such as lack of concentration due to tiredness, the physical safety aspects and the effect of transport

costs are all noted. The discourse implicit in the extract from this policy document is that learners are disadvantaged with regard to transport and that this disadvantage will be addressed by policy.

Whatever their specific learner travel needs, the majority of learners come from homes where funding daily travel to school has to be weighed against other family needs. My next finding concerns education and poverty.

### ***5.10 Transport assistance for poor learners in policy is unclear***

The finding that I discuss in this section is about State transport assistance for poor learners and my finding is that the policy on transport assistance is unclear and that the State is ambiguous in its intentions towards the poor. The reasons for this are embedded in the policy direction taken early on in the newly formed democratic government. Thus the state uses the phrase "in the longer term Government will seek a reduction in the cost to the state of the subsidisation of transport operations" in Extract 8 below to remind citizens that it is committed to the devolving of transport service delivery to the lowest tier of authority, the local government and at the same time it expects to reduce the costs of public transport. At local government level, as I have shown in Chapter Four, school transport is to be organized in a complex web of relations that includes private operators and municipal authorities. In section 5.8 above I have shown that local government considers a minimum standard of service to suffice for special users due to the economic considerations of service provision. Thus I am arguing that the *White Paper on Land Transport* set the scene very early in the policy development era, post 1994, for the neo-liberal trend evident in local government policies.

Extract 8: *White Paper on Land Transport* (Republic of South Africa, 1996e)

Special customer groups include the poor

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Government is fully cognizant of its responsibility to play a leading role in the provision of socially necessary infrastructure, and to ensure the provision of operations and services to provide mobility and accessibility. It will contribute to the financing of services which are socially necessary, in a transparent manner. This could be in the form of appropriations, grants or subsidies to achieve an equitable distribution of resources, or as an incentive to provide services which are desirable in a broader social context, such as to promote public transport. In the longer term Government will seek a reduction in the cost to the state of the subsidiation of transport operations, predicated on a more effective and efficient public transport system being developed.

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The high costs, inefficiencies, the high and often unrealistic expectations, and the limited financial resources of Government, mean that it is unlikely that it will be possible to meet all demands in respect of transport services.

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To ensure sustainable and dedicated funding for passenger transport infrastructure, operations

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provision of transport funding including subsidisation

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Transport authorities, in consultation with communities, must define passenger transport needs at affordable fare levels in order to identify and target recipients of mobility support.

My finding about the ambiguity of providing transport assistance to poor learners is demonstrating the discourses about costs, service delivery and unreasonable expectations of citizensq Extract 8. shows that while the state recognizes that it has a task of providing services to poor citizens, how and to what extent this task is performed is shaped by the positions assigned to citizens in relation to the state. In Extract 8 the State categorizes poor citizens as special customer groupsq As has been noted in section 5.5 above, learners are similarly categorized elsewhere as special usersq By assigning the poor and learners as specialq the development state of South Africa is making a statement about its redistributive intentions. In Extract 8 the State indicates that it will use several fiscal mechanisms such as

appropriations, in supporting transport services. In Extract 8 the State therefore deals with some of the economic implications of public transport policy. The state indicates its intention to provide funding for transport infrastructure but brackets the extent of this provision in several ways. Firstly, by using the phrase % sometimes unrealistic expectations of citizens,+the State indicates that citizens may not receive services beyond a level determined by the State. The insertion of the phrase % unlikely that it will be possible to meet all demands in respect of transport services+ also suggests that the State is signaling in the *White Paper* its unwillingness to meet the maximum expectations of citizens with regard to transport policy because of economic constraints.

While on one hand the state promises to provide infrastructure and services, on the other hand it does so in terms that indicate that service provision for special users will be according to %affordable fares levels+that passengers are to negotiate with transport authorities. School learners as children, especially those from poor families, do not have the social capital to negotiate their own fares with transport operators. In the case of municipal transport authorities that command a great deal of resources such as the technical knowledge of transport, the authority to decide on routes and the budgets to conduct surveys, the inability of school learners to negotiate on their own behalf is exacerbated by the social inequalities of the mostly poor communities where they live. It is unclear to what extent the subsidies will offset poverty. The messages here are unclear with no certainty that poverty relief will reach special needs users.

The *White Paper on Land Transport* is unclear about which provincial department has been allocated responsibility for funding school transport. This opacity in policy lends itself to a seeming reluctance of either the provincial transport or education departments in KwaZulu-Natal to take full responsibility for funding school transport. In Extract 8 I find the responsibility for identifying recipients of poverty reduction measures in the form of %mobility support+ rests with the transport authorities, which are either provinces or the larger municipalities. Fairclough's (2003) view of discourse is that there are three nested levels of discourse: the text, the social context and the practice. In Extract 8 I find the State lays out a position that learners fall in a category of citizens who suffer a transport disadvantage.

However, the social context in which this positioning is bracketed when the State mentions that citizens have unrealistic expectations that the state will provide extensively for their transport needs. This is a set of mixed messages. Therefore I find that the real position of the State on transport subsidies for school learners will become evident as public transport practices develop out of the *White Paper* at an operational level. I doubt that such support will be equitable as not every school learner receives direct state support for school transport.

### **5.11 Summary**

In this chapter I have shown in my analysis of extracts from several policy texts how learners are positioned and assigned a subordinate position in public transport policies. I have come to nine findings. My first finding is that the constitutional principles of human rights and decentralisation underpin transport policy. The policies I have analysed reference these principles directly and indirectly.

The post 1994 democratic value system makes space for legislating school learner transport. My second finding is that the complex legal and regulatory framework for school learner transport raises issues of policy coherence. The significance of this complexity leads to my third finding which is that provincial transport policy in at least one province evidences some incoherence on the matter of school learner transport. The significance for learners is that transport policy can fall between government departments. The result is that neither education nor transport departments take the initiative at provincial level to organise school learner transport according to the national guidelines.

My fourth finding is that learners are positioned in an economic discourse, the significance of which is that economic considerations in transport policies position learners in competition for scarce national, provincial and local resources against other passenger transport users such as workers. My fifth finding is that learners are assigned a marginal status in public transport policy. This marginalisation can be exploited by the State as learners have limited social capital to leverage fare concessions or subsidies or any other special considerations such as dedicated school transport. My sixth finding is related to my fifth finding in that the voices of learners are absent in public transport policy processes. Thus the interests and

needs of especially poor learners are not voiced. My seventh finding is that transport policy allows transport service providers to provide a minimum level of service. My eighth finding is that the transport disadvantage of learners has been rescaled in education policy so as to create the notion that transport is only an issue for learners in terms of safety and at peak holiday periods instead of the daily disadvantages learners experience due to legacy infrastructure and poverty. My ninth finding is that the state's position on providing transport subsidisation is unclear as transport practices are still developing but their development is shaped by the ambiguities in State policy direction and neo-liberal trends that are embedded in early policy and as legacies of apartheid.

To sum up, in the legislative considerations and provisions of my findings I conclude that inter- and intra- governmental regulatory frameworks, delegated authority and operational responsibilities serve to structure a complex governmental regime across all three levels of public transport policy. The discourses that position learners in public transport policy appear to be aligned to the human rights of learners as found in the *Constitution*. However, this is offset by a less well-known theme that is also found in the *Constitution*: allowing a certain degree of discrimination in administrative capacity I find this to be a hidden, yet companion theme, in these policies. This hidden theme, that emerges where the state decides to apply its own parameters to service provision, and where the state indicates a concern with cost recovery from passengers, and with passing the responsibility for passenger transports to private concerns, is an indication of how the policy environment is on aligned to a neo-liberal discourse. I expand on this idea in my concluding chapter.

## ***Chapter 6 Reaching the destination: Conclusions***

### ***6.1 Introduction***

In my study I set out to critically examine public transport policy that pertains to learner transport in post 1994 South Africa. The rationale for my study arose from my literature review. I found that scholars problematised public transport for school learners in South Africa yet omitted to examine how the state positions learners in public transport policy. Although studies with a dual focus on education and transport are few in South Africa, I uncovered the following literature which has informed my study.

Commissioned research (Department of Transport, 2003; Nelson Mandela Foundation, 2005) found that learners from poor families suffer transport disadvantage due to the high costs of public transport. These two researches found that school transport arrangements prejudice education in several ways. Learners walking long distances are tired even before arriving at school. School travel exposes learners to danger from traffic and social ills. Access to education and school choice is constrained by the high cost of public transport. A study of a transport intervention (Rogan, 2006) found that transport policy can improve education. These three researches identified public transport for school learners as problematic. Thus I identified that an examination of public transport policy for school learners could provide an increased understanding of whether the position of learners in public transport policy has any bearing on the challenges that constrain access to education.

I also found that researchers (Black et al., 2001; Fesperman et al., 2008) in Britain and the United States of America claim that the majority of poor learners walk to school and this is because of the cost of transport. This is also the situation in South Africa. . When it comes to understanding the transport needs of school learners Behrens (2003, 2004), and Behrens and Phillips (2004), found that although learners account for an economically significant portion of transport usage, little is known about their transport needs. This is because transport research in South Africa has historically been focussed on transport engineering. Gakenheimer (1999) notes that

mobility is declining in developing cities and this also has an effect on education. Karlsson (2007) found that urban learners from poor families use public transport to access what those families perceive as better education opportunities. Scholars such as Fataar (2006), Khosa (2005), Bond (2005), Freund and Padayachee (2002) and Seekings and Nattrass (2005), have problematised the policy environment in which current transport policy was created. Khosa contends that apartheid infrastructure shapes the future of transport. Bond suggests that elite has benefited from transformation strategies. Freund and Padayachee allege that neo-liberalism is a strategy that was perfected in one municipal structure during apartheid and has been adopted by other local governments. Seekings and Nattrass suggest that the struggle has changed tide from race to class. These studies have informed my analysis of the social and political environment in which transport policy for school learners is shaped. Fataar suggests a notion of policy networks of influential persons who shape policy direction and which I have applied to selected texts from the suite of public transport policy texts that was drawn up during the political transformation period post-1994.

I formulated two research questions:

1. What policies from national, provincial and local government frame public transport policy for school learners?
2. How are school learners positioned in public transport policy?

I employed a blend of Scheurich's policy archaeology approach and elements of Fairclough's critical discourse analysis to examine relevant policies. The policies included national statutes from the national education and transport departments that addressed learners and learner transport. I selected the Province of KwaZulu-Natal as the focus for the provincial level of government and the eThekweni Transport Authority as representative of transport policies issued at the local level of governance.

In addressing the first research question I gave a historical and descriptive account of relevant policies. To answer my second research question I engaged in a close reading of policy texts where learners were explicitly or implicitly mentioned following

a methodological blending of elements of Fairclough's version of critical discourse analysis and Scheurich's policy arenas.

## **6.2 Findings reiterated**

I found that while transport policies refer to the human rights discourse of the *Constitution*, a companion discourse in the *Constitution* allows for limitations on administrative obligations to be incorporated into policy practices. These limitations allow a negation of accepting responsibility for school learner transport by government departments. A discourse of human rights implies the protection of school learners but this protection does not come through in policy texts. Although the discourse of co-operative governance that comes down from the *Constitution* is found in transport policy texts, its potential for shifting responsibility to another government department results in unclear and confusing messages about transport for school learners. The State position on school learner transport is therefore unclear even though there is a plethora of transport policy. I found that transport for school learners is shared between two government departments, transport and education. While the Department of Education and the Department of Transport policy texts may give the appearance of willingness to accept the responsibility jointly as is required by the notion of co-operative governance, in practice there exists disjuncture. This disjuncture is potentially related in part to the economic considerations of school transport. The discourse of economic consideration finds a companion discourse in the *Constitution* that allows for the economic aspects of service delivery to shape policy and practice. The economic implication of school learners accounting for approximately one third of daily travel in South Africa can underlie the reluctance of the Department of Education to take on the responsibility of learner transport. The Department of Education provided unclear answers to a Ministerial Review committee on the issue and omitted defining crucial terminology such as *transport assistance*. As the transport policy suite developed a willingness of the Transport Department to provide the service seems constrained by the lack of clarity over the sources of funding. In 2009 the Department of Transport staked a claim over the entire school transport budget at national level. It proposes a change of the governance model for school transport. It even uses a different, older term to denote school-going children than is current in education policy after 1994 which

indicates misalignment of with terminology of the Department of Education and which may indicate policy coherence issues at the national level of government.

In the Province of KwaZulu-Natal, the Department of Transport issued policy on school transport yet its social cluster partner, the KwaZulu-Natal Education Department did not make public school transport policy as is allowed for in the national department framework. Public transport policy from all three levels of government position school learners as special users. This positioning seems to indicate that learners should be in line for a special type of service. However, it appears that due to the cost of providing transport for special users, including school learners, the service is set at a minimum level and this can be traced to a discourse in the *Constitution*.

Based on my close reading or analysis of policies, and the language in them, I made nine findings. My first finding was that school learners are positioned in public transport policy in terms of the human rights principles of the *Constitution*. The post-apartheid policy direction was initiated by a human rights discourse and so special provision is made for the rights of children in Section 28 of the *Constitution*. The right to education is also a discourse with its home in the rights discourse. This right to education is aligned in South African Schools Act as an obligation on their caregivers as school-going is made compulsory.

The notion of subsidiarity and co-operative governance are also founded in the Constitution and a complex legislative framework structures education and transport in a discursive relationship. This discursive relationship between education and transport constitutes the basis for my second finding that public transport policy positions learners in complex legislative frameworks that constitute a social practice of learner transport. This social practice of transport for learners is produced by a combination of the roles and responsibilities of the national, provincial and local governments into which public-private partnerships for school learner transport are interwoven.

Another dimension of the school learner transport policy environment is the inter and intra- governmental disjuncture of the roles and relationships for supporting learner

transport. There is also evidence that the co-operative intention in national policy is interpreted in divergent ways by different government levels and departments and this disjuncture results in policy incoherence which is affecting school transport. At the local government level learners are positioned in transport economic discourse in ways that position their interests with other groups such as the aged and the disabled who hold low levels of influence on public policy, thereby positioning learners as marginalized too. This marginalization is evident where learners' voices are silent in public transport policy and where learners are left to find their own way to school by privately provided public transport. The voices of learners appear to be omitted in significant policy formulation processes and they must rely on the agency of others, such as transport providers and academics to represent their interests.

There is recognition in policy that learners do require access to transport in order for them to access education. The recognition is, however, structured in quantitative and economic terms that evidence the legacy discourses of transport economics and engineering. In extending the notion of market segments in transport, poor transport users are construed as being 'stranded' and 'survival' customers of transport without the means to access transport. Extending this idea of markets to school provision leads to the notion that poor learners who cannot afford transport are also captive customers to local schools so their education opportunities are limited by their inability to afford public transport.

Although the Department of Education positions learners in a human rights discourse, this positioning with regard to transport provision is largely symbolic. This is because the disjunctures between the national and provincial Departments of Education in their relationships with the national and provincial transport departments, private providers and schools are so complex and burdensome that the various departments are unwilling or unable to co-operate effectively. The complex regulatory arrangements are also burdensome for private transport providers because procurement arrangements prejudice the viability of school transport as a business interest. School transport budgetary allocations are left to the provinces in their education budgets and it is unclear how the funds are distributed or whether there is equity in the distribution to either school learners or private public transport providers.

There appears also to be disjuncture on another level within policy discourses. The transport document *Moving South Africa Strategy* (Department of Transport, 1999) privileges walking to school as an appropriate public transport policy. The South African public responded to two research studies that walking to school happens because of poverty, not choice. Walking to school is internationally considered a sustainable mode of public transport (Black et al., 2001; Fesperman et al., 2008). However, the contexts of those countries where policy supports walking as the preferred option differ significantly from the South African context. Strategy documents that recommend walking as a sustainable mode of school transport emanate from organizations such as the World Bank (2002). The Bank attempts to structure borrowings from poor countries according to its own criteria, therefore valorising walking to school as a mode of public transport may be considered to be a form of keeping the aspirations of poorer citizens low. While there are advanced plans until at least the year 2050 (Department of Transport, 2006) in South Africa to provide public transport, the initial strategies on which these plans are based were devised before the two large national surveys on public transport were undertaken. Therefore the surveys of public opinion on school learner transport may also be considered to be symbolic and a use of state power to give the impression of consultation about the transport needs of school learners.

For learners, public transport policy gives off mixed signals about the direction of government policy. Although children's rights to education are recognized and their need to use transport to gain access to education is recognized, the provision for transport in public policy is unclear. How the practice of transport unfolds has a significant effect on poor learners' access to education. While copious policy texts are available, school learners remain in the same situation of having to walk to school because the practical arrangements of actually getting to school are being left to citizens to manage as best they can without clear policy direction from the State.

Section 33 of the Bill of Rights refers to just administrative action. By just administrative action I understand that policy at any level of government should offer fair and equitable rights to citizens. Learners are a group of citizens who rely on their carers to identify gaps, omissions, silences or misconstruals in policy that limit their

constitutional rights. I suggest that Section 33 as applied to learner transport policy texts may not result in just administration of public transport policy.

### **6.3 Conclusion**

School learner transport policy texts in South Africa suggest that school learner transport should take place within the rights discourse of the *Constitution*. The disjunctures in policy interests between the Departments of Education and the Departments of Transport at the national level of governance is evident in the 2009 contestation by the Department of Transport as to the ownership of the budget for school transport. At other level of governance where transport department interests are involved, there are indications in policy texts that neo-liberal principles are intended to shape service provision for school learners as special needs users. This happens through categorization of learners as marginalised and then by the invoking of a discourse of minimal provision. Therefore, while the state makes school compulsory for school learners, their challenges, especially those of poor learners, in accessing affordable, safe and reliable transport are overlooked in transport policy while the state tends to provide the minimum of transport support for school learners. Therefore I conclude that the state is sending mixed messages about public transport policy and that the state fails to support education meaningfully through transport policy. I further suggest that learners may be discriminated against in ways which are not expressly prohibited in the *Bill of Rights*.

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