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Threats to Decolonial Immanent Ethics

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Abstract

The last three decades have witnessed a distinct shift in the identity and purpose of higher education across the world. From being a site for predominantly public institutions offering a Humboltian social good, higher education has morphed towards narrowly responding to powerful national economic growth imperatives. Both public and private institutions now compete aggressively along neoliberal market principles to provide an economic good. African higher education is not immune to such persuasions. There is now aggressive competition for students, personnel, and physical and economic resources. An insidious performativity discourse has become normalised, emphasising outcomes, throughputs, and performance measurements. This culture is likely to impact the work of the academe, especially as it relates to research and scholarship, is without question. There is little contention that the understanding and application of fundamental ethical principles in the conduct of research is likely to be threatened. Contemplating (South) African research ethics in institutions whose governance is inspired by the traditional colonial (Anglo) model that pledges allegiance to a heterosexual white male value system, which requires a critical deconstruction in the face of transformation and social cohesion discourses that urge the rejection of race and race markers and a discounting of identity politics. This conceptual article considers how we might mitigate the deleterious effects of a neoliberal higher education milieu and the marginalising of (Black) race as a compelling socio-cultural resource. This paper argues for a transition from a narrow, technical, ethical compliance towards understanding and applying Deleuzian immanent ethics.

Keywords: *immanent ethics; higher education; neoliberalism*

Introduction

In remaining true to the spirit of this article, like Bottrell and Manathunga (2018), who commence their work with a spiritual invocation, this paper begins by paying tribute to the ancestors that walked this land – original custodians of the land (the Zulu nation) – whose knowledge and belief systems had been systematically marginalised (destroyed) by colonialism. The three short quotations below (from southern writers) are meant to offer theoretical windows through which one might understand/comprehend the layered complexity of the research ethics and knowledge production landscape.

> *"... colonialism left behind enduring legacies—including not only political and economic, but also cultural, intellectual, and social legacies—that keep alive European domination." (Bulhan, 2015: 2195).*

> *"... after 26 years of democracy [in South Africa], there is an upsurge in racism across the country..." (Noyoo, 2021: 21).*

"Like a prison, the perverted logic of neoliberalism has captured the world. Nowhere is this more evident than in what we often refer to as the neoliberal university. Ensconced in a dehumanizing ethos of free market supremacy, social surveillance and community shattering individualism…" (Bottrell and Manathunga, 2018: v).

The three quotations above are powerful as they present a trenchant backdrop to the problems that this article attempts to address, namely the contemplation of research ethics at the intersectional nexus of colonialism, racism, and neoliberalism issues germane to the (South) African context. It is important to note that contemporary research ethics (policy and practice) is the outcome of a particular history (western modernity) and a constantly evolving present (Tuck and Yang, 2014). The South African higher education research context/arena is particularly fraught, plagued by a lingering residue of institutional racism of the apartheid era (Mtshali, Maistry and Govender, 2020). South African higher education simultaneously and impenitently embraces a neoliberal agenda, while aspiring towards decoloniality as it relates to its curriculum, teaching, and research (Bond, 2014). It is not unreasonable to assume that individual research supervisors and research students are not likely to engage in profound ways on how contemporary research ethics protocols have come to be, accepting and applying such protocols without contestation (Le Grange, 2019).

This article considers the ideological ladenness of higher education institutional research ethics policies and practices by drawing attention to two very public higher education research incidents that reveal the diversity of opinion of what constitutes an ethical code for research in South Africa. This disparateness in thinking occurs on a rapidly morphing neoliberal higher education stage in which its academic actors contemplate the notion of decolonisation (of curriculum and research). The compression of time and space in a short journal article does in a sense essentialise the complexities (and transgressions) that have taken place over centuries of colonial hegemony over what counts as ethical, namely, white male western Eurocentric value systems, of the cartesian vintage. In the section that follows, a brief theoretical account of Deleuzian immanent ethics.

Deleuzian Immanent Ethics

> *If change is frightening, if an ethics that presents no overarching and unchanging principles is unsettling, it is because we want the 'good' life, whatever that might mean, and if we are not sure what it means, we want to have some way to at least approach the question … the answer … is one that is premised on a deep faith in the creative fecundity of life in finding active solutions for the problems that arise in what are always very particular circumstances (Lorraine, 2011: 129).*

Lorraine, in drawing on Deleuzian philosophy, urges that we move beyond a transcendental (universalising ethics) in the conduct of our lives, towards a 'creative subjectivity', which entails an 'ongoing attunement to oneself, (and) to others…' in order to find creative solutions (Lorraine, 2011: 129). While Deleuze did not specifically write about research ethics as we understand it in the contemporary higher education connotation, his notion of an immanent ethics has salience as we consider our scholarly endeavour. He argues that "it is only when immanence is no longer immanence to anything other than itself that we can speak of a plane of immanence" (Deleuze, 2005: 27). The plane is akin to a background to or context within which a phenomenon is foregrounded. While forming the backdrop, the plane foresees, anticipates, and fashions what is to come, forethoughts enabling conceptualisations for a context that is yet to be created. Immanent ethics then exists within, permeates the mind, is present within, and throughout, is deep seated, and instinctive. Immanent ethics might lay dormant, existing within but not yet brought into consciousness. As latent attribute, immanent ethics is powerful as it speaks to potentiality to revise, review, reconfigure, to undo, and redo, in a constant state of becoming. Immanent ethics, as disposition, entails seeking out alliances and networks of interdependence and collaboration. In following Lorraine, immanent ethics

recognises human experience and flourishing. Le Grange (2012), however, argues for a move beyond the narrow anthropocentric in favour of an ethics underpinned by *ubuntu* and *ukama*, African traditional values that dissolve the anthropocentric eco-centric binary. This would an entail an ethics of care for the biophysical world.

It is clear that research ethics as a bureaucratic concept, is far from the conceptually rich elucidation as it relates to immanence described above. How then might we hurdle structural obstacles that inhibit the people from realising immanent ethics for (South) Africa, a discussion which begins with a reflection of recent ethical faux pas that surfaced in the SA higher education context.

A Brief Reflection on Contemporary Research Ethics Debates in South Africa

In recent years, tensions have begun to emerge in the South African higher education research arena. Two contemporary controversies have triggered widespread debate and critical moral opprobrium with regard to the ethical code by which South African researchers should abide by. Nieuwoudt, Dickie, Coetsee, Engelbrecht and Terblanche's (2019) 'scholarly' article entitled "Age and Education-Related Effects on Cognitive Functioning in Coloured South African Women" published in the journal *Aging, Neuropsychology, and Cognition*, caused much consternation amongst, primarily, non-white academics. The public outcry, as it relates to the researchers' insensitivity to the plight of historically marginalised Coloured women and the stereotyping that the study's finding perpetuated, resulted in the article being abruptly removed from circulation. This was viewed as a kind of informed complicity in unethical research behaviour by the entire assemblage - internal university research and ethics committee's (at Stellenbosch University) funders, as well as the journal's reviewers and the journal's editorial committee, all sanctioned the culprit scholarship (Le Grange, 2019; Mtshali et al., 2020). Oblivion, a cultivated state of unawareness that serves an active process, was clearly at play here (Mtshali et al., 2020). Three key issues that are endemic but rarely discussed in South African academic spaces (conferences and publication) emerged:

> *Firstly, while at face value biomedical ethics principles have appeal in guiding research and the work of the institutional ethics committees of the world, it has become apparent that despite the relative robustness of the framework, the potential for selective appropriation and application that might lead to (un)witting harm, is very real… (secondly) that the poor and most vulnerable continue to be the subjects of experimentation… (and thirdly), that race remains a distinct determining factor as to who might be the source of data for studies that involve harm to human beings* (Maistry, 2020: 90).

The extent of the oblivion of positionality and the possible effects of researching and publishing racially offensive findings resurfaced in 2020 in the South African higher education arena in the form of another controversial (race inspired) commentary piece by Nicoli Nattrass titled: "Why are Black South African Students Less Likely to Consider Studying Biological Sciences?" (Nattrass, 2020) in the *South African Journal of Science*, a journal under the guardianship of the Academy of Science of South Africa. Note that the stated objective of this journal "is to promote the visibility and impact of South African and African research by publishing high-quality original research from Africa…" (extracted from the journal's website, https://sajs.co.za/about). Nattrass quite vehemently stands by her scholarship (Nattrass 2020). Of concern though is that Nattrass is but one cog in the academic assemblage that vetted this research study, namely, the internal university research and ethics committees (at another white liberal bastion, The University of Cape Town) funders as well as the journal's editorial committee. The journal's response was that it simply followed a 'standard practice' of not subjecting the comment piece for peer review and relied on the author's signed declaration (Publishing Agreement) that the contents of the article was not inflammatory or derogatory (Carruthers and Mouton, 2020). This reflects a case where the technical and procedural protocols

merely serve as legal safeguards for the journal, a case of assuming limited or no liability for what gets published (even as comment pieces).

Arguably, the most telling aspects of the journal's response is contained in the opening paragraph which states without reservation that, "over more than a century, since 1905, in various formats and published in various organisations, the content of the South African Journal of Science (SAJS) has reflected the state of scientific thinking in South Africa…" (Carruthers and Mouton, 2020: 1). Two issues worthy of concern for South African academia emerge from this. In the first instance, the editor-in-chief and the editorial committee, having read the comment piece, deemed it to be of publishable quality. The more serious point is that they inadvertently admit that what they publish 'reflects the state of thinking in South Africa'; That the Nattrass comment piece does exactly this as an 'admission' that is compelling as it speaks to the latitude that certain established members of the academic fraternity believe they have what is considered acceptable scholarship. It is thus reasonable to infer that despite the twenty-five years of post-apartheid higher education transformational initiatives, certain assemblages continue to enjoy hegemony over what constitutes as admissible in scientific thinking in South Africa.

To its credit, the SAJS commissioned a special issue inviting critique and support for the ill-fated scholarship, which incidentally triggered what might be considered a knee-jerk response by Nattrass' home institution (UCT) as politically correct distancing from the said scholarship and instituting an internal investigation into how this ill-repute bearing scholarship had passed undetected through its internal control systems. The lead piece by the Editor-in-Chief and the Chair of the Editorial Advisory Board in the special edition was a somewhat bland, a neutral two-pager which was disappointingly concluded with the statement that "This episode reflects an important moment in the longer history of the SAJS at a time of changing values" (Carruthers and Mouton, 2020: 2). The vagueness of this pronouncement is profound and its cross-reference to its initial statement, which alludes to protecting constitutionally enshrined academic freedom while encouraging rebuttal, reflects a frail non-partisan stance which might be inferred as the gatekeeper's reluctance to upset its well-stacked apple cart that comprises the constituency that it serves. This non-committal to the matter of Black lives by two established white South African academics, despite a resurgence in activism internationally (and locally), reveals and confirms a deeper subtext, namely, that it is impossible to expect White South Africans to understand the experience of being Black and being at the receiving end of (White academics) research exploitation, in the name of scholarship.

The special response issue of SAJS drew what might also be considered a quick-fire critique, ranging from scholars who took issue with the methodological frailty of the study (Adesina, 2020), its unfounded speculation about cultural behaviours of Africans (Dziwa, 2020), that research is deeply socio-political especially the neglect of Black lives (Mnguni, 2020), and that the assumptions and subsequent analysis is flawed (Rosenberg and Le Grange, 2020). The article had clearly upset especially those that are non-white. Esso and Long (2020) though, who self-identify as unoffended Black South Africans, are critical of what they describe as 'outrage porn' that appears to be infiltrating academia. They urge that social media ought not be the place where academic debates should happen (Esso and Long, 2020). This is a somewhat flawed demarcation that assumes that the social is not implicated in the academic (Mzilikazi, Roux, and van Vuuren, 2020). Other somewhat opportunistic commentary (Midgley, 2020) exploited this space (the special edition) to cast White academics and White students as victims, with claims of confusion by White academics and White students about what constitutes as racism and their apparent subsequent silencing for fear of being labelled racist. Nattrass' extended rejoinder, a somewhat defensive piece, was an attempt to dismantle the published critique by defending (amongst others) the methodological and analytical issues as well as the attack on positivist research. If there was to be a follow-up special issue, much of her defence would also be subject to a dismantling.

Arguably, the most significant aspect of Nattrass's response was her cursory acknowledgement of the genesis of identity politics (black lesbian feminism and its influence on contemporary social activist movements like 'Black Live Matter'), and her immediate dismissal thereof. She contends that it privileges "identity over other factors, to enable reductionism and essentialism" the effect of which is to promote "intolerance and incivility in South African academia" (Nattrass, 2020: 7). Note that the very invocation of these powerful constructs (essentialism and reductionism) is self-contradictory as it does precisely what she accuses her detractors of doing, discounting with a single sweep that reflects an intolerance for what perspectives appear unpalatable. This rejection of identity politics in the face of the global impetus on an unprecedented scale (Collins 2017) signals that racism remains a scourge in society and is particularly telling as it demonstrates the non-affinity that some White might have towards acknowledging that racism is a factor in contemporary society. From a research ethics perspective, it draws attention to the chasm in the understanding and interpretation of ethics principles and their application in the SA context.

Garza cautions that we remain wary of protagonists who discount identity politics, arguing that identity politics is "not only widely misunderstood, but intentionally distorted in order to avoid acknowledging the ways in which identity shapes the economy, our democracy and our society." (Garza, 2019: 8). Garza's assessment of the identity politics debate in the United States has resonance for South Africa as it urges us to disabuse the notion that South Africa is in the post-race phase of its history. While opponents to identity politics declare that they also have an interest in transformation and social change (as Nattrass did), they ignore or erase differences that emanate from different kinds of oppression. What has also become evident, is that the powerful White academia has systematically shaped the debates around identity politics in South Africa in post-apartheid SA. After centuries of colonial rule, it is reasonable to conclude that western-Eurocentric epistemology and ontology has been firmly embedded in South African academia. Its hegemonic hold on what counts as knowledge as well as the ethics of coming to know research has imprinted on South African scholarship in an almost indelible fashion, so much so that it has been normalised and naturalised as the barometer by which everything else must be measured. The guardians of this standard are steadfast in its defence.

Garza further cautions that "too often, whiteness dismisses the experiences and worldviews of people who are not white…" (Garza, 2019: 10), an institutionalised phenomenon during apartheid, the lingering effects of which are still present. Mamdhani reminds us that South Africa's miraculous, non-violent transition to a democracy, was premised on constructing the new South Africa where perpetrators of apartheid (including rank and file White South African colonists) and those disenfranchised by the apartheid regime, would co-exist under the pretext that subjects that both sides were deemed victims who had to heal together in the new South Africa (Mamdhani, 2021). The TRC, in following the Nuremburg model, singled out individual perpetrators of heinous apartheid crimes as criminal acts as opposed to a political act of the collective. Mamdhani asserts that rank and file White South Africans were accorded blanket, unconditional forgiveness in the new post-apartheid South Africa. As such, White South Africans were not held accountable for centuries of White social and economic privilege that came with institutionalised racism. There was no forum to hold the White community responsible, to show public remorse, shame, or guilt (Mamdhani, 2021). The side effect of this, is a lingering white supremacy in terms of value systems, culture, and acceptable norms of social behaviour; that a level of white supremacist arrogance still persists in certain quarters of SA society (including academia) is not entirely incomprehensible; that it is not widespread is a moot point. In Nattrass' assessment, this kind of analysis might be labelled as academic incivility. Note that critique, "the etiquette of critique and criticism," in academia (Petrina, 2012: 17), and what constitutes an ad hominem attack, has been largely shaped by centuries of hegemony in the SA academic fraternity's rules of engagement that have strong ethical implications and demands disruption.

Nattrass expressed disdain for attacks on western modernity and western knowledge systems, especially her contempt for the position advocated by the student activist she cited, who called for a complete renunciation of western Eurocentric knowledge in SA in favour of starting afresh and building on indigenous epistemology. To Nattrass, this student's radical perspective was ludicrous and inconceivable. Of significance though, is that what Nattrass could not recognise or acknowledge, is the centricity of western modernity to the exclusion of others. In fact, decolonial scholars insist that the outright rejection of western modernity is unviable but that its occupation of the centre needs to be challenged in an attempt to consider that which is on the margins (Maldonado-Torres, 2007). There is this a need to consider, with fresh eyes, western modernity's universality, especially as it relates to its commitment to universal ethics.

Decolonising Universality: The Case of Ethical Principles

The genesis of universality can be traced back to Rene Descartes' famous philosophical pronouncement: I think therefore I am (*ego-cogito, ergo sum*) (Grosfoguel, 2009). The considered founding father of western philosophy and western science, Descartes, posited western man as empiricist knowledge producer of universal truths through the act of dichotomising the mind and body, and the mind and nature, allowing "western man to represent his knowledge as the only one capable of achieving a universal consciousness, and to dismiss non-western knowledge as particularistic, and so unable to achieve universality" (Grosfoguel, 2009: 15). The outcome of western modernity and coloniality is the production of several global hierarchies. Of significance for this paper is what Grosfoguel describes as the construction of "[a]n epistemic hierarchy that privileges western knowledge and cosmology over non-western knowledge and cosmologies and institutionalized in the global university system" (Grosfoguel, 2009: 19). The global university system (Africa included) and its knowledge production ethos (research ethics principles) have assumed a rigidity and limited tolerance for religious and cultural pluralism in non-western contexts like Africa.

In a compelling book entitled "Educate or Perish. Africa's Impasse and Prospect", Ki-Zerbo (1990) implores African scholars to consider a kind of intellectualising and scholarship of Africa and for the African continent, as not merely a simplistic return to pre-colonial informal arrangements, but a substantive reclaiming and production of knowledge with a strong African identity. This orientation towards knowledge production in Africa implies that western Eurocentric principlism, as reflected in the canonical Beauchamp and Childress universal principles (Beauchamp and Childress 1979), be contested, especially in culturally diverse societies (Padela, Malik, Curlin, and De Fries 2015). Claims that the Beauchamp and Childress' principles are culturally neutral are flawed (Westra, Willems and Smit 2009). It becomes clear then that western, canonical ethical principles have limited value in pluralistic societies especially given modernity's preoccupation with the individual as autonomous entity. Individualism, as a disposition, is a contrary value system to what societies, which are vested in traditional cultures and religions, subscribe to – community systems in which individuals exist as intricately connected members of a broader collective family (Alora and Lumitao, 2001).

The principle of autonomy for example, is very much culture specific. There is much angst that recognising cultural diversity might dilute a common or universal morality and that moral relativism might ensue. Tosam, however, argues that,

> *Proponents of culturally responsive bioethics are concerned that common morality may result in moral imperialism because of the asymmetry of power in the world and ... that the difference between the leading Euro-American and indigenous African construal of autonomy is that the former ascribes greater weight on individual self-determination while the latter emphasizes responsibilities towards the community* (Tosam, 2020: 611).

Western Eurocentric value systems sit uncomfortably with cultural diversity perspectives especially on the issue of respect, with some arguing that respect has “serious empirical and conceptual constraints in both theory and practice ... and … jeopardises the normative role of bioethics…” (Bracanovic, 2011), a position supported by Widdows, who contends that the distinction between culturally sensitive ethics and western ethics is exaggerated, arguing for the centrality of western global ethics over culturally-sensitive ethics, given its more practical validity (Widdows, 2007). This assertion remains a moot point.

It becomes clear that the pull to universal ethical principles remains powerful, given its decades of having accumulated a currency that the international research community has held sacrosanct. Of concern is that many of Africa’s intelligentsia have been schooled abroad (Mamdhani, 2021) mainly on a diet of western Eurocentric research ethics. Similarly, given that universities in Africa have constructed their curriculum, governance, and research on western models (Ndlovu-Gatsheni, 2018), dislodging the western Eurocentric research ethics can is likely to prove difficult.

The challenge of refashioning for an African research ethics is likely to be stifled by what has become a more perverse ideology that has infiltrated higher education, the neoliberal juggernaut, a discussion of which follows in the section below.

Neoliberalism, Colonialism, and the University

“The dominant social and political apparatus of the modern epoch is neoliberalism, which promotes market-driven ideologies…” (Guta, Nixon, and Wilson, 2013: 303). Neoliberalism as it plays out in Africa, is intricately and complexly connected to colonialism. Colonisation’s systematic material dispossession and the monetisation of natural and human resources ushered a naturalised corporate capitalism in colonised nation states. In the post-colonial era, neoliberal ideology has continued to preponderate the social imaginary. Note that colonisation was much more than material exploitation of the colonies for profit, its more surreptitious motive was the puissant obliteration of knowledge systems (epistemicide) and higher education formations (universities), an example of which is the Karawiyyin in Fez, Morroco (Bottrell and Manathunga, 2018) paving the way for the entrenchment of knowledge produced by predominantly by white men from five western countries (Grosfoguel 2013).

Universities in post-colonial Africa have morphed with relative ease, assuming neoliberal governance tenets with uncontested legitimacy, propelled by western controlled international bodies like UNESCO and the World Bank. Brock-Utne cautioned almost two decades ago of the threat and the subliminal intents of UNESCO and the World Bank in coercing African nation states towards neoliberal-informed policy frameworks. That (education) funding came with prescriptive conditionalities is without contention (Brock-Utne, 2003).

In a telling assessment of the intention of the World Bank in the mid-eighties, Brock-Utne notes:

> *That at a meeting with African vice-chancellors in Harare in 1986, the World Bank argued that higher education in Africa was a luxury. Most African countries were, according to the World Bank, better off closing universities at home and training graduates overseas. Recognizing that its call for a closure of universities was politically untenable, the Bank subsequently modified its agenda, calling for universities in Africa to be trimmed and restructured to produce only those skills that the market demands* (Brock-Utne, 2003: 30).

The writing was on the proverbial wall as to the neoliberal direction that African higher education was to ‘take’ at the expense of the arts and social sciences. African university academics, having trained in Europe and the United States, became the new colonial missionaries, proxies that sustain the reification of Eurocentric epistemology on the African continent. Note that between 1960 and

1990, a large number of African intelligentsias was also lost to Europe and the United States (Brock-Utne, 2003), further eroding the intellectual base that might produce an African epistemology and codes of research conduct (research ethics) that respond to the pluralism that Africa presents and values. Of significance in the quotation above, is the brazen arrogance with which western neoliberal proxies like the World Bank assert and dictate the fate of the African continent. The global neoliberal order has also produced asymmetrical donor-recipient relationships, even in higher education.

There is a growing body of international scholarship on the effects of neoliberalism in higher education, including studies that address the re-privileging of western discourse in curriculum (Gyamera and Burke, 2018); socio-economic consequences and knowledge production (Shrivastava and Shrivastava, 2014); attempts at disruption to the neoliberal university (Cini 2019); and the abandonment of the welfare state (Troschitz, 2017). In a compelling book entitled "Neoliberalism, Higher Education and Research" Roberts and Peters examine, amongst other phenomena, the issue of knowledge as intellectual capital and offer a critique of performativity and performance-based research funding (see Roberts and Peters, 2019).

In the South African context, white apartheid governance was a distinct example of settler neoliberalism which naturally mutated into the corporate style of university governance that now prevails in South African universities. University managers in South Africa, under pressure to maintain economic viability in the face of the increasing public sector, has put austerity measures to reconceive higher education from being a social good that would deliver social transformation to higher education that should fuel economic growth. The neoliberal turn, argued by some as expedient fright term to solicit support for inevitable anti-efficiency and anti-corporate style governance that higher education management demands (Tight, 2019), is not without consequence. One such outcome is "pressure to 'perform academia' through sourcing research funding, policy impact and publication" (Crimmins, Casey, and McIntyre, 2020: 1).

As the research cited above indicates, neoliberal tenets have begun to shape academia in particular ways. Advanced research programmes, such as master's and doctoral studies, have been significantly ramped up. Former teaching institutions (including universities of technology) have declared themselves to be research-led universities or research-intensive universities. Increased surveillance and accountability protocols have now been instituted and designed to monitor time-to-completion, fast-track throughput, and lower attrition rates and mandatory publishing of work-in-progress in peer-reviewed outlets especially at doctoral level. Both students and research supervisors are subject to punitive sanction should they be deemed as clogging up the system - a new responsibilisation thrust upon individuals to account for (non)performance and prudentialism (Peters, 2005), involving self-investment (in competences) that might hedge risks of tenure curtailment. 'Under-performers' are weeded out or earmarked for intervention. The implications for contemplating alternative discourse on research ethics is likely to be superseded by the urgency to conform - the effect of what Foucault describes as hierarchical observation and normalising judgements through constant examination (Foucault, 1979).

Of significance is that this surveillance regime has bureaucratised higher education research, having a confounding effect to its original intents. Guta, Nixon and Wilson (2013), drawing on the work of Haggerty's notion of ethics creep (Haggerty, 2004), argue that institutional ethics boards have self-proclaimed enterprises in themselves that effect checkbox-style protocols that might miss finer nuances around ethics, as reflected in the Dickie et al and Nattrass cases discussed earlier. Such protocols are usually framed on a positivist blueprint that dominates the research world; biomedical tenets at distinct variance with complexities in the social sciences. Ethics review committees become the gatekeepers/guardians of knowledge production (what kinds of research, on/with whom, duration, and for whom/outcomes), performing a normalising function that inadvertently prejudices

and censors qualitative, in favour of positivist research (Guta *et al*., 2013), fuelling competition for limited resources.

The neoliberal competitive ethos produces the competitive, entrepreneurial self, competitive departments, faculties, and aggressive competition between universities. University rankings have become the hallmark of the neoliberal global higher education order, reframing the academy through externally imposed benchmarks (Lynch, 2006), creating league tables that culminate in the fittest always rising to the top. There is little evidence to suggest that African universities can resist this neoliberal competitive value system. What is of importance is the effect that it is likely to have on the ability to imagine an African inspired ethical code.

Concluding Comments

The arguments offered in this paper are significant in that in draws attention to the tensions in developing ethical research practices in a complex layered South African higher education context. Given the lingering effects of racism and neoliberal fundamentalism that now prevails, extant research ethics principles need to be interrogated for contemporary relevance. Lorraine argues that,

> *Deleuze and Guattari's conception of an immanent ethics calls on us to attend to the situations of our lives in all their textured specificity and to open ourselves to responses that go beyond a repertoire of comfortably familiar, automatic reactions and instead access creative solutions to what are always unique problems* (Lorraine, 2011: 47).

The dilemmas articulated in the discussion above demand a reorientation and rediscovery of what an ethical code might mean for the African context, without falling foul to a parochiality that might be counterproductive. We need to draw inspiration from decolonial scholars like Ramon Grosfoguel who argues that while we acknowledge the salience of identity politics, we consider "a radical anti-capitalist politics beyond identity politics … that we produce knowledges beyond third world and Eurocentric fundamentalisms…to overcome Eurocentric modernity without throwing away the best of modernity as many third world fundamentalists do" (Grosfoguel, 2009). Similarly, Fukuyama reminds us that "We cannot get away from identity or identity politics … (given that) we have authentic inner selves that are not being recognized…" (Fukuyama, 2018: 163-164). Of importance is that identities are never fixed and while they may be divisive, they can be used to in alliance seeking social endeavours.

In essence then, in contemplating ethics anew, immanence as guiding concept resource is powerful as it suggests a process of constant in becoming.

References

Adesina, J. O. 2020. The anatomy of a bad science: Reflections on Nattrass 'commentary'. *South African Journal of Science*, 116: 1-8.

Alora, A. T. and Lumitao, J. M. 2001. *Beyond Western bioethics: Voices from the developing world*, Georgetown: Georgetown University Press.

Beauchamp, T. and Childress, J. 1979. *Principles of biomedical research*. New York: Oxford University Press.

Bond, P. 2014. *Elite transition: from apartheid to neoliberalism in South Africa*. London: Pluto Press.

Bottrell, D. and Manathunga, C. 2018. *Resisting neoliberalism in higher education volume: Seeing through the cracks*. Cham: Palgrave MacMillan.

Bracanovic, T. 2011. Respect for cultural diversity in bioethics. Empirical, conceptual, and normative constraints. *Medicine, Health Care, and Philosophy*, 14(3): 229-236.

Brock-Utne, B. 2003. Formulating higher education policies in Africa: The pressure from external forces and the neoliberal agenda. *Journal of Higher Education in Africa/Revue de l'enseignement supérieur en Afrique,* 1(1): 24-56.

Bulhan, H. A. 2015. Stages of colonialism in Africa: From occupation of land to occupation of being. *Journal of Political Psychology*, 3(1): 239-256.

Carruthers, J. and Mouton, J. 2020. Intellectual and social critique: The role of the South African Journal of Science. *South African Journal of Science*, 116: 1-2.

Cini, L. 2019. Disrupting the neoliberal university in South Africa: The #FeesMustFall movement in 2015. *Current Sociology*, 67(7): 942-959.

Collins, P. H. 2017. On violence, intersectionality, and transversal politics. *Ethnic and Racial Studies*, 40(9): 1460-1473.

Crimmins, G., Casey, S. and McIntyre, J. 2020. Neoliberal performativity in higher education: ethical dilemmas encountered when reporting on the lived experience of women living in drought-affected regions. *Gender and Education*, 33(6): 757-772.

Deleuze, G. 2005. *Essays on a Life*. New York: Zone Books.

Dziwa, S. 2020. Academics have a duty to exercise responsible scholarship. *South African Journal of Science*, 116: 1-4.

Esso, H. and Long, W. 2020. Black-and not offended. *South African Journal of Science*, 116: 1-2.

Foucault, M. 1979. *Discipline and punish: Birth of prisons*. New York: Vintage.

Foucault, M. 1980 *Power/knowledge: Selected interviews and other writings, 1972–1977*, London: Pantheon Books.

Fukuyama, F. 2018. *Identity: Contemporary identity politics and the struggle for recognition*. London: Profile Books.

Garza, A. 2019. Identity politics friend or foe? *Civic engagement for empowerment and belonging*, 8-13.

Grosfoguel, R. 2009. A decolonial approach to political economy: Trans modernity, border thinking and global coloniality*. Kult*, 6(1): 10-38.

Grosfoguel, R. 2013. The structure of knowledge in Westernized universities: Epistemic racism/sexism and the four genocides/epistemicides of the long 16th century. *Journal of the Sociology of Self-Knowledge*, 11(1): 73-90.

Guta, A., Nixon, S. A. and Wilson, M. G. 2013. Resisting the seduction of "ethics creep": Using Foucault to surface complexity and contradiction in research ethics review. *Social Science and Medicine*, 98: 301-310.

Gyamera, G. O. and Burke, P. J. 2018. Neoliberalism and curriculum in higher education: a post-colonial analysis. *Teaching in Higher Education*, 23(4): 450-467.

Haggerty, K. D. 2004. Ethics creep: Governing social science research in the name of ethics. *Qualitative Sociology*, 27(4): 391-414.

Le Grange, L. 2019. A comment on the critiques of the article age and education related effects on cognitive functioning in coloured South African women. *South African Journal of Higher Education,* 33(4): 9-19.

Lorraine, T. 2011. *Deleuze and Guattari's immanent ethics: theory, subjectivity, and duration*. New York: Suny Press.

Lynch, K. 2006. Neoliberalism and marketisation: The implications for higher education. *European Educational Research Journal*, 5(1): 1-17.

Maistry, S. M. 2020. Transactional ethics and 'damage-centred' research: Of banality and oblivion. *Perspectives in Education,* 38(1): 88-99.

Maldonado-Torres, N. 2007. On the coloniality of being: contributions to the development of a concept. *Cultural Studies*, 21(2-3): 240-270.

Mamdhani, M. 2021. *Neither settler nor native: The making and unmaking of permanent minorities.* Johannesburg: Wits University Press.

Midgley, J. J. 2020. A question worth asking. *South African Journal of Science*, 116: 1-3.

Mnguni, L. 2020. #BlackLivesMatter, even in research: A call to researchers to take a knee. *South African Journal of Science*, 116: 1-5.

Mtshali, M. A., Maistry, S. M. and Govender, D. W. 2020. Online discussion forum: a tool to support learning in business management education. *South African Journal of Education*, 40(2): 1-9. http://dx.doi.org/10.15700/saje.v40n2a1803

Mzilikazi, N., Roux, A. I. and van Vuuren, B. J. 2020. Bad science cannot be used as a basis of constructive dialogue: Response to Prof Nicoli Nattrass commentary. *South African Journal of Science*, 116: 1-4.

Nattrass, N. 2020. In defence of exploratory research: A reply to critics. South African *Journal of Science*, 116: 1-36.

Ndlovu-Gatsheni, S. 2018. The dynamics of epistemological decolonisation in the 21st century: towards epistemic freedom. *Strategic Review for Southern Africa*, 40(1): 16-45.

Noyoo, N. 2021. Resurgent racism in post-apartheid South Africa and the need to promote healthy human relationships. In: Noyoo, N. ed. *Promoting healthy human relationships in post-apartheid South Africa: Social work and social development perspectives*. Cham: Springer International Publishing, pp. 21-33.

Nyerere, J. 1968. *Education for self-reliance*. Dar es Salaam: Oxford University Press.

Padela, A., Malik, A., Curlin, F. and De Fries, R. 2015. [Re]considering Respect for Persons in a Globalizing World. *Developing World Bioethics*, 15(2)" 98-106.

Peters, M. A. 2005. The new prudentialism in education: Actuarial rationality and the entrepreneurial self. *Educational Theory*, 55(2): 123-137.

Petrina, S. 2012. The new critiquette and old scholactivism: A petit critique of academic manners, managers, matters, and freedom. *Workplace: A Journal for Academic Labour,* 20: 17-63.

Roberts, P. and Peters, M. A. 2019. *Neoliberalism, higher education, and research*. Rotterdam: Sense Publishers.

Rosenberg, E. and Grange, L. l. 2020. Attitudinal difference surveys perpetuate harmful tropes: A comment on Nattrass. *South African Journal of Science*, 116: 1-7.

Shrivastava, M. and Shrivastava, S. 2014. Political economy of higher education: comparing South Africa to trends in the world. *Higher Education*, 67(6): 809-822.

Tight, M. 2019. The neoliberal turn in higher education. *Higher Education Quarterly*, 73(3): 273-284.

Tosam, M. J. 2020. Global bioethics and respect for cultural diversity: how do we avoid moral relativism and moral imperialism? *Medicine, Health Care and Philosophy*, 23(4): 611-620.

Troschitz, R. 2017. *Higher education and the student: From welfare state to neoliberalism.* London: Taylor and Francis.

Tuck, E. and Yang, K. 2014. R-words: Refusing research. In: Paris, D. and Winn, M. eds. *Humanising research: Decolonising qualitative inquiry with youth and communities.* Los Angeles: Sage Publishers, 223-248.

Westra, A., Willems, D. and Smit, B. 2009. Communicating with Muslim parents: the "four principles" are not as culturally neutral as suggested*.* *European Journal of Paediatrics*, 168(11): 1383-1387.

Widdows, H. 2007. Is global ethics moral neo-colonialism? An investigation of the issue in the context of bioethics. *Bioethics*, 21(6): 305-315.