

OPINION & ANALYSIS

**BUSINESS DAY**

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**Destructive cycle**

ISRAEL'S disproportionately heavy-handed response to Hamas's ongoing rocket attacks from Gaza is as true to past conflict patterns in that part of the world as is the predictability of the international reaction.

The United Nations decries the violence, destruction and civilian fatalities and calls for an immediate cease-fire, but offers no solutions that might prevent the pattern from being repeated. Muslim countries and much of the developing world, including SA, condemn Israel and largely ignore the deliberately provocative role of organisations such as Hamas and Hezbollah, which clearly depend on intensified conflict to raise their status. And the US and its mainly western allies support Israel's right to defend itself and insist it is radical organisations such as Hamas that must change their ways as a precondition to a negotiated settlement.

It has been clear for decades that this destructive cycle must be broken if there is to be progress in the region, but the few opportunities that have arisen over the years have been squandered, and the 9/11 attacks, the US-led war on terror and its prolonged engagement in Iraq served only to harden attitudes and draw ever more distinct battle lines.

After an initial burst of optimism that the election of a Democrat as US president would help usher in change in the Middle East, the consensus now appears to be that president-elect Barack Obama will have little room to manoeuvre even if his personal attitude to Israel is significantly different from that of his predecessor. The Jewish lobby remains powerful in the US, and after an election campaign that saw Obama's detractors placing great

emphasis on his Islamic middle name and issuing dire warnings of what might happen were he to emerge victorious, the new president will have to tread carefully in the region if he wants to achieve any of his domestic goals during his first term. Certainly, Obama's immediate priority will be to gain bipartisan support for his much-vaunted economic stimulus package and bring the US adventure in Iraq to an end.

That said, part of the reason Obama was elected was that Americans came to the collective realisation that their country was headed for a cul-de-sac under George Bush, and that the war on terror was a costly mistake. Since Israel's strategic response to the Palestinian question is from the same mould as the war on terror, it stands to reason that US public support for Israel's no-holds-barred military campaigns against its neighbours will also have waned.

Indeed, recent opinion polls reveal that the US electorate is about evenly split on whether Israel's most recent actions are justified, so there may well be enough space politically for Obama to come up with a policy towards Israel that is more nuanced than the "might is right" attitude that seemed to drive US diplomatic efforts during the Bush era.

Israel is unlikely to remain in Gaza for long, having learned the hard way during its bloody conflict with Hezbollah in Lebanon in 2006 that it cannot win on the ground against a hostile civilian population. And, unless the pattern can be broken, when the troops have left and the shelling has stopped it is only a matter of time before Hamas regrouped and the rockets start raining down on Israel again.

HELEN SUZMAN/Ann Bernstein

**The profound legacy of a woman of imagination**

AFTER the 1961 general election, Helen Suzman was the only member of her new party re-elected to Parliament. Prime Minister Hendrik Verwoerd gloated triumphantly, saying to her: "I have written you off." She replied: "The whole world has written you off."

For the next 13 years, the Progressive Party in Parliament consisted of a lone Suzman. Through this "trial of fire", she became SA's greatest parliamentarian. At a time when Parliament represented white voters alone, the MP for Houghton used the privileges and influence of the institution to represent the interests of millions of people who did not have the vote. In the 1960s, white support for apartheid grew and repression of the black majority led to indefinite detention without trial and other infringements of individual rights. In this environment, Suzman had the imagination to see the opportunities the parliamentary system provided to fight for human rights.

As an MP, she had access to cabinet ministers, senior government officials and sources of information not available to the public at large. Through questions to ministers, she was able to establish the facts of how the apartheid system was operating. From the bizarre workings of race classification to the numbers of people forcibly removed from the last holdouts of black freehold ownership in so-called "white" SA, it was Suzman's probing questions that provided information apartheid's critics could then use to rally opposition.

In 13 years, she placed more than 2 262 questions and made 885 major speeches on almost every conceivable subject. In her last parliamentary speech, she proposed the first ever motion of censure on a judge, who had imposed a derisive five-year suspended sentence on a farmer convicted of beating to death a black worker who had accidentally run over the farmer's dogs. Her motion failed but the judge was transferred from case work.

Throughout her 36 years in Parliament, and even after that, Suzman was inundated with



requests for assistance from desperate people: will she intervene with the minister for a family who had been "enclosed out" of urban areas; will she find the son grabbed by the police and not seen since; will she help a family affected by the Group Areas Act? No plea went unanswered.

Suzman used her position in Parliament to work with and for extraparliamentary organisations, communities under threat from the state, prisoners, detainees, students and others, all of whom benefited from the assistance that only an MP in apartheid SA could provide.

She was determined to guard against the tendency of "becoming cloistered in the House — of forgetting the outside world". Her strategy of "getting out to see for herself" was a brilliant tactic. Despite the potential dangers, she attended the funerals of black

activists whenever invited to do so, to express support and in the belief that her presence might have a restraining effect on the police.

In a period in which more than 100 laws and regulations restricted press freedom to report what was happening, parliamentary privilege ensured that any issue discussed in the House could be reported. Through Suzman's special relationship with the media, she provided a conduit for the public spotlight to fall on government actions, institutions or political events. Without her, much of that terrible period would have been censored or passed unquestioned or unnoticed by the larger audience she was able to address from her parliamentary base.

Suzman's role in Parliament enabled her political party to expand and consolidate a base of support among white South Africans for human rights and a

nonracial approach to the country's future. The importance of this should not be underestimated, for it consisted of a national organisational structure, a parliamentary foothold of some size (in time) and a core of support among hundreds of thousands of white voters. This liberal constituency could mobilise behind the long-awaited change of heart by Afrikaans leadership and enthusiastically endorse the release of Nelson Mandela, the unbanning of the African National Congress and constitutional negotiations.

Suzman's reputation was built not through grand philosophies or inflammatory speeches. Her effect and fame were the product of sustained, grinding hard work. She had to pull apart every one of the apartheid laws and the inevitable security restrictions that came in their wake. She had to stand alone in a hostile sea of 165 other MPs, critically analyse their proposals and gouge their confidence through a rapier wit and an overarching command of the facts. For 13 years, she dined alone in Parliament with no fellow MPs to discuss tactics or approach.

She took strength from the support she had outside an isolated white Parliament. Through her wit and irreverence, Suzman fearlessly cut through the assumptions of a racist, male-dominated culture, where subservience to hierarchy prevailed. She did so with style, humour and grace, underpinned by always "doing her homework" so that mistakes were rare.

Her phenomenal record is SA's legacy, which will be best served if more politicians follow her example — of public service, hard work, commitment to human rights, rule of law, sensible economics, individual dignity and freedom. This will require a reinstatement of the system of constituency representation and direct accountability to voters, which will ensure that when laws are passed, legislators think through their effects on voters, who can "throw the rascals out" at the next election.

■ Ann Bernstein is executive director of the Centre for Development and Enterprise.

**How the ANC lost control of its brand**

Thabang Motsosi

THE way the political landscape in SA has changed lends credence to the argument that the African National Congress (ANC) has neglected to take control and ownership of its brand value and protect it from decay and abuse.

For most people who experienced the pain of apartheid domination and exploitation, the ANC and its broad anti-apartheid front came to represent and define their hope for a better future. It was therefore natural to expect the ANC's promise to receive a massive mandate in the 1994 elections.

At the core of this promise was a set of values and basic human rights entrenched in the Freedom Charter and then protected in the constitution. We entrusted our hopes to the promise this powerful brand represented and the commitment of its elected leadership to uphold and defend them.

But the internal leadership conflicts that have consumed the ANC in the past two years have distracted the organisation from effectively showing leadership in this critical area. The conflicts have also hurt the party's ability to connect with its voting constituency.

In the minds of many, the decision by the ANC to retain its alliance partnership after 1994 was a fatal mistake. It is not evident that the locus of authority in the structure was defined. The ANC is the dominant partner in this alliance and should have demonstrated visible and unambiguous leadership on all the key issues that define the brand value. However, such leadership has been pathetically lacking.

The internal leadership battles that have preoccupied the ANC in the past two years have left serious structural weaknesses. The South African Communist Party (SACP) has pounced at this opportunity and has emerged as the visible custodian of policy and strategic leadership. It has become difficult to deny that the SACP has stolen the heart and intellectual leadership of the ANC.

The current split in the ruling party is not an unexpected outcome given the lamentable absence of leadership. How else does one explain the free rein granted by design or neglect, to the irascible ANC Youth League leader, Julius Malema, who has the guts to threaten, in public, to kill on behalf of ANC president Jacob Zuma?

The vitriolic comments and attacks on our institutions of democracy by the ANC leadership are patently against the values and policies that we know the ANC brand represents. Descent into a state of lawlessness begins with chipping away at such institutions by a leadership motivated by something less than pure public interest.

It is worth recalling what writer Njabulo Ndebele said recently: "If these events diminish constituted office, they do not spare the ANC itself from its own hand." He further asked: "What kind of country, then, does the emergent ANC hope to rule when the institutions it will need to rule successfully will have been emptied out by the organisation itself (unless it defines its success as the destruction of those institutions)? This is a key question of the times."

Political accountability is one of the critical values entrenched in the constitution and we need to ask if our electoral system has served us well in this regard. It is generally agreed that the past five years have witnessed an alarming growth in arrogance at all levels of government, matched by a deteriorating degree of accountability, as seen in the auditor-general's reports. Corruption has also increased with impunity.

The ANC has dominated the political space for so long that it is easy to become insular and arrogant. The emergence of a new party can offer the voting public an alternative and it should be welcomed.

In politics, when a breakthrough occurs on your watch, it is a disaster of profound proportions that calls for the leader to resign. This will be the ultimate leadership challenge for the ANC.

■ Motsosi is a Johannesburg-based strategy consultant.

**SECOND TAKE**

Herald Tribune

TRUE to its mania for secrecy, the Bush administration is leaving behind vast gaps in the most sensitive White House e-mail records, and with lawyers and public interest groups in hot pursuit of information that deserves to be part of America's permanent historical record.

E-mail messages that have gone suspiciously missing are estimated to number in the millions. These could illuminate some of the administration's darker moments, including the lead-up to the Iraq war, when intelligence was distorted; the destruction of videotapes of CIA torture interrogations; and the outing of the CIA operative Valerie Plame Wilson.

The deep-sixed history also includes improper business conducted by more than 50 White House appointees via e-mail at the Republican Party headquarters. Historians and archivists are suing the administration. We should be grateful for their efforts. Entire days of e-mail records have turned up

conveniently blank at the offices of President George Bush and Vice-President Dick Cheney.

Cheney is fighting to the last the transfer of his records to the National Archives, as required by law. He has argued in court that he "alone may determine what constitutes vice-presidential records or personal records".

Modern administrations from Ronald Reagan's to Bill Clinton's typically tried to evade at least some disclosure obligations under the public archives law. But the Bush team, from day one, has flouted the requirement to preserve a truthful record, ignoring repeated warnings from the National Archives. In government agencies, the public's freedom-of-information rights have been maliciously hobbled. History is truly the poorer for the Bush administration. President-elect Barack Obama must quickly undo the damage by ordering that records be shielded from political interference, by repairing the freedom-of-information process, and by ending the abuse of the classification process to cloak the truths of the presidency. *New York, January 5*

**SECOND TAKE**

GULF NEWS

THE international community is sharply split over how to react to the continuing mayhem in Gaza as Israeli forces launched a massive invasion, which cut off Gaza City in the north of the Gaza Strip from the south. Many more positive countries have called for an immediate cease-fire to allow talks to start, but others refuse to condemn Israel, describing its actions as "defensive".

Although the leaders of the world may be split, their people are coming out in their thousands to protest about what is going on. From London to Istanbul, Sydney to Paris, thousands marched over the weekend to express their disgust at the Israeli actions and at the continuing international inaction over the war.

The US has remained particularly pro-Israeli, and blocked a United Nations Security Council statement calling for a cease-fire, arguing that a return to the situation that existed

before Israel's ground invasion was unacceptable because that situation allowed Hamas fighters to fire rockets into Israel. The Americans failed to condemn Israel's persistent refusal over years to enact the agreed conditions of the several "cease-fires" Israel has signed.

The Czechs' presidency of the European Union (EU) got off to a very bad start when they described the Israeli action as "defensive rather than offensive", only to have this contradicted by the French, who called for a cease-fire to the "dangerous military escalation", and by EU foreign policy chief Javier Solana, who made the useful suggestion that the EU was ready to contribute international monitors to help keep the peace. The vast majority of the world wants to work with goodwill to find a way forward for the Palestinian people.

As Gaza trembles under artillery bombardment, small-arms fire and rumbling tanks, such people of goodwill need all the help they can get. *Dubai, January 5*

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**OBAMA AND TERRORISM/Clive Crook**

**The constraints on soft power**

BARACK Obama's priority is to mend the US economy, but if the president-elect hoped to devote all his attention to that task, he is already disappointed. Other issues are muscling in.

Israel's assault on Gaza will be an early test for his foreign policy team. His administration's stance on Palestine and Israel — whatever this proves to be — will also intersect with its approach to security and counterterrorism.

These issues are connected because Obama is a soft-power enthusiast. President George Bush scorned the good opinion of other nations. Obama sees US standing abroad as a priceless asset. He wants the US to command respect so that its friends will be better allies and its enemies will lose support. This, he believes, will be at least as productive as knocking jihadists on the head.

On Gaza, there will be the usual calls for restraint and expressions of US solidarity with Israel — but, with a more attentive eye on European and Arab opinion, the new administration is likely to voice support for Israel that is a little less unconditional than Bush's.

Whether this altered tone is

seen as change or continuity will be a matter of taste, although for a while Obama will be given the benefit of the doubt.

When it comes to security and counterterrorism, however, Obama's supporters will hold him accountable, and he has made some bold promises.

He has pledged more than once to close the detention facility at Guantanamo Bay without delay. The Obama team is promising a clean break with the Bush administration on other aspects of security and counterterrorism policy as well — on methods of interrogation and on wire-tapping and other forms of surveillance.

But it may be as difficult to make a clean break with the Bush administration's policies in these areas as it will be on Israel-Palestine. Most of the 800 or so prisoners sent to Guantanamo have since been released or transferred. Of the roughly 250 who remain, some could plausibly face trial, some have been cleared for release or transfer but have nowhere to go and some are seen as too dangerous to release, yet are probably unprosecutable for lack of evidence that an ordinary civilian or military court would admit. Many

Democrats, and most foreigners, would urge that all the remaining detainees should be either tried or released. That would be a brave step for Obama to take. If a detainee released on his watch were implicated in a future attack on the US, the country would not forgive him. He is likely to want to keep some of the inmates in preventive detention.

He can surely reduce the number; he can devise a process that gives the remaining prisoners better opportunities to challenge the evidence against them; and (Congress and the courts permitting) he can put them in US prisons rather than holding them in Cuba in a way that boasts: "We are evading the law." In short, he can keep his promise to close Guantanamo. It is doubtful, though, that these improvements would satisfy civil libertarians, for whom a single detainee held indefinitely without trial violates an inviolable principle.

Policy on detention turns on whether suspected terrorists and "enemy combatants" must be treated either as criminals or prisoners of war. Much the same question arises over interrogation and surveillance.

US laws on interrogation of terrorist suspects certainly need to be clarified so that the ban on torture is affirmed and the definition of that term is not so narrowly construed that it excludes vile practices such as waterboarding. But will terrorist suspects be given the same rights to gentle handling (including the right to silence) as ordinary criminal suspects? If Obama takes the threat of another September 11 seriously, I doubt it.

As for surveillance, existing US laws were framed to deal with ordinary criminals and spies. Investigators had to establish "probable cause" and obtain warrants for named suspects. The Bush administration caused outrage by skirting the law and undertaking warrantless surveillance of some types of cross-border communication. Recent changes relaxed the law: they were supported by Obama and bitterly opposed by most of his supporters. The rules are still a great muddle, however, and need further revision.

The Bush administration has left US security and counterterrorism laws in a mess. Putting them right will tax Obama's ingenuity and cost him some friends. © *Financial Times*

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**Letters to the Editor**

**Suzman's fight**

SIR — Helen Suzman, who was born on a portentous date — the day of the Russian Revolution on November 7 1917 — and died on January 1, was a remarkable person with inordinate political and moral courage. She was a liberal democrat with an acute sense of social justice and a tireless political fighter for the rights of SA's marginalised and dispossessed.

In her assertive and tenacious style she epitomised a parliamentary struggle for human dignity and rights for all. Suzman was more than a tough political fighter, she employed an impeccably informed and researched strategy of incisive de-

bate that invariably went to the heart of the issues she addressed.

All of this required dedication and very hard work. She was intellectually formidable and politically indefatigable.

Her efforts as a human rights exponent and parliamentarian have been recognised all over the world. As a parliamentarian, fighting alone a heroic battle against an evil system in the House of Assembly for 13 years, her contribution was unparalleled. The Times observed of the role she played in the dark and long years of apartheid rule that, "in all the annals of parliamentarism in the English-speaking world, Helen Suzman may have been the best there has ever been". In similar vein, The

Observer has commented: "Combative and courageous, Helen Suzman's political life is on a heroic scale".

Although involved in the rough and tumble of party politics in SA, she always acted according to profound liberal convictions.

Suzman was a caring and compassionate person. She was, in my view, the greatest parliamentarian this country has ever produced and in this regard ranks with the best in the world.

As a nation we profoundly grieve her passing, but celebrate her inestimable contribution to our constitutional democracy and human rights in SA, and a life well lived. **George Devenish** Durban

**True champions**

SIR — Who said five-day Tests are boring and on the way out? The Perth and Melbourne Tests were acknowledged as among the finest to date. The fortunes of both sides ebbed and flowed, but SA showed grit and class in fighting back, winning both and taking the series from the world champions.

An enduring memory will be the whole crowd standing to applaud first Dale Steyn and then JP Duminy after their heroic performances against the odds. The Aussies love fighters and recognise greatness.

Even Shane Warne was moved to say that the team exuded confidence

and an aura of greatness. Let's hope the Proteas will continue to dominate for many more matches but be humble in victory and magnanimous towards their opponents.

**David Quail** DA member, Gauteng legislature

**Juggling figures**

SIR — I cannot accept claims that the road accident rate and road fatalities are down on last year. It is more than likely, given the economic conditions, that the traffic count was a lot heavier last year than this.

We want to know the traffic counts for corresponding periods in 2007 and last year and the related percentages.

Only then may we compare and hopefully celebrate. **Harry Hyams** Sandton