



E Q U I T Y A N D R E D R E S S

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QUARTERLY

roundtable

THE HELEN SUZMAN FOUNDATION
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roundtable

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Vision

Promoting liberal constitutional democracy in South Africa.

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To create a platform for public debate and dialogue – through publications, roundtable discussions, conferences, and by developing a research profile through an internship programme – with the aim of enhancing public service delivery in all its constituent parts. The work of the Helen Suzman Foundation will be driven by the principles and values that informed Helen Suzman’s public life.

These are:

- reasoned discourse;
- fairness and equity;
- the protection of human rights;
- the promotion of rule of law.

The Foundation is not aligned to any political party and will actively work with a range of people and organisations to have a constructive influence on the country’s emerging democracy.

“I stand for simple justice, equal opportunity and human rights; the indispensable elements in a democratic society – and well worth fighting for.” — Helen Suzman

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Profiles



Lindiwe Mazibuko

Lindiwe Mazibuko is the Parliamentary Leader and Leader of the Opposition in the National Assembly. She was elected to Parliament in 2009, where she became the DA's National Spokesperson. She has held numerous roles in Parliament since then including being Shadow Deputy Minister for Communications, and Shadow Minister for Rural Development and Land Reform.



Songezo Zibi

Songezo Zibi is a Senior Associate Editor at the *Financial Mail*. He has written extensively for various publications on politics, international affairs, and the economy over the last 7 years.



Eusebius McKaiser

Eusebius McKaiser is a political analyst, author, broadcaster, lecturer and debate & public speaking coach. He is the author of *'Could I Vote DA? A Voter's Dilemma'* and *'A Bantu In My Bathroom'*. He hosts *'Power Talk with Eusebius McKaiser'* on Power 98.7 and is a Research Fellow at the Helen Suzman Foundation.



Francis Antonie

Francis Antonie is the Director of the Helen Suzman Foundation. He is a graduate of Wits, Leicester and Exeter Universities. He was awarded the Helen Suzman Chevening Fellowship by the UK Foreign Office in 1994. From 1996 to 2006 he was senior economist at Standard Bank; thereafter he was Director of the Graduate School of Public Development and Management at Wits University. He was the founding managing director of Strauss & Co.

The first Roundtable for 2014 on Equity and Redress featured Lindiwe Mazibuko, Songezo Zibi and Eusebius McKaiser.

The Roundtable explored whether liberalism can address racial and economic redress and equity and, furthermore, how it can be done. The audience was asked to consider the validity of a widely accepted view that liberalism cannot attempt to solve the problems of poverty and inequality. In this view liberalism and free market economies culminate in social and economic inequality. The Chair argued that this conception is incorrect and that liberalism can provide the means for societies to address socio-economic and racial inequalities. He proposed that if liberalism were to be true to its core values, and by including each member of society as possessing the same rights for opportunities, and advancing these opportunities, then liberalism could address poverty and inequality.

THE SPEAKERS

The opening speaker, **Lindiwe Mazibuko**, emphasised the importance of acknowledging our past and how it influences our present. She stressed the profoundly inequitable ratio of black and white people in the business place, access to education, access to running water and electricity etc. to illustrate that race is deeply and directly linked to poverty and inequality. She urged that racial redress and equity should be at the forefront of our thinking. She went as far as to say that South Africa is more unequal today than it was 1994. Mazibuko asked for equality to be continuously promoted and advanced and believes that this can be achieved through well-thought out and effectively executed policies and legislation. She promoted the type of policies that advance equality in a positive manner and that do not use punitive measures. She looked forward to a South Africa where the road to equality is paved with incentives, not punishments and spoke of a future South Africa where colour does not matter. She argued the Democratic Alliance's claims that total equality free of any biological or genetic qualifier will afford opportunities to all people. Mazibuko also argued that education is a vital part of eradicating disadvantages and is in need of immediate reformation so as to afford high

levels of education to all South Africans. Her hope is that through transforming education, inequality in education that leads to unequal opportunities, often advancing freedom only for the privileged, will cease to be a feature of this country.

On the topic of redress, **Songezo Zibi** reiterated the issue of race-based inequality in South Africa and stated that the improvements of the last twenty years are not sufficient. He highlighted the need to reconsider whether our methods used to alleviate inequality have been premised on the right ideals. He recommended that we reconsider our tactics and perhaps rethink on what we are basing our hypotheses.

Zibi proposed that we can change laws as much as we would like, but that this will not change people's hearts. For him, it is people more so than laws that are at the heart of inequality. He encouraged us to look at patterns of injustice based on race in order to understand the cause for such persisting inequality. Only once we understand can we take proper measures in redressing the issues. He warns us against placing our whole focus on racial redress and not to lose sight of other causes of inequality such as gender or sexual preference. Zibi argued that we cannot claim we are trying to be moral by firmly tackling issues of race and subsequently ignoring other aspects of our immorality such as sexism or homophobia and that we require a commonly agreed upon sense of justice as a foundation for the way in which we tackle redress.

He stressed that the biggest threat to redress is lack of economic growth, stating that if the pie is not grown, we will end up fighting for the crumbs. Zibi made the observation that real freedom comes from individuals being able to be themselves and that those who are better off must always seek means to include those who are on the margins.

Eusebius McKaiser agreed with the previous speakers about the multiple challenges that face South Africa. He offered the view that of all of our interwoven and individually important challenges – such as inequality, education etc – equity is not given enough weight. He too argued openly for liberalism



being able to tackle issues of inequality and equity. He stated that those with means must care about equality, not through pity but rather through self-preservation. As he put it “they’re going to come after your bottles of chardonnay if you don’t care about equality”.

For McKaiser, the way people identify themselves is a basis for how they experience the world. He believes that this identity shapes the way in which we experience everyday life and cannot be separated from the world we perceive. He identified a racial self-identity that is impossible to escape and criticized Mazibuko for her views that race is an identity that can be overcome and should not determine how we see ourselves. McKaiser held that race is part of a person’s lived experience, especially in South Africa, and that we cannot separate it from our identity. He went further to say that it is not only race, but our socio-economic status that is a part of our self-identity. Economic inequality causes people to live completely different kinds of lives and have widely contrasted lived experiences, making it difficult for people to relate to one another. For McKaiser, there are not many areas in which these individuals can relate.

In terms of economic and racial inequality that stem from South Africa’s past discrimination, compensation to groups of previously disadvantaged people should be among the natural order of progression towards equity. He believes that we must be able to favour black and coloured people for positions in schools and jobs with no sense of guilt over the balance required to attain

equal opportunities for all in the future. For McKaiser this is an important part of redress and is morally justified within the context of South Africa.

THE AUDIENCE

The floor was opened to the audience and a lively discussion about our present situation followed. Audience members expressed views that ranged from race no longer being a substantial cause for inequality, to race-based attempts at redress being unfair to white people, to race being the cause of all inequality and a precursor for inequalities based on education, housing, access to food and water, job opportunities, respect in positions of power and socio-economic status. People expressed contrasting views about the way in which race still dictates our lives and it was generally accepted that far more must be done in order to address race and inequality in South Africa

CONCLUSION

The three speakers featured a variety of views. The many comments by audience members confirmed the argument that each individual’s lived experience shapes the way in which he/she views their country, issues of race, inequality and themselves. The evening proved to be a great step towards learning about where South Africans perceive we stand as a nation and where we need to be. What was also clear is that issues of Equity and Redress are still predicated on Identity Politics. How we transcend the latter will determine how we may be able to address the former.

Welcome



Good evening, ladies and gentlemen. On behalf of the Helen Suzman Foundation, I want to welcome you to this evening's Roundtable. Our topic is Equity and Redress.

I want to take this opportunity to acknowledge the support of GIBS who have provided this venue.

For those tweeting, the hashtag is #Redress. After our formal proceedings, I would like a word with the audience, if I may, about some good news and some hopeful news.

There are three preliminary points I wish to make. First, South Africa is a very unequal society, perhaps the most unequal society that has been measured. Secondly, there is a quite persuasive assumption that liberalism cannot address the questions of inequality and poverty, and that any intervention in the marketplace must of necessity be illiberal insofar as the rights, specifically property rights, of the individual are curtailed. This is just not true, I believe.

For some curious sets of reasons, Liberalism has become equated with Libertarianism. There is the danger that this equation limits Liberalism simply to a defence of property rights. Liberalism, I believe, is more than that.

Reflecting on the issues of "Racial Redress and Liberalism" in yesterday's Business Day, those two hardy and perennial members of the old Liberal Party, Randolphe Vigne and Merle Lipton, make the point that and I quote:

Many Liberal Party members, including national chairman Peter Brown, would have agreed with DA leader Helen Zille that the economic dimensions of the post-apartheid settlement must involve racial redress. Their stance would have been strengthened by respect for the principle mandated in the 1996 constitution of "legislative and other measures... to advance persons or categories of persons disadvantaged by unfair discrimination".

If we thus accept that liberals should be thinking seriously about the issue of Equity and Redress, and that Liberalism must also re-imagined itself as an agent to address poverty, then a more serious debate can follow. The central question then becomes – What sort of policies should be adopted, and how should they be implemented?

... is our focus simply on the question of societal inequality, or should we perhaps be extending the discussion to the relationship between the State and Society. If it is the latter, and I think it is, then the discussion should extend to considering what role the State should play.

Thirdly, is our focus simply on the question of societal inequality, or should we perhaps be extending the discussion to the relationship between the State and Society. If it is the latter, and I think it is, then the discussion should extend to considering what role the State should play.

I follow St Thomas Aquinas's lead on this. Those of you who are theologians will remember he defined God in negative terms and I would like to offer the following three observations about the role of the State.

First, the State should not attempt to substitute for the market in activities where



there are no market failures. That is where resources are being, or could, be efficiently allocated.

Secondly, the State should not substitute bureaucratic management for risk taking entrepreneurship in the production of private goods.

Thirdly, the State should not permit the untargeted growth of state-provided social services, especially where these are financed through general taxation and provided free of charge or at a low price unrelated to cost.

In many ways this roundtable follows on from Judge Zak Yacoob's delivery of the Helen Suzman Memorial Lecture, which I know was controversial but I think also appropriate. He raised some challenges that liberals must face and which they must deal with and which, really, the larger society should deal with.

South Africa is still coming to terms with the systemic and institutional discrimination of its past – an unjust system that institutionalised racial inequality by denying black South Africans the chance to fulfil their full potential. In the South African context, the issue of race and opportunity are closely interwoven. For this reason, it is impossible to consider one without reference to the other.

But have said this, I want to pose a further question: Is race a reliable proxy for

disadvantage? How far have we come since 1994 in closing gaps between different groups in South Africa in access to opportunities? How far have we come in closing the distance between formal and substantive rights for many previously disadvantaged South Africans?

'Equality' rings hollow to those who cannot access even the most basic rights guaranteed by our Constitution, and we pause here and remember Ms Grootboom.

This Roundtable thus seeks to address the following issues:

- How does South Africa move to a non-racial, non-sexist, and more equal society without succumbing to unfair and arbitrary discrimination on the one hand, or complacent acceptance of the status quo on the other?
- Is race a reliable proxy for disadvantage?
- To what extent have current redress policies transformed South African societies?
- Is enough being done to address past injustices?
- What is the link between education, opportunity, and redress?

These are some of the questions, which I hope our panel will discuss today. It is my great pleasure to introduce our panellists for tonight.

Lindiwe Mazibuko is the Parliamentary Leader and Leader of the Opposition in

WELCOME

Welcome



the National Assembly. She was elected to Parliament in 2009, where she became the DA's National Spokesperson. She has held numerous roles in Parliament since then including Shadow Deputy Minister of Communications, and Shadow Minister for Rural Development and Land Reform.

During her time in office, she has presided over a number of important milestones for the Party such as leading the fight against the Protection of State Information Bill, pushing for the adoption of the Youth Wage Subsidy, and leading seven other opposition parties represented in Parliament to move a motion of no confidence in President Jacob Zuma.

Songezo Zibi is a senior Associate Editor at the *Financial Mail*. I am pleased to welcome him back to our platform. He joined the magazine in June last year after 14 years in the automotive and mining sectors. He has written extensively for various publications on politics, international affairs, and the economy during the last 7 years. He is also a member of the Midrand Group and I still don't know where the Midrand Group is.

Lastly, **Eusebius McKaiser** is a political analyst, author, broadcaster, lecturer, debate,

and public speaking coach. His latest book is now available in bookstores. It is entitled '*Could I Vote DA? A Voter's Dilemma*'. His previous book, a collection of essays on race, sexuality and other uncomfortable South African topics, was a bestseller within 10 days of its release. For those of you who don't know the book, it is called '*A Bantu In My Bathroom*'. His columns appear locally and he has been published abroad including in the *New York Times*, and the *Atlantic Monthly*.

Eusebius hosts Power '*Talk with Eusebius McKaiser*' on Power 98.7. He previously presented '*Interface*' on SABC 3 and '*Talk at Nine*' on Talk Radio 702. He has lectured the philosophy in both South African and in England. He has a Master's degree in moral philosophy, I think from an obscure provincial university where they send Rhodes scholars. He also coaches debate and public speaking, having previously won the World's Masters Debate Championship. He is of course a Research Fellow at the Helen Suzman Foundation.

Without any further ado, Lindiwe, it is over to you.



Lindiwe Mazibuko

Thank you very much, Francis, and thank you for the invitation to participate in tonight's Roundtable. I want to try in my input to answer some of the questions that you have put in this debate.

But I want to start by dealing with the context in which we find ourselves, because I think it is impossible to have a conversation about redress without restating what to some is obvious but to others isn't always quite so.

Our country like any other country in the world has a very unique history but ours is very steeped in racisms and racial discrimination. To understand the problems that we face today, you have to acknowledge that past. We can't wish it away. To do so would be to misdiagnose the ills that face our society today, and if we cannot accurately diagnose those ills, we cannot find a cure.

In our history, black South Africans living under apartheid were deprived of opportunity on the basis of their race. The systematic injustice

created a cycle of institutionalised depravation and racial inequality. It denied black South Africans opportunities for jobs and education.

Apartheid wasn't just a political system. It was the structure which underpinned South African society. It had an architect. It had building blocks. It had legislation and bureaucracy designed to support it.

The 'Natives Land Act' of 1930 and the 'Group Areas Act' of 1950 determined where different race groups could live, could own land or run their businesses. The introduction of the 'Bantu Education Act' of 1953, purposely denied black South African children education, of any meaningful kind.

The 'Mines and Works Act' of 1911 and the 'Native Building Workers Act' 1951 reserved specific jobs for specific race groups. I could list a litany of other legislation, which institutionalised racial economic deprivation in our country.

This system denied South Africans the very tools that they needed in order to achieve their individual potential. But that cycle of deprivation didn't end immediately with the advent of democracy in our country.

Recent statistics show that in South Africa 46% of black South Africans currently live below the poverty line, compared to 0.7% of white South Africans. The national census indicates that the average black South African household earns 16% of the average white South African household.

Black South Africans own only 21% of the shares on the JSE Top 100 and the picture that this paints colleagues, is that South Africa is an unequal society but the fact is it is also more unequal today than it was in 1994.

There are large racial disparities in unemployment. The average black South African is five times more likely to be unemployed. By 2010, 74.6% of white South Africans older than 20 had completed Grade 12 versus 29.6% of black South Africans. Black South Africans hold 24.2% of the top management positions, in South Africa, and white South Africans hold the majority of top management posts, 72.6%.

Black South Africans own only 21% of the shares on the JSE Top 100 and the picture that this paints colleagues, is that South Africa is an unequal society but the fact is it is also more unequal today than it was in 1994. While there are important, strides that have been made these statistics are sobering and they clearly show that there is still inequality in our country.

When I opened, I said that I wanted to state the circumstances we find ourselves in because I think sometimes people's individual experiences cloud their ability to see the reality of inequality in our country, for what it is. As political leaders, we are not blind to that personal experience that makes it difficult for South Africans to engage in a debate about how to redress the imbalances of the past.

The so-called race question remains a very loaded debate in South Africa today because of this, because there are contrasts to be drawn within different racial groups. For example, when one speaks of black South Africans – there are middle class black South Africans in our country who, although they enjoy economic prosperity, still feel the emotional scars of apartheid.

Conversely, there are working class white South Africans who when they are told that they are beneficiaries of privilege, turn and look at those middle class black South Africans and say, what privilege, I've worked hard for everything that I have.

But it is important in a debate like this for people and leaders in our country to look at the picture in as broad a way, as we possibly can, without discounting the individual experiences of our citizens.

As a country, we have to continue to find the appropriate balance between the constitutional principle of non-racialism and equality and the constitutional provisions for redress based on historical disadvantage. Just to remind you, Section 9 of the Bill of Rights of the Constitution says that:

To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

At the same time, the Constitution also states in the preamble that:

We the people of South Africa, believe that South Africa belongs to all who live in it, united in our diversity.

The DA's proposal for achieving that ideal of a non-racial society will make use of race-based measures as a transitional measure. It is the departure point from which we move. The DA's support for race-based measures of redress is not illiberal. Our model is built on appropriate measures that will achieve greater diversity in the workplace and in society.

Measures such as racial preference as opposed to racial quotas; dedicated efforts to invest in the long-term potential of individuals to promote diversity through training and mentoring; a system of positive incentives to advance workplace diversity rather than punitive measures to impose racial representatively.

Race is not a perfect measure of disadvantage. As society progresses to the non-racial ideal, so too will we move away from race as an indicator of disadvantage, which is why we say race redress in South Africa must be a transitional measure.

The DA wants to introduce truly broad-based employment equity legislation that will create an incentive structure aligned with the codes of good practice. But we strongly reject the existing measures by the ANC that break down employment equity targets into racial sub-categories, such as Indian, Coloured and African, as this will require a return to racial classification as it existed under apartheid.

Instead, we must recognise the variable nature of race as a proxy for disadvantage and critically we must allow South Africans to self-identify their racial heritage. This approach is not inconsistent with liberal philosophies.

Although there exists other measures such as income levels or quality of schooling with which to measure inequality, in South Africa, these measures are still too unreliable and too complex to be used in national redress programmes.

Race is not a perfect measure of disadvantage. As society progresses to the non-racial ideal, so too will we move away from race as an indicator of disadvantage, which is why we say race redress in South Africa must be a transitional measure.

Current redress policies have only scratched the surface of what can be achieved. Facts and statistics make it clear that existing redress measures employed by the ANC are only deepening the existing racial and socio-

economic inequalities in South Africa.

The ANC government is not doing enough to address past injustices. Redress will only be achieved by working together with all stakeholders in the economy, which is why the DA supports incentive-based measures like BBBEE rather than the ANC's punitive measures in order to obtain not just compliance but a support for and a commitment to redress in South Africa from all sectors.

There is an undeniable link between education, opportunity, and redress. Besides race, education is the most powerful predictor of a person's chances for success. However, a focus on education alone is not enough to achieve redress. We need to take proactive steps now in order to break the cycle of deprivation and exclusion once and for all.

So we are faced with a great challenge, the challenge of building a united and democratic South Africa able to take its rightful place as a successful democratic nation. We cannot do this while our fellow citizens still live in poverty and are deprived of the dignity brought about by the very freedoms enshrined in the Bill of Rights.

South Africa is still deeply racially unequal and to claim otherwise is both factually wrong and callously insensitive. Given our current gross projector, the 2011 census indicates that it will take South Africa another 50 years for black South Africans to occupy the same income bracket as their white South African counterparts. Is that acceptable? In the DA, we believe that it is not.

A DA government will aim to deliver opportunity effectively and rapidly. It will aim to do away with cronyism for the sake of including the excluded and by doing so; it is committed to closing this gap in far less than 50 years.

In conclusion, the DA embraces the need for redress. However, redress must be the means to the end of racial inequality in South Africa and the creation of a prosperous united and non-racial nation.

CHAIRPERSON: I would like to call on Songezo.



SONGEZO

Songezo Zibi

ZIBI

Thanks, Francis. Good evening, everyone. Immediately after I received an invitation to be part of this discussion, I wondered if there was any use in participating at all. So often, we get lost in a tussle of racial narratives and counter-narratives and we forget that there are real people, human beings, involved in the broader discussion about historical redress.

When one takes all the arguments into account, it can become difficult to ascertain what the right thing to do is and whether or not there has been progress over the last 20 years. Many say that there has been progress in addressing historical injustices, but more needs to be done. Others say we have barely touched the surface and more needs to be done, quickly.

On another day, depending on the context of the discussion, some of the same people are likely to swap positions. You see, sometimes it is about who the argument is with rather than what we believe the truth is, so the

position changes accordingly. This is a symptom of something worrying to which I shall return shortly.

So where are we? I shall resist, and I am glad you mentioned some numbers Lindiwe, the temptation to rattle off a set of specific numbers. Although I will make a statement, I believe to be generally true: the lot of black people in general and women has improved enormously since 1994. This is in respect of improvements to their material conditions and the level of respect they are afforded as human beings. This is mainly due to the bar raised by our Constitution which prohibits certain actions on the one hand and makes others compulsory on the other.

The question, I guess, is whether the improvements have been sufficient, in the right places, for the right reasons and premised upon the right principles. I would like to propose that the improvements have been insufficient. Sometimes they are neither in the right places nor for the right reasons. Malcolm X once said:

You do not stick a knife in a man's back nine inches, and then pull it out six inches, and say you're making progress.

Should we continue with redress measures on the basis of race and gender? Fundamentally, yes, but we also have a responsibility to be informed and nuanced so that we do not inadvertently subvert some of the very principles upon which our new society purports to be founded.

Racism is much less about laws and more about attitudes and the locus of power. We can change the laws all we like but they alone do not change people's hearts.

We must continuously make an assessment on the state of our society in order to also provide social and economic justice to those who are poor and vulnerable. At this time, the majority of those people are black but there are also those who are white.

Let me deal with both the main point and the caveat in turn. Racism is much less about laws and more about attitudes and the locus of power. We can change the laws all we like but they alone do not change people's hearts. Laws, I believe, are there to give meaning to what a society believes to be the right thing, and to act as a guide to those who wish to do the right thing. Those who do not will simply circumvent the law or totally ignore it and therefore bear the consequences should they get caught.

In a society like ours, that has institutionalised racism, it continues to exist in a socio-economic structure, cultural hegemony, and income patterns. If we are to remain true to the goal of creating a society that is just and free of racism, we cannot remove the eye from the ball which is the racial patterns that tell us where the injustices continue to be.

At the same time, I believe that we cannot create a society where only race defines justice or injustice. We must be a society that fundamentally believes in giving opportunities to the poor in a way that levels the playing field at critical points in one's life.

I therefore do not believe that a black child from a well-to-do family should get the jump on a white child from an extremely poor family simply because they are black. I also do not believe the same should happen in the case where both children, black and white, are from poor families. In such instances, we must give both of them an equal chance.

Like disease, poverty knows no colour. Hunger does not feel better just because you have different skin pigmentation. Although I have to say there is something unsettling; an unsettling comfort, unsettling to me at least, with the familiarity with black poverty among many, while white poverty seems to rattle the senses.

We really need to ask ourselves why we feel differently in these instances. It is to this that I promised return earlier. We have to premise our society's attempts to secure socio-economic justice on a strong ethical promise and that is to prioritise the end of suffering and economic exclusion in a manner that reflects our goal of a non-racial society.

If we do this, we will not, as I said earlier, become reactionaries who switch positions to suit our convenience. We must challenge ourselves to implement, not only this principle all the time, but to suppress the tendency towards patrimonialism providing for our own first, be that class, gender or race.

In fact if we really are as committed to reconciliation, as we claim to be when we eulogise the late Madiba, those of us who are better off must always seek means through which we can include in broader society, culturally and economically, those who remain on the margins.

This means giving our time to mentor, to educate, to provide access to networks of influence and to help find resources for those who demonstrate high potential and can make a further meaningful contribution to the integration of society.

Essentially the task is not one of dispensing patronage but one of the soul, changing our outlook towards others and ourselves and making redress possible as an act of humanity.

All of these amount to nothing if you cannot give every child the best start they can get which is through a decent education. Our failure to provide an environment in which every child can reach their potential has a profound impact on the ability to make use of the space created by our Constitution and its resultant legislations.

Before I stop my initial contribution here, I want to present a dilemma that many of us both consciously and subconsciously grapple with but never confront. Is it possible to talk about equity when the areas where we have to demonstrate our transformative attitudes remain unchanged?

Do we entrust the task of transforming the workplace to a sexist homophobic black person just because they are black? Are we suggesting that these other forms of prejudice matter less because they are not racism?

For someone not prepared to voluntarily entrust their health to a black physician, because he or she is black, can we seriously expect that they would create an inclusive environment at work where they manage and affirm black people's ability to perform well at their jobs?

Do we entrust the task of transforming the workplace to a sexist homophobic black person just because they are black? Are we suggesting that these other forms of prejudice matter less because they are not racism?

Isn't our nation building effort primarily about creating a common ethical foundation for our individual and collective actions? Can we really limit our task of transforming society to legislate their instruments without seeking deeper voluntary social integration?

I do not think we must see this as being just about redress. It is also about genuinely pursuing a society founded on an agreed sense of justice, as regards both to history and the present, which we use to pursue any measures meant to include black people, women and anyone else who may be excluded.

Can we really talk redress in terms of colour without recognising the extent to which women from all walks of life remain oppressed in the home, are not taken seriously – as seriously as men – in the workplace and have to deal with many subliminal obstacles placed in their path to development? I do not think so. I do not think we can separate these imperatives and struggles.

We must be very careful not to elevate the fight against racism and its effects above other moral struggles from which real South Africans still need emancipation. All of these: racism, sexism, homophobia, and other forms of prejudice are equal no-no's before our Constitution.

I suspect that as many South Africans suffer the indignity of sexism and homophobia, as do racism. So is it equity and redress we need to talk about or is it the construction of a new society where we understand the context to be a historical outcome that needs commitment and sacrifice to change?

That is the question I hope my colleagues on the panel and the audience can assist us to deal with. I would like to finish the rest of the quote by Malcolm X and perhaps, for me, I believe this is the attitude we need to adopt in relation to every other injustice there is in society. He said:

No matter how much respect, no matter how much recognition whites show towards me, as far as I am concerned as long as it is not shown to everyone of our people in this country, it doesn't exist for me.

Can we say the same thing about the injustices our fellow South Africans feel, and do we act upon such a feeling of ethical and moral connection to the suffering and the pain of others?

CHAIRPERSON: Songezo, thank you very much for those observations and for bringing people back into the debate and also the moral dimension. I'm going to call on Eusebius to take this further.



Eusebius McKaiser

eusebius mckaiser

Thank you, Francis, and thanks for the invite to address this ‘mainly ANC crowd’. I also want to allay Francis’s fear that I’m not going to get as angry as I did with RW Johnson yesterday, although at some point in my remarks I want to make a point about the value of getting angry in the face of not yet having achieved the non-sexist, non-racist society that the first question poses. I think we underrate the value of anger.

But I want to start by firstly stating where I agree and build on my agreement with the two speakers who have spoken so far. Lindiwe, you are right that it should be almost a truism that inequality exists and is a problem. But not every South African shares that view, as you said, and that’s why I want to underscore the importance of our agreeing on that premise and on the gravity of that premise.

This morning I depressingly spent a couple of hours, fortunately I was paid for it so that at least was a reward for the distress,

with corporates who thought that their only obligation at best is to have a conversation about how to lift South Africans out of poverty and how to help create jobs.

Of course the majority of that was a bitching and moaning session about government making it difficult in terms of the cost of new business. But the truth is, as Professor Habib pointed out at that conference, at the heart of our challenges are racial issues..?, not that we should prioritise them because Songezo is right, they are multiple important challenges, be they poverty, attitudes, inequality, unemployment.

I think the equity challenge, Francis, which is why I am glad that is the focus of this forum, is underrated in South African public discourse. It raises so many uncomfortable questions about your own relative wealth as a private citizen and as a corporate citizen and still we know it is related to but conceptually and practically distinct from the challenge of creating jobs.

It is inequality that correlates more reliably with social unrest and, for example, poverty. Now it's a horrible choice to choose between them. We have to deal with eradicating poverty and creating new jobs. However, I really think that the question of equity and a substantively equal society gets de-prioritised. At best we add it on in that sentence with the other two as part of a triple scourge without focusing on it.

I really am glad that the shared overlapping consensus between the three of us is that the equity challenge is incredibly important. Even if you wanted to be self-interested, as I have said before on different platforms, they are going to come after your bottles of chardonnay if you do not care to deal with the inequality problem.

I care about non-racism. I don't care about non-racialism. I think non-racialism is overrated and people who talk about the importance of a non-racial South Africa do not distinguish those concepts, and it is important to distinguish them.

So there is also an instrumental reason why wealthy South Africans ought to care about inequality and I don't think we care enough. At most we care about poverty intellectually and about unemployment; those are very different concepts.

But I want to make some positive remarks about the questions you posed, Francis, and I'm afraid I don't agree with an assumption that is built into your first question, how to achieve a non-racial, non-sexist society.

I care about non-racism. I don't care about non-racialism. I think non-racialism is overrated and people who talk about the importance of a non-racial South Africa do not distinguish those concepts, and it is important to distinguish them.

I self-identify, when I want brownie points, as a black South African. If I go back to Grahamstown, my family force me to say that I am coloured and not black. But I

experienced my life in South Africa in a raced manner and the idea of non-racialism, if we take it literally, is an attempt to have an emotionally comfortable conversation in which we imagine that people's experiences of inequality do not coincide with their racial self-identities. I think that's false.

So as much as it is glib, as much as it is part of our constitutional jurisprudence, I wish that we could be more precise and if we are not being imprecise, let's have the fight in the Q&A session that it is non-racism that we want to achieve as a society, not necessarily non-racialism. My relationships with white South Africans are not intrinsically jarred because they are white or self-identify as white. So we've got to identify the right enemy here.

I can't answer the first question that you posed, Francis, without challenging a premise that is embedded in it that non-racialism is an ideal that obviously all of us share as enlightened liberals. That's not true. I think of myself as a liberal but I also think of myself as a raced-individual and it is non-racism that I particularly care about, not non-racialism.

The second point that I wanted to make in my opening remarks is that I do not think we will be able to deal with Songezo's concerns around attitudes that are pernicious between groups. The fact that we respond differently to white poverty than we do to black poverty shows us that unless we deal with the question of economic justice, which is at the heart of it, and we separate these elements, as if the project of building a non-racist society is fundamentally a social and a psychological problem. It is fundamentally about that and until South Africa is a less unequal society, I think there will always be 'awkwardness' around race relations in the country. I think the two are tied up. It is very difficult to regard, if you are honest with yourself, that poor black person as your equal, as an interlocutor, when their life is fundamentally different to yours.

You have not had the same educational opportunities, the same cosmopolitan lifestyles and I think you can only deal with economic justice if everyone has the same

shot at upward mobility. So I think there's a fundamental connection between trying to achieve racial justice and dealing with the economically unjust conditions in which the black African majority find themselves.

What does it mean, by way of interventions? Absolutely, I think it is a truism to get to the last question that education needs to lie at the heart of how we deal with the fact that we are a substantively unequal society and still a sexist society. See David Bullard's tweets over the last couple of days.

You are trying to redress the systemic injustices of the past, which were designed in racial terms, and in racial category terms, and that is why it is important to be able to make that choice without feeling guilty.

But the truth is that there are some tough choices we have got to make, Songezo, and I disagree with your two examples. I think it is easier to say Sexwale's bi-racial child should not be prioritised over a poor white kid from Pretoria. I think the real test case is actually the second scenario where you said what about a poor black kid and a poor white kid in the event that you should have limited resources. I think in that kind of situation it is easy.

You spend the limited resources, if it is not feasible to spend it on both, on the black kid and there is a moral justification for it.

You are trying to redress the systemic injustices of the past, which were designed in racial terms, and in racial category terms, and that is why it is important to be able to make that choice without feeling guilty.

There's a justification. In fact, Francis, there is a liberal justification to favour the black child in this situation. You are right, liberalism can address these difficult social justice questions, but it is these arguments that confuse the history of the political parties that predate the DA with an ideological debate proper in political philosophy around liberalism.

Liberal egalitarians, like me, are more than happy to actually agree on certain policies that someone like Blade Nzimande would punt including, Songezo, deliberately spending money on a black child in virtue of his being black and I think there is a justification there.

In fact, it is one that is rooted in certain strands of liberalism, if you take liberal egalitarianism seriously and substantive equality as the goal. If the basic impetus for a liberal society is allowing every individual to live an autonomous life in which you make choices so that you can flourish, and you have a range of options, you can live John Stuart Mill's experimental life. There are however, material preconditions to enable that and part of that may include deliberately spending resources along racial lines. So I find it illiberal when I see so many politicians in the DA not understanding that they have a liberal egalitarian commitment to some of these racial redress policies.

The final point I want to make is that I do think, Lindiwe that you want to have your cake and eat it. You want to start by saying to black South Africans, 'we acknowledge that many of you - if not most of you, live your lives, and see yourselves as black people'. However, in the details of deciding how to deal with this redress question and the equity question, you want to dis the very racial identities and talk about diversity economic empowerment. At least Wilmot James was honest enough on my programme to say, and tried to come out of it afterwards by calling me guilty of 'gotcha journalism', that in his ideal world the morning after the DA comes in to power, he would scrap all reference to race and he wouldn't have BEE. He would have, what I put to him, and he consented to this re-description, diversity economic empowerment.

Now I do not think that works and I think this is part of the voter dilemma, on which I spent an entire chapter in my new book, is that you want to lure me to your party by saying I get you. I am a black woman in the DA, I am black, and then five minutes later you want to tell me that it is pernicious to have references to racial identity. Make a pick and cut your losses with those of us who will be unhappy with one of those two scenarios.



The DA does this because the ANC has messed up, which we can also take as overlapping consensus, by not addressing racial justice.

There is a practical problem besides a philosophical problem with that dilemma that you have your diagnosis referring to my race, but your intervention wanting to keep it out of the policy discussion. The practical problem is a measurement one. I mean, if you're really interested in racial justice, how on earth are you going to measure the impact?

The DA does this because the ANC has messed up, which we can also take as overlapping consensus, by not addressing racial justice. But it's an easy one so let's not talk about the failure of BEE. Let us talk about this in terms of what is ideal, if there was an alternative government. How will you measure it?

The idea about racial quotas and some sort of, scary, precise design of the demographics reflecting the workplace is a straw man. That is a deliberate misconception. We do not have to say 78% of accountants must be black but we can surely agree that it is important to count how many black people are accountants because if only 2% of them are black, we know that we have not yet marched towards substantive equality. So the idea that racial quotas are intrinsically bad is a deliberate lampooning courtesy of the ANC's failures.

So I do think that you need to go a step further. In addition to your opening remarks, where you are rightly acknowledging my racial identity, make sure that the policy prescriptions match that too.

CHAIRPERSON: Eusebius, many, many thanks. You have, I think, stirred us all up. There are lots of questions but I would like to give Lindiwe the opportunity to reply.

Lindiwe Mazibuko: Thank you, very much, Francis. I'm glad Eusebius brought up straw men so I didn't have to be the first person to use that tool. You can't build an argument for me that I never made using pieces of debates you've had with other people in the DA. That is not how it operates.

I put my position forward in my introductory remarks and I was very clear about the fact that race defines the problem and therefore race-based redress is necessary and so logically race will be part of the solution.

I do not know where you get this notion that I believe or have advanced any idea that redress measures such as BEE and Employment Equity must have absolutely no race attached to them. They absolutely have race attached to them. That is what the DA concluded at the end of its Federal Council at the end of the last year.

So for you to build an argument that I didn't make out of pieces of other debates you've had with my colleagues, prior to us passing a resolution that race is indeed a legitimate measure of disadvantage and must therefore be included in measures to redress the imbalances of the past, I think is deliberately sparring for a fight that doesn't exist.

I also want to challenge you on your definition of non-racism and non-racialism. I mean, you are getting twisted up in all kinds of unnecessary arguments. I don't think non-racism is a word. I think you can be racist or you cannot be racist. It is like saying non-christian, but non-racialism as a constitutional concept is not about individual experience.

You can have a raced experience as an individual citizen but the Constitution, Government, and Legislators in Parliament are concerned with the social experience. And non-racialism is about building a society in which your opportunities in life and in the country in which you live are not dictated by your race.



So we need these race-based interventions to take us to a non-racial society. We need not be non-racial people. That is up to us as individuals. Whether you are a rabid right-winger or somebody who believes in non-racialism, you can still live in a society where, black or white, your opportunities in that society are not dictated by your race. How you feel about that is irrelevant.

So I don't think you should get twisted up about the concept of non-racialism. It is a perfectly legitimate one and it is based on building a non-racial society not in clearing out racial thoughts from people's minds. Individuals' consciousness is their own business. What we are talking about is the kind of country we want to live in.

CHAIRPERSON: Thank you, Lindiwe. I am very pleased that you tackled my question. I have taken note of your non-racism and non-racialism. I am opening it up to the floor.

Please identify yourself, firstly, be very brief.

Lindiwe mazibuko



questions

Comment

MR RAMATSETSE: *My name is Lesego Ramatsetse. I would like to open up the conversation by recognising one of Maslow's hierarchy of needs and it states that before human beings can be self-actualised they have to fulfil their basic needs – food, security and then esteem.*

I think the problem with the concept of the 'rainbow nation' is that it jumps a lot of those steps and straight into self-actualisation. You are sitting with a population, where about 50% is not self-actualising, and is still dealing with their basic needs. Political parties such as the ANC are not prioritising this need, for food, and the DA is trying to take advantage of the notion that the population is still battling to feed itself.

That's where all parties basically miss the story. This is why the DA will essentially never be in power, because they do not respect the fundamental building blocks of human nature. This is, first, to realise that the human being is an animal, and after it has fulfilled its animal needs, it moves over to being a thinking animal and that is

basically what we've been trying to do for the past three thousand years – to build on those primordial instincts. I would like to put a challenge forth. What will the DA do in order to realise those needs before jumping to the finished car?

CHAIRPERSON: *I'm very weary of turning this into a party political moment but I may ask Lindiwe to address that. Please, people, this is not about mergers and acquisitions. It is not about party politics!*

This is in some ways a far more important issue. I take your point about Maslow and this hierarchy of needs. I will try to obscure that question a little bit but if Lindiwe wants to answer, she may. But I do not want to turn this into a party political issue.

MR HODGSON: *Thank you. My name is John Hodgson. I want to challenge the floor, not just the speakers, taking issue with Francis's original framing which is talk of race as a proxy for disadvantage is a red herring. Talk of redress for disadvantage in the past is also a red herring.*



Comment

Race is not just a proxy for some kind of abstract disadvantage. Race is a fundamental dimension and cause of ongoing discrimination and disadvantage in the world today, especially in South Africa. It is not just a proxy for how poor you are or how many assets you have or do not have. It is a dimension of disadvantage and discrimination in the world.

Talk of race as a transitional measure or a temporary measure that we soon get to move away from almost always comes from people, to be blunt, who are white or from vested interests that are defending those who broadly are so-called 'white'. It generally reflects blindness, I would say, from white people that they live and experience the world in a way that is not necessarily racialised. That is the default that white is taken to be the default.

You see this in the global media. You see this in advertising. You see it in marketing. You see it in culture, all around the world today and especially in South Africa. So I say again, race isn't a proxy for past disadvantage.

It is a fundamental dimension in the same way that gender continues to be a fundamental dimension of the way that women experience the world and the way that they don't experience it equally to men. That's my challenge.

CHAIRPERSON: Thank you.

MR MBONANE: *I want to address one question to Lindiwe and the other to Mr McKaiser. My name is Ezekiel Mbonane. So I want to pose two questions, starting with Lindiwe Mazibuko.*

You agree with me if I say that one of the faults of CODESA ... was that discussions were mainly about neo-liberalism and not about communism or socialism, which is why the South African economy is unequal and highly skewed in favour of whites.

The other question is to Eusebius McKaiser. You also agree with me, Comrade Eusebius, if I say that those formerly oppressed before in this country, black Africans, Coloureds, and Indians most of them were oppressed.

question



So what the oppressed are enjoying right now is social political benefits to go and to speak, rah-rah. But the cake is still with the whites. The cake ... by the economy is still on the white hands. Let us accept that, let us be realistic.

CHAIRPERSON: Thank you.

MR JAFF: *Nicholas Jaff. I just have a question for clarification. I have been given to understand that while the society remains extraordinarily unequal, with approximately 16 million social grants being redistributed, that in fact this has slightly improved the situation – would the gini coefficient not have actually improved. It is rather an important point and I just wanted some clarification.*

MR OPPENHEIMER: *My name is Mark Oppenheimer from the Johannesburg Bar. My question is for Lindiwe. Firstly, thank you so much for clarifying the difference between non-racialism and non-racism and identifying why they are both important values to have.*

What I wonder is, can we engage in a transitional process where we say that let us abandon temporarily this project of non-racialism and let us use race explicitly in our policy of redress? And it is undoubtedly

the case that we do need redress. It is undoubtedly the case that we come from a history where people were discriminated on the grounds of race.

But we can recognise that there are other measures to address the inequalities. We can look at sophisticated things, like you mentioned, educational background, the amount of money someone has, where their parents have come from and their language barriers and we could use those measures.

My concern is that if we use racial measures, are we not trying to drink ourselves into sobriety? We say that what we are aiming for is a non-racial future and we are not going to embrace a non-racial present to get there, how do we do that?

CHAIRPERSON: That is sufficient for the time being. Please, I did not make this clear at the beginning. It is also possible for people to have the debate amongst themselves on that side of the table.

MS MAZIBUKO: Lesego, my private education is failing me. I do not understand your question at all. I understand that you were saying something like the DA wants to jump to the rainbow nation immediately. Can you repeat it for me?



MR RAMATSETSE: *Basically what I was trying to say was that we have to respect the numbers game here. If 50% of the population is just struggling to feed themselves, you cannot feed them the lofty ideals of non-racialism.*

We unfortunately cannot jump those steps and I think that is why I am not a supporter of any political party. I only support good ideas. I like the idea of non-racialism but that is only for self-actualised blacks, like myself, who have been afforded private school education and who can drive themselves to work, feed and clothe themselves.

But for those non-self-actualised blacks, that is not a luxury they can afford and that is why I think fundamentally the legacy of Madiba created a bubble and we are close to the bubble bursting.

That is, basically, what my question was. We have to go back to the basics. As a 'white party', we have to respect the numbers and we have to respect the fact that 70% of the population controls economic resources.

CHAIRPERSON: Thank you.



MS MAZIBUKO: Okay, I understand now. Lesego, it is not a choice. You do not have to choose between the two and that is what actually the basic premise of this debate is. Songezo made this point that what we are talking about as Legislators is legislation on paper designed to intervene in the society in which we live in which racism exists, and with those interventions aim to build a more non-racial society.

So I think that it is perfectly feasible for any political organisation to say this is our character. This is who we are. These are the values that we hold dear. This is the kind of society we want to build, and on the other hand, this is how we are going to build it. We are going to reform education. We are going to make the economy functional.

We are going to use interventions in the economy such as BEE and Employment Equity to try to redress the racial imbalances of the past. I do not think the two things are mutually exclusive and I do not think that as a voter you necessarily have to choose between.

Comment

I think speaking about non-racialism and the character of our organisation and its ideological leanings is an important part of identifying why we advance the policies that we advance.

So whether you as a voter engage with that philosophy or not, does not change the fact that we still have concrete proposals for how to improve a lot of South Africans and how to make ours a successful nation. So I do not think there is a choice to be made here and I would argue that we can very easily do both.

Do you want black people around the world forever and into perpetuity, regardless of whether these issues have been resolved, to constantly cleave to the idea of being second-class citizens, of being in need of interventions and being unable to achieve and do for themselves?

John, looking at proxy versus dimension, first of all I want to place on the record that B-BBEE, as it was conceptualised in 2007, the first legislation was written and passed in Parliament, was conceptualised from the very beginning as a transitional measure. In fact that is something that we agree about across party lines.

I do not want to live in a society where I am constantly being made a victim. I want to live in a society in which I have reasonable hope of a future in which the injustices of the past will not determine who I am and what I can do. So what I do not understand is what you want instead of it being a transitional measure.

Do you want black people around the world forever and into perpetuity, regardless of whether these issues have been resolved, to constantly cleave to the idea of being second-class citizens, of being in need of interventions and being unable to achieve and do for themselves?

Now we are veering into black consciousness territory because then you damage people's confidence and their ability to believe in themselves to be worthwhile individuals. I

do not want to bequeath to women, to the homosexual community, to black people a permanent state of victimhood from the injustices of the past.

I want to write legislation, engage in policy interventions and build a society in which one day we can envision people having opportunities available to them on an equal basis.

As I said to Eusebius earlier, what goes on in your head as an individual is neither here nor there. You can be a deeply racist person living in a non-racial society. You can think that people of a different race group are beneath you but be subject to a society which allows you the same level of opportunity as any other race group.

For me, the idea of entrenching disadvantage as a permanent feature of your demographics forever and into perpetuity is dangerous stuff. It enables people to abuse race as a means of making people feel angry at one another permanently and feel unable to transcend the challenges that we are trying to transcend.

That is not the kind of country I want to live in. It is not the kind of society I want to build. I want a society in which we envision equality in its truest sense is the notion that whoever you are, wherever you come from, you have an equal chance of becoming whatever you are capable of becoming.

Whether it is an alcoholic who does not look after his children or a rocket scientist or somebody who does not achieve anything of substance in their life, it should not be dictated by your race or your gender or whether or not you love men or women. It should be dictated by the instruments you have within you.

So I have to fundamentally disagree with that notion. I think we have to believe in the value of trying to build a non-racial society and we must not shy away from the transitional nature of interventions like this.

This brings me to Mark, you said there are other measures of inequality and as I said in my introductory remarks, and Francis has been pilloried by Eusebius and I think by you, for using the word "proxy."



Comment

I interpret that use of proxy in legislative terms. So when I think about the race question as a Legislator and as a politician, I am thinking about what tools we can build and what interventions we can make in order to achieve an equal non-racial society. In that sense there is no better proxy for understanding disadvantage in South Africa than race. So it is purely a tool of engaging with legislative interventions.

But unfortunately the other proxies: measuring people's income, measuring people's education level, are costly and also run the risk of being insensitive to the realities of our history. They run the risk of delegitimising or dismissing the experience of South Africans who have experienced disadvantage in terms of race but are now being asked to experience the road to equality as a kind of race-free zone. I do not think it is possible.

I think you have to engage with the need to look at the history of this country in the eye and say people were disadvantaged on the basis of race. We want to move towards non-racialism and to do so we have to acknowledge that those racial inequalities exist today.

But I do like the idea of using innovative ways. For example, the debate that's been had at UCT and I'm an alumnus of University of Cape Town. I, as an individual, believe that because my parents bailed me out of

the system of Bantu education, put me in a private school and enabled me to go to school under apartheid with white classmates who had the same level of education as I did, I believe I don't necessarily need UCT to make provision for me as an equity student.

I think they should take those resources and spend them on children in schools which have fewer resources and less access to quality teaching and I think that the quintile system enables the government to do just that.

Universities can say we are going to take children from the quintiles with the fewest resources, under-resourced schools which have very low matric pass rates and we are going to consider those to be previously disadvantaged students rather than simply relying on race.

Because I think in terms of educational outcome, it is fair to say that regardless of the difficulties your parents may have faced in getting you into that classroom, the quality of the education you get is the same as the quality of the education of your classmates and therefore you should be able to compete on equal level. So I know that there are innovative interventions that can be made in that regard.

But I think from a government point of view and from a legislative point of view, all of the indicators point to the fact that race is still the

most legitimate proxy for disadvantage and the most effective way to undo the injustices of the past.

Nicholas, on to your question about 16 million social grants. They have alleviated poverty, but they have not eliminated it. People often make quite callous remarks about how teenage girls fall pregnant deliberately in order to get a grant. A child grant is about R200 a month.

There is no study and no empirical evidence that women are deliberately falling pregnant in order to access grants. It is true that the social grant system is the biggest on the continent. It is comprehensive. It covers a lot of people. But it is just a measure of poverty alleviation.

R200 a month is not the same as a place on the ladder in the economy and in addition the social grant system does not offer unemployment grants. It only offers grants for those with disabilities, for those who have children and those who are on a pension.

It does get abused because people are desperate. People are living under desperate circumstances. But the real challenge that South Africa faces today in economic terms is getting people on that first ladder of the economy and into work.



MR MCKAISER: Thanks, Francis. I'm just going to respond to two issues in the interest of time. I want to combine my response to the non-racialism and racism issue with the exchange between Lindiwe and John.

I do not want to live in your ideal country, Lindiwe. I want to live in John's world. The only cool thing perhaps about that is that there is no racial coincidence here in the little dialogue between the three of us on this issue which maybe is a good thing.

The reason is very simple and I want to intervene in that dialogue by saying that this is in part a response to you, Mark, and also to Janet and Russell on Twitter who are getting way to excited about Lindiwe's initial

response. I was being courteous by saying no to Francis for the opportunity to make a comeback.

There is a very difficult and ongoing dialectic to be had about the difference between those two concepts and I am sorry but I still think Lindiwe is wrong on them. I am happy to have that debate in columns, on social media platforms beyond this discussion but it is not that simple.

There is a part of what Lindiwe said that is a truism for anyone interested in social justice which John will share with you. Of course my race alone as a trait should not fundamentally determine how I end up in society. It should be, hopefully, equal opportunities plus hard work that determine that.

So you mix stuff that is incredibly and obviously correct for any person who thinks clearly about race with stuff that is not so clear. So when he says it is a fundamental part of your experience, your dimension, you can not underestimate that point just by saying that you understand proxy as Francis wanted you to as a discussion about legislative design.

The point that John makes is fundamental and it is the reason why Mark, Janet and Russell are way too excited too quickly. You have to start this discussion with an accurate description of the lived identities of black and white South Africans. You undermine that when you get excited about the end goal.

I do not want to talk about the end goal. I want to talk diagnostically about where we currently are and what John is saying. It is tragic that his whiteness is useful in this dialogue, because if a black person says it then of course you can diagnose that person as not yet being self-actualised, but John is absolutely right.

We, Francis, even as the Helen Suzman Foundation and associates cannot have these fantastically comfortable emotional conversations about the end goal, John is right to hit the pause button on the country we are currently in.

The second point that John made, that should be rescued, is that you are imagining

in your ideal, Lindiwe, that it is not a sociology fact of human beings that they have identity traits. It may not be race. It may not be sexual orientation. It may not be class. But it will be something else.

In effect, if you want to take your thought experiment further, you are imagining human beings absent social facts about themselves which is weird. So when you talk about the danger of a black person into perpetuity, imagining themselves as victims, you are, I am afraid, lampooning the reality of how identity traits and, yes, Ma'am, how identity traits work. I do not come here as Eusebius McKaiser absent descriptions about me.

The question is what do we do so that we do not have jarring interpersonal relations, so that racial tensions are less, so that we are substantively equal? But in having that conversation, I think you are overstating the undesirability of allowing people the space to self-identify as black, white, coloured, Indian, male, female, gay, straight.

Social grants are not reducing inequality. That is another ANC government failure. We need a welfare state. I think we have a moral duty to care for people who are worse off.

Those categories are not intrinsically a bad thing and in fact if you do not give them a proper description in making sense of the injustices that we are currently facing, you are always going to come up with less than perfect interventions towards the end.

Then the final thing I wanted to say was just on the social grant issue. There I agree with Lindiwe. Social grants are not reducing inequality. That is another ANC government failure. We need a welfare state. I think we have a moral duty to care for people who are worse off.

However, I do think that we need to have a policy discussion about how to more effectively use the welfare budget so that people can become less dependent on the State.



And particularly when you have black people who suffer physiological hangover of not taking their own potential for being the authors of their own lives seriously, hand-outs will perpetuate that psychology. So I share your critique of how the welfare state currently works. What I do not share is the exaggerated description that identities like race are undesirable as an ideal.

CHAIRPERSON: Thank you, Eusebius. Songezo



MR ZIBI: I want to respond to John and maybe try and take his point further. I want to talk about the reality of the black lived experience and, given the structure of our society, the structure of our economy where the actual social power lies and that, in order to gain acceptability and mobility, you have to act and behave unlike yourself.

You have to get out of your own natural identity in order to assimilate what your colleagues or your peers who are in a more advantaged position behave like so that you can be assimilated into that environment and be seen as what is known as a “good black.” That is fundamentally the issue we are dealing with.



I want to say to Eusebius that I was not separating the two but if you have people in positions of power who use those subjective categorisations or assessments to determine how mobile people are going to be, because they have got the levers of power, you have a problem. That is why you have to interrogate also the importance of personal attitudes in terms of what is acceptable.

Once we all have an agreed ethical and moral basis for assessing and, for lack of a better word, for judging people, you are always going to have this problem where the attitudes towards the individual are a problem.

The world and the country that we live in is fundamentally structured according to what is acceptable to white people. That is what we are dealing with and we need to give people the opportunity to be themselves. That is real freedom.

CHAIRPERSON: Many thanks, Songezo. John, would you like to respond?

MR HODGSON: Two things, one, my comments wasn't aimed at the DA or at Lindiwe specifically and only. It was aimed at the room.

I appreciate the response from Lindiwe. I find it extraordinary almost that you can talk about a perfect world in which people's individual attitudes don't matter. Songezo was telling us why they have to matter.

How on earth can we ever live in a non-sexist, non-racial world if many people want to continue to be racist in their own minds and in their own homes and in their interpersonal interactions which make up society? It doesn't make sense just to talk about what the laws of the country need to be.

If I can take an example that isn't race as I mentioned. We live in a fundamentally sexist world. That doesn't mean that I am saying that all women are victims. It means that the reality is where we have to start. Not where you want to get to.

Obviously I would like to live in a world which is entirely not determined in terms of opportunity and life experience by any of these factors, but we are so far from there that permanently talking about transition as though it is something that is going to happen soon takes away from the real issue.

The point here is that a non-sexist world would be a world where women did as well as men in business, where we didn't have a work day and a work week and a year that is fundamentally structured to make it harder for women to make careers and parenting choices.

All of these things remain true and there are analogous cases in race. It doesn't make sense to say sex isn't a fundamental dimension of people's experience of inequality in the world and how their lives go. The same holds for race.

CHAIRPERSON: Thank you, John. Professor Simkins.

PROF SIMKINS: *Thank you, Francis. I would like to make two points. Quite a lot of South Africans think that history started in 1994 but I'd like to go further back to that in the bad old days when affirmative action was on behalf of whites.*

In the interwar period we had a civilised labour policy and then a whole lot of additional things which were introduced during the depression in 1929 to 1932. So you had a huge number of things on the books. Assigning things to whites, municipalities could be paid certain amounts to keep whites going.

There were settlement schemes for whites back on the land. There was this. There was that. There were a whole lot of things and the most important thing we see about it is once the economy started to grow rapidly from 1933 these things vanished like the morning mist.

I think you would find that instead of having more complicated schedules to the Black Empowerment Act, if you had a rapid growth, then everybody who was qualified or half qualified would be sucked up. So these racial assignment rules simply don't work in the high growth environment.

The second thing that I'd like to say, and it relates to some people in the welfare state, you might be surprised to know that the International Labour Organisation regards

South Africa as a semi-comprehensive welfare state and we are classified that way because of eight heads we have programmes in seven. The thing that we don't have is a survivor benefit for people who died before retirement age.

We have got quite a lot to grow on. Again you can find the roots of this back in the 1930s and we've got actually a much better system than Brazil who's Bolsa Família has attracted such a lot of attention recently.

The third thing is to say that when people make the middle class, they take on the obligations of the middle class. I was once teaching a group of predominantly black students in public finance and I started to talk about income tax and they were horrified because I told them that they would have to pay income tax.

They just didn't accept it. Somehow income tax was for other people. I said it gets worse as you get older and older and your income rises, more and more of your tax will go to other people rather than benefit yourself. So the other thing to say about the middle class, as it grows, is it all has a common obligation.

COMMENT: *We got caught up in just defining the racialised identity of South Africa and we still haven't got in to the issue of what redress would look like, the possibilities. Lindiwe, you used the example of being at UCT.*

Exceptionalism shouldn't become the example of how we live and talk about lived experience, even as a black middle class. If we are the people that made it out, who counts the fact that we also have remittances to the rest of the family? We never quite progress.

I worry that we get trapped in party politics – what's the ANC doing, what's the DA doing? Maybe a direct question for you, Lindiwe, it is very possible that the DA has good ideas without naming or shaming. But where are the examples of what you have done where you do govern, examples of what redress looks like?

comment



I speak specifically as a black South African woman and the double burden of being disadvantaged – and I'm not a victim, but I do need to acknowledge the burden of the responsibility of being black middle class as a woman in this country.

MR ERLANK: *I want to comment on the proxies that we've been using and I think Black Economic Empowerment is a dangerous proxy. It is something that John was saying that proxies are dangerous and I think particularly so because it embodies two ideas both of which are very important.*

What I want to propose is that these ideas about racial issues and inequality and equity issues will be treated better if they were treated separately. John said race is real. Songezo, you were saying that we react differently to white poverty and black poverty.

I think we can only react to poverty in the same way if we recognise it as a human problem. I think there are two problems here. One is the human problem of poverty and inequality and equity. It's a huge problem. It's a global problem. It is part of the Marxist critique of capitalism. It's a looming problem in our country. It's a class problem. This is something we need to address.

Then there's a race problem and it's about cultural hegemony and it's got different sets of levers which will fix it. The cultural white hegemony is something you're going to fix with language understanding, cultural understanding, why wasn't I forced to learn Xhosa and Zulu in school. Everyone black in this country has to learn to speak English, I was never forced to learn Xhosa or Zulu.

These are different issue and I think if we marry them we won't address either and I think we have to address them separately and we will have a better solution. Not if we skip a step, Eusebius, I don't want to skip it, but I want to address them both properly and I think we will address them properly if we talk about class on the one hand and we talk about race on the other hand.

MR ROUSSOS: *My name is Joe Roussos and I want to continue this same discussion about race. The question that I have, which goes to Charles and also to Ms Mazibuko, is: What is the mechanism for addressing some of those persistent race questions?*

I don't think we need to dance around the issue. I think here is the example. In his previous life Mr McKaiser, like me, was a management consultant. Our experiences when we walk into boardrooms are



fundamentally different when we walk the halls of capital.

The assumptions around me are that I fit because of how I look. The assumptions around him are going to unfortunately but persistently involve questions about his sort of likelihood to be good at the job, about whether he is going to speak good English. He is an Oxford educated, incredibly intelligent person with the right vocabulary that persists because of the colour of his skin.

The question I have for people who believe that you can solve inequality and thereby address race and equality or racial discrimination is: What is the mechanism which changes it?

If people continue in their own minds to be racist, then they will continue to make racist hiring decisions, racist promotional decisions, etc. and therefore the structure of our economy will not change.

So that is the challenge. It doesn't seem to matter to me, Charles, if we have fast economic growth because Eusebius will still always be thought of as a worse management consultant purely because of the colour of his skin.

MR JAFF: *Just a point of clarification. I asked about the social grants. I am actually in favour of the social grants. I think they are absolutely vital to this country and given the level of service delivery riots we see around the country, if those social grants were taken away, the whole place would be up in flames.*

The reason I raised the question of social grants was a specific point of fact that Lindiwe Mazibuko made which was that technically as a society we are less equal now than we were, I believe, in 1994.

What I'm saying is that I don't believe that that is accurate. I think those measures were taken before the very, very vital social grants that are redistributed and it's a massive programme and, in my opinion, certainly absolutely vital in terms of the unequal society in which we live.

CHAIRPERSON: We are going to do some responses now.



MR MCKAISER: My response is very quick and simple. Can I marry you, Joe? The DA would have been much better off not courting a black African woman like Dr Ramphela but rather stealing that kind of headspace.

What is important in what Joe said, and it's exactly what I wanted to say in response to Charles, is that class and race do not coincide. They are both problems. You can be black middle class educated, go to St John's and still have a presumption of incompetence when you walk into the corporate sector.

You don't deal with that by pretending that class-based policy language is sufficient to also deal with the social manifestations of lingering racism. In addition to that, and I'm just reiterating what Joe said perfectly because I just think that it's important to say it again, growth does not guarantee equality.

In fact we had jobless growth during Mbeki's years in government but beyond jobless growth having a bigger pie does not mean

COMMENT

that that pie is equitably sliced up. So talking about high levels of growth is insufficient in a forum that is about equity.

CHAIRPERSON: That's why we have a state is to ensure that there's a greater equity. I will just throw that one into the pie.



MS MAZIBUKO: Thanks very much, Francis. I could answer everybody one-by-one but I think it will be more valuable if I put a problem to you about this debate and it is that there is attention between the value of lived

experiences and the legitimacy of statistics and facts around inequality, joblessness, poverty and how these are racially divided.

I agree with the argument that you cannot spin-out personal experiences and make them into policy. I made that point in my introduction. But that doesn't mean that you must ignore them. Nor am I saying that I'm trying to do away with racial self-identity.

I'm simply not trying to dictate it. I'm trying not to dictate to people how they feel about their race, about their gender, about who they are where they come from, because those are individual experiences that are not for me to delineate.

Lots of people have talked about their personal lived experience. I spoke about my own and why I think it is possible for universities to start to look at other measures of disadvantage in their admission processes.

I was not speaking about government policy. I was simply speaking about the fact that over time other proxies for disadvantage – and I'm going to keep using the word because this is a discussion about redress – to be applied to redress policy will emerge and we must be alive to them and be willing to integrate them into our policy making.

But that doesn't mean that your individual experience is irrelevant. Nor does it mean it is my responsibility to try and define your lived experience. Here I have to disagree with Songezo. What is the black lived experience?

We all understand what cultural hegemony is. We all understand the concepts of white South Africans and white people around the world as the one and women and people of colour as the other. We will understand those concepts. We did social science and what-not. We were lucky enough in this room to have learned those concepts in our education.

So we can debate ad nauseum about how people feel about one another when they encounter one another. But my argument is that if you are in government or you are a legislator, your responsibility is to preside over a country in which your race is inter-determinant of your future.

What I'm saying to you is, while both debates are important, a discussion about redress cannot dictate for people what their individual lived experiences as black South Africans, white, coloured, Indian must be, should be, are.

I would argue that in making those interventions that bringing people together, equity appointments, Broad-Based Black Economic Empowerment, making sure that South Africans who were previously separated from one another are actually in situations on a regular basis where they have to engage with one another, work together, be together, build a country together, that over time you will start to address those internal identity and racial division problems and it does take time but it can happen.

Inadvertently, I think it was Charles at the back, pointed to just such a programme which was actually successful. He argues that economic growth was the thing that enabled white affirmative action to no longer be a necessary intervention. But there are examples of interventions of this kind which enable people to operate on a more equal basis and as a consequence change their hearts and minds as individuals.

What I'm saying to you is, while both debates are important, a discussion about redress cannot dictate for people what their individual lived experiences as black South

Africans, white, coloured, Indian must be, should be, are.

What it should do is try to build a society in which people's real experiences, their access to education, their access to work opportunities enable them to go out and ask themselves those questions as free individuals in an equal society.

I don't want you to misinterpret my insistence on focusing on policy interventions as an attempt to ignore the importance of the racial dialogues and the racial debates and the racial feelings and tensions we have within ourselves as individuals.

I am simply saying it is not the responsibility of anyone in this room to either dictate or try to define on other people's behalf what the lived black experience is. Our responsibility is to try and build an equal society in which those experiences will become less and less commonplace.



MR ZIBI: I don't know whether to answer this issue of the black lived experience. I think we have had a couple of examples where, and I worked in the corporate sector for 14 years, where people talk about the assumptions that are made about you.

I started working in 1999 fulltime and people would walk into my office, white people, for the purposes of this discussion, walk right past me, do not greet me, go to my white colleague and enquire about some problem and then they get sent back to me and then they greet me.

But you know this guy didn't want to greet you when you walked in now he is having to greet you because he has a problem and this carries on with each and every aspect of your work.

I can go on for the rest of the evening about the very little things that hurt you time and again every day which are mitigated sometimes by your socio-economic status but you see in others each and every day the tiny little abuses which hurt so much. That is the black lived experience.



We can spend the whole evening, we can go through the whole room, each and every person's experience of white privilege is different. It doesn't mean we are not allowed to make sufficient generalisation to have a meaningful discussion about the problem. So let us not split hairs.

The second thing about white affirmative action, I just want to say that there is an assumption that we make that when certain legislative and other ideological interventions are made for a long period, let's say for 10 to 15 to 20 years, they begin to affect and influence the fundamental structure of society and attitudes in that society.

So when you make an assumption that white affirmative action ended with high economic growth, it actually didn't because the racist ideology continued. The assumptions that people made in the way that it was said by various people here continued. In other words, black people still couldn't get into the economy. So it doesn't really make a difference to this discussion at all.

What I do take as a point in what you are saying, and that is what is often lost in the discussion about redress, is that our economy is hardly growing at all. Trust me, this is the biggest threat to redress that we've got because the pie that we have isn't growing sufficiently.

Comment

comment



We can talk about dividing the cake. If it is not growing and the numbers of people are growing, eventually you are going to be fighting over crumbs. Unfortunately somebody has to think about how to grow the damn thing otherwise there is going to be nothing to fight over. That point I agree with.

I think we need to answer that question about what redress would look like because we can talk in the abstract about what racism means and what the experiences are.

Because you've got entrenched attitudes, racist, sexist and other kinds of prejudice in society, you need the legal instruments to encourage and sometimes force certain positive behaviours, because given an opportunity people just wouldn't do them and they wouldn't adhere to them.

We need to make those interventions at an individual level. We need to make those interventions at a corporate level and we need to structure our policy and other interventions in a way that they facilitate the migration of people from no or low income to where they can earn a sustainable income and eventually get into the engine of the economy.

COMMENT: *No matter how hard I try, and this goes towards the sexism comment, I will never be able to get pregnant. It is just not going to happen. So there's an issue of biology that's at play when you talk about sexism. We can be at the same level.*

We can try and create a society where everybody has the same sort of chance to start in life and that happens, as it has been said, in terms of the cake being big enough for everybody. This is why people from India are going to America. People from wherever are going into the American economy because that cake seems to be big enough.

I'm just commenting there in terms of trying to get a handle on why we would want to have redress and what redress would look like because if the economy isn't big enough then, well, nobody is going to get a chance to contribute towards it and make themselves live better lives. It just won't happen.

If I would put it out there and say redress to me would look like having a white president in South Africa, that's what redress would look like.

CHAIRPERSON: Thank you for that. It is over to the left. Please identify yourselves and could the left be as brief as possible.



comment

MS BRAUDIE: *Claudia Braudie speaking from your left but my right. I want to throw the discussion a little bit more open. I am feeling like we are having quite a narrow, actually quite an impoverished discussion. So I am not disagreeing with much of what is been said but I am going to take issue with Lesego unfortunately for you.*

You refer to the Rainbow Nation and you say that Madiba prevented people from – because of the whole notion of the Rainbow Nation it has robbed people of anger. I think it is historically not true. The Rainbow Nation was not Madiba’s position. It was Archbishop Tutu’s position.

Madiba had a vision which was non-racial and non-racist, both of those things. I think that got fudged because of how the Truth Commission discourse theologised, no longer being able to make a distinction between perpetrators and victims, between a history of opposition to apartheid and a history of promoting apartheid. That is what deprived people of the legitimate right to be angry.

Eusebius is absolutely right that anger has an important role to play. Unfortunately, because we were robbed of that right in the right moment, the anger has become deflected into a totally different way and in

the process robbed us of Madiba’s vision of non-racialism and non-racism and given us, Eusebius, I take issue with you, with your fetishised view of racial identity. That is a whole other discussion we can possibly have at another time.

My question is, doing that, coming back to Lesego and your emphasis on Maslow’s hierarchy, you I think land up saying hungry people become animals. What about going back to Songezo’s position, the emphasis on morality and ethics?

Hungry people, impoverished people can be highly ethical people. We saw that in the history of the struggle. I fear that the discussion that we are having tonight has taken on board actually a white supremacists view of the black experience.

How can we get back to the experience of hungry depressed people who are actually moral and ethical and want to be part of a non-racial, non-racist society that are not being included? I’m saying that as a so-called white, so-called woman. I think it is time that we reemphasise the moral and the ethical and not only focus on the racial.



ANDRE: *My name is Andre. I am just a worker. I always like to state this. In 1994, when Mandela came out, I was looking for work.*

My question is very simple. If you talk about redress, the principles are there, both black and white contributed to our Constitution. We as South Africans know that; for me, it has been very difficult sitting on the edge.

In our first election, although I knew we were liberated, I still sat back and said I need to look at an opposition that can stand up because having one party with too much power is no good. So I have always had this middle ground where you use logic because I learnt from the University of Life.

The redress that I am talking about is that we do not police what we have. We have a very good Constitution but what happens is that corporates have not changed their attitudes since I started working, since I applied for jobs and my surname was the red flag on an interview and when I got there I was told the job was closed.

Those people are still running corporate and what happens is when I get into corporate, corporate uses what we have, our Constitution against us because we are not given a voice as people.

When you go to CCMA, when there is a dispute, the Commission rules on a balance of probability and when you start talking about the Constitution, the Commissioner tells you that is a case for Labour Court.

When you go to Legal Aid and you speak to that lawyer, the very people that we've educated follow the rules that follow there and they make settlements and our voices again are not heard. So who is policing the people that are supposed to be helping us get a better life?

That's where I think the breakdown comes in. When we readdress, when we take a backseat and we look at that, we need to be policing those policies that we already have and I think we will go a long way.

CHAIRPERSON: *Thank you. I shall allow the last two questions, very brief questions, otherwise I'm closing down the questioner.*

COMMENT: *Thank you very much, Mr Chairman. Can I just start off by saying that I fought against apartheid with Helen Suzman and others from 1960 onwards, just by way of an introduction, but I think we need some historical perspective ... (interjection)*

CHAIRPERSON: Please, I'm worried about the time. Please, you must come to the point now.

COMMENT: *I've only had one sentence. Everybody spoke for many sentences. Let me put my point if you don't mind, Mr Chairman. We need to put this whole discussion in some sort of historical perspective.*

Without quoting sources, I will point out that the vast majority of the world until 200 years ago were all poor. The Europeans were poor, the North Americans, the South Americans, the Africans and the Asians. Something remarkable happened in about 17/1800.

The so-called industrial revolution started in Britain and they learnt and they copied it in Europe and in North America, Japan and the ... today deliberately copied the laws of England and the labour system of Germany which were better at that time and we see what Japan has done.

So what I'm saying is that if these groups of people, don't call them whites whatever, group of people with skills and knowledge, if they had not come to Southern Africa, all the blacks would have been poor in any case.

MR MCKAISER: David Bullard, is that you?

COMMENT: *What I'm pointing out, and I don't think it is anything like this, it is not a balanced discussion. We know that President Zuma and all sorts of politicians say that apartheid was a crime against humanity and then the next thought is that all the whites supported apartheid. Not all of them obviously, but a helluva lot believed you are lying if you say you opposed apartheid.*

So we need to actually balance the discussion, point out where the Helen Suzman ... of this world, point out that the skills came from Europe and that the reason why we need to grow, we need to follow, to copy the best approaches of the west like what China is doing.

CHAIRPERSON: Thank you very much.



MR MCKAISER: Just some final remarks, Francis. I mean, the last comments, sorry I don't respect age, I just respect good ideas like the gentleman before. What you say is deeply offensive and quite frankly smacks of David Bullard and, yes,

for the record I'm pissed off. I choose to be pissed off and it gets back to the lady at the back's point that there is important moral value in sometimes getting angry.

To give you a quiet intellectual Oxford analytic response would be to give you too much credit for an offensive comment. It is important to balance being quiet with also being pissed off when something is blatantly bigoted.

On the main issues, I want to say by way of closing, I acknowledge in some of the comments and the last set of questions that there wasn't a substantive focus, from me and some of the panellists but I will own it, on of course the solution space because it is inherently difficult.

It is one of the reasons why it is easier to be a commentator than being Lindiwe and I appreciate the difficulty, Lindiwe, of being a Legislator. It is very difficult. I totally acknowledge that.

However, what I would say, and that's where you and I part ways, Ma'am, is that I think this has been a great forum precisely because it is clear that as South Africans we do not share the same description of the current reality. If we don't, a forum like this is valuable because rushing towards a solution space when our diagnoses are not the same is premature.



MS MAZIBUKO: Thanks, Eusebius. I want to answer a couple of the questions directly. Some of the comments were beyond the pale. I won't repeat what Eusebius said. I think he has spoken for us all.



comment

I want to talk to the gentleman who brought up biology because I'm also a feminist. Although I don't like anything you said, it offended me deeply. It enables me to make a point. In fact a lot of this discussion has centred on cultural hegemony. It began with John's comment about the lived experience and what the world today really is like, who is the one and who is the other.

Now the structures in the economies around the world and in societies around the world are built for the benefit of male participation. So, for example, if you do have ovaries and a uterus and you are fertile and able to give birth to children, it is deliberately made incompatible with work, deliberately so.

The point of policy interventions and legislation for things like equal pay for equal work, childcare in the workplace, enabling paternity and maternity for parents when people have just had children is precisely to level that playing field so that sexism like that cannot thrive anymore.

You can no longer say that woman is not committed to her job or the work she is doing because she is young and fertile and there's a chance she is going to have a baby soon. That is some of the chitchat you will hear in hallways.

I've been in panel interviews where people have interviewed young women in their thirties and said, are you sure you can be committed to this post, and it's a code of language for, are you going to run off, get married and have babies. In that world being a fertile woman is incompatible with work but it's not true. We have to change the structure.

How do we change the structure? We legislate. We have policies. We implement redress and we enable a society in which men and women can look at each other in the workplace on an equal playing field and finally the discussion can be about whether or not you can do the job.

That is why I am relentless in my obsession about the structural changes, the legislative changes, the policy interventions that have to be made. I still believe after this entire debate, in which I got very little applause, very little, which makes me sad as a politician, I still believe that those interventions are the way you change hearts and minds.

It is not the only way. Discussions like this are part of that. But when you are faced with a society which you need to change on a macro level, you have to be able to conceptualise policy and legislative and regulatory interventions that will facilitate the kind of



comment

society where those kinds of prejudices won't be allowed to thrive.

MR MCKAISER: I stand corrected.



MR ZIBI: I will just make one point and that is I think we must not delude ourselves to think that we can rely only on the policy and legislative interventions. The biggest problem is the attitudes that we hold because they influence how we are going to interpret and implement the very legislative and policy interventions that Lindiwe was talking about. So we have to look at ourselves as well.

CHAIRPERSON: Ladies and gentlemen, when we at the Foundation first raised this question of Equity and Redress, I thought this may be pushing the HSF quite far out. I'm very pleased we had this Roundtable. I understand the criticisms partly in terms of the framing of the questions. We will discuss those later.

I want to say how pleased I am with the response from the speakers and also the response from the audience by and large. It has been an interesting experience for me to sit here and see the reactions. It has

been quite a revealing experience also for me to hear some of the interventions.

The big question that I pose now to the audience, and it is a frank question, are these the sorts of Roundtables we should be having, don't answer yet, because I said at the beginning I wanted to talk about some good news and also some hopeful news?

The good news is about the work of the Helen Suzman Foundation. You know what's coming later. To report-back, in December we had a remarkable victory in the Cape High Court on the SAPS Amendment Act.

This is our work going back to our involvement in the Glenister case in connection with the disbandment of the Hawks and I just quote here one of the Constitutional Court Judges who I must tell you voted against us. He is on record as having said:

"This Glenister case really should be known as the Helen Suzman Foundation case because all the technical arguments were brought by the Helen Suzman Foundation."



We continued that struggle in the courts in Cape Town with the SAPS Amendment case and I am delighted to say the judgement was a unanimous judgement. It is quite a victory for the HSF and I am not unaware that it is a massive victory for the country. It is before the Constitutional Court now for confirmation.

We have another case before the Cape High Court now with the Judicial Service Commission. These are just two aspects of our work. The second case is more controversial. It is more difficult but I think it is no less important.

Andre at the back asked who in a sense is guarding the guardians. Well, in many ways the JSC case is about that. That is only one aspect of our work. Another aspect of our work is keeping forums like this open for public debate. Sometimes it is hairy and as the Chair it gets very hairy.

But there are other areas of engagement with the society such as our programme with young people, inner city schools. Eusebius has been involved in some of these. It is getting young people to understand the Constitution; what do rights mean, what is the progressive realisation of rights, what is the rule of law.

It is those sorts of public engagements which I think are vital and which we, I think, have done well. So the reflection about this Roundtable, and it's always the problem, my Chairman is sitting here and I think he may approve of what I'm about to say, he alternatively may sack me, I don't know, but it's important to keep these spaces open but it does require funds. It's as simple as that.

I have in the past made appeals for donations and to be a Friend of the Helen Suzman Foundation and we have got various levels of friendship depending on how much you pay. But then are also forums like this which need to be supported.

We have always in the past provided drinks, no more whiskey, please, it is not on the menu, and snacks. I would never want to preside over myself something where you ask people to pay for entrance. But I would ask you to make contributions so that we can continue to have forums like this.

That's really the last thing I want to say other than please join us for some wine, for some water and some snacks. I want on your behalf to thank all our speakers. Thanks for your inputs, most insightful. Thank you to the audience, thank you to GIBS for arranging all of this and until next time.



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