

The Management of the Violent Students' Protests at South African Universities

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ABSTRACT

The apartheid establishments' draconian, brutal, and unjust laws on the entire social and economic life of the black population in South Africa had left a legacy of violent protest against any formal institutional establishment. This is also true in the lives and times of university students. South Africans used violent protest and the armed struggle to fight against apartheid rule for their hard-won democracy. The problem is that the culture of violent protest continues unabated under the new democratic dispensation.

The culture of peaceful or violent protest against the apartheid regime in South Africa was regarded as a standard way of fighting the apartheid regime. They were regarded as tools towards the attainment of freedom by the marginalised population, which mainly were Blacks, Indians and Coloureds. The types of protesting against apartheid included boycotting, buying from specific establishments, work boycotts, burning of apartheid establishments, and the bombing and maiming of the supporters and the enablers of apartheid.

The above-mentioned culture was also present at South African Higher education institutions. Peaceful and violent resistance against apartheid was also normalised at South African universities. Academics and students were part of the resistance forces within the higher education sector. The boycott of classes, apartheid establishments, and the burning of infrastructure that included police vans, university buildings and public establishments.

Despite the attainment of democracy in South Africa in 1994, there has been an increase in destructive and violent protests that threaten university and public property and human limbs. The high level of violence has been noticed and recorded during the 2016 and 2017 #FeesMustFall movement, including the #RhodesMustFall movement. The destructive protests in the higher education sector have continued unabated until recently.

Keywords: Universities, Violence, Student Leaders, Violent Student Protests, Historically Black Universities, Historically White Universities, #FeesMustFall.

RESEARCH METHODS

This research project will use a qualitative research methodology approach with multiple case studies. The content and/or document analysis will be conducted as a point of departure. This first approach centred on reviewing the existing literature from journals, books, publications, and newspaper articles. The qualitative research methodology will allow for document analysis, during which universities' policies on the right to student protests and demonstrations, the student disciplinary code, and engagement guidelines will be collected and analysed. Images, photos, and/or videos related to the study will also be collected as part of the data to be utilised in the research (Pajo 2023: 241-244). Qualitative research will be conducted, focusing on content analysis of academic books, journals, and articles, as well as newspaper and televised news, images, photographs, and videos relevant to the student protest. These materials will be collected and analysed. These documents relate to violent, destructive student protests. This will be part of the content analysis (Cronje & Plooy-Cilliers, 2021:193).

Theoretical Framework

The research will utilise the frustration-aggression hypothesis and the theory of aggression, which holds that aggression arises from frustration, as initially formulated by J. Dollard, N. Miller, L. Doob, O. Mowrer, and R. Seems in 1939. The study will also examine whether frustration alone can cause aggression. There had to be extenuating factors, such as blocking the desired goal and the possibility of being attacked; the theory was revised as early as 1939 by Yale University researchers. The revised version also wanted to include other factors that can trigger aggression, such as frustration, not the sweeping statement that frustration will cause aggression. An individual's expectation of an obvious or expected goal can trigger frustration and lead to aggression. The denial of the genuine expectations or gratifications a person deserves can trigger the F-A hypothesis by an individual or a group of individuals. It simply refers to blocking access for those deemed a group or individuals. Some revisions to the F-A hypothesis want to include the fact that F-A can also be a learned weapon of fighting for what a person deserves and does not get (Berkowitz 1989:59-62 & Dennen 2022:1-9).

The research paper's theoretical frame will centre on the frustration-aggression hypothesis, which has gone to extremes at South African universities with high levels of violence and destruction of property. The high level of frustrations students encounter stems from administrative failures by the National Student Financial Aid Scheme (NSFAS) in the payment or early payment of students' food, transport, accommodation, and book allowances. This led to student protesters, who also turned violent, damaging university property. Financial and academic exclusions at universities also frustrate affected students, as their futures are at stake. Universities like DUT, CPUT, UCT, WITS, Fort Hare, and many others experience violent protests stemming from extreme frustration over registration problems arising from the reasons mentioned above. Frustrated protesting students turned to burning buildings and campus closures, disrupting the university's operations (DA 2026:1).

This research paper argues that students at South African universities have taken their frustration to extreme levels, unleashing violence and destroying the very assets they will need after their protests have ended. This kind of behaviour goes beyond the country's laws and the university's policies on student behaviour, and it cannot be tolerated or condoned.

Contextualization Of The History Of Violent Culture Of Protest At South African Universities

The culture of violent protest has been a characteristic of most African universities since their attainment of freedom. It has been observed in countries like Ghana and Kenya. It was expected that education would transform people's lives in the wake of colonialism's injustices. These protests were violent and resulted in property damage. Protests in African countries began as early as the 1940s. It must be noted that student protests have also played a crucial role in the fight for liberation and democracy in most African countries. Student protests occurred at American universities in 1776; at Harvard University, students fought for fundamental rights.

France experienced a student revolt in 1968, which turned violent on May 06, 1968. Close to 400 students were arrested, and close to 300 policemen were injured during the protests. Chile had the longest student protests, which lasted for seven months, included violent clashes with the police, and led to a change in the public education framework (Fomunyan, 2017, pp. 38-39).

Senegalese students took to the streets in 1968 to protest the university's living conditions. The protest later expanded to cover the general living conditions of the entire country's population. These included poor living conditions, high coal prices, jobless university graduates, limited freedom to unionise at the workplace, high prices for basic staple foods, and a lack of local economic activity among Senegalese people, which was dominated by foreign workers. The then government deployed the soldiers into the university spaces with the intent to shoot on sight. These events are known as the Dakar 68 events. The protesters moved to the presidential palace under the guard of the soldiers. The student movement moved away from anti-colonialism and moved towards anti-imperialist ideologies. The protests moved to many African countries (Becker, 2018, pp. 31-32).

It must be noted that university students were part and parcel of the 2010 Arab Spring that toppled governments in North African Arabic countries. The students' concerns included poor service delivery, insufficient resources, tuition fee increases, poverty/student hunger, and poor living and learning environments at their universities. Egypt's government enacted the curfew to curb the violent protests of the Arab Spring. Tunisia's Arab Spring began when a newspaper vendor set himself on fire. The Tunisian students disregarded the curfew and continued with their protests. This led to a bitter struggle between the protestors and the law enforcement agencies in Tunisia. The destruction of public property was part of the protests. The protestors also fought with law enforcement officials and supporters of the then regime (Fomunyam, 2017, p. 47).

There was minimal government control over the higher education sector in South Africa before 1948, when the National Party's apartheid government came to power. The government did not get involved in the management or the day-to-day running of the universities. The South Africa Native College (Known as Forthare University) was a mixed-race university where both black and white students attended together. The college was founded by the missionaries in 1916. The National Party started to introduce segregation or discrimination based on colour in terms of enrolment at universities. The law establishing separate universities for specific ethnicities and colours was enacted in 1953.

The Extension of Universities Amendment Act was enacted in 1959, establishing universities based on colour and ethnicity for Indians, Whites, Coloureds, and Africans. Forthare University was established for Xhosa-speaking people. Turfloop University (later the University of the North) was later introduced for Sotho, Venda, and Tsonga; Ngoye University (Known as Zululand University) for Zulus; the University of Western Cape for coloureds and Durban Westville University for Indians. These universities were granted autonomy in 1969. The Medical University of South Africa was established in 1978; the University of Bophuthatswana in 1980; the University of QwaQwa in 1982; the University of Venda in 1983; Vista University in 1983; and the University of Transkei in 1976. These universities were designed for non-Europeans, or non-whites (Black, Coloured, and Indian students).

The South African apartheid government had enacted the act that barred black people from attending historically white universities. It created universities that were meant for black people. Black students may be admitted under exceptional circumstances, not to uphold the ban on black students attending white universities. The University of Cape Town and the University of the Witwatersrand used to admit black students before the 1957 act, which prohibited such admissions. Black and white students met only in class and never had contact at the social level. These forms of segregation created tensions within the university communities. The Wits University Student Representative Council registered its dissatisfaction with social segregation at the university in 1952, but segregation continued. Many students joined protests against apartheid in the higher education sector, including those in white English-medium schools. The exception was Afrikaans university students who hardly demonstrated against apartheid (Bot 1985: 12-13).

The University of Natal only had a branch for black students, and there was no integration. Rhodes University was never open to people of colour; it was only open to white students (Murray, 1988, pp. 1-9). The apartheid government introduced the Bantu Education Act of 1953, which championed separate development between white and black communities. The act was followed by the Bantu Education Act, which enforced separate education systems for black and white students in South Africa. It created separate education for blacks and whites. White education was well funded, while black people were expected to fund their own education. Black education was meant to be inferior and produce labourers for the white man's economy. The white man's education was superior in making sure whites ran the economy as owners of production. This development ushered in a period of student resistance to the separate development, including education, in the 1970s and 1980s. Student boycotts, such as stay-aways and armed insurrection, were among the methods used by protesting students (Bolt 1985: 12-13, Davies 1996: 322; Ntshoe 2002: 63-65; Thobejane 2013: 1-7).

The students turned militant, and the struggle became that of removing the undemocratic white government to be replaced by the government of the people. The various student organisations that mobilised students to fight the apartheid separate development policies included the Pan African Congress of Azania (PAC), the Azanian People's Organisation (AZAPO), and the African National Congress (ANC). Slogans like Liberation First and Education Later were introduced as a form of mobilisation.

The language of Afrikaans, which the apartheid government forcefully introduced in the black communities, became a rallying point for fighting against apartheid and its policies of separate development. The new form of student mobilisation was introduced along the lines of the major political players, such as the PAC, AZAPO (BPC), and the ANC (COSAS), which fought against apartheid and its policies. The white apartheid government felt that equal rights for both whites and blacks would jeopardise the white man's civilisation. The United Democratic Front (UDF) was also used as an instrument of fighting against the apartheid system and its policies (Thobejane 2013: 1-7).

The lack of freedoms or rights for black students at universities compared to their white counterparts increased the tension levels at black universities. The denial of political and economic freedoms to the black population in South Africa increased the level of anger and frustration. The minimal resources and poor infrastructure at black universities increased the anger and frustration of black students. This increased political activism through student protests and the boycotting of academic activities. Black university staff members and executive management were predominantly white.

Black staff members were few in these universities. It is recorded that there were 343 black staff members and 773 white staff members at black universities in 1985. The continuous protests by students led to the white staff members being unresponsive to the black students' needs. Serious punitive measures were imposed on politically active students, including suspensions and expulsions. This increased protest levels rather than stopping them. It created distrust between university management and students. The apartheid government enacted the bill that allowed universities to summarily cancel students' registration if they acted contrary to what the apartheid university expected of them (Bot 1985: 1-3).

One of the contentious problems when it came to white and black education was that black education was not as well-funded as white education. The black education system originated from a special tax on Africans, not the national tax system that funded white education. It led to poor infrastructure, overcrowded classrooms, high student numbers, and a shortage of educators. The race of students did not match the opportunity to succeed between black and white students (Baard & Schreiner, 1986, p. 1).

The Freedom Charter outlined the nature of resistance that would be unleashed on the undemocratic government that denies the majority of South Africans their rights. The right to education was one of the main rights included in the Freedom Charter. The charter stated that all doors of learning should be opened, and that education should be free for all (The Freedom Charter 1955:1).

It is estimated that there were sixty-eight student protests at all-black universities from 1960 to August 1985. The protests resulted in universities being temporarily or permanently closed, and in the arrest and expulsion of student protestors and their leaders. The SRCs were suspended in some instances, such as at the University of Durban-Westville in 1983. Two students and an Asian academic were arrested by the South African Police after the raid at the University of Transkei in 1985. Students set the Fort Hare University buildings on fire as part of their demonstration on the hanging of 3 African National Congress (ANC) guerrillas by the apartheid government. The Fort Hare University students were also sympathetic to the Ciskei commuter bus boycott; the university was temporarily closed (Bot 1985: 14).

The culture of protests as a form of resistance against the apartheid rule dissipated the culture of learning and teaching in most of the areas populated by previously disadvantaged students. The apartheid government denied the right to access education for the disadvantaged and the marginalised black (Blacks, Coloured and Indians) population. It also led to an untenable relationship between communities, school managers and learners (ANC 1994:58 & Baard & Schreiner 1986: 1).

The South African terrain became the battleground against the apartheid regime and its policies. Violent and ferocious protests were common in South Africa, with slogans like "Liberation before Education". The violent protest became a revolutionary movement against apartheid's discriminatory educational policies throughout the country in the 1970s and 1980s. These developments were the result of the unintended consequences of apartheid education. The global media houses captured the abuse meted out against students by the apartheid law enforcement establishment, and it created worldwide awareness of the apartheid atrocities and its

draconian policies against the black population. The international media houses' publications of the atrocities created international awareness and increased the pressure against the apartheid government. The students' protest became a significant force against the apartheid establishment in South Africa. The violent protest adversely affected students' learning and teaching, as the system was disrupted across most of the country (Ntshoe, 2002, pp. 62-64).

The legitimacy of apartheid education was strongly challenged at historically black universities. It became a focal point of political consciousness for black students and the centre for the struggle against apartheid and its injustices. The main point of no return for apartheid legitimacy came in 1976 when Soweto school learners boycotted the use of Afrikaans as a medium of instruction in their schools. It needs to be recorded that despite the apartheid government's determination to protect apartheid at all costs, using brutal force against the protestors, it failed dismally. The apartheid government announced the end of apartheid in February 1990 (Davies 1996: 321 & 324).

The Current Culture Of Violent Student Protests And Destruction Of Property

The culture of protests at South African universities questions the democratic governments and the university administrators and or management ability or capacity to decolonise and transform the previously segregated Higher Education into an inclusive one. Primarily, decades of protest culture have raised genuine concerns. There have been few significant changes; instead of profound, impactful transformation actions, few steps have been taken, even after the #FeesMustFall movements (Ntombana, Gwala & Sibanda 2023: 12-13).

It has been argued that the violence and the weapons used to fight against the apartheid rule have also moved to physical assaults with the intention of bodily harm, and the rape culture has increased dramatically under the new democratic dispensation in 1994. It mainly affected young people and women. The tools or methods used to fight against apartheid are still prevalent under the new democratic South African dispensation of 1994. It mostly occurs in educational settings and urban areas (Ntshoe 2002: 66).

Research has been conducted on the culture of violent and destructive protests at South African universities. The protests are characterised by student violence and property destruction. Students indicated that, in most instances, they resort to violence and destruction to be noticed and recognised by university management. Sometimes, students allege they usually resort to violence as a form of retaliation towards the South African Police Services (SAPS) violent attitude towards them when they are protesting. The private security companies employed by universities to manage the protests are mostly violent towards the students, and students resort to violence because of this kind of provocation. The University of Cape Town (UCT), the University of the Witwatersrand (Wits), and the University of KwaZulu-Natal (UKZN) experienced violent and destructive protests characterised by violence and destruction of property during the 2015 to 2017 academic years. The UKZN experienced many such protests from 2018 to 2020. University and private property have been damaged, and violence has been instituted against non-protesting students, classes disrupted, and the normal day-to-day functioning of the universities disrupted (Mbhele & Sibanyoni, 2022, pp. 124-126).

The culture of student protest at universities originated from segregation in terms of the educational offerings for both black and white students from the early 1960s to the 1980s. It is estimated that close to 68 student protests were held at black universities from 1960 to 1985 (Bot 1985: 14). The post-democratic student movements felt disfranchised by the new democratic terrain of South African higher education. They felt their living conditions, due to shortages of student accommodation and a lack of proper financial support from the government, disrupted their proper learning opportunities. These protests continue to be characterised by violence, injuries to students and the arrests of students participating in the protests. The protests led to damage to the universities' properties and a threat to the lives of employees, students and university stakeholders. The arrested protesting students face disciplinary hearings and are being hauled before the judiciary. These protests occurred from as early as the 2009, 2011, and 2012 academic years. The protests affected the Walter Sisulu University of Technology (WSU), Tshwane University of Technology (TUT), Durban University of Technology (DUT), University of Limpopo (UL), False Bay and the College of Cape Town, TVET College in Richards Bay. Close to a hundred students were detained by the SAPS for damage to property and violent

behaviour. It is worth noting that students' concerns or grievances are mostly similar and interrelated with financial and academic exclusions (Engelbrecht 2015: 1-6).

It has been widely expected that the advent of the new democratic dispensation would be the panacea to all the ills inflicted on the black population because of the draconian and evil policies and practices of the white apartheid government. It was expected that democracy or majority rule would resolve all the challenges of inequality, poverty, and lack of access to higher education, to be decided at the whim of voting for the majority party that promised change and/or transformation of the higher education sector. It happened that the transformation policies or agenda of democratic South Africa did not deliver tangible, visible results that widened access, participation, and equal opportunities for all South Africans, irrespective of dogma or creed, race, or economic or social standing.

Education remains untransformed after the 1994 democratic dispensation, where apartheid patterns of exclusion continued unabated, and poor and previously disadvantaged students did not have access to higher education. Inadequate implementation of transformative policies and a lack of government monitoring did not facilitate their effective implementation (Mzangwa 2019: 1-2).

The Council of Higher Education recommended to Professor Kader Asmal in 1999 that there is a need for affirmative action in terms of creating opportunities for previously disadvantaged black people, who are also poor and underprivileged. This was meant to afford the majority of South Africans more access to universities. The recommendations required that the transformation must eliminate access to university education based on a person's economic status and must promote access for everyone in a just and equitable way for the poor and marginalised. These affirmative policies assist in redressing the imbalances of the past in terms of access, needs and equity towards the poor black people. This is done to avoid further marginalisation of black people, and it is regarded as social justice for the previously marginalised and the black poor in South Africa (Mzwanga 2019: 6-9).

The South African Human Rights Commission provided statistics that indicate that, despite the new democratic dispensation that was ushered in 1994, many previously disadvantaged people are still living under the entrenched social and economic inequalities. Twenty years after democracy, inequalities among the previously disadvantaged people remain unabated. The inequalities continue at higher education institutions. Side-lining, exclusions, and segregation persist in the lives of poor students. Transformation is required in the higher education sector in South Africa. The change in terms of the privileges enjoyed by others and the exclusion of others from the right to education. The promise of free education for all, as promised before the 1994 democratic elections, still seems far away for many black students 20 years after the attainment of democracy.

Black students are still disadvantaged because their schools do not adequately prepare them for university life because of a lack of resources, and they fail to thoroughly prepare their learners for the higher education environment 20 years after democracy. This predicament results in poor performance among students from previously disadvantaged communities and schools at tertiary institutions. Historically, Black Universities still suffer from the same predicament that exists beyond the apartheid dispensation. The problems stem from poor or unsuitable infrastructure, leading to overcrowding in lecture rooms. The challenge of infrastructure remains a problem compared to those of previously white universities. Students from poor communities find it challenging to afford university fees 20 years after democracy.

Students from previously black universities suffer from the stigma of having poor or no relevant qualifications. It is worth noting that education is crucial for improving a person's social standing and status and for bringing about change in various spheres of life (Hobe, 2017, pp. 299-303).

The legacy of pre-democracy in South African universities has found its space within the #FeesMustFall movements, which began in 2015, in the form of massification of the revolutionary movement against transformation and decolonisation. Students used graffiti, utilised social media platforms as sites of struggle, marched on university campuses, held parliamentary precinct marches, marched to Pretoria's seat of national government, and held general marches in the streets. They demanded free higher education, decolonisation of

the intellect, university management structures, and the general knowledge sphere. This moment was described as South Africa's Fanonian moment, in which young people were questioning the slow pace of the country's decolonisation project. They question the country's existing trajectory in the post-colonial world. They accessed the current university offerings as pro-middle-class, pro-whiteness, people without physical challenges, and heterosexual males. The system is discriminatory against people with low incomes and the previously marginalised populations by the apartheid government (Becker, 2018, pp. 44-45).

The fight against fee increases and for free education at South African universities has sparked the #FeesMustFall movement. The protest covered many areas, including decolonised education, transformation within the higher education sector, gender inequalities, and staff composition as part of this transformation. The protests were peaceful in their initial stages in 2015, supported chiefly by academics and/or black staff members. It was understood that access to higher education had been commercialised, thereby denying low-income students. It later turned violent towards the 2016 academic year. The student protest was based on the premise that the past injustices of exclusive apartheid education seem like a dream. The students complained that the current South African Universities' set-up is based on colonialism, apartheid, European and White culture, and white economic privileges. Most South African universities were closed due to student protests against the securitisation of campuses by numerous security officials and the SAPS. The campuses looked like war zones while students demanded free and decolonised African universities. The students' protests started as a fight against colonisation at the University of Cape Town, where students wanted the statue of the colonial imperialist and apartheid architect to be pulled down. The protest was themed #RhodesMustFall. The students sought the attention of government and university administrators to revisit the question of a decolonised, African-centred university (Griffiths, 2019, pp. 143-149).

Protesting Students Seem To Be Non-Law-Abiding Students

The South African students seem not to care about the rights of others with different opinions from theirs. Protests at universities are always violent and disruptive to the lives of those who are not participating in or supporting them. Student protests are generally intimidating to non-protesting students and staff. It is worth noting that the basic tenet of South African law is the Constitution of the Republic of South Africa, which strengthens democracy in the country. The protesting students usually have genuine concerns that require the attention of the university authorities. This does not, at any moment, give the protesting students a right not to respect the laws of the country and the rights of non-protesting students and/or staff members (Pete, 2015, pp. 1-16).

Why Students Resort To Violence

The problem of student violent protests, characterised by vandalism, stems from broader societal issues in South Africa. Many people in the country have suffered some form of political violence in the political arena of their lives. Students have indicated various reasons why their protests always turn violent. Students protested at most South African universities during the #FeesMustFall protests that engulfed the South African higher education landscape in 2015 and 2016.

Universities' properties were vandalised, while others were burned down by the fires. Most protests are more violent and destructive than those at universities during the apartheid era. The challenges faced by students in the democratic era are like, and or the same as, those under apartheid in the university setting. It seems the culture of damaging properties and the use of violence has been inherited from the methods used to fight apartheid during the struggle against apartheid (Mbhele & Sibanyoni, 2022, pp. 125-127).

The following reasons have been outlined by protesting students as to why they stage protests against the universities' management: financial exclusion for students without monetary resources; academic exclusions; racism within the universities' set-up; sexism; shortage of on-campus accommodations; National Student Financial Aid's (NSFAS) inefficiencies; NSFAS' failure to pay stipends timeously; off-campus accommodation challenges; Gender-Based-Violence (GBV); social exclusion; slow pace of transformation and slow pace of decolonisation of the universities (Manderson 2016 Pete 2015(1): 1-18 & Pete 2015(2): 1-23).

It must be noted that the problems and challenges students face at universities do not originate during the protests. It is a culmination of the struggles that existed for an extended period in South Africa. The #FeesMustFall movement forcefully highlighted the real problems students face. It highlighted the affordability challenges poor students face in living an everyday student life at universities, including excessive travel costs, poverty, a lack of food and clothing, no funds for stationery, and no access to phones or messaging facilities while studying. The #FeesMustFall took matters to a higher level, where there is direct and indirect racism at universities, poor infrastructure and facilities, little social and economic benefits from the fruits of freedom and democracy, and little or no progress in terms of decolonisation and transformation at universities.

Protesting students revitalise the classic weapons of protest in South Africa. They used sticks, fires, destruction of property, bomb threats, interpersonal violence, chanting and struggle songs, whistles, stick bombs, barricading of university entrances, and “breast barring”. The securitisation of many university campuses became the norm. The SAPS and contracted Protection Services companies roamed around the universities. This happened while it seems the protests will continue forever. One of the protesting students passed away during the protests on 21 October 2015. Students continued to be dismayed and angry at the silence of government officials on their plights (Manderson 2016: 1-3).

Violence in students' protests stems from the SAPS and contracted security companies, who provoke students during crowd control. They are always armed, and they will pepper-spray the students. The violence is displayed through setting university infrastructure on fire, destruction of property, clashing with the SAPS and security personnel, revolting and disrupting universities' day-to-day functions. Students indicated that they are not violent; they retaliate against SAPS and contract security companies' provocation when they manage the strike or crowd control. The students become unruly (Mbele & Sibanyoni, 2022, pp. 132-135).

Studies have found that student movements or general movements are radicalised by entrenched high-level securitisation and by the issuance of court interdicts to stop student protests. The other factor comes from competing student organisations within universities, competing for political leverage and political point-scoring compared to other political organisations. It needs to be noted that violence breeds violence through the solidarity amongst the student body when SAPS and securities respond quickly and violently. Students resort to some tactics of retaliating against the SAPS and security's violent response (Duncan 2016: 1).

It was, and it is expected that the advent of democracy in South Africa should have resolved the social ills that typically ferment student protests. The ANC's Reconstruction and Development Program document was seen as a silver bullet to resolve all apartheid and colonisation-related problems (ANC, 1994, p. 6). The promise of free education for all by the ANC-led government in their 1994 elections manifesto came close to 30 years later, after the most destructive and violent protests South Africa has ever experienced. The Freedom Charter is one of the documents that gave rise to the promises of the fruits of freedom in South Africa (Reconstruction and Development, 1994: 1-86; Congress of the People, 1955: 1).

NSFAS, tasked with funding free higher education in South Africa, has become a primary driver of destructive, disruptive, and violent protests in the South African higher education landscape. Many students at the Cape Peninsula University of Technology were left without funding because they did not meet the minimum requirement of studying qualifications with more than 60 credit points. Eight hundred twenty-two students were defunded by NSFAS, leaving them stranded on university campuses. The SAPS was called to quell the protest action, which led to the burning of the Cleaning Supply Room, closer to the Education Building, which was gutted by fire, and Willington Campus's Recreational Centre, which was also gutted by fire. It happened in the evening (Thebus 2023: 1). CPUT burned the building below:



1. CPUT students burned the entrance of the Education Building in Bellville in a protest over NSFAS requirements. Picture: Ayanda Ndamane African News Agency (ANA)



2. TENSIONS BOIL OVER: After the protesting students staged a sit-down protest near the traffic circle, the situation escalated with an exchange of stun grenades and stones between the students and police. The protest was staged in an effort to get the attention of the university and National Student Financial Aid Scheme (NSFAS) management regarding a myriad range of issues, including tuition and accommodation fees. Eugene Coetzee, Herald News: May 10, 2023.

Figures 1 and 2 above clearly indicate the relationship between student protestors and the SAPS. The relationship is volatile, even if the protest is not violent or destructive. The students get arrested (Mgidi 2023: 1). It also indicates how far the promised dream of free education for all and the free higher education as stipulated in the ANC's (the Ruling Party) RDP program, the Freedom Charter.

Students have used bomb threat sticks, disrupting classes, intimidating non-protesting students, closing or barricaded entrances to university campuses, toying while singing struggle songs that were used during the apartheid era, burning buildings, burning private properties belonging to staff members not the universities, singing inside lecture halls and jumping on top of the tables to disrupt the academic programs, in some instances non-protesting students are pulled outside their vehicles to join the protests, some protesting students sometimes use the social media to threaten non-protesting students as a way of disrupting the academic activities (Pete, 2015, pp. 1-23).

The current student protests differ significantly from those of 2015 and 2016. The current bone of contention is the failure to deliver on the promise of free higher education, announced by the then-President of the Republic of South Africa, Jacob Zuma, in 2017. There is a failure or inability to manage the free education regimes entrusted to NSFAS. NSFAS does not have the capacity to address matters related to students' historical debts and the missing middle students. The missing middle is the balance that students must pay, which NSFAS does not cover because their parents' salaries exceed the NSFAS threshold of R350 000 per annum. The shortage of accommodation spaces is another problem for students who are academically registered but cannot find on-campus or accredited off-campus accommodation. These problems have dominated the students for the past five years (Moosa 2023: 1).

Many universities in South Africa have experienced a high level of violence and damage to private and university properties. A staff house and various buildings were burnt down at the Vaal University of Technology; a Financial Aid office was burnt down twice at the Cape Peninsula University of Technology; the Science Faculty Building was set on fire at Wits University; various buildings and vehicles were set on fire at the University of KwaZulu-Natal; two buildings were burnt at the Western Cape University; two Main entrances gates were set on fire at Fort Hare University; various building were also set on fire at the North-West University's Mafikeng Campus and the University of Johannesburg Sanlam Auditorium, Vice-Chancellor's office; University of Limpopo's security car was set alight, Tshwane University of Technology's three halls were set on fire at the Songangue Campus and many buildings, halls, exam centres, vehicles and Lecture Halls were set alight at the universities within this period of students' protests. The incidents covered in this paper exclude the damages to property that happened at the TVET Colleges during the #FeesMustFall period (Hlatshwayo & Fomunyam, 2019, p. 70)

CONCLUSION

The right to a peaceful protest in South Africa is one of the democratic and a constitutionally protectant right. However, students protests that are characterised by violence, damage to universities and or private property is illegal. The protests that are peaceful and demand management reforms and accountability at universities are legally protected. Universities must take disciplinary actions and or report violent students during their protests because it is illegal.

First and foremost, student protestors must know that violence will result in the enforcement of the university's code of conduct. Students who disrupt university operations, barricade gates, disrupt classes, damage property, or burn buildings will be harshly dealt with in accordance with the university's policies. The students must also know that just and fair procedures and processes are followed when dealing with unruly protestors. The punishment or counselling of unruly students during protests must be dealt with in a positive manner, without fear or favour.

The university management must not shy away from using law enforcement officers or officials when unruly student protestors disrupt the university's business and destroy its property.

The literature review above supports the assertion that the apartheid establishment is the primary source for the culture of protests and or violence during student protests in South Africa from the early 1960s until today. The practice has been practised for a long time, until it became embedded in students' and communities' culture to register their anger against the government and institutions such as universities (Mbhele & Sibanyoni, 2022, p. 136).

The students indicated that they usually resort to protest actions after consulting with university management, but the management does not respond to their demands or take them seriously. In some instances, the university does not engage with the student leaders who represent the students. They allege that university management often encourages students to protest and close campuses because it makes irrational or non-transformative decisions that move the university backwards.

Universities and relevant government bodies responsible for the management of free education must immediately resolve their failures in an honest manner towards the students and the stakeholders. The

problems of the late responses to students by National Student Financial Aid Services and the delay of funding to students must be resolved as soon as possible. Student political activists and ethical and accountable university management are crucial for stable and peaceful campuses.

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