

A Case Report on a Dead Man Walking in a Rural University of South Africa

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Abstract

Background: Abuse of power in rural universities is less visible to the public but widely prevalent. Myriad forms of corruption are prevalent in the rural university concerned. Productive staff is generally appreciated and awarded in most universities but in this rural university, they get punished, terminated, or subjected to disciplinary inquiries.

Objective: To report on the abuse of power and difficulties of an academic in a rural university of South Africa.

Case History: X was an employee of the department of health and affiliated with the local University in a dual system of employment where he has served the university for over two decades (1996 to 2018). He underwent persistent harassment, bullying, and dehumanization in his early period of employment. It progressively evolved to a more serious form with disciplinary inquiries, suspension, stoppage of salary, and birthday bonus. The managers of this rural university tried hard repeatedly to carry out constructive termination but failed. Mr. X retired after his completion of age 65 with respect and appreciation. The history, duration, and different designs of abuse of power have been described in this report.

Conclusion: It is guilty, to be honest, and hardworking in a rural university in South Africa as it functions like a secretive society.

Keywords: Power abuse; management; dehumanization.

Introduction

South Africa came on the world map when the first heart transplant was carried out in 1967.¹ Recently, it came into the limelight when the Omicron virus was discovered by a South African scientist on 24 November 2021.² South African universities and their academics are doing excellent research to maintain their high standards and ranks amongst universities worldwide.³ These academic institutes are highly competitive and strive to maintain their high grading therefore academics work hard to

maintain research output of high quality. Some well-known universities have the policy to publish a minimum of two research articles by their academic staff in a year and on that basis, they are promoted and awarded. The management of these universities motivates and awards their staff. There is a rural university that also has academics but to carry out the research is analogous to committing a crime-riddled with malice and professional jealousy. You are subjected to various forms of punishment in the form of reduced salary, no promotion, and disciplinary enquires in extreme cases. These so-called

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“managers” of the university are pseudo-academics. They feel entitled to authorship without intellectual contribution simply because they are in positions of power. They hold meetings and discuss the subject of research requirements but in fact are themselves obstacles to research.⁴

Mr. X is a medical specialist registered with the Health Professions Council of South Africa, who works in a public hospital as well as in the university’s medical school (joint establishment). He has received no annual increase in his basic salary.⁵ The occupational specific dispensation (OSD) scale was implemented in 2009, but thereafter it has not been revised.⁵ Mr. X’s earnings have consequently dropped to 40% less than those of his professional colleagues.⁵ Mr. X has written several letters to express his grievances to the human resource department of the university but has received no satisfactory answer.⁵ The main purpose of this case report is to highlight the problem of abuse of power and lack of accountability in the rural university of South Africa.

Case history

The report is a monumental example of victimization. Mr. X has undergone all sorts of pain

and suffering but he has confidence that he will clear all the charges. Mr. X was an employee in the department of health as well as the local university, a dual system of employment inherited from the former university. He has served the university and the department of health dutifully from 1996 to 2018. In fact, he was primarily employed by the department of health as they contributed to a salary of more than 60% plus overtime allowance. Mr. X has not understood the culture of the university concerned. He thought that hard work and research publications would earn him promotion, appreciation, and respect. This thought process was his fatal flaw that ultimately led to his unfair treatment. He underwent persistent harassment and dehumanization in his initial phase of employment but tolerated it as he had limited choice. The team of management changed but not the mindset. The rural university was behaving like a secretive society and only a few can get benefited. As time progressed the treatment became more vicious with disciplinary inquiries, suspension, stoppage of salary, and birthday bonus. The managers of this rural university tried hard to carry out constructive termination but failed. Mr. X retired after his completion of age 65 with respect and appreciation.

Table 1: Calendar of abuse of power from 2008 to 2018 in a rural university in South Africa.

Date	Charges	Origin	Inquiry commissioner	Outcome	Duration
01.08.2008	DC1: plagiarism	E-mail of a girlfriend through the University of FortHare	A top labour law-practitioner (external)	Found not guilty on 22.12.2009	1 year & 4 months and 22 days
04.08.2010	DC2: self-plagiarism with Suspension	Organized emails from editors by the FHS dean	appointed staff (internally)	Withdrawn (13.06.2011) Suspension lifted, 18.10.2010	11 months and 9 days
2010	Professional Death sentence	No reason	-----	Withdrawn by a letter 28.03.2014	Almost 4 and half years
11.07.2013	Forensic audit	No basis for audit	Auditing firm	Continued till date	Continued till retirement
24.02.2016	DC3: absence from duty	Absence without permission	A lecturer from the law faculty	Discontinued	About a month
26.02.2016	Block salary	Dean emailed HR	Blocked by Murano	Paid later	1 month
15.09.2018	Stopped Birthday bonus	HR instructions just after the meeting of the department of health and University	Kanile	Paid half in October 2018	-----
December 2018	Group Insurance not refunded	It was refunded to fellow Prof. Cisco	Kanile	It is still not paid	No explanation
Personal record file in HR lost	Revealed in a meeting with faculty and HR	Requested an inspection of personal record file but was refused.	Murano	Still no explanation of this missing file	The letter is written on 03.07.2015.

Discussion

It is well known that professional jealousy is prevalent in universities, but hardly to the level of maliciousness endured by Mr. X who was tormented and pressurized to resign from his post and leave the university. It was a series of persistent DCs', a reduction in the salary of an employee, and no promotion.^{6,7} Higher management generally protects a productive staff from internal as well as external threats in a university but in the case of Mr. X, they are played an active role.^{6,7} The workers union was the only entity that helped Mr. X, otherwise, his forceful premeditated resignation may have come to fruition. The maliciousness is self-evident by the repeated consecutive similar DCs, each one accompanied by harsher punishment with paradoxically less serious allegations and charges. Mr. X. brought a case of a university employee in the same faculty who had, in fact, duplicated an article. This fact was blatantly ignored, and no disciplinary inquiry was instituted against the concerned individual. The initiator of this DC was also head of the faculty at the time and refused to carry out an inquiry pertaining to the other staff member with the duplicated article. He was adamant in his quest to only institute a DC inquiry and punish Mr. X. This serves MR X's case of intentional premeditated and pre-orchestrated academic and financial ruin by the heads, managers, and administrators of this rural university. He spent many hours of his time and his golden years doing research and academic work at this university which led to the recognition of this relatively unknown institution by the scientific committee both locally and internationally. The lack of recognition and respect by the managers is both surprising and disheartening to Mr. X. It also highlights not just disrespect towards Mr. X but also the attitude of this pseudo-academic institution towards academia. In my opinion, such institutions should be blacklisted by the scientific world.

This report highlights a unique case of mistreatment of Mr. X by a rural university. Mr. X not only survived but also cleared his charges before his retirement in 2018. After facing a decade-long, persistent, malicious disciplinary inquiry, suspensions, forensic inquiry, low paid salary, and birthday bonus from 2008 to 2018 in a rural university in South Africa, X was cleared of the malicious charges forced on him prior to his retirement. Two other senior staff members were also informed of the imminent disciplinary inquiry, but they resigned and left the university before the inquiry ensued. The human resource department (HR) is a puppet of the so-called managers and actively colluded against

Mr. X. It is weak and helpless and does not deserve the title of "human resource" department. This was also pointed out by an external assessor of this report.⁸

Disciplinary inquiries

Three consecutive disciplinary inquiries, aimed at constructive dismissal were carried out from 2008 to 2018. The first two DCs were based on plagiarism, the so-called *double jeopardy* in legal terms. Third DC was manufactured through the department of health where they showed that the department of health is the primary employer of Mr. X, in dual employment. It is true that the department of health contributes a major portion of his salary. Mr. X is sandwiched between two employers. Dual employment is complicated.^{6,7} Such an employee needs greater protection as the primary employer, in this case, the department of health, paid the salary of Mr. X through a second employer and in this regard ended up exploiting him.^{6,7}

The first DC was serious, and the allegation was that Mr. X plagiarised material of his publication from someone else but there was no suspension. Mr. X was not found guilty. When Mr. X asked that when he is not found guilty then the complainant must be guilty, and his degree must be revoked but the university refused. This is the position of the rural university as they may not have a policy document to revoke the degree.

The second DC was less serious, Mr. X was suspended, wherein, Mr. X was alleged to have plagiarised his own material and had duplicated publication. The managers could not succeed in manipulating the outcome of the first DC, as the inquiry commissioner was independent and submitted the report truthfully. Subsequently in the second DC, they were very careful in appointing their own commissioner, a foreign staff from the rural university. They were appointed telephonically without any terms of reference. This fact came into the picture during the process of DC when the union representative asked the head of the institution to be present as a witness. The head was invited because he told a team of union representatives that Mr. X is guilty prior to the completion of the inquiry. The telephonically appointed commissioner told the union representative that the head is a powerful, "big" man and therefore, he cannot call him to appear as a witness. This commissioner comes from a country where there is a system of hierarchy and "concepts of the big man and small man exist" and nobody can challenge or question the "big" man. At this time, the union representative asked the appointed commissioner to show his official letter of appointment, and the commissioner failed to do so.

Third DC was started in 2016 and managers were assured by the appointed commissioner that he will "fix" Mr. X. Mr. X went on leave which was approved by his HOD as per the university practice, but the head manager of faculty also wanted Mr. X to get his approval before leaving. This was not in the rules of the faculty. The faculty manager was new to his job. The commissioner of inquiry was appointed and before the inquiry started this commissioner told his colleague about DC against Mr. X and that he will "fix" Mr. X. This colleague was a union member and part of the inquiry later. This conversation was disclosed to Mr. X by the union member in writing to protect Mr. X and to carry out fair justice. It was surprising to know that the appointed commissioner was a past convict and had served jail time. The punishment entailed a lack of pay for a period of one month to Mr. X as he was under suspension.

1. Suspensions

Generally, a reasonable university carries out an explanation from an employee if there is some dispute or irregularities but in the case of Mr. X, there was no explanation asked by the immediate head of the faculty. Everything was decided unilaterally. It was an unforgettable experience that Mr. X has come across in his life for the first time and even to this day he experiences regular flashbacks during his retirement period. No option of internal inquiry was utilized by the head of the rural university in the case of Mr. X. It was a blessing in disguise as a credible commissioner of inquiry was appointed in first DC, which probably they regretted later.

The suspension was not even required but was awarded to Mr. X by the head of the institution. It was so sudden that when Mr. X came to work in the morning and he found that the locks of his office had been replaced. When he enquired then the person in charge, told him that he has done it on the instruction of HR. When Mr. X went to HR, they issued a letter of suspension. All this came as a surprise to Mr. X. He had just finished his first DC and the second DC with suspension was more rigorous than the first one. The charge was that he had duplicated his article in two journals. Mr. X reported to his union, and they were surprised by it but firm to help Mr. X. Mr. X has found duplications of articles among four staff members in his faculty and at least one had clearly duplicated his work. The union member went to the head of the faculty who had started the malicious DCs and showed him this duplicated article. They asked him to suspend

him as well, but this head of the faculty refused to suspend him. He said that it is only Mr. X who was guilty as we wanted to punish him. It is sad. Surprisingly the suspension was lifted within two and half months as they needed Mr. X to conduct the 4th year MBChB students' examination.

2. Professional death sentence

Mr. X utilizes his work material in his writing and if he does not work, then he cannot carry out research. Therefore, they stopped him to carry out research only, and was not allowed to enter the laboratory. The managers of the university coerced the head of the laboratory not to allow Mr. X to use the laboratory, a so-called professional death sentence in legal terms. This was because one cannot get material for publication without a laboratory. This was their intention to stop him from working so that Mr. X cannot publish. This sanction existed for greater than 4- years. It is sad that universities are motivating their staff to do research and this rural university stopped Mr. X from publishing.

3. Forensic audit

The managers of the university still could not stop their thirst to stop the maliciousness against Mr. X. They started a forensic audit to find out something about Mr. X so that he can be chased out of the university. Unfortunately, they failed to find anything, and still, the report is pending. A letter was written to the university head by the research office regarding a report of the forensic audit, but they could not produce it to date.

4. Freezing research accounts

The forensic auditor could not find anything, but the frozen research funds were not released. A letter from the research office of a rural university was written to the head of an institution, and then a few approved claims were released from duplicate copies. There were approved claims from the office of the research directorate that were lost, and those claims were never received.

5. Stoppage of salary

Stoppage of salary for one month with suspension was associated with this third DC. Subsequently, Mr. X was near retirement, and he was worried about his pension. Mr. X has written several letters and emails to the head of the rural university, but it was not his priority to solve any aggrieved staff issue. He was also behaving like a tourist in university with paid holidays as he was not concerned about anything.

6. Stoppage of birthday bonus

There was a meeting organized by the department of health, and the university regarding the issue of Mr. X. Mr. X was presented with a lawyer and a union member. It is two days before the middle of the birthday month of Mr. X. The University HR representative returned to his office and ordered to stop the birthday bonus of Mr. X. This was a surprise to Mr. X, and he reported to the head of an institution, but he has not taken any action.

7. Discrimination in payment of Group insurance refund

Mr. X was not refunded the unauthorized deduction of group insurance money from his salary but another professor in the same rural university was refunded. When Mr. X raised the issue, then he was told how another professor can leak this confidential information to Mr. X.

8. Personal record has been lost from the human resource department

It will be surprising to hear that a personal record file of an employee has been lost before his retirement and no action has been taken against the HR director or clerk who is the custodian of a record. It is a serious offense and must be registered with the police for an investigation. This is probably because the file belongs to Mr. X.

9. Trend in promotion in a rural university

Generally, a promotion in a university is decided based on the academic profile of the staff, but this is not a trend in the rural university. Research publications are merely a requirement on paper for a promotion. Most of the appointed professors at the rural universities either have few or no publications and as such are not worthy of such a title. There is a new trend to getting promoted to Professorship at this university, whereby, a staff member is invited to deliver a 1- hour lecture, the so-called professorial lecture. The invited lecturer is a pre-specified staff member who does not need to have any research publication and it takes just one hour to bypass the system and get promoted to a professorship. This was a new addition to academic corruption.

Conclusion

Mr. X has undergone a series of humiliation and financial ruin because of this ongoing one after other,

endless inquiries and suspension. Mr. X has done the highest amount of research work culminating in a plethora of publications. His work brought this less well-known university onto the world map. His research has been recognized and awarded nationally and internationally. Mr. X can recover financially but the pain and suffering are unforgettable. He is walking like a dead man.

Ethical Issue

This is the case report that was kept anonymous and confidential. The author has used a fictitious name and tried to keep the anonymity of the university and managers. If it is linked in some way, it is not the intention of the author as it is not an individual problem, system degradation, and failure.

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