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Peer mentorship and ubuntu philosophy: A South African perspective

Dr Allison Geduld
University of Johannesburg

Prof Puseletso Letete
University of Johannesburg

1 Introduction

Institutions of higher education (HE) have placed a large emphasis on increasing the number of under-represented minority students in admission into higher education, this should be accompanied with recognition of the urgent need for increased support to help these students navigate the space and challenges that they are faced with within this space. In the context of South Africa, these institutions have come under pressure to broaden access to historically under-represented groups who were excluded from these institutions because of apartheid (Department of Higher Education and Training White Paper, 2013). These challenges include lack of social connectedness, lack of adequate financial support and under preparedness resulting from apartheid-era secondary schooling (Department of Higher Education and Training White Paper, 2013). The under-represented minority students include students living with disabilities or students from previously under-resourced high schools, students from rural communities or students from the LGBTIQ+ community.

Studies indicate that structured and professional mentoring has the potential to generate substantial improvements in academic, social and career outcomes for the under-represented minority undergraduate students. Mentorship has been defined as a meaningful interaction between students and lecturers to facilitate the transfer of learning, outside the classroom while it also provides a space for students' academic

growth.[1] As alluded by Darwin & Palmer mentorship is considered a valuable mechanism for mobility and is regarded as essential in fostering students' intellectual development while also fulfilling the career aspirations of staff.[2] Further elaboration on what mentorship entails and the benefits will follow later in the next paragraphs.

2 Peer mentorship – what it entails

Peer mentorship is a system where an experienced individual is paired with a junior member to facilitate the requisite transfer of learning and information while they also provide guidance – which is expected to generate opportunities for professional development.[3] Peer mentorship is used as part of the teaching and learning strategy to enhance first-year student support at institutions of higher learning. As Clarence opines, peer mentorship requires ongoing collaboration between the mentors, mentees, the academic staff as well as the administrative support staff to achieve effective teaching and learning environment for students.[4]

Peer mentorship fosters student engagement, in that it creates a platform where new students engage with senior students and with members of staff. Furthermore, peer mentorship enables the institution to create an environment of engagement between students and to build relationships within an environment that is led by peers, and as Kuh & Pike study indicates, this helps the students 'to become socially inducted into the institution'.[5] Many studies have widely believed mentoring as an effective mechanism for positively influencing undergraduate students

1 See Dhunpath, Matisonn & Samuel 'Towards a model of mentoring in South African higher education' 2018 *Alternation* 79. See also Darwin & Palmer 'Mentoring circles in higher education' (2009) *Higher Education Research and Development*. See also Masehela & Mabika 'An assessment of the impact of the mentoring programme on student performance' (2017) *Journal of Student Affairs in Africa* 164 -166.

2 Darwin & Palmer (n 1) 'Mentoring Circles in Higher Education' 2009 *Higher Education Research and Development* 125 - 127.

3 See Dhunpath, Matisonn & Samuel (n 1) 79 & 81.

4 Clarence 'Peer tutors as learning and teaching partners: A cumulative approach to building peer tutoring capacity in higher education' (2016) *Critical Studies in Teaching and Learning* 39-54.

5 Kuh & Pike 'First-and second-generation college students: A comparison of their engagement and intellectual development' (2005) *The Journal of Higher Education* 281.

with their experience at institutions of higher learning[6] and ultimately enhancing and influencing their academic performance.[7] This is mainly the case in addressing the challenges of student success towards completion of their qualifications within the required time as well as addressing the dropout rates of students from courses and at university in general. Research found that students' interactions with faculty, staff, advisors, peers and administrators directly influenced undergraduate retention.[8] To reiterate this, Tinto suggests that, to improve undergraduate retention, all institutions of higher education must offer easily accessible academic, personal and social support services.[9] In the context of South Africa, as Faroa posits, an impactful response to the student success challenges 'must be based on an inclusive approach that incorporates a model that is culturally sensitive, promotes social justice and which recognises the needs of all students'.[10] As alluded to by Masehela and Mabika, there is a growing body of literature on High Impact Practices (HIPs) which clearly supports student mentoring, stating that there is a link between engaged learning and successful degree completion.[11] According to literature HIPs are defined as 'undergraduate opportunities that have a positive association with student learning and retention which further share several traits'.[12]

6 Eby & Dolan 'Mentoring in postsecondary education and organizational settings' in *APA Handbook of Career Intervention*, Vol. 2: *Applications*, Hartung, Savickas & Walsh (eds) 383-395; Lunsford, Crisp, Dolan & Wuetherick 'Mentoring in higher education' in *The sage handbook of mentoring* 316.

7 Fox and others 'Peer-mentoring undergraduate accounting students: The influence on approaches to learning and academic performance' (2010) 11 *Active Learning in Higher Education* 145-156; Lunsford, Crisp, Dolan & Wuetherick (n 6) 316-317.

8 Lunsford, Crisp, Dolan & Wuetherick (n 6)317. Erickson, McDonald & Elder 'Informal mentors and education: Complementary or compensatory resources?' (2009) *Sociology of Education* 344-367.

9 Tinto 'Enhancing learning and leaving' in JM Braxton (ed) *Reworking the Student Departure Puzzle* (2004).

10 Faroa 'Considering the role of tutoring in student engagement: Reflections from a South African university' (2017) *Journal of Student Affairs in Africa* 1-2.

11 Masehela & Mabika 'An assessment of the impact of the mentoring programme on student performance' (2017) *Journal of Student Affairs in Africa* 165; Brownell & Swaner 'High-Impact Practices: Applying the learning outcomes literature to the development of successful campus programs' (2009) *Peer Review* 26-30; Kuh *High-impact educational practices: What they are, who has access to them, and why they matter* (2008).

12 Masehela & Mabika (n 11) 165.

Mentorship is also supported to ease students transition into new institutional or disciplinary cultures.[13] This is the case to address the challenge which is experienced by many students who lack sense of belonging and social connection at a new institution. Most of these first-year students are first generation students to attend a university, therefore, they feel disengaged with the new culture as they have not in any way had an opportunity to prepare them for the university environment and culture. Peer mentorship is also said to play an important role in supporting students who are from particular ethnic and racial backgrounds in specific disciplines.[14]

Mentorship improves first-year students' transition to university and for retaining them through the system to degree completion on time. Mentoring is a tool towards improving academic outcomes, such as improved students' progress; improving dropout rates of students from the program as well as the timeous completion of the degree on minimum time (this means for a 3-year qualification, the students complete within 3 years and for a 4-year LLB qualification, students complete within 4 years).

The mentorship program can be initiated at the institutional level, but it is also important to have a faculty mentoring program particularly in the first-year of undergraduate study (which can be extended to other years of studies as per the needs of the students). For the successful implementation of the peer mentorship program as Frade[15] posits, lies in how effectively it is planned and implemented. In the planning phase, it is important that appropriate mentors must be identified (it must not be only those who are able to mentor, but it must be those who are willing to do so). It is also important that an institution must introduce an appropriate evaluation approach or model to evaluate their peer mentoring programme on an ongoing basis to ascertain the success

13 Borders & Arredondo 'Mentoring and 1st-year Latina/o college students' (2005) *Journal of Hispanic Higher Education*, 114-133.

14 According to the Department of Education White Paper, 2013, due to the apartheid-era secondary schooling students from the previously disadvantaged and excluded backgrounds, tend to struggle in the sciences and mathematical application subjects. This leads to these students to require additional support when they enroll for disciplines in sciences and mathematics. However, for this chapter, the focus is using peer mentorship on supporting students who are enrolled in Law qualifications.

15 Frade 'Tutoring' (2017) *Journal of Student Affairs in Africa* ix-xi.

of the programme. In addition to improving academic outcomes, peer mentorship programmes should be rooted in an ubuntu philosophy that sees students as interconnected with a broader community. The chapter will analyse the potential of peer mentorship programme based on an ubuntu philosophy of higher education within the context of legal education in South African institutions, as part of effective teaching and learning strategy, to contribute towards student success.

3 The characterisation of the students that enter institutions of higher learning and role of peer mentorship

Most students that enter institutions of higher learning face financial challenges, in that the majority come from households that cannot afford to pay for all the fees associated with studying at a university. These include tuition fees; residence fees as well as meal fees. Most of the students in South Africa are funded by the National Student Financial Aid Scheme (NSFAS), while some do not qualify for NSFAS and tend to struggle to secure any bursaries or funding for their university studies.[16]

Furthermore, literature indicates that students that enter institutions of HE are mainly underprepared for the HE education and environment.[17] In most cases, these students lack exposure to various technologies as well as the necessary skills to study at the required level at a university.

Most of the students come from very poor backgrounds, and they are first generation that attend an institution of HE. These students therefore feel isolated and lack sense of belonging and social connection in this environment. The students feeling of isolation compound their challenge to connect both socially and culturally with the overall campus community. This lack of sense of belonging does impact the performance of the students in their academics as well as in settling well into the university environment.

16 Matyana, Thusi & Xaba 'An evaluation of the National Student Funding Aid Scheme (NSFAS) policy in South African universities: Implications and challenges' (2024) *JISR management and social sciences & economics* 1-16. See also Rammbuda 'Analysis of funding and access challenges to higher education in post-apartheid South Africa' (2023) *Journal of Public Administration and Development Alternatives* 34-50.

17 Makala 'Peer-assisted learning programme: Supporting students in high-risk subjects at the mechanical engineering Department at Walter Sisulu University' (2017) *Journal of Student Affairs in Africa* 18.

Researchers indicate that, the students also come with a range of emotional burdens which can significantly affect their academic participation and performance.[18] The challenges that the students face as they enter institutions of HE already require the students to first overcome these burdens while they are expected to undertake their learning at universities. This already puts some pressure on the students and the peer mentorship programme can be one of the tools that can assist to alleviate some of the challenges.

4 A case study of peer mentorship programme at the University of Johannesburg (UJ) – a theoretical approach

The objectives of the UJ peer mentorship programme are to 'assist undergraduate students with their adjustment to and successful navigation of university life, and thus contribute to reducing student dropout, whilst boosting student success and throughput.[19] Furthermore, the programme is intended to enhance the leadership skills of the students that participate in it as well as to contribute to the improvement of their people's skills.[20]

Training of peer mentors is a critical element of this programme, and it sets it apart from an informal peer interaction. Keup confirms that training is important for developing the capabilities and skills required for peer mentors to acquire leadership skills.[21] The training of peer mentors confirms the standards that the institution employs to the programme. This assists the coordinators to be confident that the peer mentors have the requisite skills and capabilities to support other students.

Each faculty is required to implement the peer mentorship programme according to its own needs, but to adhere to the institution's framework. In this chapter, we use the example of the implementation of the programme at the Faculty of Law in January 2024.

18 Naughton & Naughton 'The integration of subject specific skills and small group teaching into year 1 of degree programmes' (2017) *Open Journal of Social Sciences* 311-312.

19 University of Johannesburg Volunteer Mentor Programme Draft Coordinator's Manual 2023. See also Faroa (n 10).

20 University of Johannesburg Volunteer Mentor Programme Draft Coordinator's Manual 2023.

21 Keup 'Peer Leadership in Higher Education: New Directions in Higher Education' (2012) 157.

4.1 Implementation of peer mentoring programme at the faculty of law, at the University of Johannesburg

In line with the institution's strategic objective to assist undergraduate students with their adjustment to navigation of University's life and to reduce student dropout rate, while increasing student success and throughput rate, the Faculty of Law introduced the mentorship programme in January 2024. Lots of planning and preparation was done in 2023 to ensure that the mentorship programme is realised and implemented in the faculty. To realise this objective, the faculty appointed a faculty mentor coordinator from members of the academic staff. The criteria used was to identify an academic who demonstrated passion in student support and was willing to play a role in the mentorship programme.[22]

The selection process of the peer mentors was undertaken during the preceding year (2023) prior to the implementation of the programme in 2024. In undertaking the selection process, the faculty operated within the University's Volunteer Mentor Programme Draft framework of 2023. An advertisement was circulated to all law students inviting them to submit their application if they wished to be part of the programme. The faculty selected the peer mentors from students who achieved an average of 60 in their academic results for 2023, while also focusing on other skills those students possessed. The skills included, excellent communication skills; interpersonal skills volunteering at faculty events or university events, as well as good administrative and organisational skills. To kick start the programme, the faculty appointed 45 peer mentors in January 2024. The peer mentors underwent training when the academic year started before they could start with their responsibilities. Pairing of peer mentors with the mentees was overseen by the mentor coordinator.

The faculty's peer mentorship programme focused on the appointment of peer mentors to support first-level undergraduate students to achieve academic success and to enhance the students' sense of belonging at university. This was in line with the Mentoring framework at the institution – to focus mainly on assisting the first-year undergraduate students. This is also in line with recommendations from the literature,

22 University of Johannesburg Volunteer Mentor Programme Draft Coordinator's Manual 2023 was used for guidance for selecting a mentor coordinator.

which recommends that peer mentorship must focus upon first-year undergraduates to support them in their transition to university as this is important time where they make decisions on which courses to continue with or even whether to continue in higher education.[23] This therefore means, mentors were selected among students between the second level of study to postgraduate level. This provided an opportunity to appoint both junior mentors (junior mentors were students enrolled in their second year of undergraduate studies to fourth year) and senior mentors (were students enrolled for their postgraduate studies).

The approach to the implementation of the peer mentorship programme was guided by the University's Volunteer Mentor Programme Framework, however, the faculty understood the role of the peer mentors as the following: peer mentors served as role models and offered support by providing information to the mentees on psychosocial and academic subject knowledge support. Peer mentors also provide information on psychological and wellness services at the university and how to contact the relevant Division, Centre for Psychological Services and Career Development (PsyCAD). Furthermore, peer mentors also encouraged students to contact their tutors for assistance with academic subject challenges in cases where such need was identified. Peer mentors connected the mentees to key resources by providing information about opportunities that exist in the faculty and the university on various matters, for example, student funding, vacation jobs and opportunities relating to information sharing seminars, workshops or sessions.

Therefore, the mentorship programme was used as an information sharing at the institution for the mentees. This is an important aspect as first-level students require constant support during their first year and sharing information of all the support resources and services at the institution.

In monitoring and evaluating the peer mentoring programme, three quarterly reports were filed by the mentor coordinator to the Faculty of Law Teaching and Learning Committee (FTLC). The reports focused mainly on the experience of the peer mentors and the mentees, and whether the two understood the aims of the programme and how they can both benefit from it. The reports also highlighted the significance of

23 Lunsford, Crisp, Dolan & Wuetherick (n 6) 316-317.

the training of the mentors and how that assisted them to take up their roles. The reports also highlighted areas of improvement in the training and what can be included to enhance the training for the peer mentors.

The importance of regular reporting provided the faculty an opportunity to intervene where in one group, there were concerns about the mentees assigned to mentors who were not attending any sessions or even reaching out to the mentors. In such cases, the peer mentors were expected to report any identified anomaly to the mentor coordinator, who would report the matter immediately to the faculty. The faculty would reach out to the first-year students to encourage them to establish contact with the peer mentors and remind them of the importance of utilising and participating in the mentorship programme. To enhance the mentorship programme, the responsible academic division, the Academic Development Centre (ADC), designed a new learning site on the Learning Management System Moodle, for this peer mentorship programme. The aim of this was to facilitate interaction between peer mentors and mentees online, and to enhance any in person interaction which was sometimes proving to be impossible due to the academic demands of the students. This innovative tool improved the interaction of peer mentors and mentees and the number of active mentees also increased. The next section contextualises the potential of peer mentorship programmes within legal education at a university based on ubuntu philosophy.

5 Legal education – history and context

To add context to the discussion of the importance of peer mentorship, particularly regarding legal education, it is necessary to sketch the landscape of legal education in South Africa, both historical and contemporary. The former five-year LLB was lengthy and created barriers that a country in transition could not afford.[24] Pre-democratic legal education was characterised by segregation, injustice, exclusion, inequality and positivistic approaches to law. This characterisation

24 Fourie 'Constitutional values, therapeutic jurisprudence and legal education in South Africa: Shaping our legal order' (2016) *Potchefstroom Electronic Law Journal* 6; Midgley 'Legal Education in a Transitional Society' (2008)

was mainly due to the policy of apartheid.[25] During apartheid, higher education was inaccessible for the most part for black people in South Africa. Although 'Historically black universities' existed, they were severely under-resourced, under-funded and typically located in rural areas.[26] From the 1970s until the start of the democratic era, there were primarily three legal qualifications in South Africa.[27] The LLB was offered as a postgraduate degree that followed a three-year degree. The B Proc was a 4-year undergraduate degree that allowed graduates into practice only. B Proc with which graduates could practice. Finally, there was the B Juris degree, which qualified graduates to become prosecutors and magistrates in lower courts. However, the degrees largely excluded many black students from access to practice, in part due to the length of the study and the concentration of law firms being owned by white males.[28] Other statutory requirements such as passing a course in English, Afrikaans or Latin (until 1995) impeded access for students.[29] In 1995, the Department of Justice and Constitutional Development appointed a task team which comprising of government representatives, law deans, representatives from the legal profession.[30] The task team proposed that the LLB be changed from a 5-year programme to a 4-year programme, comprising of a flexible curriculum focused on legal skills and legal ethics.[31] The four-year LLB is regarded as more affordable as it is a shorter degree and therefore less costly.

An important objective of the new LLB programme was to ensure equitable access to legal education in South Africa. This was particularly important as the country had a racially discriminatory past that extended into all institutions and segments of society, particularly the education system. Challenges that presented themselves at the start of the new legal

25 Kaburise 'The structure of legal education in South Africa' (2001) *Journal of Legal Education* 364.
26 Greenbaum 'A history of racial disparities in legal education in South Africa' (2009) *John Marshall Law Journal* 10.
27 Greenbaum 'Legal Education in South Africa: Harmonising the aspirations of transformative constitutionalism with our educational legacy' (2015) *New York Law School Law Review* 465.
28 Greenbaum (n 27) 10.
29 As above.
30 Whitear-Nel and Freedman 'A historical review of the development of the post-apartheid South Africa LLB degree – with particular reference to legal ethics' (2015) *Fundamina* 241.
31 Whitear-Nel and Freedman (n 30) 241-242.

education system included the cost of legal education and the creation of a legal profession that represented the people of South Africa .[32] During the first few years of the 'new' LLB, most complaints were about the lack of skills related to literacy, numeracy and research .[33] The complaints led to a summit meeting called 'Legal Education in Crisis' in 2013 and the appointment of a task team to investigate the pressing concerns.[34] The summit led to a working group, consisting of legal academics and the Council on Higher Education (CHE) responsible for drafting standards for the LLB which was approved by the CHE.[35] The standards that were drafted created standards regarding knowledge, skills and applied competencies.[36] The LLB standards remain an important document for measuring outcomes in the LLB.

Additional events that have shaped the landscape of legal education in South Africa include #feesmustfall and #rhodesmustfall movement. The aforementioned refer to two sets of protests that erupted as a lack of a decolonised curriculum and exorbitant university fees which impacted access to higher education, respectively. There has certainly been an abundance of research by university lecturers on how to decolonise their courses.[37] Some authors question whether this research has caused a deeper shift that was needed.[38] Nevertheless, one could argue that since the protests there has been an increased awareness of existing inequalities at South African universities. However, university education is still not free in South Africa and access to higher education remains an issue. A no fee increase was announced for the year following the protests and

32 Greenbaum (n 27) 467.
33 Greenbaum (n 27) 471.
34 As above.
35 Madlalate 'Legal education in South Africa: Racialised globalisations, crises and contestations' in Garth &Shaffer (eds) *The globalization of legal education: A critical perspective* (2022) 175.
36 Council on Higher Education *LLB Standards*.
37 Le Grange and others'Decolonising the university curriculum or decolonial washing? A multiple case study' (2020) *Journal of Education*; Ammon 'Decolonising the university curriculum in South Africa: A case study of the University of the Free State' 2019; Chikoko 'Revisiting the decolonising of South African higher education question: A systematic literature review' (2021) *South African Journal of Higher Education*.
38 Ajani 'Decolonisation: Why decolonising teacher education is far from realities in South Africa' (2024) Webology; Heleta & Dilraj 'Decolonisation is not even a footnote: On the dominant ideologies and smokescreens in South African higher education' (2024) *Transformation in Higher Education*.

accommodation was to be made for the so-called 'missing middle'.[39] As mentioned above, A funding framework, NSFAS, exists in South Africa. However, various challenges have been faced by university students in the NSFAS Programme including delays, fraud and corruption issues.[40] In addition, funding remains an issue for students who are already part of the higher education system as funds often do not cover all costs and can be allocated late.[41]

An important event that shapes the legal education landscape was the national review of the LLB conducted in 2015. The comprehensive report by the CHE made general recommendations in the areas of curriculum reform, graduate attributes, social sensitivity and resources.[42] The bulk of the recommendations related to curriculum matters such as consideration of an extended programme, uniform understanding of credits, and clinical legal education, amongst other curriculum issues.[43] The report specifically noted that there was a lack of internalisation of transformative constitutionalism at various law faculties.[44]

The most recent event that has shaped higher education in South Africa has been the COVID-19 pandemic. The pandemic has without a doubt had a deep impact on the university experience by students and lecturers.[45] Some more negative effects that have had an impact have been emotional and psychological stress on staff and students.[46]

39 Garrod & Wildschut 'How large is the missing middle and what would it cost to fund?' *Development Southern Africa* 485; Calitz & Fourie 'The historically high cost of tertiary education in South Africa' (2016) *Politikon* 150.

40 Matyana and others (n 16) 3; Lewin 'South Africa's national student financial aid scheme has helped millions but is in trouble: here's why' *The Conversation* (3 May 2024).

41 Lewin (n40).

42 Council on Higher Education *The state of the provision of the bachelor of laws (LLB) qualification in South Africa* (2018) 49.

43 Council on Higher Education (n 42) 50-55.

44 Council on Higher Education (n 42) 52.

45 Du Plessis and others 'South African higher education institutions at the beginning of the Covid-19 pandemic: Sense-making and lessons learnt' (2022) *Frontiers in Education* 2.

46 Mestry 'The effect of the COVID-19 pandemic on higher education institutions in South Africa: Resilience of academics' (2023) *The South African Journal of Education* 71-88.

Linked to the impact of COVID-19, is the fact that the modern period[47] is increasingly characterised by individualisation.[48] Arguably, the individualisation has resulted in an increased risk of isolation in many parts of the world. The university space is no exception.

Arguably, this individualisation is exacerbated, perhaps even caused by what Terblanche and Waghid[49] call the 'neoliberal market-driven world'. The neoliberal university stands at odds with some of the transformative goals envisioned in the LLB standards and other policy documents. Heleta and Dilraj[50] capture the issues presented by the neoliberal university in South Africa in the following abstract:

> The neoliberal market logic became the norm in the post-apartheid period, leading to underfunding of higher education by the South African government and forcing institutions to increase tuition fees, transform into corporate entities focused primarily on producing knowledge for economic gain and graduates for the marketplace, and seek other sources of funding. Neoliberalism sees higher education as a commodity and a space where capacity for the marketplace is produced by universities and academics who are in the business of selling the educational products to their customers (the students) to help them get employment and contribute to the needs of the markets, industries and employers. The purpose of the neoliberal university is not to develop critical knowledge and thinking aimed at dismantling local and global white supremacy, racial capitalism and redressing socio-economic inequalities and inequities rooted in colonial and apartheid oppression and exploitation. The purpose, under the neoliberal logic, is to develop skilled individuals to contribute to the local and global capitalist and neoliberal project.

In the LLB standards and in the national review report by the CHE, neoliberal ideology is still very much at the forefront. The preamble talks of legal education based on transformative constitutionalism.[51] In addition, legal education should be responsive to the needs of the economy, legal profession and broader society.[52] The CHE Standards

47 The modern period refers to the Western modern period co-inciding with the period of enlightenment from the 17th -20th century. See Mwipikeni 'uBuntu and the modern society' (2018) *South African Journal of Philosophy* 322-334.

48 Rasborg 'From class society to the individualized society? A critical reassessment of individualization and class' (2017) *Irish Journal of Sociology* 230.

49 Terblanche & Waghid 'Glo-ubuntu as an extension of global citizenship education: Cultivating the notion of an African university' (2023) *South African Journal of Higher Education* 273.

50 Heleta & Dilraj (2024) *Transformation in Higher Education* 5.

51 Council on Higher Education *LLB Standards* Preamble.

52 As above.

and report is still very much couched in neo-liberal language that is focused on a student that is only intended to contribute towards the market. While skills and knowledge are important, standards documents such as that of the CHE could benefit from incorporating more express criteria relating to students' interconnectedness to a broader community and not solely focusing on work readiness.

Looking at the landscape of legal education one can see a growing awareness of issues that impede transformation in HE such as inequality, access to higher education, funding, eurocentrism and isolation, to name a few. There have been efforts to deal with the relevant issues, by various stakeholders, but the landscape remains precarious. It is this admittedly precarious landscape that students, and staff must navigate. While academic performance and skills development is important, the question that comes to the fore is whether a more holistic approach could contribute towards student success.

As alluded to in this chapter, evidence exists that peer mentorship can enhance academic performance. This chapter submits that peer mentorship is a welcomed intervention as it views students (mentors, mentees and lecturers) as situated within a community. Peer mentorship should not only be seen as enhancing academic performance but rooted in an internalisation of transformative constitutionalism. A peer mentorship programme that is rooted in an 'ubuntu philosophy' is linked to transformative constitutionalism. The next section analyses the potential of peer mentorship programmes to contribute towards the holistic development of students.

6 Student success through peer mentorship based on an ubuntu philosophy of higher education

As alluded to above, in the South African context, many first-year students are first-generation students who experience university as an isolating and overwhelming experience. Changes in the global and South African higher education landscape have exacerbated some of the challenges. Peer mentorship presents itself as an intervention that could assist first-year (and potentially senior) students to succeed. However, student success should not only focus on the production of a student who contributes towards the economy and legal profession but on the creation of a person who is also situated interdependently within

a broader community with a sense of belonging but equally a sense of responsibility.

The sense that law faculties must produce graduates who are not only versed in law but contribute to the creation of a socially just society has been voiced by various authors. Fourie[53] states that 'practising law is not just about financial rewards, but that its greatest reward is contributing to the betterment of society and ultimately to social change'. Modiri[54] has stated that the crisis in legal education does not only relate to the marketability of law students but also to deeper questions relating to, *inter alia*, substantive equality in South African society.

There is a link to be drawn between peer mentorship and building community. MacQueen et al [55] define community as 'a group of people with diverse characteristics who are linked by social ties, share common perspectives, and engage in joint action in geographical locations or settings'. According to Brint community is 'aggregates of people who share common activities and/or beliefs and who are bound together principally by relations of affect, loyalty, common values, and/or personal concern'.[56]

More specifically, in the university context, Lloyd-Jones[57] states that 'the condition of community is the binding together of individuals toward a common cause or experience.' Goodrich[58] notes that an important component of peer mentoring is socialisation. One of the many benefits of peer mentorship has been the sense of connectedness that it can lead to.[59] As such students form part of a community.

Given the importance of community building and interdependence in peer mentorship programmes, there is a strong case for grounding peer mentorship programmes in the philosophy of ubuntu. It emphasises the role of community and shared growth and responsibility. Peer mentorship programmes rooted in an ubuntu philosophy could

53 Fourie (n 24) 2.
54 Modiri 'The crisis in legal education' (2014) *Acta Academia* 3-4.
55 MacQueen & others 'What is community? An evidence-based definition for participatory public health' (2001) *American Journal of Public Health* 1929.
56 Brint 'Gemeinschaft revisited: A critique and reconstruction of the community concept' (2001) *Sociological theory* 8.
57 Lloyd-Jones 'Designing campus activities to foster a sense of community' 1989.
58 Goodrich 'Online peer mentoring and remote learning' (2021) *Music Education Research* 257.
59 Goodrich (n 58) 260.

potentially ameliorate some neoliberal market-driven objectives and ideologies.

Ubuntu has its origins in the African Nguni languages and it is generally regarded as a difficult concept to translate.[60] Mbiti's quotation of 'I am because we are' translated from the phrase 'umuntu ngumuntu ngabantu' is often used to describe ubuntu.[61] Ubuntu has been related to terms such as humanity, humanness, interconnectedness, solidarity and human dignity.[62] Ubuntu has been recognised as a constitutional value in the South African legal system. It was expressly mentioned in the preamble of the 1993 Constitution that there was a need for ubuntu and not for retaliation and victimisation.[63] Despite its absence in the 1996 Constitution, courts have acknowledged the importance of the value of ubuntu.[64]

Ubuntu pedagogy has been advocated for by various scholars.[65] Ngubane et al identify the following key principles of ubuntu pedagogy: recognition of self and others, building positive relationships, co-

60 Ngubane and others 'Intersection of ubuntu pedagogy and social justice: Transforming South African higher education' (2021) *Transformation in Higher Education* 3. Kamga 'Cultural values as a source of law: Emerging trends of ubuntu jurisprudence in South Africa' (2018) *African Human Rights Law Journal* 627. Ewuoso & Hall 'Core aspects of ubuntu: A systematic review' (2019) *South African Journal of Bioethics and Law* 96.

61 Mbiti African religions and philosophy. Ngubane and others (n 60), Mugumbate and others 'Understanding ubuntu and its contribution to social work education in Africa and other regions of the world' (2024) *Social Work Education* 1120.

62 Metz 'Ubuntu: the good life' (2021) *Encyclopedia of quality of life and well-being research* 1. Omodan & Diko (2021) *Journal of Culture and Values in Education* 99. Ewuoso & Hall 'Core aspects of ubuntu: A systematic review' (2019) *South African Journal of Bioethics and Law* 98.

63 Constitution of the Republic of South Africa, Act 200 of 1993.

64 See for example *Port Elizabeth v Various Occupiers* 2005 (1) SA 217 (CC) para 37, *S v Makwanyane* 1995 (3) SA 391 (CC), *Dikoko v Mokhatla* 2006 (6) SA 235 (CC) para 68. While the focus of this chapter is not on the role of ubuntu in the legal system but rather its role in peer mentorship programmes, it should be acknowledged that, similar to many other philosophical schools of thought, *ubuntu* has radical and more moderate approaches. For a more radical approach that emphasises on redistributive justice aspects of ubuntu and incompatibility with the South African legal order see Kroeze 'Doing things with values II: The case of ubuntu' *Stellenbosch Law Review* 252-264; Ramose *uBuntu: Affirming a Right and Seeking Remedies in South Africa* 121-136.

65 Ngubane and others (n 60) 1-8. Van der Walt and Oosthuizen 'uBuntu in South Africa: Hopes and disappointments – a pedalogical perspective' (2021) *Perspectives in Education* 89-103. Le Grange 'uBuntu, uKama and the healing of nature, self and society' (2012) *Educational Philosophy and Theory* 56-66.

operation between students, participative and interactive learning and acts of humanity.[66]

Drawing on the principles of ubuntu pedagogy mentioned above Waghid conceptualises ubuntu-based higher education grounded in responsible actions, restorative justice and dignified caring on communal matters. While his focus is primarily on ubuntu philosophy as it relates to teaching and learning within the classroom, these principles are equally applicable to experiences outside of the classroom that support student success, such as peer mentorship.

Waghid [67]defines an ubuntu philosophy of higher education in the following words

> an *ubuntu* philosophy of higher education is mostly concerned with humans enacting their social responsibility as autonomous speaking beings, pursuing co-belonging in responding to major societal problems, and attending to others through deliberative encounters.

He identifies three important components of an ubuntu philosophy in higher education: speaking and bearing witness, co-belonging and attentiveness to others/deliberation.

The first component relates to humans that are capable of speaking and bearing witness. The references to community above refer to groups of people that share common interests or values. However, an ubuntu-based community is not just about participation but meaningful engagement.[68] Merely occupying the academic space does not gaurantee inclusion.[69] Instead, university spaces should foster engagement.[70] Waghid et al describe true engagement as the ability to speak

> When *ubuntu* connects humans, the possibility is always there to recognise one another's presence and capabilities to speak. What connects humans is not merely that they share a common academic space to pursue their interests. Instead, they are bound by the necessity to speak with one another. In this sense, speaking becomes a necessary practice for *ubuntu* to manifest. Small wonder that *ubuntu* is associated with the dictum, a person is only such with others. When a person's

66 Ngubane and others (n 60) 5-8.
67 Waghid 'Towards an ubuntu philosophy of higher education in Africa' (2020) *Studies in Philosophy and Education* 305.
68 Waghid and others '*Ubuntu* as an act of collaborative engagement and co-belonging: Implications for the public university' in *Towards an Ubuntu University* 28.
69 Waghid and others (n 68) 27.
70 Waghid and others (n 68) 28.

> relationship with others were to unfold, such a person becomes a speaking being and not just a listener. Of course, one can engage with others through listening but others would not know what one represents if one does not speak. And, this is what makes *ubuntu* a practice of human engagement rather than participation. Put differently, *ubuntu* involves speaking on the basis that speaking engages one in the thoughts of others. In turn, listening ensues through speaking because speaking without listening is a blatant denial that the speaker has something to say.

Peer mentorship programmes have a vital role to play in fostering substantive engagement and connecting first-year students with their 'speaking ability'. Peer mentors are not only there to relay information but to impart to students that their voices matter within an institution. It is the connection to themselves as 'speaking beings' that will give them the ability and agency to navigate the university space. It is thus important that peer mentors not speak 'down' to first-year students but encourage them to engage as equals in the university community.

The second component of an ubuntu-based university is 'co-belonging'. Waghid[71] says the following regarding co-belonging:

> In a way, humans who endeavour to respond to societal malaise see themselves in ubuntu fashion as citizens of humanity and not as citizens of African nation states. Humans as citizens of humanity co-belong in the quest to eradicate societal problems that seem to undermine their humanness and dignity.

It is precisely this co-belonging that peer mentors help to cultivate. Peer mentors play a key role in removing barriers that hinder the academic success and development of mentees. For example, first year students might struggle to navigate university processes and systems, experience a feeling of exclusion, or face a lack of resources such as food or shelter. Peer mentors foster co-belonging by directing students to supportive people, spaces and departments that can help. In this process, peer mentors signal to mentees that they are part of a community. This sense of co-belonging is likely to lead to an enhanced sense of confidence and motivation that spills over into academic performance. Even more so, it could lead to a sense of ownership and responsibility toward the university community. The LLB standard speaks to the creation of responsible citizens that are socially aware and aligns with this approach. In this sense, the university acts as a microcosm of the bigger communities such as the legal fraternity

71 Waghid (n 68) 304.

and national community. Fostering co-belonging could aid in creating socially responsible citizens that are socially aware.

The third component centres on 'attentiveness to others' and 'deliberate action'.[72] There must be intention behind engagements. Waghid[73] draws on Wiredu (2000, 374) who illustrates deliberations as elders sitting under a tree. These deliberations should allow different points of view but always include 'respect, care and trust'.[74] Similarly, peer mentorship programmes require intention and thoughtful planning. Peer mentors typically go through a process of training to be attuned to the needs of mentees. In other words, there is a deliberateness to their interaction informed by care, commitment and respect.

7 Conclusion

There have been various efforts and policies in HE aimed at transformation. While there have been gains, the discussion above has shown that the landscape remains precarious. Research has shown that peer mentorship can be an effective strategy to assist students (particularly first year students) in navigating this space successfully. Much of the research has focused on neoliberal market-related indicators. However, Waghid has argued that to truly create the transformative changes we want to see in HE we need to adopt the idea of an ubuntu-based university. An ubuntu-based philosophy is based on 'social responsibility as autonomous speaking beings, "co-belonging" and "deliberate encounters"'. The main argument of this chapter has been that peer mentorship programmes at South African universities, including the peer mentorship at the University of Johannesburg need to be based in an ubuntu-based philosophy. Law faculties, in particular, should be reminded that incorporating an ubuntu-based philosophy can ameliorate some of the policies that are skewed towards a neoliberal idea of a university.

72 Waghid (n 68) 305.
73 As above.
74 As above.