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FOREIGN POLICY

South Africa: a pivotal state in Africa

Chris Landsberg

*Ten years after apartheid's formal ending, many observers, both inside and outside of government, continue to struggle to make sense of South Africa's role and identity in Africa. The Republic has variously been described as a hegemon, a regional 'superpower', and the regional leader. **Chris Landsberg** argues that South Africa could best be understood as a pivotal state both at home and abroad, and it should promote itself as such and not as a hegemon in Africa.*

1. A PIVOTAL STATE?

A pivotal state¹ is one that in comparison to its neighbours is, ipso facto, a powerful state. From such relative powerfulness flows the capability to influence other states, events and regions. The pivot state is influential in a region because the internal development in such a state, or lack thereof, is so significant that it typically holds major implications for states in its immediate region. Thus, if such a state were to experience positive developments this typically has a positive demonstration effect on the region. Conversely, if such a state experiences negative developments on the home front, this negatively impacts the broader region.

To be sure, the idea of the pivot is subjective and could be contrasted here with the idea of hegemony. While a regional hegemon is a powerful state that sees itself as capable of laying down the law to others through its dominance, the pivotal state is one that acts in the regional interest in collaboration with others. The pivotal state works in collaboration with others, builds partnerships with and amongst its neighbours and is instrumental in the construction of regional societies. The pivotal state influences its neighbours through broad economic and political linkages.

A pivot is, for better or worse, also a country that is a model. The pivotal state is delicately poised between potential success and possible failure: it has the potential to work a significant beneficial or harmful effect on its region. While such a state might be stronger and more developed vis-à-vis others, it also suffers from its own significant socio-economic challenges, such as deep inequalities and massive levels of poverty. If conflict results from its own weaknesses, it could easily spill over to other states in the region.

It has significant demonstrative effects on a region: if it experiences growth and positive development, it impacts the region positively; if it experiences negative growth and development, its successes lead to push factors in other countries.

The pivotal state naturally plays a key role in global and regional negotiations; it negotiates cosmopolitan norms, values, principles and mechanisms for regional, continental and global governance.



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2. SOUTH AFRICA: THE PIVOT

South Africa is a pivotal state because, in spite of the significant socio-economic challenges at home caused by decades of apartheid and white minority domination, it is a resource-rich, middle-income country that became a democracy ten years ago. Its own political and economic development holds geo-political significance for the African continent. Since 1994 it has sought to balance local needs and obligations with regional and international responsibilities. The country's strategic geo-political importance has been borne out by its role in initiatives such as the New Partnership for Africa's Development (NEPAD) and the African Union (AU).² South Africa has positioned itself as a key player in resolving issues of interest to the global South. The Republic is playing an important role in the Doha Round of the World Trade Organization (WTO) where one of its major objectives will be to ensure that resources are optimised in achieving the objectives of NEPAD. The government has committed itself to the implementation of the Millennium Development Goals (MDGs) through NEPAD.

Pretoria has rejected any hegemonic ambitions. Some of the reasons for this anti-hegemonic posture include the fact that South Africa's democracy is still in its infancy and many understandably feel that the country's energies should be directed at resolving its many domestic challenges. There is an understandable reluctance to treat other African countries in heavy-handed, patronising, or interventionist ways. Government realises that apartheid South Africa's intrusions into neighbouring states are still fresh in the memory. Government is hard pressed to use the country's economic power and political influence in a constructive fashion.

Government did articulate a post-settlement role, but it is based on building partnerships and stitching together alliances with African states. It rejects go-it-alone postures and instead emphasises multilateralism. Government has recognised that it is in South Africa's national interests to help strengthen democratic and peacemaking institutions in sub-regions, such as The Economic Community of West African States (ECOWAS) and the South African Development Community (SADC) and the continent more broadly, for example its role in the establishment of the AU. To do this South Africa needs to show humility and it certainly needs the help of others. While South Africa does possess 'capacity' to provide cross-border assistance, such capacity is both modest and limited. Indeed, there has been a general tendency to overestimate South Africa's capacities and leverage. In short, South Africa is scarcely in a position to play the role of regional policeman.

While there is already a high degree of interest, commitment and involvement among many groups in society (non-government organisations (NGOs) and Chapter 9 institutions in aiding democracy and peace efforts in other African countries, many such initiatives are ad hoc. Doing this under the banner of being a hegemon will only fuel greater suspicions about South Africa's agenda.

3. DOMESTIC CONSTRICTION

South Africa is a pivot, and not a hegemon, because of its precarious domestic characteristics. South Africa remains a deeply uneven society with significant development challenges and has both first world and third world characteristics. Serious disparities exist in the society given that the Republic has one of the most unequal distributions of income in the world, as measured by the Gini coefficient (0,57 in 2000).³ This disparity has a racial basis, with white South Africa's Gross Domestic Product (GDP) ranked 45th in the world while black South Africa's GDP is ranked 180th. Because of the past system of apartheid, this country has unprecedented levels of structural violence; it will take decades, if not centuries to overcome these structural legacies. Gross disparities also exist in access to basic services such as clean water, sanitation, education, health and welfare, employment and economic opportunities.



4. CONCLUSION

South Africa has over the past decade made Africa the central pillar of its foreign policy. But South Africa's ambitions for involvement in Africa are clearly hampered by its own resource constraints, the aggressive and detrimental role played by the apartheid state in the past through destabilisation, and suspicions about South Africa's agenda. These factors negate any role of hegemon this country may wish to play. South Africans, both state and non-state actors, are better advised to consider an approach and posture that is sensitive, shows modesty, and enables them to learn to engage others in the region as partners, not cronies there to carry out Pretoria's wishes.

¹ A few years ago, it became fashionable in US foreign policy circles to talk of 'pivotal', or as they saw it, 'key' or 'anchor' states; those states the US wanted to play influential roles in Africa. We are concerned here more with South Africa's regional role and potential, and negate the idea that South Africa has a pre-ordained leadership.

² Department of Foreign Affairs. *The Operationalisation of the AU and the Implementation of NEPAD Programmes: Placing Africa on a Path of Lasting Growth and Development*. Pretoria, May 2002.

³ Statistics South Africa. *Earning and Spending in South Africa, 2002*.

For an assessment of the poverty debate in South Africa:

Friedman S, Chipkin I. *A poor voice?: The politics of inequality in South Africa*. Centre for Policy Studies, Research Report. Johannesburg, August 2001; 87.

LOCAL GOVERNMENT

The **impact** of city power's corporatisation on labour and labour issues

Gardner Khumalo

*Currently, many millions of individuals in this country experience serious problems in attempts to access basic services such as water, electricity, and refuse removal. Although rural dwellers are the worst affected, the poorest citizens who reside in urban areas also face acute problems related to accessing basic service delivery. It is for these reasons, asserts **Gardner Khumalo**, that the democratic government has since 1994 been tirelessly involved in programs aimed at improving living conditions for this category of individuals in society. These attempts by the state to improve quality of service delivery have put a strain on financial resources of many municipalities through out the country.*

In an effort to avert a financial crisis in Johannesburg, the iGoli 2002 plan was introduced in 1999. The rationale of this plan was based on the argument that the City of Johannesburg needed to adhere to a financial model that was sustainable in the long-term. Such a model is centred on the recovery of all costs, including those that arise through the provision of basic services to the poorest of citizens. The iGoli 2002 plan led to the creation, by Johannesburg municipality, of a number of utilities to deliver services to citizens. During the restructuring process three corporatised utilities were created, namely, a waste management utility (Pikitup), Johannesburg Water and City Power. This restructuring saw the commencement of alternative forms of service delivery that the municipality claimed would improve the quality of services made available to communities, they also claimed that this move would ensure that service backlogs were minimised.

In general the restructuring process that involves the creation of utilities, has resulted in a number of problems since the process has never run smoothly. Critics of the Johannesburg municipality's model of alternative service delivery often argue that wherever such an approach



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has been followed, private sector service providers introduce some unpalatable changes that are not popular with several interest groups or stakeholders. This argument is debatable as City Power is not a private sector provider in the strict sense of the word. This has created some tension between groups. This article focuses on tensions that have arisen between labour and City Power. There are also examples of tensions between local communities and the municipality but these will not be dealt with in this analysis.

In the electricity sector, as part of the implementation of the iGoli 2002 plan, The City of Johannesburg created City Power. Under this arrangement all the electricity functions of the Johannesburg municipality were transferred to this new utility, together with the labour force. City Power is wholly owned by Johannesburg City and the City is the sole shareholder. Hence the municipality can easily intervene on policy matters, as City Power is accountable to councillors. A team of CPS researchers recently undertook a study on the City Power electricity utility in order to understand how this new service delivery arrangement was set up and also how it provides services to citizens. One section of the study analyses the impact of this form of service delivery arrangement on labour and labour issues.

It has been mentioned earlier that when the electricity utility was created municipal employees from various electricity departments were transferred to City Power. All these employees were given a three-year job guarantee that is due to expire in December 2003. This guarantee was in accordance with section 197 of schedule 8 of the Labour Relations Act that allows the transfer of workers to other entities without a change in the conditions of service for workers. The South African Municipal Worker's Union (SAMWU) represents this group of workers. There is also another category of workers that were transferred to City Power. These workers were mainly artisans and mostly white and are represented by the Independent Municipal and Allied Trade Union (IMATU). SAMWU represents the less skilled workers who are predominantly black whereas IMATU represents skilled workers. Because IMATU has better bargaining skills their interests are being better served by City Power. It should be borne in mind that these two unions were united in opposing the iGoli 2002 plan although historically the two have differences on labour matters at shop floor level.

The major issue of common concern for the labour movement regarding the iGoli plan was job security and conditions of service. At the peak of labour resistance to the formation of City Power, negotiations between labour and the employer, the City of Johannesburg, broke down and both unions withdrew from the process of forming the utility. Labour's exclusion had far reaching consequences because since their withdrawal from the negotiations they had no input into the whole process. Interviews conducted with labour indicate that SAMWU and IMATU were subsequently not involved in the process of drawing up the Service Delivery Agreement that laid down the conditions of the contract between the City and City Power. This minimised labour's ability to shape the outcomes of important negotiations affecting the rights of workers. Hence the claim by labour that the negotiating partners, the City and City Power did not sufficiently consider the needs of both workers. They argue that the process was flawed as it was clearly a product of organisational review rather than a proper assessment of the service delivery needs of citizens. Officials from Johannesburg municipality however, reject this assertion and argue that when the utility was being set up the municipality was conscious and sensitive to the importance of labour issues and as a result they even engaged an expert to advise them on these matters. Currently, it would appear that organised labour has no formal processes or mechanisms within City Power, to make their views on important labour-related matters known to management.

Respondents from the labour movement informed us that another source of conflict was City Power's refusal to participate in the local bargaining council. This position is contrary to SAMWU's view that argues that the local bargaining council should be



responsible for labour related issues for all utilities, agencies and corporatised entities (UAC's). Instead of working within bargaining council structures City Power has started a process of renegotiating the basic conditions of service for its workers. In order to achieve this they have formulated rules of engagement to deal with labour related issues within the utility. Labour, especially SAMWU feel they should have been consulted when the rules of engagement were created; it was not possible to get a view from IMATU on this issue. An Employment Equity Forum has also been established for this purpose and both these structures have been rejected by SAMWU. However, IMATU participates in the forum as well as in bargaining processes, arguing that by refusing to participate employees put themselves in a weak bargaining position on labour related matters. IMATU sites their withdrawal from the iGoli 2002 negotiations as a case in point that left unions in the cold, unable to have an influence on the decision-making processes.

The main issue of contention for SAMWU is that City Power is not implementing basic conditions of service of section 197 employees, that are part of the three-year job guarantee, in full. The main fear therefore is that after the three year cut-off period is over, major retrenchments would follow as City Power undertakes drastic internal restructuring, among others, to contain operational costs. This is a politically sensitive issue and the municipality is likely to be keen to avoid mass retrenchments by any of the UACs given the impending general and local government elections in 2004. One senior official in the Johannesburg municipality was keen to play down any chances of retrenchments, arguing that the municipality had advised City Power to negotiate voluntary retrenchment packages and it is said this process is already underway. In conclusion the City of Johannesburg has a responsibility to ensure that utilities under its ownership, adhere to legislation such as the Labour Relations Act. There are real concerns about the way labour issues are handled within City Power and the role of the municipality in this regard. The municipality needs to clarify its position publicly regarding the extent to which it can make interventions on labour matters within utilities or perhaps play a more active role in conflict resolution in situations such as these.

LOCAL GOVERNMENT

Promoting good governance in municipal service delivery: what role for local councillors?

Thabo Rapoo

*Increasingly, municipalities throughout South Africa have been encouraged to engage in alternative forms of service delivery to improve the quality of services to local communities. Some of these forms of service delivery often involve local authorities handing their primary responsibility for direct service delivery over to contracted private sector agencies and other non-state actors. In such instances, argues **Thabo Rapoo**, municipalities are expected to play the role of enforcers of contract: monitoring and evaluating the performances of alternative service providers to ensure the fulfilment of contractual obligations.*

How do we ensure effective democratic accountability to local authorities by alternative service providers? More importantly, what role do ordinary local councillors play in this process?

The Johannesburg municipality, as part of its iGoli 2002 plan, introduced in 1999 an alternative service delivery model in an attempt to improve the quality of service delivery to citizens throughout its area of jurisdiction. In terms of the model, a number of the municipality's administrative units responsible for delivering services such as water and sanitation, electricity,



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waste removal and so on were turned into corporatised and ring-fenced entities. Ring-fenced entities usually have their accounts and finances kept separate to prevent cross – subsidisation. They are run on commercial and business principles but are wholly owned by the municipality. In general, such alternative forms of service delivery that entail municipal authorities relinquishing primary responsibility for direct service delivery to private and other alternative service providers are usually criticised for undermining a number of important principles of proper governance. They are seen as not conducive to effective democratic accountability and transparency. They are also seen as unable to promote regular and effective stakeholder consultation and participation in decision-making processes that affect their lives. In addition, such alternative service delivery arrangements are seen as predominantly unsympathetic to the plight of poor households who cannot afford to pay for services.

Good governance in service delivery observes the rights and responsibilities of both service users and service authorities in a process whereby social actors wield power and influence, and enact policies and decisions concerning public life and socio-economic development. Theoretically, democratic institutions of government are usually obliged, and in many cases are best placed to promote good governance by maximising citizen participation in decision-making processes. It is also a duty of democratic institutions to respond to citizen demands and preferences for services, whether or not they do this in practice. The rationale for this is that popular participation in decision-making processes of government improves accountability while it also empowers citizens to take control over their own development; thus enhancing their sense of ownership of developmental processes. Moreover, public participation and inputs also serve to inform and therefore enrich decision-making processes, enabling policy makers to improve their responsiveness to citizen preferences.

These are elements that are usually considered critical whenever policy makers decide on alternative models of service delivery to involve private or semi-private sector service providers. Private sector service providers are likely to lack the necessary organisational structures, political management skills and expertise to facilitate effective popular participation and accountability in service delivery. It is therefore up to the municipality to ensure that proper accountability mechanisms and processes to involve citizen participation are put in place. Also, it is important that the municipality has the necessary capacity and skills to monitor and enforce contractual obligations on the contracted service providers in such a way that principles of effective governance will be observed at all times.

Research currently underway on alternative service delivery arrangements by selected municipalities in South Africa is attempting to understand the impact of such arrangements on governance at local level. The research has looked at, among others, the electricity utility company, City Power, established and wholly owned by the Johannesburg city council to supply electricity to households and businesses throughout Johannesburg. The municipality, also represented in the company's Board of Directors, should be able to exercise power over the company and influence decision-making. In addition, the terms and conditions of the 2001 Service Delivery Agreement (SDA) signed by the municipality and City Power lay down strict processes and procedures to govern the operation of the company, its reporting and accountability requirements.

For instance, City Power is required to give account to the council regularly by, among others, submitting quarterly and yearly progress reports as well as attending regular meetings with the municipal authority to discuss service delivery. Also, the municipality has set up a Contract Management Unit (CMU) whose role is to monitor all utilities including City power on behalf of the local authority and enforce their compliance with the terms and conditions of their SDAs. In terms of ensuring effective popular participation and therefore accountability in service delivery, City Power is obliged to set up a User Forum. Electricity users and other stakeholders



would be able to make submissions through the Forum to City Power to influence its decision-making, planning and prioritisation processes to improve service delivery. All these provisions, if properly monitored and enforced, should result in well-informed citizens, able to participate in their own developmental processes. This is critical in ensuring effective accountability by the service provider to citizens and the municipality.

However, interviews conducted with local councillors revealed some critical inadequacies in the implementation and enforcement of accountability processes. These inadequacies pose a serious threat to the task of ensuring service delivery by alternative service providers that is accountable. This could undermine the municipality's ability to forge effective governance in the provision of municipal services. For instance, during interviews with local councillors we found that many of them had a weak grasp of the specific SDA terms and conditions governing the accountability relationship between the council and the service provider, City Power.

While councillors had some knowledge that the service provider is required to report and account to council, it was clear that the progress reports from service providers are merely handed over to the senior political and administrative leadership within some institutions of Johannesburg municipality, especially the Mayoral Committee, the Council's Portfolio Committee on Municipal Services Entities and the CMU. This limited scope for service provider accountability creates a severe knowledge gap among ordinary councillors. This knowledge gap suggests that the councillors are kept out of the narrow loop of the accountability relationship between City Power as the service provider, and the council as the primary service authority. Given that the vast majority of ordinary local councillors in the Johannesburg municipality are not part of, and are therefore excluded from the activities of the Mayoral Committee and the Portfolio Committee on Municipal Services Entities, they are in a weak position. Their non-participation in these critical accountability and reporting processes constitutes a severe limitation and therefore a threat to effective and accountable governance in the delivery of basic municipal services. It is important to note that councillors are democratically elected to oversee not only the activities of the council, but also executive agencies created by council to deliver services on behalf of the municipality. At the moment, it would appear that ordinary councillors have a tangential, if any, involvement and therefore a weak relationship with current oversight processes aimed at ensuring that a service provider like City Power undertakes its activities in the interests of all citizens.

Interviews with local councillors also revealed a severe lack of clarity over their own roles and responsibilities in the general process of enforcing the monitoring and reporting requirements over service providers. It was clear from these interviews that the Mayoral Committee, the Portfolio Committee on Municipal Services Entities and, to some extent the CMU, are the central institutions in the municipality's relationship with City Power. It would appear that the council chamber and the bulk of the ordinary councillors tend to play a peripheral role in these processes. In fact, some of the councillors had neither seen nor read any of the regular progress reports that utilities like City Power are obliged to submit to the municipality to keep it informed on their service delivery activities. It was not even clear whether or not ordinary councillors are supposed to have access to these reports in order to be directly well informed of the developments in the provision of municipal services by all the utilities set up by the municipality.

This apparent lack of direct access to vital information on the performance of alternative service delivery agencies has serious implications for effective governance. It means that local councillors, as policy makers and elected public representatives, are generally uninformed about the quality of service delivery and the activities of executive agencies that they helped set up. In general, they have a very tenuous relationship with such agencies and can therefore exercise no oversight over them. Also, given that the Mayoral Committee and the Portfolio Committee on Municipal Services Entities are not directly involved in the task of actually monitoring and evaluating the performance as well as compliance of service providers like City Power, it means that the performance of this task depends entirely on the CMU. The CMU is responsible for carrying out this task for all the twelve or so Utilities, Agencies and Corporatised entities (UACs) established by the Johannesburg municipality as part of its iGoli 2002 plan. It is not clear what the institutional capacity of the CMU is to undertake this task



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regularly and effectively. However, for one institution to single-handedly undertake the monitoring and evaluation of the performance of so many executive agencies is a daunting task.

A system that depends almost entirely on a single institution to enforce accountability and oversight and ensure compliance over a relatively large number of executive agencies is inadequate. Local councillors are elected public representatives with the responsibility to convey citizen demands and articulate their interests to policy makers. Therefore, within such a weak system of accountability, for local councillors to be located at the periphery of accountability processes weakens their ability to represent public interests effectively. The direct involvement of councillors in the system of accountability and reporting by service providers is an unavoidable part of democratic accountability and good local governance. It is also essential in forging the popular legitimacy of current alternative service delivery arrangements as introduced by the municipality.

RACE RELATIONS

Poverty: the core of rainbow nation racism

Liela Groenewald

*Neither nation-building rhetoric nor a diversified elite can eliminate racism, contends **Liela Groenewald**. Erasing the socio-economic inequality that creates the impression that race is real should therefore be the focus of nation-building efforts.*

Ten years after apartheid, South Africa's population continues to be split along contemporary race lines, both by negative perceptions on race and by a prevailing disparity in socio-economic conditions. In an attempt to address these concerns, government uses policies aimed at increasing economic equality between 'race' groups as well as nation building, understood here as rhetoric aimed at building a popular sense of membership of a unitary yet diverse South African nation. The merits in government's goal of lessening the link between race and class, as well as any progress that may have been made in this respect, deserve to be considered. However, it is the response to nation-building rhetoric, or specifically how the rainbow nation is understood and experienced, that is the focus of this piece. Its central argument is informed by a series of eleven focus groups¹, that form part of a broader research project funded by the Mott Foundation² and the Embassy of Finland. Respondents were drawn from rural and urban locations. Apart from one mixed group, the focus groups were stratified by 'race', age and income, meaning that different groups consisted of for example black³ people between 40 and 55 who live in Gauteng and have a monthly income of lower than R3500, or of white people between 25 and 40 who live in Limpopo province and have a monthly income of higher than R3500, and so forth. All respondents were adults over 25.

These different focus groups broadly accepted the phrase 'rainbow nation' as an appropriate and positive analogy for South African society. With the exception of three of the eleven groups, this was true across race, age and income groups. The exceptions were 'coloured' and Indian groups, and the poorer, younger black group, who saw the 'rainbow nation' as an empty phrase and felt that they were excluded from its benefits. The majority of respondents, however, saw themselves as members of the 'rainbow nation', although they highlighted slightly different



aspects of the concept. The younger, higher income black group, for instance, said that they appreciated the combination of different people in the country, while the older, lower income black group revealed an appreciation of space for different cultures. The older, higher income white group saw multi-linguism in a positive light, while their younger counterparts thought that everyone should work hard at making the rainbow nation work. These positive observations and comments illustrate that a range of respondents embrace the idea of a rainbow nation.

However, the same respondents that seem to relish the diversity of the concept of a rainbow nation tended to make blatantly racist remarks. In fact, most groups made negative and stereotypical comments about what they perceive as 'other races'. In general, race difference was not understood to be linked to culture or tradition. Instead, respondents linked race to inherent differences between perceived race groups or negative attitudes on the part of 'other' race groups. This included comments by participants in black, 'coloured' and Indian groups on the unwillingness of white people to give up power and comments by participants in white groups on an inherently different way of thinking among black people.

In the question guide for the focus groups, race jokes were used as another polemic device to gain access to the attitudes respondents held about race or about 'other' race groups. Regarding race jokes, older, higher income black people were angry that white people who made race jokes thought that they did not understand them. Conversely, older higher income white people said that black people did not understand their jokes and therefore did not take them well. The group that was mixed in terms of race, income and age was the only focus group to say unequivocally that race jokes were positive and helped people laugh at themselves. Revealing a particular interpretation of race tension, most groups assumed that race jokes meant white people's jokes about black people, and not the other way round. Racism was also evident in the distinction made between different kinds of foreigners entering South Africa. Most groups initially made a distinction based on immigrants' country of origin, although when probed, respondents shifted the reason for their distinction to whether immigrants were likely to make a contribution to the economy or not.

There is an apparent contradiction in the fact that the same people who believe in the rainbow nation also hold racist opinions. Are people indeed contradicting themselves? The key to this question was found in widely contradictory conceptualisations of race and ethnicity that were displayed by respondents.

With regard to financial position, respondents across groups agreed that race, and not ethnicity, affected it. The only group to disagree with this was the older, upper income black group, whose participants believed qualification was the only factor that determined financial position. They were also the only respondents who saw merit in Black Economic Empowerment (BEE). While BEE was generally seen as restricted to the enrichment of a small elite, views on affirmative action were broadly divided according to race. This was the one key issue in which age played a less important role than race. All black groups agreed that affirmative action was a good policy from which people they know had benefited, although both older black groups cautioned that to reap its benefits it was important to implement it correctly. Even while coloured and Indian groups acknowledged that they knew people who had benefited from both BEE and affirmative action, they felt that the policies were not being implemented properly, as most jobs were going to black people. White groups recognised that affirmative action had led to more women being employed, but rejected the policy as favouring only certain people (ie race groups), which they felt was not fair. Nevertheless, BEE was more of a red herring than affirmative action. In fact, this was one of only two issues on which the mixed group could not reach agreement.

Respondents generally indicated that they noticed the race of people around them. This was true in the workplace, when they were socialising, and when they were engaging with the civil service, for instance if they were applying for or collecting a license or permit. Both black and white groups agreed that mistrust and tension existed between different race groups at work. They were uncomfortable with identifying differences that they believed to be linked to race, and with discussing how they understood race. With the exception of the older group of coloured and Indian people, respondents said that they noticed the race of people around



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them, based particular expectations on the race of people they dealt with, and articulated specific experiences based on race. For instance, several stereotypes emerged about the particular type of corruption to which a traffic officer of a specific race group was prone. Interestingly, respondents held these beliefs about others, and not about themselves. Respondents did not think their own race influenced their own behaviour, and were relatively uninterested in commenting on whether their own race was important.

Responding to questions on ethnicity, however, all focus groups demanded mutual respect for different traditions and cultures. Ethnicity was therefore seen as distinct from race. While respondents were less aware of it in the workplace or when interacting with the civil service, they were aware of it socially, and were comfortable with cultural or ethnic difference. While they took pride in their own cultural heritage, they also said that they would tolerate different customs. People of other cultures would also be welcomed into their cultural space, as long as they respected the culture being practised. With regard to religious practices in particular, people preferred to associate with those who have similar practices, regardless of their race or ethnicity⁴. Cultural issues caused tension only where people perceived culture to be linked to domination. Instances of this differed from group to group, but included such perceptions as the exclusion of Shangaan people and the over-representation of Xhosa people in public office.

Most groups had more to say on the importance of their own ethnicity than on their own race. With some differences in emphasis, all the groups in the sample seemed to agree that while ethnicity was not important in the workplace, it was crucial to cultural identity, and therefore influenced interaction during traditional, religious and other social activities. Although respondents were therefore keen to understand different cultures and were comfortable differentiating between them, older, lower income black and white people both viewed ethnicity as more important than other groups did. This black group said that ethnicity had an important impact on promotions at work, implying a degree of favouritism, while white groups emphasised that cultures differed and were important.

These responses can help to explain the apparent discrepancy between the internalisation of the concept of a rainbow nation and naked race prejudice, as follows. It seems that in contrast with Europeans, South Africans do not link race and culture. On the one hand, the rainbow nation is understood in terms of cultural diversity and embraced. Rainbow nation rhetoric embraces difference, and for respondents in our focus groups, difference in cultural terms does not exclude working or socialising together. Respondents both demand and are willing to offer respect for these differences. On the other hand, many people are uncomfortable with difference that is perceived to be due to race, and hold mutual negative beliefs about different race groups. It follows therefore that neither rainbow nation membership nor cultural tolerance impact on racism. In a nutshell, people generally do not mind tolerating or talking about different cultures, but they prefer to deal with people whom they perceive to be of their own race.

If this is true, how can South African leaders best address racism? Certainly, a public debate about 'race', and the ways in which it is both valid and invalid as a historical or contemporary category, could contribute to addressing racism. Talking about it could make people more comfortable with dealing with it in a public arena, and contain festering resentment. This in turn could diminish support and opportunity for the violent expression of underground extremism. A more historically rooted conceptualisation of race and how it came about as a category, admittedly has the potential to show race up as a human construct, that can be changed. In a presentation of recent research on the evolution of skin colour and the superficial nature of this particular difference between people, sociologist Prof Wilmot James also argued that South Africans were currently more comfortable with such conversations than other societies, like the United States of America.⁵



But such a debate will not suffice. While the anti-racist movement has seemed to believe that illustrating that race is not real will be enough to rid the world of racism, this has been proven wrong, as leading race scholar Paul Gilroy⁶ argues. In addition, as shown above, the focus groups conducted as part of this project indicate that in the short term, the attempt to weaken the link between race and class by diversifying the middle-class, elicits opposite reactions from different races, resulting in increased tension. Gilroy suggests instead that what is needed is the ability to imagine a world in which race does not make sense.

Can South Africans take up this challenge? I believe so. By shifting the emphasis of building the nation from ideas of unity and ubuntu, to actions that eradicate poverty and improve literacy and education levels, a basic humane existence can be achieved for all South Africans. Only once that has been realised, can the reality of race be brought into question.

¹ Focus groups were contracted to Markinor.

² The Charles Stewart Mott Foundation website can be viewed at <http://www.mott.org>

³ Where reference is made to respondents, 'black' here excludes coloured and Indian respondents, who were interviewed in separate groups from black African respondents. However, focus group participants were neither given nor asked for a definition of 'black', but rather allowed to converse freely.

⁴ Indian respondents said that ethnicity was very important in terms of religion.

⁵ Prof Wilmot James is Executive Director of the Social Cohesion and Integration Research Programme of the Human Sciences Research Council (HSRC) of South Africa. His presentation titled *The Evolution Skin Colour and the Sociology of Race* was delivered as part of the HSRC Seminar Series on 10 June 2003.

⁶ Gilroy P. *After the great white error ... the great black mirage*. Delivered at The Burden of Race: 'whiteness' and 'blackness' in modern South Africa Conference. Johannesburg: University of the Witwatersrand, 5-8 July 2001.

AFRICAN POLICY AND GOVERNANCE

Popularising regional governance regimes: state and citizen participation

Candice Moore

The advent of the New Partnership for Africa's Development (NEPAD) raises questions concerning the representative nature of regional and continental governance regimes, as well as the region's impact on the domestic policies of member states. Direct citizen participation within these bodies is necessary, in order to promote and protect national and regional democracy, argues Candice Moore.

The African Development Bank (ADB)¹ defines 'Governance' as "a process ...in which power is exercised in the management of the affairs of a nation, and its relations with other nations."² The issue of governance is currently prominent, pending the implementation of NEPAD. Governance performance of member states, which will determine the inflow of foreign funds for development, constitutes the core of this partnership.

1. MEASURING DEMOCRACY IN AFRICA

The term 'governance' has been tarnished by its association with conditionality as applied by international financial institutions, as well as its perceived prioritisation of democratic 'process' over 'outcomes'. The term may experience a turnaround in fortunes: it is now used by African leaders themselves, as they register their commitment in NEPAD to conditions previously imposed from outside the continent in exchange for financial aid. Conditions imposed by



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the international financial institutions are better known for their disastrous socio-economic effects, than for their success in introducing democracy. However, the peaceful, democratic change of government in Kenya, has been attributed to conditionality. The World Bank is credited with opening the democratic space in that country by withholding aid from Daniel arap Moi's government to usher in the legalisation of pluralism in 1992.

The operationalisation of NEPAD, and the arrival at the aforementioned home grown conditions looks set to be an arduous process. By the time the Partnership becomes fully operational, it will have to consider the governance protocols of no less than fourteen sub regional organisations or Regional Economic Communities (RECs) in formulating criteria of political governance. This is to establish a coherent and organic review process based upon existing norms and principles. The criteria will form the continent-wide scorecard for every state that chooses to join NEPAD. This task is complicated by some RECs not having governance protocols at all, whilst others make scant mention of governance and human rights in their founding treaties. Thus the criteria to be utilised in determining worthy African candidates for profitable partnerships with foreign donors have to be fine-tuned and agreed upon. Consideration must also be given to the directives of continental bodies, such as the United Nations Economic Commission for Africa (UNECA) and ADB, who have been promoting democracy on the continent for the last four decades.

Although juridical means to defend democracy exist in abundance in Africa, political means are lacking. It is this vital ingredient that is required to make NEPAD work. What is arguably 'new' about NEPAD's Peer Review Mechanism is the introspection it will afford those who subscribe to it. The Peer Review Mechanism is a continental self-monitoring mechanism, to be voluntarily acceded to by member states of the African Union. What has been lacking in regional instruments to positively influence domestic governance has been the means to hold governments 'accountable'. For all the wealth of governance undertakings on the continent, there is not much governance to speak of. One possible explanation for this is that Africa suffers from a 'governance complex', with numerous sources of governance benchmarks working at cross-purposes, obscuring the essence of these agreements. Another is the absence of a governance 'scorecard' and adjudicator, whether in the form of informed national citizenries, or regional institutions with 'teeth'. Both these factors have a role to play.

2. IMPACT OF REGIONAL REGIMES ON DOMESTIC DEMOCRACY

It may be argued that the elevation of governance issues to the regional level has the unintended consequence of deflecting attention from individual states, and that acting on a regional stage validates each individual state's behaviour, to the detriment of their citizens. For example, presidents of countries such as Togo and Zimbabwe, hold their places in their respective regional organisations, The Economic Community of West African States (ECOWAS) and the South African Development Community (SADC), with impunity. This deflection occurs in two ways. Firstly, the constitutions of these and similar states are indirectly reduced in importance by the creation of supplementary codes and governance protocols. Ideally, the Constitution of a state should be the highest law, sufficient to defend democracy in that state. By the same token, the binding nature of international law is also undermined by the plethora of undertakings that are openly flouted by certain governments. Secondly, deflection occurs at the regional level through the participation of undemocratic states in regional affairs, where, seemingly regardless of their domestic politics, heads of state are permitted to represent the very people whose rights they fail to defend, and to speak for citizens who themselves are denied a voice.

How, then, does regional governance impact upon relations between a state and those it governs? Because governance undertakings at the regional level are remote from the public spheres of individual states, they are easily forgotten, or reneged



upon by individual leaders. This is the problem of 'distance'. Arguably, it would not be as easy for the Danish government to decide that Denmark should use the Euro, given that its participation in the common currency has been the subject of a national referendum. Political (and individual) freedom is infinitely more important as the choice of national currency. Yet, when such freedoms become regional issues, as they undoubtedly have in RECs in recent years, they remain topics of discussion and deliberation for heads of state and not citizenries. Citizen participation at the regional level is lacking. A case may be made that ministers and elected heads of state are authorised to participate in regional governance on behalf of their citizens. This would stand where democracies are robust. In Africa, host to a number of quasi- or undemocratic governments, where regional organisations are not composed of representatives of fully-fledged democracies, the argument is less convincing.

The question persists: now that democracy has become an issue for deliberation in the region, has this had a positive impact on domestic democratisation?

The answer is both yes and no. Ironically, the 'devolution' of democracy issues to sub-regional organisations by the higher agency of the state, emphasises the questions of non-interference and sovereignty. This is obvious in the 'soft' punitive measures in sub regional governance protocols, suggesting that, irrespective of their domestic politics, states enjoy a privileged position on the regional stage. ECOWAS, for example, provides the following sanctions against those who undermine democracy or perpetrate human rights violations:

- Refusal to support candidates presented by the offending Member State for elective posts in international organisations
- Refusal to organise ECOWAS meetings in states concerned
- Suspension from all ECOWAS decision-making bodies, while still under the obligation to pay dues, while ECOWAS continues to monitor, encourage, and support efforts for a return to normalcy.³

Because of the manner in which regionalism is organised on the continent, the informal processes of peer review are not permitted to run their course. Consequently, misplaced perceptions of national sovereignty (including ignorance of one of the foremost sources of sovereignty - the people) inhibit the regional project at every turn, not least on the highly sensitive issue of national governance. It is forgotten that the very authority that heads of state and government wield at the apex of regional organisations is bequeathed them by voting publics domestically. Where publics' range of choice is limited by undemocratic means, such as one-party states and restricted political freedoms, serious question marks hang over statesmen's right to represent them.

On a positive note, however, it must be conceded that regional deliberation on democracy, human rights and popular participation, is cause for celebration. It represents an initial step towards highlighting common norms and standards. These are indispensable for the consolidation of regional institutions and regional integration. The value of democracy as a system of norms and social and political values should not be underestimated. The functioning of NEPAD depends on the democratic credentials of its subscribers, not merely for the economic gains that may be made, but for the very institutional culture of the programme and its patron organisation, the African Union.

3. CITIZEN PARTICIPATION IN REGIONAL GOVERNANCE STRUCTURES

A way must be found to articulate the regional pre-occupation with democracy in a manner that upholds the principles of domestic democracy. The problems of 'distance' and 'deflection' must be addressed by greater civic participation in the politics of regional organisation at the highest level, whether by business, trade unions, or the desire of non-governmental organisations for greater involvement and consultation. This is one of the ways in which regional organisations can be made more responsive to and more actively comprised of the populations they purport to serve. This applies as much to the sphere of infrastructural improvements as to democratic governance.



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The Community of Democracies, at a Conference in Washington in 2001, held that the growing preoccupation with democracy among regional intergovernmental organisations worldwide was a positive outcome.⁴ This may be true of regional organisations such as the European Union (EU), which use democratic criteria to determine the membership or non-membership of prospective entrants, and thus possess some leverage over the internal policies of states. However, for regional organisations in Africa, brought into being largely by economic imperatives, followed by security and political concerns, democratic criteria are largely absent. States are admitted to regional organisations regardless of their democratic credentials, and are suspended, as in the case of Madagascar, on dubious grounds in the name of these self-same credentials. Greater consultation and participation of African citizens is required, failing which, the gap between democratic policy and practice will remain.

The African Parliament, with Tripoli, Cairo and Cape Town as the three capitals that are competing to host it, holds the promise of just such consultation and participation. It is hoped that the elections for this body, mooted for 2007, will usher in a new period of continental democracy by demonstration effect. Until 2007 and beyond, however, it remains to be seen whether institutions and programmes such as the African Union (AU), NEPAD and other intergovernmental initiatives achieve a facelift of continental politics by becoming progressively less 'governmental', and more popular.

¹ The African Development Bank (ADB) Group is a major multilateral development financier on the African continent, and funder of numerous activities and projects aimed at promoting governance.

² African Development Bank Group. African Development Bank Group Policy on Good Governance. United Nations Economic Commission for Africa. *Overview of ECA*. http://www.uneca.org/about_eca_home.htm 6 February 2003.

³ The Economic Community of West African States (ECOWAS) Protocol A/SP1/12/01 on Democracy and Good Governance Supplementary to the Protocol relating to the Mechanism For Conflict Prevention, Management, Resolution, Peacekeeping and Security, Chapter 2.

⁴ Community of Democracies' Conference. *The Role of Regional and Multinational Organizations in the Promotion and Defense of Democracy: Final Report*. Sponsored by the Convening Group of the Community of Democracies and the General Secretariat of the Organisation of American States. Washington DC, 20-21 February 2001.

AFRICAN POLICY AND GOVERNANCE

Talking versus walking: the promotion and realisation of democracy in Africa

Shelton George

*In spite of the plethora of fora, programmes and charters adopted by the continent over the past decade and earlier, African leaders' translation of the promotion of democracy to its enforcement is largely non-existent, argues **Shelton George**.*

The birth of the African Union (AU), the launch of the New Partnership for Africa's Development (NEPAD) and the implementation of the Conference on Security,



Stability, Development and Co-operation in Africa (CSSDCA) initiatives go hand-in-hand. These processes represent a continental commitment to promote and consolidate African democratisation. They are underpinned by further undertakings such as the NEPAD declaration on political, economic and corporate governance. Such initiatives take place within the context of the internationalisation of democracy. The African dimension of democratisation began in 1989 with the transformation from authoritarianism to democracy in Benin, followed by South Africa in 1994. The latter has emerged with a notable African and global foreign policy agenda that seeks to promote democracy. NEPAD is an extension of President Thabo Mbeki's African Renaissance aspirations. More specifically, it represents an acknowledgement that political democracy is essential to the achievement of development. Peace, stability and stable macroeconomic performance are inextricably linked.

Attempts at African democratisation are challenged by the reversal of democratisation in a significant number of countries. Obstacles to improving political governance begin with elite resistance toward honouring commitments, a process that undermines the quality and sustainability of African democracy. For instance, many African governments manipulate the democratic process by conducting multiparty elections in an environment of violence and intimidation. Zimbabwe provides the most publicised example of such state action. Developments such as autocratic politics and rapid economic decline in Zimbabwe pose a serious threat to the potential success of NEPAD and thus to democratisation. This raises an important question, concerning the capacity of African institutions to enforce their rules and decisions. Without implementation consolidation will prove elusive.

1. GOVERNANCE COMMITMENTS

From 8-9 July 2002, in Durban, South Africa, Heads of State and Government from the continent held their First Standing Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA). At this meeting, African leaders once again undertook to promote security and stability, democracy and human rights. These commitments are reflected in the adopted 'Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa'. Two paragraphs are significant:

Observance, protection and promotion of the human rights of all Africans in accordance with the provisions of the African Charter on Human and Peoples' Rights, and the Grand Bay Declaration and Plan of Action on Human Rights in Africa including the speedy establishment of the African Court on Human and Peoples' Rights by signing and/ or ratification and respect of this legal instrument as well as of all international instruments on human rights

Strengthen, improve and practice good governance in public and private domains in Africa to ensure adherence to the rule of law; strict accountability by all and transparency in public affairs as called for in the 1995 Cairo Agenda for Action, and other decisions of the Assembly of Heads of State and Government.¹

These ideals compliment the objectives of the Constitutive Act of the African Union, which prioritises peace, security, stability and democracy. This ambition is again reflected in the NEPAD policy document. In fact, political democracy and human rights, directed at achieving human security, are key components of the NEPAD initiative as it is intended to achieve two related aims:

- Provide the security to the people of the continent that the post-colonial state failed to do.
- Convince external partners that Africa is making a concerted effort to provide the necessary conditions for sustained development: those being peace, security and stability.

All of the adopted decisions, protocols, declarations, memorandums and instruments outline the rights of citizens and the duties and/or obligations of states. However, many of the continent's leaders lack the political will to comply, and to ensure compliance. Consequently, a number of observers are predicting the failure of NEPAD. At some point the pro-democracy camp, led by President Thabo Mbeki, operating within the contexts of multilateral fora, will have to address implementation and enforcement as a fundamental aspect of translating the rhetoric of peace, democracy and stability into practice.



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2. GAP BETWEEN RHETORIC AND PRACTICE

The African governing elite has prioritised the realisation of peace and security, premised on promoting and protecting democracy and human rights within national territories. A large number have however failed to provide the 'basics', such as security from the state, food security, water security, shelter and education. Zimbabwe's food crisis is both linked to and aggravated by autocratic politics. A number of West African countries have an ongoing history of internal conflict, which threatens the security of the state and citizen. East Africa, the Great Lakes region and the horn of Africa are characterised by states that subject their populations to extreme autocratic practices, leading eminent African scholars such as Mahmood Mamdani to conclude that post-colonial Africa faces a citizenship crisis.² The argument suggests that large parts of the population within the state are treated as subjects, while others are accorded respect in keeping with rights of citizens. Examples of such state action include the 1994 genocide of Tutsi by Hutu in Rwanda, the slow genocide of Hutu by Tutsi in Burundi and violations committed by the Kinshasa regime against the Banyamulenga Tutsi in eastern Congo. All groups who suffer such acts of terror, by those in control of the state, are the victims of a legacy that either emerged or was entrenched during the colonial era. This gave rise to a mindset that holds some of the people to be subjects with no rights, as opposed to that part of the population who enjoy guaranteed rights associated with citizenship.

These phenomena hold serious implications for consolidating the contemporary wave of African democratisation, and for African human rights and security. They demonstrate, through the persistence of the authoritarian state, the extent to which corrupt politics has come to form an integral part of post-colonial African existence. It is thus clear that while governments pay lip service to democratisation, they are failing in its implementation and consolidation. They fail at two levels. Firstly, where corruption and authoritarianism exist alongside political liberalisation, formal or procedural democracy is undermined. This was the case in respect of Kenya under the leadership of Daniel arap Moi. The former President implemented procedural democracy within a context of ongoing violence and intimidation directed at ethnic communities other than the Tugen, a minority group to which Moi belongs. Secondly, the lack or absence of formal democracy in Africa has proven to hold negative consequences for the realisation of substantive democracy; a model that moves beyond a narrow focus on issues such as elections to include socio-economic rights.

On the whole, it is perplexing to witness the elaborate summits out of which arise lengthy documents, containing formulae for building state strength and effectiveness through greater democratisation and then to almost immediately observe the perpetuation of a brand of politics which undermines the content of such declarations. An addition to the AU archive seems to be the only change.

3. HUMAN RIGHTS CONSIDERATIONS

The contradiction between promotion and implementation is most profound in respect of human rights. The African elite has proved extremely adept at promoting human rights, while avoiding protection. For example, language used in the African Charter on Human and Peoples' Rights was amended following the earlier Dakar Draft. Words such as 'guarantee' and 'ensure' in relation to rights and freedoms were removed.³ This action deprived the Charter of a basis for enforcement by shifting the focus from protection to mere promotion, as opposed to both. The reason for doing this was clear; states were "concerned about the effect of a human rights covenant upon national sovereignty."⁴ The Charter has therefore not translated into an effective means of monitoring and improving Africa's human rights record. The suggestion is not that Africa open itself up to the dictates or interference of the West, but rather that African states and leaders hold each other accountable when



abusing the rights of the citizenry. The ultimate aim ought to be to hold leaders to their regional and international commitments which in short accepts the position that “the will of the people shall be the basis of the authority of government”⁵ as opposed to the abnormal relationship where the needs and demands of the people are ignored and subject to the will of, more often than not, bad leadership.

In the early years of post-apartheid rule, South Africa sought to place human rights firmly on the African agenda. The new leadership in Pretoria approached human rights as integral to democratisation. In fact, they emphasised human rights considerations, taking a moral high ground in terms of their African foreign policy. This position faced significant opposition, and damaged South Africa’s relations with important countries such as Nigeria. The position could therefore not be sustained and Pretoria soon toned down, placing human rights somewhat on the backburner and instead focussed on advancing democratic politics. Nonetheless, achieving democracy and a continental commitment to protect human rights is a process and Pretoria’s modified approach is important in terms of advancing the process, by gaining friends rather than enemies. Caution must however be exercised as many of the continent’s leaders commit to democracy, while continuing to violate human rights.

¹ Organization of African Unity (OAU). Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa. July 2002.

² Mamdani M. *Citizen and Subject: contemporary Africa and the politics of late colonialism*. Kampala, Uganda: Fountain, 1995.

³ Gittleman R. ‘The African Charter on Human and Peoples’ Rights: A Legal Analysis.’ *Virginia Journal of International Law* 1982; 22(4): 688-689.

⁴ Ibid.

⁵ United Nations (UN). Universal Declaration of Human Rights. 1948.



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CPS: A RENEWED COMMITMENT TO INDEPENDENT POLICY RESEARCH

Looking back and looking forwards

The Centre for Policy Studies (CPS) is an independent policy research institution based in Johannesburg, South Africa. CPS has just completed its 16th year as South Africa approached the decade-year mark of its post-1994 democracy. CPS has used this milestone to reflect on its past, and plan for its future. The Centre looks back with pride at its achievements during this period, especially its steadfast commitment to independent policy research that has helped it to make numerous major interventions in the South African policy debate. Past interventions focussed on helping to inform the South African transition to democracy (1987-1994), and researching the challenges of consolidating a fragile and young democracy (1994 to present). 16 years after its inception, the environment in which cps operates has changed significantly. The Centre needs to better understand and interpret that new age so as to help South Africa better meet the new challenges and realities. South Africa's democracy continue to face many and varied challenges, and the new orientation also suggest that policy analysts in South Africa, the southern African sub-region, and Africa more broadly face acute policy challenges.

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Ten years after apartheid, independent policy research is not only becoming more relevant, but also more appreciated by all stakeholders. cps hereby renews its commitment to its organisational and intellectual independence, and to producing relevant and thought-provoking policy research. South Africa will remain a key focus of CPS work, and we will look with vigour to understanding and responding to democracy's challenges over the next five years. South Africa is a pivotal state; as a pivotal state South Africa faces challenges at home, as well as in its immediate sub-region and the African continent more broadly.

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