

# Reimagining legal supervisory design to deliver responsive legal scholars in a South African context

*Dr Anthea-lee September-Van Huffel*  
*University of Cape Town*

## 1 Introduction

The inclusion of Personal Development Practices (PDP) can seem alien to law academia due to the conservative, colonial influence of traditional legal education, and legal practice training, which has extended to supervision pedagogies – specifically in the format of the ‘one-on-one’ supervision model, also referred to as the ‘Oxbridge model’, the ‘master-apprentice model’, and the ‘tutorship model’.<sup>1</sup> It is the most prevalent model in developing countries with colonial histories like South Africa. Many public Higher Education Institutions (HEI) in Africa experience institutional constraints and may find the one-on-one model to be time consuming, difficult to sustain, and subject to scrutiny in lieu of efficiency, resource constraints, and inclusivity considerations. As a result, the traditional apprenticeship style of supervision is increasingly inadequate in lieu of global pressures and the kind of challenges that limit doctoral degree programmes (DDP) in Africa’s context. In this chapter, the three identified PDP is critically discussed with particular attention to the following questions:

- (i) Why should supervisors include the PDP in their supervision process?
- (ii) How is the PDP developed and included in the supervision model? and
- (iii) What challenges may impede the inclusion of the PDP?

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<sup>1</sup> Zeegers & Barron 2012; Kiley 2017; Dominguez-Whitehead & Maringe 2020; Carter-Veale and others 2016.

Not all of the above questions are posed in respect of each PDP but are addressed where relevant to the overarching argument and discussion. The chapter concludes with observations and recommendations. A summary of the status of these PDP in HEI appears below.

## **2 Supervisors as research and methodology experts**

### **2.1 Supervision: a presumption of capability and expertise**

Possessing a certain standard of skill to supervise is expected of all law lecturers, supervision is a key performance area that forms part of a lecturer's assumed capabilities. Supervisors of doctoral candidates are presumed to be suitably qualified to supervise, by virtue of their doctoral qualification and are automatically considered capable of providing a high level of teaching and learning as well as generating more PhDs for the development of the knowledge economy.<sup>2</sup> In fact, a satisfactory record of doctoral graduate output is a promotional requirement for senior lecturers at most HEI. However, due to the siloed and capability assumptions regarding supervision, there is no uniform or central means of assessing the quality of doctoral supervision across HEI.

The assumption of automatic capability and expertise is flawed, because not all lecturers are naturally adept at supervision nor are all lecturers by virtue of doctoral qualification automatically capable of supervising without undergoing at least some training. It is therefore not unusual to encounter academics with high research publication outputs, but low completed doctoral supervision output rates. But supervision is an inherent requirement of the job, and it is incumbent upon all supervisors to eventually become experts on the practice of research and methodologies. This kind of expertise is distinguishable from expertise on the theoretical knowledge of the lecturer's law discipline. The assumption of expertise in research and methodology, is further supported by the fact that most lecturers are expected to supervise across

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2 F Khodabocus, 'Challenges to doctoral education in Africa' 2-3 January 2016. 'CHET criteria indicate that for a university to perform as a research tool for development, 50 percent of its core academics must have earned a PhD, enabling them to provide high level of teaching and learning as well as generating more PhDs for the development of the knowledge economy. Few evaluation systems and quality control mechanisms are in place to ensure the quality of doctorates.'

a range of law topics, the standard of capability and expertise is therefore not necessarily limited by the research topic or preferred area of research.

It is acknowledged that becoming an expert in research and methodology, as a subject matter, is a long-term and progressive goal for most academics. Still, it is argued that such expertise is a critical skill that supervisors need to exercise regularly for the personal development of doctoral students; and to facilitate doctoral students to traverse the necessary conceptual threshold crossings in the postgraduate journey.<sup>3</sup> Supervisors who are proficient in the language and understanding of research and methodologies have a better chance of improving the personal development skills that emerge from threshold crossing that is strongly associated with advanced learning.<sup>4</sup>

### 2.1.1 *Why should supervisors include the PDP in their supervision process?*

Supervisors who are experts in methodology use methodology to assess whether the conceptual depth required at doctoral level is possible on the topic of study.<sup>5</sup> Supervisors who are experts in research and methodology can apply innovative and interdisciplinary thinking to the conceptualisation of research. While the subject matter of the research may differ between doctoral candidates, the supervisor expert is able to navigate between methods and is capable of guiding doctoral candidates to learn to do the same. This helps students to think critically and to view their research from multiple perspectives. As an expert, the supervisor can confidently suggest cross-disciplinary literature that can evolve or unlock the student's ability to think critically about their research. Supervisors that are proficient in the diversity of research and methodology pedagogies assist doctoral candidates to select the most appropriate methodology for their research. Exposure to supervisors that themselves

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3 S McKenna 'Crossing conceptual thresholds in doctoral communities' (2017) *Innovations in Education and Teaching International* 459. McKenna describes conceptual threshold crossing as a 'challenging process' that 'entails questioning dearly held assumptions or critiquing dominant' understandings in society.

4 As above. According to McKenna crossing these conceptual thresholds result in the kind of advanced learning that fundamentally changes the way the doctoral candidate perceives themselves as a researcher and their ability to research and proceeds to describe this experience as a more 'nuanced' more 'sophisticated' way of perceiving oneself.

5 McKenna (n 3) 461.

can demonstrate innovative thinking, interdisciplinary and critical conceptualisation of research capabilities has positive implications for the identity of legal scholars and their future PDP.<sup>6</sup> Lastly, it should not be taken for granted that by virtue of being a supervisor, that the academic is expected to be an expert, whether the doctoral candidate knows the supervisor personally or not. The expectation of familiarity often exists even before any actual work has started, and the student is therefore in a kind of trust relationship based on the initial expectation of supervisory expertise while the supervisor is expected to cultivate an environment of trust for safe internal reflection.<sup>7</sup>

South Africa's HEI context is also an important factor in the development of supervision experts. Most African institutions believe that research at institutions should be contextual and focused on transforming societal ills by developing and encouraging problem-solving research that seeks to impact societies for the better. This is true in African countries that believe that there is a direct correlation between broader institutional postgraduate visions and research expertise, and this is considered to be a general good practice and not an above threshold practice.<sup>8</sup> Having said this, the belief that there is a correlation between an institutions postgraduate research vision, the standard of research expertise, and its potential for development in Africa is not exclusive to Africa. Universities in Europe and the United States have recognised that there is a link between doctoral education and research expertise as tools for development in Africa too.<sup>9</sup>

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6 McKenna (n 3) 462.

7 See L Frick, R Albertyn & L Rutgers, 'The Socratic Method: Adult education theories' (2010) *Acta Academica Supplementum* 82. On an environment of trust and reflection.

8 National Review of South African Doctoral Qualifications, 2020-2021 64.

9 F Khodabocus, 'Challenges to doctoral education in Africa' 1 January 2016. 'Universities across US and Europe and developed countries at large, have been placing increasing emphasis on the importance of doctoral education as an engine for growth for the knowledge economy. Along the same lines, researchers in Africa, have undertaken various research studies to investigate the process of universities functioning as tools for development for the African continent.' See also National Review of South African Doctoral Qualifications, 2020-2021 at 60. 'The general consensus is that addressing and/or working towards meeting equity imperatives should not be construed as above-threshold, but rather as an expected response from all institutions, given their legislated responsibility to implement these imperatives. Equity imperatives (and transformation in general) are issues that have been repeatedly debated and advocated in various higher education documents and policies since 1994.'

According to the Council on Higher Education (CHE), the overwhelming majority of HEI offer only the General doctoral degree and only three institutions have the Professional doctoral degree registered by the South African Qualifications Authority (SAQA) and, of these three institutions, only two are actually offering the Professional doctorate currently.<sup>10</sup> It can therefore be surmised that the predominant form of doctoral supervision still focuses on academic research and writing acumen and are somewhat less concerned with professional attributes that include specialised coursework modules and work-integrated learning.<sup>11</sup> Since the General doctoral degree continues to enjoy such popularity, it simply affirms that special attention must be given to the role of the supervisor, since this type of qualification relies most heavily on substantive and regular engagement between doctoral candidates and their supervisors. As such, expert supervisors in research and methodology are of import due to the placement of the qualification within the broader institutional context. This speaks to the institutional research alignment between supervisor and institution.

Van' t Land, lists a lack of research and scholarship as one of the top challenges facing HEI today and confirms that the quality and ability of academics to supervise is critical to the success of DDP. Supervisors are responsible for learning and teaching, knowledge creation through research, research supervision and dissemination of teaching and research findings through publications. Supervisors must provide expertise, time and support to help ensure thesis production at an acceptable institutional, and global standard. Van' t Land identifies academic qualification and research output in peer reviewed journals as external supervision expertise indicators, that if possessed, should deliver the expected quality supervision. Notably, however these are indicators that are generally associated with most academic positions,<sup>12</sup> yet not all supervisors that possess academic qualifications and a solid record of research output are successful supervisors. These indicators therefore leave considerable flexibility in the quality of supervision which is largely unregulated but has significant institutional and developmental impact.

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10 National Review of South African Doctoral Qualifications, 2020-2021 5.

11 As above.

12 H Van' t Land, 'The changing nature of doctoral studies in sub-Saharan Africa,' (2011) *International Association of Universities Technical Report* 32, 33, 42.

As such, prior to an application for doctoral study is accepted, institutions and supervisors share the obligation to ensure that the necessary supervisory time, intellectual capacity and expertise, institutional equipment and facilities is available to meet the research needs of the doctoral candidates.<sup>13</sup> From the perspective of the doctoral candidate, the supervisor is an institutional representative, and there is the legitimate expectation that the supervisor must hold the expected expertise beyond theoretical knowledge. It is additionally expected that supervisors hold the necessary institutional research and methodological knowledge, institutional standard, and conceptual depth required at that level.

### *2.1.2 How is the PDP developed and included in the supervision model?*

In the preceding section, the institutional role of supervisors as research experts was emphasised within the broader context of developing countries like South Africa. The need for HEI in Africa to address additional equity imperatives, and the responsiveness to societal interests and needs through knowledge development that naturally translates into research, and increased supervision expertise is then self-evident. This institutional and societal role demands that supervisors be engaged in the broader contextual discourse and its alignment with the relevant institutional research strategy, national research standards, research publication standards, sustainable development goals, and national development plans. This broader understanding is exhibited in supervisors who are experts in research and methodology. According to McKenna, the socio-ecological condition [that is] currently characterised by fragmentation, individualisation, risk, overconsumption and greed... requires an intellectual community that is orientated towards public good and prepared to put people first, before profit and pollution<sup>14</sup> Expert supervisors are responsive to socio-ecological conditions and through this PDP, doctoral candidates are trained to ensure that their research is similarly relevant and responsive to the context.

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13 National Review of South African Doctoral Qualifications, 2020-2021 16.

14 McKenna (n 3) 460.

Expert supervisors must be research active, monitor and provide feedback to their doctoral candidate on their progress and problems, and provide discipline-specific and expert advice, and ensure the doctoral candidate's work responds creatively to certain societal needs.<sup>15</sup> As such, supervisors [are] urged to delve more deeply into the theories that underscore their questioning practices.<sup>16</sup> It is immediately noticeable that these are task orientated traits or actions taken by the supervisor. This is the *how*, which is distinguishable from the qualification that a suitably qualified expert supervisor is expected to possess. Here, the *how* is focused on the level of active involvement or engagement of the supervisor in the process. It is then evident that the level of context sensitive supervisory expertise is progressively improved over time, it is nonetheless, demanded from the start of the supervision process at the start of the supervisor-doctoral candidate trust relationship.

### 3 Creative scholarly environments and learning spaces

#### 3.1 The link between successful DDP and creative scholarly learning spaces

What is meant by creating a scholarly environment and learning spaces? For the purposes of this chapter, what is referred to here is the type of research rich environment that will promote the doctoral candidate's progression to higher levels of personal and academic development by providing research active spaces and collective learning opportunities.<sup>17</sup> This necessitates the creation of an intensive research and learning community that is wider than the supervisor alone. Its inclusion can be at odds with the traditional apprenticeship model in its strictest application.

It is uncommon in legal education for supervisors to factor into their supervisory design the creation of scholarly environments and learning spaces for doctoral candidates. The creation of scholarly environments and learning spaces is generally not considered to be the domain of the

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15 Van't Land (n 12) 33.

16 As above 77.

17 M Cross & J Backhouse, 'Evaluating doctoral programmes in Africa: Context and practices' (2014) *Higher Education Policy* 174.

supervisor, and if the supervisor follows the traditional apprenticeship model,<sup>18</sup> conducive learning spaces would be firmly placed at the door of the doctoral candidate. A supervisor in this model may inform their doctoral candidate of library facilities or external writing centres but whether the doctoral candidate makes use of these institutional services is at their discretion. This may not be the best approach. It is proposed that supervisors who design their supervisory models to include creative scholarly environments and learning spaces as an important part of their supervision domain will experience increased levels of supervision efficacy and quality. Additionally, because doctoral output rates in South Africa have remained relatively consistent with little increase in graduate percentages,<sup>19</sup> it is contended that supervisors who include research conducive environments and learning spaces will naturally increase doctoral production over time. It is reasoned that the DDP will gain traction as the expert supervisor becomes sought after; and that a facilitative environment for intensive research will result in an increasing number of applicants; it will reduce time to completion and create a steady flow of doctoral candidates.

However, institutional DDP initiatives must support and not limit the mission, vision, and strategic plans of the institution in so far as the quality and relevance of individual doctoral qualifications are concerned. It is argued that if supported and invested in, these initiatives create a wide scholarly environment replete with opportunities for research engagement and can serve as an important quality assurance oversight to the entire doctoral studies process and foster a contagious environment of research intensity.

Institutional limitations also have an impact on the capacity of institutions to achieve research intensity. According to the CHE, doctoral student's experiences differ amongst institutions which is of course to be expected. But, that most universities struggle with equality of provision for doctoral students across disciplines citing unequal and often inadequate access to libraries and laboratories, and unequal access

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18 McKenna (n 3) 458. 'The traditional apprenticeship model of supervision in which the single scholar charts her individual research path' is a feature characteristic of this model.

19 J Mouton, 'Doctoral production in South Africa: Statistics, challenges and responses' (2011) *Perspectives in Education* 16-17.

to bandwidth, wifi, internet and other digital information tools.<sup>20</sup> It is necessary for institutions to move beyond their limitations so as not to compromise the quality of the doctoral qualifications.<sup>21</sup> The inclusion of this PDP in supervision design could help to overcome some institutional limitations through strategic supervision and research partnerships with other institutions.

### 3.1.1 *Why should supervisors include creative scholarly learning spaces in their domain of responsibility?*

It is argued that supervisors and doctoral candidates who participate in DDP that allow for greater engagement experience many benefits such as doctoral students constructing research identities by being encultured into the research community's norms and gain greater confidence;<sup>22</sup> doctoral candidate's advanced learning<sup>23</sup> experience in that the quality of their critical thinking and reasoning skills improve;<sup>24</sup> and students gaining access to research facilities and infrastructure that would not otherwise have been possible. Supervisors can share the time burden associated with supervision activities by increasing co-supervision opportunities in group and interdisciplinary learning spaces; supervisors are able to share their specialist knowledge with larger doctoral cohorts who benefit from their expertise and perspectives. Scholarly research environments can assist doctoral students to move from the periphery to becoming established researchers and facilitate a cross-pollination of exchanges that transforms the entire group. However, McKenna correctly opines that regardless of these benefits creating doctoral experiences comes not only from pedagogical understandings of how learning is facilitated through collaboration, it is also driven by economic concerns.<sup>25</sup>

20 National Review of South African Doctoral Qualifications, 2020-2021 12-14.

21 National Review of South African Doctoral Qualifications, 2020-2021 16.

22 Frick (n 7) 93.

23 McKenna (n 3) 459-460. 'It is a challenging process and often entails questioning dearly held assumptions or critiquing dominant understandings in society, as a researcher is fundamentally changed for having crossed this threshold, more nuanced, sophisticated understanding of oneself.'

24 Frick (n 7) 78.

25 McKenna (n 3) 459. See Van't Land (n 12) 42. 'Shortage of funding for students to conduct research and inadequate facilities, equipment and research infrastructure as two of the top 6 challenges at HEI in Africa.' See Mouton 2011:14. 'Funding allocations would be directly linked to academic (teaching and research) activity and especially output.'

### ***3.1.2 How can supervisors include creative scholarly learning spaces in context?***

According to Frick, supervisors can use techniques to free the blocked spaces by redesigning activities for (advanced) scaffold learning, by providing support materials and conceptual tools, and by means of mentoring and peer collaboration creating a nurturing environment to enable the shift in perspective to allow for further personal development.<sup>26</sup> The underlining principle is that the greater the exposure the better the learning,<sup>27</sup> or stated differently, ‘experience underpins learning’.<sup>28</sup>

The CHE Standard provides the standard for doctoral qualifications, which is to:

‘[D]evelop the highest level of holistic and systematic understanding of scholarship and stewardship of a field of study through an original contribution that advances the frontiers of knowledge.’

According to the CHE, such mastery and ability are evidenced by the specific knowledge and skills indicated in the Standard as ‘Graduate Attributes’ and highlights that to achieve these attributes, the physical and developmental contexts are important contributors.<sup>29</sup> As such, the creation of a scholarly environment and learning spaces to facilitate active research cannot be underestimated and is a strong contributor to the success of any DDP.<sup>30</sup>

There are various ways that supervisors can create research active environments that are conducive to advanced learning, many of which are expressly suggested in higher education policy, such as regular research seminars, developmental workshops, incentives,<sup>31</sup> funding or time to

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26 Frick and others / 2010:92.

27 M Cross & J Backhouse, ‘Evaluating Doctoral Programmes in Africa: Context and Practices’ (2014) Higher Education Policy 155–174. Refers to the construction of explicit opportunities, including events and networks, so that candidates get such exposure.

28 Frick and others 2010:78.

29 National Review of South African Doctoral Qualifications, 2020-2021 16-17.

30 As above.

31 F Khodabocus, ‘Challenges to Doctoral Education in Africa’ Jan 2016 2. ‘Not many masters’ graduates move to enroll for a PhD after the completion of their studies and there is a lack of incentives at the level of the higher education institutions, private and government sectors to motivate African students to pursue high level studies.’

attend conferences, building strong links with global universities,<sup>32</sup> mentorship, and opportunities to present work in progress and to interact with scholars internal and external to their institutions. Collectively, these initiatives combine to create a research community from which doctoral candidates can learn and be sustained.<sup>33</sup> The benefits of the inclusion of creative scholarly environments and learning spaces in the supervisory design means that students will feel less isolated. It can help combat the phenomenon of loneliness experienced by many doctoral students and thus reduce the dropout rate in the DDP.<sup>34</sup>

### 3.1.3 *What contextual challenges impede creative scholarly environments?*

The CHE reported that different contexts undoubtedly affect HEI and that academic departments in Africa often lack creative scholarly environments conducive to research.<sup>35</sup> To produce quality doctorates, the appropriate degree of importance must be placed on the quality of supervision and role of the research environment in context. Context, in various forms can pose challenges to the creation of scholarly research environments. However, with recent efforts to revitalise higher education in Africa, considerable attention has been placed on the need to explore more effective models of doctoral education that are better suited to the African context. Doctoral education, if cleverly approached, offers the potential for developing skilled staff for academic and research institutions and can be central to the development of much-needed locally relevant knowledge in Africa.<sup>36</sup>

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32 M Cross & J Backhouse, 'Evaluating Doctoral Programmes in Africa: Context and Practices' (2014) Higher Education Policy 155–174.

33 As above. See also McKenna (n 3)463–464. On the importance of the scholar community, Engagement in seminars, increasing the possibility of fortuitous encounters, and the positive peer pressure as scholars became aware of the sophisticated levels of engagement expected of them.

34 Frick et al 2010:81. Reflection coupled with consultation serves as a source of validation, counsel and affiliation during periods of risk taking, conflict and role transition – which are inherent to learning and change. Isolated reflection is devoid of the support and encouragement students need in order to implement their ideas in practice.

35 National Review of South African Doctoral Qualifications, 2020–2021 at 62. See also Cross & Backhouse 2014: 155–174.

36 As above.

However, institutional funding is a challenge that is shared globally albeit in varying degrees. The council for doctoral education in Europe cited limited financial support for early-stage researchers as an issue of central importance for doctoral education. It further stated that the ease and extent with which funding is available during the research process has a 'knock-on' effect on many other aspects that enable doctoral candidates to carry out their research successfully.<sup>37</sup> Therefore, it is incumbent upon supervisors to be cognisant of the importance of financial support and funding opportunities in the doctoral research process; and how funding can be used to increase the opportunities for creative supportive scholarly research environments for their doctoral candidates. For example, funding grants that provide sabbatical funding, equipment funding, and cover expenses for conference attendance,<sup>38</sup> all expose doctoral candidates to more research perspectives and engagement that they otherwise could not have accessed or afforded. These initiatives when included in the domain of the supervisor's practice, contribute to the development and completion of the research of their doctoral candidates.

Therefore, in Europe, it is generally accepted that creating this environment for doctoral candidates is a collective effort in which the supervisor plays an important role. The responsibility is shared by the supervisor, other qualified members of the supervisory team or research community, and various structures put in place by the university to support DDP and the development of scholarly learning opportunities.<sup>39</sup> Support and guidance for early-stage researchers is an organised effort on multiple institutional levels. While supervisors in Europe continue to play a central role, it is becoming increasingly rare for them to work

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37 A Hasgall and others 'Survey doctoral education in Europe today: approaches and institutional structures' Council for Doctoral Education (2019) 20.

38 Cross & Backhouse 2014: 155–174. 'Most postgraduate students are working and full-time study is therefore not always sustainable. 'In Africa most students expect to pay fees for their tuition and to support themselves during their studies, but the difficulties of doing so mean that they delay and interrupt doctoral study. In South Africa, universities are rewarded with state funding for successful doctoral graduates. These rewards form part of the national funding formula for universities and make it feasible for universities to offer to waive fees for successful doctoral students. Countries are putting funds into growing research and development and this, as well as the private sector and donors, may provide funds for doctoral programmes. Since funding is such a significant obstacle to sustainable doctoral programmes in Africa, some evaluation of funding sources is needed.'

39 As above.

without any form of institutional oversight and collaboration<sup>40</sup> as part of their supervision PDP and DDP.

In contrast, the traditional apprenticeship model of supervision which is most prevalent in South African HEI's can be described as directional or transactional, it follows a structured supervisory process in that it tends to follow the research proposal design. It is, in fact, not controlled by the supervisor but the doctoral candidate and has limited involvement of other research community members. It is argued that this model poses a challenge to creative scholarly environments and learning spaces. However, the one advantage of such structured practices is the focus on progress deliverables. Usually, a progress report is required of the student at different stages of the supervision process.<sup>41</sup> But, the quality of the learning spaces or research environment in this model, which includes the supervisor's ability to engage, is rarely assessed if at all. In addition, the common challenges experienced by most apprenticeship model supervisors is the limited supervisory capacity and a lack of administrative support.<sup>42</sup>

It is therefore argued that the above challenges can be better managed and the burden lessened by sharing the responsibility with a broader research community. This is possible if supervisors include creative scholarly environments and learning spaces that support doctoral candidates to find solutions from a number of sources and not only the lone supervisor.

## **4 Writing to learn, not learning to write**

### **4.1 Understanding deep learning in the thesis writing process**

The successful and timeous completion of the final thesis is ultimately the end goal for both supervisor and doctoral candidate. The quality of the thesis determines whether the doctoral candidate has provided a research product that meets the necessary requirements to achieve the

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40 A Hasgall and others 'Doctoral education in Europe today: approaches and institutional structures' Council for Doctoral Education (2019) Survey 23-24. It is noted that the Salzburg Principles published in 2005 supports collective effort shared responsibilities.

41 Mouton 2011: 27.

42 As above. .

qualification. However, what it does not assess is whether the supervision relationship was satisfactory for both parties; and the assessment of the product does not establish whether the student has received the kind of supervision that leads to optimal personal and scholarly development. This is not to diminish the importance of the product, the thesis, after all, the completion of the thesis is required for graduation and unnecessary delays can carry financial implications for the doctoral candidate. However, as a result most supervisors and doctoral candidates spend considerable energy and time on learning to write. In other words, the focus is on getting the content written down and tutoring the doctoral candidate on grammar and sentence construction. Consequently, the learning that takes place is predominantly from the technical editing process which is carried out by the supervisor. This may not be the most effective way of improving the doctoral candidate's personal and scholarly development because it does not amount to the deep learning expected of a doctoral candidate. Therefore, it is argued that a shift away from 'learning to write' to one of 'writing to learn' should be adopted.

#### *4.1.1 Why should supervisors foster a writing to learn approach in supervision?*

What does it mean to really learn? To answer this question, supervisors and their doctoral candidates must share the same understanding of learning, this understanding will inform their expectations of the doctoral process. Waghid, distinguishes learning from a 'consumerist logic' and describes how students are expected to 'engage dialogically with their supervisors in order to construct meanings, couch their stories, do detached and rigorous analyses, reflect, and disclose the unheard and unexpected.'<sup>43</sup> According to Waghid, if the student's learning does not foster the ability to reconstruct and deconstruct knowledge by engaging critically with texts, and to articulate coherent arguments independently, then it cannot be said that the student has learnt.<sup>44</sup> There are stages in the writing process and one of the roles of supervisors is to help the student move through the different phases of writing to grow and demonstrate effective analytical skills needed to build a sophisticated, reasoned, and

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<sup>43</sup> Waghid (n 43) 428.

<sup>44</sup> As above.

substantiated argument. To provide clarity through inquiry-orientated discussion and to draw attention to relevant information in their deliberations.

It is argued that while writing is important for the completion of the thesis, the quality of the writing should improve progressively and this is only possible if the doctoral candidate is engaged personally in their journey to become a critical thinker; and to acquire the skills necessary at each stage to allow the supervisor to guide them through the learning process, which challenges them to cross important learning or conceptual thresholds.

The aim of writing to learn is to cause a shift in the writer's understanding of themselves and of the texts they read within the context of their research topic. Frick describes this shift in the writing process as students starting off initially as novice researchers and dualistic thinkers that are unable to craft a balanced, reasoned argument with little critical analysis or discussion. At this early stage, students do not include many arguments of others, finding it difficult to entertain points of view other than their own. Essentially, students are described as being overwhelmed and do not manage to address the complexities of the issue or the research topic under discussion.<sup>45</sup> In the next stage, they begin to contextualise knowledge, students begin to grow and progress as their world views expand, the second stage of relativism emerges, as they become reflective thinkers, who realise that there are many opinions, and that some opinions are better than others. It is at this stage, according to Frick, that students begin to investigate and evaluate why other opinions are better.<sup>46</sup>

However, it must be acknowledged that students come from diverse backgrounds with differing levels of worldly exposure and experiences. Doctoral candidates do not come fully equipped for the higher learning and writing process expected of them and this is even more challenging for those from disadvantaged backgrounds, which invariably would have impacted upon their early schooling. It is incumbent upon supervisors to acknowledge the nuances and historical inheritances that constitute the South African reality; to see the potential in the student; and to identify the areas where development requires immediate attention. A

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45 Frick (n 7) 86.

46 Frick (n 7) 86.

developmental discourse is particularly appropriate in African countries where doctoral candidates have not had equal educational opportunities, where they come from a variety of undergraduate programmes that may have prepared them unevenly for doctoral research, or where they come into a multidisciplinary programme from different disciplinary backgrounds.<sup>47</sup>

As might be expected given the varying contexts of these institutions in the processes and conditions for admission and registration of doctoral students, it has been confirmed by the CHE that there are very wide variations in doctoral candidates between different institutions. As a way of assessing doctoral readiness, the CHE has recommended the inclusion of pre-registration (also called pre-doctoral) preparedness programmes although this is an above-threshold practice. Nonetheless, the advantage is that such programmes provide a means of assessing the preparedness of the doctoral candidate at entry level and also an opportunity for the candidates to assess for themselves whether or not doctoral study is something they are committed to pursue.<sup>48</sup>

#### 4.1.2 *How should supervisors employ a writing to learn approach?*

There are clear expectations of a doctoral student and the competencies that the student should ideally demonstrate during the writing process. Research, innovation, and knowledge-creation for example has come to be seen as the hallmark of the doctoral degree. At this level, a doctorate degree holder 'demonstrates competencies for obtaining research findings in a scientific subject; or for the development of innovative solutions and procedures in highly complex and novel problem situations in a field of occupational activity.'<sup>49</sup> It is therefore evident from this description that it is anticipated that the doctoral candidate at the conclusion of the thesis must have developed their own doctoral voice so much so that it must lead to self-authorship.<sup>50</sup> Many HEI therefore require proof of an article submission to demonstrate that learning through writing has indeed

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<sup>47</sup> As above.

<sup>48</sup> As above.

<sup>49</sup> S Ortega & J Kent 'What is a PhD? Reverse engineering our degree programs in the age of evidence-based change' (2018) *Change: The Magazine of Higher Learning* 30-36.

<sup>50</sup> McKenna (n 3) 462.

taken place, further that the candidate has become a critical thinker and has therefore acquired the ‘outcomes of scientific inquiry’<sup>51</sup>

Accordingly, the ‘consumerist student attitude’, as described by Waghid, indicates a different understanding of the writing and learning process to that of the supervisor and will ultimately prevent deep learning. The student and supervisor will have different if not oppositional expectations from each other and this could lead to frustration.<sup>52</sup>

It is proposed that supervisors use the writing process as a tool to facilitate learning in the supervision trust relationship. Frick champions the question-and-answer technique as a developmental tool in defining and refining research questions and problems in dialogue with doctoral students, where both parties seek the so-called truth by means of critical questioning, deeper understanding of their reasoning and argument, formulate their ideas coherently, and the student is able to take ownership of its articulation. This questioning technique is called the Socratic method and according to Frick, it enables greater independence and doctoral students to find their scholarly voices during the process.<sup>53</sup> In practice, what this translates into is a doctoral student that is actively involved in the thinking process, who is open to questioning their personal beliefs, willing to continuously reflect upon their research and indeed their writing. This Socratic method is distinguishable from the ‘learning to write’ method followed by most supervisors, where doctoral candidates submit written drafts and the supervisor proceeds to correct the writing and formulation of the content, the doctoral candidate receives the corrected version to learn from. An example of what they should have written. However, writing should be a tool for learning and reflection as student’s knowledge grows so too should their views expand and transform them, Frick calls this an ‘internal discourse’ that takes place where essentially the student is able to develop their opinions,

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51 Waghid (n 43) 430.

52 Waghid (n 43) at 429. ‘Higher levels of freedom and friendship to become more prevalent in postgraduate student supervision in order to cultivate a culture of ‘authentic’ learning different from one that advocates a consumer, market-driven ‘logic’. the achievement of a formal qualification is inextricably linked to some kind of external gain. consumerist logic. education itself becomes the commodity. passive recipients of information. become proponents of ‘his or her master’s voice.’

53 Frick (n 7) 75-77.

their arguments, and their author voice - separate from that of their supervisor.<sup>54</sup>

This means that supervisors who often focus on providing grammatical editing and instruction style feedback in track changes (without the involvement of the doctoral candidate) in their critical assessment of draft chapters, ought to reconsider this kind of feedback. Feedback must involve active participation and reflection by the student to foster growth and transformation of understandings.<sup>55</sup>

Feedback should involve critical discussion and questioning that drives students to delve deeper and to consider perspectives that they may not have considered or may have excluded prematurely. Ideas of other authors should be critically unpacked. According to Waghid, the possibility of learning becomes eroded if one refers uncritically to the work of others without meeting two conditions: First, reading the text in such a way as to determine the range of possible interpretations of the text and to identify and evaluate the presuppositions of this or that particular argument in the text; and secondly, reading the text in such a way that the student is challenged by the questions of the text, as much as the text is challenged by the student.<sup>56</sup>

#### *4.1.3 What challenges impede the inclusion of writing to learn by supervisors?*

The central challenge that faces supervisors who seek to include a writing to learn PDP for deep level learning, as opposed to writing with the happenstance of learning - is time. It takes doctoral candidates time to conduct thorough research, time to grow into their arguments and ideas, and it takes time for supervisors to interpret and challenge their assumptions, and to continuously guide doctoral candidates through probing questioning and problem-posing. Most supervisors and doctoral candidates want their research supervision journey to unfold as an enriching and insightful experience that will shape identities,

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54 Frick (n 7) 94. 'The Socratic method provides a channel for fostering the internal discourse as opposed to the authoritative discourse when the student accepts the word of the supervisor unconditionally. An empowerment of the student and foster his/her ownership of the research project and process.'

55 As above.

56 As above.

values and approaches to personal and professional development of the doctoral candidate but the process of growing critical thinkers takes time.<sup>57</sup> Therefore, the problem of insufficient time for supervision is an inhibiting factor.<sup>58</sup> Time, coupled with the reality that not all doctoral candidates will progress at the same rate, some requiring more input and development than others... this added to the pressure for graduate output that rests heavily on supervisors shoulders.<sup>59</sup> The kind of deep learning expected of doctoral candidates requires an open-mindedness and willingness to transform their thinking and to move beyond knowledge and skills to a level of proficiency in decision-making within complex circumstances. The writing to learn process can be challenging for supervisors who are ill-equipped to guide students in a strategic and learner-centred manner.<sup>60</sup> This can become even more complex, when supervisors and doctoral students prescribe to different understandings as to the purpose of learning and its role in society.

If supervisors are stuck in traditional methods of supervision that are inflexible and follows a predetermined structure, then this could inhibit learning if not carefully combined with critical thinking practices and active engagement with doctoral candidates in feedback opportunities. Students could begin to rely too heavily on the authoritarian voice of their supervisor and start to adopt the thinking of the supervisor, instead of developing their author voice and identity. This is the opposite intent of DDP as students would naturally feel inhibited from exploring other possibilities that may even challenge the supervisors personal and entrenched theoretical position.

Relying solely on the feedback structure ('spoon-feeding') provided by the supervisor that requires supervisors to deliver what students require, which is ordinarily accompanied by the supervisor's 'conclusive' judgements is in line with what Waghid refers to as a consumerist logic. This may save the supervisor time, time being one of the main challenges to the development of critical thinking skills, but Waghid

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57 Frick (n 7) 83, 87.

58 Van' t Land (n 12) 36.

59 Centre for Research on Science and Technology, 'Postgraduate Studies in Africa', Council on Higher Education Report 2009: 15, 22. Indicates that the burden of supervision has increased across all fields of science between 2000 and 2005, as the average number of students per supervisor in all fields has increased substantially.

60 Frick (n 7) 75-78.

cautions against supervisors providing conclusive judgements. To do so, according to Waghid is to wish away the legitimacy of contending viewpoints and dissent that is so vital to scholarly life.<sup>61</sup> Further, this practice robs the student of their independent thought, authentic voice, and the opportunity to contribute original ideas which is required for doctoral research.<sup>36</sup>

### 5 Conclusion

The assumption that all lecturers have the capability to supervise and are by virtue of their position experts in research and methodology is flawed. Supervisors must work to become experts in research and methodology which means attending training workshops, seminars and educating themselves on developments in research and methodology literature. It is therefore understandable that the quality of supervision differs between HEI and is largely unregulated. However, what is undeniable, is that expertise in research and methodology is a critical skill that supervisors are expected to possess and must consciously develop, in addition to, discipline specific knowledge. Most African HEI believe there is a direct correlation between the success of the institutional postgraduate vision and its research expertise. This belief has implications for how a supervisor's job performance and their research expertise is perceived by their employer. Supervisors as research and methodology experts is therefore considered to be general good practice and not an above threshold practice.

It is further argued that the thesis, is the end product, and does not fully assess the quality of the actual supervision or whether the candidate has reached all the personal development thresholds expected of advanced postgraduate student learning. To illustrate this, the chapter distinguishes between the cognitive developmental process of writing to learn versus the technical corrective process of learning to write. It demonstrates that deep learning requires more than an exhaustive focus on writing the thesis to completion and that the quality of supervision has significant institutional and developmental impact – especially for developing countries in Africa.

Furthermore, the inclusion of creative scholarly environments in supervision design can help overcome institutional limitations through strategic supervision and research partnerships with other institutions.

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61 Waghid (n 43) 431.

This PDP requires a collective effort between supervisors, postgraduate students, and the institutions. The CHE doctoral qualification standard is the 'highest level of holistic and systematic understanding of scholarship' – this standard could be better met if supervisors create scholarly environments for greater student exposure through strategic programme partnerships and collaborations that would incentivise more students to pursue high level studies.

It is imperative to reimagine how we supervise and to ask whether our current supervisory design delivers doctoral graduates that are critical independent thinkers capable of responding to South Africa's contextual challenges.