NEW ADMINISTRATION, NEW POLICY

By Raenette Taljaard

South Africa is approaching its fourth democratic election, and its second handover of power between post-liberation administrations.

In 1999, Mr Global Reconciliation Statesman handed the reins of power and policy formulation to Mr Delivery. What we will see in 2009 is a handover from Mr Delivery to Mr Complexity. For if the degree of delivery accomplished in the past ten years is arguable, there can be no doubt about the degree of complexity the new administration will face.

There will be nothing simple about trying to realise fully the rights in our Constitution amid the global food and fuel crises that expose the poorest of the poor to their direct and immediate consequences. Other issues range from the complex global economic canvas of adversity against which we must chart our second chapter of growth for all, to the shifting forces of political and generational change that beat in the heart of the African National Congress.

Mr Complexity cannot afford to be Mr Complacency.

The numerous unfinished tasks of Mr Delivery's administration comprise perhaps one of the largest in-box piles the new administration will inherit. Dealing with them will require innovative policy responses that go beyond those already on the table, ask probing questions about their efficacy, and ensure that the questions that are asked about capacity and the strength of institutions resonate as loudly as any squabbles that may emerge about policy directions or details. The call for a rebuilding, strengthening and, in some cases, urgent repair of our key institutions will be as resounding as the call of history to combat poverty and inequality.

With this in mind, FOCUS 51 places significant emphasis on the question of 'New Administration, New Policy', with some innovative suggestions from critical thinkers in the fields of economic, criminal-justice, social and foreign policy, and others, to catalyse a debate about the long and short-term challenges our nation faces if we are to reach our potential as various administrations come and go. Emerging-market economies, including ours, continue to be battered by the tailwinds emanating from the troubles of Bear Stern, Fannie Mae and Freddie Mac, and Lehman Brothers in the United States and their global-contagion repercussions. This creates a complex canvas for domestic economic policy as we approach the Economic Summit of the Tripartite Alliance from 3 to 5 October 2008, the Medium-Term Expenditure Framework cycle, and the final Budget of the Mbeki administration next year. In addition, the longer-term consequences of the food-and-fuel link on food prices will raise significant challenges for social-policy responses where no level of economic growth can eradicate our inequality overnight.

Nor, with all this in mind, can any administration avoid the significant challenge that global warming places before us as we approach the Copenhagen Climate Change Conference in 2009. Equally, though the Zimbabwe 'breakthrough' has seen a positive yet cautious response from world leaders, their lingering questions about whether our foreign policy remains anchored by human rights will remain beyond the Mbeki term, compounded by fears that our energies will become, understandably, increasingly internally focused to the detriment of our global voice.

What seems clear is that the attention will and must rapidly shift from the internal party navel-gazing that has preoccupied so much of 2007 and 2008 to a robust exchange of ideas as we lead up to a robust election campaign, and an equally robust and inclusive period of policy formulation for a new administration post-2009.

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Halden Krog

A view from the top of the stairs at the West Wing of the Union Buildings in Pretoria.

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By Patrick Laurence

Multiple choice

The first question is, what kind of national president would Jacob Zuma be? The second, and more ominous, question is, if he does indeed reach that office, what kind of path will he take to get there?

Nine months after his election as African National Congress (ANC) president, Jacob Zuma remains an enigma to many South Africans, though, of course, there are those who see him as a political saviour or, at the opposite end of the continuum, a potential tyrant.

Zuma's inclination to make contradictory statements and his related tendency to appease his immediate audience and interlocutors compounds the contentiousness of his candidacy for the national presidency, as they create not one public image of Zuma, but many, conflicting images.

Dinner-table conversations and the talk around braais or in shebeens almost invariably turns to Zuma and his eagerly anticipated or deeply dreaded succession as South Africa's president after next year's national and provincial elections, and the subsequent election by the incoming National Assembly of a successor to Former President Thabo Mbeki. As befits a politician whose career has been immersed in controversy for the past eight years and besmirched by tales of venality and promiscuity, but who is nevertheless idolised by a majority of ANC members and sympathisers, a kaleidoscope of views emerge from the conjecture about the defining features of a Zuma presidency.

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ANC President Jacob Zuma and key allies SACP Secretary General Blade Nzimande and COSATU General Secretary Zwelinzima Vavi have been buoyed by Judge Chris Nicholson's ruling in Pietermaritzburg in Zuma's favour

To begin with, there is the view of what might be described as the conservative optimists, including many members of the business community, who are anxious to achieve a working relationship with Zuma and who see the demonisation of Zuma as counter-productive. They see Zuma as a man who knows his own limitations, and who has neither Mbeki's intellectual arrogance nor the accompanying sense of scholarly infallibility. From that premise they deduce that Zuma will have the good sense to heed the advice of experts on macro-economic policy, HIV/Aids, containing and reducing crime, and possibly even foreign policy. They probably take heart from Zuma's defence at the September 2006 conference of the Congress of South African Trade Unions (COSATU) of existing ANC economic policy, with its emphasis on fiscal discipline, inflation targeting. and maintaining a (relatively) open market.

Ironically, they find themselves in the company of Martin Legassick, a sophisticated Marxist and one of South Africa's pioneering revisionist historians. Legassick sees Zuma as a defender of Mbeki's conservative macro-economic policies rather than a radically inclined populist.

Reflecting on the opposition to the Growth, Employment and Redistribution (GEAR) policy of the Mbeki administration, Legassick writes in his voluminous book Towards Socialist Democracy: "Cosatu and [South African Communist Party (SACP)] leaders have apparently fled Mbeki – only, unfortunately, to jump into bed with Zuma." His characterisation of the flight from Mbeki to Zuma as unfortunate stems from his conviction that Zuma is essentially a conservative politician.

The trouble with the scenario that foresees a modest, practical Zuma is that it does not address the possibility of Zuma being surrounded by several advisers offering conflicting advice. His track record so far portrays him as a politician who is wont to flip-flop ideologically, depending on which adviser or interlocutor has his ear. He tends to take on the ideological

colouring of his immediate interlocutors. It is for that reason that Barney Mthombothi, the editor of the Financial Mail, describes him as the "ultimate chameleon".

To illustrate the point concretely, Zuma has, in recent months:

endorsed the ANC's commitment to the Constitutional Court's outlawing of the death penalty as contrary to the declaration of human rights in the Constitution, while simultaneously expressing support for holding a referendum on whether to reinstate the death penalty if the demand for it is strong enough – without explaining what he could do in the likely event of overwhelming support for the restoration of capital punishment;

expressed willingness to consider relaxation of the present rigid laws to encourage entrepreneurs to offer employment to the "poorest of the poor", only to retreat into denial when confronted by COSATU by claiming he was quoted out of context; and

exhibited willingness to reappraise affirmative-action policies in an exchange of views with members of the conservative trade union Solidarity, merely to backtrack at the first sign of opposition from within the ANC-led tripartite alliance.

Extrapolation from these observations leads to another scenario: that of a Zuma presidency distinguished by vacillation and attempts by Zuma to placate a variety of contesting interests, a modus operandi that more often than not ends by pleasing no one and alienating everyone. To quote Abraham Lincoln's aphorism: "You can fool all the people some of the time. You can fool some of the people all of the time. But you can't fool all the people all the time."

A modification of the above scenario is one where Zuma appears to be reasonable and willing to lend a sympathetic

ANC President Jacob Zuma's fortunes have been given a healthy boost by a ruling that found charges against him invalid procedurelly

ear to a disparate array of voices, but is actually the ideological captive of militant neo-communists – the species that pays obeisance to the need for multi-party democracy, without sacrificing its quest for control of the means of production by the state, or, more specifically, for control of the levers of state power on behalf of the poor and downtrodden or the insulted and the injured, as the great Russian novelist Fyodor Dostoevsky labelled them.

Though not flattering to Zuma, in that it assumes that he is a man without independence of mind, it should not be dismissed lightly, bearing in mind: (1) the resurgence of COSATU and the SACP in the last two-and-a-half years of Former President Thabo Mbeki's second term of office, as well as (2) Zuma's political indebtedness to dedicated leftists in COSATU and the SACP in general, and to Zwelinzima Vavi and Blade Nzimande, the general secretaries of COSATU and the SACP respectively, in particular.

It should be stressed that Gwede Mantashe, the secretary-general of the ANC, is the chairman of the SACP. Unlike his predecessor as chairman of the SACP, Charles Nqakula, Mantashe is not a nominal communist who will have little trouble reconciling conservative economic policies with fundamental communist ideological tenets. In his nine months as ANC secretary-general, Mantashe has not been an enigma. He has given every sign of being an active and forceful member of the left with an impressive grasp of Marxist-Leninist theory.

While it might well be premature to cast Zuma in the role of what Vladimir Lenin described as "a useful idiot", it would be wise not to underestimate the influence of COSATU or the SACP, still less the two combined. The same applies to the determination of the left to extract the proverbial pound of flesh from Zuma for its support in his battle to oust Mbeki from his pivotally important position as ANC president.

Zuma will find it hard to resist the demands of those who, stirred by his populist promises and his singing of aw'lethu Mshini wam (Bring me my machine-gun), rallied to his banner in the run-up to the ANC's national conference at Polokwane last December.

The threats by Julius Malema, the ANC Youth League president, to "take up arms and kill for Zuma" add a sinister dimension to the ferment building up around Zuma. Ditto the threat of revolutionary violence from the Umkhonto we Sizwe Military Veterans Association if Zuma is brought to trial and convicted on corruption-related charges. These threats have not occurred spontaneously. They are, in large measure, a product of Zuma's rhetorical militancy and his miming of an ANC combatant firing a machine-gun as he sings his theme song.

In the present, tense political atmosphere the pressure for the charges against Zuma to be withdrawn and for a political solution to be formulated to avert a popular uprising is the metaphorical equivalent of lighting a match to illuminate a mine tunnel permeated by inflammable gas. It may be more life-threatening than the darkness.

> If there is a "political solution" – an option increasingly mooted by business barons – Zuma's ascent to the national presidency will not be in accordance with law...

If there is a "political solution" – an option increasingly mooted by business barons – Zuma's ascent to the national presidency will not be in accordance with law, but in contravention of one of the fundamental tenets of the rule of law: the notion that no one, no matter how high-ranking or politically powerful, should be above the law.

It would be a singularly inauspicious start to his presidency if he were to come to power in violation of the rule of law, particularly in view of his apparent ambivalent attitude to the Constitution, as manifest by his declaration that "the ANC is more important than the Constitution."

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By Johannes Fedderke

Economic policy for a new administration

Without growth, we have no chance of addressing the challenges of economic inequality, and without due attention to several crucial challenges, we have little chance of achieving adequate growth

There can be only one overriding economic policy priority for South Africa going forward. While there are a number of countries that have grown without reducing levels of poverty and income inequality, there is no country that has reduced poverty and inequality in the absence of economic growth.

Maintaining the improved growth performance of the South African economy since 1994, ideally raising the annual rate of increase in per capita gross domestic product (GDP) even further, is therefore a necessary, though not sufficient condition for anyone interested in addressing the inequities of South African history, and of improving the welfare of its citizens.

Since 1994 South African economic policy has achieved much in order to improve growth prospects. Most important of its achievements have been a recognition of macroeconomic stability, particularly domestic price stability (low inflation) and fiscal sustainability through the maintenance of low fiscal deficits, and liberalisation of the economy, primarily through trade reform, as preconditions of economic growth. Both features of economic policy have allowed the South African economy to weather a fairly turbulent period in international real and financial markets with far lower disruption than would have been the case under alternative policy dispensations.

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Two of the "TMs" together in the early days. Questions of succession in key economic portfolios loom as large as questions of policy change

A number of important challenges remain if the acceleration of growth achieved over the past few years is to be maintained and increased.

The first and most fundamental relates to the institutional framework within which economic activity takes place. Considerable evidence has accumulated that in South Africa not only domestic investment, but also foreign direct investment and portfolio capital flows respond positively to institutional stability, and political stability in particular. In addition, in the case of foreign direct investment, property rights are a further critical (and strong) determinant of inflows of capital to South Africa. Given the association of foreign direct investment with the improved access to international technological advances that foreign firms bring with them, the latter is particularly important for long-term economic growth.

The implications of these findings are difficult to overemphasise in the context of the political transition South Africa currently faces. Any intervention that serves to raise uncertainty surrounding the durability of the rights enshrined in our constitution, that serves to undermine the independence of the judiciary that enforces property rights of investors, or that weakens property rights, harms growth prospects in South Africa. Foreign and domestic investment will fall and portfolio capital flows will turn unfavourable to South Africa, thus diminishing the capital accumulation that is critical to long-run development.

The first clear economic-policy prescription to emerge therefore does not look very economic at all. It is the requirement that the hard-won achievements in enshrining constitutional rights in South Africa – including the right to property, the stability of the institutional structure, and the existence of an independent judiciary – are maintained, not only as fundamental to a healthy polity, but also as essential to economic prosperity. Economic activity requires a stable, predictable institutional structure that has appropriate enabling incentives for gainful economic activity. These conditions, attained at such high cost in South Africa, should not be allowed to be frittered away for the sake of short-term political gain.

The second policy imperative reflects one of the significant policy failures in South Africa since the political transition. Since 1994, access to education has been universalised, to all intents and purposes. What has not been addressed since the political transition is the very poor quality of education in much of the schooling system – and it matters for the purpose of realising economic growth. Evidence shows that for growth purposes,

what counts is not aggregate enrolment rates in education, but rather the output in mathematics, science and engineering-related disciplines. In these dimensions the performance of South Africa has historically been poor, with little evidence of a reversal in our weak performance. What is worse, there is insufficient evidence that policy is taking seriously the inability of the educational system to generate the human capital that is required to address the skills shortfall of the economy in the areas that matter.

One should warn, however, that here the right response is not necessarily to spend more money. As a percentage of GDP, South Africa already allocates considerably more to education than comparable countries. The fundamental problem is that the educational system uses these resources inefficiently. It should be required to improve its ability to deliver within its current resource envelope, rather than increasing its draw on resources – and this requires tough micro-level interventions in the schooling system.

> Considerable evidence has accumulated that in South Africa not only domestic investment, but also foreign direct investment and portfolio capital flows respond positively to institutional stability, and political stability in particular

Nor is the correct response one of trying to enforce homogenisation of the institutions within the educational system. Consider the following contrast: the United States has a population of approximately 300 million, South Africa of 45 million, a ratio of approximately 7:1; yet the United States has more than 6 000 tertiary educational institutions, compared to South Africa's 30-odd, a ratio of approximately 180:1. What is more, the American tertiary system incorporates both the very finest universities in the world, and some very poor institutions – yet its economy maintains a low unemployment rate among its graduates. The moral of the contrast is that markets require a wide range of skills, with differentiated degrees of specialisation, and levels of academic rigour. The United States has responded by allowing a wide range of educational institutions to emerge in order to meet this diverse set of needs in the market. By contrast, planning by bureaucrats is notoriously inefficient as a means of achieving the quality and quantity of skills required by the economy – certainly not in terms of the range of differentiated skills required. Yet it is precisely this route that South Africa is currently following.

Education and training, across a wide range of distinct skills sets, and with due attention being paid to the generation of (non-homogenised) quality education, is thus a second vital economic policy imperative.

Institutions make a return in the third set of policy imperatives that South African economic policy faces. In this instance the issue relates to market structure. Considerable evidence has emerged indicating not only that South African output markets are concentrated, but that producers in our manufacturing sector possess significant levels of pricing power. What is more, this pricing power carries with it the cost of lower output growth. While there is some evidence that trade liberalisation has made some progress in South Africa, and that this is associated with lower pricing power, the impact of pricing power on output-growth losses is robust to controlling for any liberalisation of the economy.

Output markets in South Africa thus suffer from an insufficient degree of competition, and we pay a growth price for the lack of the market-disciplining pressure that eliminates inefficiency and renders an industrial sector adapted for survival in world markets.

But it is not only output markets that are too rigid: so are labour markets. High degrees of regulatory costs, and rigid wage structures set at levels that render South African labour uncompetitive in international terms (especially given the poor human capital of South African labour and high search costs in our labour markets), mean that unless the cost of labour can be suitably addressed, unemployment levels (and hence associated inequality and poverty) will persist.

Further, more extensive and far-reaching liberalisation of markets in South Africa, ranging from labour markets to output markets, is therefore the third set of policy imperatives we face. Trade liberalisation is one vehicle for this, competition policy another. Both will enhance growth performance. But liberalising markets cannot be restricted to output markets alone if poverty and inequality are to be tackled in South Africa. Labour markets and the regulatory interventions that prevent labour from realising employment must similarly be reformed.

A final set of policy concerns raises the importance of investment for growth again, this time in terms of public- rather than private-sector investment. Recent shortages of electricity supply have highlighted that investment in economic infrastructure in South Africa has been in poor shape for a considerable period

South African Finance Minister Trevor Manuel has weathered many storms. Who will weather the current global instability post 2009?

of time (since the 1970s). South Africa's economy has been living on past accumulation of infrastructure, and been depreciating portions of its infrastructure stock in some areas without sufficient replacement investment. What is more, this matters for long-run economic growth. Fortunately, the need for substantial investment across a range of infrastructure has been recognised, and is being implemented. Investment embraces rail, road and power-generation capacity, among other areas of investment.

Two omissions in this new infrastructure investment programme are worth mentioning, though. Firstly, while the programme addresses shortfalls in historically well-established infrastructure categories, investment in the infrastructures of the future (such as those related to information and communication technologies) is less clearly adequate. Secondly, and in line with the concerns about market structure throughout the rest of the economy noted above, there is little evidence that the opportunities offered by abandoning provision through state monopolies are under serious consideration. Yet pricing structures under proper market provision are more likely to reflect the true scarcity of energy (by way of one example), and generate its efficient usage. What is more, under-investment in infrastructure provision is less likely to emerge. The experience of Brazil offers clear illustration of the advantages that proper market design can have on the level and efficiency of power delivery, avoiding the growth-constraining shocks that South Africa has had to face over the past months.

The challenge South Africa faces in economic policy terms is thus partly one of consolidating the gains of the past 14 years in the areas of sound macroeconomic stabilisation policy, and sound institutional design

Investment in infrastructure is undoubtedly important for growth. But it needs to be smart, future-oriented investment also, and paired with suitable market design in order to realise the most effective possible delivery of infrastructure.

The challenge South Africa faces in economic policy terms is thus partly one of consolidating the gains of the past 14 years in the areas of sound macroeconomic stabilisation policy, and sound institutional design. But much remains to be done in improving our educational system, in terms of both quality and efficiency. Lack of competitive pressure in our output and labour markets carries substantial growth costs. Infrastructure provision also remains important for the foreseeable future.

Only by addressing these growth constraints do we stand a chance of addressing our poverty and inequality challenges.

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By Prince Mashele

The new government and our criminal justice system

One certainty stands out in the sea of anxiety in which our nation currently seems to be sailing: there will be a new government following general elections in the first half of 2009.

But this certainty induces many other uncertainties. What policy posture will the new government take? Indeed, this question cuts across many spheres of our public and private lives – from economic and political issues to matters interfering in our social spaces.

One of the uninvited guests that keep encroaching upon our social spaces is the scourge of crime. It should, therefore, be expected that South Africans might quietly be asking themselves: what will the new government do with our criminal justice system?

From 2003/4 to date, the overall levels of crime have dropped by about 24%. Latest crime statistics (2007/8) also show a decline of about 4.6%. While this is encouraging,

The South African Police Service has struggled to curtail rising levels of crime that have stretched the organisation to breaking point

there is no disagreement that our crime situation remains extremely concerning.

The national victims of crime survey conducted by the Institute for Security Studies last year has also shown that an overwhelming majority of South Africans find it hard to believe that crime is declining. This should be interpreted against the backdrop of specific categories of crime that hit the core of public perception.

The 2007/8 statistics show a disturbing rise in crimes that fall under the category of aggravated robbery such as house robbery (increased by 13.5%) and business robbery (increased by 47.4%). Given this, citizens would understandably ask: if I am not safe in my house and on my business premises, on what basis should I generally feel safe? This question is further complicated by the violence employed by criminals in our country.

Yet there is evidence that our correctional facilities are brimming with convicted criminals and suspected offenders. South Africa boasts the unenviable position of having the world's seventh highest number of prisoners, about 166 000 in total while our bed capacity stood at 114 559 in March 2008. The facilities also have to cope with a high number of awaiting-trial detainees, currently at about 52 000.

While the South African Police Service (SAPS) has grown exponentially in the recent past (from 120 000 in 2001 to 163 000 in 2008), the growth has not addressed the lack of specialised skills in the Service. Last year, only 15% of SAPS members were detectives; there were only 1691 crime scene experts; and only 923 forensic experts had to service our entire Republic.

In 2006, the SAPS undertook a fundamental institutional re-organisation. The aim was to enhance the human resource capacity of police stations. It was hoped that this would improve service delivery at local level. In the process, specialised units such as the Family Violence, Child Protection and Sexual Offences, Serious and Violent Crimes, and the Area Crime Combating Units were either decentralised or downsized.

While the jury is still out on the impact of this exercise, experts already express concerns in this regard. For instance, the

SAPS officers have battled to contain certain service delivery protests and xenophobic violence out-breaks and specialised crowd control units were downsized

downsized crowd management component of the SAPS (Crime Combating Units) already seems to be exerting enormous pressure on the SAPS' capacity to manage crowds.

That the SAPS were not coping with the outbreak of violence and what has widely been described as xenophobic attacks is a fact acknowledged by all with eyes to see. It is against this background that there are those who now wonder if the SAPS will cope with the 2010 FIFA World Cup.

Given the shortage of specialised skills in the SAPS, it is barely surprising that a study conducted by the South African Law Reform in 2000 found that only 6% of serious and violent cases of crime that were tracked resulted in a conviction; three-quarters of the cases did not make it to court; and of those that did go to court, prosecutors withdrew half of them. The other half of these cases went to trial and only one-quarter of them resulted in convictions. Surely, this can only be indicative of a critically ill system, and no substantial improvements have since been made.

In between the police and prisons lie prosecutors and judicial officers, who also play a part in clogging the system. If these officers worked harder and more efficiently, we would arguably not have such a large number of awaiting-trial detainees; investigative weaknesses notwithstanding.

The current state of our court system leaves much to be desired. In his presentation to the Portfolio Committees on Justice and Constitutional Development and Safety and Security on 5th August this year, Deputy Minister Johnny de Lange made startling revelations in this regard. Across the country, regional courts have a 35% case backlog. The hours spent in court are also low (closing at 3h30 daily). This year, the average number of finalised cases by each regional court per month is seven.

From the police through the courts to correctional centres, inefficiencies and dysfunctionality loom large like hills tempering with a plateau. Indeed, the Mbeki administration has already lamented the lack of coordination within the criminal justice system.

Whilst an impression is being created that something seismic will have to happen to fix the system before elections next year, realists can only conclude that the new government will be left to

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Whilst the SAPS flag may be flying the organisation continues to struggle despite numerous "re-engineerings". A new administration must act swiftly to reform the SAPS

do the fixing. Can the current government change in less than a year what it did not alter in nine?

Hopefully, the new government will not waste time trying to identify systemic inefficiencies that are already well understood by experts and the South African public at large. One also trusts that the new administration will see itself as part of the chain linking the old and the new. As Hegel reminds us in Phenomenology of Spirit: "While the initial appearance of the new world … [may be exciting,] the wealth of previous existence is still present to consciousness in memory." We, therefore, need to tame our expectations regarding the new government.

Any attempt to address the ills that bedevil our criminal justice system would need to be linked to wider efforts aimed at addressing bigger challenges that complicate our nation's endeavours against crime. Simply pumping resources into the criminal justice system may not necessarily assist. It should be recalled that in 2001 the SAPS budget was R17 billion and rose to R36 billion by 2008. Yet, this has not made a noticeable dent to our crime situation.

On 28th January 1853, Karl Marx published an article in the New York Tribune and raised the question: "is there not a necessity for deeply reflecting upon an alteration of the system that breeds these crimes, instead of glorifying the hangman who executes a lot of criminals to make room only for the supply of new ones?"

The new government will need to think seriously about addressing the socio-economic conditions that continue to oversupply our correctional centres with new prisoners.

Further, the new administration will not avoid paying particular attention to some of the systemic inefficiencies discussed above, and will have to introduce legislative changes and policy mechanisms aimed at improving the coordination of the criminal justice system as a whole. Finally, there will have to be mass mobilisation to get all South Africans to play a role in the fight against crime.

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By Oupa Bodipe

Social services: the real cost

Providing more comprehensive and effective social security for South Africans may look expensive, but the price we pay in not doing so may be far higher

Social policy, encompassing health, education, social development and aspects of labour policy, has become more important in the context of economic hardship being faced by South Africans. The ANC resolution to prioritise health care and education has also increased the spotlight on the role of social policy. The service-delivery protest, which probably mutated into the xenophobic attacks of the last months, can be construed as arising from social dislocation.

The aim of this article is to discuss, in general terms, the challenges of social policy and explore opportunities going forward to redesign social policy to meet some of those challenges.

South Africa's Constitution aspires to an inclusive, caring and equitable society. It is generally accepted that social policy is the vehicle through which to achieve this aim of economic inclusiveness. Redistribution, in the form of transfer of assets, income and capabilities, is often routed through the social policy. Yet growth itself depends on the depth and quality of social policy, in the form of a well-functioning education and health system, for instance.

Another factor that makes social policy relevant is the limited scope in South Africa for income-generating activities, either through employment, self-employment or enterprise. It is important to bear in mind that

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Residents of Khutsong confront the SAPS and chant revolutionary songs. Fears of deeper poverty and marginalisation underpinned their resistance to being incorporated in North West Province

apartheid and, before that, colonial policy actively destroyed the independent livelihoods of blacks to force them into working for wages. It is for this reason that paid employment is central in any livelihood strategy in post-apartheid South Africa. But the slow rate of employment creation, coupled with the rising number of job seekers, dictates that other avenues should be explored – including the role of social policy!

Although all these factors combine to make social policy important in the South African context, it is, however, not a residual strategy aimed at addressing the failures of economic policy. Social policy can dynamically contribute to growth in several ways. Retirement saving provides a pool of savings that can be deployed for investment. Education and training provide the skills and know-how necessary in the modern economy. Health care ensures a healthy nation with positive spin-offs for productivity and growth. Housing not only stimulates the construction industry, but also creates demand for household goods such as furniture. Income transfers can often revitalise local economies, especially if the income rotates within the area.

In broad terms, therefore, social policy has important and dynamic linkages to growth. Other than this, social policy contributes to human development and human-capital formation essential for development and well-being. It goes without saying that social cohesion depends to a large extent on social policy.

In comparison to other developing countries, South Africa spends a huge amount of money as a proportion of both the budget and gross domestic product (GDP) on social provision. Yet the outcomes in terms of human-development indicators are hardly salutary. For instance, we spend close to 8% of GDP on health care, but the general health care of the population is poor. South Africa's education spend is also high, yet we are facing a serious skills crisis. Notwithstanding a wide social-grant and social-assistance programme, millions still fall through the cracks,

A more pro-active approach to social policy would see less service delivery-related unrest

especially between the ages 15 and 65 years. In terms of life expectancy, South Africa compares poorly to even a poor state such as Kerala, in India.

Naturally, this raises several questions with regard to understanding the basic causes. Are the poor developmental outcomes attributable to:

- too little money or institutional failures?
- ineffective redistribution to close the gaps of past inequalities?
- policy appropriateness, design and sequencing?

The answer lies in all of the above, but how these factors manifest themselves varies from one policy area to another. For example, the amount of money required to close the historical gaps between black and white schools is far beyond what has allocated in the past 14 years – though throwing more money at it is not the only solution to the challenge, as some schools yield good results with minimal resources.

In health care, the private sector consumes the largest share of total expenditure while serving a minority of the population. Public expenditure has barely kept up with demand, resulting in "stressed" public hospitals. Small wonder that policy-makers feel like they are on a treadmill or filling the proverbial leaking bucket!

Against this background, what social policy is consistent with the goal of halving poverty and unemployment? It is generally accepted, even by the most optimistic scenario, that South Africa is unlikely to reduce the unemployment rate to below 10% in the next ten years. This is sobering, and illuminates the challenge of social policy. Even if we succeed in halving poverty and unemployment, a large number of South Africans would still need some form of assistance. Therefore designing social policy for the future should take this variable into account.

The Taylor Commission into a Comprehensive Social Security proposed a basic package of social protection to cushion

Under the watchful eye of Social Development Minister Zola Skweyiya South Africa has attempted to roll out a social security net

individuals during various phase of their life cycle, including the employment-unemployment nexus. The underlying idea was cradle-to-grave social support measures to close current gaps in coverage and to address cycles in individuals' lives. Ultimately, the first prize is self-support through some form of contributory scheme. This, however, demands stable and well-paying jobs – a phenomenon that is under strain in the current economic climate.

The public–private provision debate is an important consideration for social-policy design. As alluded to earlier, South Africa has a dual health care system. At one end of the spectrum is the private system, with modern facilities caring for a few. From a social perspective this system is inefficient, as extraordinary resources are invested to care for a few. On the other end of the spectrum is the struggling public health-care system, which hardly inspires confidence as a basis for a universal health care. For public health care to constitute a viable and attractive alternative to wasteful and expensive private health care, especially to those with medical-aid cover, it must undergo a major transformation. It goes without saying that extremes should be avoided in choosing the optimal delivery channel for social policy. The state, however, has the constitutional imperative to provide decent social services and it can harness the talents in the private sector to achieve this aim.

The third consideration is how to achieve universal and affordable access to social services. Education is a case in point. To date, South Africa is struggling to provide free and compulsory education from grades 1 to 12. University is inaccessible for many students, due to the rising cost of tertiary education. Universities were told to be self-financing, and one of the options available has been to raise fees. Yet investment in education has both social and individual value, as proven by societies such as India.

> South Africa therefore faces stark choices in the design of social policy for the foreseeable future

To conclude, social policy is important to overcome the historical fault-lines and dynamics and inclusion and exclusion. While some may count the cost to the fiscus of ramping up social provision, the cost of social dislocation and social chaos cannot be ignored. South Africa therefore faces stark choices in the design of social policy for the foreseeable future.

Oupa Bodipe works for the Competition Commission as a Senior Analyst in the Enforcement and Exemptions Division, but writes in his personal capacity

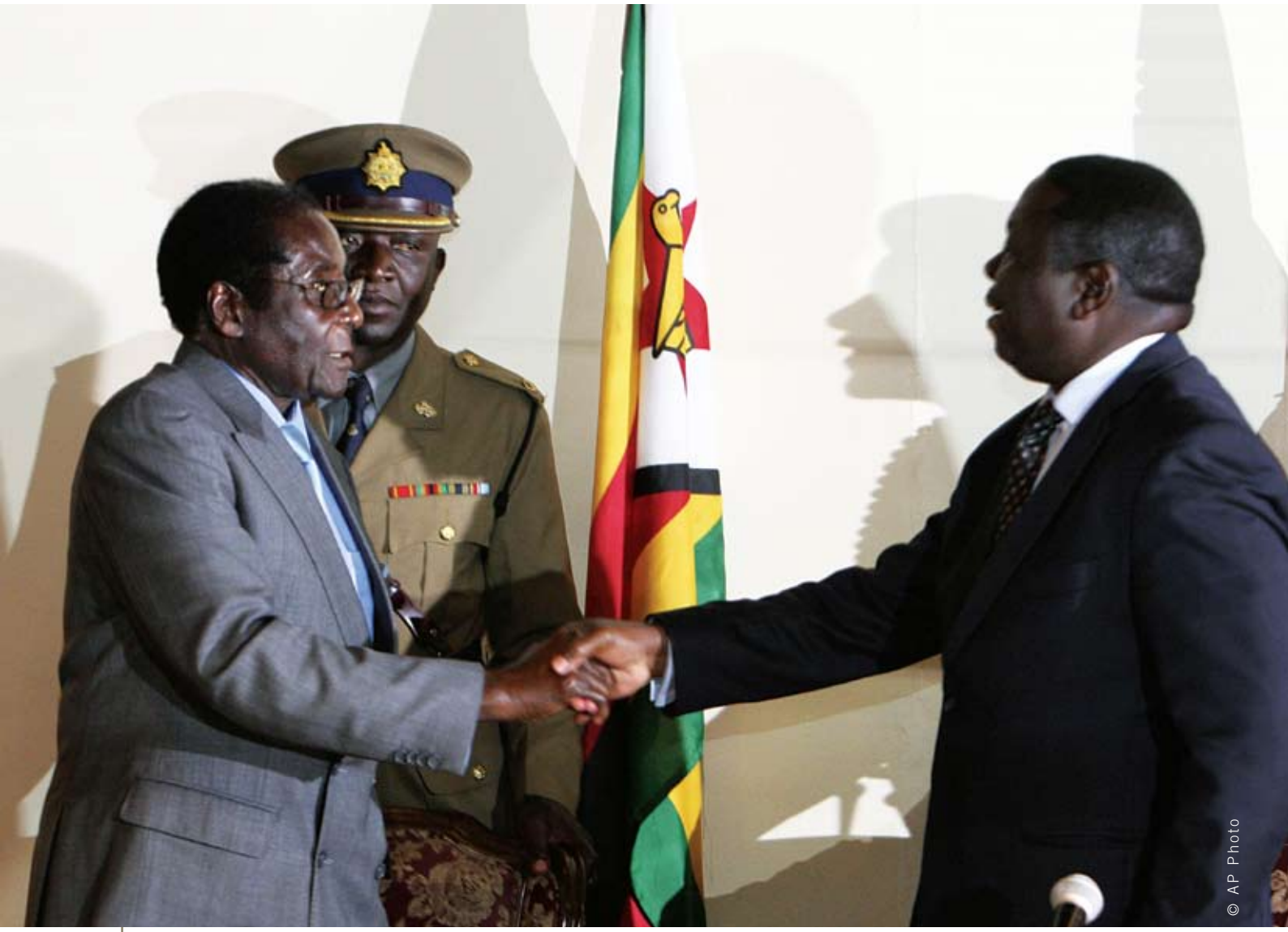
By Greg Mills

It's time to act in our own interests

The perpetuation of party and personal mythologies has spelt failure for South Africa's foreign policy

A visionary South African foreign policy would take advantage of the enormous political capital of its global statesman primus inter pares, Nelson Mandela, along with the strengths of South Africa's political and racial diversity, the lessons of its own negotiation and transformation process, good and bad, and the sophistication and muscle of South Africa's economy, 40% of sub-Saharan Africa's total. Its domestic political and economic success would offer a platform and resource for all of Africa, allowing brave and bold foreign-policy thinking that is fresh and independent, offering a uniquely African democratic development model.

Yet today what could have been – and might still be – has to be contextualised within the damage done by the current regime to South Africa's foreign-policy credibility and impact.



ZANU-PF leader Robert Mugabe and MDC Faction Leader Morgan Tsvangirai sign a memorandum of understanding – a precursor to continued stale-mate and hard negotiating

President Thabo Mbeki is supposed to be the great strategist, the Machiavelli of negotiations, the man who puffs his pipe giving little away, all the time sizing up his opposition while astutely thinking of the long game and envisaging dimensions and directions others only discern with hindsight.

This image is not been supported, however, by his Polokwane re-election miscalculation and in the one area he is supposedly both especially knowledgeable and passionate about: foreign policy.

The image and direction of South Africa's foreign policy is today bewilderingly far removed from Nelson Mandela's 1993 hope that human rights would be the light that guided its foreign policy, a beacon of hope for the world and for African development. Indeed, nothing would seem to symbolise President Mbeki's failures more than the disappearance of the "African renaissance" from discourse.

In fact, it is unclear what today motivates South Africa's leaders to take the positions they currently do in international affairs. They certainly do not appear to be stirred by a clear understanding of South Africa's national interest. Few calculations appear to be actively made to balance interests between ideological priorities and the country's needs of trade, investment and international influence.

South African President Thabo Mbeki addresses the security council on UN/AU relations. South Africa's UN voice has been compromised by a bizarre voting record

Take Pretoria's role in the United Nations (UN) and voting tactics in the World Trade Organisation (WTO), where short-term tactical politicisation routinely overshadows strategic considerations.

This is a continental malaise. Africa has the biggest voting bloc in the UN, WTO and other such bodies. But what does South Africa and the continent "trade" its votes for? Help to Cuba and the Palestinians, blocking UN managerial reform, obstructing the interests of Western powers, and manoeuvring around tougher action on Burma and Iran. None of this does one bit for Africa or Africans, outside of the New York diplomats who revel in such posturing or those leaders overwrought by their own anti-colonial complexes. Africa is often the subject of these meetings, but its leaders generally miss the point.

As the collapse of the global trade talks shows, the WTO is perhaps the worst example. Led by Pretoria, 40 African votes were locked together with China, India and Brazil, with the aim of resisting European and American demands for the South American and South Asian giants to open their markets. Fine for them, but those same countries have as high or higher tariffs on African goods as the European Union (EU) does, and much higher than the United States (US). If African votes in support of their positions had been exchanged for commitment from those countries to provide duty- and quota-free status to Africa (a small price for them to pay given the limited share Africa would gain in their markets), this position would make sense. Instead Africa has sold its votes for some form of South–South solidarity without any return serving its own interests. India, China and Brazil must have laughed all the way to Geneva for every Doha session.

Imagine if the Africans – led by South Africa – were to use their votes as strategically as the Eastern Europeans did brilliantly in their campaign for membership of both the North Atlantic Treaty Organisation and the EU? For example, by helping on more balanced Middle East resolutions in the General Assembly, Africans could gain more concrete US support for peacekeeping operations in Darfur and Somalia, and by helping trim the UN budget waste they could receive more assistance for their own specific development needs.

Take another topical example: Zimbabwe. Mr Mbeki has rhetorically attempted to restore normality to Zimbabwe's politics

by encouraging Mr Mugabe down the path of electoral politics. There is nothing inherently wrong with that, even though it has amounted to too little too late in the day of hyper-inflation, ratcheting state violence by Harare, and a disintegrating social order.

Following the failure of the electoral route and Pretoria's role in heading off a tightened UN sanctions regime against Harare, Mbeki has tried to fulfil his Southern African Development Community (SADC) mandate and negotiate an end to the worsening crisis through creating a unity government. In the face of the opposition Movement for Democratic Change's (MDC's) victory in the 29 March 2008 election, Mr Mbeki has thus appeared to be more interested in the welfare and dignity of Zimbabwe's leader and his Zimbabwe African National Union – Patriotic Front (ZANU-PF) party cohort than in the country's people. No wonder, then, that Zimbabweans, among others, are angered by the South African president's role:

"'If Mbeki thinks he can arm-twist Zimbabweans into accepting his own formula for peace, he has got another thing coming. We are Zimbabweans, Mr. Mbeki. This is not a Limpopo Province. When we say we want democracy in Zimbabwe, we do not stop with half measures."

Or, as the South African Sunday Times observed:
"Forcing Tsvangirai to accept Mugabe as the executive president of a government of national unity might be a first step towards peace for millions of people, but it would signal to the world that the uniquely African democracy we profess to seek is no democracy at all."

Even if Mbeki's peace solution, signed on 15 September 2008, holds, his role can only be judged as an overall failure, unless, of course, the aim was only to keep the MDC and Mr Tsvangirai from rightfully taking power."

Mbeki's failings on Zimbabwe are partly also about poor tactics: given that Pretoria has spurned the contemplation of tougher measures (and indeed actively sought to head them off in the UN), it left itself only with a bag of carrots and imploring rhetoric. Hence the minimal leverage over Mr Mugabe in convincing the octogenarian not to hang on to executive power at Zimbabweans' expense. And from steadfastly maintaining the need for Zimbabweans to sort the crisis out themselves and thus to do nothing, Mr Mbeki said in August 2008 he was willing to stay in Zimbabwe for six months to ensure a deal was struck. Mbeki's long-held opinion that quiet diplomacy was the only way to retain influence over Harare has proven as false as it was ideologically self-serving. After all, what influence, and to what end?

The reasons for this partly lie in Mbeki's misunderstanding of Mugabe, a man who has continuously played Pretoria's Machiavelli like a fiddle. ZANU-PF has been shown, historically and today, to have few moral scruples when it comes to getting into or staying in power. When real political change comes – as it inevitably will since the (freefall) Zimbabwe economy demands it – it will have had little to do with Mbeki's role.

Such foreign-policy directions likely also relate to an ideological unease with the professed libertarian precepts of South Africa's economy, which has resonance elsewhere across the continent. While the debate on African political systems is largely settled (with exceptions) in favour of liberal democracy, the discourse on economics is less certain, hence the absence of widespread criticism by African leaders of Mr Mugabe's economic policies per se, even if there is concern for their meltdown effects. Where not openly visible, the desire to indigenise African commerce lies just beneath the surface, and not only in Zimbabwe.

Even if Mbeki's peace solution, signed on 15 September 2008, holds, his role can only be judged as an overall failure, unless, of course, the aim was only to keep the MDC and Mr Tsvangirai from rightfully taking power"

South Africa's foreign-policy choices are also partly linked to an at times barely disguised sentiment of anti-imperialism, applying to the West (and not to Russia's or China's imperialistic

©AP Photo/Tsvangirayi Mukwazhi

President Thabo Mbeki's successful negotiation has come at a price, a bloated Zimbabwean Cabinet and Mugabe remaining President

ambitions) and its apparent arch-progenitor, the United States. This view is allowable, of course, providing it does not lead to bad choices, such as Pretoria's failure to negotiate a free-trade agreement with the United States, or to forego the aforementioned UN targeted-sanctions option against Harare. The barely disguised glee – schadenfreude – that permeates Pretoria's corridors and the mindset of its mandarins, and lies behind analysis of the US economy or its role in Iraq and Afghanistan, for example, overlooks the centrality of the US to the global economy – around one-third of the world's gross domestic product at last count. The self-righteous antipathy towards US foreign policy seems to forget that Washington is most often the first port of call for those in peril – and that the current Bush administration has been the most generous ever to African aid and other development endeavours. Mr Mugabe has crudely if skillfully played to this sentiment, one which resonates across Africa (if decreasingly in Zimbabwe itself), by accusing Mr Tsvangirai's MDC of being the candidate of resurgent Western imperial interests.

And the puzzle of Mbeki's foreign policy is partly down to the related liberation narrative of the African National Congress (ANC).

From his Zimbabwe actions, it would appear that Mr Mbeki's ANC wants South Africa to be seen both as a liberator and as the liberated: a country attempting to reinforce the party's credentials from its anti-racist and anti-imperialist struggle. The paradox is, of course, that protecting the party's self-image and perpetuating liberation narratives too often trumps doing the right thing: witness Pretoria's support for dictatorships over democracy. It has exposed the government's weakness and sensitivities on questions of race in its reactions to the involvement of other powers in even commenting on Zimbabwe. It also perpetuates the Sinatra mythology of South Africa's own negotiations: that South Africans, led by the ANC, did it "their way" with little outside interference or involvement, conveniently overlooking the role of sanctions or the existence of a rational domestic negotiating partner. Viewed through this prism, the MDC and ZANU-PF were similarly to sort out their

own differences by themselves – the view perpetuated until Mr Mbeki came under pressure from more resolute SADC members this year. Combined with Zimbabwe's economic collapse to a Weimar-style situation of hyper-inflation measured in hundreds of million of percent annually, this, not Mr Mbeki, acted as leverage on Mr Mugabe. He might have been able to regularly rig his country's elections, but the octogenarian could not rig his economy.

There has been, until now, little international cost to all of this. For the moment, the world is preoccupied with making peace in Iraq and Afghanistan, dealing with issues of nuclearisation and with faltering economies, and other erupting crises such as the Russian–Georgian conflict. So Pretoria gets, for the most part, a free pass, even though its hand-holding with Harare, Teheran, Rangoon and others at the very least dims the sparkle of its once-considerable foreign reputation. In the immediate term, all of this makes ridiculous Pretoria's apparently earnest attempts over the past decade to negotiate an end to the Israeli–Palestinian impasse.

Ultimately there will be other prices to pay for cosying up to autocrats. These will be paid in the image South Africa has as a reliable international partner, and in the poisoning and enfeeblement of SADC and, to some extent, the African Union. It will also have costs in terms of the strength of the South African nation, given that today a large body of citizens, from the Congress of South African Trade Unions to important sections of the business community, cannot identify – and do not benefit materially from – Pretoria's foreign line.

For ultimately the strength and influence of any foreign policy derives fundamentally from a country's success as a society at home, from determining what sort of society it wants to be, and acting that way. Economic power is one aspect; for South Africa, the deeper one relates to its ability not only to want to appear an inclusive, non-racial democracy, but to act that way. Such values, if they are to have any meaning and South Africa any persuasive "soft" power, have to be upheld consistently and without fear or favour, at home and abroad.

Pretoria's support for rogues is therefore unlikely to assist its own efforts to provide security and development for all South Africans, the first aim of any responsible government. Nor is it likely to assist its aspirations to strengthen global governance through the UN; indeed, it may have the opposite effect by alienating the big spenders. And it is unlikely to assist Pretoria in gaining a place at the main table, such as a permanent UN Security Council seat.

The only benefit Pretoria's foreign-policy behaviour can give currently is comfort in the minds of its ideologues by preserving for a little longer the mythology of sections of the party, its personalities, its politics and its place in history. As long as it remains locked into this position, it will be difficult to change the attitude that it is not worth talking seriously to South Africa. It is in South Africa's national, moral and material interest to hasten this era's closure, not to sustain it, and to develop and deploy the tools, skills, systems and institutions capable of pursuing a foreign policy worthy of the country's name, status and assets.

Theodore Roosevelt observed to the Harvard Union in 1907 that "[i]n popular government results worth having can be achieved only by men who combine worthy ideals with practical good sense." Results are at the outset all about leadership. Given the wrong, narcissistic sort, and the related stocking of key foreign-policy institutions, as with the departments of both Foreign Affairs and Trade and Industry, with below-par hacks apparently capable of little apart from toeing the presidency's line, Pretoria will make little progress in its ambitions to improve the lot of South Africans through its foreign-policy actions. It cannot do so, also, if there is an environment where criticism is perceived as dissent, and where the hallmark of government, and utility of civil society and the media, resides for the presidency in their unswerving and uncritical loyalty.

Pretoria's support for rogues is therefore unlikely to assist its own efforts to provide security and development for all South Africans, the first aim of any responsible government

But for a new ANC administration in Pretoria, the reverse also holds true. If it can do this, Mr Mbeki's departure from office could light up South Africa's foreign policy stage.

Greg Mills is the Executive Director of the Brenthurst Foundation

Beyond the Tokyo G8 Summit

By Marthinus van Schalkwyk

South Africa's goals have been determined, but the crisis is global: the developed and developing nations cannot afford not to reach a shared vision on carbon-emission reduction

During their 2007 meeting in Heiligendamm, the G8 leaders endorsed an earlier proposal by President George W Bush for major developed- and developing-country economies to initiate a dialogue on "energy security and climate change". This dialogue culminated in a declaration adopted by the leaders of 16 major world economies and the European Commission at the G8 Summit in Japan in July 2008. The Minister of Environmental Affairs and Tourism, Marthinus van Schalkwyk, was South Africa's representative in this political dialogue, which met four times in the past year. He also participated in climate-change meetings during the G8 Summit in Hokkaido. In addition to a meeting of the Major Economies, the G8 and G5 (South Africa, India, Brazil, China and Mexico) also met separately and each grouping issued its own political declaration. In this article Van Schalkwyk reflects on the meetings, the challenges ahead for climate negotiations, and South Africa's own policy process to prepare for the transition to a low-carbon economy.

From a South African and African perspective, the 4th Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) provides a disturbing picture of the impacts of climate change on our society and economy.

Should current climate-change trends continue unabated, adaptation alone will be insufficient. Climate change is one of the most serious and urgent global challenges and demands a global solution. Mitigation action by a few will also not

solve the problem. In simple terms, the solution requires the rapid global transition to a low-carbon economy in all countries.

The IPCC report indicates convincingly that global emissions need to peak and then start declining in the next 10 to 15 years. This requires global reductions to well below 50% from 1990 levels by 2050, which we would insist must be based on an equitable burden-sharing paradigm.

In Bali, the world community took a significant stride by agreeing to conclude negotiations on strengthening the climate regime by the end of 2009. What we are currently engaged in are multilateral negotiations to strengthen implementation of, and give further content to, a climate regime under the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol after 2012.

All that expires in 2012 is the first commitment period of Kyoto. Our task is, firstly, to reach agreement on more ambitious and legally binding targets for all developed countries for the second commitment period of Kyoto, which starts in 2013. We have agreed that there must be no gap between the first and second periods, to secure the carbon markets. Secondly we must concur, under the UNFCCC, on ways to recognise and incentivise more ambitious action (measurable, reportable and verifiable mitigation action) by developing countries. We must also find a way of binding the United States to absolute emission reductions that are comparable to those of other developed countries, so that, overall, developed countries reduce their emissions in the range specified by the IPCC.

From our perspective it is clear that the difficulties in the climate-change negotiations are inextricably linked to global economics and questions of global equity. The carbon space is finite. No one argues the point that, since the industrial revolution some 250 years ago, developed countries have carried the major responsibility for historical cumulative emissions. Similarly, no one argues the point that the structure of the global economy has changed, and that the emissions from developing countries are growing rapidly and are likely to continue doing so (unless, of course, this can be curbed by developing countries leap-frogging to the development of low-carbon economies).

The key economic and equity challenges currently faced as part of the climate-change negotiations are to find a balance between how to share the little remaining carbon space that we have, while at the same time giving developing countries a fair chance in the development space.

> We remain committed and convinced that a comprehensive agreed outcome for the negotiations is possible in Copenhagen in 2009

In short, while we have different historical responsibilities for emissions, we share a common responsibility for the future. This balance goes to the heart of the current negotiations on the future of the climate regime.

The building blocks for a strengthened climate regime are well known. They are adaptation, mitigation, technology and financing. In order to make progress, however, a key issue that must be resolved is agreement on a shared vision. The vision should be based on sound science and broad consensus, and must strike a balance among sustainable development, adaptation and climate stabilisation.

The meetings on the periphery of the G8 Summit provided an opportunity to clarify positions in support of the multilateral negotiations. South Africa appreciated the opportunity to be part of discussions in this format. Although they cannot replace the formal UN negotiations, they do contribute towards an improved understanding that takes us closer to solutions.

During the G8 and related meetings, it became clear that there are two proposals on the table, namely:

The G8's proposal for a long-term global goal for emission reductions of 50% by 2050 without a base year and without mid-term targets. While the G8 statement may appear to be a step forward, we are concerned that it may in effect be a regression from what is required to make a meaningful contribution to meeting the challenges of climate change. Any proposal along the lines of "50% by 2050" without a base year that is not underpinned by credible mid-term targets for developed countries is meaningless.

The G5's more detailed and more ambitious proposal, also supported by many G8 countries, which essentially has three elements: a) that developed countries should take the lead with ambitious and absolute emission reductions of between 80% and 95% below 1990 levels by mid-century; b) quantified emission targets under the Kyoto Protocol toward the upper end of the range of 25% to 40% below 1990 levels by 2020 for all developed countries; and c) deviation from business-as-usual emission trajectories in developing countries, supported and enabled by technology and financing.

What the developing countries are putting forward is fully consistent with the latest science assessed by the IPCC and represents significant headway in terms of what the five large developing countries are willing to do. For us this comes as a political package. To be meaningful, a long-term goal must have a base year; it must be underpinned by clear, unambiguous and ambitious mid-term targets for all developed countries, including the United States; and it should be based on an equitable burden-sharing paradigm that reflects historical responsibility for the problem.

Developing countries put forward a very clear and ambitious package on climate action, while the G8 countries failed to match that level of leadership. If they accepted the package suggested by science and offered by the G5, it would pave the way for substantial progress in the current climate negotiations and unlock a completely new dynamic. The ball is now in the G8's court to respond and to deal with the lowest common denominator among them.

We remain committed and convinced that a comprehensive agreed outcome for the negotiations is possible in Copenhagen in 2009.

South Africa is well prepared for these negotiations. In July 2008, Cabinet agreed on an ambitious plan, driven by the aim of limiting a temperature increase to 2°C above pre-industrial levels and doing our fair share in the international context. The plan lays out government's vision, strategic direction and framework

© AP Photo/Peter Bauermeister

Enviromental Affairs and Tourism Minister Marthinus van Schalkwyk must ensure that a new Cabinet continues his leadership on climate change in Copenhagen in 2009

for climate policy. We do this in our context of addressing the major challenges of poverty and development.

Taking a long-term view, South Africa is setting a goal of making a transition to a low-carbon economy. This is the best option for job creation and development in a carbon-constrained future.

Cabinet has stated clearly that emissions need to peak (at the latest by 2020–25), plateau for a decade or so, and then decline. This strategic direction needs to be given immediate effect by setting more ambitious domestic targets for energy efficiency, renewables and transport. Mandatory action rather than voluntary efforts will increasingly be a reality.

State-led regulation complemented by appropriate economic incentives will play a key role in developing formal policy. Policy-makers understand that the country's future competitive advantage will lie in becoming a world leader in climate-friendly technology.

The aim of an escalating price on carbon is to trigger action in diverse sectors of the economy. Greater investment in long-term research and development will be crucial on the road to a low-carbon society. The South African government as a whole has indicated that it seeks long-term change, making a major transition from an energy-intensive to a low-carbon economy.

The concerted implementation by all stakeholders of the strategic options outlined in the long-term mitigation scenarios will enable South Africa to turn climate-change mitigation into a pro-growth, pro-job and pro-development strategy for the future.

At the international level, South Africa as a developing country is making a meaningful contribution to finding fair solutions to the challenge of global climate change. Our approach is fully consistent with the findings of the IPCC, which found that absolute reductions will be required of developed countries and substantial deviations below baseline from developing countries.

South Africa has signalled that it is serious about negotiating on climate change. It can do so on the basis of having done its homework at the national level.

Achieving climate stability and sustainable development in an equitable way requires individual nations to rise above short-term self-interest for the benefit of the long-term global public good. We must all act with a greater sense of urgency. We have different responsibilities for the past; and we should all take common responsibility for the future. Given the urgency indicated by science, there is no longer a plausible excuse for inaction by any country.

Marthinus van Schalkwyk is the Minister of Enviromental Affairs and Tourism

Imilonji Kantu Choral Society performimg at the Nelson Mandela Annual Lecture

The Helen Suzman Foundation would like to thank the Nelson Mandela Foundation for making these images and articles available for use in FOCUS. For more information visit www.nelsonmandela.org

Address by Nelson Mandela

Madiba addresses audience at 6th Nelson Mandela Annual Lecture in Kliptown, Soweto

"Your warmth and friendship are much appreciated"

Liberian President Ellen Johnson-Sirleaf and Nelson Mandela were on stage at the Annual Nelson Mandela Lecture.

July 12, 2008 – Mr Mandela opened the Annual Lecture event with the following words:

President Johnson-Sirleaf, distinguished guests, friends, ladies and gentlemen,

We have for years remarked about people coming to such events primarily to see what an old man looks like. To see a ninety-year-old in real life must surely be an irresistible temptation!

But thank you very much for being here. Your warmth and friendship are much appreciated. We feel privileged to celebrate with so many friends and well wishers.

As the years progress one increasingly realises the importance of friendship and human solidarity.

And if a ninety-year-old may offer some unsolicited advice on this occasion, it would be that you, irrespective of your age, should place human solidarity, the concern for the other, at the centre of the values by which you live.

There is still too much discord, hatred, division, conflict and violence in our world here at the beginning of the twenty-first century. A fundamental concern for others in our individual and community lives would go a long way in making the world the better place we so passionately dreamt of.

I thank you once more for honouring an old man with your presence.

And I thank particularly President Johnson-Sirleaf for agreeing to deliver this lecture. You are an inspiring example to Africa and the world as one who strives for peace where others seek to fight and destroy.

It is so easy to break down and destroy. The heroes are those who make peace and build.

We salute you for your courageous example.

I thank you.

Images in this article © Juda Ngwenya/Nelson Mandela Foundation

President Ellen Johnson-Sirleaf, Nelson Mandela and Graca Machel, Prof. Jakes Gerwel and the Nelson Mandela Foundation CEO Achmat Dangor share the stage for the 6th Nelson Mandela Lecture

Address by President Ellen jJohnson-Sirleaf

Behold the new Africa. President Ellen Johnson-Sirleaf at the 6th Nelson Mandela Annual Lecture

Our revered President Mandela, our sister Graça Machel, distinguished ladies and gentlemen:

What an honor it is to be standing before His Excellency, Nelson Mandela, to deliver the 6th Annual Nelson Mandela Lecture here at Walter Sisulu Square in Kliptown, Soweto. What an honour to follow all the many sterling persons who have given this speech before me.

President Mandela, on the occasion of your 90th birthday, I would like to pay tribute to you, a man who paved the way for a new generation of leaders and the emergence of democratization in Africa where, through free and fair elect or other processes, authority is transferred peacefully from one civilian government to another; where issues and hope, not fear for the future, define the national debate; where equality of women is a right and women's agencies supported and utilized; where governments invest in basic services like health and education, for all; where there is respect for individual and human rights; where there is a vibrant and open media; where economic growth is driven by entrepreneurs and the private sector; where open markets and trade define interactions with traditional donor nations; and finally and more importantly, where leaders are accountable to their people.

We admire you, President Mandela; for returning justice and democracy to your country, South Africa, and in doing so, for becoming an inspiration for Africans and for peoples the world over. You have taught us that if one believes in compassion for humanity we can all make a difference.

South Africa is a young democracy that has set a high standard for the continent in terms of its focus on constitutionalism, human rights and democracy. In preparation for its democracy, South Africa made strides in institution creation, including enshrining a Constitution with an ambitious and far-reaching human rights agenda and establishing the Chapter 9 institutions, namely, the Human Rights Commission, Youth Commission, and Gender Commission. As part of the democratic process, South Africa strengthened the media and ensured

freedom of information. This country, your country, has led the way in establishing principles for an effective parliament, a fair and transparent judiciary and a transformed legal system.

Many Africans draw on the South African experience to infuse thinking about our present and our future. There has been a long history of engagement in African institutional fora, that seeks to craft a more positive future for our continent. South Arica has contributed to this effort in no small measure.

We thank you President Mandela for your foresight and leadership in providing the stewardship to that process, much of which was achieved through collective effort and built on years of sacrifice and yearning.

Our physical presence in Kliptown is also remarkable. When in 1955 the Freedom Charter proclaimed a bold development manifesto for South Africa and confirmed that the benefits were to be shared by "all who live in South Africa" it set a remarkably high standard for the government and peoples of this country. At that time, Kliptown was described as dusty and windy – look at it now! Soweto itself brings both tears and joy – the many lives lost and the many shining lives – for example Tsietsi Mashini, a leader of the critical student demonstrations, who fled and found safety in Liberia and married one of my compatriots, sadly died before he could see this marvelous time. Soweto has a special meaning for the young people of Liberia, some of them now old, for it inspired them in countless ways. What is more, Soweto has a special meaning for Africa, for here in this place two giants of Africa, two pillars of the African struggle, two Nobel Laureates, yourself, President Mandela and the loved Archbishop Tutu – lived on the same street, worked and raised your families here and became two Nobel Laureates, symbolizing the victory of your struggle.

Dear Friends, ten years ago, in his landmark speech in 1998 at the African Renaissance Conference in Johannesburg, then Executive Deputy President Thabo Mbeki called for a revival of the African Renaissance; a renewal of the African spirit; the ushering in of a threshold of a new era. In doing so, he stood on the shoulders of many others, women and men, who dreamed and worked for this in years gone by.

He said, and I quote, "the beginning of our rebirth as a continent must be our own rediscovering of our soul, captured and made permanently available in the great works of creativity represented by the pyramids and the sphinxes of Egypt, the stone buildings of Axum, the ruins of Carthage and Zimbabwe, the rock paintings of the San, the Benin bronzes and the African masks, the rock paintings, the coverings of the Makondes and the stone sculptures of the Shona. A people capable of such creativity must be its own liberator from the conditions which seek to describe

Liberian President Ellen Johnson Sirleaf's words of praise for South Africa were a fitting tribute to the values of Nelson Mandela on his 90th birthday

our continent and its people as a poverty-stricken and disease-ridden primitives in a world riding the crest of a wave of progress and human upliftment."

It has been a long and torturous road toward that revival – from the destroyed kingdoms of Mali and Hausa and Yoruba and Benin in the West; Bantu in the Center; Zimbabwe and Monopolapa in the South; from the slave trade and the balkanization of colonialism, from the liberation struggles of Kwame Nkrumah, Sekou Toure, Mwalimu Julius Nyerere, Jomo Kenyatta and you Madiba; from the boom of the 60s and the bust of the 80s to the sobering and challenging time of today.

But I do believe that a new Africa is unfolding before our eyes. The African Renaissance is now at hand. It is within reach. It is embedded within the honest and seeking minds of the young, the professionals, the activists, the believers in our continent. Difficulties remain, no doubt, trouble spots abound for sure, and many seek to discredit this process, but we have reached the threshold and there is no turning back from the irreversible transformation.

Let me recall the essential elements of this transformation, the meaningful African effort to move from dream to reality, to

But I do believe that a new Africa is unfolding before our eyes. The African Renaissance is now at hand. It is within reach

relegate to history the legacies of patronage, corruption, lawlessness and underdevelopment.

Collectively, as a continent, there are three major systemic changes in our body polity that will give rise to this transformation.

First, we require much stronger economic management. Second, the resolution of the debt crisis and the changing relationship with our international partners. And third, the shift to democratic and accountable governance.

In the 1980s, almost every sub-Saharan African country faced a macroeconomic crisis of one form or another with high rates of inflation, large budget deficits, and growing trade gaps. These macroeconomic problems are now distant memories for most of our countries. With a few unfortunate exceptions, countries have shifted to much stronger economic policies, inflation has been kept to single digits, foreign exchange reserves have increased significantly. Budget and trade deficits are much smaller than they were in the past, and African countries have created a more conducive environment to encourage private sector participation and stimulate investment, including foreign direct investment. Many countries have embarked on policies that aim at economic diversification.

As a result, Africa's economic growth has averaged more than five per cent annually over the past five years, and for more than half of African countries, this renaissance has continued for more than a decade. This faster growth is not yet fast enough – it is insufficient to effectively combat poverty in many of our countries – but we've got to agree that it is a start. It is enough to begin to raise per capita income and purchasing power, and it far exceeds the zero growth of the past.

The second big change is the end of the three-decade-old debt crisis. Debt began to grow in the late 1970s and the early 1980s following, as we have today, the rapid rise in the price of oil and other commodities. This was made all the worse by government mismanagement. The creditors themselves were a big part of the problem, lending too early large amounts of money to unaccountable dictators who misused and misappropriated those funds, leaving the mess for the next generation to clean up. Accumulated interest from unserviced debt compounded the problem.

The resolution of the 1980s debt crisis has proceeded slowly in distinct stages over the past twenty years. Today, 33 countries have qualified for the first stages of debt write down and 23 of these have completed the process, leading to a reduction of nearly $100 billion in debt. The end of the debt crisis means that improved financial conditions will enable governments to increase spending on health, education, infrastructure and civil service wages. But perhaps more importantly, it also means more independence, ownership and economic management capacity by government authorities who can spend less time negotiating old loans with demanding creditors such as the World Bank and the International Monetary Fund. It has opened the door to defining a new relationship between Africa and its partners based less on old conditionalities and more on strong African leadership, trust, and mutual accountability. The ability of African governments to go beyond and to start to issue country-backed bonds also provides access to more diversified sources of developmental capital.

The third transformation element is political change – the establishment of accountable, transparent and democratic systems of governance.

Sometimes we forget that, in 1989, there were very few democracies in all of sub-Saharan Africa. In 1990 Namibia's liberation set the pace for southern Africa, followed by South

Africa, then Lesotho, and Mozambique. It has spread slowly across the continent – uneasily to be sure and with some reversals, but undeniably reaching many other countries, including my own.

There are today over 20 democracies in sub-Saharan Africa. Consider the transformation – in the space of a generation, democracy in Africa has spread from a very few countries to more than one third of the continent. Some of these are nascent democracies that are still fragile. But for others, the change more clearly prevails. It is hard to predict the future and the change will not be easy or smooth in every country, but never before in world history have so many low-income countries become democracies in so short a period of time. Never before has the resolve of African leaders, backed by needed and judiciously used military intervention, ended a rebellion against an elected government in power, as was recently done in the Comoros.

This enormous change engendered by an empowered citizenry has huge implications for Africa and for those few countries that continue to frustrate the will of the people. This New Africa is being built, every day, by the African people – people who reach out across boundaries – real and imagined. They are not waiting for the Renaissance to be determined by states and by governments alone for they know that they are a part of an interconnected world.

And now let me talk a little bit about the country I love, Liberia. It represents a case study of both Africa's terrible tragedy of the past and the recent resurgence of hope. For the past two decades, the world came to know Liberia as a land of political comedy, widespread corruption and unimaginable brutality. Liberia became that strange footage that flickered on television screens with terrible images of savagery. The Liberian people became refugees and fled to all corners of the globe for shelter. It was a period of darkness and insanity.

Today, the signs of recovery are clear. We are reopening our mines, forestry and oil palm plantations, replanting our rubber, reconstructing our roads and schools and clinics, and restoring our lights and water. Women are being recognized as the agents of the kind of change we must have as they were the first to call for peace in those terrible times. Our children are once again in their smart uniforms on the way to school. Storefronts are open and restocked, and petty traders fill the streets and the roadsides.

An impassioned President Johnson-Sirleaf recounts the slow yet steady efforts at rebuilding Liberia

Families are repairing homes, and construction projects are sprouting throughout the country. Our debt relief program is well underway and economic growth is nearing double digits.

In addition, our Government has taken strong action to combat the scourge of corruption. It is our fervent belief that anyone who uses state power to steer public resources to his/her personal benefit must be held accountable. We are not engaged in this process merely as a gimmick. We are doing it because we are convinced that rampant corruption is one of the key reasons why Africa is unable to deliver basic social services to its people. It is our firm conviction that Africa, indeed Liberia, is not poor, but rather poorly managed. Corruption, exploitation and the misuse of Africa's resources are central to the inability of African governments to ably and sufficiently respond to the needs of the African people.

In Liberia, we want to end that and our anti-corruption campaign is a measure in that direction. And we are beginning to see results. According to the World Bank Institute, in 2004 Liberia ranked 190th out of 206 countries on "control of corruption" –one of the worst rankings in the world. In 2006 our ranking jumped to 145th. And in 2007 we moved up to 113th. In three years we have moved up 73 places. I am not yet satisfied. Corruption is still there. But I am pleased that our efforts are beginning to pay off.

Yes, Liberia is on the rebound. Corruption is still there. I know that we are faced with enormous challenges. Yet, we recognize that to be successful, we need to implement policies aimed at both political stability and economic recovery that are mutually reinforcing. We also know that to sustain development over time we have to rebuild institutions and invest in human capacity. We are equally aware that for Liberia to be successful, we cannot simply recreate the institutions and political structures of the past that led to widespread income disparities, economic and political marginalization and deep social cleavages. We know that we must create economic and political opportunities for all Liberians not just for a small elite class and ensure that the benefits from growth are spread more equitably throughout the population.

We know that we must decentralize political structures, provide more political power to the regions and districts, build accountability and transparency into government decision-making and create stronger systems of checks and balances across the three branches of government.

In the short term we must meet the current crises of high commodity prices and widespread youth unemployment that threaten to wipe out the gains that we have achieved.

We know that despite the obstacles and strong resistance to change, despite the risks implied, we must stay the course of reform. Although primarily responsible, we also know that we cannot do this alone and we ask for the continued support, good wishes and care of all of you who are here in this room.

President Mandela, Your Excellencies, distinguished ladies and gentlemen, I am all too aware that the African Renaissance could come for some and not for others. But that does not have to happen. As President Mandela remarked in London on the occasion of his 90th birthday; our work is far from over, there is much that remains to be done in the fight against injustice.

We must never forget that the Renaissance calls for a better distribution of the benefits of economic growth; that opportunities must be made equal to enable more Africans to rise above absolute poverty; that more of the poor should have access to health and education, to clean water and electricity and housing.

We must never forget the hundreds of thousands of people, primarily women and children, who continue to die from physical assault and starvation in Darfur.

We must never forget the forgotten people of Somalia who are made victims of violence among competing warring factions and political interests.

As I stand before you today, I would be remiss if I did not express my solidarity with the people of Zimbabwe, as they search for solutions to the crisis in their country.

I recognize my limitations to express views on Zimbabwe. After all Liberia is in West Africa. Liberia is a country of only 3.4-million people. We are thousands of miles away from the realities of Southern African politics. Liberia did not suffer under British colonial rule; nor do we have the same challenges with land distribution that has created so much internal turmoil.

But I am, I hope, part of the New Africa; an Africa rooted in many of the values demonstrated by you, President Mandela. In that Africa, all Africans have responsibility for our collective future. It is therefore my and our responsibility to speak out against injustice anywhere.

This is why on June 30, in Sharm El-Sheikh, Egypt, on the occasion of the 13th Ordinary Session of the African Union, I, along with several other African leaders, spoke out and appealed to colleagues to denounce the run-off election in Zimbabwe. I explained the Liberian experience. In 1985, Liberia held a sham election that was endorsed by Africa and the world. Thirty years of civil war and devastation followed, with thousands dead and millions displaced. It need not have happened.

We cannot lose sight of the fact that we in Africa do not have the luxury to enclose ourselves in our respective political enclaves. Our national policy process must be cognizant of the region in which we find ourselves. That is why it is important that our national public policy processes take into account what is happening in other places, by reflecting our regional and continental conditions.

In Liberia, we know only too well that all war conditions in our country were exported to the region and still today the region continues to suffer as a result. That is why we continue to be concerned about developments in the region. No matter what progress we make in Liberia, if Guinea and Cote d'Ivoire and Sierra Leone are not settled, Liberia will not be settled. Similarly here in Southern Africa, until the situation in Zimbabwe is resolved, the entire region will feel the effects of instability, and the dream of democratic and accountable government will remain unfulfilled. President Mbeki, as then Chairman of the Organization of African Unity, was instrumental in putting Liberia on the road to peace and we thank him and we pray that he will do the same for Zimbabwe.

President Mandela, I am often asked what I think my legacy will be, and I reply that this is for historians to decide. But it is my hope that when history passes judgment on me, it will not just remark that I was the first democratically elected woman president in Africa – although I do believe, I am convinced, that women's leadership can change the world!

I would like to be remembered for raising the bar for accountable governance in Liberia and across the continent; for designing institutions that serve the public interest; for turning a failed state into a thriving democracy with a vibrant, diversified private-sector-driven economy; for bringing safety and voice to women, for sending children back to school; for returning basic services to the cities and extending them to rural areas.

My primary challenge then is to create the institutions that will stand the test of time; that will be there for my grandchildren's grandchildren. For too long, those watching Africa have focused on personalities, relying on one person, too often one man, to lead the way. But this is mentality has failed Africa, undermining accountability and constitutionally-defined government.

If we were to expand this to Africa as a continent, there is much to be done to ensure that we have pan-African institutions for dialogue, problem-solving, vision setting and programmatic delivery. We need to build regional programmes that provide a platform for intellectual engagement and civic participation that can unlock the potential of all sectors of society.

Let us together reignite a pan-African consciousness and awareness that draws on roots and traditions but is updated and made relevant to today's Africa.

At a practical level, if we can approach our negotiations with development partners from a consolidated position, we stand a better chance of improving our investment and trade regimes. The proud history of South Africa's trade union activism – using collective strength and voice – can be used on a larger scale elsewhere.

We can strengthen a development programme for Africa, based on values such as citizen participation and democracy, gender equality, social justice, integrity, ethics and human rights if we work together.

When you won the elections, President Mandela, dreams were born. Africans dreamed of the end of the exploitation of the past. They dreamed of having dignified economic opportunities to provide for their families. They dreamed of sending their children to decent schools. They dreamed of an end to gender disparities. They dreamed of competent governments that were accountable to the people. They dreamed of national reconciliation and national unity. And they dreamed of living in peace and security with their neighbors.

If someday I am remembered as one of the many dreamers who came in your wake who, unable to fill your shoes, walked in your shadow to build a New Africa then I can think of no other place to be in history. I can think of no better way to be remembered than one of those dreamers who following President Mandela said with confidence that the African Renaissance, the New Africa, is at hand.

President Mandela, We salute you and your legacy.

Happy Birthday.

By Richard Calland

A new era for the Constitutional Court

The departing judges have rendered their country magnificent service; let us hope that the difficult task of replacing them provides candidates no less worthy

On 25 August 2008 the Judicial Service Commission (JSC) reached a decision of very great significance. Although it was buried deep inside the daily newspapers, news that the JSC had decided to re-advertise the position of Justice of the Constitutional Court that is to become vacant when Justice Tholie Madala retires towards the end of this year was a pivotal moment. There were eight applicants. Originally, there were just four, and sources close to the process had let it be known in private that there was deep concern about the quality of the applicants. The week before their decision to re-advertise, the JSC had extended the deadline and elicited four more applications. But still this was not good enough.

At this point, one must inevitably speculate as to the precise motives behind the decision. Was it simply that the quality of the applicants was not high enough? Or was it that the pool was insufficiently diverse – in terms not just of race, but also social and professional background? One of the most striking, and to my mind most valuable, attributes of the membership of the Constitutional Court over the past 13 years has been its extraordinary social and intellectual diversity. Few of the judges are "professional" judges; all are lawyers, of course, but reached the court by way of very different journeys. This, I assert, has better equipped them to understand the cases that have

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Souh Africa's Constitutional Court has proven itself a fierce defender of our liberal constitutional democracy

come before them and to apply the transformative values that underlie the Constitution.

If the trenchant criticism of the JSC contained within Tony Leon's recently published autobiography is right, then, with it having become the poodle of the ruling party – my summary of Leon's assessment of their recent performance – presumably there was a desire to ensure that more politically congenial applicants could be short-listed.

But the problem with this analytical perspective is that fails to appreciate that there is no such thing as the ruling party. The ANC is deeply divided. It is hard to imagine that at present it is capable of putting together a coherent strategy to steer the JSC in any particular direction.

Of course, the decision took place against the backdrop of the unprecedented complaint by the Constitutional Court against Cape Judge President John Hlophe and the ill-considered response by some ANC leaders, accusing the Court, among other things, of being "counter-revolutionary" – this time in the aftermath of its judgment declining Jacob Zuma's claim that his constitutional right had been infringed by the Scorpions.

It is no overstatement to say that the future quality of the rule of law is at stake. The outcome of the Hlophe case is one strand to this – and it is to be hoped that the JSC continues to deal with the complaint in an open and decisive manner, in order to ensure that the process can enjoy maximum public credibility.

But Hlophe will come and go; deeply divisive though the case is, with the potential to do substantial harm to the legal profession and the courts, it will be settled one way or another in the coming months.

The far more important issue is the question of who is appointed to the Constitutional Court to fill not just Madala's seat, but those of Justices Pius Langa, Kate O'Regan, Yvonne Mokgoro, and Albie Sachs – all of whom come to the end of their terms on South Africa's highest court in the next 12 months.

By this time next year, the personnel and, therefore, the character of the court will have changed substantially. The court has 11 members. A turnover of five is, obviously, a very high number. It is too high; there is a flaw in the constitutional design: it would be far better if terms of office were staggered, to encourage stability and continuity. Reform needs to be urgently considered – perhaps even to permit the extension of the terms of tenure of some of those judges that are retiring now.

This, however, is unlikely and not ideal; we are very probably stuck with the rules as they are now and must focus instead on ensuring that the process that unfolds will deliver a simply expressed, but fundamentally important, outcome: the very best candidates for appointment to the court.

The obvious implication of the decision to re-advertise in relation to Madala's seat is that the process, for whatever reason, had fallen well short of such an outcome. This is very worrying. Why was the long-list so inadequate? What deterred better-qualified candidates from applying? Very probably the heavy politics that surrounds the judiciary in general and the

The Constitutional Court guarantees an open door to justice for all with all equal before the law

Constitutional Court in particular. Thus, this represents a classic test of the strength of a democratic institution. Will the JSC be able to prove its mettle and withstand any political pressure that is put upon it? It is the responsibility of all of us in the profession, academia, and civil society to support the JSC and the process, and to present a powerful influence in favour of the appointment of candidates who can sustain the proud legacy of the five retiring judges.

I say this because not only are the five founding members, in the sense that they were part of the very first court that was appointed in 1995, and therefore responsible for the very high regard with which the court is held in progressive circles both here and around the world, but also because of the very distinguished jurisprudential contribution that they have made, in their different ways, to the formative years of the court.

Pius Langa, both as Deputy Chief Justice, and now as Chief Justice, has been a voice of calm resolve, steering the court prudently as it sought to find a balance between judicial "activism" on the one hand, and "deference" to the elected parliament and its executive (the departments of state) on the other.

These things are very much a matter of personal (ideological and legal) taste. So, one person's "activism" is another's "deference". Thus, the court has been criticised for its timidity on socio-economic rights and its disinclination, for example, to articulate a notion of a minimum core to the rights of access to adequate housing, water and health-care services.

Yet, some of those very critics have also come to shift their ground, recognising over time the value of the approach of the court, namely to test the decisions of government against the more flexible "reasonableness" test. This has allowed the court more "wiggle room" and, arguably, enabled it to maintain full command of its democratic legitimacy in terms of its delicate relationship with the other two branches of government.

Justices Sachs, Mokgoro and O'Regan represent to most legal observers and academics the "progressive rump" of the court, usually siding with one another when the court is divided. In contrast, Madala has tended to concur with the more socially conservative judgements, such as the decision in Jordan where the majority found that a law that criminalised the seller of sex but not the buyer did not infringe the female prostitute's right to equality.

O'Regan has been an intellectual giant; Sachs the "soul" of the court, with his poetically phrased judgments – a master of both human-rights law and the language necessary to voice the values that underpin South Africa's much-vaunted bill of rights. They will both be sorely missed.

So the next 12 months is very much an end of an era. The court has been, I have argued elsewhere, the most shining star in South Africa's new democratic firmament. Long may this continue!

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By Judith February

Now or never?

Political flux has opened the way to a future of greater democratic effectiveness for Parliament – but its by no means clear yet whether that is the road that will be taken

As the Third Parliament comes to the end of its term, it is appropriate to reflect on both its successes and its failures, and on the legacy it will leave.

Regrettably, one cannot examine any part of the history of the Third Parliament adequately without reference to the impact that the investigation into the Strategic Defence Procurement Package (or the "arms deal", as it has become known) had on Parliament as an institution. Given the intervention of both the Speaker and the executive in the investigation, Parliament was effectively emasculated. The effect of that emasculation was that ruling-party MPs became more and more hesitant to hold the executive to account in a robust manner. The story of the Standing Committee on Public Accounts (SCOPA) torn asunder by party-political pressure, is by now a well-known one. Like most of the country's democratic institutions, Parliament remained hamstrung by the arms deal.

The perception – which still exists – was that Parliament had failed to deal adequately with the arms deal investigation in 2001. There were a few reasons for this, not least of which was the manner in which the then Speaker, Frene Ginwala, intervened, effectively to stymie the efforts of those within SCOPA who wished to investigate the arms deal more robustly. It is something from which SCOPA and Parliament as an institution have not properly recovered.

If the Third Parliament's oversight role and its effectiveness were diluted because of the arms deal, the "Travelgate" saga placed it in an even greater position of defensiveness as regards its role and its relationship with citizens. Early in 2005, 26 MPs and former MPs were arrested and charged with defrauding Parliament through

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Under President Thabo Mbeki's tenure Parliament has had to fight increasing marginalisation and irrelevance

the abuse of travel vouchers. Various MPs then entered into plea-bargaining arrangements. While plea-bargaining is a widely used device and often has the advantage of speeding up the judicial process, it can also be seen as a form of impunity and a means of getting the rich and powerful off the hook, particularly where it is employed in the case of public-office holders. What it does is reinforce public cynicism and a view that double standards apply in the case of the political elite. The entire "Travelgate" saga has left Parliament with a serious credibility crisis. Despite the Speaker "naming and shaming" MPs implicated in the saga, the liquidators of the travel agency concerned have been instructed not to pursue claims against MPs any further. So questions remain in the public domain, largely unanswered.

When President Mbeki opened Parliament in 2004, the political moment was as different as it could possibly be to the one being faced at present. Mbeki's position was assured and Parliament, still reeling from 2000 and its less-than-adequate handling of the arms deal, was somewhere between rubber-stamping and assertion. While there has been much Parliamentary activity, the Third Parliament has not inspired a great deal of confidence.

It has displayed welcome moments of character recently. However, it still remains unclear whether the recent robustness within Parliament has to do with the winds of political change which have been blowing through our society since the ANC Conference at Polokwane in December 2007, or whether it demonstrates a greater impetus within Parliament to redefine itself as an independent and robust democratic institution. The answer is probably a mixture of several factors. Independent-minded ANC MPs have welcomed the fact that there seems to be more space for engagement within Parliament than there has been for a while. Post-Polokwane, the political landscape remains fluid and up for grabs. As much as the fluidity expresses itself in all areas of our public discourse and within our institutions generally, Parliament is no different. It is for this reason that MPs suddenly find themselves with the ability to question the executive. We have seen Parliament take on several thorny issues.

For too long Parliament has been tired, mostly reactive and seldom pro-active in raising debate or questioning the status quo. Never before has the Health Minister, even during the height of the AIDS crisis, been called to account. Indeed, the ANC within Parliament has been rather late in calling for accountability within the public broadcaster on its "black-listing" report. Where has Parliament been on these and other key issues over the past years, one might ask?

Parliament, to its credit, has attempted in the past eight months to wrestle with the SABC's report on the "black-listing" of certain analysts on its news broadcasts; it has hauled the Minister of Health to Parliament; it has rapped Home Affairs Director-General Mavuso Msimang over the knuckles; and the beleaguered SCOPA has been trying bravely to carve a new role for itself. Departments have been called to account on previously untouched issues such as the Land Bank fiasco and

Deputy Justice Minister Johnny de Lange's recent appearance before Parliament during deliberations on the dissolusion of the Scorpions raised questions about an "overview" of the criminal justice system and whether the house was becoming a rubber stamp

the Eskom electricity crisis, and it has raised questions on the management of Robben Island. The Minister of Health has even appeared before a Parliamentary committee.

In addition, Parliament's ad hoc Committee on Oversight and Accountability, under the capable leadership of MP Obed Bapela, has completed its final report, making useful suggestions regarding the improvement of oversight within Parliament. It has, inter alia, mooted the strengthening of committees through access to research and various best-practice initiatives. The long-awaited legislation to amend the budget has been drafted and floor-crossing legislation has been scrapped. Not a minute too soon, some may say.

> What is clear and probably predictable is that the ANC within Parliament is unable to separate itself from the political fluidity within the party

Last year, an important and timely review of our Chapter 9 institutions was conducted. Chapter 9 of the Constitution sets up certain bodies, among them the Public Protector and the SA Human Rights Commission, to protect and defend constitutionally enshrined rights. The ad hoc committee was chaired by Prof. Kader Asmal and made certain bold recommendations regarding the future of some of these bodies, such as the Youth Commission and the Gender Commission. After many submissions and a thorough report by the ad hoc committee, nothing much has been done to act upon the recommendations in the report. Parliament, regrettably, has failed to pick up the cudgels and follow up on them.

The Speaker herself appointed an independent panel in 2007 to review the work of Parliament and to make certain recommendations about increasing its effectiveness. In addition, key pieces of legislation passed, such as the Child Justice Act, the Judicial Services Amendment Act, the Civil Union Act and the Inter-governmental Framework Relations Act, are all examples of good law made by Parliament with the intervention and participation of key stake-holders.

These pockets of the positive should be welcomed, but the salient question which remains unanswered – and will for a while – is whether these shifts and changes reflect a change in the culture within Parliament and a shift towards greater robustness towards the executive.

What is clear and probably predictable is that the ANC within Parliament is unable to separate itself from the political fluidity within the party. As the party-list conference and 2009 election looms, there will inevitably be tensions as party members fight to retain their positions on the party list. It is the way of politics and has been ordained thus by our electoral system. The question for the ANC within Parliament as a democratic institution is how is it able to use the political space to ensure that oversight

over the executive does not become a game of opportunistic brinkmanship, but really does become about holding the executive to account in a way that places public interest above that of the party, and also in a way that creates a culture of oversight for the future Parliaments.

Despite the importance of the role of the ruling party in defining the culture of Parliament and the way it "does business", Parliament is not only for the ANC, despite the party's overwhelming electoral majority. Opposition parties, too, have a role to play in ensuring that the executive is held to account. In as much as space is opening for members of the ruling party, new spaces are created for opposition MPs to extract concessions or work towards consensus, if that is appropriate. This also provides an opportunity for the opposition to think more strategically about its role within Parliament.

Participation

Parliament has in the past few years also been seriously challenged on public participation and its willingness to give effect to the constitutional imperative of participatory democracy. For while the language of Parliament has been that of participation, this has often been reduced to a technocratic or formalistic mode of public participation.

For all the advantages of the proportional representation system, it does not allow for citizens to have much direct contact with their elected representatives. This has created a situation where the citizenry feels removed from those who are in power, and particularly in poor communities. An informal constituency system is in place in terms of which MPs are assigned a constituency and are expected, particularly during recesses, to visit their constituencies and listen to the concerns of citizens. The system has worked unevenly, often dependent on the diligence of the MP involved. In addition, constituency offices are often under-resourced and there is no clear way for MPs to channel their constituencies' concerns within the Parliamentary system.

The Constitutional Court challenges in the Doctors for Life and Matatiele cases clearly articulate a higher standard for Parliament when it comes to considering issues of the public's right to participate in the law-making processes. For the Constitution envisages not only formal democracy where citizens elect their representatives, but also an ongoing interaction between citizens and their elected representatives. The Constitution also provides an opportunity for citizens to be involved in the law-making process and institutional mechanisms exist for public participation in the legislature. Section 59 (1) states that the "'National Assembly must facilitate public involvement in the legislative and other processes of the Assembly and conduct its business in an open manner."

The recent hearings into the abolition of the Directorate for Special Operations (DSO or "Scorpions") placed Parliament in the spotlight as regards the interpretation of these sections of the Constitution. The politics surrounding the disbanding of the Scorpions are abundantly clear. The ANC at Polokwane resolved that the Scorpions should be disbanded. The comments by the Chairperson of the Portfolio Committee on Safety and Security ahead of the public hearings into the legislation to disband the unit left much to be desired. Chairperson Maggie Sotyu commented that since the ANC had resolved to disband the Scorpions, Parliament would do exactly that. The jury is out, at the time of writing, as to what precisely will happen to the elite unit. Will a middle-road option be found or will Parliament, indeed, simply implement the Polokwane resolution, irrespective of what opposition parties or the public say? The joint chair of the hearings, Yunus Carrim, always more nuanced, has undertaken to take seriously the submissions made by organisations and individuals in support of retaining the Scorpions. Time will tell whether the outcome was one which was politically expedient or not.

Parliament has in the past few years also been seriously challenged on public participation and its willingness to give effect to the constitutional imperative of participatory democracy

The passage of that legislation provides a neat example, though, of the tussle between party politics, and thinking about ways in which Parliament can elevate itself above the internal politics of the ruling party. Indeed, it is crucial for all MPs to be thinking about the identity of Parliament above the narrow, often self-serving interests of their political parties. The current Speaker of Parliament, Baleka Mbete, is also the chairperson of the ANC. It has clearly been an awkward navigation between party and institution, and the dual roles are best avoided.

So, Parliament continues to grapple with its role, place and meaning in a democratic context. One gets the feeling, however, that if it does not slay its demons soon enough, if it does not entrench a culture of oversight swiftly enough, it might just become an irrelevance to the people it is meant to serve.

Judith February is head of the Political Information & Monitoring Service at the Institute for Democracy in South Africa (Idasa)

By Anton Harber

Time to rekindle the hope

A scaled-down, truly independent public broadcaster would be a national asset of great value

The SABC is a source of hope and of despair, alternately.

Hope because it represents a bold attempt to turn an instrument of apartheid into a font of good citizenship through the promotion of independent news and information, an inclusive and proud South African culture, and education for young and old. This is the purpose set out clearly in the Broadcasting Act, the SABC's licensing conditions and the organisation's own policy documents and codes of practice – all products of the new order.

But it plunges us into despair because the institution still falls so short of these ideals, and has come to represent so much of the mismanagement of national public assets. The current situation – with Parliament trying to get rid of the board of directors it appointed only a few months ago, the board trying to ditch Group Chief Executive Dali

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Group Chief Executive of the SABC Dali Mpofu became a symbol of the crisis at the core of the SABC

Mpofu, and him trying to push out his powerful head of news, Snuki Zikalala – is the nadir in what has been since 1994 a period of many lows and the occasional high.

Recently, some SABC executives called on the board to resign. Mpofu is fighting his board in court. This is clearly a dysfunctional situation.

The Parliamentary Portfolio Committee on Communications has hastily cobbled together an amendment to the Broadcasting Act in a bid to fix what they themselves have broken (the current board crises began when this same committee allowed party interference in the selection of what became a controversial and tainted board).

The committee argues that it is merely dealing with lacunae in the act, and it is correct that the legislation failed to deal properly with a situation where the board cannot do its job. Their new proposal sets forth reasonable measures to deal with a situation where there might be individual board members who present a problem, laying out a process for their dismissal. Parliament would have to hold an inquiry, demonstrate that they have good reason to act against this person, and get a parliamentary vote of support to do it.

Oddly, though, the committee proposes to make it easier to fire the whole board. They want to do it by simple majority vote, with no explicit need for an inquiry, and giving the President no choice but to dissolve that board and appoint an interim board. If this amendment makes it through Parliament and is signed into law, it will go a long way to undermining the independence of the board.

The SABC board would be constantly threatened with recall, which surely will have a chilling effect on its capacity to do things

> This board should get the same protection as judges to ensure it cannot be easily dismissed by politicians who may have ulterior motives

which might be politically difficult or unpopular. This board should get the same protection as judges to ensure it cannot be easily dismissed by politicians who may have ulterior motives.

Parliament is using the immediate logjam as an excuse to undermine the structural independence of the SABC and remove some of the protection it has against the interference

Lightning has proverbially struck the SABC on a number of occasions with repetitive crises underming the broadcaster's credibility

of Parliament and politicians. To deal with the short term, it is in danger of causing long-term harm.

At the same time, the deeper issues which have led to this impasse are not being dealt with. I would put these into two categories.

Firstly, there is the fact that well into the second decade of the new order we have a national broadcaster which commands 53% of the television advertising – twice its nearest rival, DSTV – and 43% of the radio advertising (Adex 2007). In audience terms, the SABC is even more dominant. This is not a healthy competitive situation and signals an industry that has not been allowed to diversify enough. It means that the faction that controls the SABC controls an enormous amount of media, and makes it the subject of constant political shenanigans. No institution should have such predominance in a democratic society.

> How do we secure the SABC to ensure that the kind of interference which has led to the current impasse cannot happen again?

It also means that the SABC remains both a public and commercial broadcaster, competing with other broadcasters for advertising revenue (which accounts for over 70% of the SABC's income), yet having major public-service obligations. The organisation finds itself constantly caught between the often contradictory priorities of these two approaches. In the tug-of-war between the two, it is inevitable that the commercial aspect often has to trump the public-service obligations, and then there is little difference between the SABC and commercial broadcasters, and no reasons for it to remain in the hands of the state.

Yet, there is an important role for a public-service broadcaster. The SABC's upheavals sometimes discredit this, and give fuel to the argument that the state should not be involved in media. But I believe that a true public broadcaster of the right size and structure is important in a society such as ours. A key element of the inequality that plagues this society and remains the single biggest factor in undermining our stability and progress is the vast gaps in people's access to media, information and knowledge. This is not something we can expect the private sector to address alone. A public broadcaster has a central role in addressing this: enriching the national debate by giving access to media and information to those otherwise denied it.

The SABC would do well to focus on such an aim, and shrink to a manageable size which allows it to serve this purpose, and get out of the arena of competing head-to-head with commercial broadcasters. Of course, they will need to and should compete for audiences, and good audiences bring good advertising revenue, but if selling advertising is going to be the central and overriding goal, then there is no reason for it be a public asset.

A smaller SABC, which sheds its purely commercial interests (such as 5FM or SABC3), could focus on being an effective public broadcaster, catering for needs that its commercial rivals cannot. It would be more manageable and could move to play the role it should be playing in encouraging a rich and informed public debate on all the challenges our society is facing.

Scaling down the SABC to focus on public broadcasting would also provide a strong stimulus to the industry as it would open up new space and opportunities for commercial broadcasters. The radio stations sold off by the SABC in the late 1990s quickly doubled and trebled their audiences and revenues, as you might expect when you allow them to focus on their commercial priorities, leading to a short-term boom in broadcasting. Another move of that sort would bring the same stimulus into the marketplace.

But this alone would not address the key issue of independence. How do we secure the SABC to ensure that the kind of interference which has led to the current impasse cannot happen again?

The answer lies partly in structure and partly in policy. Structurally, there are clear steps which can be taken to put distance between politicians and the SABC.

But these steps mean very little if we have a ruling party, and a particularly dominant and powerful one, which pays no more than lip-service to the notion that certain institutions, such as public broadcasting and the judiciary, serve us best when they are as independent as possible from political and financial interference.

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Platform for Public Deliberation

Getting organised

Barack Obama's background as a community organiser could have far-reaching effects, according to Harry Boyte, a member of the Urban Policy Group in Obama's presidential campaign. FOCUS presents edited extracts from a lecture delivered by Boyte, in his personal capacity, at the University of Johannesburg

The first election I voted in was the Presidential election of Lyndon Johnson versus Barry Goldwater. I told a mentor of mine, Mr Oliver Harvey, that there was no difference between Goldwater and Johnson, and he said: "The campaign, Harry, is actually not about Lyndon Johnson and Barry Goldwater. This is about us, and no president is going to desegregate the South. No president is going to substitute for the Freedom Movement in the South."

The real question is who creates a context, in very practical ways. From then on I thought about elections as always about the people, and who people want to partner with in order to do the work of building a decent and democratic society.

The interesting question is, what does it mean to have a campaign that has made that its central message? That's a remarkable development.

My own background has been as a community organiser. A distinction between the organising tradition and what can be called mobilising comes from a remarkable book on the American Freedom Movement called I've Got the Light of Freedom by Charles Payne, who says that when people remember the Movement, and I would say this is also true in the South African context, they think about grand marches, protests, demonstrations – a variety of forms of mobilising politics. But the heart of the Movement was day-to-day work in communities in which people developed skill and power, and that's the essential definition of organising.

I've been fascinated by Obama's career since the time he was a community organiser in Chicago. His website begins this way:

"I'm not asking you to believe simply in my ability to make change, I'm asking you to believe in yours."

It is a challenge and a call for people to think about their own power, not simply the power or the agency of the candidate. So the theme "Yes we can" is about collective agency.

The US Presidential election has generated enormous interest in South Africa as the size of the audience at the University of Johannesburg attests

A phrase that Senator Obama has used several times, "We're the ones we've been waiting for," came out of the Freedom Movement. It was the song of the citizenship schools of the Southern Christian Leadership Conference, which taught organising skills across the South, and which I worked for. Interestingly, it was also the last line of a poem by June Jordan, an African-American poet, in commemoration of the women's march to Pretoria in 1956. So there's a strong South African connection.

The campaign has also developed organising dimensions in the field operation, in an unprecedented way. It did that by giving people a lot of latitude and space, in quite sharp contrast with most campaigns, which are very highly scripted.

It had what are called Camp Obamas, in which people learn organising skills, like one-on-ones, how to interview people, house meetings, having discussions, learning to think about and understand the local cultures of communities. So one of its legacies is that thousands of people have been introduced to organising skills that never knew about organising before.

But the way to understand the campaign is to go back to a division in American citizen action, not simply electoral politics, that developed in the 1970s. There was a very conservative corporate mobilisation in the United States to roll back some of the gains of '60s, in terms of affirmative action, environmental protection, consumer protection and progressive tax policies. So there was a sense of alarm among organisers, and people developed very practical ways to mobilise large numbers of people, like door-to-door canvassing.

Mobilising is effective in activating large numbers of people on a particular issue, but its limits have become starkly clear. First of all, it's developed as a formula, which is that you have an enemy; you define the issue as good versus evil, develop inflammatory language, shut down critical thought. You do not want people to ask questions. The final subtext is rescue: you're victimised, you're aggrieved, there are these powerful interests that are evil, and we're going to rescue you.

The irony is that the Republicans and conservative forces turned out to be very adept at picking that up and flipping it and disempowering people. I think that even in progressive action, it often disempowers people. It doesn't stimulate critical thinking, or develop skills of dealing with ambiguity and diversity.

So while one group went wide to form broad coalitions, to mobilise large numbers of people, and won significant victories, even in the Reagan years, there was another school of action that called itself organising, which saw itself as developing the power and the public talent of people to win real, effective, grass-roots reforms on community development issues of many kinds. It had

Harry Boyte emphasised that part of Obama's appeal lay in his ability to get people to be agents of change

several features. The first was that organising is built on living the tension between the way we want things to be like and the world as it is, the on-the-ground realities of power and politics.

So it begins with people developing skill in mapping the real world situation they're in, and developing effective strategies for action in the real world towards the ideals we have. Obama, in his book, A Dream for my Father, tells his story of being an organiser in South Chicago in the early 1980s. He says that he came to organising because he wanted practical ways for people to succeed, and a kind of molecular process of building power, an everyday process.

The second key element is that organising teaches the disciplines of understanding where people are coming from. Rather than thinking about politics as finding people who agree with us and then beating up on the opposition, organising teaches the disciplines of building public relationships across lines of division for the sake of gaining power, for broadly progressive ends of justice and healthy communities.

But that concept of the discipline of understanding people's self-interest is also a great revelation in its understanding that everybody has a story. You may not like their story, you may find their ways of looking at the world obnoxious or difficult to understand, but the discipline of engaging people's stories is the foundation of authentic politics. Talking about the low-income leadership he was working with in South Chicago in the black community, Obama says:

"Leadership was teaching me day to day that the self interest I was looking for extended well beyond any particular immediate issues. That beneath the small talk and the sketchy biographies and received opinions, people carry with them some deep explanation of who they are, some story, some way of looking at the world. Stories full or terror and wonder, sacred stories.... It was this realisation that finally allowed me to share more of myself with the people I was working with."

Organising is about people developing a public life who had never experienced themselves as public people, including himself.

And it's what I saw in the Freedom Movement and the organising of the Southern Christian Leadership Conference. As people who had very little sense of power in the world learned some organising skills, they would develop a new sense of who they were in the world as public actors and public people.

So the Obama campaign has developed organising dimensions beyond simply its campaign message. These camps have trained thousands of people in organising skills, really a remarkable fact.

What does that message of self-empowerment – people becoming the authors and agents of their own lives, able to work with others across lines of difference on common problems, to build healthy communities in a broader society – mean in terms of the vision of governance beyond an election campaign?

In my judgement, one of the signal foreign policy speeches that Obama gave was in Miami, when he talked about the need for a radically new paradigm of relations with Latin America. He said we have to get beyond the top-down, benevolent, paternalistic, expert-driven model that the United States knows best. We need a partnership based on respect and ideals of justice, democracy and freedom. If that becomes a policy frame, with all the contradictions and ambiguities, it opens enormous space, not only for the government to behave differently, but also for citizens to come into the process of diplomacy in a different way. The implications are very large.

In my judgement, there are several connections with South Africa. The architects of the Southern Christian Leadership Conference taught me the politics that Obama talks about in his book: how you learn to deal with and engage people you

Political Analyst Xolela Mangcu, host of the Platform of Deliberation, shares his views on US politics

may disagree with on issues of party lines or cross-party lines, religious lines, cultural lines.

Secondly, the Black Consciousness movement itself is a remarkably rich example of organising. That's the essence of organising: identity and consciousness, change for practical community improvement. There is a stirring of those same trends in South Africa.

So it's not simply actions, it's learning about policies, about how to create alliances – with a lot of tensions and conflicts and protests, but lasting alliances – with local governments. It's learning how to solve community problems and also to think. There are these stirrings that need to be surfaced and mapped in South Africa that are the foundations of the new politics.

The intimation that we can move from being spectators to being actors makes the Obama campaign seminal.

We can't be romantic about any politician. In fact, I think the deepest message of the campaign is not to be romantic about politicians, not to think he's going to fix our problems for us, but to say an Obama presidency offers the possibility for creating space for a democratic change in movement such as we haven't seen, really, in our lifetimes.

When Obama talks about a different politics that brings people together across party lines, and finds common grounds, I think that same kind of mindset would apply to many problems in the world. It doesn't mean that he would sacrifice American interests. He's not going to do that. But he does have a notion of engaging people who disagree.

There will be much more emphasis on international co-operation; there wouldn't be the lone-ranger interventions we've seen in the Bush years. We would see a lot of concerted international action, we'd see support for international bodies like the United Nations and UN development programme.

But in addition to the space he would open for new kinds of conversations, Obama draws attention to the tradition of organising which has, in my judgement, been eclipsed in the South African discourse. We tend to see mobilising politics a lot, protest politics, people saying this group is this way in a categorical sense, this group is that way, this group is bad, this group is good, we're innocent, we're being victimised. Organising is a very different mindset.

I think there is a sense around the world of a shift from looking to systems and experts to fix things, to saying how do people develop their capacities and talents in their communities, in their local institutions, connected to larger systems and worlds, to take action on common problems.

On the jacket of Mamphela Ramphele's new book, Laying Ghosts to Rest, it says:

"We have come to define justice as giving benefits to disadvantaged people and we need to shift from that perspective to asking how can we tap the talents and the energies of the whole society of all people to solve the problems that we face and to create a good society?"

That's a fundamental shift in paradigm. It says people have to become agents of their own development.

And in that sense, the Obama campaign is reflecting very broad trends, it's not inventing them. Given the richness of these traditions of people's capacities to make change in South Africa, which inspired the world, it seems to me that this is a project we have in kinship with South Africa.

Harry Boyte is a senior fellow at the Humphrey Institute, a founder and co-director of the Centre for Democracy and Citizenship, and a member of the Graduate School Faculty at the University of Minnesota

By Garth le Pere

The Africa agenda

Both US presidential candidates are well aware that they dare not ignore this continent – but unsurprisingly, one has a far more convincing record of hands-on involvement

Harking back to the messianic idealism of Woodrow Wilson , the American Democratic Party has a stronger tradition for a compassionate type of foreign policy (read "promoting global welfare") than their Republican counterparts, whose impulses are more defined by cold, realist considerations of projecting power in terms of what constitutes America's essential national and security interests. However, it has a become a common refrain that George W Bush, perhaps motivated more by his own religious convictions than the imperatives of policy, has done more than his predecessor, Bill Clinton, with initiatives such as the President's Emergency Plan for AIDS Relief (Pepfar), with Africa earmarked as the main beneficiary, and the Millennium Challenge Account, which provides generous aid dispensations for countries that meet criteria of responsible government and promoting people-centred development.

The belated recognition of Africa's strategic importance as a source of oil and other natural resources has also resulted in Bush instructing the Pentagon to devise modalities for an Africa Command, a curious hybrid meant to promote security, democracy and development, but which has not exactly been received with unalloyed enthusiasm by African leaders, regional bodies, and civil society.

Important and controversial as these initiatives might be, they have been mired in programming and bureaucratic lethargy, and lack innovative approaches in building constituencies for their merits and virtues in Africa. However the Bush legacy might be defined, it will be important that both the presidential candidates, John McCain and Barack Obama, distinguish themselves by conveying strong and unequivocal messages about their strategies and motives for engaging Africa.

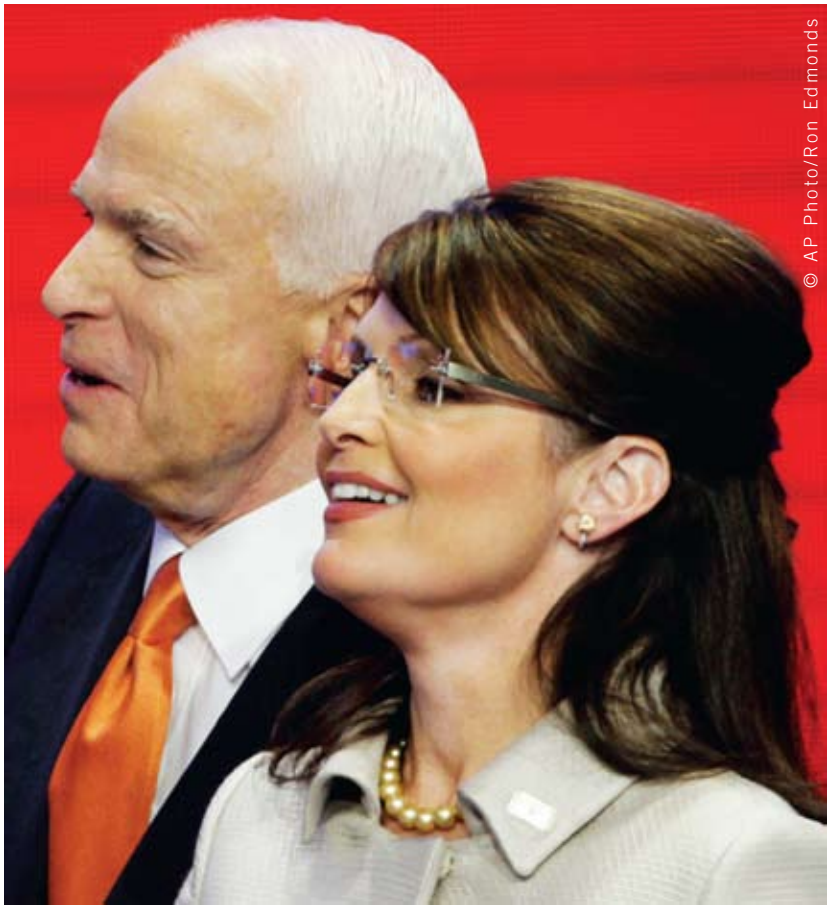
Thus far they both seem to be reading from the same script, although Obama has a sharper edge in his record and commitment. McCain, the Senator from Arizona, has been stressing the need for the United States (US) to become a stronger partner in furthering

US Democratic Presidential nominee Barack Obama addresses a 75 000-strong crowd during his acceptance speech at the National Convention in Denver

the nascent and often stalled processes of democracy in Africa. In May 2007, he gave a speech at Stanford University's Hoover Institution where he first floated the idea of establishing a "League of Democracies" which would provide the US and like-minded countries with a platform for assisting regions that were not only struggling with building democratic norms and practices, but were beset by civil strife and humanitarian problems. In the same speech, McCain was strident about the US providing support for those in Africa who are working for "open economies and democratic government against populist demagogues who are dragging their nations back to the failed socialist policies of the past".

In another major policy speech in March 2008, he again picked up on the governance theme and suggested that the US must "strongly engage on a political, economic and security level with friendly governments across Africa, but insist on improvements in transparency and the rule of law". In the same speech, he said China should be pressured to isolate pariah states such as Burma, Sudan and Zimbabwe.

McCain is sensitive to improving America's image in Africa and thinks, for example, that a more proactive approach to combating malaria would certainly go a long way to burnishing its credentials. In May 2008, he also co-signed a statement by candidates Clinton and Obama which condemned the Sudanese government for the violence and humanitarian crisis in Darfur; they also called for a no-fly zone over Darfur, enforced by the North Atlantic Treaty Organisation (NATO). In a 2006 opinion piece in the Washington Post, he supported the need for the European Union and the United Nations Security Council to impose tough sanctions on the Sudanese government.



US Republican nominee John McCain suprised analysts by picking Alaskan Governor Sarah Palin as his running mate

McCain's outlook might be a tad condescending, but nevertheless is a necessary part of a campaign arsenal that now dare not ignore Africa. By contrast, Obama's Africa credentials are more compelling and impressive. Beginning with his genetic pedigree, as the son of a Kenyan father he has a better "feel" for the continent and its problems, and this sets him apart from McCain's vicarious appreciation. Since his election to the Senate in 2004, Obama has become a prominent voice in the high-profile Senate Foreign Relations Committee, where he is perhaps best known for being a vocal critic of the war in Iraq. As a committee member, he undertook a 15-day tour of Africa in 2006, something which McCain has never done.

As possibly the first African-American president of the US, much will be expected of him in changing the chemistry and substance of US relations with Africa. Unlike McCain's election rhetoric, ticks can be placed next to Obama's strong record of advocacy. In his student days, he protested against apartheid South Africa. In 2005, he co-sponsored the Darfur Peace and Accountability Act and demonstrated seriousness of purpose by divesting $180 000 of his personal holdings in Sudan-related stock. He donated $14 000 to a Kenyan non-governmental organisation that helps grandmothers care for AIDS orphans; and while in Kenya, he and his wife took public AIDS tests in order to demystify the disease. He played a key role in the US providing $53 million to the Democratic Republic of Congo for electoral assistance, and an additional $20 million for the African Union's peacekeeping mission there. In March 2007, he co-sponsored a bill to amend the Foreign Assistance Act of 1961 to improve US efforts to bolster public health in sub-Saharan Africa. If elected, he has also undertaken to improve the effectiveness and impact of Pepfar and commit at least $1 billion annually in new funding. He wants to double US foreign aid to $50 billion by 2012, and plans to establish a $2 billion Global Education Fund to improve learning in developing countries, with a focus on Africa.

Barack Obama chose fellow Senator and long-time Chair of the Senate Foreign Relations Committee, Joe Biden, as his running mate

When post-electoral violence erupted in Kenya in early 2008, Obama urgently called for a power-sharing arrangement in a nationally broadcast radio announcement. In a June 2008 speech, he assailed Mugabe's government as "illegitimate and lacking any credibility", and called for tougher measures, including sanctions.

Importantly, Obama has brought in two seasoned specialist advisers with broad experience in Africa. One is his campaign national-security adviser, Maj Gen J Scott Gration, the head of Millennium Villages, whose work is focused on projects to eradicate poverty; the other is one of his top foreign-policy advisers, Susan Rice, who was Assistant Secretary of State for Africa in Bill Clinton's second administration. These, together with the appointment of the Senate veteran Joe Biden as Obama's running mate, will make a potent foreign policy team, but also one that will have special empathy for Africa.

On balance, at both the symbolic and substantive levels, Obama holds out greater promise for a more consequential and deeper engagement with Africa. Whoever wins will, however, have a full menu of urgent foreign-policy issues to concentrate on, not least being how to extricate the US from Iraq and Afghanistan. McCain's world-view on Africa seems too perfunctory, unimaginative, and instrumental, and does not offer much that is new. What's more, his choice of Sarah Palin, the little-known governor of Alaska, as his running mate does not add much foreign-policy weight to the ticket. Quite importantly, if Obama wins the November election, it could presage a return to a more compassionate foreign policy that would go a long way to restoring America's tarnished image. If Obama can turn America towards a more principled multilateralism and embrace a more co-operative spirit in world affairs, Africa stands to be one of the chief beneficiaries.

Dr Garth le Pere is Executive Director of the Institute for Global Dialogue

UJ Platform for Deliberation

Images © Falcon Photography

In search of choice

UDM leader General Bantu Holomisa was the guest speaker at a recent Platform for Public Deliberation at the University of Johannesburg. In this edited extract from his address on 'Challenges facing South African democracy', he argues the necessity for the fragmented opposition to embark on a process that will create an alternative government

Perhaps I should first establish my credentials, since these days one cannot speak about the African National Congress's (ANC's) problems without being labelled as a counter-revolutionary.

I was part of a team of the military council that governed Transkei which took a decision to support the liberation movements. That process culminated in us assisting the military wing of the ANC, Umkhonto we Sizwe (MK), with training locally and abroad. Such was the trust bestowed upon myself and the military council by the ANC in exile and the UDF that we were asked to provide security for Madiba on his release, until the members of MK came back.

So we were among the many people who participated in the efforts to bring apartheid to its knees in the early '90s. This commitment to uplifting the masses of our people informed the formation of the United Democratic Movement (UDM) in 1997, when I had already left the

ANC. In the 2004 elections we were represented in five provincial legislatures. Therefore we can claim that we do have a national character; we are not a regional political party, as some would have you believe.

The UDM constitution enshrines our vision of providing a political home to all South Africans, which is reflected in the support we draw across the country from all communities.

The overarching theme of our policies is that government must do more. We inherited in 1994 a system confronted by backlogs and imbalances, and you can't wait for only the performance of stocks and bonds in the market to address that. The state has a responsibility to invest in upgrading infrastructure and to bring areas such as homelands and townships up to par with the infrastructure of the rest of the country.

What should inform these debates is what a South African voter or citizen wants: choice and voice. We need to always protect that principle, which has underpinned our image in the world

We must acknowledge that what is happening to the ruling party today is not something we could have thought would happen so soon. We have seen the mother of non-racialism in this country, the ANC, beset with racial politics, tribalism and ethnicity. This in-fighting has also led to the promotion of anarchy in certain quarters. What should inform these debates is what a South African voter or citizen wants: choice and voice. We need to always protect that principle, which has underpinned our image in the world.

South Africans want a sense of ownership and direct control of their government. We want an accountable, ethical and incorruptible government. South Africans want decisive leadership on issues of national importance and mutual trust between them and their government. South Africans want to be in charge of their own destiny. And finally, South Africans want a say in the management of the country's resources.

What went wrong? We started so well. Why now, all of a sudden, are people like Judge Albie Sachs, Judge Pius Langa, Judge Moseneke, Judge Yacoob, Bishop Tutu, Barney Pityana and many others who have impeccable struggle credentials being dubbed counter-revolutionaries? These people were part of the intelligentsia which supported the liberation movement and helped it to achieve the end of apartheid.

We can begin to answer these questions when we take note of the rogue business elements who went out of their way to finance our youth and future leaders and encouraged them to attack the judiciary and other democratic institutions. It is the same crowd that financed and promoted tribalism with t-shirts displaying ethnic slogans.

Nor can it be correct that this generation of so-called leaders attack the elders without a sign of being called to order. Leaders such as those elected, for instance, at Polokwane should be cultivating a culture of respect, not undermining it to serve some short-term party-political or factional agendas. You will recall a few years ago I also experienced first-hand this culture of hatred and denigration. When I left the ANC and launched the UDM, unfortunately, the war talk led to attacks on UDM members and some even lost their lives, because they were dubbed enemies of the revolution.

I am sure President Mbeki will agree with me about the culture of hatred after his own experience in the run-up to Polokwane when people from his own party and alliance launched concerted attacks on his integrity. We saw the public burning of t-shirts bearing his face, as well as insinuations about the assassination of Chris Hani. It is interesting to note that the common denominator in these attacks was the South African Communist Party (SACP). In my case the Deputy Secretary-General, Jeremy Cronin, authored a defamatory booklet about me, under the title The Rise and Fall of Holomisa. Anybody who read that would have picked up a gun and said, "Let me shoot this bastard."

Many people are concerned about the violent tone of the discourse now unfolding within the ANC.

Part of the problem with the ANC's in-fighting is that it has spilled over into the civil service – for example, the hoax email scandals involving the National Intelligence Agency (NIA). The flaws in the ANC's deployment strategy have been exposed, because wherever comrades find themselves now, they are fighting each other because they are taking sides between the different factions. Service delivery is further undermined as a result.

Many ANC councillors and mayors have found themselves under attack from arsonists and thugs who proudly proclaim their membership of the tripartite alliance.

This has also affected the institutions of our democracy – the SABC, the courts and so on. We have all witnessed the lynch-

UDM Leader Bantu Holomisa analyses the schisms in the ruling ANC and asks key strategic questions about opposition responses to these trends

mob mentality that has taken hold in the past couple of months, which is laced with greed, because so far nobody has told us what kind of direction and policies we are following. It looks like these people just want to replace others and have access to the resources. It is often said that there will be no change in policy from Mbeki to Zuma. Why are they fighting, if not about control of levers of power and access to resources of the state?

In debating the state of the nation, we must remember that we are a country with an incredibly violent history. The entire democratic dispensation was designed to set the framework for a new society where no person needs to resort to violence to resolve conflict.

What was the sudden motivation for this incitement of violence in our townships? Certainly the poor and working class have their motivation after years of empty promises. But what was the motivation of the tripartite alliance members who were whipping the crowds up into a violent frenzy? Why were they specifically targeting the government that they are essentially a part of?

One thing we can identify as a source of the conflict in the alliance is the issue of the arms deal, which has been eating away at the ANC like a cancerous tumour. The last straw for the lynch-mob was when Schabir Shaik's appeal to the Constitutional Court resulted in a ruling that he couldn't have access to the R34 million confiscated by the state because he had gained it illicitly.

This ruling has driven the Zuma camp nuts. His backers have invested so much that they cannot countenance the thought of his not gaining power. This is why we hear this ridiculous talk now of the entire justice process needing to be delayed or subverted. South Africa, which was seen as the champion of the New Partnership for Africa's Development (NEPAD) and issues of good governance, will be relegated to the bottomless pit of failed African states if the tripartite alliance persists with this approach.

In other democratic countries, all this in-fighting and service-delivery failure by the ruling party would have been a reason for voters to punish them and change the balance of power. In the case of South Africa, we must be careful. Voters will have an opportunity

Members of the audience listen attentively as Bantu Holomisa analyses current trends and the upcoming elections

next year to endorse or reject this mess we find ourselves in, but one must not expect a major paradigm shift, especially as, instead of creating jobs, the ruling party has been very clever about creating a culture of dependence and patronage. In the last two elections people were told that a failure to vote for the ANC would mean that they won't get houses or social grants any more.

It is for these reasons that the ruling alliance is vehemently opposed, for instance, to the change of electoral system to include constituencies, because it wants control over the people and over the so-called law-makers. Similarly, they would resist giving South African voters the right to elect the president of their choice directly.

A related topic is the question of regulating party-political funding. They did resolve at Polokwane that something must be done about that, but if you look at the implementation of the Polokwane resolutions, the issue is not even being considered. So there's a possibility that we won't see it until after the elections.

It is clear that the entire electoral system requires a revamp to ensure that the multiparty democracy spoken of in our constitution is actually exercised in practice. Political parties have formed a multiparty forum with a steering committee, which I'm currently chairing. It has been meeting regularly to discuss our concerns and formulate a common approach on our electoral reform. In turn, we have taken these concerns to the Independent Electoral Commission (IEC) and have been engaging them. But it is a very difficult process, since one often feels when talking to some of the people in the IEC that you are being resisted by an extension of the ruling party.

The South African voting public has been calling for a stronger opposition, or even a new opposition movement. But the immediate challenge facing the opposition parties as they are composed now is to ensure that the ANC does not get a two-thirds majority next year. I'm convinced that we will succeed in this objective because the ANC got a two-thirds majority in 2001 in the first place through floor crossing. The subsequent drain on the opposition's human and financial resources ensured that the ANC could sustain that artificial majority through the next election campaign.

If we had the time, we would be able to look seriously at the possibility of alliances or a new movement. But the next elections are upon us. It would be unwise to rush into such

Gen. Holomisa believes opposition realignment is a long-term process

a venture. Certainly, my impression from informal discussions is that this is not something anybody would pursue simply for short-term gain or in order to gang up against the ANC. Any realistic alliance or new movement would have to be based upon a genuine realignment, not just a marriage of convenience.

Having said that, one cannot dispute the possibility of post-election coalitions. We have a very good example of such a coalition governing the City of Cape Town. We have demonstrated the ability to find common ground in terms of policy and to govern jointly.

It is possible to consider the best interests of the voters after an election, when one is able to see what their preferences are. For instance, in 2004, President Mbeki called me after the results were announced and said: "There's a stalemate in KwaZulu-Natal. Can you assist us? We can't form a government." The ANC [had received more votes than the other parties], so we took a decision at National Executive Committee level to assist the ANC. We applied the same principle in Cape Town.

The realignment of political landscape should not just be among the opposition, but across the spectrum, and it should be viewed as important. In the long term, our democracy requires the emergence of two strong political movements and a more equal balance of power. The lifeblood of democracy is the presence in Parliament of a realistic alternative to whichever party is ruling. The ANC is fond of labelling the Democratic Alliance (DA) as former oppressors, while the ANC continues to feed on the carcass of the defunct old National Party. The strategy has painted the DA into a tight corner and they have not succeeded in appealing to voters outside the minority groups.

The current pattern of some opposition groupings in South Africa largely reflects the political and social divides of the apartheid and struggle days. We visualise a paradigm shift that will focus on the process that will lead to the establishment of an alternative government. In all our discussions, our point of departure should be the recommitment to the principle of improving the quality of lives of the people of South Africa, as a national objective agreed to by all during the negotiation process prior to 1994. The UDM will not be part of any plan which doesn't recognise that.

by M&G Critical Thinking Forum

Grasping the economic nettles

Members of a distinguished panel share their thoughts on the challenges South Africa's economy faces, and suggest possible approaches to overcoming them

"What does the future hold for our economy?" was the question posed at a Mail & Guardian Critical Thinking Forum, moderated by Judge Dennis Davis. The panel comprised Finance Minister Trevor Manuel; Dr Stephen Gelb, Executive Director of the Edge Institute; Dr Steve Booysen, Group Chief Executive of ABSA; and Nazmeera Moola, Head of Macro Strategy for Macquarie First South Africa Securities. These are edited extracts of some of the topics addressed.

INTRODUCTORY COMMENTS

DR GELB:

The xenophobic outburst during May this year, in my view, reflected, in large part, the extreme inequality in South African society. I think this should be our most important priority. Inequality is not the same thing as poverty. We have to focus much more directly on it.

DR BOOYSEN:

I don't think we as Africans leverage the richness of resources on our continent. We have too many priorities; we should limit them. When a company is going through a bit of a tough time, you have a handful of priorities and focus on them, and it's about discipline and execution. We would like to see that discipline coming back in the application of policies and also in potential changes in those policies. We need exceptional leadership, because we want predictability, because that will give consistency and stability in our country.

Images © Falcon Photography

Dr Stephen Gelb, Dr Steve Booysen, Finance Minister Trevor Manuel and Nazmeera Moola probe the tough policy challenges ahead for the South African economy

We really make it difficult for small business to do business. And we're sliding in terms of the competitiveness tables. Competitiveness, in my view, equals quality.

MS MOOLA:

We've seen huge changes over the past ten years, both locally and internationally. China as a dominant force in the world and certainly the major driver of growth for South Africa is the key for the next five years, in terms of the global environment. In that space we need to use any environment of structurally higher commodity prices to make some really important policy changes in South Africa.

We've done a really good job on macro policy over the past ten years. Infrastructure spending is a key problem, but a lot of the hard work has been done. The challenge for the next five years is getting a lot of the micro stuff right, which means education, and the regulatory burden on small businesses. Because the way we're going to solve the poverty problem is not taking money from people who earn well and giving it to people without jobs, it's creating jobs at the bottom end.

MINISTER MANUEL:

On the outlook for the global economy over the next period, there are going to be key features. For the United States banks, for instance, according to International Monetary Fund (IMF) estimates, the write-downs would have to be something in the order of US$1 trillion; that has to come from somewhere. And we're operating in an environment where that which has fuelled so much of economic development into bank loans has ground to a halt, because trust has gone. That's quite fundamental in a world that is increasingly more connected.

The second feature is inflation. It is back and it will dominate, and inflation erodes the earnings of people, and therefore we have to deal with it.

Thirdly, you've had this exuberance that's created exceedingly large pools of funds sloshing around the world, much larger than any government or multilateral could muster, and in the process you've had a very serious reduction in the power of both governments and multilaterals like the IMF. Part of what we need to do over the next period is to come terms with all of this.

Finance Minister Trevor Manuel emphasised the impact the turmoil in US markets will have on all policy makers

Closer to home, part of our difficulty as a nation is that we tend to be stuck in the macroeconomic debate. Trade and industrial policy, competition policies, small- and medium-enterprise development, and the very, very big focus on smoothing the school-to-work transition, have to be the elements that will drive the change to deal with the key issues that we're talking about, inequality being the first of them. Inequality is also a global problem, and we need to understand that the inequality is also between countries.

On small and medium enterprises, I don't think there's a debate. I think there's a question of how.

INEQUALITY AND EDUCATION

DR GELB:
To address inequality, we need policies that help people to create assets which they can then use to generate incomes. Of those, education is the most important. We spend, relatively speaking, a lot on our education system, but the quality is very poor. We have seriously to consider getting the best managers in the public service, and even outside it, to go into the education system and get it right. It's a systemic problem.

DR BOOYSEN:
We have teachers not pitching up for work, and those types of things we just need to sort out. I think it's about getting the discipline almost forced down.

Another point is that there's a lot of corporate social spend, but we spend too much money on the feel-good hard stuff; we should rather invest in future skills. Thinking back on transformation within ABSA, for example, to where we would have done things differently, I would say we would have invested in a talent pipeline far more aggressively. We're doing it today, but I think it's ten years too late.

MINISTER MANUEL:
Education is the largest spend, 5.4% of GDP. The return on that investment is abysmal.

The African National Congress's 8 January statement spoke of the non-negotiables of education: teachers must be in school, on time, in the class, teaching, no abuse of learners, no neglect of duty. Unless you deal with that, and unless parents ensure that this happens, and unless we know that learning and teaching are actually taking place, you can't drive the changes. There is an enormous duty as a nation to take responsibility for this.

The M&G panel even-handedly confronted macro and micro economic policy challenges ahead for South Africa

THE SKILLS DEFICIT

MODERATOR:
A recent Harvard study on skills suggested a real correlation between the amount of skilled labour and employment for the unskilled. And therefore, we should be worrying hugely about the massive emigration of skilled people out of the country. And if we've got to suspend things like affirmative action to keep white skilled people here, we should do it. How possible is that? Do you agree with their analysis?

MS MOOLA:
Yes, to be frank. Possibility is the huge obstacle. Unemployment is high, but you have an equally large problem with an inability to fill skilled positions in the public and private sectors. Most studies show that for every skilled job created, you create between eight and 100 jobs. If we're losing skilled people of all race groups it's a huge issue.

DR GELB:
I think it is critical, but [the Harvard study's] argument about skills linked up very much with another argument that they made, which was that we need to have much larger enterprises, particularly in manufacturing.

EXPORT AND COMPETITIVENESS

MODERATOR:
[The Harvard study says] our export record is absolutely abysmal. Between 1960 and 2004 the real value of exports in this country grew by only 34%. By contrast, export growth of 169% in Argentina, 238% in Australia, 1 887% in Botswana, 385% in Brazil ... We're pathetic.

DR BOOYSEN:
I agree. Again, competitiveness equals quality: the ability to retain and attract talent and skills. The infrastructure investment that takes place now will place a huge demand on resources in the next few years. We will have to be very creative, because we are going to pay a lot of interest on the spend that's going to take place.

If you're competitive you will see foreign direct investment and skills coming into the country, and that, in combination, will make you more competitive.

MODERATOR:
The recent Organisation for Economic Co-operation and

The economic policy conversation continued after the formalities. The challenges canvassed will take centre stage at the upcoming Tripartite Alliance Economic Summit

Development (OECD) report is not very satisfied with our competition. We aren't as competitive as we should be, and they say, more importantly, that for issues such as rail and transport networks, electricity and telecommunications we're utterly hopeless. We haven't got a hope of privatising those under this political climate.

DR BOOYSEN:
We need to enhance competition within those sectors. If we look at what is happening now with the opening up of licences, in three years' time you will see a very different telecommunication sector than the one that you see today.

MINISTER MANUEL:
On the networks industries, on telecommunications, energy, we have kind of lost a fairly long period. The rail and ports issues are a bit more complex. The big single-purpose lines like the coal and iron-ore lines are probably without peer in the world now, both in terms of price and efficiencies. It's all of the other stuff where we've lagged, and I don't think the problem is substantially different from the outcome at Beijing. The world is moving much, much faster. There isn't a single South African who has run the 100 metres in less than 10 seconds. So if you get to 10 seconds, sure, you're doing better than any South African hitherto has done, but you're still exceedingly far off the pace.

The International Growth Advisory Panel also says that you need less of a complaints-driven competition environment. If the competition authorities had looked at some of the sectors where we've seen collusion recently of their own volition, they might have driven change early.

ENTREPRENEURSHIP AND FUNDING

MINISTER MANUEL:
I think that we must stop saying South Africans don't have an enterprising spirit. Part of the difficulty is that with both the development finance institutions and the private sector, lending is still largely to those who are known. So the idea of getting venture capital, getting support, being able to build an enterprise from the ground, is not part of what we do.

DR BOOYSEN:
We go in partnership with many local governments to support small-business development. We also have venture-capital initiatives within the bank. That it is a high-risk sector.

I believe that you have to create funds at various partnership levels to try to stimulate the small-business sector. The sheer quantum required is an issue. As a financial institution you can have a portion of your capital exposed to that segment, but that's about it.

DR GELB:
South Africans can potentially be very entrepreneurial. It seems to me that one of the big problems is that a lot of people who might in other circumstances take that risk are no longer pushed to because the black economic empowerment (BEE) environment has created a situation where they can express their innovativeness in the corporate sector rather than in starting their own businesses and creating jobs. I'm pleased to see coming into the public debate the idea that there has to be at least a discussion about an end date on BEE, five or eight years from now. We don't so much have a shortage of entrepreneurs in South Africa, as a shortage of people who are willing to start their own companies. And the only short-term way of solving that is by getting in foreign investors.

FUTURE FOCUS

MINISTER MANUEL:
I served on an international growth and development panel that identified 13 countries that have grown sustainably, at least 7% a year, over a reasonable period. We tried to discern what their features were.

If you analyse the detail of economic development in those countries there are a lot more start-ups, a lot more green-fields investments than we've seen in this country, certainly over the past 15 years.

One of the strong features was that there was a link into the future and it's identifiable in a number of different ways. One of those is fairly high savings ratios; people save for the future. South Africa's socio-economic profile tends to look more like the United States. We have highly indebted households, we have exceedingly modern and large cars, exceedingly large houses. We live on debt; we don't save for tomorrow. That is an exceedingly important issue.

Somebody told me that, according to one of the German auto manufacturers that make a very sporty kind of car, they're selling more in South Africa than anywhere else in the world. I think these vehicles have a list price of something in the order of a million rand.

You can only live like that if you are exceedingly highly leveraged. That's not a basis for sustainability, and that's what's wrong in the economy. There's something wrong in the equation somewhere if that kind of behaviour is preferred to investment, risky investment in business. These are the choices that we have to make as a nation.

INFLATION TARGETING

MODERATOR:
What about the anxiety that using interest-rate hikes is not a particularly productive way of dealing with inflation that is cost-push rather demand-push?

DR GELB:
I think that's exactly right. Even the Governor of the Reserve Bank will say that interest rates are a very blunt instrument to deal with inflation. We've seen that all over the world.

MS MOOLA:
Two things. One is, I think when our issues around inflation started in late 2006 we did have serious excess demand in the economy – consumer spending growing at 8, 9, 10% when GDP was growing at 4%. You have a current account deficit; there is an issue.

As time went on it became more difficult, and suggestions like price controls are put on the table. There are instances where that did work quite successfully, but the problem, when trying to implement price controls when you have structurally rising commodity prices, is the problem Asia has run into over the past year and a half. You don't take the pain in terms of monetary policy, you end up taking it on the fiscus, and price controls become unsustainable.

MINISTER MANUEL:
One point we need to understand about South Africa is that the transmission mechanism, the response to rate increases, has been abysmally slow. We came off fairly high interest rates to 25-year lows. Interest rates have been the lowest in the working lives of most middle-aged South Africans. The consumer boom was evident in the very rapid credit extension. And people tied themselves up into knots. The Governor says it's a choice between rump and fillet steak; it's a middle-class issue. When the European Central Bank tightens rates by no more than 25 basis points, the responses are immediate. Here, in 1998 rates went up by 700 basis points before it actually bit.

If we live that heavily on debt, we find ourselves in the problem that we have. Part of it is a cultural shift. It's clearly beyond government, and these are the issues that I hope that discussions like this will allow us to deal with.

Extract from a Lecture by Helen Zille

Lecture delivered by the Leader of the Democratic Alliance at the University of the Witwatersrand Law School

"The new verligte and verkrampte in South Africa"

Release, embargoed against delivery: 18h00, Tuesday, 22 July 2008

Our democratic republic is now 14 years old. At birth, it was a wonder of the world. Many called it a miracle. They felt that something supernatural had happened to transform a country characterised by oppression, racial conflict and violence into one of peaceful democracy. But there was no miracle. Instead, and much more to our credit, there was a victory of commonsense and decency. This did not emerge from nowhere. It represented a triumph of ideas, once suppressed and marginalised, whose time had eventually come.

Opponents, often vehement opponents, sat down together and through sensible deliberation and principled negotiation produced something that was greater than any of them, an excellent Constitution – the bedrock of our democracy, the guarantor of our liberties.

Fourteen years later, it troubles me profoundly to say that our young constitutional democracy is under threat. Are these the growing pains of adolescence, from which we will emerge stronger and more resilient? Or will they prove terminal to the great project which bore such hope in its infancy?

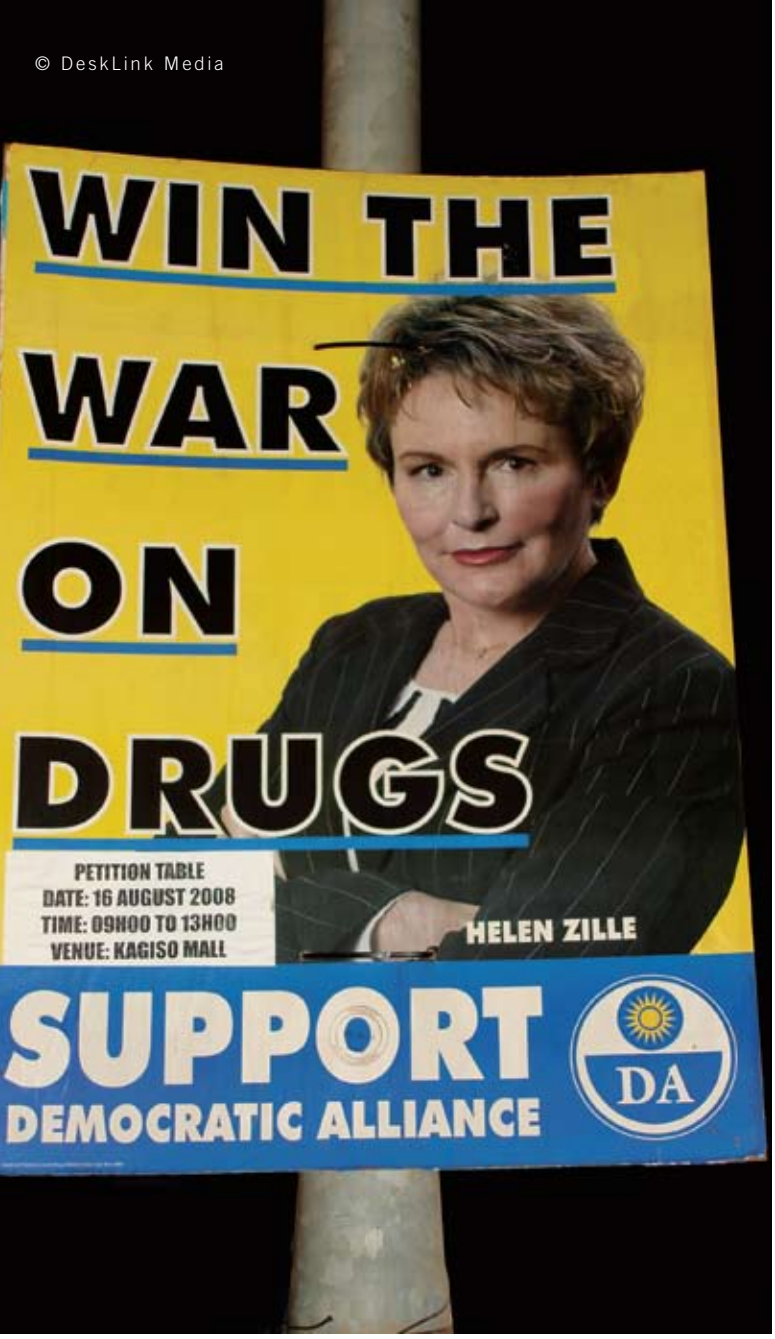
The threat we face comes from within, and is directed towards the heart of our democracy, the Constitution itself. An ambitious and influential group within the ruling party is preparing for power by any means necessary, and it is prepared to undermine the spirit and letter of our Constitution to do so. They believe their triumph to be more important than the welfare of South Africa. This is a time of peril, and we can only appreciate the danger if we look hard at what it is that sustains our society and what it is that preserves our liberties.

The miracle moment of our transition was not represented by the long queues when we voted together to end apartheid. It was when the aeroplanes of our air force flew above the Union Buildings and dipped their wings to salute the newly inaugurated President of South Africa, Nelson Mandela. Those pilots, representing the armed force of the state, almost certainly from backgrounds quite different from those of the new ruling party, were not only paying homage to President Mandela but also to democracy and the highest ideals of our interim Constitution. They were acknowledging the legitimacy of changing governments through the ballot box, the separation of party and state, the limitations on their own power. Their allegiance to the Constitution overrode their loyalty to any party.

The question I ask myself is this: did we in South Africa make the transition to constitutionalism too quickly to understand its significance? Will it therefore decline as quickly as it evolved?

The signs are not encouraging.

Jacob Zuma, as all who have met him will agree, is a charming man. He is certainly more affable than his predecessor as head of the ANC. He has the common touch and a natural personal humility. However, his charm belies a fundamental disdain for the Constitution. He has said openly that the ANC is more important than the Constitution and that "once you begin to feel you are above the ANC, you are in trouble."



A DA election poster heralds the start of the 2009 campaign. It seems clear that constitutionalism has also become a key element of differentiation

Zuma has repeated more than once that "the ANC will rule South Africa until Jesus comes back." He is on record saying that a country should not have opposition parties simply because there has to be opposition parties. Zuma believes in the "higher law of the party" – the most dangerous of all political delusions and a fig leaf for the higher law of the interests of party leaders.

If Zuma is found guilty of corruption and given a sentence of more than 12 months, it will prevent his becoming the next president. His supporters are determined to remove this obstacle, by whatever means it takes, because for them the ends justify the means.

Recent comments by Julius Malema and Zwelinzima Vavi that they would kill for Zuma are menacing sounds. So too is Gwede Manatashe's talk of "counter-revolutionaries." Their strategy is to smear and diminish the Constitutional Court because it threatens to uphold the rule of the law in the Jacob Zuma trial and so is an impediment to his presidency.

The fact of the matter is that almost every liberation movement has gone the same way after attaining power. The simple reason is this: liberation struggles are about attaining power. Constitutional democracy is about limiting power. Very few activists who have engaged in liberation struggles understand this distinction and they therefore cannot make the transition to the next stage of development.

They equate their own power with the revolution. Anyone who limits their power is therefore counter-revolutionary. Of course, the opposite is in fact true. As soon as most struggle heroes attain power, they tend to betray the values that motivated their liberation struggle in the first place, because they cannot come to terms with limiting their own power – a precondition for constitutionalism.

In an adolescent democracy, moreover, most voters help to sustain their leaders' delusions, wittingly or not. It often takes decades for people to realise they have been hoodwinked by the people they trusted, and to whom they gave more and more power. By then it is often too late. In a democracy, voters get the government they deserve, and must accept responsibility. Constitutional limits on power abuse are easy to lose but difficult to reclaim.

I have painted a gloomy picture so far. I do believe there are serious threats to our constitutional rule. But I am not gloomy. In some sense I have never felt more excited about our prospects for dramatically improving our political landscape, and so improving our economy and the lives of all our people.

In the very schisms and tumults of our politics, there is great hope. Let me explain.

Politics in South Africa is already, largely unseen, going through a fundamental re-alignment and this cuts right through the middle of the ANC. Politics is re-defining itself around the Constitution. The fundamental divide in the ANC is over whether you support the Constitution (even if you do not believe it is perfect) or whether you are prepared to push it aside if it obstructs your path to power and personal advantage. Professor Kader Asmal of the ANC has recently published a declaration in defence of Constitution and invited South Africans to sign it. I have done so. So have Archbishop Desmond Tutu, Ronnie Kasrils, Mosiuoa Lekota and Ben Turok.

There are men and women in the ANC who believe fundamentally in the supremacy of the Constitution and would concur, I have no doubt, with many of the points I have raised tonight. In 1996, after Jacob Zuma had asserted that the ANC was superior to the Constitution, the most telling rebuttal came from within the ANC, from Mosiuoa Lekota. He said:

"I think in the coming period we are going to have to answer to that because if that statement is going to be the guiding light for the ANC then I think we are completely on the wrong route. I cannot see that South Africa can be different from so many of the African countries which have got excellent documents on paper but when it comes to practice it's completely something different. I think if in the end that is really what we have fought for or what we are expected to have fought for and so on, then freedom will never really dawn on our side."

It is no coincidence that Lekota was howled down by the mob as he tried to exercise his function of chairing the ANC's Polokwane conference. It is not enough to have a good Constitution. It must be enforced and protected. It needs constant vigilance to guard and maintain the Constitution and make sure it always works as it was intended to work. And it is a work in progress

The National Party ruled South Africa for 46 years. At times, it seemed monolithic and invincible, destined to continue its oppressive rule into perpetuity. Towards the end, it tried to pretend it was a united party but in fact it was deeply divided between the "Verligtes" who wanted to reform apartheid and possibly even to end apartheid, and the "Verkramptes" who wanted to continue its cruel farce. "Broedertwis" divided their ranks.

The ANC, after only 14 years, is showing the same schism. It is also divided between its Verligtes, who support constitutional rule, and its Verkramptes, who want to subordinate the Constitution to the pursuit of power. Broedertwis has been replaced with Comrade-twis. And I know there are many Constitutionalists in the ANC who have more in common with the DA than they do with the anti-constitutionalists in their own party.

Some National Party supporters used to believe they were born into their party and that it would be a grave disloyalty to their people to vote for anyone else. This ended after about 30 years. There are some ANC voters who feel the same way. I believe this will end much sooner.

The old political formations bequeathed by apartheid are obsolete. We have to bring party formations in line with the new reality, the real political divisions of our time. The biggest barrier to this process is the democrats in the ANC who believe their party is redeemable. It is not.

Among the turbulence and clamour in the ANC now, among the purging of provincial premiers and the thinly veiled menaces to the judiciary and the growling of unscrupulous men hungry for power, there is unprecedented opportunity to re-shape the politics of South Africa for the better. There is a chance to break up the present rather sterile party alignments and replace them with parties that represent issues and ideas rather than races or traditions.

The most important issue, the most important idea is whether or not you support freedom, the rule of the law and the Constitution

The most important issue, the most important idea is whether or not you support freedom, the rule of the law and the Constitution. Those who believe this are drawn from all races. They draw encouragement from our judges of the Constitutional Court who show no sign of backing down before threats and sneers and immoral suasion. They are buoyed by our free press, and our vigorous civil society, our excellent institutions of justice and democracy, and the mighty ranks of our people who support law and liberty.

Despite the turbulence and turmoil of adolescence I believe that we will survive this stage, and that our Constitution will come of age. It depends on us. We are the guardians of the Constitution to which we gave birth. From that moment on it was our duty to nurture and defend it. We will not fail.

By Zwelethu Jolobe

How to divide – and still rule

In four years the ANC has moved from party modernisation to self-destruction – but is anyone in a position to take advantage?

Legend has it that in 1488, Bartolomeu Dias rounded the Cape in weather so cruel he named it Cabo das Tormentas, the "Cape of Storms". On his return to Lisbon, he told King João II about the voyage. Afraid that sailors wouldn't dare round a Cape so dangerous, João II decided to rename it Cabo da Bõa Esperença, the "Cape of Good Hope". However, if João II had a front-row seat, five centuries later, to the politics of that vast land that lies beyond the majestic cliffs, he would have certainly agreed with Dias.

Next year South Africa experiences its fourth democratic general election. Given the storm clouds gathering over the political landscape, examining the state of electoral readiness of the political parties is crucial. A proper assessment, however, requires a comparative examination with previous elections.

Since 1994, South Africa's proportional-representation electoral politics have been characterised by the increasing dominance of one party, the African National Congress (ANC), whose share of the vote has steadily increased: from 62.65% in 1994, to 66.35% in 1999, to 69.68% in 2004. While many commentators have argued the extent to which these successive majorities pose a threat to the sustainability of the new democratic system, very few have

The axing of the ANC Western Cape Premier Ebrahim Rasool, and his subsequent appointment as special advisor to Minister Kgalema Motlanthe, has shown up the ANC'S fault-lines

looked at the problem of lacklustre performance and inefficiency in the ranks of opposition parties, and their inability to mould an alternative to the ANC. Nonetheless, a useful place to start is to examine the politics of the 2004 general election, and what this can tell us about the upcoming one.

The ANC entered the 2004 general election campaign under pressure: there were increasing tensions in the tripartite alliance, largely around the government's macroeconomic policies; they were facing charges of failings in the delivery of housing, water, electricity, welfare and healthcare; and, more importantly, there was intense internal conflict in the party hierarchy between factions lined up behind one or the other of Jacob Zuma, who was accused of accepting a bribe, and Bulelani Ngcuka, who was accused of being an apartheid-era spy. How the ANC managed these tensions politically was remarkable.

Firstly, the party's internal political fight was referred to the Hefer Commission, which moved the battle away from the rank-and-file. It consequently had no impact on the list process, and as a result, the nomination process went very smoothly, the only dispute being whether those who topped the provincial lists would be nominated for premiership.

Secondly, through the ANC's electoral campaign head, and Mbeki confidant, Manne Dipico, the ANC revolutionised its campaign strategy. This happened in two significant ways. The

New ANC Western Cape Premier Lynne Brown will face an uphill electoral battle against the DA and ID in the Western Cape in 2009

first involved the repackaging of Mbeki as the campaign leader. Mbeki often came across as the aloof, pipe-smoking intellectual leader, who had a love for the classics and English poetry. The transformation of this image involved building on the success of the presidential imbizos and carefully orchestrating a door-to-door campaign that reached all corners of South Africa's diverse population: from rural to urban, black and white, to representatives of Greek, Italian, Portuguese and Tamil communities. This image of the "new Mbeki" was one of a caring and responsive "man of the people", firmly in touch with the socio-political and economic realities of South African society.

> The once well-oiled, sleek and highly efficient electoral political party is now a house divided

The second involved combining this populist appeal with intellectual content. The electoral manifesto was the key: entitled the "People's contract to create work and fight poverty", it highlighted the government's social and economic achievements, but also had the honesty of identifying the major limitations. This strategy worked. With opposition parties politically disorientated and weakened considerably in the post-floor-crossing period, they stood no chance: the ANC won by a landslide, just falling short of 70%. Significantly, while it didn't win absolute majorities in the Western Cape and KwaZulu-Natal, where it had strong competitors, it won plurality. Indeed, the ANC was on the verge of creating the competitive dominant party. But that was 2004.

On the eve of the 2009 general election, the political picture is very different. The once well-oiled, sleek and highly efficient electoral political party is now a house divided. In the run-up to, and period after, the Polokwane conference, the intra-party battles that have torn the organisation between supporters of Thabo Mbeki and those of Jacob Zuma are the definitive feature of the electoral campaign preparation period. The provincial conferences, preparatory forums for the regional electoral campaigns, all follow a similar pattern: "A member produces a knife or a firearm, a scuffle ensues, followed by a stampede. Police are called in to provide some semblance of order. Subsequently, at least one person is left seriously injured and hospitalised, and arrests are made."

The ANC's electoral readiness is characterised by a destructive trail of thuggery, deceit and corruption: it is widely reported that membership records are falsified, and those who are on the wrong side of a faction are shut out and removed from strategic meetings by police. The electoral campaign is in essence an intra-party zero-sum struggle for access to state resources: the control of municipalities and provinces; to appear on the list for deployment as public representatives and state officials; and to be in the patronage chain of tenders and procurement. Externally, it hinges on two interrelated issues: the campaign to prevent Jacob Zuma from standing trial for corruption, and the dissolution of the Scorpions, that is, the crime-busting unit responsible for his woes.

The image stands in direct contrast to the ANC on the eve of the 2004 general election; the current image is one of a party wearing itself out of political legitimacy, one that is losing its vigour and internal cohesion, with its arteries hardening. The Mbeki–

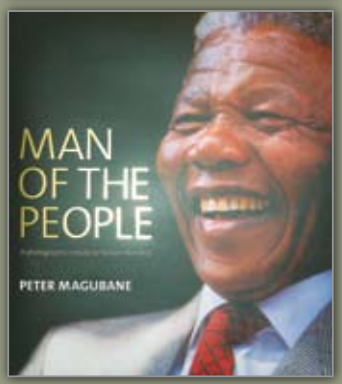
© Johann van Tonder/PictureNet Africa

Zuma feud, and its resolution in the Polokwane conference, bears the seeds of its own destruction.

As for the opposition, the question remains how, or to what extent, this section of the political class can capitalise on a self-destructing ANC. For the future viability of South Africa's democracy, and accompanying alternation of political representatives, does not only depend on the ANC, but rather on the ability of the society to produce alternative political means of consolidating democracy and social peace. While civil society may generate the momentum, political opposition is the arena that involves the realisation of this ideal. That the opposition is seen as not a credible or viable alternative, lacking administrative capacity, with cynical voting patterns of rather withholding a vote than finding a new political home, is one of the biggest structural weaknesses facing the democratic system.

Thus, the fractured, self-destructing, gun-toting ANC can breathe a sigh of relief. Regardless of how the Mbeki–Zuma feud pans out, the party will do as it pleases. Like the storm that threatened to blow Dias's ship to smithereens, South Africans will have no other option but to endure the coming Zunami!

FOCUS BOOK CORNER



Fifteen Men

compiled by Margie Orford
Jonathan Ball Publishers
9781868423224

Subtitled Words and Images from Behind Bars, Fifteen Men is something different from South Africa's mistress of crime fiction. A collection of creative writing by fifteen prisoners, the small, unobtrusive book takes the reader into unexplored, poignant corners of the human soul.

Man of the People

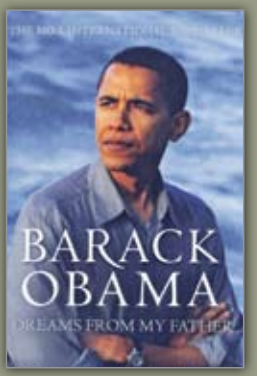
by Peter Magubane
Pan Macmillan 9781770100657

Peter Magubane, legend among South African photographers, offers his 'photographic tribute to Nelson Mandela'. The insightful portfolio is as much a tribute to a people's determination and inextinguishable hope as to a great man. Some of these images will never leave you.

Women's Property Rights, HIV and AIDS and Domestic Violence

HSRC Press 9780796922236

Although the importance of women's property and inheritance rights is recognised internationally, many women in developing countries do not have these basic rights. This research, conducted in Amajuba, South Africa, and Iganga, Uganda, examines the linkage between the absence of these rights, HIV and AIDS, and domestic violence.



Dreams from My Father

by Barack Obama

Canongate 9781847670946

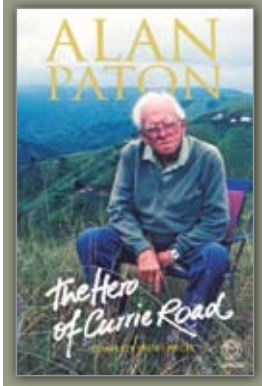
This reprint of Obama's 2004 release is a young man's age-old quest for a sense of identity. Born in Honolulu in 1961 to a black African father and white American mother, Obama bravely recounts his childhood and traces the journeys of both sets of parents to reconcile his divided heritage. This is an honest account that many have called 'refreshing' and 'candid'.

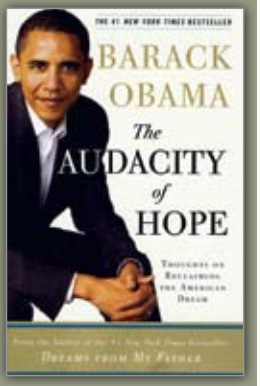
The Hero of Currie Road

by Alan Paton

Umuzi ISBN 9781415200506

Alan Paton is best known for Cry, the Beloved Country, a novel that asserts the ability of common human values to transcend prejudice. The Hero of Currie Road, the first complete published collection of Paton's short fiction, contains the same uncompromising look at human nature.





The Audacity of Hope

by Barack Obama

Crown 9780307237699

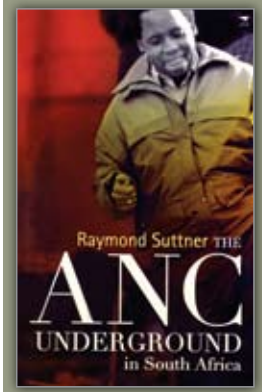
Barack Obama, described as 'a student of history and human nature', in this recent release suggests a new brand of American politics. The title, taken from his 2004 Democratic National Convention address, alludes to a nation's dogged optimism about the future in the midst of concrete problems.

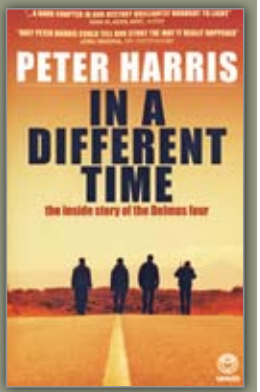
The ANC Underground in South Africa

by Raymond Sutter

Jacana 978770095977

Professor Tom Lodge says of the book that "it will certainly supply the foundation for important revisions in our understanding of the history of anti-apartheid resistance politics." Raymond Sutter draws on testimony to assert the ANC's vital underground activities after the party's 1960 banning.





In a Different Time

by Peter Harris

Umuzi 9781415200490

This captivating book is the untold story of the Delmas Four. It tells of a South Africa gripped by unrest and political tension, of four ordinary young men forced to extremes in pursuit of an ideal. A gripping courtroom drama, In a Different Time is also our story.

Power, Politics and Identity in South African Media

HSRC Press 2008, ISBN 9780796922021

Review by Michael Schmidt

Human Sciences Research Council

The rows centred on Jacob Zuma, the recent attacks on black lesbians, and this year's anti-foreigner murder spree have raised the crucial question of whether the media have stoked South Africans' apparent reversion to antagonistic roles – or whether changes in identity are gaining ground, via either the state's own simunye policies, the "market leveller" of commercialisation, or the sense of virtual community created by new media forms.

And the answer is far from simple. The media have advanced on some fronts and retreated on others; yet even where they have advanced, they are hobbled by contradiction, and where they have retreated, they show inherent promise.

The nationalist project of constructing a "South African" identity – especially using the SABC – would seem to be unassailable thanks to the ANC's near-hegemonic political position. Yet the rise of mother-tongue community radio stations, interest-group publications, and blogging have seen a decentralisation and fragmenting of identities, some of which are held to be superior to the national identity.

South African society is usually represented in socio-political myth as a binary black/white culture, deeply, irreconcilably divided by centuries of colonial discrimination and 46 years of apartheid – and the liberation movements' adherence to this black/white dichotomy entrenched this still further. The 1994 elections were hailed, however, as unifying factors that superseded race, class, gender, ability and sexuality.

This Human Sciences Research Council (HSRC) volume collects some of the best new sociological examinations of where that polarity finds itself today: reaffirmed, deconstructed, or reconstructed – by print, radio, television, books, film, popular music and the internet.

Dominant themes are white Afrikaner and black identity, and another covers the shifting sands of identities in between those crude polarities: of coloureds, and of those defined pejoratively as "coconuts" and "wiggers" for their affinity with "other" cultures. Sub-themes address identities related to class, gender and sexuality.

On Afrikaner identity, several papers show two divergent vectors. One is that the Afrikaner sense of racially exclusive nationhood – especially in relation to the black "other" – has barely shifted. Within this laager one might locate Radio Pretoria, which claims the democratic right of disassociation. The other vector regards the expansion of Afrikaner identity to embrace coloured and black Afrikaans-speakers.

On black identity, three issues are tackled. Firstly, the culture of youthful nihilism of the '76 generation, with its ingrained violence echoed in current black youthful attitudes towards violent crime and HIV/Aids. Secondly, however, the notion as portrayed in kwaito and film that black males can only succeed through tsotsi-culture is challenged. Lastly, the misrepresentation, or lack of interrogation, in black-owned media of Zulu tradition in relation to Zuma's actions is examined.

But a sea-change is in evidence. The dramatic rise of the tabloids has allowed the vernacular voices of poorer South Africans to be heard for the first time. Commerce has created ersatz "universal" identities – yet the internet has allowed unprecedented decentralisation of information, interest, and thus identity. This book lacks an interrogation of black middle-class identities, but is a brave attempt to chart our shifting sense of self and society.

Nelson Mandela – The Authorised Comic Book

Jonathan Ball Publishers, ISBN 9781868423026

By the Nelson Mandela Foundation & Jonathan Ball Publishers

Review by Kate Francis

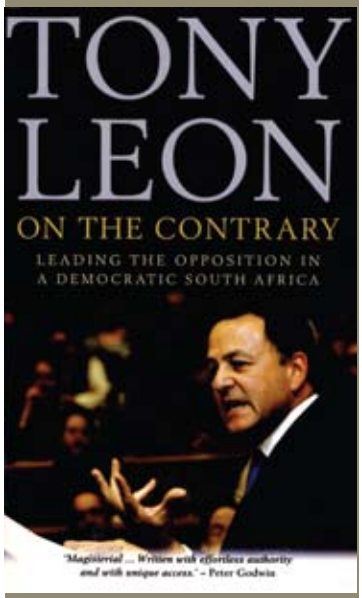
Comic books are home to superheroes – Superman, Spiderman and Wolverine, to name a few. Several flesh-and-blood individuals have managed to appear alongside these heroes: President Bill Clinton appeared in Captain America, Hitler made an appearance in The Invaders (and in a Bugs Bunny cartoon) and Muhammad Ali even took on Superman in the boxing ring. However, it takes a really special man to have an entire comic book dedicated to his life; Nelson Mandela is such a man.

Through dialogue, drawings and the occasional narration, Nelson Mandela –- The Authorised Comic Book gives us the fact-filled history of Madiba from the boy to the man who gave up his freedom for the struggle, negotiated of the end of apartheid, and finally became president, ensuring the peaceful transition towards democracy. This man, who stays grounded yet takes the moral high ground in a degenerate world filled with corruption and deceit, has proved that he is thoroughly deserving of superhero status.

With all the literature on Nelson Mandela and South African history, the key question is whether one really needs a comic book as well. My answer is a resounding yes. The researchers involved drew on a large variety of sources: from books about the period and formerly unused archival material, to interviews with the people who appear as characters. This comic book thus complements the Mandela literature already in circulation.

The story, which is made vivid and interesting by the drawings, is an easy-to-read and simple way to fill in the gaps in one's historical knowledge. As the copy mainly consists of dialogue, the book is fast-paced and reads like a thriller. The layout is varied and imaginative, and the pictures are well drawn to set the creative mood for the events and experiences. The individuality of its many characters make the history more colourful and, as Mandela had hoped, reading this comic book should encourage the young to attempt more challenging reads in their pursuit of knowledge about the era.

No matter how well you know the history, Nelson Mandela – The Authorised Comic Book renews our awe for Madiba, and intensifies interest in the experiences that led towards democracy. It reminds us of the immense person Nelson Mandela is, and helps to ensure that the hours of negotiation, the lives lost and the personal sacrifice will not be forgotten. This book inspires us to do everything in our power to uphold the values for which he stood. It challenges us to safeguard and continue his legacy, and ensures that his achievements and love for all the people of South Africa will be remembered.



On the Contrary – Leading The Opposition In A Democratic South Africa

Jonathan Ball 2008, ISBN 9871868422593

Review by Richard Steyn

By Tony Leon

The famous American journalist Heywood Broun once described a liberal as a person who leaves the room when a fight breaks out. That is not a description one would apply to Tony Leon, whose "muscular liberalism" has involved him in more fights – of the verbal kind – than any other opposition politician in recent memory.

As is evident from this lengthy, uncommonly well-written and forthright autobiography, Leon revels in his reputation as South African liberalism's former enfant terrible, who revived and breathed fire into opposition politics in South Africa at a time when both the old Democratic and National Parties seemed on the road to irrelevancy. His combative methods may not have endeared him to "blue-rinse" Old Progs or some of his own supporters, and his rhetorical style has always been a red rag to his political opponents, but Leon remains unrepentant. A "paid-up subscriber" to the view that no charge should go unanswered, he uses the opportunity that this book provides to settle scores with members of his own party (from Helen Suzman and Van Zyl Slabbert to Tertius Delport) who have crossed him, with media pundits who have criticised him, and with members of the former New National Party (NNP) who (in his view) betrayed him. But his harshest invective is reserved for the leading lights of the African National Congress (ANC) who routinely abuse and demonise him instead of responding rationally to his arguments.

If politicians are born rather than made, the young Tony's involvement in politics – like that of his nemesis Thabo Mbeki – began before he was in his teens. The son of a politically aware mother and a distinguished jurist father, he became hooked on politics at the age of 12, "and the narcotic of political activism and involvement has remained a lifelong habit" of his. Forsaking a potentially lucrative career in the law, he became a precociously young leader of the Progressives in the Johannesburg City Council, the successor – in controversial circumstances – to Helen Suzman as Progressive Federal Party MP for Houghton, and eventually leader of the Democratic Party (DP) in the wake of the party's disastrous showing in the 1994 general election. By the time he stepped down as the leader of the Official Opposition (as the Democratic Alliance [DA] had become) 13 years later, the DA's share of the vote had climbed from 1,7% to over 12% and its number of MPs from five to 50.

Despite this impressive record, Leon has always had to counter the charge that the DA under his leadership had become the defender of white and coloured interests. The party's contentious "Fight Back" campaign in 1999, seized upon by a grateful ANC as the "Fight Black" campaign, was successful in attracting former Nats to the DA, but was thought by many liberals to have poisoned the wells of post-1994 South African politics. Leon is not insensitive to the accusation, but

argues that "Fight Back" was a necessary strategy to counter the ANC's plans to socially re-engineer South Africa and remove the distinction between government and state.

There are two aspects to On the Contrary which make it of special interest. The first is the author's withering analysis of South Africa's decline as a nation under Thabo Mbeki's leadership (or lack of it).

From promising beginnings, Nelson Mandela's "rainbow nation" has fallen victim to Mbeki's Africanist project – a set of "policies and undemocratic practices" that have given rise to corruption, allowed crime to run rampant, atrophied the political discourse and virtually ruined the country's international reputation. Mbeki is fond of attacking racist stereotypes of African behavior, but, as Leon observes tellingly, the central paradox of his presidency is that he has ruled over a state whose failures have helped fuel the very stereotype he so roundly condemns.

The book also provides an entertaining, first-hand account of the brief "marriage made in hell" between Leon's party and Marthinus van Schalkwyk's NNP. Merging the two entities gave expression to the author's belief that in politics it is more important to be relevant than "right", but the union was undermined from the outset by Van Schalkwyk's determination to be the co- rather than deputy leader of the DA and to bring about what amounted to a reverse takeover of the DP. The trustworthiness of the current Minister of Environmental Affairs in Mbeki's cabinet may be gauged by his willingness to cut a secret deal with the ANC while the alliance with the former DP was still in existence. With the benefit of hindsight, Leon acknowledges that his colleagues were right to be wary of a marriage of convenience that elevated pragmatism above principle.

It was a realisation on his part that the DA needed to do more to attract black voters and an internal party memo that pointed out that the party needed a leader with whom black South Africans could identify that persuaded Leon in 2006 that the time had come to step aside. Whether his successor Helen Zille's less confrontational and more inclusive approach will succeed in garnering more black votes at a time when the ANC is in disarray is one of several intriguing questions to be answered at the next election. The prospects – in our still racially polarised society – do not seem promising, however.

Whatever may be said about Tony Leon's legacy, there can be no denying his singular contribution to the furtherance of pluralism in South Africa. History will also record with appreciation the key role he played at Codesa in drafting the country's Bill of Rights and setting up the Judicial Services Commission.

Mandela, as usual, had it right when, on hearing of Leon's resignation, he phoned to say that the DA leader would be missed much more than he might realise.

Message to Chief Mangosuthu Buthelezi

Happy 80th Birthday

"Gatsha Buthelezi and I have been close friends for many years. I always admired his decision not to create an independent Bantustan which would have deprived some six million Zulu inhabitants of their South African citizenship. He has never been given sufficient recognition for this decision".

"I send you love and best wishes"

Helen Suzman