

The Thinker

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A PAN - AFRICAN QUARTERLY FOR THOUGHT LEADERS



Ademola Araoye on

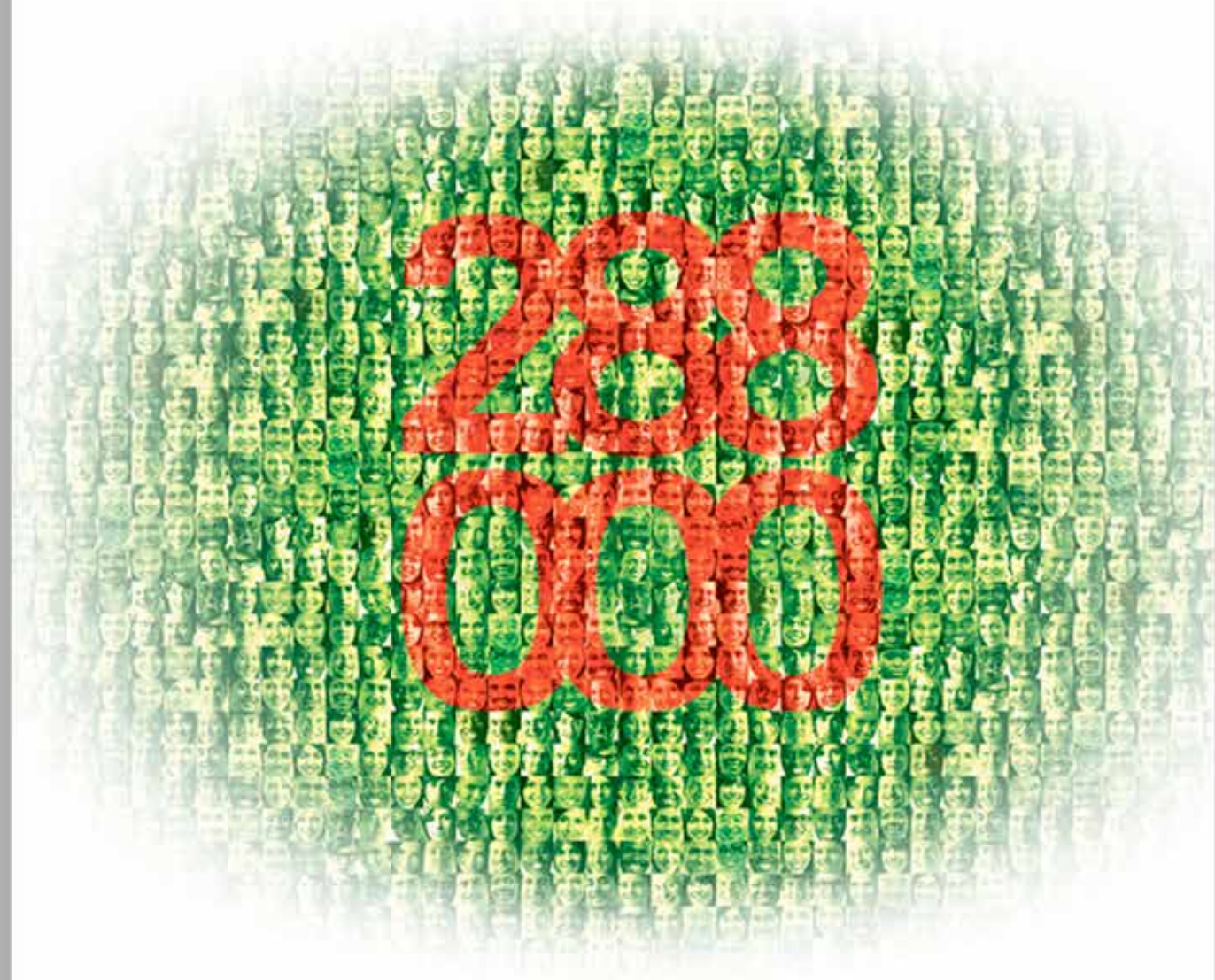
GRAND EPHEMERAL PURSUITS

SOUTH AFRICA R29.90



Michael Prior Nicoletta Fagiolo Mongane Wally Serote Chris Landsberg Lebohang Liepollo Pheko
Reneva Fourie Mammo Muchie Samuel Freddy Khunou Gaopalelwe Mathiba Mohamed N Eisa
Rajesh Gopalakrishnan Nair Thabo Israel Pudi Vuyisile Theophilus Msila Christopher D Mlosy
Thembile Ndabeni Zintle Groepe Moeketsi Nkhahle Parks Tau

NEW JOBS OVER THE NEXT 7 YEARS



MARKET DEMAND
STRATEGY

TRANSNET



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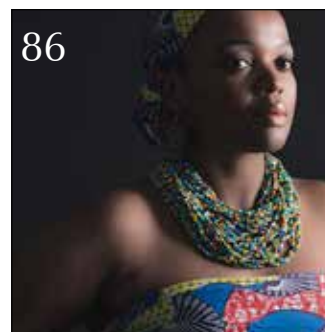
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Parks Tau



On the Cover:

Working together Nigeria / South Africa can be a powerful force for peace and security in Africa

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ISRAEL

The Depths of Barbarism

Israel has the unconditional right to exist in safe and secure borders guaranteed by international law and institutions. The citizens of Israel, Jewish, Palestinian and others, must have the right to live in peace without fear of violence, brutality or intimidation.

But the state of Israel has the responsibility and duty to protect all the territories it controls, including those living in occupied Palestine, the West Bank and Gaza.

More and more evidence is emerging that Israel is in many ways even more brutal, violent and inhuman than the apartheid regime which was shunned and isolated by the world for its crimes. This is demonstrated by the anonymous testimonies of Israeli soldiers recorded in a document: *Breaking the Silence*.

The courageous Israeli Human Rights NGO that collected and published the testimonies is now threatened with legal sanctions.

As part of this editorial we publish a few extracts from *Breaking the Silence*. These harrowing testimonies should give even greater impetus to the international campaign in solidarity with the embattled Palestinians and for the isolation of the racist, colonial, occupying power – Israel.

Breaking the Silence

"This booklet is a collection of testimonies from over 60 soldiers in mandatory and reserve service that took part in Operation 'Protective Edge' in the Gaza Strip. About a quarter of the testifiers are officers that go all the way up to the rank of major. The testimonies underwent a meticulous investigative process to ensure their veracity. The testifiers who served in various units – from ground, to naval, to air forces, and in headquarters and

command centers – expose the nature of IDF operations in various combat zones. The testimonies in this collection close the yawning gaps between what the IDF (Israeli Defence Force) and government spokespersons told the public about the combat scenarios and the reality described by the soldiers that took part in the operation..."

"The operation, which was conducted under a policy determined by the most senior commanding ranks who instructed the soldiers' conduct, casts grave doubt on the IDF's ethics. As IDF soldiers and officers, in mandatory and reserve service, we feel it is our civil obligation to publicly expose these testimonies.

"The findings that arise from the testimonies call for an honest and thorough investigation into how IDF forces were activated during 'Operation Protective Edge'. Such an investigation will only be effective and meaningful if carried out by an external and independent entity, by actors that can examine conduct at the highest ranks in the security and political establishments. Anything less, as we have seen in past experience, will lead to placing the responsibility for the acts on more junior and lower ranks, thereby precluding the ability to bring about fundamental change that can prevent a recurrence of the harsh reality we witnessed in the summer of 2014..."

Unit: Engineering – Rank: First Sergeant – Location: Gaza City

"We entered [the Gaza Strip] in two files, the entire battalion, with tanks accompanying us the whole way, right alongside us. One thing that struck me as something we had never seen before was that the tanks were firing shells while we were [walking] just a few meters from them. A flash of light, boom.



"What were they shooting at?

"I got the impression that every house we passed on our way got hit by a shell – and houses farther away too. It was methodical. There was no threat. It's possible we were being shot at, but I truly wouldn't have heard it if we were because that whole time the tanks' Raphael OWS (machine guns operated from within the tanks) were being fired constantly. They were spraying every house with machine gun fire the whole time. And once in a while blasting a shell into each house. There isn't a single moment that you don't hear the rumble of the tank next to you, or the next one up..."

Unit: Mechanized Infantry – Rank: First Sergeant – Location: Deir al-Balah

"Uprooted olive trees everywhere. The houses themselves were broken, scattered about, a mound where a building once stood, houses simply scattered around. We didn't actually get an operational order stating that that was the objective – but ultimately, no house was supposed to be left standing. A 500 – meter radius where not a single house is left standing..."

Unit: Infantry – Rank: not for publication – Location: Gaza City

"But the more time that passed [since the operation started], the more immediate authorizations became. The rules of engagement for soldiers advancing on the ground were: open fire, open fire everywhere, first thing



when you go in. The assumption being that the moment we went in [to the Gaza Strip], anyone who dared poke his head out was a terrorist. And it pretty much stayed that way throughout the operation..."

Unit: Infantry – Rank: First Sergeant – Location: Gaza Strip

"We asked him: 'I see someone walking in the street, do I shoot him?' He said yes. 'Why do I shoot him?' 'Because he isn't supposed to be there. Nobody, no sane civilian who isn't a terrorist, has any business being within 200 meters of a tank. And if he places himself in such a situation, he's apparently up to something'..."

Unit: Infantry – Rank: Lieutenant

"One of the high-ranking commanders, he really liked the D9s. He was a real proponent of flattening things. He put them to good use. Let's just say that after every time he was somewhere, all the infrastructure around the buildings was totally destroyed. Almost every house had gotten a shell through it. He was very much in favour of that..."

Unit: Armoured Corps – Rank: First Sergeant – Location: Deir Al-Balah

"Each [tank] aimed at whichever direction it chose, and then we fired

a whole lot at the little house with machine guns and also one shell to make sure there was no threat inside. And suddenly I see the whole neighborhood in front of me, and then there's stress, and confusion over the radio, and the commander was really improvising, and suddenly he tells me: 'You see that house? Fire there...'"

"We went in [to the Gaza Strip] through the Nahal Oz entrance, we drove a bit north and then continued west. The houses were already in ruins by the time we got there. The D9 (armored bulldozer) used the rubble from the houses to form a rampart compound for us.

"There were chicken coops that weren't destroyed by the aerial strikes, and the D9 simply came and peeled them apart. There was concern about tunnels there, so the coops were just crushed. The D9 comes over, lowers its blade on those houses and within an hour and a half everything is wrapped up into itself. Chickens in metal panels, in all those cages they have there, really big and pretty and it smells like roses. It was total destruction in there – the photos online are child's play compared to what we saw there in reality. It wasn't so much

razing there – it was havoc, mostly: wrecked houses, collapsed balconies, exposed living rooms, destroyed stores. That's what we saw. I never saw anything like it, not even in Lebanon. There was destruction there, too – but never in my life did I see anything like this.

"And were tunnel shafts found in the coops?"

"No. There were no shafts in the coops..."

Unit: Armored Corps – Rank: First Sergeant

"They started saying that some guys were injured, some guys maybe killed, seriously injured, and the game of where and who-knows-what-happened got going. The company commander came over to us and told us that one guy was killed due to such-and-such, and he said, 'Guys, get ready, get in your tanks, and we'll fire a barrage in memory of our comrade.'..."

Unit: Infantry – Rank: Sergeant – Location: Khan Younis

"There was this one house we entered. We entered it 'wet,' (using live fire) and suddenly we hear screaming from inside the house and this father came out of a room with his hands in the air. They stopped shooting, and within seconds the battalion's field interrogator runs in and goes to talk to him. They were in the house. A family: father, mother and three kids. They were asked why they were still there, why they had stayed. And they said, 'Because this is our home, because we have nowhere to escape to.' In the end the platoon stayed in that house for like three days. That entire time, the family was in one room, they were told, 'We are staying in this house in the meantime, you stay in that room.' A guard was assigned to them, and they were given Israeli food. After three days the platoon moved to another house. The family either stayed or left, I don't know..."

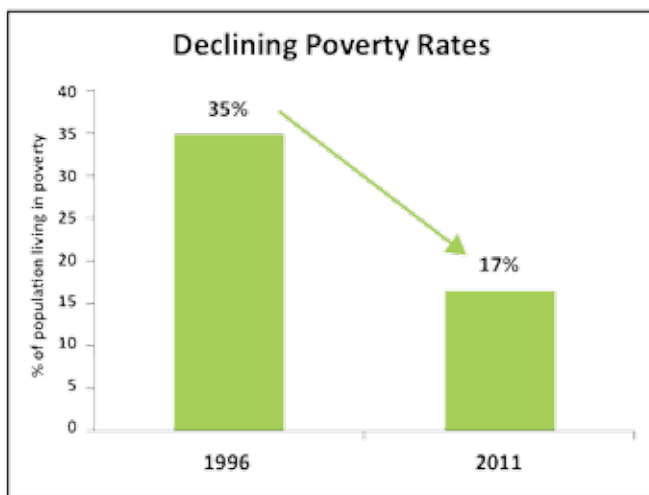
As we celebrate the life and times of Muhammed Ali – The Greatest – let us recall that he refused to fight in the US imperialist war in Vietnam, was a staunch anti-apartheid freedom fighter and openly declared his support for the struggle of the Palestinians.

Now is the Time: Isolate Israel Now! ■

ALLEVIATING POVERTY & IMPROVING EDUCATION

South Africa's era of democracy has brought with it a fundamental change in the way we provide basic services to the majority of our population. Access to adequate housing, healthcare, water and sanitation for all South Africans is now enshrined in the Bill of Rights, placing an important responsibility on the state to achieve the fulfilment of these ideals.

While we continue to be faced with a number of challenges, including unequal and in some cases insufficient access to services, it is clear that we have made some tangible progress over the last 22 years. Between 1996 and 2011, poverty rates have declined from 35% to 17% of the population, access to piped water has increased from 80% to 90%, while those households relying on candles for lighting has reduced from 28% of the total to just 11% over the same period. Social grants have also played a meaningful role in the alleviation of poverty in the new South Africa. Between 1994 and 2015, the number of people receiving grants increased from 4 million to 17 million, covering more than 30% of the population.



Source: World Bank, Oasis research, May 2016

Undoubtedly then, government's role as the administrator of a progressive tax system and a distributor of income to those in need has been important in ensuring the relative social stability that we have seen over the past two decades. Nevertheless, there are times when it becomes clear that we cannot leave everything to the state. The persistence of inequality despite our massive strides as a society means that much more is still to be done. Political volatility from time to time serves to distract those in government from making sufficient progress in policy implementation. In this regard, it is up to us, in the private sector, to make a meaningful contribution to social progress in our country. As we enter the Holy month of Ramadaan, let us take the time to consider the importance of this role in society.

A Word on Financial Matters

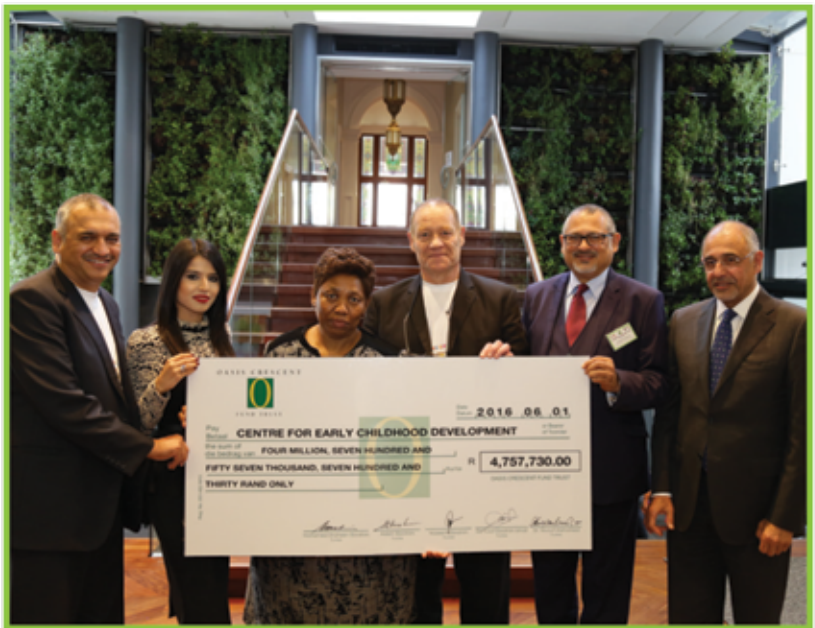
One of the profound ways in which Muslims around the world continue to make a positive contribution to society is through the charitable endeavours of Sadaqah, Lillah, and Zakah. However, over the long term it is important that we ensure that these charities are sustainable. In this respect, it is crucial that our wealth grows at a rate that is in excess of inflation, so that we are able to sustain a contribution that keeps up with the cost of living for those less fortunate than ourselves. For example, consider a person who has placed R1 million of their wealth into a savings deposit earning 6%, and wants to make a donation of 3% each year to charity. With inflation running at an average of 6%, the purchasing power of this donation will actually be declining by approximately 3% each year.

Sustaining Your Contribution		
% per year	Scenario 1	Scenario 2
<i>Investment type</i>	Fixed deposit	Balanced fund
<i>Average return</i>	6%	10%
<i>Donation rate</i>	3%	3%
<i>CPI inflation</i>	6%	6%
<i>Purchasing power of your donation</i>	-3%	1%

Source: Oasis research, May 2016

By contrast, if the person invests their wealth in a medium equity balanced fund at an average return of 10%, the purchasing power of the donation will on average increase by 1% per year. In this way, we not only sustain our existing wealth in real terms, but also ensure that those less fortunate than ourselves continue to see a meaningful improvement in their standard of living. An investment into inflation beating assets then serves multiple purposes, as a means to channel savings into productive sectors of the economy, as a sustainable way to protect your wealth against price increases, and as a tool to uplift the poorest in our society.

On 1 June, we celebrated International Children's Day as well as the Group's 19th Anniversary, by handing over a R4.7 Million cheque to the Centre for Early Childhood Development. Minister of Basic Education, Angelina Motshekga, officiated the handover, commending Oasis for its commitment to education saying, "that there can be no greater investment than that made to early childhood development and learning". Everyone has a role to play when it comes to advancing our people, but especially our children. They have a right to be protected, a right to education and a right to truly live in economic and social freedom. We must create a better society for them and that is why we at Oasis have invested so deeply into advancing education at all levels in our country. The funding will benefit over 1,500 children and ensure that 30 early learning facilities are upgraded, equipped and operational.



Have You Made Provision for Important Life Events?



Saving for Education



Saving for a Family Home



Saving for Retirement

Whatever your savings needs may be, Oasis has a wide range of investment products for every life stage and risk profile. Contact your financial advisor for more information on how these products can help you prepare for important events in your life or call Oasis on 0860 100 786.

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All contributing analysts write in their personal capacity

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Dr Mongane Wally Serote is a South African poet and writer. In 1973 he won the Ingrid Jonker Poetry prize. As a Fulbright Scholar, he obtained a Fine Arts Degree at Columbia University in 1979. In 1993, he won the Noma Award for publishing in Africa. He served as Chair of the Parliamentary Select Committee for Arts and Culture and was formerly the CEO of Freedom Park, a national heritage site. His written works include several acclaimed novels, volumes of poetry and a collection of essays. In August 2012, he was awarded the prestigious Golden Wreath Award.

Parks Tau is the second democratically elected Executive Mayor of Johannesburg, which is the city with the highest population of about 4.8 million in the Republic of South Africa. He is also the current Regional Chairperson of the ANC in the Johannesburg Region. Mayor Tau has served as a Member of the Johannesburg Mayoral Committee since the year 2000 – when he began driving a spatial and socio-economic transformation agenda in the City. ■

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NIGERIA/SOUTH AFRICA

In Great Abdications and Grand Ephemeral Pursuits



The direction of Nigeria/South Africa relations can be better understood in terms of an evolved but nuanced struggle for preponderant influence on the continent by these two major pivots of the emerged post-Cold War constellation of forces in Africa.

By Ademola Araoye

It is affirmed that the normative groundings of the foreign and security policies of post-Apartheid South Africa and the Federal Republic of Nigeria are respectively ahistorical and therefore problematic. In the grand sweep of human affairs, in particular in relation to the fate of black humanity, a critical legitimate *raison d'être* of the Federal Republic of Nigeria and post-Apartheid Republic of South Africa is their shared destiny as the only credible nucleus of a vanguard of an African force or a continental alliance for the holistic emancipation of black humanity. Between the two they possess roughly 21 per cent of the continent's population, the basic minimum demographic threshold, common sentiments around the peculiar historicity of their shared humanity, depth of political consciousness and the two biggest economies of the continent. They also have the technological and crude power requisites of a credible African force necessary for the consolidation of the disparate assets of the continent, for meaningful change of the circumstances of Africa and black humanity.

Relations between South Africa and Nigeria betray an unfortunate lack of appreciation of the imperatives of their historic obligations to Africa. The ahistoric character and associated deficit in the normative foundations of South Africa/Nigeria relations flows from their acceptance of the impositions of conventional norms and protocols of inter-state engagement and inherited status quo, including procedures deriving from the dominant paradigms, ideational foundations and protocols as well as the procedures of inter-state relations. These conventional operative protocols merely ensure the perpetuation of the status of the factionalised continent as consolidated appropriated spaces of hegemonic forces.

The legitimate gauge for evaluating relations between South Africa and Nigeria must transcend conventional prisms for the analysis of foreign and security policy. It cannot be based on the assessment of their pursuits of petty, mundane and ephemeral objectives, including even the search

for transient economic pre-eminence. To pass this compelling normative muster, the two leading sub-nations of the African continent necessarily need to defect from their implied current almost unquestioning acceptance of the legitimacy of the prevailing African order. South Africa and Nigeria must transform their politics of conservative status quo forces to become revisionist actors determined to wreck the African regional order as presently constituted.

Independence deepened Africa's woes. The 1963 reactionary rejection of a visionary initiative to repudiate a balkanised Africa instituted by European powers at the Berlin Conference in 1884 has proven to be a tragic antecedence of the curse of the African state system. The

“South Africa and Nigeria must transform their politics of conservative status quo forces to become revisionist actors determined to wreck the African regional order as presently constituted.”

infamous compromise leading to the establishment of a loose organisation in the Organisation of African Unity consolidated the designs of imperial powers to ring fence a divided Africa in the service of their respective imperial interests. The decision has since haunted Africa.

The Casablanca bloc, led by Kwame Nkrumah of Ghana, advanced the cause of a federation of all African countries. Other members of the bloc included Algeria, Guinea, Morocco, Egypt, Mali and Libya. Founded in 1961, its members were described as "progressive states". The Monrovia bloc, led by the likes of Leopold Sedar Senghor of Senegal, felt that unity should be achieved gradually through economic cooperation.

These men did not, at the instigation of their controllers in France and the United States, support the notion of an African federation. Other conservative states unenthusiastic about an African federation in 1963 were Nigeria, Liberia, and Ethiopia. The conservative bloc included most of the former French colonies. Since then Africa's geo-political structure has not significantly been altered neither in response to the evolution of the global states-system nor in reaction to the glaring fact of the inadequacy of current configuration to advance Africa's interests, especially honing it institutionally to enhance its own penetration and value extraction capacity. The African deleterious mindset is as firmly entrenched in 2016 as in 1963.

As a result, the current configuration of the Africa geo-political space housing a myriad of 56 ostensible sovereign states, quasi states and absolutely sheer nonentities has remained an immovable impediment to any meaningful projections of Africa's interests. The reality is daunting. Only five African states, namely Nigeria, Ethiopia, Egypt, Democratic Republic of Congo and South Africa each house more than 5% of Africa's population. The projected population of these states as at July, 2015 ranged from Nigeria's 184,264,000, representing 16% of Africa's population to South Africa's 55 million people at 4.77% of the continent's people. 43 per cent of Africa's population is concentrated in these five states. Twenty-six African states or 38 per cent have a population of less than 5 million. 26 per cent of African states have a population of less than 2 million. 30 or 54% of states and political entities in Africa hold just about or less than 1 per cent of the population of the continent. Nine states representing 16 per cent of states in Africa have a population of less than a million. On the average, when the five major most populous states are put aside, the average population of the African state is just about 12 million. By today's standards and given the historical context of Africa in the scheme of global affairs, about 40% of African states are highly unable to extract some value in their own local environments and hopelessly out of

reckoning in the global competition for extractive value.

The African strategic landscape and the overall context of South Africa Nigeria relations have been shaped by historical and contemporary forces and interests beyond the individual capacity of the two states to contain or neutralise. Together, however, South Africa and Nigeria provide a potential formidable nucleus of a revisionist alliance and force to reshape the configuration of power and restructure this deleterious strategic landscape of the continent.

Africa's systemic regimes or the continental order are determined by strong extra-African forces operating from the global system. These forces possess the capacity to impose their will or influence the direction of new regimes in the international system. Their capacities for power imply significant leverage and influence to perpetuate the existing order and maintain the status quo, if necessary, by all and any means.

In the least, the historic obligation for South African and Nigerian policy is to impose and assure the emancipatory centrality of Africa in African affairs. This has proven elusive also because of divergent internal conjunctions expressed in sharp contrasts in the domestic political and economic environments that have impacted their foreign policy decisions and outcomes respectively.

Despite mutually strenuous convictions of the immense value of attaining harmonised and integrated operative understandings with each other, the pre-eminent salience of the formal policy of Afrocentricity and associated geo-regionally delineated concentricity that had guided a confident post-civil war Nigeria's foreign policy in the golden era of the 1970s effectively fizzled out with the end of the Cold War.

Some have codified that there has been a significant decline in the quality and efficacy of Nigeria's foreign policy ever since the precipitous and continuing spiraling of the country's economic crisis. Some of the challenges identified in this connection include the unhealthy politicisation of the Foreign Service, demoralisation

of the professional diplomatic cadres and poor funding of the Foreign Affairs Ministry. Questions have also been raised about the capacity and competence of more recent Foreign Ministers.¹ To this may be added the questionable quality of expertise immediately available to the President, since advisory roles on arcane and technical subjects are often doled out as political patronage to undeserving political apparatchiks. The intellectual capital and ideo-philosophical appreciations brought to office are very low and often completely non-existent. These all have diminished the analytical, ideational or conceptual underpinnings of Nigerian foreign and security policy.

In its place and in response to and

“In fact, the renaissance acquired the stature of a de facto continental strategic framework to underpin an Afrocentric vision, consistent with the original core tenets of Pan-Africanism.”

addressing pressing domestic agendas, have arisen such non-concepts as Economic diplomacy, Democracy police, Citizen centered diplomacy and a host of very limiting, limited and disaggregated thematic ballyhoos bereft of any sterling import for what before now had been Nigeria's dynamic, proactive and robust Afrocentric policy.

Incidentally, the former golden ages were driven by renowned intellectuals who served as Ministers of Foreign affairs. Contemporary policy setbacks reflect a weakened salience of critical and coherent interrogations of the conceptual pivots of Nigeria's foreign policy. They illustrate a dearth or, worse still, a creeping repudiation of the dominant interpretive determinants of the historicity of black humanity and its ancestral location in Africa, the abandonment of authenticated historic

impulses in favor of the ascendance of pragmatic political immediacy over long validated crucial integrationist impulses of Nigeria's policy. Not even the controversial establishment of a bureaucratic contraption with the mandate for integration in Africa gave any impetus to continental affairs. The creation of the ministry merely reflected the diminution of the leverage of the Ministry of Foreign Affairs in the federal institutional hierarchy.

Finally, one of the most devastating internal challenges Nigeria has faced since the civil war has been the emergence of Boko Haram, for which it was unprepared. The political management of the Boko Haram insurgency and the initial military engagements, especially under the Goodluck Jonathan administration, against the insurgency revealed an internal rot of unfathomable depth forcing the country to adopt an uncoordinated pragmatic policy of whatever worked. In this confused state the national civilian policy makers and the military hierarchy colluded to milk the national trauma to enrich themselves. Investigations conducted by the Economic and Financial Crimes Commission (EFCC) reveal that U\$15 billion (15 billion United States dollars) earmarked to buy arms to prosecute the war were diverted by high ranking political and military personalities charged with prosecuting the war.²

These developments have coincided with internal political realignments with debilitating implications in and for the country. Finally, the era beginning from the Abacha maximum dictatorship up to the Jonathan Goodluck administration and including the Olusegun Obasanjo rule discounted the legacy of Nigeria's dynamic and progressive engagements and its leadership of the last generation. As a fallout of its virtual pariah status occasioned by the nullification of the MKO Abiola mandate by the General Ibrahim Babaginda military presidency through the Sani Abacha maximum domination of its political space, analysts note that successive Nigerian rulers since the 1999 political transition have seemingly coveted the legitimacy which warmer relations with western powers conferred on their political agenda within the contested domestic

arena. Pleasing the West became the perceived gauge of internal political legitimacy of Nigeria leaders.

In the Obasanjo administration foreign policy was a valuable tool to advance the egoistical ambitions of the President. As with his domestic engagements, where political action at all levels by the federal government was consistent with this personal thrust, Obasanjo largely conveniently associated with the Thabo Mbeki renaissance project, as they made concerted efforts to initiate African continental diplomacy through the New Partnership for Africa's Development (NEPAD) and the African Union. The South Africa-Nigeria Bi-national Commission was established³. But this was a calculated instrumental association.

Cote d'Ivoire was a revealing seminal crisis for Africa – in particular for Nigeria/ South Africa relations. In Abidjan, Olusegun Obasanjo defected from the progressive Afrocentric orbit and phenomenally failed on the single most important policy challenge Nigeria has been confronted with in its entire half century life as a state.

Yet, from all angles: political, economic, socio-cultural and the very lessons of the travails of Nigeria, backing the Africanist Laurent Gbagbo against a clear proxy of France represented in Alhasane Ouattara was such a natural and compelling strategic choice. And there was broad consensus among Nigeria's former progressive allies on this. Obasanjo's major policy stance in Cote d'Ivoire was dictated by his calculus that his support for the western backed Ouattara – a French stooge – would elicit a silent nod from Paris for his unconstitutional third term elongation project.

The same pattern was repeated in breaking his solemn promise on behalf of Nigeria to deploy Nigeria's clout to protect Charles Taylor (an acknowledged renegade) by handing him over to the ICC. That act of betrayal has undermined Nigeria's future capacity to provide credible assurances that may be required in future delicate negotiations. The release of Taylor had been made a pre-condition for Obasanjo to be received by President George Bush where he had gone to

court sympathy for his unconstitutional term elongation. Expecting greater rewards for his ambitions, Obasanjo led the stooges of France against Laurent Gbagbo, throwing Gbagbo and the South Africa led group of progressive African states under the rolling wheels of neo-imperialism in Africa. Obasanjo and his clone in the Jonathan Goodluck administration undermined the progressive Thabo Mbeki vision of South Africa's Africanist initiative. Out of office, he has retained an anachronistic presence in African affairs.

This had repercussions for South African relations with Nigeria and, also, South Africa's putative global realist inclinations. The South African

“South Africa saw its role as trying to shape a new world order by being the foremost articulator of the interests of the third world and, by implication, the preeminent African voice globally.”

administration under President Jacob Zuma, in a reflection of the classic prisoner's dilemma context of its relations with Nigeria, was forced to return to the Elysee to control damage done due to the unreserved pursuit of a legitimate Africanist posture in the Ivorian conflict. In its over six year tenure, the Goodluck Jonathan administration barely made a whimper in policy, other than managing the dominant pursuit of ephemeral and petty dimensions of Nigeria/ South Africa relations.

There are hopes that the change mantra of the Muhammadu Buhari administration will impact foreign and security policy. The big question in this regard is whether the anticipated change will have enough depth and steam to interrogate the dubious foundations of traditional inter-African diplomatic relations, especially in the

reconstruction and forging of a new culture of emancipatory redirection of relations with South Africa. President Zuma's visit to Abuja in March 2016, instigated by another serious economic altercation founded on the pursuit of ephemerals, produced an unanticipated spark for the progressive realignment of Nigeria/ South African relations.

The end of apartheid raised hopes that post-Apartheid South Africa, under the leadership of the African National Congress, would inject a new dynamism and, with the entrenched military dictatorship and derogation of Nigeria's perceived leadership credentials in the mid-1990s, provide leadership for progressive forces in the post-Cold war era in black Africa. It was felt that South Africa could not escape this African destiny. Unlike Nigeria which was plagued by chronic instability and security challenges, South Africa's relative stability since its internal settlement enabled it to garner sufficient political capital to project itself as the leading power on the continent. And indeed, there was a leadership void in the constituency of progressive Africa.

In that situation, the post-Apartheid South Africa's Nelson Mandela/Thabo Mbeki's ascendant African renaissance conceptual framework in the 2000s provided a promising template for an integrated and transformative Africanist era both for South Africa and the progressive forces on the continent as a whole. In fact, the renaissance acquired the stature of a de facto continental strategic framework to underpin an Afrocentric vision, consistent with the original core tenets of Pan-Africanism, which predated the accursed independence of Africa and post-liberation Southern Africa.

Yet, in actuality, given the tectonic shifts and implications of the end of the Cold War and the post-settlement South Africa for the strategic lay of the continent, the immediacy attached to the emancipatory centrality of Africa in African affairs by the 1970s and early 1980s in Nigeria's foreign policy paradoxically seemed to have been blunted with the formal defeat of Apartheid in 1994. At the same time, the policies of a euphoric, searching

and cautious post-Apartheid South Africa and Nigerian foreign policies were respectively underpinned by perceived, even if misconceived, nuanced notions of national interests. Under the evolved circumstances, it was inevitable for the vision of the Pan-African pivotal credo of common destiny to be devalued, especially in the face of the incongruences of the historical conjunctures that characterised the beginnings of formal bilateral relationships between the two countries in the post-settlement era.

It was ominous for the project of the holistic emancipation of Africa that South Africa emerged from Apartheid when Nigeria's influence was waning under a dictatorship. Dealing with Sani Abacha's Nigeria posed one of the earliest dilemmas for South Africa's diplomacy in Africa. Was the Mandela administration going to toe the controversial line of solidarity with delegitimised self-serving African leaders, many of them only a shade different from Abacha, by opposing international criticism and sanctions against atrocious leadership on the continent? Or was South Africa going to be directed by constructivist universal principles that entailed breaking ranks with conservative Africa?

South Africa's balance in quiet diplomacy to stave off sanctions and prove Africa could resolve its own problems was betrayed by the Abacha regime. This led to popular perceptions that Pretoria had fallen short in managing the Abacha debacle in Nigeria. That was notwithstanding the dramatic turnaround of the Mandela government supporting sanctions against the Abacha dictatorship in reaction to the hanging of Ken Saro Wiwa and the Ogoni nine. Ironically, some analysts trace the underlying causes of perceived dysfunction of Abuja/ Pretoria relations to Pretoria's desperate quest to gain acceptance in Africa after decades of apartheid isolation and destabilisation, in its pursuit of a policy of appeasement towards Abuja.

It may be highlighted that the perceived outcomes on the Abacha challenge, and later profound divergence on the management of the Ivorian crisis, had more than

just fleeting implications for South Africa/ Nigeria relations. President Thabo Mbeki, who was key to the consultations with Abacha's Abuja, affirms that General Sani Abacha's betrayal of a solemn undertaking he had with President Nelson Mandela of South Africa is responsible for the drift in the bilateral relations between Nigeria and South Africa.⁵ In the context of this evolved dilemma, the two leading African nations acting completely rationally – on the basis of their assumed realist inclinations – could not cooperate, or at least mutually engage at an elevated optimal strategic level, even if it appeared that it was in their best interests to do so.

Again, in the parlance of games

“Confronting the arrogance of France in Abidjan, and by implication, France's wayfarer Nigeria, South Africa mobilised the necessary wherewithal to credibly question the legitimacy of France's domineering attitude and role in the crisis.”

theory, this would be the equivalent of a lose-lose outcome with sub-optimal payoffs for both sides in mutual defection. Games theory is the study of models of conflict and cooperation between intelligent rational decision-makers. South Africa / Nigeria relations can classically also be analysed from the conceptual prism of resolving a security dilemma or in the frame of a prisoner's dilemma. The security dilemma refers to a situation in which actions by a state intended to heighten its security, such as increasing its military strength or making alliances, can lead other states to respond with similar measures, producing increased tensions that create conflict, even when no side really desires it.⁶

However in Abuja, the protocols and hierarchy of early engagements in sub-Saharan Africa of the immediate post-liberated South Africa was registered, in the context of Abuja's own understanding of Nigeria's vast comprehensive investments in the liberation struggle in Southern Africa, with some misgivings. These rocky beginnings seem to have coloured relations between the two countries. The immediate circumstance of Nigeria under a brutal dictatorship was a difficult context for the earliest interaction between the two countries. It is postulated that this is partly responsible for the devaluation of the authentic validating principles of Afrocentricity as the foundations of Africa policy of both countries.

Paradoxically, the pursuit of ephemerals has been against the backdrop of institutional rhetoric of the determined search for a renaissance African future. Explicating the planks of the African renaissance and employing its tenets as a paradigm for evaluating South Africa's African policy under Nelson Mandela, particularly under Thabo Mbeki and less so with the Jacob Zuma administrations, altogether spanning just over two decades, it emerges that South Africa's post-apartheid policy is driven by two major imperatives.

The first is the conservative and institutional, which has been slow to accept as legitimate the pre-eminence of thoughts around the reversal of black humanity's unworthy location in human affairs as the decisive foundation for policy. The imposition of considerations around evolved continental conjunctures vis a vis the global system as it affects black Africa at the end of the millennium could not, in this conservative mould of thinking, constitute valid underpinnings of policy of a rainbow nation in its engagement with Africa and the external world. South Africa is in a conceptually distinct space from Africa in this lingering thinking. This institutional element defines South Africa's national interests narrowly. It is concerned with South Africa's power and focused on prestige and the place of South Africa in the sub-regional, regional and global configuration of power. South Africa saw its role as trying

to shape a new world order⁷ by being the foremost articulator of the interests of the third world and, by implication, the preeminent African voice globally. More importantly, these ostensible global altruistic strivings are directed by the ultimate agenda to advance South Africa's role in global affairs. The realist sub-current is to seek leadership in Africa.

This institutional pole of South Africa's policy is however also fixated on trade, trade, and more trade. The impression was then created that South African foreign policy is for sale.⁸ This element has a preference for traditional approaches to foreign policy. It ironically deploys South Africa's commitment to liberal international multilateralism in the service of its realist objectives. This post-Apartheid South African neo-conservatism elicits, at the philosophical level, tensions with the radical instincts of progressive Africanist forces in South Africa's policy process. South Africa's membership of the BRICS is the classic expression of the deployment of a liberal institutional structure in the service of its realist aspirations. Meanwhile, the inclusion of the country in the G20 and the BRICS attest to the successes that Pretoria has achieved in international affairs. The response from Abuja was the creation of the Mexico, Indonesia, Nigeria and Turkey (MINT) group. It is a far less ambitious mechanism than the Concert of Medium Powers.

The 'Concert of Medium Powers' or the 'Lagos forum' was Nigeria's novel idea, developed by Prof Bolaji Akinyemi, then Foreign Affairs Minister, directed at the consolidation of Nigeria's leadership role as a regional power in Africa and a force to be reckoned with in international affairs. Members of the forum were Algeria, Argentina, Austria, Zimbabwe, Brazil, Egypt, India, Indonesia, Malaysia, Mexico, Senegal, Sweden, Switzerland, Venezuela, Yugoslavia, and Nigeria the host country. The aims and objectives of the forum included the consolidation of international peace and security through the process of confidence building among states especially the medium powers. In addition to this, the Lagos Forum, born in the context of the Cold War,

was instigated by the need to fill the gap created by the stalemate in the conduct of international relations with occasion largely by the dominance of two major powers namely the United States and the Soviet Union.⁹ That era also witnessed the birth of the Technical Aid Corps (TAC) by which Nigeria deployed its young and matured professionals to fill resource gaps in black nations all over the world. The ANC in its revolutionary struggle was a beneficiary of TAC.

Nigeria and South Africa are both candidates for the anticipated wimp permanent seat for Africa on the Security Council of the United Nations. It would be a significant irony

“ South Africa's foreign and economic policies remain caught in a tension between its global vision of a global role and institutionalist impulses on the one hand and its African nationalist renaissance imperatives that are also majorly articulated through informal channels.”

that whichever of the putative local African wannabe hegemon is approved by elite forces in the global system for this position, it would mean the abandonment of the dominant realist principles on which the permanent seat in the Security Council was predicated.

The second South African policy pole – founded on Afrocentric constructivist appreciations – is theoretically in a vicious clash with the conservative institutional policy circuit underpinned by South Africa's realist aspirations. Yet, paradoxically, it is championed by the same articulators of the progressive front and is clearly driven by President Thabo Mbeki. This progressive dimension of South African

policy derives from the historical import of the country. Relevant to this is an accrued national dividend in a massive global social capital implicitly rooted in the liberating symbolisms of the struggle that culminated in the pacific settlement of the problem of Apartheid South Africa. The final peaceful outcome of the struggle conferred on the country a unique moral stature in African affairs. It is this second impulse, now largely championed by Thabo Mbeki, in and out of office, which imbues the African renaissance framework with the attributes of a compelling mandate and an imperative call to action. The conceptual collisions but practical accommodation of the two contrasting policy poles, the institutional and the nascent dimensions, reflect a key catatonic character of the implementation of the two broad tendencies in post-apartheid South Africa's foreign and security policy.

More recently, a more assertive, progressive, robust and confident intervention in South Africa's engagement in the management of the Ivorian crisis affirmed a leadership mindset. In Cote d'Ivoire, the transfer of the Ivorian dossier to South Africa by the African Union seemingly came as a relief to ECOWAS, whose members appeared to have reached the end of their wits. With the overbearing attitude of President Olusegun Obasanjo, who was very much in tune with the agenda of France, President Laurent Gbagbo seemed to have lost confidence in the sub-regional consultations. President Arthur Mills had dissociated Ghana from Nigeria's bellicose declaration to invade Cote d'Ivoire in favor of Ouattara.

Frustration had reached a climax in the continent after the Abuja meeting, populated largely by Francophone states from Central Africa, facilitated the imposition of an arms embargo on the country and placed travel bans on certain individuals on both sides. It was known that at the same time France was funding, arming and kitting the Ivorian rebels. Also, many leaders from Francophone Central Africa had interjected themselves in to the process. Their perspectives were, by design, the same as France's

and reinforced France's views. These leaders included Omar Bongo, then and late president of Gabon, who was overt in his sympathy for the Forces Nouvelles rebels and Sassou Nguesso of Congo (Brazzaville).

The ensuing Pretoria process on the Ivorian conflict was unique in many ways. First, the African Union had consigned a crisis in West Africa to South Africa. It would seem that Thabo Mbeki did not think much of the lack of sophistication exhibited by the West Africans, in particular Nigeria, who seemed not to have understood or were indifferent to the historical import of the challenges confronting the Ivorian President. South Africa was conspicuously absent at the Abuja meeting that recommended the controversial imposition of an arms embargo at the behest of France. Confronting the arrogance of France in Abidjan, and by implication, France's wayfarer Nigeria, South Africa mobilised the necessary wherewithal to credibly question the legitimacy of France's domineering attitude and role in the crisis. And it demonstrated the political will to confront France on the Ivorian question in a manner that no West African state had done or been capable of doing. Also, in a move unprecedented in the management of the Ivorian peace process, following broad consultations with all the major protagonists in the crisis, the mediator, President Mbeki, was granted broad and unilateral powers by all the parties to make a determination of how to solve all the thorny substantive questions that had militated against the success of earlier agreements. This represented unusual trust, at least initially, in the neutrality of South Africa. The process was also a delicate test for South African diplomacy operating directly in West Africa. A key to the South African mediation was that it did not inherit the prejudices held against President Laurent Gbagbo.

In the Libyan crisis, the accretions of misgivings and divisions that were generated in Cote d'Ivoire found expression in profound divergences that reflected the clash of Afrocentric perspectives that ultimately was adopted by South Africa and the African Union and the rather narrow

understandings and emotionally driven postures of President Goodluck Jonathan on the crisis that eventually consumed Libyan leader Colonel Muammar Gaddafi.

Having earlier voted for Security Council Resolution 1973, it soon became clear that the West, with France in the lead with the United States in tow, sought a regime change in that country. A first step was to delink Libya from black Africa as the West projected the crisis as the continuing spread of the Arab Spring in the Arab world. The African Union position that canvassed a negotiated settlement, adopted by President Jacob Zuma, in his capacity as the President of the African Union, clashed frontally with Nigeria's early and what has proven to be a premature and unfortunate recognition of the Benghazi based rebel Transitional National Council. The TNC in Libya turned out to be a failed

“If these two countries combine and are able to pull their weight together in the continental security realm, it will have significant impact.”

creation of the West. Meanwhile, the Secretary General of the African National Congress, Gwede Mantashe, observed that Nigeria's recognition of TNC had jumped the gun. It may however be noted that the Benghazi rebellion began only shortly after the Libyan leader had recommended the breakup of Nigeria along ethno-religious lines. The sentiment in Abuja was anchored on this unfortunate intervention of Gaddafi on a sensitive national subject. Again these divisions reverberated in the passions spewed out on the election of Nkosazana Dlamini-Zuma as President of the African Union Commission. Again, Nigeria's anti-Zuma posture, seemingly protecting established conventions of the Union, coincided with France's massive intervention to retain its crony Gabonese Jean Ping at the pinnacle of Africa's continental institution.

South Africa's interventions in these critical events have reflected an incremental evolution in its sophistication in the implementation of the renaissance dimensions of its policy. At the same time, South Africa's institutional proclivities, especially international multilateralism, have been aimed at achieving its aspirations as a regional power deserving of a place in global power play. The jury may still be out regarding whether South Africa's interventions are motivated by its renaissance instincts or an extension of its realist inclinations to project power across the continent.

Abuja is suspicious that the latter is the case, especially in relation to Pretoria's robust engagements on the Ivorian crisis and its prescient posture on the Libyan crisis. In Cote d'Ivoire, Olusegun Obasanjo and Goodluck Jonathan administrations managed to squander Nigeria's hitherto impeccable Africanist credentials in their almost embarrassing utter lack of strategic vision as they championed the interests of France in West Africa. As noted, Nigeria's policy in Abidjan and South Africa's leadership of the Afrocentric policy orbit in that crisis divided the continent on issues around Africa's common position in Libya, and on the re-election of Gabonese Jean Ping – a candidate of France, and the triumph of Dlamini Zuma – perceived as a candidate of the progressive Africanist group of states. This strong charge of realist inclinations has seen a perceived weakening in the salience of the centrality of radical attributes of the African renaissance in South Africa's African foreign and security policy.

Nigeria has also more than illustrated its realist proclivities that have informed its sensibilities in relations with South Africa. The direction of Nigeria/South Africa relations can be better understood in terms of an evolved but nuanced struggle for preponderant influence on the continent by these two major pivots of the emerged post-Cold War constellation of forces in Africa.

South Africa's affirmative vote on Security Council Resolution 1973 of 17 March 2011 on Libya, although later repudiated in a policy change, was in opposition to the abstention of Brazil,

Russia, India and China, its partners in BRICS. The resolution called for "an immediate ceasefire" and authorised the international community to establish a no-fly zone and to use all means necessary short of foreign occupation to protect civilians. The resolution formed the legal basis for western military intervention in the Libyan Civil War. The South African vote for SCR 1973, given South Africa's frontline engagement in the Ivorian crisis when the underlying principle of Responsibility to Protect had been exploited to validate partisan international intervention on behalf of the Ivorian rebels, needs further to be clarified.

South Africa's foreign and economic policies remain caught in a tension between its global vision of a global role and institutionalist impulses on the one hand and its African nationalist renaissance imperatives that are also majorly articulated through informal channels. In view of all the aforementioned, relations between South Africa and Nigeria have oscillated between the realist games nations play and feeble attempts at constructing new understandings to project common approaches to African affairs. The progressive constructivist impulse has clearly lagged behind the realist advances on the two sides to gain pre-eminence on African affairs. This game has been stoked by hegemonic forces, the United States of America and especially France with huge strategic stakes in the transformed strategic landscape in Africa.

Put together, the foreign policies and global interactions of South Africa and Nigeria do not reflect their having fully digested the implications of the nasty, short and brutish trajectory of black humanity in the evolution of human society and the brutal hierarchical order in which Africa is trapped. Accordingly, neither does overall foreign policy articulation nor the bilateral relations flowing from the strategic template demonstrate an unwavering commitment to the fundamentals of their historic obligations.

It is in this context that the pursuit of grand ephemerals has dominated the discourse on relations between Nigeria and South Africa in both countries. For example, when South African

immigration officials deported Nigerian nationals who landed in South Africa without yellow fever certificates in 2010, Nigerian authorities subsequently retaliated by doing the same to South Africans who landed in Lagos.¹⁰ In 2015, when attacks were launched against foreigners, mainly Mozambicans and Zimbabweans, largely due to internal frustration by a mass of unemployed South Africans, Abuja was one of the earliest to recall its Ambassador.

The Nigeria grouse machine against South Africa that has emerged in the academia and media spew invectives for a litany of perceived humiliating treatments of Nigerians. This includes South Africa's perceived incessant incursion into what some consider Nigeria's sphere of influence on the continent. At various times over the last five years, South African Immigration and Police authorities are alleged to have actively participated in the humiliation of Nigerians. In December, 2013, between the 3rd and 4th to be precise, the South African Police Service stormed the Nigerian consulate and attempted to force their way in. This action was in breach of all known diplomatic and international conventions. Little was heard about the matter until the faceoff over attacks on foreigners.

In September, 2014, the relationship between the two countries reached its lowest point with the arrest of two Nigerians and an Israeli national in South Africa after they attempted to smuggle US\$15 million apparently meant for buying arms for the Nigerian intelligence service.¹¹ The planned helicopter purchases and arms were to prosecute the war against Boko Haram. The suspected smugglers had landed at Lanseria International Airport, Johannesburg, on September 5, 2014 in a private jet from Abuja with the money stashed in three suitcases. By July, 2015, the Nigerian government confirmed the return of the US\$15 million seized by the South African government. All of these, sensitive Nigerian nationalists argue, were parts of an orchestrated plot by South Africa to whittle down Nigeria's influence in order to advance its own.¹²

There exists a similar aisle of

South African rather informed and ideologically inclined commentators determined to advance South Africa's argument for a more robust engagement with Nigeria. They note relations between the two countries since apartheid have been dominated by clashes and tensions over a range of issues. They advance that these derive from the bitter fallout of the Mandela presidency, following the order by autocratic former Nigerian leader Gen Sani Abacha to hang Ken Saro-Wiwa and eight other human rights activists; to problems stemming from the countries' competing aspirations for continental leadership, including Nigeria's opposition to Nkosazana Dlamini-Zuma's bid for appointment as chairwoman of the African Union (AU) Commission and tit-for-tat spats over immigration policies. It is highlighted that the relationship was recently tested to the limit by the manner in which the Nigerian authorities responded to the deaths of 84 South Africans following the collapse of a church building in Lagos. Further, Abuja had recalled its ambassador to South Africa in protest against the 2015 perceived xenophobic attacks against African immigrants. Asserting that judging by the mutual distrust, recriminations and, increasingly, the resentment that have characterised the relationship, it seems not even the binational commission – set up in 1999 to bolster political, economic and diplomatic co-operation between the two countries – has improved the quality and effectiveness of bilateral engagement. The conclusion is drawn that the relationship between the two countries is a dysfunctional one.¹³

Flying in the face of this bleak evaluation, the Jacob Zuma and Muhammadu Buhari administrations would seem to have taken a leap that could radically realign the foreign policy orientations through a constructivist recalibration of the foundations of interaction between the two countries. The President's visit is apart from other visits at the ministerial levels in respect of ruffled consular affairs for the umpteenth time. The latest of such ministerial interventions being a South African delegation to evaluate the handling of the bodies of the 84

South African victims of the Friday, 12 September, 2014 collapse of the hostel of the Synagogue belonging to Nigerian TV evangelist TB Joshua. Managing the grand pursuit of petty ephemerals, especially in the economic domain, has seen President Zuma visit Abuja twice. The latest was mainly instigated by a fine of \$5 billion dollars imposed by the Nigerian Communication Commission on MTN, a South African company-operating in Nigeria. South Africa's economic relations with Nigeria have been under a difficult political cloud of mutual suspicions of hegemonic intentions. As crucial as the economic cooperation between the two countries is to the consolidation of relations, it has been mired in the pettiness of the ephemerals.

This would seem to be consistent with the conclusions of Chris Alden and Mills Soko, who propose that South Africa's growing economic presence across the African continent has sparked a debate in public and scholarly circles as to its intentions. They note that while some interpreted the expansion of South African business as part of a larger hegemonic project, more structured analysis of economic ties with Africa reveals a more complex picture. Institutionalised forms of regional cooperation, such as the South African Customs Union and the Southern African Development Community must be contrasted with the activities of South African multinationals on the wider African stage to understand the possibilities and limitations of hegemonic practice open to South Africa. Finally, they argue that beyond its own region, a key determinant will be its relations with the other leading African power, Nigeria, as well as its ability to compete with other external actors.¹⁴ Despite these challenges, significant progress has been made in concretising commitments made in December, 2008 to fast track trade and economic relations between both countries at the South Africa-Nigeria Bi-National Commission (BNC).

Against this background, President Jacob Zuma's visit in March 2016 to Abuja was important to protect the interests of the anxious 120 South African enterprises in Nigeria. Yet the

most significant outcome of the visit was the signing of a Memorandum of Understanding between the Nigerian military and the South African Defense Force on the deployment of South African military trainers to support Nigeria's fight against Islamic fundamentalism and terrorism in its North East. Though a modest step, the potential implications are vast and far-reaching.

Against the background of the many petty misunderstandings, Osulale Alalade¹⁵ perceives a potential tectonic shift in the foundations of Nigeria/South Africa relations. He submits that the pettiness of the immediate past was fuelled by a lack of critical appreciation of the pivotal roles of the two countries for Africa's ultimate emancipation. Given the consciously contrived perceptions and the reality of competitive relations instead of the natural allies that they are, it is asserted that the signing of the MoU indeed reflects a giant step not only for the two countries but for Africa.

The MoU reflects a complete reorientation of the problematic understandings that only five years ago had almost brought the two countries into open confrontation in Cote d'Ivoire. It has thus set in motion the very first difficult steps to recalibrate the internal logic, protocols and workings of the African continent. If its implementation survives the shenanigans of the international system that the bold initiative is expected to invite, it has in the long term the potential to transform in a holistic manner Africa's existential realities and realign Africa's place in the constantly evolving landscape of humanity.

This much was on the mind of President Zuma on that trip when he averred that South Africa and Nigeria are employing a common prism in looking at the security of the continent. If these two countries combine and are able to pull their weight together in the continental security realm, it will have significant impact. The South African president emphasised the nexus of the economy and security, stressing that once the economies of the two countries are integrated, approaches to the security of the continent will certainly take a different dimension

because they will be protecting their joint and common public good. It will not be like one country protecting only its own; it will be all of us putting our efforts to protect the continent.¹⁶

By that single act and these proclamations, South Africa and Nigeria repudiated the nebulous concept of sovereignty, the foundations of the deleterious realist inclinations, as becoming anachronistic given the problematic realities of this generation. Sovereignty would no longer stand in the way of progressive and constructive collaboration in the advancement of the common interest of the peoples of the two countries. What touches Nigeria touches South Africa and vice versa. By the same logic, we may deduce that what impacts any one African state, concerns all the other fifty five African states and political entities. The integration of common and inclusive African imperatives as the basis of inter-state relations has long been overdue. President Jacob Zuma and his homologue in Nigeria, President Muhammadu Buhari, may have set in motion the new phase of the ultimate long walk to the holistic emancipation of Africa. ■

References:

- Segun Ayobolu, 'Farewell to Foreign Policy?' *The Nation*, April 23, 2016.
- Niyi Oyeboade and Eniola Akinkuotu, 'Arms Scandal: \$15 billion not \$2.1 stolen, says EFCC', *Punch*, April 27, 2016.
- <http://sa-ncc.co.za/component/details/2-south-africa/nigeria-binational-commission>
- Mills Soko, 'South Africa too timid in handling Nigeria', <https://makonitimes.com/2015/05/30/south-africa-too-timid-in-handling-nigeria/>
- Sylvester Ugwuanyi, 'Mbeki traces drift in Nigeria, South Africa relations to Abacha's betrayal of Mandela's trust'
- Games Theory: www.bing.com/search?q=games+theory&q=OS&pq=games+theory&sc=8-12&sp=1&cv id=E52DE7C6371F48E18543640B80C24F32&FORM=QBRE
- Chris Landsberg, 'Towards a post-Apartheid South African foreign policy review', *South African Foreign Policy Review*, Volume 1, Chapter 1.
- Joseph Diescho, a foreign policy analyst at UNISA, quoted by DG McNeil Jr, 'South Africa's Foreign Policy: A Tough Balancing Act', *The New York Times*, January 3, 1997.
- Salami, Olawale B, 'The Concert of Medium Powers: its Origin, Composition and Objectives', www.iiste.org/Journals/index.php/RHSS/article/view/5242
- 'South Africa: Seized U.S. 9.3 Million Linked to Arms Invoice', <http://allafrica.com/stories/201409152701.html>
- Casmir Adeyan, 'Which is the Diplomatic Power House of Africa, Nigeria or South Africa?' <https://www.academia.edu/8561476>
- Mills Soko, (op.cit)
- Chris Alden and Mills Soko (2005), 'South Africa's economic relations with Africa: hegemony and its discontents', *The Journal of Modern African Studies*, 43. doi:10.1017/S0022278X05001011.
- Osulale Alalade, 'Nigeria and South Africa in a historic tango', *The News Journal*, May 10, 2016
- Wole Famurewa, 'Nigeria-South Africa economic relations', *The Guardian* (Nigeria), 10 March, 2016.

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Europe Now

These wars fought in Muslim countries, beginning in Afghanistan, and all with European involvement, either directly or by proxy, have culminated in the millions of refugees which many Europeans see as 'threatening' their territorial integrity.

By Michael Prior

On the evening of 3 October, 2013, a boat carrying more than five hundred Eritreans and Somalis foundered just off the tiny island of Lampedusa...The boat sank within minutes, but survivors were in the water for five hours, some of them clinging to the bodies of their dead companions as floats...Among the 108 people who died trapped in the bow of the boat was an Eritrean woman, thought to be about twenty years old, who had given birth as she drowned. Rescue divers found the dead infant, still attached by the umbilical cord, in her leggings...A journalist later found a survivor who turned out to be the woman's partner and the father of her baby. Her name, this man said, was Yohanna. In Eritrean, it means 'congratulations'.¹

Should one begin a sober and objective account of the problems facing Europe with an account of such horror? Or if one does, then should one focus, as the European media mostly do, on the horror of killings in Brussels and Paris? Perhaps it is better as a European to acknowledge the impossibility of writing soberly, objectively and without anger about such things.

Almost four years ago in this journal, writing about immigration,² we resorted to quoting the fictional thoughts of a Swedish detective in the 1990s:

Wallander had made half-hearted attempts at studying the issues thoroughly. He realised that he harboured the same vague apprehension that many other

people did. Anxiety at the unknown, at the future.

In early 2016, the apprehensions finally turned into stark fear. As southern and south-eastern Europe became borderlands to the horrors of Syria, Iraq, Libya, Yemen and, further afield, Afghanistan and Somalia, the European Union (EU) attempted to close fast its doors, denying entry to the millions already turning Turkey and Lebanon into vast refugee camps, opting instead for a bizarre and possibly illegal scheme involving returning people stranded on Greek islands to Turkey and then taking a limited number from Turkish refugee camps into Europe. This number would be capped at 70,000, many fewer than those trying to escape into Europe. The

tensions inside the EU which led up to this unprecedented plan have already caused the effective breakdown of the Schengen Agreement which abolished internal border checks between most EU countries. The Austrian government has even hinted that it could build a wall along its border with Italy unless the flow of refugees, mostly originally from Africa, from that country is stemmed. Some eastern EU countries have simply refused to take any refugees.

Just how much of the EU will survive the strains which will mount in the near future is unclear. One major EU country, the United Kingdom, will soon have a referendum on continuing its membership; present predictions are that the vote will be narrow, either way; but the mere fact of such a vote suggests serious internal stresses. Less widely publicised was the Dutch referendum held on 6 April on ratifying the EU's Association Agreement with Ukraine which resulted in a 64% majority against the agreement – something widely interpreted as a vote reflecting unease with the EU itself.

There are various strands to this unease. The first concerns the debt crisis about which we wrote in this journal earlier this year³ and to which little needs to be added. The eurozone remains an unstable financial entity lacking the necessary balancing mechanisms essential for any monetary union. The fact that Greece, the country most impacted by the 2008 debt crisis, has also become the country used essentially as a holding-camp for refugees, means that it will sink yet further into the economic mire whilst for other states the debt clock ticks inexorably upward, given the north-south trade imbalances which remain fixed in the system. As Yanis Varoufakis, the clear-sighted ex-Finance Minister of Greece, demonstrates in a recent book⁴, a financial system which has no mechanism for remedying internal trade imbalances cannot survive indefinitely. Such north-south imbalances are built-in to the eurozone. Another financial crisis hovers in the wings, possibly one which could be precipitated by failures in the Chinese banking system. When it comes it is uncertain just how the fragile mechanisms of the eurozone will cope.

However, this simply forms the

background to the almost existential fear concerning the immigrant crisis and, specifically, the cloud of Islamophobia engulfing many European countries. One of the most obvious, almost shocking, sign of this was the edition of the French satirical magazine *Charlie Hebdo* in March, the first anniversary of the shootings which took place in its Paris offices in 2015. Part of this was a cartoon linking the image of a drowned Muslim refugee, a child, with alleged sexual harassment by some Muslim men of German women in a New Year's Eve gathering in Cologne. The idea of 'our women' being assaulted by the 'other' is of course one of the most insidious in racist ideology.

Alan Kurdi was a three-year old boy of Syrian-Kurdish extraction who drowned in the sea off the Greek island of Kos in September, 2015, the third effort his family had made to

“The idea of ‘our women’ being assaulted by the ‘other’ is of course one of the most insidious in racist ideology.”

reach the EU. His five-year old brother also perished. The picture of his dead body was published around the world and, at the time, aroused much public shock. But by March, 2016 his death was being diminished by the suggestion that if he had grown up then he would only have become a 'tripoteur de fesses' (bum-groper). *Charlie Hebdo* is not noted for the subtlety of its 'satire' nor, indeed, for attacking real power. However, accompanying this cartoon was an editorial which did put forward a rather more subtle argument that pretty much all Muslims were responsible for the acts of the Brussels bombers by the very fact of any public practice of their religion. Examples given included a baker who sells filled baguettes though not with bacon or pork and a woman who walks the streets in a burqa as well as a prominent moderate, Islamic scholar, Tariq Ramadan. It continues:

Take this young delinquent.

He has never looked at the Quran in his life, he knows little of the history of religion, of colonialism, nor a great deal about the proud country of his Maghreb forefathers. This lad and a couple of his buddies order a taxi. They are not erudite like Tariq Ramadan, they don't pray as often as the local baker and are not as observant as the redoubtable veiled mothers on the street. The taxi heads for Brussels airport. And still, in this precise moment, no one has done anything wrong. Not Tariq Ramadan, nor the ladies in burqas, not the baker and not even these idle young scamps.

And yet, none of what is about to happen in the airport or metro of Brussels can really happen without everyone's contribution. Because the incidence of all of it is informed by some version of the same dread or fear. The fear of contradiction or objection. The aversion to causing controversy. The dread of being treated as an Islamophobe or being called racist. Really, a kind of terror. And that thing which is just about to happen when the taxi-ride ends is but a last step in a journey of rising anxiety. It's not easy to get some proper terrorism going without a preceding atmosphere of mute and general apprehension.⁵

The steps from Henning Mankell's fictional detective's "vague apprehension" of the 1990s to *Hebdo*'s very specific identification of the objects of fear in 2016 can be roughly charted. They go through terrorist outrages from the Twin Towers through to Brussels airport but also, though less clearly identified, they pass through the wars raging since 2001 in various Muslim countries. These wars fought in Muslim countries, beginning in Afghanistan and all with European involvement, either directly or by proxy, have culminated in the millions of refugees which many Europeans see as 'threatening' their territorial integrity. Less easy to explain is just why this apprehension has become so central to political action. Which brings in the third coincident pressure in Europe; the growing breakdown of its traditional political structures.

We have also discussed this

previously in *The Thinker*⁶ and the trends identified there show every sign of accelerating; in particular the growing importance of so-called 'wild' political parties which have little or no connection with the historically established parties of both the left and the right. As Simon Hix, professor of European and comparative politics at the London School of Economics, put it *"What we are seeing is a growing fragmentation of the vote, on the left and on the right. The mainstream parties of the centre-left and centre-right that could once rely on 40% of the vote are now reduced to 20 or 25%. It's happening everywhere, and it can be massively problematic."*⁷

Examples of this fragmentation exist across the continent. In Slovakia, elections in March returned eight different parties. The coalition cobbled together after much negotiation consisted of a strange mix of the previously ruling centre-left party together with the right-wing Slovak National party, the centre-right liberals and a party representing the country's Hungarian minority. In Austria, the two parties which have run the country for several decades, the Social Democrats and the People's Party, were relegated to fourth and fifth place, each with 11% of the vote, in the initial election for the country's President. The far-right Freedom Party won with over 34%, leading to a final election contest with a Green Party member running as an independent. In this runoff in mid-May, in which all other parties supported the independent, the fascist candidate lost by just 30,000 votes, taking 49.7% of the vote.

Meanwhile in Ireland, elections in February produced no clear result, with traditional enemies Fine Gael and Fianna Fáil having to engage in lengthy, fraught negotiations to form a minority government. Spain and Portugal have similar fractured results. In Italy, the Five Star Movement founded by comedian Beppe Grillo, and always regarded as more than a bit wacky, remains the second most popular party and may score a significant triumph in June if Virginia Raggi is elected mayor of Rome. Asked what she thought of the current Italian prime-minister, Mario Renzi, she coolly replied that *"[Renzi]*

*is working for the banks and not the citizens."*⁸ This belief, that European governments are working for financial interests and not for the benefit of their citizens is one reason for the collapse in support for the main parties.

"Everywhere do I perceive a certain conspiracy of rich men seeking their own advantage under the name and pretext of the commonwealth," wrote Sir Thomas More in 1516 and this seems to be a widespread perception.

A good example is Jean-Claude Juncker, President of the European Commission since 2014 and a man who once famously quipped that he believed in negotiations in "dark secret rooms, behind closed doors". He was, before his election, the prime minister of Luxembourg, the statelet pretending to be a country, which under his

“This belief, that European governments are working for financial interests and not for the benefit of their citizens is one reason for the collapse in support for the main parties.”

supervision grew to become the most important tax-haven in Europe. The mechanisms by which Luxembourg operates were revealed in 2014 in the by-now customary leak of confidential documents. In one example, the UK headquarters of pharmaceutical giant, GlaxoSmithKline, established a Luxembourg branch in 2009. This subsidiary lent £6.34 billion to GSK in the UK. The UK company paid nearly £124m in interest back to the Luxembourg subsidiary. The British tax authorities could not tax the interest at the then UK level of 28% and collect £34m. Instead, the Luxembourg tax authorities levied a tax of 0.5%, or £300,000. All entirely legal. The deal was pin money by Luxembourg's standards which has been estimated to have some £3 trillion pass annually

through its financial sector. Perhaps the greatest irony of the Juncker saga is that, shortly after his election, the Commission began an investigation into tax havens in Europe with which Luxembourg refused to cooperate.

The strains on the European political system have been growing for some decades with the decline in mass party membership starting back in the early 1980s. In our previous article, we made the identity between this decline and the growing hegemony of neoliberal social policies quoting the political scientist, Peter Weir:

*A tendency to dissipation and fragmentation also marks the broader organisational environment within which the classic mass parties used to nest. As workers' parties, or as religious parties, the mass organisations in Europe rarely stood on their own but constituted just the core element within a wider and more complex organisational network of trade unions, churches and so on. Beyond the socialist and religious parties, additional networks... combined with political organisations to create a generalised pattern of social and political segmentation that helped to root the parties in the society and to stabilise and distinguish their electorates. Over the past thirty years, however, these broader networks have been breaking up... With the increasing individualisation of society, traditional collective identities and organisational affiliations count for less, including those that once formed part of party-centred networks."*⁹

Elections in the past two years in Europe suggest that this fragmentation has reached a point of crisis. In eastern Europe, where political parties have much shallower roots, there has been what, sadly and worryingly, can be seen as a historically rather normal response to financial crisis; the growth of right-wing populist parties with a strongly nationalist and racist aura. In Poland, the Law and Justice Party, which came to power in October 2015, has begun passing laws to restrict press freedom and individual rights to an extent which has even begun to concern the bureaucrats of the EC. In this, they are following in the footsteps of the right-wing government

of Victor Orban in Hungary which has introduced similar media controls.

The Orban regime came to power following the defeat of a centre-left government which was strongly criticised following the 2008 crisis when it tamely followed the IMF/EC rulebook in imposing severe austerity. Orban relaxed these and introduced controversial measures aimed at bringing key parts of the economy – including the banks, utilities and the media – back under domestic ownership, and imposed heavy windfall taxes on the mostly foreign-owned energy companies, which also provoked strong EC criticism. Currently, even Orban is in danger of being out-flanked by the openly anti-Jewish and Roma Jobbik Party, now the second-largest in Hungary.

As noted above, March elections in Slovakia saw the previous 'left' party, Smer-FD, have its vote share slashed with a gaggle of right-wing parties jostling to try and form a coalition. The far-right neo-Nazi People's Party, 'Our Slovakia' shocked pollsters by winning 14 seats and entering parliament for the first time. Party leader Marian Kotleba had previously dressed in a Nazi-inspired uniform and his outbursts against immigrants and Slovakia's Roma minority have seen him arrested for inciting racial hatred, but never convicted. One reason advanced for Smer's collapse is that in the election campaign it advanced relentlessly anti-Muslim and immigrant rhetoric which back-fired as voters turned to even more racist parties. One aspect of all these parties is that they combine racist rhetoric with hostility to the foreign bankers who they claim are responsible for economic woes.

Western Europe has seen similar rises in the importance of right-wing parties such as the Danish Peoples Party, the Dutch Freedom Party and the National Front in France which all combine anti-immigrant racism with suspicion of the EU. The Dutch party was particularly influential in the results of the April referendum. These parties hover on the edge of entering government but their impact is felt particularly in Denmark in tighter controls over immigration.

There are some corresponding

left-wing 'wild' parties notably Syriza in Greece, and Podemos in Spain; whilst Italy's Five Star Movement should probably be placed on the left if anywhere. Even in the UK, where its first-past-the-post electoral system tends to promote party stability, Scotland has decisively broken away from its previous adherence to the Labour Party whilst the popular election of Jeremy Corbyn, a slightly eccentric left MP, as its leader suggests a genuine grass-roots dissatisfaction with the established order. However, as Syriza demonstrated in its calamitous negotiations with the IMF and EC last year, these parties tend to have no clear political focus, unlike their right-wing counterparts with their obsessive focus on Muslim immigration.

Standing over these political landslides at the national level stands the great over-arching edifice of the European Union and its executive body, the European Commission (EC) which resolutely ignores such minor national matters whilst pursuing its grand designs, one of which at the moment is the Ukrainian-EU Association Agreement due to come into effect this year. Such an association agreement is the precursor to full admission to the EU and involves the setting up of a free-trade area and movement towards visa-free travel. This is a legal treaty which requires ratification by all EU states, something rejected by the referendum in the Netherlands. Such triviality will certainly be brushed aside just as all previous attempts by national popular vote to reject EU initiatives have been treated. Indeed, EU officials are reported to be already in Kiev working out the details of the deal. This is despite the fact that this Association Agreement has already led to effective civil war in Ukraine and would certainly be rejected by any popular vote inside the EU.

The powers of the EC and the other bodies which form part of the European Union are laid down in the so-called Treaty of Lisbon which is actually a complex series of amendments to the original 1957 Treaty of Rome rather than an original drafting, a procedure adopted when it became clear that the original plan to agree a formal constitution for the EU would fail to

pass any possible popular vote. The 300-odd pages of this document are almost impossible to comprehend but do include powers over national budgets, security and defence even down to tourism promotion. It also allows the EU to question civil rights violations in member states and in January, the EC Vice-President Frans Timmermans launched an unprecedented official investigation into the Polish government's possible violations of international law under Article VII of the Lisbon Treaty the so-called 'nuclear option' that has never before been resorted to. Under it, the EU can remove a Member State's voting rights in Brussels if it has deemed to have stepped beyond the bounds of acceptable behaviour.

This is far from the first time that the EU has become involved with national politics. Notoriously after the 2011 euro-crisis, it effectively installed technocratic governments in Italy and Spain when elected politicians seemed unlikely to bow to the austerity policies of the European Central bank and the IMF. Its control over the Greek economy also knows few bounds. However, this is the first time that it has intervened outside strictly economic issues. Little has been heard of the investigation into violations of civil rights in Poland since it was set up. Subsequent intervention by Donald Tusk, ex-Prime Minister of Poland, now recycled, as is the EU way, as President of the European Council, has probably ensured its demise. However, there are going to be more occasions in which such violations occur and they will be increasingly hard to paper over.

Simon Hix's conclusion is *"I see two possible scenarios. Either Europe's mainstream parties get used to this new world and start thinking seriously about ways to build entirely new kinds of broad-based coalitions. Or they don't, in which case the outcome could be real political crisis, and even ungovernability"*.¹⁰

It is unclear just what Hix would envisage as new 'broad-based coalitions' other than a decisive shift to the right based upon anti-immigrant policies. The ruling parties in the major EU countries, in particular Germany, have shown little awareness of this



dilemma. Yanis Varoufakis, forced out of his office after his resolute stand against accepting the austerity measures currently wrecking the Greek economy, is very clear on the alternatives facing Europe. In *And The Weak Must Suffer What They Must?*, he suggests that the financial crisis of 2008 is in danger of following the crisis of 1929 in the formation of populist fascist parties based this time on anti-immigration and Islamophobia rather than anti-semitism. He recounts how when he went to Berlin in 2015, he drafted a speech that he hoped would bring out these similarities and would act as an appeal against the rise of new Nazis. Part of it went:

...When I return home tonight, I shall find myself in a parliament in which the third-largest party is a Nazi one.

When our prime minister laid a wreath at an iconic memorial site in Athens immediately after his swearing-in, that was an act of defiance against the resurgence of Nazism. Germany can be proud of the fact that Nazism has been eradicated here. But it is one of

history's cruel ironies that Nazism is rearing its ugly head in Greece, a country that put up such a fine struggle against it.

We need the people of Germany to help us in the struggle against such misanthropy. We need our friends in this country to remain steadfast in Europe's postwar project; that is, never again to allow a 1930s-like depression to divide proud European nations. We shall do our duty in this regard. And I am convinced that so will our European partners.

Varoufakis notes that, understandably, he suffered some moments of despair when this reaching-out went down like a lead balloon and the Germans just repeated their catchphrase; 'Give us our money back'. His account is even more resonant given that as a child he listened with his parents to a 'free' German radio station huddled under a red blanket to muffle the sound and preventing informers telling the local fascist police. Europe remains mired in the equivalent of the 1930s depression and Greece is once again being asked for yet more sacrifices to repay its unsustainable

debts partly based on corrupt German arms sales.

It is hard to form any simple or even coherent view as to just where Europe is heading. Hix' suggestion of 'ungovernability' is hard to decipher in any practical sense. If the UK does decide to vote for 'Brexit' this could be the spark for much wider political upheaval in Europe. Could there be a shift to fascism in several countries and the breakdown of the EU? Surely not. Yet it must be accepted that the left-wing socialist and communist parties which formed the bulwark against fascism in the 1930s are now shadows of their former selves where they exist at all. It is difficult to see other than dark times ahead. Even whilst writing this article, several hundred more Africans have drowned attempting to reach a land of hope that is trying to reject them.

There is opposition. In Sweden a lone woman, Tess Asplund, stood alone in front of a march in April by the neo-Nazi Nordic Resistance Movement. After her protest, Tess, who describes herself as Afro-Swedish, took the train back to Stockholm and carried on looking for a job. On a purely personal note, my community choir sings a song called *Different Ships*, which has the refrain "we came here on different ships but we are in the same boat now" As Brecht wrote in 1936,

In the dark times

Will there also be singing?

Yes, there will also be singing.

About the dark times.

And if you do go by chance to Lampedusa then you can pay your respects to Yohanna. Her grave number is 288 and that of her child, 289. ■

References

- ¹ *Where on Earth are you?*, Frances Stonor Saunders, *London Review of Books*, 3 March 2016
- ² *The Thinker*, v. 44, October, 2012
- ³ *The Thinker*, v. 67, Q1, 2016
- ⁴ Yanis Varoufakis, *And the Weak Must Suffer What They Must?*, Bodley Head, London, 2016,
- ⁵ <https://charliehebdo.fr/en/edito/how-did-we-end-up-here/>
- ⁶ *The Thinker*, v. 63, 1Q, 2015
- ⁷ Quoted in the *Guardian* newspaper, 29 March, 2016, <http://www.theguardian.com/world/2016/mar/29/support-europes-mainstream-political-parties-parliaments>
- ⁸ <http://www.theguardian.com/world/2016/mar/23/corruption-garbage-top-agenda-rome-mayor-raggi-five-star-movement>
- ⁹ Peter Weir, *Ruling the Void*, Verso, London, 2013 ISBN 1844673243
- ¹⁰ *Guardian* op cit



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The dangerous idea of non-violence in the history of Côte d'Ivoire



Demonstration in Paris asking for the release of Laurent Gbagbo, 3 July 2011. Copyright Fagiolo

In view of its juridical absurdity we should be taking the ICC very seriously.

By Nicoletta Fagiolo

Prosecutor v. Laurent Gbagbo and Charles Blé Goudé at the ICC

On 3 June 2013 a majority of judges at a pre-trial chamber in the International Criminal Court (ICC) decided that there was not enough evidence to take the former President

of Côte d'Ivoire, Laurent Gbagbo, to trial for crimes against humanity.¹ This decision was taken despite the fact that at the ICC the threshold defining the validity of charges to build a case is much lower at a pre-trial stage than at trial. According to the Court's own statute,² adjournment of an entire

case is not allowed. While the court is technically bound to take decisions based on this norm, the judges ordered the prosecutor to rewrite the document containing the charges, thus breaching due process. Gbagbo has been held at the ICC since November 2011.

Former South African President

Thabo Mbeki, in a recent talk held at the launch of the Thabo Mbeki African Leadership Institute Alumnae Forum, criticised the ICC's judicial procedures, which he argued have often fomented war instead of peace. He cited two cases: Uganda and Côte d'Ivoire.

Mbeki quoted an appeal written by former President of Mozambique, Joaquim Chissano, on behalf of the Africa Forum, to the prosecutor at the ICC: "We as Africans," states the appeal, "believe that President Laurent Gbagbo is critically important for the future of Côte d'Ivoire, for peace and reconciliation in Côte d'Ivoire and that if that matter is not addressed then Côte d'Ivoire is bound to have a civil war resume". (*The Thinker*, Quarter 2, 2016)

"So here we have a choice," said Mbeki. "The ICC, they have what is called a pre-trial court: the prosecutor presents charges against whoever, the pre-trial court looks at the charges and assesses whether this case should go to trial. So when the prosecutor presented the evidence, with its three judges sitting together, two of the judges said 'Madame Prosecutor, you have no case against President Gbagbo.'...instead of saying...President Gbagbo is found not guilty and released...they said we give you nine months to prepare better charges and in the meantime we will keep him detained. Which they did." ³

"There is nothing serious against Gbagbo, it's political pressure coming from France and I can do nothing," ICC Chief Prosecutor Fatou Bensouda reportedly told Central African Republic presidential candidate Pascal Bida Koyagbele. According to South African columnist on foreign affairs Shannon Ebrahim, in her article 'French Hand in Gbagbo's Fall', Bensouda's October 2015 comment was just three months before the trial began.

In light of these serious allegations of political influence shaping the Court's policy decisions in the Gbagbo case no official action has been taken up by the African Union. No independent inquiry has been launched, nor has an alternative tribunal been set up – like the Bernard Russell tribunal for Vietnam and its follow-up tribunals. This surely amounts to an awkward negligence in view of the AU road map

for an exit from the ICC by African countries proposed in the January 2016 AU summit in Addis Ababa.

Indeed, Gbagbo did openly engage in conflict – one in which civilian victims accumulated. He was fighting well-structured rebel forces, the Forces Nouvelles, which were behind attempts to destabilise Côte d'Ivoire as early as the 1999 coup organised against President Henri Konan Bédié, and were responsible for a series of aborted coups (September 2000, January 2001) until eventually the September 2002 coup split the country in two. Gbagbo's government, elected in 2000, lasted a mere two years. Subsequently, however, he was forced to reckon with the rebel occupation for the following eight years.

Originally scheduled to be held in 2005 – the vote was delayed

“In light of these serious allegations of political influence shaping the Court's policy decisions in the Gbagbo case no official action has been taken up by the African Union.”

several times due to the unwillingness of the rebels to disarm despite this being a major condition for holding the elections – the November 2010 elections saw severe human rights violations in the run-off between the man behind the Force Nouvelles rebellion, Alassane Ouattara, and incumbent President Laurent Gbagbo. The Gbagbo coalition documented the violence in the north and west of the country under rebel control and handed the complaints to the Constitutional Council to deliberate.⁴ The Ivorian Constitutional Council, following due process, declared Laurent Gbagbo the winner on 3 December 2010. Ouattara's camp, claiming they had won, and supported by the United States and France, which lobbied the UN Security Council, took

up arms and began nation-wide attacks targeting Gbagbo's security forces and civilian sympathisers on 16 December 2010.

The ICC defence team insists that Gbagbo's efforts in 2010-2011, in the light of the rebel presence, became legitimate efforts to fend off an external aggression – one that, as of November 2010, ballooned into an international conflict. Today many of these former rebels have been promoted under the Ouattara regime to major security positions.

Former Ghana President Jerry Rawlings, in a recent collective publication on the ICC and the Gbagbo case entitled *The ICC trial against Laurent Gbagbo*,⁵ recalls in 'My part of the truth on the Ivorian post-election crisis', how former Ghana President John Atta Mills was preparing to send troops to help Gbagbo during the post-election crisis. On a regional level within the Economic Community of West African States (ECOWAS) a military intervention was opposed by Gambia – who stated that it would not recognise Alassane Ouattara as President or "any president or government in Africa that has been imposed by forces outside of the African continent for whatever reason", read its 18 April 2011 press statement.

Liberia, Guinea, Benin, Ghana and Togo also opposed a military solution to what was a contested election. Eventually the francophone West African countries, coerced by Senegal and Burkina Faso, lobbied heavily within ECOWAS so that Nigeria would also opt for the French position, namely getting rid of Gbagbo by any means possible. Within the AU South Africa and Angola were joined by Cape Verde, Uganda and Zimbabwe to also voice their opposition to a military intervention. South African President Jacob Zuma, who was one of the five member AU Heads of State panel acting as mediators to the crisis, sustained that Gbagbo had won the November 2010 elections, until Pretoria, perhaps due to lack of support from other major BRIC partners and the AU Peace and Security Council, reviewed its position in March 2011, thus also endorsing the French position.

Jean Ping, former Chairperson of

the Commission of the African Union, felt powerless in 2011 as in both the Libyan and Ivorian crises the mediation of the African Union, which had opted for a non-belligerent resolution, was swept aside. Ping recalls that year as a watershed for traditional diplomacy: "We had no one in front of us to count on, no countervailing power, which is essential for democratic governance. Global governance, which has become de facto unipolar has fallen from the hands of the P5, G8 and G20 to a P3 transformed into a G3, who appeared absolute, boundless, with no checks and balances."⁶ In the case of Libya, Ping denounced the "selective justice" of the ICC's approach that avoided finding a solution that would contemplate the mutual interests of all parties concerned.

Who are Laurent Gbagbo and Charles Blé Goudé?

In 2008 when I was working on a documentary film about non-violent African cartoonists on the

frontline in the defence of freedom of expression, *Résistants du 9ème Art* (Rebels of the 9th Art)⁷, I also had some footage shot in Abidjan of the Ivorian satirical magazine *Gbich!*. The deputy editor Mendoza Y Caramba, told me an anecdote: one day he received a phone call that announced the arrival of the President. Mendoza, whose comic strip was very critical of Gbagbo, *Les Habits neufs du Président* (The President's new clothes) laughed, thinking at first that it was a joke. Instead Laurent Gbagbo arrived after 10 minutes at their office, praised their work, complimenting them, despite their biting satire against him. I was struck. I had already encountered a similar anecdote about another famous African president, Nelson Mandela, which I decided to use in the film. Mandela one day called Jonathan Zapiro, one of South Africa's most controversial cartoonists, who calls himself a liberal pro-Palestinian Jew and was detained under apartheid for drawing the security police of the

minority white regime as gun-toting pigs. He played a prominent role in the graphic side of the anti-apartheid struggle. Mandela told him "great work, you're doing your job" even if Zapiro, now that Nelson Mandela's party, the African National Congress (ANC), was in power, attacked it fiercely with his cartoons. But I did not forget that Gbagbo had, concerning press freedom, the same spirit as Mandela.

The right to differ – whether in the field of trade unions, political parties, economic models or the press – is the basis of the non-violent struggle developed by Gbagbo since 1969. Gbagbo's incarceration is due to his decades' long non-violent struggle for more political self-determination from France, Pan African solidarity and economic self-reliance to be achieved through socialist principles against neo-colonialism. This is the main reason why he remains such a popular figure beyond West Africa.

Non-violence, as a technique for political activism, takes a lot more



imagination than the use of force – writes author and journalist Mark Kurlansky in *Nonviolence, a history of a dangerous idea* which spans centuries of this artful technique used to bring about political change. Winston Churchill, fearing Gandhi's non-violence, saw him as a dangerous opponent. In 1935 he said: "Gandhism and all it stands for must finally be grappled with and crushed." For over three decades Gbagbo used non-violent means such as demonstrations, sit-ins, marches, debates, publication of clandestine leaflets and newspapers to topple the one-party dictatorship, which had been in power since independence. Gbagbo was considered 'fou' (crazy) by many for having the courage to openly question the hard line dictatorship.

Laurent Gbagbo was born 31 May 1945 in a modest family in Mama near Gagnoa in western Côte d'Ivoire. His father, Paul Koudou Gbagbo had participated in World War II as a sergeant in a battalion commanded by a certain Laurent whom Gbagbo is named after. As a student Gbagbo fought for the existence of a student union that was not subjugated to the one-party union, the Mouvement des Elèves et Etudiants de Côte d'Ivoire (MEECI). In 1969 he was arrested for the first time for 15 days, along with 400 other students, who were calling for a plurality of voices within the student union. When in 1980 Félix Houphouët-Boigny allowed voting within the one-party system Gbagbo protested: to have the freedom to vote only within a single party was for him a "dangerous statement because it represses the right to be different, a right essential for the evolution of a country."⁸

He became a high school teacher of history in Abidjan and was again arrested for his political activism when participating in a teachers' strike as a member of the National Trade Union of Research and Higher Education (Syndicat national de la recherche et de l'enseignement supérieur) from March 1971 to January 1973. In 1980 he became Director of the Institute of History, African Art and Archaeology at the University of Abidjan. Moving beyond trade union activities, in 1982 Gbagbo, together with his wife Simone

and three other comrades in struggle, founded the then clandestine political party, the Front Populaire Ivoirien (Ivorian Popular Front).

Accused of being the instigator of a plot against Houphouët-Boigny, 'a Libyan spy' and worse 'a militant separatist from the ethnic Bété group', Gbagbo, eager to deny these charges, protect himself and raise awareness of the Ivorian issue, fled to exile in Paris in 1982, where he remained until 1988. From there he published *Cote-d'Ivoire: pour une alternative démocratique*, (Côte d'Ivoire, for a democratic alternative) a blueprint for democratic reforms and social policies – such as universal health coverage and free education for children – policies

“Gbagbo's incarceration is due to his decades' long non-violent struggle for more political self-determination from France, Pan African solidarity and economic self-reliance to be achieved through socialist principles against neo-colonialism.”

which he began implementing once in power. This is one of the many historical books he authored.

His wife, Simon Gbagbo, a linguist, researcher in African oral history as well as a non-violent activist spanning decades of field work, recounts in *Paroles d'Honneur* (Words of Honor) an example of how they defied the status quo through non-violent means to push for the regime's acceptance of a multi-party system:

On 2 April 1990 Laurent Gbagbo, Simone Gbagbo, Paul Agodio and Emile BogaDoudou went to the local prefecture of Abidjan to submit an application for the official recognition of their political party, the Ivorian Popular Front (FPI). They argued with

the one party regime that the 1960 Ivorian constitution did foresee a multi-party system, which was true, yet the persecution of opposition leaders since independence had turned Côte d'Ivoire into an authoritarian regime. After huge street demonstrations from different categories of civil society as well as trade unions, Houphouët-Boigny ended up accepting a multi-party system and the Ivorian Popular Front (FPI) was officially recognised as a political party by Presidential decree on 4 May 1990. Many other political parties followed suit.⁹ This is also why Laurent Gbagbo is considered by many as the father of Ivorian democracy.

Such actions did not go unpunished and the party's members faced a government crackdown on their demonstrations and marches which spanned three decades. Periods in jail were the norm for this generation of satyagraha rebels. Gbagbo's famous resistance sentences is: "Si je tombe pendant le combat, enjambé mon corps et continuer la lutte" (If I die during the fight, step over my body and continue the struggle).

Unfortunately today the Ouattara regime is cracking down on FPI members, even more so than under the one-party regime: it does not even recognise the FPI party officially and only acknowledges a splinter faction of the party – a faction not recognised by the majority of the party who had voted Gbagbo as their official President. The Ouattara regime's actions point to a creeping authoritarianism: the FPI's meetings have been broken up, as well as their headquarters ransacked; their assets frozen and ordinary funding blocked; many of its former leaders are either in exile or facing show trials in Côte d'Ivoire. Simone Gbagbo was condemned to twenty years of prison on mainly hearsay evidence, her lawyer Habiba Touré, who will appeal, explains;¹⁰ there are currently circa 300 political prisoners six years after the post-election crisis. Habiba Touré has presented over 1,000 documented victim cases to the ICC prosecutor on behalf of the *Collectif des Avocats des Victimes* (Collective of Victims' Lawyers), which represents western Ivorians. They have been ignored so far.

One other key aspect of non-

violence is the demonisation of those who embrace this tactic for social change.

A smear campaign was unleashed against Gbagbo as soon as he came to power in 2000. Gbagbo is accused of being a xenophobe and of having excluded Muslims – when studies have shown that his government and close acquaintances come from a wide spectrum of Ivorian ethnic diversity and his fight against political tribalism has also been part of his party's struggle since the early '80s. One ambassador serving in Côte d'Ivoire during the 2002 coup, Italian Paolo Sannella, a neutral farsighted observer, denounced Ouattara's claim of "exclusion of a part of the population" and felt it was an excuse to bring havoc to the country¹¹.

Simone Gbagbo is also demonised: for example journalist Maria Malagardis, writing for the French newspaper *Libération* on 14 January 2012 in 'Côte d'Ivoire, waltz with the demons' calls Simone a "witch". Malagardis writes that people "suspected her of being behind all the criminal excesses of the regime" and referring to Simone Gbagbo's hair she writes: "Braids? It is said that they were knotted with nerves of a sacrificed child in Benin. They wanted to snatch them quickly to prevent her from using spells," whispers a UN official. Folklore charms? Popular fantasies? In part, surely."¹²

Simone Gbagbo's hair was torn off and she was maltreated when arrested by the French and rebel forces in the Hotel Ivoire, under UN and French protection, yet Malagardis' focus is on her braids: this can only remind one of the medieval Church's demonisation of the non-violent Cathar movement in the Catalan region of Languedoc. The very name Cathar "was itself a Church invented pejorative, meaning cat worshipers, because the Church insisted that Cathars kissed the anus of cats. Cathars were also said to eat the ashes of dead babies."¹³

Back in 2005 Laurent and Simone Gbagbo attacked *Le Monde* newspaper for defamation as it had written that Gbagbo made use of 'death squads'. The Paris Court of Appeal condemned *Le Monde* in 2006 as the information was unfounded. Despite this fact the charges at the ICC today still speak of

"death squads."

Charles Blé Goudé, Gbagbo's Youth Minister in his last government and currently facing a joint trial with him at the ICC, is a militant leader of the so-called Young Patriots. He is nicknamed 'the General' for his ability to mobilise large numbers of people onto the streets in a flash, stirring up the crowds for huge non-violent demonstrations, protest marches, sit-ins and hunger strikes. He embodies one of the most extraordinary examples of non-violent resistance today.

For many Ivorians, Blé Goudé is their hero for being a non-violent youth leader who managed in all-crucial moments of the country's recent history to block an illegitimate takeover of the government by a

“Jean Ping, former Chairperson of the Commission of the African Union, felt powerless in 2011 as in both the Libyan and Ivorian crises the mediation of the African Union, which had opted for a non-belligerent resolution, was swept aside.”

foreign-backed rebellion, the Forces Nouvelles. Despite these facts Blé Goudé is frequently depicted as a "militia leader". However, he called on crowds to stop "bandits" with their bare hands, *au mains nues*, shunning violence at all times; French Licorne spokesperson Georges Peillon, with on-ground experience, also defined the Forces Nouvelles as 'bandits'.¹⁴

Even when faced with extreme violence such as that exercised by the French Licorne force in the Bouaké events of 2004, where firing live ammunition at Ivorian demonstrators resulted in the death of 67 people and the injuring of over one thousand, Charles Blé Goudé called for restraint.

Sixty French tanks had come to surround President Gbagbo's residence on 7 November 2004 saying they had "lost their way" as they were trying to reach their official destination, the Hôtel Ivoire. The now 44-year old incarcerated Guibéroua-born NGO-founder asked the population to take to the streets, but to refrain from attacking anyone, especially French nationals living in the country.

Stéphane Haumant who was filming for Canal + French television on the ground at the time confirmed that no demonstrators were armed. Many people, fearing a French coup attempt, came onto the streets and remained singing out into the night. Video evidence later presented in court on 2-3 February 2016 proves that no demonstrators were armed. In 2005 a team of South African medico-legal experts from the University of Pretoria, conducted an independent inquiry – which also carried out tests by a ballistic expert – and corroborated that all shots were fired from the Hotel Ivoire, where the French were stationed, onto the unarmed crowd¹⁵. In 2004 Sidiki Bakaba filmed a documentary, *Victoire aux mains nues*¹⁶, on the non-violent Ivorian popular uprising against the French-imposed Linas Marcoussis peace agreement that according to many Ivorians was too favourable to the Force Nouvelles rebellion, granting it a political legitimacy it did not have in the country. The film is dedicated to the Ivorian victims of the Bouaké events of 2004.

In 2006 Charles Blé Goudé was resisting, in his words "with non-violent means, no weapons and "the strength of large gathering", a French concocted UN resolution that attempted to dissolve the country's parliament. This 15 January 2006 decision of the International Working Group was supported by the then Special Representative of the UN Secretary-General Pierre Schori. The decision sparked mass demonstrations against the UN. In the last week of that same year, October 2006, France's attempt to again superimpose the security council over the constitution of Côte d'Ivoire, through the French inspired draft council resolution 1721 (2006), was rejected by the United



Simon and Laurent Gbagbo arrested in 1988 for their non-violent activities calling for the adoption of a multi-party system in Côte d'Ivoire against the one-party dictatorship

States, China and Russia, three of the five permanent members, as well as Tanzania during council deliberations. Thus what the youth movement was rejecting, was eventually also rejected by these countries at the UN. Yet the UN reacted by sanctioning Blé Goudé.

On 25 of March 2011, as the rebels were advancing from the north onto Abidjan, Blé Goudé held a two-day prayer sit-in with a John Lennon-Yoko Ono-style mattress protest imploring for a peaceful resolution to the crisis.

Nigerian scholar and ECOWAS diplomat during the Ivorian crisis, Ademola Araoye said last year in the pages of this magazine: "I wrote *Côte d'Ivoire: the Conundrum of a Still Wretched of the Earth* to validate the struggle of these rare species, bear testimony to their courage and create a lasting verifiable monument to the memory of the martyrs of the strenuous struggle of the emancipation of the black earthling."

An interventionary court

Journalist and political analyst on European politics and transatlantic issues John Rosenthal in his article 'A Lawless Global Court' points out the destabilising effect which ICC cases have on existing collective security arrangements, as its legal actions infringe on the sovereign prerogatives of states as epitomised by the Westphalian order and subsequently the classic UN system.

As John Rosenthal points out, the UN principle of consent argues that: "If one state or a group of states, however, asserts ultimate jurisdiction over acts normally falling within the territorial jurisdiction of another state – i.e., asserts a jurisdiction that is supposed to be superior to the latter – then there will obviously be no way for it or them to enforce this claim other than by recourse to force". He then makes the telling point that by having judicial authority the ICC "could at this point serve as a sort of judicial or pseudo-judicial instrument of war directed against the state defending its territorial integrity... An international court that permits such an imposition of its jurisdiction would by its very conception be, in effect, an accessory to war."¹⁸

Indeed Gbagbo felt the UN had begun a war against Côte d'Ivoire by refusing to recount the votes, for which he had repeatedly asked; and sweeping aside the African Union mediation that was seeking a peaceful resolution to the crisis. Two other UN Security Council members, permanent members Russia and India, spoke up against the April 2011 regime change policy which they claimed the 30 March UN resolution 1975 did not allow for. Human rights organisations on the ground recorded the severe abuses undertaken by the UN operation (ONUCI), accompanied by the French Licorne Force, which included arming and fighting alongside

the rebels, as well as shooting at unarmed demonstrators. UN helicopters were also seen flying above the ground, often accompanying the rebel's attacks, as Italian film director Silvestro Montanaro has testified in his documentary *La Francia in Nero* (Black France).¹⁹

Despite serious doubts as to who actually won the November 2010 elections,⁽²⁰⁾ the first glaring discrepancy of this trial is that the ICC Prosecutor Fatou Bensouda, as well as her predecessor whom she replaced in 2012, Luis Moreno-Ocampo, declared that the trial would not look into the elections, but only focus on post-electoral events. In light of that decision, the trial began on the basis of an assumption that Ouattara lawfully won the elections: a structural presumption of guilt thus opens the trial, breaching the presumption of innocence.

The incapacity to confront vexing questions at trial has led to a "criminalisation of international justice",²⁰ according to lawyer Christopher Black, who has years of on-the-ground experience at the International Criminal Tribunal for Rwanda (ICTR) in Arusha. Here again a historical de-contextualisation brought unjust justice. Author and journalist Robin Philipot writes in 2013 in the introduction to *Rwanda and the new scramble for Africa: from tragedy to useful imperial fiction*: "equally astonishing is the silence about the three and a half years of war in Rwanda starting with the invasion of Ugandan troops on 1 October 1990, leading to the assassination of the two presidents. A close look at the war conducted by the Rwandan Patriotic Front army between 1990 and 1994 and thereafter would effectively shatter the official version." In light of the recent BBC film *Rwanda, the Untold Story*, that eerily corroborates these findings, one wonders what sort of justice took place at Arusha if it was delinked from a correct historical context?²¹

That the Gbagbo government should be the one held accountable for human rights abuses committed during the 2002-2010 period is historically disproven, as hundreds of accounts give details of the rebel aggression

and subsequent occupation. Yet this is what the ICC judges decided on the 22 February 2012. By not addressing the illegality of the Forces Nouvelles rebel aggression the ICC Prosecutor and Judges are setting a dangerous precedent, as its political outcome will be an ICC legitimisation of an armed group coming to power through force. This force exercised extreme violence, killing over 800 people in just one day during the post-election crisis on 29 March 2011 in Duékoué, as the International Red Cross has testified.

The Kadjo Djidji International Commission of Inquiry Report

The Prosecutor's first Document Containing the Charges (DCC), in the brief statement of facts (*exposé des faits*), states that Laurent Gbagbo made no effort to investigate the crimes committed during the post-electoral crisis. Yet a UN Human Rights report dated February 2011 specifies that Gbagbo called as early as 20 December 2010 for a national, regional and international evaluation commission into the post-electoral crisis and on 7 January 2011 Gbagbo, by presidential Decree No. 2011-06, established an international commission of inquiry with a mandate to investigate all human rights violations related to the post-electoral crisis. Pascal Turlan, International cooperation adviser for the ICC Office of the Prosecutor, when asked if he had changed his mind in light of the pre-trial hearing where the Defence exposed some of these facts, responds: "the Prosecutors' office stands by what they wrote in their DCC, we are not here to write history, that is up to historians".²²

In the amended document containing the charges the international commission of inquiry is mentioned this time, but the Prosecutor lies as to its length, as well as its findings. The Prosecutor's amended DCC states that the Kadjo Djidji report is only one page, whereas it is in fact a 115-page document. Here the Prosecutor withheld evidence which could have led to the discharge of Gbagbo, thus breaching due process, since the Prosecutor is obliged under the Rome Statute to hand over all incriminating and exculpatory evidence to the defence

as well as the Judges. Withholding such evidence should already have led to the dismissal of the case.

The incriminating evidence against Gbagbo presented by the prosecutor is outrageously baffling for its unprofessionalism and lack of incriminating value – a tape eventually discovered to have been filmed in Kenya, was presented initially by the Prosecutor as evidence of a massacre in Côte d'Ivoire; the victims represented at the ICC do not reflect the conflict on the ground according to the ICC's own registry report; two of Gbagbo's coalition election campaign slogans such as "I win or I win" are interpreted by the Prosecutor as "proof that Gbagbo

“Gbagbo is accused of being a xenophobe and of having excluded Muslims when studies have shown that his government and close acquaintances come from a wide spectrum of Ivorian ethnic diversity and his fight against political tribalism was also part of his party's struggle since the early 80s.”

wanted to stay in power at all costs"; a speech given by Gbagbo in the context of fighting banditry on the roads to the police is taken out of context and even the punctuation changed so as to produce an incriminating sentence(!); anonymous hearsay evidence is widely accepted as evidence.

The logic of the absurd

In 1988 Ivorian actor Sidiki Bakaba played the role of a World War II African soldier who, imprisoned by the Nazis, was eventually freed and headed back to Africa, in the feature film *Camp Thiaroye* by Senegalese director Ousmane Sembène. *Camp*

Thiaroye is one of the most gruesome events of French colonial history: on 30 November 1944 1,300 tirailleurs (colonial infantry) back in Dakar, Senegal were not awarded the same pensions as their French fellow soldiers during World War II. This discrimination led to a mutiny. An immediate grievance was the unfavourable exchange rate applied to currency brought back by the repatriated soldiers from France. A French general, briefly held by the tirailleurs, promised to have the rate changed to a par with that applicable to white veterans. Early the following morning French soldiers guarding the camp opened fire and dozens of African soldiers were massacred.

72 years after the Camp Thiaroye massacre, on the 10 of April 2011, Sidiki Bakaba finds himself in the midst of a French attack, but this time he is not acting in a film. In his own words: "I was filming with my camera, I suddenly saw a French helicopter flying at a very low altitude and taking its time. I was suddenly struck by the thought that my camera could be mistaken for a weapon? Without hesitating I immediately jumped into the guardhouse of the residence and lay on the floor. I then heard the deafening sound of a shell that passed over my head. The force of the explosion lifted me almost a meter above the ground. Like any good Muslim, I begged God three times. When I regained my senses, I saw many dead bodies around me; dismantled bodies, heads and other dismembered body part were everywhere. Among the dead were the young soldiers who a few seconds earlier had told me they were going inside the residence. It was horrible! I tried to walk, but my left leg was severely hit by shrapnel. Full of wounds, I hopped to the infirmary that was full of injured people. The doctors wanted me to climb to a balcony where there was another medical facility, but I changed my mind. Fortunately, because a few minutes later, another French shell smashed the place into dust, killing the medical staff and the wounded that were there."²³

Pierre Sané, former Secretary General of Amnesty International and currently director of a Dakar-based think tank 'Imagine Africa Institute'

spoke up against what he calls the “logic of the absurd” which the “international community” enforced in April 2011, by choosing to intervene militarily following a contested election. Many other major Senegalese journalists, politicians and academics, who hold Gbagbo in high esteem, instead feared testifying in December 2015 on film for fear of reprisals at work; this form of omertà whitewashes the Ouattara regime, hindering the advancement of Pan-Africanism.

From December 2010 to March 2011, while Côte d'Ivoire was saddled with two Presidents, the UN, the United States and the European Union with France in the forefront implemented a policy of diplomatic and financial asphyxia against the Gbagbo government – which included an embargo on medicinal supplies, cocoa, international mandates, freezing of private funds and property and the closure of the local branches of French and American banks – followed in April 2011 by what the political scientist Michel Galy called a “French-UN coup d'état”. According to the unreleased report of the Ouattara Truth and Reconciliation Commission under Charles Konan Banny, most probably 16,000 people died in the Ivorian post-election crisis, a far cry from the figure 3,000 often cited in the mainstream media.

The ECOWAS Court of Justice in Abuja was on the point of declaring the European Union sanctions illegal, yet then the 10 day bombing of the Presidential Palace to oust Gbagbo by force began, says lawyer Marcel Ceccaldi, who represented the state of Côte d'Ivoire against the EU sanctions.

The new theory of liability used at the ICC with concepts such as “joint criminal enterprise” or “indirect co-author”, used by the International Criminal Tribunal for the former Yugoslavia (ICTY) in the Duško Tadić case, was first formulated by state prosecutor of Joseph Stalin's Moscow show trials, Andrey Vyshinsky, at the Bukharin show trial in 1938.

South Africa's leading artist William Kentridge evokes the absurd in one of his works *Telegrams From The Nose*, a re-adaptation of Russian composer Dmitri Shostakovich's 1930

opera inspired by the Nikolai Gogol short story *The Nose*.²⁴ Kentridge's art in this piece marries the nonsensical and bureaucratic tyranny of Gogol's Tsarist Russia with that of the Stalinist regime and the recent damaging history of South Africa. In his work he refers to the theme of the Great Stalinist Purges of Soviet political figures found guilty in the Moscow Show Trials. On the absurd he says: “The extraordinary nonsense hierarchy of apartheid in South Africa made one understand the absurd not as a peripheral mistake at the edge of a society, but at the central point of construction. So the absurd always, for me, is a species of realism rather than a species of joke or fun. And that's why one can take the joke of *The Nose* very seriously.”²⁵

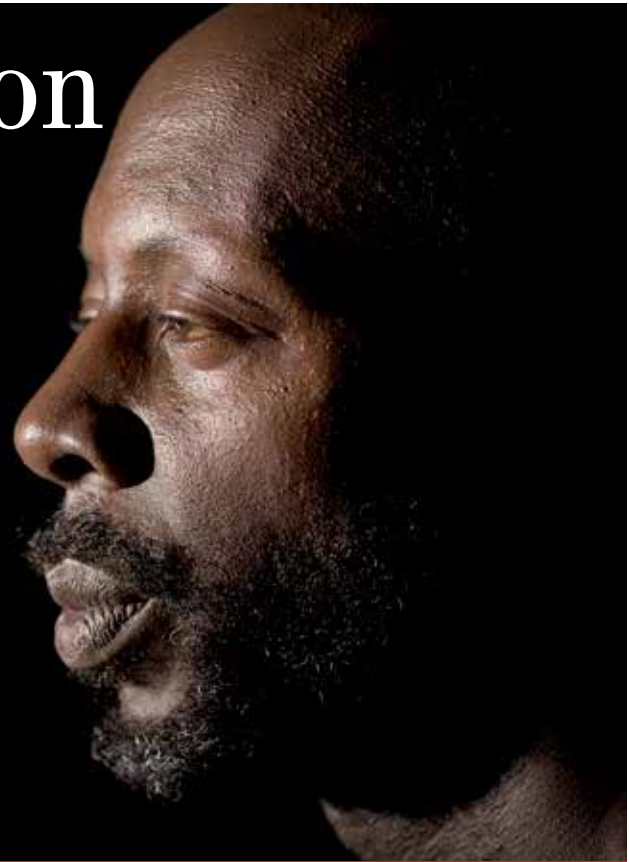
Jean Ping, speaking in July 2011 at the African Union summit in Malabo, Equatorial Guinea, addressed the ICC and its Prosecutor Ocampo's shortcomings: “we are telling him to follow due process, to apply the law and to stop doing politics. One of our leaders told me: ‘Ocampo: It's a joke, it's a joke.’”²⁶

In view of its juridical absurdity we should be taking the ICC very seriously. ■

References

- 1 On 23 November 2011, Pre-Trial Chamber III issued a warrant of arrest for Laurent Gbagbo having found reasonable grounds to believe that he was criminally responsible as an “indirect co-perpetrator” pursuant to article 25(3)(a) of the Statute for the crimes against humanity of murder, rape and other forms of sexual violence, other inhumane acts and persecution, committed in Côte d'Ivoire during the period between 16 December 2010 and 12 April 2011. The pre-trial hearing was held from 19-28 February 2013. In a previous article, *Orientalism in Africa: the ICC and the case of Laurent Gbagbo* I examined some of the legal shortcomings of the pre-trial, see <http://www.resetdoc.org/story/00000022250>. Subsequently in the second document containing the charges further modes of liability were added. The Charles Blé Goudé trial and Laurent Gbagbo trial were joined in March 2015. On the opening of the trial, see *The Gbagbo case. When international justice becomes arbitrary*, <http://www.resetdoc.org/story/00000022641>
- 2 Article 61(7) of the Statute provides: The Pre-Trial Chamber shall, on the basis of the hearing, determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed each of the crimes charged. Based on its determination, the Pre-Trial Chamber shall: (a) Confirm those charges in relation to which it has determined that there is sufficient evidence, and commit the person to a Trial Chamber for trial on the charges as confirmed; (b) Decline to confirm those charges in relation to which it has determined that there is insufficient evidence; (c) Adjoin the hearing and request the Prosecutor to consider: (i) Providing further evidence or conducting further investigation with respect to a particular charge; or (ii) Amending a charge because the evidence submitted appears to establish a different crime within the jurisdiction of the Court.
- 3 Thabo Mbeki in April 2011, when the Ivorian crisis reached its climax, wrote a *Foreign Policy* article ‘What the world got wrong in Côte d'Ivoire’, as well as a mission report after the contested elections. He had acted as a mediator in the Ivorian crisis as early as 2004. On Uganda Mbeki recalls: There was a story that was told about how Joseph Kony – a leader of LRA (Lord Resistance Army) in Uganda about how he was charged, a warrant issued by the International Criminal Court. (...) the communities in northern Uganda that had been severely affected had agreed that they were prepared to engage with Kony and his people to end the conflict, and to deal with reconciliation, and they were including using traditional ways and means. And indeed negotiations started in Juba, South Sudan, chaired by the then vice president of Sudan Riek Machar and then all of a sudden Kony gets charged at the ICC, talks broke down and Kony disappeared into the bush. I do not know where he is now. And so it puzzled me why this thing had happened, because it's not only the government of Uganda but the population that had been directly affected. They understood what needed to be done to solve this problem. But at this meeting in London I actually discovered that it was a decision taken in Washington. They decided, the US government: no this man needs to go to the ICC and that's how Kony ends up where he is.” Mbeki video see <https://www.youtube.com/watch?v=ov2dx7Qpn5I&feature=youtu.be>
- 4 More background on the November 2010 elections here <http://www.resetdoc.org/story/00000022184> as well as a two part film with English subtitles <http://www.youtube.com/watch?v=xwDLcb2UkXE> and http://www.youtube.com/watch?v=-_ghyoG0U8
- 5 S.E. John Jerry Rawlings, ‘Ma part de vérité sur la crise post-électorale ivoirienne de 2011’ in Raymond Koudou Kessié, Hubert Oulaye, Félix Tano, *Le Procès de la CPI contre le Président Gbagbo, Et si la Politique quittait le Prétoire*, Harmattan Paris, April 2016. p. 13-16
- 6 Jean Ping, *Eclipse sur l'Afrique, Fallait-il-tuer Kadhafi?* Michalon Editeur, Paris, 2014. p.157
- 7 The documentary film ‘Rebels of the 9th Art’, see <https://www.youtube.com/watch?v=HfCLHnWxqV8>
- 8 Laurent Gbagbo, *Agir pour les Libertés*, Paris, L'Harmattan, 1991. p.18
- 9 Simone Ehiwet Gbagbo, *Paroles D'Honneur*, éditions Autres Temps, 2008. pp.126-128
- 10 Habiba Touré interview with Nicoletta Fagiolo, November 2015, Paris, France. <https://www.youtube.com/watch?v=hbwkBHgc6aQ>
- 11 Paolo Sanella interview with Nicoletta Fagiolo <https://www.youtube.com/watch?v=OXo9GK9lv60>
- 12 http://www.liberation.fr/planete/2012/01/14/cote-d-ivoire-valse-avec-les-demons_788239 cit. in Théophile Kouamouo, ‘J'accuse Ouattara’, *Le Gri-Gri*, Paris, 2012. p.19
- 13 Mark Kurlansky, *Non-violence, The History of a Dangerous Idea*, Jonathan Cape, London, 2006. p.48
- 14 Georges Peillon interview with Nicoletta Fagiolo, Lyon, France, April 2012 here <https://www.youtube.com/watch?v=I1YnmToSr38>
- 15 Charles Onana, *France-Côte d'Ivoire: la Rupture*, Dubois Edition, 2013. pp.221-223
- 16 Sidiki Bakaba, *Victoire aux mains nues*, 2004 here <https://www.youtube.com/watch?v=CdZcl9zrfws>
- 17 Ademola Araoye, *Why I wrote Cote d'Ivoire: the Conundrum of a Still Wretched of the Earth in The Thinker*, volume 63, 2015. pp.16-21
- 18 John Rosenthal, ‘A Lawless Global Court’ in *Policy Review* 1 February 2004. <http://www.hoover.org/research/lawless-global-court>
- 19 Silvestro Montanaro, documentary ‘La Francia in nero’ (Black France) <https://www.youtube.com/watch?v=TSXw83TIXn0>
- 20 Christopher Black on ‘the Criminalisation of International Justice’ <https://www.youtube.com/watch?v=u8NHawXaOPc>
- 21 Nicoletta Fagiolo, ‘Rwanda's Untold Story. A Commentary on the BBC Two Documentary’, <http://www.resetdoc.org/story/00000022468>, 17 December 2014.
- 22 Pascal Turlan, interview with Nicoletta Fagiolo, ICC, The Hague, 25 April 2013.
- 23 Sidiki Bakaba, see <http://www.connectionivoirienne.net/66164/sidiki-bakaba-raconte-dans-le-bunker-de-gbagbo-jai-echappe-a-la-mort>
- 24 William Kentridge cit. in. *eeshapatkar*, ‘Art, Politics and The Nose: William Kentridge’, March 27, 2015 <https://blog.safronart.com/2015/03/27/art-politics-and-the-nose-william-kentridge/>
- 25 Jean Ping https://www.youtube.com/watch?v=P0S_hbsLnlM

Reflections on “the RDP of the Soul”



We must assess: are we operating on the basis of still being divided? Or: are we operating on the basis of reconciliation, and negotiating the meaning of the Constitution for us to live as a South African Nation, guided by Ubuntu?

By Mongane Wally Serote

Lowe. That is a Setswana word. It means the beginning of the beginning. The context within which it is used is: Lowe fa mantswe a ne a sale metsi; in the beginning of the beginning when the rocks and boulders were still wet. That is when things, no matter what they were – they could be shaped.

I begin there because that is the challenge from which we, Africans, black or white, must begin. This implies, when is it, when did life for Africans begin; when did we shape culture and history; when did we shape the African finger print, the African heritage: Egypt? Ethiopia?

Once, during my many discussions

with the outstanding South African scholar, the late Phillip Tobias, I asked him, why is it that in his work the most researched about people are the black Africans? His answer was: “because you are the cradle of humankind.” At that point, he confirmed that life is four billion years old; I also later heard that the evidence for this is in some rocks which are found in Barberton, in Mpumalanga, which contain a singular cell which is proof to this fact. We were in the process of building Freedom Park at the time. Tobias also told me that most scientists in the world, both natural and social scientists, agree on this matter. What would this mean to all of us as South Africans, if we were

all conscious of these facts, especially at this juncture when the nation has reached the mature age of 22 years?

The histories of both Egypt and Ethiopia do also offer a window through which we can peep, through scholarship, and find the roots of African philosophy which pre-date western civilisation; which, however, is not common knowledge in our nation. The existence of the Kingdoms of Mapungubwe and Thulamela, which predate the arrival of any western influence in South Africa, are not common knowledge in the country either.

In the 22 years of our Nation, these matters have been exposed. That has

been done. We must therefore search from a different direction, for what can complement what is already known. However, I offer this evidence here, to add a reference point which must contribute to what we mean when we refer to issues of transition to the social transformation for South Africa to go through a renaissance, to become an African country in our minds, spirit and body as Africans.

The preserved history, culture and heritage of Egypt and Ethiopia have enabled us to trail blaze and construct the pieces of the jigsaw puzzle of our being African (AC ANTA DIOP Feb, 1974). As a result, we have arrived at a body of thought and philosophical tapestries which will offer us a reference point which we can use so that we can know ourselves in the context of this twenty-first century world. As the law of relativity demands, we are therefore also put in a position to know the other: of Asia, Latin America and the world. We can therefore arrive at knowing and at understanding that while there may be Chinese, Indian and Western civilisations and therefore philosophies, there is also an African philosophy. This find is extremely important for the liberation of the dark skinned peoples of the world; and it will emancipate, even at this late hour, not only the dark skinned people, but humanity as a whole, one can hope, from a barbarism which held hostage human civilisations for centuries.

The question is: who are we?

If we move from an understanding and acceptance of the fact that we can find more than just a clue of African philosophy among the three African Civilisations, namely: Bantu, Sahel and Mahgreb, and the African diaspora wherever it is, together with those of the European and Asian diaspora which now reside on the African continent as their home, we will then have taken strides away from tribalism, prejudice, discrimination, injustice, oppression and exploitation of human beings by other human beings. We will be on course to a future which commits us to the fact that the human being comes first.

We will have created a humane culture – Ubuntu – and therefore be under obligation to develop, promote,

defend and protect it for humanity together with other peoples, on the basis of the promotion of the diversity of life in all its different forms. History has also proved that even as we arrive at this finding, there will still be the other who will remain relentless in seeking a superior place above all others. Therefore the shift must be to find what must be done, to create a culture of tolerance for the other, to understand and accommodate the other. Their negating the whole, is a necessary dynamic for the growth of the whole for as long as it does not violently oppose the whole. That is the dialectic. That is, it is necessary to tolerate the other, but it is also important to keep searching for the humaneness of both.

The insistence here is and must be in

“This philosophical context must be the anchor upon which the socio economic system is based – the system which must rebirth, re-awaken and re-emerge the African people, the African continent and the African Diaspora.”

the “fruits” of a humane culture which becomes a “determinant of history”, developing, growing and becoming able to defend itself and convince its opposition to seek the humanness of itself and of the other too. We do so for ourselves as the other, clear that we must abide by the constant of life: that because the universe is dynamic and therefore always susceptible to change, change is a permanent dynamic of the universe. The philosophical expression of the law of relativity demands that we Africans, even blacks in the broadest definition of that word, must know ourselves, and that is the only condition to know the other. More than that, the purpose for this must be that we

intend to take strides towards what other civilisations, whose presence has been understood and accepted, failed to do: namely, to make practical peace for humanity.

For the purposes of this article, I wish to focus on Bantu civilisation. In the context of South Africa, that means: Basotho, Bapedi, Batswana, AmaZulu, AmaXhosa, AmaNdebele, AmaSwati, VhaVenda and VhaTsonga. This is why I began this article through Lowe. But in understanding Lowe, I must also note and understand the concept of change as well as the dynamism of change as a concept. That is because I am trying to contribute, by creating both a cultural reference point and a pilot project, as part of a whole on the continent, which must be used to engage the whole. It must be clear that the reference and the pilot are a mere part of the whole. They are a means to approach and understand the whole.

Bantu languages are an inherent and intrinsic carrier of the Bantu culture, history and heritage through which African knowledge has been formulated and expressed for the whole world to witness, know and be educated by. However, as soon as I state this, I must hasten to also state that one of the most important projects which must carry the objective knowledges of the world and catapult them through a different and beneficial trajectory is and will be ensuring that the education systems of our continent remember that Africa as a whole was consciously and deliberately underdeveloped.

Besides having to go back to Lowe, the other most important challenge is to accept and implement urgently the processes, programmes and projects which are informed by an understanding that as Bantu people we evolved a cultural reference point whose intrinsic value is Botho/Ubuntu. This philosophical context must be the anchor upon which the socio economic system is based – the system which must rebirth, re-awaken and re-emerge the African people, the African continent and the African Diaspora.

Is this a possibility in the twenty first century? Power seems to shift from the arch-imperialists – Europe and America

– as Africa, Latin America, China and India enter the global economic space which is in their favour, and which can weaken the aggression and the great reliance on military force as a means of diplomacy by the other? Is this the historic moment, when this emerging bloc must collectively probe deeper to know what is humanness and how to persuade the other to find its own and practise it?

The other must be carefully defined. The other cannot, from an African point of view, mean nations, but must mean administrations, as also the other in the African context must mean the people of the African Continent, the diaspora and the peace and freedom loving people of the world. These two extremes form a very important reference point for how Africa must rise to take its place in the world affairs of humanity.

African Universities must, instead of fulfilling the objectives of the West, through the promotion of western chauvinism, break away from western discourse, meaning also neoliberalism, and take responsibility, to prepare future leaders of our continent through Lowe. In other words, the issue with regards to African universities, is: how on the one hand, based on Lowe, must the concept and philosophy of *Motho ke motho ka batho* be unravelled and practised? On the other: how must it also be defended, not to be undermined, as it was in the fifteenth century? How must it be anchored on the means of its resources which are organised to protect, process and promote it?

A deep knowledge of African languages by future African leaders is extremely important. This provides for a genuine discussion, debate and dialogue between conventional and organic African intellectuals. A starting point for this possibility could be that all South African universities must have a mandatory course for junior degrees to do a comparative study of both the idioms and proverbs of any one of the nine major African languages of South Africa. This would be in search of the wisdom and knowledge carried and buried within them, finding those which overlap, those which are a stand-alone and those which

are ambivalent. The other main gain of that venture would be to provide the first opportunity for these future thought leaders to create an African DNA which equips and grounds them within the context they have to live in, develop and create as leaders. This would also be an opportunity to learn from whatever choice one makes from the nine languages, with the objective of negating tribalism. It would also create an opportunity for the thought leaders, who, knowing who they are, will be keen to know the other. They will do so in their own right; in this way, the leaders will be creating African philosophy in search of knowledge, truth and the creation of a point of reference, in search of living a life of quality and creating a liveable environment and world.

As an example, here is one of the proverbs from Setswana:

“Phokoje go tshela ee dithetsana” this is a Setswana proverb. Basically, it states a truth, which becomes a philosophical knowledge which guides understanding about nature. The first and most important observation emanating from a study of the animal kingdom is that the leanness and meanness of this animal, the jackal, enables it to walk long distances propelled also by its cunning; secondly, it brings with it, when it appears from this long and tortuous distant walk positive results; third that the result is that it has solved through its keeping its leanness, and by its meanness and being cunning, a solution to a very grave problem, that of thirst – a killer; fourth, through its search in a parched terrain punished by drought, the jackal has survived, the sign of its survival against hardship and near extinction, is the touch of wet mud on its whiskers. It did find water to drink and quench its thirst! Humans can survive in a drought. That is the final message, though very silent. There are characteristics, and knowledge which humans can learn from the jackal, which they must innovate and through which they can survive as the jackal did through its cunning.

The message from this one line proverb states that there are many elements, which can enable the finding of solutions to challenges:

leanness of sacrifice; meanness of overcoming challenges through single mindedness; and focus and challenging and discovering inherent and intrinsic characteristics within own being, creativity and creation. Here is another proverb:

“Tlou ga e sitwe/iimelwee ke soka sa yone.” One of the most disturbing observations of an elephant, may be that its trunk is cumbersome, awkward and almost out of place. Why is it like that, could creation not have made things better and easier than that? All elephants know what that trunk is for; they know a lot about its multi-usage, they even become playful through it, or even lethal, or use it most creatively. The trunk, the proverb challenges us to know, is one of its strongest body parts. This, even to the extent that, the trunk gives elephants unique strength and reach. Yes, beauty is in the eyes of the beholder, but can the beholder also distort, miss the essence of things, can the elephant and its trunk teach us matters, issues beyond what we see and think if we use other means of observation? The elephant carries its trunk with the greatest ease, unaware of its weight. Do humans carry their challenges with great ease, unaware of their being cumbersome and being a burden?

A University curriculum which creates the basis of education on the study of African languages is the beginning of an African university. As it partners with the Lexicographical committees which have been created by the Pan South African Language Board – Pansalb – the objective must be to elevate the nine languages to twenty-first century vocabularies, parlance and articulation to contribute to world discourse as also it arms the future leaders of the continent, with the culture, philosophy and knowledge which creates a seamless relationship between the masses – the organic intellectuals – and the conventional intellectuals. In other words, it must create the possibilities of a partnership to overcome the challenges facing the nation and the continent.

A new discourse, emanating from the foundation of the continent, and therefore an African indigenous knowledge understanding will emerge

with indigenous solutions to the challenges of its subjective conditions but also to the objective reality of the world in the twenty-first century. This must not mean the total discarding of other knowledges, but that opportunities arise to also borrow and innovate ideas from elsewhere. Which is what Ubuntu/Botho means: We develop our own Ubuntu, and so also contribute to the possibility of Botho with the other, so that we can live side by side. Botho is a holistic approach to life in its various forms.

The concept of Go aana is a Bantu concept which also contributes to this holistic manner of living life. The length and breadth of the continent has created symbolisms which articulate and confirm the diverse identity of people, the common pool of these symbols being borrowed from the animal Kingdom. The concept of totems is a concept which clarifies the identity of people. There are Khoisan languages and therefore also different clans, some of whose totem is a butterfly. There are some among AmaXhosa, whose totem is bees. That is, there are among the nine African languages in South Africa clans which 'aana' all kinds of different animals, and according to what they aana, so their lives are shaped.

The Bakwana, a clan among Bapedi, as an example, in praise of themselves, and therefore also in dictating to themselves how they will carry their dignity, integrity and their lives, say about themselves: baa apara metsi; those whose parts of the body are so ambidextrous as to wear water as clothes are worn, and it never ever spills. When what they aana, the crocodile – which wears water – opens its mouth wide, laying its teeth bare, they say: "Kena, ga e lome" – come in, you are welcome, you will not be hurt here; that is how they display their generosity and their being magnanimous; but also too they show you a bit of how humorous they can be and are. This is not to overlook the viciousness of the crocodile and its teeth. In this humour there is also a sternness and firmness which is an expression of their anticipating that the visitor must respect their ways. This is an expression of their defence of who they are; they are able to defend

themselves and their essence.

The animal kingdom has shaped characters, has instilled style, habits and manners among all the nine African languages and various sub-clans to the extent that they have shaped dances, manners of behaviour, manners of fighting or camouflaging and ways of life. They have shaped philosophies, beliefs, healing systems, IKS, morality, ethics and have also been a source for building Leloko – so called extended families – communities, societies and Nations. Cumulatively and collectively, underneath the idioms and proverbs carrying the weight of the lives of these nine languages and numerous clans, is a tapestry of philosophy of the Bantu people.

It is from these and many other

“The length and breadth of the continent, has created symbolisms which articulate and confirm the diverse identity of people, the common pool of these symbols being borrowed from the animal Kingdom.”

experiences translated into knowledge, history, culture and heritage, in other words, from the long past: Lowe of a people, that you discover their being hurled into the present, but also, you discover who they are, and what their future may be from their past. As a Bantu proverb from Swahili states: life can be understood backwards; but we live it forwards. If we are Africans, these idioms are the blood in our veins, they are the breath of our life and the spirit of our being. They must be at our finger tips; on our tongue and lips because they are in our brain emanating from our spirituality. They are us. They are the foundation, the philosophy of our learning, the content of our being and the context and content of our life. They must be taught. What did it mean

to say Kgosi ke kgosi ka batho? A Kgosi is a Kgosi because of their relationship with Batho?

“//hapo ge//hapo tama/ haohasib dis tamas ka I bo”: A dream is not a dream until it is a dream of the community. That is a Khoisan proverb.

Here, among the Khoisan, a people who were declared to be an issue of genocide, one of the oldest languages of the world, articulated democracy shaped in reality from dreams. The cruel irony here is that the knowledge they so displayed, the culture of being totally one with nature, and transforming that to ways of life, living and the manner to explore its meaning through the furtherance of knowledge, and creating history; their being one with their environment to the extent of being a humble people, because they aspired to be one with everything in nature; and their having learnt all kinds of methods for survival became not matters and issues which the human race thought to turn into living treasures and being advantageous to human kind; but it became a reason for their being sentenced by European settlers in South Africa to be decimated. The basis for African Indigenous Knowledge Systems, (IKS) which is anchored on the life experiences of the Khoi is:

“... the processes of creating knowledge infinitely from a spiritual belief and activities point of view of a people; gathering that knowledge to order and organise it, within the context of their environment and culture, to further create more knowledge, to access more knowledge, to improve the quality of life and to ensure that the environment and culture they live in and through can be liveable...”

This definition, which I derived from my over twenty years of working in this area of IKS tests time as to whether this knowledge must change and if it does, how and why – given that change is a constant in the universe.

A structure called the IKS Secretariat, through which the exploration of IKS was conducted in the democratic Parliament of our country in the nineties, partnered with the then University of the North to research IKS technology by fielding 63 young students in three villages. This research demonstrated that there are IK technologies. They

come from a context which is spiritual, of knowledge, expertise, culture, history, skills, systems and so on: they are unique to their environment and culture, and therefore they are indigenous; they emanate from knowledge and other related systems. That is how the Indigenous Knowledge System was arrived at. And so IKS is unique, but also, it overlaps with other knowledges.

Further analysis revealed that IKS yields different categories: social, institutional, technological, biodiversity and liberatory Processes: it is cultural, as it is natural and social, it is scientific, it is created on a holistic basis if not categorised. This IKS emanates from various institutions: e.g. male and female – male is five in one institutions as is female; bojale, bogwera; (male and female initiation) bogosi, bongaka, leloko, morafe, and so on. The point here is that in order for IKS to develop people, it must do so in the languages through which it is derived, to ensure that its content is continuously informed by its context.

Is language so important?

Language is a carrier of culture, and culture is a carrier of language; this establishes a complementarity which imbues the content and the context with symbiotic dependence and therefore development and relevance and appropriateness to its community to develop things. It is these “things” which have shaped civilisations, but it is also these “things” which have created wealth and shaped communities, societies, nations and continents. It is the manner in which these “things” are organised, the relevance of their being organised in relation to communities and also, in whose ownership these things are located and biased that has shaped the power of nations and continents. The colonised and the colonisers are shaped by these things, and it is these things which shape the character of the litmus test about the destinies of people and nations. It is these “things” as they interact with people and as people interact with them which result in articulating a culture of a people.

Amílcar Cabral was murdered to stop him from reshaping the culture of the people of Guinea Bissau and

of Africans wherever we are, for their betterment and for their best future out of colonialism into freedom. He left us a legacy, which it is now time, if not long overdue, to examine: this is how he defined culture:

“Culture is simultaneously the fruit of a people’s history and a determinant of history, by the positive or negative influence it exerts on the evolution of relationships between (human beings) and their environment among groups of (human beings) within a society as well as among different societies.”

That is Cabral’s gift to the generation which rules the continent presently, even here in South Africa. What is the “fruit” of our history of struggle, how has the culture of our struggle for freedom been a “determinant” for Africans on the continent, in South Africa and in the diaspora? There was a philosophy of life, which the indigenous people, as with all other human beings, had to formulate, experiment on, study and live by; like every other human being, those on the continent, and those who were enslaved and removed from their places of birth against their wills, with brutal force, and held under the circumstances of absolute abnormality, to continue living, they too had to almost begin to reinvent culture, history, heritage and being. These are the pasts which we have to examine because a life not examined is not worth living, as philosophers have stated.

On the other hand, the First people of America and the Khoisan who were almost obliterated from the earth had no chance to reinvent themselves. And therefore whatever was left, of those who survived, which is a mere semblance of them, and their adjusting to everything foreign about them, besides defining them almost as being outside of life, in their being reintegrated because they were not exterminated, those moments define them as foreigners in their current life even if they are in a land of their birth. The brand new circumstance gave them no choice but to imbibe the language of their captors. Their captors almost managed to decimate them. The almost here, must mean, those who remain, were genocided out of their context, and therefore

are permanently almost lost. All the captured whether as citizens, slaves, or resettled remnants of the exterminated citizens, because they never are a part of the whole, do speak English, do speak Afrikaans but that English and that Afrikaans is different and at times deliberately so from the original. And therefore there is English and English and English in the land, as there is Afrikaans and Afrikaans and Afrikaans in the land.

If it is true that to ensure that our languages are spoken in our country is too expensive, would it be otherwise if we said then that the alternative is that all South Africans must speak whatever their language is, but that, in order for us to build a non-racial African nation in South Africa all South Africans must learn Swahili? That by doing so our reference will still be Bantu and that we will still be contributing to the unity of Africans, for the possibility to develop people so that they can develop the “things” referred to above?

One of the two has to apply here, if it is true that Language is a carrier of culture; that culture is the carrier of language. It is when a context, depending on the ordering and organisation of access to “productive forces” and the products they produce happen in a society, a nation. But also, more importantly, if “culture is the fruit of a people’s history” and if “culture is a determinant of history” would these guarantee the emergence of a nation from Southern Africa, which together with East Africa, contribute to a possible emergence of a united Africa, and an enriched African renaissance culture to shape a new consciousness expressed through a common national purpose? Such a culture seems to be in the Cuban consciousness for Cuba and the internationalist culture which that small country, which is a visible and big country executes everywhere in the world? There is an example of possibilities!

There is a body of thought out there, outside of the West, which is not only different, but whose meaning will always shore up the schisms and gulfs between non-South and non-North. This non-black and non-white issue is like that, it is a philosophy of the other and the other. One is a world

belonging to a past which conquered history, culture, heritage, IKS from everyone, everywhere, and created massive empires and Kingdoms at the expense of humanity; the other is the world which holds for dear life, after losing everything humane; clings at humanness and being defined by everything else the same as being betwixt death and life but is awakening. The parlance and the context and content about when will these twain meet smells like burning human flesh, thick smoke and wails like utter chaos. It has happened. It happened in Africa when the greatest crime in history was committed – the slave trade; ask all of Asia, Latin America and the Middle East if we speak about the past, if we speak about the present we must ask, will this madness ever come to an end: ask Syria, Iraq, Iran, Egypt, Libya, ask Eastern Europe. Is it true that there is a philosophy called “regime change”?

Ask Gbagbo – Why is he in the International Criminal Court (ICC) – who took him there and why? There is an underlying philosophy here, and it is eloquently articulated by one of the IKS categories, the liberatory processes; a trove of knowledge, a philosophy expressing the manner in which Africans did everything under the sun, to express what they thought was a simple truth, which could be heard and understood – We are people, we are well when we live within the context of peace and freedom. This understanding is articulated well within the African Primary Institution – Leloko.

Look at this, one institution of Africans, which is not dissimilar to other institutions which are created by human beings – Leloko: African primary institution. This is an institution which consists of five in one individuals, whether a man or a woman. A man/woman has definite responsibilities: as malome/rakgadi, rangoane/mangoane; as Rra/Mme and as nstatemogolo/mmemogolo. The first responsibility of all these elders is to ensure that the children receive love, eat, learn the culture and about the heritage and eventually about life. Leloko is the institution where the children/little ones are educated: motho ke motho

ka batho ba bang. Leloko is an IKS institution within which the concept of Ubuntu is conceptualised, and through drill and practise is incubated, innovated and is forever a point of relationship within the institution.

The complementarity between Rra/Mme and Nstatemogolo/Mmemogolo in terms of the children is that the former disciplines and the latter gives the children the experience of love; both impart issues of culture and heritage, respect, being polite, knowing humility and practising it, and also most important Botho/ Ubuntu.

Every child relates to many people at the same time, at all times and in specific ways according to their responsibilities and hierarchy in the institution. The older siblings take full responsibility for the little ones to behave, to be honest, as also, through drill and practice, they are assigned chores as girls or as boys by the adults, and the elders. The little ones learn to respect, to obey, to be honest. They are also consciously and deliberately sensitised to the hierarchy of the institution, the responsibility to ensure that they know that they are expected to contribute to happiness and joy in the house by being guided through the rules of the institution. There is also what is called “botsalano ba maiketsetso” relations which are not necessarily of bloodline, but created to extend, to substitute or purely because the individuals are older, or senior in the family or community.

The manner of behaviour inside and outside the institution is guided by the rules of the institution which are passed from generation to generation, also, through word of mouth. That is where matters began in the beginning of the ideal, and that is where the Bantu within the African being: Amazulu, AmaXhosa, AmaSwati, AmaNdebele, Basotho, Bapedi, Batswana, Vhavenda, and VhaTsonga have been cultured; there are the South African Indians, there are the Coloureds, there are the Afrikaaners and there are the South African English. If we go by what the National Political Negotiations achieved in the nineties, by creating the possibility for the development of a non-racial, non-sexist and democratic Nation, from a past Nation which was divided by colonialism and apartheid,

we must assess: are we operating on the basis of still being divided? Or: are we operating on the basis of reconciliation, and negotiating the meaning of the Constitution for us to live as a South African Nation, guided by Ubuntu?

These questions are important. What are we reconciling, and has that been reconciled? How will that be measured and assessed? In other words are there still the other and the other? The history, culture, heritage of the non-white as described in the sketch, reference and pilot above, must be put on the National agenda and discussed by the Nation and adopted as a programme for transformation – what Madiba called the Reconstruction and Development Programme (RDP) of the Soul in South Africa in the nineties. This as a way to manage on the basis of the constitution, international law and also especially Ubuntu: *the other negotiates for the humanness of the other, and the other also negotiates for the humanity of the other* to create a possibility to live a quality life and to create a liveable world environment for all.

The issue here is no longer who is wrong and who is right if we still follow the precedent and processes created through the negotiation processes of Codesa. The issue is that the land belongs to all South Africans, and that the triple plagues of our society which also plague the whole of the continent – poverty, inequality and unemployment – must be addressed with immediate effect by all and by all means necessary. In other words, there is the state of the other and the other. Therefore, the issues raised here are an agenda for the one side of the other, which must be discussed with the other. A National agenda must be arrived at for transformation, on this basis.

An important initiative, a National Dialogue, called for by the Albert Luthuli Foundation, the OR and Adelaide Tambo Foundation, the Sobukwe Foundation, the Thabo Mbeki Foundation, the Tutu Foundation, the Helen Suzman Foundation, the FW De Klerk Foundation and the Umlambo Foundation should be fully supported. ■

Pan-African internationalism through partnership, not neo-paternalism



Imbibing the core partnership principles was considered vital as a result of a growing sense amongst a new generation of Africans that development partners had to adhere to such evolving norms and standards, to redress the injustices of the past.

By Chris Landsberg

The two strands of Pan-Africanism continue to be pitted against each other. One is moving towards the “one African nation”, the United States of Africa (USAf); and the other towards a Union of African States (UAS), in which African states live by common norms, values and interests. In this context it is important to continue to consider how African states as a grouping of states seek to assert their agency in world affairs.

While it is not often recognised by outsiders, or even many Africans, Africa has a rich history of agency in which African state and non-state actors sought to assert themselves and claim their right to autonomy and self-determination. For purposes of this article, we will look at the decade 1998-2008, what I have called elsewhere the “golden decade” of Pan-African diplomacy in the 21st Century, as the continent sought to claim the 21st Century as “the African Century”.

This decade saw the emergence of a second generation of Africans whose primary agenda was to end centuries of humiliation and colonial domination, in which they were treated as second class citizens. This new generation of leaders wanted to redefine relations with the outside world, and in particular create a new relationship with former colonial masters and outside powers – the industrialised powers in particular. They were tired of paternalism, arrogance and neo-colonialism, and they wanted a relationship of genuine partnership in which Africans and not outsiders set the agenda.

At least since 1998, African states, spearheaded by South Africa’s second democratically elected president, Thabo Mbeki, and backstopped by continental partners and allies like Nigeria’s Olusegun Obasanjo, Ghana’s John Kufor, Ethiopia’s Meles Zenawi, Tanzania’s Benjamin Mkapa, Mozambique’s Joachim Chissano, Algeria’s Abdelaziz Bouteflika, Senegal’s Abdoulaye Wade, and others, engaged the G8, the UN, Japan’s TICAD, China’s FOCAC, and other international actors and players, in favour of a new paradigm and relationship, namely strategic partnership.

Indeed, in 2000, during the annual

G8 summit in Okinawa, Japan, history was made when African leaders first engaged the G8 leaders in search of this new post-Cold War development model. They showed real leadership when they proposed a move away from an historical paternalistic and dependency relationship to one of genuine partnership, based on the principles of mutual respect, equality, responsibility and accountability, responsiveness and an equitable world order, advocated under the AU/NEPAD framework. Accordingly, African expectations were that the new partnership would be, in the true sense of the word, a relationship based on equality, with both sides (Africa and the rest) having something to contribute, not the one-sided donor-recipient relationship that had characterised past interactions. No longer could agendas

“The continent’s leadership failed to show collective or individual agency, and there is currently a real leadership vacuum playing itself out in the continent.”

be imposed on Africa, but rather its own identified needs and priorities would be addressed.

The new partnership framework was supposed to draw on existing arrangements, while bringing strategic consolidation, coherence, expansion and a result-oriented focus to the new architecture, which included the 2001 New Partnership for Africa’s Development; the 2002 Monterey consensus; the G8-Africa Action Plan; the 2005 Gleneagles agreement, and others. It would, thus, need to forge relationships with strategic partners willing to engage in its development agenda. Imbibing the core partnership principles was considered vital as a result of a growing sense amongst a new generation of Africans that development partners had to adhere to

such evolving norms and standards, to redress the injustices of the past.

In particular, given the need to underpin African ownership and leadership of Africa’s development agenda and process, the G8 offered the possibility of establishing a political process that could translate political will into mutual accountability, as well as an effective monitoring of commitments, vital to translating them into effective strategy and policy.

This new partnership model was based on the theoretical framework of internationalism – African internationalism if you like – with the wish on the part of these African states to play a role, on behalf of the continent, to negotiate international power redistribution models and extract commitments from industrialised and former colonial powers in areas ranging from aid to market access. South Africa and other continental powers, like Nigeria, Senegal, Algeria, Ghana, and the African Union Commission, have been key voices in favour of new modalities for resource mobilisation, such as better and more effective levels of aid to be channelled to it. These states appropriated for themselves the role of partnership negotiator with the Western powers, notably the G8 countries and European Union countries, and together with other African partners specifically campaigned for international support in five areas: more accelerated and predictable levels of aid; market access for African goods; debt relief; a free and fair global trade regime that would benefit Africa and the outside world; and resources to enhance the continent’s peace support operations capabilities.

Where do we currently stand with this partnership model? There is a palpable sense in which African agency and leadership has been weakened since 2008, and the past seven years has seen the important matter of Africa’s strategic partnerships agreed between 2000 and 2008 being put on the backburner by both African and external partners. The continent’s leadership failed to show collective or individual agency, and there is currently a real leadership vacuum playing itself out in the continent. One demonstration

of this lacuna is that they have failed to embrace the partnership paradigm as espoused by their predecessors. African politics are highly personality-driven affairs, and because the African Agenda of 1998-2008 was so closely associated with the personalities of Mbeki, Obasanjo, Wade, Chissano, Mkapa, Kufor, Zenawi, Bouteflika and others, some of their successors felt the need to distance themselves from these projects. The end result was lack of ownership, and this gaping diplomatic lacuna. The Zuma government and its new African allies have allowed the important issue of Africa speaking with one voice to drift, and have not banded together with other pivotal African states, like Nigeria and Senegal. At present, there appear to be few signs of an African “concert of powers”, through which key states come together and co-ordinate their efforts in favour of a single African voice and continental interests.

The G8-Africa Action plan, crafted from 1999 and coming to fruition in 2002, has been allowed to merely waver, and African states are currently doing little to hold the feet of the Western powers to the fire so as to ensure that they live up to commitments made to Africa. G8 powers made more than 120 commitments to Africa, and it is now up to them to try and ensure that these states live up to their side of the bargain in the areas of trade, aid, market access, debt relief, and resources for peace support operations. The G8 countries have conveniently pushed their Africa Action Plan off the table and onto the backburner; they have found myriad excuses not to meet their obligations towards Africa, but had no difficulty in finding the resources and will to engage in an illegal war against Libya. At present, Western powers are in breach of the principle of *pacta sunt servanda vis-à-vis* their compact with Africa. While they all talk about Africa as the “next frontier” and “growth point”, they also tend to ignore African voices politically, and marginalise the continent in the international arena.

Within the context of the G20, where South Africa became Africa’s only representative, there was an expectation by Africans that South

Africa would articulate a clear continental agenda, and pursue Africa’s interests. However it has not taken up the challenge of articulating this African Agenda, and another opportunity for African leadership and agency had been lost. South Africa has merely focussed on narrow issues of capital flows and fiscal issues. Expectations were that South Africa would ensure that African interests were well-represented, and that the G8-Africa Action Plan would be pushed by South Africa. To date, this has not happened and African development concerns enjoy little attention. This is despite programmes such as NEPAD and the APRM, as well as institutions such as the AU.

Now that Nigeria has overtaken South Africa as Africa’s largest economy,

“At present, there appear to be few signs of an African “concert of powers”, through which key states come together and co-ordinate their efforts in favour of a single African voice and continental interests.”

and is ranked no 20 in the world on the PPP basis, and South Africa has slid to the 30th position, the Republic will come under more pressure to justify its leadership status in world affairs. Nigeria is likely to raise questions about South Africa’s continuing occupation of seats on the G20, the BRICS constellation, and IBSA. If nothing else, Nigeria would probably highlight the need for formations like MICTA and MINT to consolidate their efforts to rival BRICS and IBSA. This would not bode well for the continent, as it obviously needs both these regional pivots to co-operate if the continent is to realise its important social, political and developmental goals.

In fact, in order to realise the continent’s strategic goals, the onus is

more on its states and leaders rather than outsiders to take responsibility and initiative for their own agency. Outsiders do not have Africa’s interests at heart, and tend to only exploit the sense of vacuum that is currently besetting the continent. It remains up to Africans to assert the continent’s sense of agency, pride and ownership, and there is a responsibility of partners like South Africa and Nigeria to restore their relationship and move beyond fissures and divisions so that they can play leading roles in articulating for the continent an agenda worthy of being called the continental African agenda.

South Africa and Nigeria should of course guard against an egotistical notion that they are hegemon bent on dominating others and dictating to them what they should do and how they should behave. Instead, they should work with other African states in their respective sub-regions and beyond to come up with coalitions and partnerships that will help Africa overcome its fractured status and start to speak with one voice. Africans are challenged to come up with notions a common sovereignty so as to stop others from playing us off against each other.

Sub-regional bodies like SADC, ECOWAS, IGAD, the EAC and others should co-ordinate policies amongst and between themselves more effectively so that they help Africa and not outsiders set and determine the agendas. But African states and sub-regions should also learn to work more closely with the African Union Commission in Addis Ababa and other AU organs to band together and co-ordinate positions more effectively in order to maximise the continent’s agency.

If the continent is to extract commitments from external actors, and ensure that the international community makes good on pledges such as the post-2015 Sustainable Development Goals, then we will first have to become more united as Africans before waiting on outsiders. External players are not going to hand to Africa agency and influence on a silver plate. It is up to us to ensure our unity in decisions and action. ■

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THE CFTA AND TFTA

Are they the future of Afrikan Regionalism and Unity?



Few seem to have asked the key question: which form of regionalism will unite Afrikan people in vision and intent

By Lebohang Liepollo Pheko

The formation of the erstwhile Organisation of African Unity was a massive undertaking that attempted to unify not only geographic entities but also ideologies, visions and indeed, economies. The Casablanca group represented a more fundamental and rapid tide to a complete, borderless and integrated Afrikan unity. The Monrovia cohort prevailed and they represented a more gradualist approach, which preferred to build regional groups as blocs towards Afrikan unity.¹ Even at inception, the form, pace and philosophy of what unity is, was contested and the divisions persist today.

Perhaps as a response to the gauntlet thrown down by the pioneers of Pan-Afrikan² thinking, Afrika also has its own mega trading bloc initiatives namely the Tripartite Free Trade Area (TFTA) and Continental Free Trade Area (CFTA). These are a step towards realising the African Economic Community (AEC). These agreements could be viewed as attempts to 'reboot' the Pan-Afrikan vision in the 21st century. Proclaiming unity and regionalism at high-level meetings, however, is no panacea to the fundamental challenges of achieving this, particularly when Western powers resist virtually all forms of Afrikan progress.

Regionalism represents attempts to coalesce cohorts of nations towards the advancement of their political, social, economic, ecological and cultural aspirations in co-operation with each other. These efforts manifest themselves in various forms such as regional cooperation, market integration, development integration, and regional integration.³ Regionalism is an attempt to aggregate country interests towards unity.

Even before the independence era, Afrikan leaders in and out of the Diaspora anticipated that regionalism would be a feasible stratagem to foment continental unity in the political, administrative and economic domains. Although regional bodies adapt to variant national and regional contexts, they share the objective of harmonising market integration as a means of bolstering intra-regional relationships. Perhaps a narrow approach, it is not without merit

particularly in the face of diminishing returns of Afrikan country exports to the rest of the world. To date, it has not created unity but rather fosters uneasy harmonisation and different levels of cohesion.

Most Afrikan countries and global analysts have observed the virtually unprecedented momentum towards regionalism, noting in particular that traditionally strong economies are spectacularly fixated on expanding their markets. For most Afrikan countries, this could result in another type of economic segregation on international markets. In all probability, these new configurations will result in harsh competition for preferential access between these new trading partners and Afrikan economies. Most of these new blocs will result in preference erosion for Afrikan countries.

Unlike the Afrikan discourses, none of these groupings are interested in unity per se, but rather in pragmatic economic cooperation. It is a new form of unity – unity in economic survival and the quest for expanding markets. The question in the 21st century is whether these new Afrikan trade agreements are an appropriate conduit of Afrikan unity and whether in fact there is sufficient consensus on what Afrikan unity should be.

Why regionalism and why now?

There are more institutions in existence now than in 1961 due in part to the growing complexities of internationalism and international relations. The last half-century has brought different ruptures including:

- post-independence state formations across the Afrikan continent;
- the rise and fall of the cold war;
- multiple civil wars and genocides;
- contending forms of governance and rights;
- politicisation of justice instruments;
- imperial wars on manufactured terror;
- technological advances;
- climate change and ecological trauma;
- economic globalisation;
- unprecedented securitisation of public life and private spaces; and
- emerging global powers.

The rapid pace of negotiations fuelled by the aggressive liberalisation agenda has resulted in multiple geopolitical and trade commitments. Ferocious forms of economic globalisation, Western survival imperatives and negotiating power are important determinants of Afrikan countries' share in global trade and global voice. Rhetoric is not a useful currency for unity or global expansion.

Moribund institutions are partly responsible for the stagnation of trade agreements and regionalism. The African Union owes its political lineage to a post-independence, anti-colonial context. It is now operating in an environment in which more nebulous forms of colonialism and state capture prevail. As a result its mandate is possibly less tangible than 55 years ago. The AU (along with the African Development Bank and the United Nations

“The irony of the fact that the EU has similar concerns to many Afrikan countries regarding sovereignty and public expenditure is not lost.”

Economic Commission for Africa) have exacerbated the malaise by locating economic growth in a market driven, export orientated framework, which is largely commodities dependent. The African Union has further suffered from bureaucratic inertia and stagnation despite the rebranding exercise in 2001.

The African Union is not the only organisation that has been accused of inertia and growing irrelevance. Growing impatience and suspicion with the tardy pace of negotiations at the World Trade Organisation – epitomised by the contentious 'Singapore Issues'⁴ – have once more highlighted the urgent importance of regionalism for Afrikan countries. Regions such as the United States and the European Union have also accelerated the pursuit of new inter-regional trade arrangements,

particularly in the face of uncertain markets and a less ebullient global outlook for their economies than a generation ago. A salutary example of new and unusual alliances among old rivals is the Transatlantic Trade and Investment Partnership (TTIP) between the United States and the European Union, encompassing 29 countries. Despite fears from some EU lobbies that the agreement will erode sovereignty and hamper expenditure on public spending, the deal has been pushed through. The irony of the fact that the EU has similar concerns to many Afrikan countries regarding sovereignty and public expenditure is not lost.

Additionally, the USA has negotiated preferential trading agreements through the Trans-Pacific Partnership [TPP]. This grouping comprises an unusual geographic and economic spread of countries across Asia, Latin America and the Pacific.⁵ Countries as varied as Australia, Singapore, Canada, Chile and Japan completed the negotiations in 2015. The vigorous negotiations that are taking place away from the WTO are a result of:

- the failed Doha round;⁶
- declining credibility of WTO processes;
- inability to resolve the New Issues (or Singapore Issues);
- unabashedly brash US economic interests;
- explicit unhappiness of many Afrikan and developing countries with WTO processes which have partly resulted in sector negotiation blocs within the WTO; and
- the growing stridency of emerging economies at the WTO negotiations which frustrates 'Quad'⁷ interests.

In theory, all bi-lateral and multi-lateral agreements should be reported to the WTO. At the 10th WTO Ministerial meeting that took place in December 2015⁸ Director General Robert Azevedo acknowledged the increasing pace of negotiations outside the WTO system and expressed a wish for them to be better streamlined. All this confirms what many Afrikan countries have long understood: that international trade requires more concerted and cohesive approaches. It also confirms that we have not advanced

in tapping the tremendous potential for intra-regional co-operation.

The CFTA and TFTA as anchors for integration

Popular opinion holds that the Afrikan continent advanced the unity vision when negotiations for a Continental Free Trade Area (CFTA) were launched in June 2015 at the African Union Summit held in South Africa. The Tripartite Free Trade Area (TFTA) was launched in 2012 and encompasses 26 countries across the East African Community (EAC), the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA). The latter is increasingly seen as a process towards creating the CFTA. It is true that the agreement connects nearly one billion people and could potentially provide the Afrikan continent with the homegrown consumer base to obviate the exigencies of the mega regional agreements. It also goes a long way to finally anchoring the African Economic Community envisaged by the Abuja Treaty. The CFTA is primarily the strategic basis for Afrikan countries' effective integration into the global economy.

This process however does not by any means bring the continent closer to 'unity'. Modern discussions on unity are deeply biased towards market access and trade agreements rather than social, cultural, environmental or military co-operation. Cross border political cohesion is more often fostered in reaction to particular events.

The extent to which this process lacks conceptual clarity is expressed in the many forms of regionalism that are available. The utility of regionalism as a platform to foster unity is not fully expressed in these forms. However, Agenda 2063 recognises the CFTA as an important milestone towards the ultimate goal of creating an African common market of almost 1 billion consumers, and the establishment of an African Economic Community as stipulated by the Abuja Treaty and the Constitutive Act of the African Union.

A plethora of research⁹ indicates that the CFTA will lead to dynamic

growth and trade cohesions. The same studies insist that there will be positive growth and trade benefits between Afrikan countries and that these will result in industrialisation, production, competitiveness and infrastructure connectivity.¹⁰ However none of these address the realities that many Afrikan countries – while sympathetic to the sentiment of unity – are unwilling to implement the necessary administrative and political details to actualise this reality. The current Regional Economic Communities (RECs) are already beleaguered by geopolitical complexities, opportunistic loyalties, divided priorities and asymmetrical visions. Only six Afrikan countries belong to only one REC and Kenya belongs to four. Far from being unifying configurations on which to

“Modern discussions on unity are deeply biased towards market access and trade agreements rather than social, cultural, environmental or military co-operation.”

build a consolidated and integrated platform, the RECs have possibly fragmented the Pan-Afrikan process and vision further.

A larger FTA will add to the complexity compounded by the vacuum of clarity, vision and strong Afrikan leadership composed by the people and the state.

As inferred above, the African FTAs are today responding to market driven imperatives and industrialist biases rather than bringing Afrikan nations and people closer. In response to this, Tanzania left COMESA due to concerns that their domestic market would be disadvantaged by the influx of cheap imports from Egypt.¹¹ Others are anxious that an enlarged FTA will in fact polarise nations further by advantaging countries with larger

economies. These countries have a far better ability to attract and host industries and corporations close to their client base.

Challenges to the dream

Certainly the Afrikan FTA offers more than WTO's pernicious Trade Facilitation Agreement (TFA) and does offer this within the ambit of Afrikan country contexts and asymmetries. The far-reaching TF agreement strives to harmonise customs rules and regulations globally, using processes, technology, legal frameworks, border procedures standard setting prescribed by Northern, industrialised countries. Expensive to implement and largely intended to enable unimpeded market access to large Northern multinationals, this TFA has been marked by arm twisting and bullying to coerce Afrikan countries to sign it.

Despite this, the TFA was endorsed by the African Union after the Bali WTO meeting in 2013. They astoundingly described it as: “an important stepping stone towards the conclusion of the Doha Round⁶ ... To this end, leaders acknowledge that the Trade Facilitation Agreement is an integral part of the process.” The AU's tacit approval of the TFA is particularly bewildering because the text on trade facilitation is the very opposite of what Afrikan countries need to address the fundamental and peculiar challenges that they face in moving goods and services across national borders. So in addition to the tangled spaghetti bowl of shifting or multiple national interests, the complexity of navigating the CFTA as an instrument of cohesion and unity is further hampered by a market orientated bias and by institutions such as the AU, which in this instance is not providing a coherent Pan-Afrikan vision.

A complex dimension to the Afrikan FTA is the balkanisation of Afrikan identities along pre-independence lines. The umbilical attachment with old colonial powers is a prevailing spectre and the creation of a self-reliance embodied by an Afrikan FTA will threaten Western economic interests to the core. Regrettably, the extent to which Afrikan countries will realise an AEC cannot discard the reality of our dependency on external parties.

Cutting the cord will lead to political, economic, and financial and possibly even military trauma and the inevitable strong-arm tactics of the North. Their largesse cannot be expected in this endeavour but their resistance and manipulation are inevitable. As Mwalimu Nyerere stated, “the balkanisation of Africa is a source of weakness to our continent... the forces of imperialism and neo-imperialism will find their own strength in this basic weakness of our continent.”

Many countries may not rally around an AEC unless it can guarantee enlarged market benefits. Many countries have extremely similar production and agricultural profiles, which may require agglomerated economics to optimise greater value chain addition and to accelerate product diversification. Where five neighbouring countries produce the same crop, the dividends of free market access will be limited. Because a Pan-Africanist agenda does not have the currency that it did at the 1965 Accra Summit, the framing and understanding of the unity dividend require conceptual clarity in a 21st century context. Despite having agreed on a Minimum Integration Programme¹² (MIP) to accelerate regionalism, many Afrikan countries have not. The MIP comprises those activities, projects and programmes that the RECs have selected to accelerate and bring to completion as part of the regional and continental integration process.

Regarding the latter, an important determinant of this process is how unity is understood and who frames this understanding. Regionalism as an abstraction has been driven by states and state institutions with sparse consultation or dialogue with the general public. On the same hand, regionalism as a vivid reality has been practiced by Afrikan citizens with negligible support from states and state institutions. In fact Afrikan institutions often have a combative relationship with their own citizens’ instinct to move within the continent. This goes beyond the challenges which visas and transport infrastructure present us with. Though valid, these constraints are merely emblematic of a fundamental lack of a Pan-Afrikan imagination and posture. It is unsatisfactory and

problematic that the locus of processes that fundamentally affect a billion people is enclosed in inaccessible and opaque institutions.

The idea of regional unity and integration is compelling but elusive. This continent has been trawled for human and natural resources in order to subside and sustain the industrial revolution and ongoing economic endeavors in Europe and the US. The Afrikan continent was clumsily parcelled amongst various Europeans countries, which resulted in dividing Afrikan regions into various foreign languages, practices and ontologies. This alone is anathema to the vision of unity and integration. One study¹³ characterised the difficulties of unity as:

- nationalist rivalry;
- incompatible political and economic systems;
- mono-cultural agro-based economies;
- unjust international economic structures, debt and dependency of the west;
- insufficient infrastructural, financial and technical resources;
- uneven distribution of the benefits of integration;
- multiple membership of regional organisations;
- weak economic and political governance;
- institutional incapacity;
- lack of grassroots and public support;
- socio-economic growth and social inequality; and
- lack of commitment and political will.

Although market integration is not sufficiently effective on the continent, it remains the determined mantra of most Afrikan leaders, as means for Afrika to pole vault into the global economy. The current trend towards regional blocs is not new, nor is this the first time that Afrikan countries have been unable to firmly respond to the shifting sand of internationalism and global economics. NAFTA’s (North American Free Trade Agreement) implementation in 1994, and the momentum toward EU monetary integration, galvanised Afrikan leaders to urgently revisit market integration. The response was

dramatic and decisive. Member states of the then OAU endorsed the Abuja Treaty, which shaped the African Economic Community (AEC). This stipulated complete integration of African economies by 2025.

The AEC’s creation immediately followed the OAU’s failure to comply with the objectives of the 1980 Lagos Plan of Action that anticipated that an economic community would be created by 2000. This postponed the vision by a quarter of a century. Troublingly, many of the more recent discourses on unity and regional cohesion draw impetus from external processes and events such as the 2008 recession, new US led trade blocs and the insistent WTO move towards trade facilitation agreements.

Although Nkrumah was accused of acting as an African Napoleon¹⁴, notably by his ally Nyerere, it appears that his forcefulness anticipated the loss of momentum and even appetite for total unity. Today’s constructs of Afrikan unity are largely premised on economic growth and often obscured by configurations such as the BRICS group (Brazil, Russia, India China, South Africa) and the distracting ‘Africa Rising’ buzz. Both these ideas emerged away from the Afrikan continent and in isolation of popular debate or input.

What are the forms of regionalism?

Regionalism and/or regional unity are regularly evoked and their multiple meanings are not sufficiently assessed. The dimensions and scope of regionalism (and regionalisms) differ. Some fear that it is harbinger of new forms of ‘economic tribalism’ or that borderless states are misguided (and threatening) utopian ideas. Perhaps this theoretical ambiguity is contributing to the moribund pace of progress.

Regional cooperation is described as “a collaborative venture between two or more partners, with common interests in a given issue.” Examples include policy harmonisation, shared running of utilities and joint development of shared natural resources.

Market Integration includes free trade, common external tariffs, harmonisation of monetary and fiscal policies, and unification of fiscal and

monetary policies. Countries are able to maintain their own tariffs against non-members. Market integration also enables the unfettered movement of (notably) people and capital. (Balasa, 1961)

Development integration is a response to the challenges posed by market integration. It encourages an active state and places strong emphasis on the interface between economic and social development. This model requires states to make a political commitment to integration and also requires states to address the outcomes of market biases and the asymmetrical social outcomes arising therefrom. While intending to correct the challenges posed by market integration, it has proved more difficult to implement.

Regional integration is viewed as “a process by which a group of nation states voluntarily and in various degrees” access “each other’s markets and establish mechanisms and techniques that minimize conflicts and maximize internal and external economic, political, social and cultural benefits of their interaction”.¹⁴

Regional integration considers both the mainstream and the parallel economies (often mischaracterised as “informal”). Unlike market integration, it does not require institutions to direct its trajectory. Because it is non-linear, states are not required to concurrently integrate in the realms of politics, culture, social life (or society) and economics.

The evolution of Italian and German city-states and villages into a customs union and later a nation; and the development of China from warring kingdoms took hundreds of years. These nations evolved as a result of political leadership in tandem with transforming economic and technological processes. The forms of pragmatic or sequential regionalism outlined above require a sturdy conceptual grasp of their intent and desired outcomes. The studies that have been produced on the impacts of regional integration and free trade within Afrika are almost entirely focused on economic and corporate benefits rather than their impact on human relations, community cohesion and societal change. Few seem to have

asked the key question: which form of regionalism will unite Afrikan people in vision and intent?

Millennialism and Regionalism

Understanding the call for Afrikan unity in the 21st century is a necessary exercise given the multiple complexities of states, politics, economics, militarisation and the changing forms of internationalism and international relations. The nature and climate of international relations and the continent’s role in that milieu have altered significantly since the formation of the OAU. An example of this is the suggestion that Afrikan regionalism should be bolstered by external guarantors such as the European Union. This follows the problematic model, which conceived the West

“The umbilical attachment with old colonial powers is a prevailing spectre and the creation of a self-reliance embodied by an Afrikan FTA will threaten Western economic interests to the core.”

African Economic and Monetary Union (UEMOA) in 1993. The repugnant idea of ‘benign recolonisation’ has not lost currency. It has been amplified and institutionalised by aid and fiscal policy, the Bretton Woods Group and some donor agencies. These create far more difficulties for the vision that Nkrumah, Nyrere, Cabral, Mbeki et al envisaged.

Market orthodoxy (or neo-liberalism) is a critical dilemma of modern governance and has significantly demobilised Afrikan states over the past 40 years. It demands that the State be removed from market intervention, fiscal austerity, disinvestment in public utilities, deregulation of money markets and currency devaluation. There is consensus from reformed free market apologists like Joseph Stiglitz that

Structural Adjustment and austerity do not lead to growth or market stability and do not bring development. The insistence on externally inclined trade has not facilitated intra Afrika regionalism. It has instead resulted in Afrikan countries defaulting to trade relations with colonial and Northern countries, normally on inequitable terms. These have contributed to deindustrialisation, skills and resource depletion, deregulated capital markets, cheap imports and narrow, export orientated primary goods. Women are typically located at the low end of the economic value chain and are subjected to the lowest wages, least workplace and social protection and low-skilled work.

Globalisation is the latest incarnation of market orthodoxy and purports to be a network of trans-border interdependence. The theory suggests that ideas, information, capital and goods are located in concurrent spaces and places. It further postulates that all nations have equal voice, access and benefits to this virtual community. In reality, globalisation is yet another form of free market fundamentalism and has continued the dismantling of the state, weakened institutions, casualised labour, eroded social support frameworks and very troublingly, dismembered established identities and social relations.¹⁵ Ironically, globalisation has resulted in increased global integration with regional and continental integration becoming secondary concerns, anaemic Pan-African whimsy.

Most Afrikan countries:

...remain constrained by weak supply and demand capabilities, while lacking institutional capacity. They are, therefore, also less able than other countries to reap potential trade/investment/technological transformation benefits from globalisation, whereas for other communities it has contributed to increased impoverishment, inequalities, work insecurity, weakening of institutions and social support systems, and erosion of established identities and values. Thus, for a considerable amount of people, this leads to less human security, more vulnerability

and increased social conflict. (Boas et al, 1999)

Indeed most Afrikan states and governments display a cursory interest in committing to a Pan-Afrikan reality beyond euphoric grandstanding. This is manifested by often-tardy response to AEC milestones, sparse financial support, lack of accountability, weak institutional leadership and insufficient political commitment. In sharp contrast, most Afrikan governments have robustly ascribed to the obligations of global trade and globalisation including absorbing the huge social, financial and credibility costs that adjustment has brought. Most often these commitments are adhered to despite insufficient (if any) citizen consultation, sound economic contingency planning and with negligible thought to the impact on the Afrikan regional agenda.

The price of unity

Amílcar Cabral proffered non-alignment and anti-imperialist unity as an essential part of Afrikan countries' survival strategies. He wrote during the liberation wave and characterised the Pan-African project as an imperative of anti-imperial resistance. Cabral espoused an internationalist philosophy that aligned Afrikan allegiances and interests with those of Palestine, South Africa, Cuba and Vietnam. He in fact was suggesting a construct beyond Pan-African unity but rather trans-national solidarity. It was the genesis of several current discourses that the modern era is continuously contending with.

This form of unity demands a nuanced farsightedness that transcends immediate national concerns. Rather it suggests an investment into posterity that requires regionalism to be fostered as an impulse rather than an administrative burden. The extra-judicial killing of Libyan leader Muammar Gaddafi was illustrative of deep fragmentation in Afrika's military capacity and international posture. Trade relations alone will not resolve the necessity of a consolidated and concerted intra Afrika agreement to withstand mutating forms of imperialism and domination.

It is ironic that Colonel Gaddafi was a major champion of the Afrika project. Himself a polarising and self-interested

figure in the unity discourse, the momentum that he gave to the process has considerably diminished.

Kwame Nkrumah noted that:

*It is impossible to separate the affairs of Africa from the affairs of the world as a whole. Not only has the history of Africa been too closely involved with Europe and the Western Hemisphere, but that very involvement has been the driving force in bringing about major wars and international conflicts for which Africans have not been responsible. Africa has too long been the victim of disruptive aggression, which still attempts to make a hunting ground of our continent.*¹⁶

The hunting ground encompasses the physical spaces, political ideas, economic benefits, natural resources, cultural domination, technological hegemony, contempt for the environment, imposition of governance constructs and the continuing dislodging of social relations. The result of this

“The repugnant idea of ‘benign recolonisation’ has not lost currency.”

is increased destabilisation, fractured borders and zealous protectionism of narrow or fluid national identities and spaces.

An Afrikan FTA cannot adequately address these issues, given their multiple complexities. Economic co-existence is not a proxy for a united agenda nor can protocols necessarily evoke what popular sentiment has a peripheral interest in. This is unsurprising, given that many Afrikan people are battling to survive in often amputated states that subsist on a steady diet of western interests and exogenously defined aspirations.

What an FTA does offer is the opportunity to ensure that Afrikan countries move in concert towards a more tangible sense of shared development. It also offers measurable mechanisms to monitor efficacy. Unlike the European Union, most Afrikan countries have greater inherent affinity. The imperative for unity has however

been greatly dulled by the rigours of maneuvering the sophistry of global trade, militarisation of international relations and the deepening inequality within and between nations. The words of Emperor Selassie I on accepting the presidency of the OAU in 1963 might offer much needed solace. Emperor Selassie said:

If we permit ourselves to be tempted by narrow self-interest and vain ambition, if we barter our beliefs for short-term advantage, who will listen when we claim to speak for conscience, and who will contend that our words deserve to be heeded? We must speak out on major world issues, courageously, openly, and honestly, and in blunt terms of right and wrong. If we yield to blandishments or threats, if we compromise when no honourable compromise is possible, our influence will be sadly diminished and our prestige woefully prejudiced and weakened. Let us not deny our ideals or sacrifice our right to stand as the champions of the poor, the ignorant, the oppressed everywhere...■

References

- Thom-Otuya, B, 'Strengthening African Union for African Integration: An African Scholar's Perspective', *African Research Review*, Vol. 8 (2), No. 33, April 2014
- The spelling of Afrika rather than Africa is an ideological choice and represents the writer's perspective
- Fontagné, L, Gourdon, J and Jean, S (2013), 'Transatlantic Trade: Whither Partnership, Which Economic Consequences?', CEPII Policy Brief, No 1
- The Singapore Issues arose from the World Trade Organisation meeting held in Singapore in 1996 which was marked by an aggressive bid by the EU and the US in particular to include problematic new generation trade issues
- Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam
- The Doha Round [often inaccurately known as the Doha Development Round] of multilateral trade negotiations in the World Trade Organisation was suspended indefinitely in late July 2006 after a succession of failed attempts to reach agreement on the modalities for cutting farm subsidies and tariffs
- Quadrilaterals – the European Union (EU), US, Canada and Japan
- The first WTO ministerial to take place in an African country – Nairobi, Kenya, December 2016.
- Chachage, C, 'Reclaiming Africa's Wind of Change' in *Pambazuka*, 9/4/2009
- Mutombo, T, 2011, 'Recent efforts aiming at consolidating international investment rules: disentangling the spaghetti bowl.' Bern, Switzerland
- East African Trade Review*, undated, accessed 7/7/2015
- 'Assessing Regional Integration in Africa (ARIA VI): Towards an African Continental Free Trade Area', by the Economic Commission for Africa, 2012
- Chingono and Nakana, 2009
- Haarlov, 1997
- Keohane and Nye, 2000
- Nkrumah, K, *Africa Must Unite*, 1963

Is South Africa facing regime change?



The imperialist countries continue to plough significant resources towards rebalancing the global economy, with “soft power” as the alternative mode of war.

By Reneva Fourie

On 19 February 2016, African National Congress Secretary General Gwede Mantashe proclaimed at an Anti-Racism march that western forces are plotting daily to advance regime change in South Africa. A week later, State Security Minister David Mahlobo stated that, *South Africa will be able to defend its sovereignty and people if there is ever an attempt at unconstitutional regime change*, giving credence to Mantashe’s allusion.

The past few years have witnessed significant regime change activities within countries with democratically elected governments. Most recent was the ousting of Dilma Rousseff on 12 May 2016 as President of Brazil, despite an absence of evidence to justify an impeachment against her. The international developments, and particularly those facing countries within the Brazil, Russia, India, China and South Africa (BRICS) bloc and left countries in Latin America, give

credence to suspicions that the Cold War has merely taken on a new face and that South Africa is a target, both because of its participation in BRICS and because its public policies are left leaning.

Regime change is just an instrument of imperialist expansion

The Cold War refers to a period after World War II, roughly between 1947 and 1991, of political and military tension between the West, as represented by the United States of America (USA) and its North Atlantic Treaty Organisation (NATO) allies and the East as represented by the Union of Soviet Socialist Republics (USSR) and its allies. For capitalism to survive, it has to expand, and it was this need for expansion that was at the root of the Cold War. Lenin in *Imperialism: the Highest Stage of Capitalism* (1917) stated that competitive capitalism had been perverted by cartels and trusts and had resulted in monopoly capitalism, the expansion of which was characterised by violent conflict between the capitalists of the industrial world for the control of resources.

For most of the 20th century capitalism expanded by means of economic penetration backed up by political support and state military action. Imperial wars, colonial occupations, military intervention and military coups, or regime change, all in the guise of democratisation, were used to enforce the political-economic domination and exploitation of developing countries. Africa, and southern Africa in particular, is well acquainted with Western financing of military action by anti-government forces in countries such as Angola and Mozambique. Interference has not only been of a military nature but also focused on intelligence. In May this year the world heard for the first time that a former US Vice-Consul in South Africa, Donald Rickard, had proudly admitted that he had tipped off the apartheid regime so that they were able to capture Mandela in 1962, claiming: *Mandela was completely under the control of the Soviet Union....We were teetering on the brink and it had to be stopped, which meant Mandela had to*

be stopped. And I put a stop to it.

Later, the West gained hegemony through the collapse of the USSR and the other Socialist countries in Eastern Europe.

The 21st century however has been marked by a capitalist crisis. The global economy stagnated and experienced a slump, while China and other rivals were booming, shifting the centre of global economic power to the east. Russia had invested significantly in its industrial and military capacity, and BRICS was established as an alternative power structure with its own international monetary fund, payment system and loan systems. This has led to a resurgence of political, economic and military initiatives to restore balance.

While the Cold War was primarily located within two super power states, current conflicts, problems and security threats have a transnational nature. They feed on the platform of globalisation, with its drivers being stateless, networked and agile. But while state sovereignty has been transferred to supra-state global sovereignty, the process of capitalist appropriation and extra-economic coercion are so co-dependent that capitalism is dependent on nation states for its survival. The imperialist state remains a fundamental role player in maintaining the interest of monopoly and finance capital. This is evident in the vast resources and personnel channeled toward promoting overseas investment and lending as well as covert, offensive activities.

There are three broad components of the imperialist state. The first component focuses on political, ideological, diplomatic and cultural activity. The second component focuses on trade and investment expansion. The third component is the military and intelligence apparatus which usually but not always works in tandem with the political and economic components. The USA, as an imperialist super-power, has stationed over 250 000 active service personnel in 725 military bases outside of the USA in around 130 countries. The Cold War continues, but with a new face.

Soft power, a new approach

The imperialist countries continue to plough significant resources towards rebalancing the global economy, with “soft power” as the alternative mode of war. The use of non-military means of achieving political and strategic goals has grown. This is because conventional warfare and military coups have become a liability. They are extremely costly. Supporting the Chilean military junta cost the USA almost \$2 million a day and the Brazilian military coups in 1964 and 1972 required almost \$4 billion in foreign aid. Furthermore, the use of conventional warfare has diminished along with the progression of humanity.

The use of soft power in warfare is not new. Sun Tzu in *The Art of War* states, “For to win one hundred victors in one hundred battles is not the acme of skill. To subdue the enemy without fighting is the acme of skill....

“Instead of financing military coups, the new strategy is to facilitate a popular insurrection, getting people to turn against their governments.”

Thus, those skilled in war subdue the enemy’s army without battle. They capture his cities without assaulting them and overthrow his state without protracted operations”. It is also in line with the slightly more revolutionary language of Lenin, who in his “Lessons of the Moscow Uprising” called for the working class to seize power including getting government troops to change sides through tailored propaganda and personal agitation.

In many instances hybrid warfare is applied. Hybrid warfare, (which is also referred to as non-kinetic or non-linear warfare) is the simultaneous combination of military and non-military instruments, whether conventional, irregular, political or informational, to conduct warfare. Frank Hoffman defines hybrid

wars as *incorporating a range of different modes of warfare, including conventional capabilities, irregular tactics and information, terrorist acts including indiscriminate violence and coercion, and criminal disorder*. The dissolution of the USSR was brought about through informational and psychological warfare, including media onslaught, arms race resulting in economic overstretch, diplomatic coercion, gradual isolation and the Afghan Proxy War.

The information era and digital revolution has positioned information as a key instrument for elevating the use and effectiveness of soft power as a mechanism for conducting warfare. This form of warfare targets the realm of the mind and seeks to influence and manipulate the will, opinions and decisions of the people through psychological operations (PSYOP). PSYOPs seek to achieve social control through the fabrication of information, disinformation and the manipulation of information. Technology is one of the platforms used to propagate these counter-revolutionary messages.

Hybrid warfare occurs within the context of milder mechanisms of regime change. Instead of financing military coups, the new strategy is to facilitate a popular insurrection, getting people to turn against their governments. The common term ascribed to this approach is “colour revolutions”. According to Beachin and Polese (2010), colour revolutions have a two-pronged approach, championed by more complying political parties in alliance with seemingly progressive non-governmental organisations. Such approaches entail discrediting the governing party (negative campaign), while pushing the people to the polls (positive campaign). The hope is that people will become sufficiently disillusioned and then vote for the opposition party in high numbers. Should achieving power through the ballot fail, civilian disobedience and mass defying of legitimate government structures and processes are advanced to create an illusion that the government has no control. The development in the Ukraine over the past few years are a good example of this.

“Colour revolutions” can broadly

be grouped into three phases: a preparatory phase in which the vulnerable areas of a given country are assessed as part of strategic preparation; political preparation where targeted politicians and public officials are bribed and contacts are established with potential allies including criminals; and an operational phase that entails launching coordinated political pressure and disinformation actions. The second phase is the attack phase, which includes the organising of massive anti-government protests and riots; a strong disinformation campaign driven by the media; instability and disruption of the chain of command of security services; and the establishment of an alternative political power. The final phase is the stabilisation phase to legitimise the alternative political power through strong diplomatic and media support and to justify interference as the 'new government' asks for help from the destabilisers.

Applying soft power for regime change

The USA has actively worked to counterbalance China as well as manage other emergent powers from Russia to Brazil. In efforts to diffuse China's power and weaken BRICS, the US is consolidating relations with countries such as Japan, Australia, the Philippines, Singapore, Indonesia and Myanmar and developing a strategic alliance with India. In a bid to stop Iran from forming a stable regional alliance that strikes a deal with China and Russia, it is imposing new sanctions in the hope of achieving some form of regime change.

In Syria, the USA is intent on replacing Iran's ally Bashar al Assad. It has mobilised the Arab League to pressurise Assad to step down. At the US backed Friends of Syria meeting, America's allies promised \$100 million to sponsor its selected resistance fighters and the US pledged to provide communications equipment to help those forces destabilise the Syrian military. Obama has attempted to use the R2P ('right to protect') doctrine to win UN approval for the United States and its allies to pursue regime change in the country.

Latin America, which has since the 2000s experienced a shift towards left leaning public policies in many countries, has been facing ongoing regime change activities. President Hugo Chavez in Venezuela was briefly ousted during a coup in April 2002. An economic war, which saw the drastic drop in oil prices (\$120 per barrel of Venezuelan oil in July 2008 to \$60 a barrel in July 2009) and restricted trade, has resulted in the ruling Party losing the Parliamentary elections. Now Nicolas Maduro is facing recall efforts despite a Presidential election only being a few months away.

After 2005, the US actively sought to promote destabilisation in Bolivia and to overthrow the Morales government. In 2008 there was a civic coup against Evo Morales. From 2001 to 2009, USAID democracy and assistance had a budget

“Latin America, which has since the 2000s experienced a shift towards left leaning public policies in many countries, has been facing ongoing regime change activities.”

of \$101,078,000 and the total USAID program was \$881,432,000. The National Endowment for Democracy was allotted the sum of \$1,292,217 for the year 2009 alone.

In 2009, the Honduran President was voted out of office by the Honduran Congress after calling for a non-binding referendum to change the country's constitution. In 2012 there was a parliamentary coup against President Fernando Lugo in Paraguay. He was impeached and removed from the presidency by the Paraguayan Congress in June 2012 on trumped up charges. Rafael Correa, President of Ecuador, a strong ally of Chavez and participant in the Bolivarian Alliance for the Americas, faced protests by national police and military in September 2010.

Since the removal of Cristina Fernandez de Kirchner as President of Argentina, the continental oligarchic right and the hegemonic forces of the USA are moving swiftly to demolish the advances made under the governments of Nestor Kirchner and Cristina Kirchner. The hand of imperialism can be felt on every continent, in every country where an alternative to imperialist and monopoly capital domination.

Conclusion

South Africa is not immune to the threats of regime-change. The concerns expressed by Mantashe and Mahlobo should not be easily dismissed. The ANC's general pro-working class and pro-poor stance domestically, continentally and internationally, cannot be popular with the West. The uprisings in North Africa, the Middle East and Latin America show that prosperous, stable countries can erupt into a sea of conflict, within a matter of days, resulting in the replacement of governing parties and Presidents. For that reason it is important that the ANC's January 8 statement declaration of 2016 as the "Year of advancing people's power" finds tangible expression on the ground.

In line with the theme "Advancing people's power", governance has to be rooted in the people. The policy and legislative frameworks that enable public accountability and public participation have to be adhered to strictly. Leadership has to display absolute integrity and values of selflessness and people-centeredness. Anti-corruption institutions have to be allowed to exercise their mandate unfettered and those found guilty of corruption and maladministration should continue to be punished. Adequate resources and skills have to be deployed to the sphere of local government to ensure that the quality and speed of service delivery is enhanced. Efforts must be made to ensure that South Africans feel and believe that its government cares, is listening and is advancing its interests. By staying in touch with its people, the liberation movement will be able to prevent attempts at regime change from gaining traction. ■



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UP THE GAME

THE GREAT ADWA VICTORY

Relevance for Global South



Let Adwa inspire all the struggles that we should all remember, enabling the African world never to surrender to any form of injustice ever again.
 – “The Battle of Adwa” (Courtesy of A. Davey via Wikipedia)

By Mammo Muchie

March 1, 2016 marked 120 years since Adwa's decisive African Victory. In 2015 the 70th anniversary of the 5th Pan-African Congress and the 60th anniversary of the Bandung Conference were remembered. How many people are celebrating the anniversary of Adwa?

Still very little is known about the rich African struggle heritage let alone the need to draw lessons to build a better African future. It is urgent that the constructive and positive heritage of liberation struggles from every part of Africa be studied and resurrected in order to re-educate generations of Africans to know their own struggle heritage. The stolen legacy of the glorious past, particularly of early Africa and resistance to numerous imperial advances should be recovered. The battle of Adwa in 1896 epitomises successful resistance against colonialism. It has come to be recognised as one of the most significant events in the African liberation struggles that took place during the time of the European Scramble for Africa. This 1896 victory symbolises the successful resistance of Ethiopia. It lives on, providing enduring lessons to which all should pay close attention.

Internally in Ethiopia, all the varied groups through the depth and breadth of the land from Oromo resident areas to Eritrea were mobilised and contributed richly to the success at Adwa.

This was not a victory of the leaders, or of one ethnic group. This was a national victory with a wider African and indeed world significance. It was and remains an exemplary episode in demonstrating what a united people can achieve with the support of the African Diaspora and the anti-colonialists in the Global South and even in Italy and the rest of Europe too!

The Adwa Victory was a major anti-colonialist battle fought by all Ethiopians, under the skillful leadership of Emperor Menelik and Empress Taitu. This victory resonated well beyond Ethiopia and indeed Africa. It represented the clash between colonialism and liberation on a world-scale. Every year during

'Yekatit' (February) or March Adwa can provide the occasion to appreciate fully the international significance of the Ethiopian victory over the world colonial project in Africa. The failure to put this victory in the context of the wider challenges which confronted Africa before, during and after the nineteenth century needs to be corrected. It is a matter of historical record that the Adwa Victory signaled the beginning of the end of the Scramble for Africa.

The victory armed generations of Africans with the confidence to engage in resistance and liberation. It attracted attention as far as the Caribbean and the Americas, not to mention Europe and the rest of Africa. It reversed the imperial-colonial project's design to populate Africa with Europeans like they did with America. It deserves to be celebrated both as a significant episode

“ This was not a victory of the leaders, or of one ethnic group. This was a national victory with a wider African and indeed world significance.”

in its own right and as a memory serving well the emerging communities of resistances in the African world never again to surrender to neo-colonial tyranny. The battle of Adwa is not just a memory of the past. It continues to live on in the eternal river of time as the best expression of Ethiopianism for resisting effectively world imperialism.

120 years ago the comparatively recently united Italy was becoming a formidable, highly armed and ambitious new colonial power. Its attempt to solidify its foothold on African soil was foiled by a relatively small and weak country, Ethiopia. It was the united and not divided Ethiopians that brought the victory to a full realisation. It was the strategic thinking of the leadership that made a big difference. And the support of the African Diaspora, and anti-colonial forces across the world was inspirational.

The Adwa Victory promoted Ethiopianism internationally

The 1872-1928 period is called “the classical period of Ethiopianism because it was at this time that it exercised its greatest political influence and was most widely noticed in the European, American and African press”. (Shepperson, G, ‘Ethiopianism Past and Present’, 1968)

By the early 20th Century Ethiopianism emerged among African anti-colonial activists as a subtle method of challenging colonial rule by combining Christian and secular nationalist traditions to promote the idea of African capacity for organisation-building without European tutelage.

Although Ethiopianism originated as a religious movement, it was significant in establishing the demand for the emancipation of the peoples of African descent inside and outside Africa. Ethiopianism asserted that African history, civilisation and culture are sources of pride and the fountainhead of European culture. After discussion with those who formed the Ethiopian church “on the wider meaning of the designation Ethiopia, all agreed that according to the prophesies it literally refers to all non-European people.” (Glenda Kruss, thesis, 1985).

Ethiopianism involved an awareness of the history and values of African culture. African history and culture became a source of pride with emphasis laid on glorious African kings and empires and on the widely held belief that African culture and civilisation had preceded of European culture. The political aspiration of the Ethiopian leadership saw the ideal chance for its own ascent in the eviction of the European and removal of slavery from the African continent. (Glenda Kruss)

The 1829 Ethiopian Manifesto

The Ethiopian Manifesto (1829) was written by Robert Alexander Young, a slave preacher, in defence of Black man's rights in the scale of universal freedom. In this Manifesto, Young addresses both Black and White people. Young identifies the African diaspora as Ethiopians. He tells Ethiopians they only enjoy a few

of their birthrights because some are enslaved.

He writes to Ethiopians and all slaves in hopes of making them aware of how mistreated they have been. Young questions how his skin colour plays a part in making him eligible for God's gift. Why is it the case that white skin is considered more eligible to receive God's gift? He asks for freedom for everyone because it is given to everyone by God and not by mortal men.

When he addresses white men, he accuses them of denying slaves their rights, and lets them know regardless of their mortal riches and social standing, under the eyes of God, they'll pay for their actions after death. He identifies himself as being descended from Africa, and says there is a connection between all black people from all parts of the world. He says black women, men, and children have the same heritage. He cites Psalm 68:31 which says that princes who come out from Egypt and Ethiopia will soon stretch their hands to God.

The 1896 Ethiopian Manifesto

Ethiopianism has been described as a religion since the publication of the Manifesto of September 1896, five months after the decisive Adwa Great African Victory.

The Ethiopian Manifesto calls for all Africans across the globe:

- To unite together Christians of the African race and various denominations in the name of Jesus Christ to solemnly work towards and pray for the day when African people shall become an African Christian nation.
- To demand by Christian and lawful methods the equal recognition of the African and allied peoples, including the rights and privileges accorded to Europeans, and to place on record the great wrongs inflicted upon Africans by the racist people and Governments of Europe and America; and to urge upon the Christians who wish to be clear of African blood on the day of God's judgment to make restitution.
- To pursue steadily and unswervingly the policy Africa for Africans and

“It was the strategic thinking of the leadership that made a big difference. And the support of the African Diaspora, and anti-colonial forces across the world was inspirational.”

look for and hasten by prayer and united effort the forming of the African Christian nation by God's power and in his own time and way.

Ethiopians, in the face of their inequality even after they had appropriated Western religious and cultural forms – Christianity and 'civilisation' – were protesting their exclusion on all levels, and demanding that, without any loss of time, Africans must assert confidently they could be equal to Europeans.

The African leadership reacted to the erosion of African political power, its economic well-being and its social stability by establishing independent bodies exclusively for Africans:

“Ethiopianism is for Africa is for Africans, Africans are for humanity and Humanity is for God!”

“Ethiopianism emerged among African anti-colonial activists as a subtle method of challenging colonial rule by combining Christian and secular nationalist traditions to promote the idea of African capacity for organisation-building without European tutelage.”

Enduring Lessons from the Adwa Victory

The Adwa Victory provided practical expression to Ethiopianism: self-worth, dignity, unity, resistance, confidence, self-reliance and freedom from colonialism. Africans were inspired to unite as human beings, to reject the tribalism colonialists left behind as 'divide and rule' tactics. The Adwa Victory changed the relationship between Ethiopia and Europe. In 1896 Emperor Menelik was appointed Honorary President of the Pan-African Association. It is remarkable that from 1896-1906, Pan-African intellectuals like the Haitian, Benito Sylvain, visited Ethiopia 4 times. In 1903 and 1904 the Cuban-American, William H. Ellis visited Ethiopia twice with plans for Ethiopian economic development and the resettlement of African-Americans. Marcus Garvey immortalised Ethiopia by incorporating the spirit of resistance of Adwa in his National Black Anthem. In 1904 Haiti's 100th Centenary Independence was celebrated in Addis Ababa, Ethiopia; Ethiopians volunteered as a guard of honour and they fired several rifle rounds and shouted their slogan: “Long Live Haiti! Long live the Ethiopia of America!” Benito Sylvain got permission from Emperor Menelik for the celebration and he represented both Ethiopia and Haiti in the 1900 Pan-African Congress.

As SKB Asante said in his study of Ethiopianism in West Africa:

After Adwa, Ethiopia became emblematic of African valour and resistance, the bastion of prestige and hope to thousands of Africans who were experiencing the full shock of European conquest, and were beginning to search for an answer to the myth of African inferiority ... To articulate West African nationalist intelligentsia of lawyers, merchants, journalists, doctors and clergymen who had since the turn of the century persistently sought to share political power with the colonial ruler, the role of Ethiopia or Ethiopianism in nationalist thought and politics was great and inspiring ... In separate African churches, Africans did and could protest imperial rule and build articulate leadership to oppose the domineering and discriminating

actions of the colonial officials.

The spiritual values of Ethiopianism laid the foundation for pan-Africanism to unite all Africans to fight colonialism and apartheid; the same values – dignity, pride, self-worth, agency and freedom – are now again needed to realise the African renaissance today. This will enable Africa to emerge in the 21st Century as an independent, strong and proud leader rather than mere follower of former colonial powers. We must all join together to promote the Adwa Victory as a symbol to remove division and realise fully the benefits of unity. The Adwa Victory must continue highlighting Ethiopianism for Africa, the Global South and oppressed in the world.

All Ethiopians who are currently living in what is known as Ethiopia must appreciate that they are privileged to be associated with Ethiopia. They all must know Ethiopia is more than the country it is now. They must cherish the honour of being Ethiopians forever. The least they can do is unite and learn the culture of dialogue to make Ethiopia live forever in the eternal river of time.

Erect lasting Heritages in commemoration of Adwa

It is not acceptable that the great and historic Adwa African Victory is not celebrated as it should be in Adwa where the battle took place. When the European powers denounced the Great Africa Victory as “a foul crime”, there should have been a serious effort to educate generations by creating in Adwa, Tigray province, a great historic heritage site. That has not been done. It is not too late to do it now. Let us call for all Africans to unite and pledge to establish a great Pan-African Adwa Victory heritage site during this year, 2016, of the 120th anniversary of the battle.

The Adwa Africa Victory should have been recognised as a UNESCO World Heritage site. There should have been Pan-African action to promote the African Struggle Heritage represented by the Adwa Victory by establishing a special university. Let all cooperate to establish in Adwa a Pan-African Adwa Victory inspired university open to all in the Global South and the rest of the

world for those who wish to work for the unity of all humanity by learning Pan-Africanism for completing African liberation.

Let there be statues also erected in Adwa of all the key leaders and let there be a museum detailing how the battle was won decisively. There should be all the records, remembering the way the strategy was designed to create a decisive victory including the key quotes from the leaders. This will make Adwa a learning site for all in the world to visit like Axum, Labella, Gondar and other historic places.

There should be a special library both physical and digital in Adwa to record and show all the African

“The spiritual values of Ethiopianism laid the foundation for pan-Africanism to unite all Africans to fight colonialism and apartheid; the same values – dignity, pride, self-worth, agency and freedom – are now again needed to realise the African renaissance today.”

struggle histories, not just Adwa’s alone, but inspired by the Great Adwa African victory. Let Adwa inspire all the struggles that we should all remember, enabling the African world never to surrender to any form of injustice ever again.

We ask the African Union and all the African Governments from Ethiopia to all the AU member states including the Ethiopian-African Diasporas, and all from the Global South to be actively involved and contribute without fail to highlight the 120 Years of the Great African Victory. This can be achieved by the African Union taking the decision by making March 1 every year a Special Day for the Great African

Adwa Victory and urge African states to make the month an educational Month for African unity and Renaissance by learning from Africa’s great struggle heritage to advance the African unity and Renaissance project to be fully promoted and realised before 2063! Let all learn how to combine Ethiopianism with Pan-Africanism and the African Renaissance with the struggle heritage of the Great Adwa African Victory Spirit.

We ourselves have decided to do a contribution with my children to create a special Adwa Victory song and edit a book together. Nothing is more important than getting the younger generation involved. We are hoping all who are able will contribute. We already have full paper contributions from Professor Habte Cherunet, a truly excellent and well researched paper, Ato Kidane Alemayehu, and a number of other contributors.

Let us together build a memorable heritage so that all Africans can create the ability together to deal with and respond to challenges using a united voice, rather than making 54 noises that can easily be ignored; and take action to realise African solutions to African problems by relying on and using Africa’s spiritual knowledge and struggle heritages.

Ethiopia is a civilisation, a philosophy, a history and a humanity combined. It is not just history. It is not just civilisation. It is not just philosophy. It is not just humanity. It is a great synthesis of all of them. It gave spirituality – Africa for Africans, Africans for humanity and humanity for God. Ethiopianism remains relevant now also to continue the spiritual inspiration to all the oppressed that continue to suffer from a world that is driven by ideas that are ontologically shallow and epistemologically dry. What makes the Great Adwa African Victory unique is it reinforced this Ethiopianism across the world.

Those who currently live in Ethiopia must learn to protect this treasure forever by preferring a culture of dialogue to any other form of conflict resolution. Let us all unite to agree that we treasure Ethiopia; and let Ethiopia continue to provide this powerful spiritual food to the world! ■

Some Lessons from the Constitutional Court Rulings in two important cases



The approach of the Constitutional Court was insightful in understanding that the National Assembly is the watchdog of State resources, the enforcer of fiscal discipline and cost-effectiveness for the common good of all the people.

By Samuel Freddy Khunou and Gaopalelwe Mathiba

This article examines and discusses the Constitutional Court judgment handed down on 31 March 2016 in the cases of *Economic Freedom Fighters v Speaker of the National Assembly and Others* and *Democratic Alliance v Speaker of the National Assembly and Others* ('the applicants'); Cases CCT 143/15 and CCT 171/15. The ruling ('the Nkandla judgment') is a unanimous decision of the Constitutional Court and it was meticulously penned down by Chief Justice Mogoeng Mogoeng. The Nkandla judgment is a historic and landmark finding against President

Jacob Gedleyihlekisa Zuma and the National Assembly for violating the Constitution of the Republic of South Africa, 1996 and ignoring the remedial action outlined by the Public Protector which enjoined the President to pay a reasonable percentage of the costs of the non-security features at his Nkandla private residence in KwaZulu-Natal province.

Between 13 December 2011 and November 2012 several South Africans lodged complaints with the Public Protector concerning aspects of the security upgrades that were being effected at the President's Nkandla

private residence. These complaints were lodged in terms of the Public Protector Act 23 of 1994 which among others established the office of the Public Protector to investigate matters and protect the public against maladministration, improper acts in respect to public money and unlawful enrichment of a person performing a public function. The Democratic Alliance's (DA's) Member of Parliament, Ms Lindiwe Mazibuko, also lodged a complaint under the Executive Members' Ethics Act 82 of 1998 ('the Ethics Act') which provides a code of ethics governing the conduct of members of the Cabinet, Deputy Ministers and members of Provincial Councils. (see, Public Protector's Report titled: *Secure in Comfort*, March 2014).

Some of the key questions in the written complaints were the following: (a) Where is the money coming from and how has it been approved? (b) Whether any undue political influence was placed on the Department of Public Works to allocate those funds (c) Who issued the instruction for the allocation of those funds? (d) Whether the funds had been properly allocated? (e) Whether any funds have been transferred from other much needed projects for this upgrade? (g) Whether the allocation of funds for what is essentially a private home which will not remain within the state's ownership represents irregular expenditure? (h) How can this amount of money be spent on a private residence of any government employee? The additional complaints raised issues regarding the possible abuse of executive privileges, impropriety, extending benefits to relatives, misuse of state resources and misleading the National Assembly.

The above complaints triggered a fairly extensive investigation by the Public Protector into the Nkandla project. Based on this investigation, the Public Protector concluded in her report, dated 19 March 2014, that several improvements were non-security features.

Since the State was in this instance under an obligation only to provide security for the President at his private residence, any installation that had nothing to do with the President's

security amounted to undue benefits or unlawful enrichment to himself and his family. On these grounds, the Public Protector found that the President acted in breach of his constitutional obligations in terms of section 96 (1) and (2) (b) and (c) of the Constitution. This section provides that:

Conduct of Cabinet Members and Deputy Ministers. (1) Members of the Cabinet and Deputy Ministers must act in accordance with a code of ethics prescribed by national legislation. (2) Members of the Cabinet and the Deputy Ministers may not—(a) undertake any other paid work; (b) act in any way that is inconsistent with their office, or expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests; or (c) use their position or any information entrusted to them, to enrich themselves or improperly benefit any other person.)

The Public Protector further established that the President also violated the provisions of the Executive Members' Ethics Act and the Code of Ethics for Members of Executive which are contemplated in section 96 of the Constitution. The conclusion reached on the issue of violation of section 96 was based on the features identified as unrelated to the security of the President.

These features were a cattle kraal, a chicken run, a visitors' centre, an amphitheatre and a swimming pool. According to the Public Protector, these features were not on the list of what South African Police Services (SAPS) security experts had themselves determined to be security features. As a result, she took remedial action in terms of section 182 (1) (c) of the Constitution. This section provides that the Public Protector has the powers, as regulated by national legislation, to take appropriate remedial action.

The remedial action taken by the Public Protector as a redress mechanism, enjoined the President to take steps with the assistance of the National Treasury and the SAPS to determine the reasonable costs of the non-security features at his Nkandla private residence and

pay a reasonable percentage of the costs. The Public Protector further enjoined the President to reprimand the Ministers involved in the Nkandla project. In March 2014, the Public Protector submitted her report, including findings and the remedial action taken against the President to the National Assembly. The purpose was to ensure that the President is held accountable and complied with the remedial action. She also submitted a copy of her report to the President and gave him a directive to report to the National Assembly within 14 days.

Subsequently, the President handed in his report to the National Assembly and instructed the Police

“The National Assembly’s negligent attitude deemed the public protector’s report as just a mere recommendation and that it was not required to act or facilitate compliance with the report since the Public Protector cannot prescribe to it what to do or what not to do.”

Minister, Nkosinathi Nhleko, to decide whether he was responsible for the Nkandla overspending. In May 2014, a parliamentary ad hoc committee on Nkandla was appointed but did not finish its work before the fourth parliament was disbanded. In November 2014, the second Nkandla ad hoc committee exonerated the President from any personal liability (see, Anon ‘Constitutional Democracy Masterclass’ 3 April 2016, *City Press*).

On 28 May 2015, the Police Minister also exonerated the President from personal liability on Nkandla overspending and announced to the National Assembly that President Zuma would not have to pay a cent for non-security upgrades at his Nkandla

private residence. In addition to the Police Minister's report, in August 2015, the National Assembly accepted the third ad hoc committee report on Nkandla which endorsed the Minister's findings and cleared the President of all blame.

Dissatisfied with the outcome, the Economic Freedom Fighters (EFF) launched the application in the Constitutional Court, claiming that it falls within the court's exclusive jurisdiction in terms of section 167 (4) (e) which stipulates that only the Constitutional Court may decide that parliament or the President has failed to fulfil a constitutional obligation. At that time, the Democratic Alliance (DA) had already launched a similar application in the Western Cape Division of the High Court. Subsequently, the DA lodged an application to the Constitutional Court on condition that the EFF's application is heard by the Court. In the end, the Court heard the two applications and made the ruling accordingly.

Central Issues for Determination

The cases brought by the EFF and the DA sought answers on a number of the issues related to the conduct of the President and the National Assembly and the manner in which they handled the findings and remedial action of the Public Protector. The applications triggered the following fundamental constitutional issues:

- The applicants' central issue was that, based on the supremacy of the Constitution, the rule of law and considerations of accountability, the President should be ordered to comply with the remedial action taken by the Public Protector in terms of section 182 (1) (c), by paying a reasonable percentage of the costs expended on non-security features at his Nkandla private residence;
- The President must reprimand the Ministers under whose watch state resources were expended wastefully and unethically on his private residence and declare that the President failed to fulfil his constitutional obligation in terms of section 83, 96, 181 and 182.
- The applicants further asked the

Constitutional Court to declare the report of the Police Minister and the resolution of the National Assembly that sought to exonerate the President of liability to be inconsistent with the Constitution and invalid and that the adoption of those outcomes amounted to a failure by the National Assembly to fulfil its constitutional obligation; this required it to hold the President accountable to ensure the effectiveness rather than subversion of the Public Protector's findings and remedial action. To this end, the applicants requested the Constitutional Court to clarify or affirm the Public Protector's constitutional powers to take appropriate remedial action.

Scope of the Nkandla Judgment

In view of the above issues, the Constitutional Court ordered that the remedial action that was taken against President Zuma in terms of section 182 (1) (c) of the Constitution was binding. Therefore, the Constitutional Court ruled that the failure by the President to comply with the remedial action taken against him by the Public Protector in her report of 19 March 2014 was inconsistent with section 83 (b) of the Constitution read with section 181 (3) and 182 (1) (c) of the Constitution and is invalid.

The Constitutional Court further ordered the National Treasury to determine the reasonable costs of the non-security measures implemented by the Department of Public Works at the President's Nkandla homestead that do not relate to security, namely the visitors' centre, the amphitheatre, the cattle kraal, the chicken run and the swimming pool only. The National Treasury was further enjoined by the Court order to determine a reasonable percentage of the costs of those measures which ought to be paid personally by the President and report back to the Court on the outcome of its determination within 60 days. It was further ordered that once the Court approves the determination of National Treasury, the President must personally pay within 45 days.

The Constitutional Court also ordered the President to reprimand

the Ministers involved as instructed by the Public Protector. In addition, the Court gave an order to the effect that the resolution passed by the National Assembly absolving the President from compliance with the remedial action taken by the Public Protector in terms of section 182 (1) (c) of the Constitution is inconsistent with sections 42 (3), 55 (2) (a) and 181 (3) of the Constitution, is invalid and is set aside. To this conclusion, the Court ordered the President, the Police Minister and the National Assembly to pay costs of the applicants including the costs of the two counsels.

Jurisprudential Lessons of the Nkandla Judgment

The bone of contention of the

“The Constitutional Court held that this attitude and the actions taken in response to the report of the Public Protector undermined the independence, impartiality, dignity and effectiveness of the Public Protector in contravention of section 181(3) of the Constitution.”

applicants was that the National Assembly has dismally failed to fulfil its constitutional obligation and hold the President accountable for non-security features which were expended wastefully and unethically at his Nkandla private residence. The National Assembly's negligent attitude deemed the public protector's report as just a mere recommendation and that it was not required to act or facilitate compliance with the report since the Public Protector cannot prescribe to it what to do or what not to do.

Possibly the National Assembly relied on the decision of the Western Cape Division of the High Court where

the Court held that the findings of the Public Protector are not binding and enforceable. However, the Court found that before rejecting the findings or remedial action of the Public Protector, an organ of state must have cogent reasons (see, *Democratic Alliance v South African Broadcasting Corporation Ltd*, Case No.: 12497/2014).

Be that as it may, the National Assembly resolved to absolve the President of compliance with the remedial action and failed to facilitate its enforcement as was expected by the Public Protector. However, the Supreme Court of Appeal (SCA) rejected the reasoning of the Western Cape Division of High Court and concluded that the remedial actions of the Public Protector were binding and enforceable. The SCA further stated that the remedial actions taken by the Public Protector should not be ignored. It was against this backdrop that the applicants contended that the National Assembly failed to fulfil its constitutional obligation to hold the President accountable.

The approach of the Constitutional Court was insightful in understanding that the National Assembly is the watchdog of State resources, the enforcer of fiscal discipline and cost-effectiveness for the common good of all the people. For this reason, the Court was determined to remind the National Assembly that it fulfils a pre-eminently unique role of holding the executive accountable for the fulfilment of the promises made to the populace through the State of the Nation Address, budget speeches, policies, legislation and the Constitution. Section 55 (2) of the Constitution is clear:

The National Assembly must provide for mechanisms-(a) to ensure that all executive organs of state in the national sphere of government are accountable to it, and (b) to maintain oversight of-(i) the exercise of national executive authority, including the implementation of legislation; and (ii) any organs of state.

Quite evidently, the National Assembly has a direct constitutional obligation to hold the President accountable for the non-security upgrades effected at his private

residence. Furthermore, it should be emphasised that the National Assembly is not and cannot be a court of law as enjoined by the doctrine of separation of powers. Therefore, by setting aside the findings and remedial action of the Public Protector through a resolution, it actually usurped the functions of a court of law and thus encroached on the judicial terrain.

It is in this context that the National Assembly had a clear misdirection and constituted itself as a political court or bogus court intended to undermine the supremacy of the Constitution and more particularly the sacrosanct principle of separation of powers. Hence, in the circumstances of the present case, the conduct of the National Assembly triggered a constitutional crisis reminiscent of the 1950s where the National Party majority parliament enacted the High Court of Parliament Act 35 of 1952 to establish itself as a 'court of law' and nominated the Speaker of House of Assembly as the President of the High Court of Parliament.

The purported High Court of Parliament had the power to review and overturn the ruling of the Appellant Division of South Africa. Although there might be a fundamental difference between the High Court of Parliament Act and the resolution of the National Assembly which set aside the remedial action of the Public Protector, the fact of the matter is both these mechanisms plunged the country into a constitutional crisis. The objective truth is that parliament may create a court of law, but may not itself sit in a disguised form in judgment of itself.

In view of the present case, the National Assembly through its resolution which set aside the remedial action of the Public Protector acted like a judge in its own case. This conduct is contrary to the cardinal rule of *Nemo iudex in causa sua* (which literally means 'no-one should be a judge in his own cause').

This is a rule of natural justice which enjoins that no person can judge a case in which they have an interest. It is very strictly applied to any appearance of a possible bias, even if there is actually none. Justice must not only be done,

but must be seen to be done. Quite evidently, the National Assembly failed to pass the test of the rule of *Nemo iudex in causa sua* when it passed the resolution to exonerate the President from personal liability (see generally, *Harris and Others v Minister of the Interior* 1952 (2) 428 (AD), *Minister of the Interior and Another v Harris and Others* 1952 (4) SA 769 (A) and *Collins v Minister of the Interior and Another* 1957 (1) SA 552 (A)).

The National Assembly did not only assume the role of a 'court of law' but it also stepped into the shoes of the Public Protector when it passed a resolution to effectively replace her remedial action with its own. This conduct of the ANC majority in the National Assembly set them in a position of choosing a resolution mechanism that was somewhat favourable to them and shying away from the remedial action of the Public Protector.

The Constitutional Court judgment described this as something the rule of law is dead against. The fact that the Constitutional Court ruled that the National Assembly violated the Constitution pointed to a country in the midst of a constitutional crisis. Constitutionally speaking, only a proper judicial process could ever unbind the remedial action of the Public Protector, not the National Assembly. It is for this reason among others that the National Assembly in dealing with the report of the Public Protector had failed to appreciate the fact that the doctrine of parliamentary sovereignty has no place or finds no expression under the reign of constitutional supremacy. Even under the regime of parliamentary sovereignty, parliament was never allowed the opportunity to act as a court of law. (see, *Minister of the Interior and Another v Harris and Others* 1952 (4) SA 769 (A)).

Hence, the President should have taken the Nkandla matter on review by a court of law in the event he was not satisfied with the findings and the remedial action of the Public Protector. This line of reasoning was also emphasised by the SCA when it stated that any affected person aggrieved by a finding or action taken by the Public Protector might challenge it by a way of review application (see, *South*

African Broadcasting Corporation Ltd v Democratic Alliance, Case No.: 393/2015; 2015 [2015 ZASCA 156]). A similar approach was reiterated by the Constitutional Court in the present case. As the Constitutional Court correctly concluded, the National Assembly had no powers to set aside the remedial action of the Public Protector by way of resolution.

In other words, the National Assembly does not have judicial powers. Each arm of the State must act within the boundaries set by the Constitution. However, in the end, courts must determine whether unauthorised trespassing by one arm of the State into the terrain of another has occurred. It is in this context that the courts are the ultimate guardians of the Constitution. They not only have the power and right to intervene in order to prevent the violation of the Constitution, they also have the duty to do so (see, *Olive Schreiner Memorial Lecture* Delivered by Justice Dikgang Moseneke, 23 October 2013, University of Witwatersrand).

In addition, the questionable impartiality of the predominantly ANC ad hoc committees also raised the eyebrows. There is no gainsaying the fact that the ruling ANC party used their parliamentary majority to subvert the report of the Public Protector and protect the President and unlawfully absolved him from having to comply with the Public Protector's report. Malada wrote that Jean-Jacques Rousseau in his book entitled: *The Social Contract*, reflects on the role of the legislature and executive as the institutions whose functionality is central to the life of a State. Malada further quoted Rousseau saying that:

the legislative power is the heart of the state, the executive power is the brain, which sets all parts in motion. The brain may become paralysed and the individual still alive. A man can be imbecile and survive, but as soon as his heart stops functioning, a creature is dead.

The Nkandla judgment clearly points to the fact that the country is in jeopardy with a paralysed and dysfunctional National Assembly (see, 'What Will it be: Routine or Revolution?' 10 April 2016, *City Press*).

Constitutional Obligations of the President

Section 83 imposes certain obligations on the President and in particular expressly provides that:

The President (a) is the head of state and head of the national executive; (b) must uphold, defend and respect the Constitution as the supreme law of the Republic; and (c) promotes the unity of the nation and that which will advance the Republic.

It is evident that section 83(b) expressly and specifically singles the President out to uphold, defend and respect the Constitution as the supreme law. Most importantly, section 83(c) enjoins the President to unite the nation obviously with regard to the painful divisions of the past. Therefore, the promotion of national unity and reconciliation falls squarely on his shoulders as does the maintenance of orderliness, peace, stability and devotion to the wellbeing of the republic and all its people. With this in mind, the Constitutional Court concluded that unsurprisingly, the nation pins its hopes on the President to steer the country in the right direction and accelerate our journey towards a peaceful, just and prosperous destination that all other progress-driven nations strive towards on a daily basis.

It is in this context that the Constitutional Court stressed that the President is required to do all he can to ensure that our constitutional democracy thrives and he must provide support to all institutions designed to strengthen it. More directly, he is to ensure that the Constitution is known, treated and related to, as the supreme law. Therefore, the Constitutional Court concluded that it thus ill-behoves the President to act in any manner inconsistent with what the Constitution requires him to do under all circumstances. In this context the Constitutional Court emphasised the fact that the President occupies a position indispensable for the effective governance of our democratic country.

Hence, the Constitutional Court reminded the President that he is a constitutional being by design, a national pathfinder, the quintessential

commander-in-chief of State affairs and the personification of the nation's constitutional project. He is required to promise solemnly and sincerely to always connect with the true dictates of his conscience in the execution of his duties. This, he is required to do with all his strength, all his talents and to the best of his knowledge and abilities. The President is, after all, the image of South Africa and the first to be remembered at its mention on any global platform.

In view of the general circumstances of the present case, there is no gainsaying the fact that the President failed to live up to the lofty expectations of his constitutional obligation in two distinct ways. First, the President did not exercise a duty of care and the responsibility of a diligent leader. For instance, he failed to stop officials from utilising public funds to build

“The Nkandla judgment clearly points to the fact that the country is in jeopardy with a paralysed and dysfunctional National Assembly.”

the non-security structures at his Nkandla private residence. Instead, the President claimed that he was not aware of the upgrades. However, the DA and other opposition parties had for a long time contended that President Zuma was fully aware of the upgrades at his private residence and had full knowledge of the escalating costs. (Anon 'Zuma Misled Party Over Nkandla-Maimane' <http://www.iol.co.za>). Second, once the Public Protector found that the President's conduct was inconsistent with his constitutional obligation and ordered him to pay back a reasonable amount of the money with which he was unduly enriched, the President failed to do so. (see, De Vos P 'The President was Remiss-will the Voters be also?' 3 April 2016, *Sunday Times*).

As an alternative, the President, with the eager assistance of the National

Assembly (particularly members of his ruling ANC party), attempted to discredit the Public Protector and her report by launching a parallel process spearheaded by the Police Minister. The Constitutional Court held that this attitude and the actions taken in response to the report of the Public Protector undermined the independence, impartiality, dignity and effectiveness of the Public Protector in contravention of section 181(3) of the Constitution.

In the first place, the President was at fault when he asked the Police Minister to determine whether he was liable to pay for any of the features identified by the Public Protector as non-security features. It should be recalled that the Minister in question was appointed by the President and his tenure of office is at the mercy of the President. It is a fact that the Police Minister (as is the case with other Ministers) serves at the President's pleasure. In other words, the case might be made that the President investigated himself through the Minister.

For this reason, it was not surprising when the Police Minister concocted his report and alleged that the ordinary swimming pool is a 'fire pool' as a justification for not complying with the remedial action imposed by the Public Protector. Now, the question is: what features did the 'Nkandla swimming pool' had which made it to be a 'fire pool' and not an ordinary swimming pool? For this reason, it is submitted that the impartiality of the Police Minister was profoundly questionable. It is no wonder that the Constitutional Court was highly critical of the President's decision to involve the Police Minister in manner he did.

However, the Constitutional Court made it clear that the President was permitted to ask the Police Minister to ascertain whether the Public Protector's findings were correct, but only in order to determine whether to challenge the validity of the report in a court of law. In addition, the Court hinted that the President might have been following wrong legal advice and might therefore have acted in good faith when he refused to implement the remedial action. But as De Vos correctly observed, constitutionally, it

is irrelevant whether the President's conduct was deliberate or not. What matters is that his conduct remained unconstitutional and invalid. In addition, the President did not need legal advice to tell him that it was legally wrong to use the State money for the construction of the non-security structures at his private residence (see, *De Vos P op.cit*)

Constitutional Turf of David and Goliath

In dealing with the constitutional powers of the Public Protector pertaining to the manner in which her report was handled by the President and the National Assembly, the Constitutional Court hastened to state that like any other Chapter 9 institutions, the office of the Public Protector was created to strengthen constitutional democracy in the republic. Therefore, the Court stressed that the office of Public Protector is required to be independent and subject only to the Constitution and the law and it is demanded of it, as is the case with other sister institutions, to be impartial and to exercise the powers and functions vested in it without fear, favour or prejudice.

The Constitutional Court held that the Public Protector is thus one of the most invaluable constitutional gifts to our nation in the fight against corruption, unlawful enrichment, prejudice (abuse of power) and impropriety in state affairs and for the betterment of good governance. Bearing this in mind, the Constitutional Court described the Public Protector as the embodiment of a biblical David, which the public is, who fights the most powerful and very well-resourced Goliath that impropriety and corruption by government officials are. The Public Protector is one of the true crusaders and champions of anti-corruption and clean governance. Therefore, she has wide powers that leave no lever of government power above scrutiny. This is a necessary service because State resources belong to the public, as does state power.

State resources therefore must be used on behalf and for the benefit of the public. The Constitutional Court made it clear that the power of the

Public Protector to take remedial action is primarily sourced from the supreme law itself. This power is reiterated in section 6 of the Public Protector Act and owes its existence or significance in the Constitution. Millions of rands' worth of time and effort that could have been spent on upliftment were poured into the unproductive parliamentary processes of the ad hoc committees and the Minister's investigation. These parliamentary processes undermined the crucial role of the Public Protector. In addition, subsequent legal costs incurred in the Nkandla matter were also exorbitant.

Quite evidently, the Nkandla debacle has dragged the country into the trauma of ruined reputation, wasted time and money at the taxpayers' expense. However, at the end of all the Public Protector's *Secure in Comfort* report is an indicator which shows that parliamentary sovereignty does not rank supreme. There is no doubt that the Constitutional Court's ruling was a resounding vindication of the jurisdiction and centrality of the Public Protector in protecting our most fundamental constitutional values.

Responses from the President and others

Following the Nkandla judgment, on 01 April 2016, President Zuma addressed the nation and asserted that the Nkandla project happened in good faith and there was no deliberate effort or intention on his part to subvert the Constitution. The President further indicated that it was never his intention not to comply with the remedial action taken against him by the Public Protector or to disrespect her office. (see, Anon 'Zuma: My Actions were all in Good Faith' 3 April 2016, *City Press*). Instead, the President shifted the blame to his legal advisers, but again that does not absolve him from liability.

Despite the President's apology, several ANC stalwarts, including former Robben Island prisoner Ahmed Kathrada, Cheryl Carolus (former deputy secretary-general of the ANC), Denis Goldberg (Rivonia trialist), ex-cabinet member Trevor Manuel and many others openly called for President Zuma to step down. The South African National Defence Union

(SANDU) members, former Umkhonto we Sizwe commanders, including Siphiwe Nyanda and some members of the ANC in Gauteng also urged the President to resign. Among others, they contended that the Constitutional Court ruling was so serious and it impacted upon the integrity of the President and other arms of the state. The campaign which called itself 'The South Africa We Demand' also called for President Zuma to step down. This campaign included prominent religious, political and business leaders, unions and other community-based organisations.

Thakali and Mahlakoana cited the former Constitutional Court judge Zak Yacoob saying that 'our President has acted miserably, dishonestly, corruptly and horribly' (see, 'Front Tackles Zuma', 7 April 2016, *The Star*). In addition, the country's biggest opposition parties, the DA and the EFF called for President Zuma to quit. However, President Zuma's backers (including the leadership of the ANC and its majority members in the National Assembly) hit back and maintained that they still have confidence in Jacob Zuma as the President of the Republic of South Africa.

The Nkandla judgment should be seen as a triumph for the rule of law, a landmark for justice and a clear lecture on the principle of separation of powers, and the constitutional obligations of the President and of the National Assembly. It has indeed demonstrated diligence, courage and insight of the Justices of the Constitutional Court. But, most importantly, the Constitutional Court prescribed the prime values of our constitutional democracy. It is also evident that the manner in which the Nkandla matter was handled by the National Assembly and the President himself caused embarrassment and blatantly undermined the rule of law and the Constitution as the supreme law of the republic. It is hoped that the President, the National Assembly and government office-bearers and all the citizens of South Africa will draw lessons from the Nkandla judgment which should augur well for good governance and constitutional democracy. ■

THE DIAMOND RESOURCE CURSE IN SIERRA LEONE

An Analysis from a Political Economy Perspective



Could the alluvial diamond resource, given its non-excludable and lootable nature, be used for rebuilding the economy of Sierra Leone or will it continue as a resource curse?

By Rajesh Gopalakrishnan Nair

Sierra Leone, with a total land area of 71,325 square km, is one of the smallest countries in coastal West Africa. Its relatively small area is endowed with natural riches that include mineral resources and biodiversity (Squire, C B, 2001). Sierra Leone has recently emerged from a long period of political instability and civil war. The UNDP economic and social development indicators suggest that it is the poorest country in the world. Subsequent to independence from British colonial rule in 1961 and following years of poor governance and

economic mismanagement under the APC government of Siaka Stevens,¹ the country's economy was nearing a state of collapse at the end of the 1980s. The protracted internal conflict of the 1990s destroyed most of the country's basic social and economic infrastructure, and extreme poverty became widespread and deeply entrenched. Significant academic attention has focused on the political economy of the war and the ensuing debate over whether or not diamonds were responsible for fuelling 'greed-based' insurgency (Keen, 2005; Richards, 2003; Smillie et al, 2000).

The 'Conflict Diamond' campaign of the 1990s, launched by a coalition of well-known NGOs and civil society groups, drew wider public attention to the link between the 'diamonds war' and state collapse (Hilson, 2008).

The geological nature of diamond deposits in Sierra Leone makes their governance and trade exceptionally challenging. Usually, [as in South Africa or Botswana] diamonds come from volcanic breccias occurring as diamondiferous dykes, known commonly as 'kimberlites'². Although Sierra Leone's diamonds can be found

in kimberlite pipes, they are more commonly dispersed in the gravels of river beds and terraces as alluvial³ deposits. These deposits are referred to as 'alluvial' and are mined over a vast area. Alluvial diamonds are found by "diggers", who manually, or with rudimentary equipment, sift through soil and sand, digging holes up to 30 feet in depth, in areas where they think it is most likely to find stones.

Only men are diggers; women are farmers and petty traders, and service the household. Land is communally owned in Sierra Leone. "Leases" are managed and rents collected by traditional paramount chiefs. Diggers obtain permission to dig in specified areas from the respective chief. Because of the requirement to pay a land use fee, the diggers are generally financed by "dealers". Dealers are business people who manage groups of diggers by advancing them food, tools, and basic household goods, which they deduct from the proceeds of sales of the stones the diggers turn over to them. Over time, poverty has conspired with ignorance to create a system of virtual servitude. The "dealers" sell to "exporters" and "agents" of the exporters, who buy and export the stones. Stones can change hands several times among dealers before they are finally exported.

Prior to the coup of May 1997, some buyers declared their stones to the Government Gold and Diamond Office (GGDO), which valued them for the purpose of export taxes and statistics. Others smuggled the stones out of the country, with no documentation or registration, and were able to market them, eventually, in mainstream international markets (USAID, 2001).

In contrast to South Africa, where diamonds are mined using mechanical means from deep reserves, in Sierra Leone it is not a rare occurrence to find a good quality diamond on the ground surface, particularly after rain. As such, an estimated 80 per cent of diamond mining in the country is carried out by 'artisanal' methods, and involves little more than digging and sifting through river-bank mud, sand or gravel with picks, shovels, buckets and sieves. Unlike deep-pit kimberlitic

mining, which can be fenced off and monitored carefully, artisanal mining remains virtually impossible to regulate or control because there are relatively few diamonds per hectare. People tend to actually live where the diamonds are located, and labour-intensive⁴ mining techniques are common. Consequently, owing to the highly lootable⁵ character of Sierra Leonean diamonds and the ease at which they can be appropriated, there has been a well-established history of smuggling in the country, which long pre-dates the onset of the war (Maconachie, R, 2009).

Political economy theorists are divided in their opinion on the 'resource curse' of alluvial diamonds. One group is rather pessimistic about the alluvial diamond resources and its expected impact on Sierra Leone's economy. The two resource management solutions offered by political economy researchers – direct state control through legislation; and privatisation of mining activities under state regulation – are not likely to yield much in terms of results because the former is too expensive to enforce and the latter is almost impossible to execute due to the non-excludable nature of the resource. Thus the resource curse is likely to continue leading the country to successive internal conflicts (Mehlum, H, et al 2006, Davies, V.A.B., 2009).

Yet another group of political economists see the diamond resource as an opportunity. During 1950s and '70s, diamond revenues were used to finance infrastructure development, including road construction, and the provision of clean drinking water and electricity. As a result, the diamondiferous areas: most notably in Kono⁶ and Kenema Districts, prospered and were important drivers of economic growth (Maconachie, R., 2009). Today, the sustainable development of the country's valuable mineral resources, which include not only diamonds but also gold, rutile, bauxite and iron ore, is a government priority and has been a central tenet of the National Recovery Strategy (NRS, launched in October 2002), and the Poverty Reduction Strategy Paper (PRSP, of March 2005). It is also understood that mining can

definitely contribute to economic growth, government revenues, create jobs, facilitate transfer of technology and catalyse the growth of lateral or downstream industries. The various measures taken by the post-war Sierra Leone government for ensuring better management and transparency in diamond mining were met with varying degrees of success.

It would be interesting to investigate the political economy of alluvial diamond mining in Sierra Leone during distinct phases of the country's history, ie) pre-colonial time, colonial rule, post-colonial pre-war regime and the post-war (present). Two major theories that try to explain the issues of the diamond sector of Sierra Leone are discussed below.

Resource Curse

The case of diamond resources of Sierra Leone is often cited as an example of 'resource curse' (e.g. Mehlum, H, et al, 2006, Davies, VAB, 2009). As the country's Minister of Finance, James Jonah (2000) put it: 'the war in Sierra Leone is simply about diamonds'. The literature suggests the following economic phenomena associated with such a situation:

- 'Dutch disease' wherein a real exchange rate appreciation following a resource boom diverts factors of production away from sectors with positive growth externalities (Corden and Neary, 1982).
- Political economy factors like rent seeking, corruption and political instability, including violent conflict (Collier and Hoeffler, 2004).
- Commodity price volatility (Ramey and Ramey, 1995).
- Open access/ commons problem wherein any diamond found is one diamond less for the others to find, and the last miner imposing a cost on all existing miners, raising private return above social return (Davies, VAB, 2009).
- Gambling for resurrection: tendency for a financially distressed firm to engage in excessive risk taking. If the risky project succeeds, the firm gains disproportionately but bears too little of the cost. If the project fails it files for bankruptcy and walks away from

its debt (Davies, VAB, 2009).

A large body of work has theorised that in failing states where there are large deposits of alluvial minerals that are mined 'artisanally', a nexus between 'lootable' (high value-to-weight ratios) resource wealth, poor governance, under-development and conflict is characteristic (Collier and Hoeffler 1998, 2004). In the case of alluvial diamonds in Sierra Leone this theory has been empirically demonstrated by a large body of work.

Unsustainable extraction and Environmental degradation

The open pit mines used during the war in the eastern province have endangered the life support functions of the ecosystem for human and other living beings, as well as limiting the possibility of using these regions for economic activities other than diamond production (Powlick, 2005). For instance, mining activities, particularly in the eastern and southern regions of the country, have left vast areas of land deforested and degraded. It is estimated that between 80,000 and 120, 000 hectares of land have been mined out in different parts of the country with minimal efforts at reclamation. The uncontrolled exploitation of mineral resources, coupled with the absence of mitigating policies and conservation programmes have resulted in downward spirals of environmental degradation and its socio-economic consequences (Brima Abu A 2004). Experts claim that years of uncontrolled digging under wartime conditions in Kono have more or less exhausted the Kono alluvials (Fithen, 1999).

As part of his plan to control Kono diamonds, Siaka Stevens uprooted the railway line through the south and the east (the axis of power for the rival Sierra Leone People's Party – SLPP) originally laid by old colonial government, and replaced it with a main road leading directly to Kono through the Northern provincial centres of the Makeni and Magburaka provinces. This helped to secure more control of the Kono alluvials for the northern dominated APC elites.

A top-down approach to enforcement of conservation policies

reportedly has not facilitated the task of conservation. Local communities were required to surrender their lands to the government for conservation purposes; and they had no additional input to the process or benefit from it. Encroachments for agricultural purposes, hunting, illicit mining, timber, and firewood were therefore commonplace (Squire, C B, 2001).

Diamond governance initiatives

There are two diamond governance initiatives that (in theory) aim to play an important role in the country's post-conflict development trajectory: the Kimberley Process Certification Scheme for rough diamonds (KPCS) and the Diamond Area Community

“The uncontrolled exploitation of mineral resources, coupled with the absence of mitigating policies and conservation programmes have resulted in downward spirals of environmental degradation and its socio-economic consequences”

Development Fund (DACDF).

KPCS: Following intense negotiations involving 35 countries, in 2000, the UN General Assembly adopted a resolution supporting the creation of an international certification scheme for rough diamonds which was finally adopted at a ministerial meeting in Interlaken, Switzerland in 2002. According to the terms of the KPCS, each participating government must issue a certificate to accompany all rough diamonds being exported from within its borders, to ensure that they are 'conflict free'. Each country must therefore be able to track the diamonds being exported to their place of origin, or to the point of import, and it must meet a set of

standards for these internal controls. All participating countries must also agree not to import any rough diamonds without an approved KPCS certificate.

The scheme officially took effect, with over 45 signatory countries, including Sierra Leone. Today, the KPCS is held up by many industry observers to be the 'gold standard' of voluntary corporate social responsibility mechanisms and it is now backed by national legislation in more than seventy countries. Though KPCS has been heralded as a success, its implementation in Sierra Leone is debilitated by the alluvial nature of diamond deposits (non-excludability as detailed above), the artisanal nature of its extraction and the widespread illicit smuggling enabled by the lootable nature of diamonds and the characteristics of its trade (Maconachie, R, 2009).

A number of commentators have pointed out that the initiative has done relatively little to address the poverty, inequality and desperate working conditions that small-scale miners must endure on a daily basis (Silberfein, 2004; Olsson, 2006). Indeed, the diamond diggers who work at the bottom of the supply chain must endure particularly dangerous conditions, and many live on less than a dollar a day (Global Witness/ Partnership Africa Canada, 2004). It has been estimated that there may be as many as one million artisanal miners in sub-Saharan Africa who operate beyond the KPCS⁸ (DDI, 2005) and up to 50 percent of Sierra Leone's diamonds still continue to leave the country illegally (Partnership Africa Canada and Network Movement for Justice and Development, 2006).

DACDF: Over the past few decades, community-based, decentralised and participatory approaches to natural resource management have become 'standard practice' in development agendas across sub-Saharan Africa. Building on the popularity of previous community-based natural resource management (CBNRM) experiments elsewhere in Africa, the Diamond Area Community Development Fund was formally approved by Sierra Leone's Ministry of Mineral Resources in

December 2001, as part of a broader reform programme for the diamond sector following the end of the war. The DACDF adopts participatory mechanisms that aim to allow local actors to exercise their natural resource management responsibilities and decision-making powers. In addition to providing valuable resources for social and economic development, the fund is supposed to encourage chiefdoms to monitor mining more effectively and eradicate illegal activities, thereby enhancing the KPCS (Maconachie, 2009). A portion of the government's 3 per cent diamond export tax (which amounts to 0.75 per cent export duty) is now put into the fund for community-managed small-scale development projects in diamondiferous regions. Donors have been asked to match funding to the DACDF in order to further enhance social and infrastructural development. Reportedly there is much evidence to suggest that the fund has been utilised wisely by some chiefdoms and councils for financing community infrastructure, education, health and vocational skills training centers (Temple, 2005).

Although the DACDF is known to be a well-conceived governance initiative, it has frequently been at the centre of controversy. Early disbursements from the fund were made directly to the paramount chiefs. Many of them could not account for how the funds were spent and occasional misuse/misappropriation of funds was also noted. Supporters of DACDF hold the inadequacies in supporting institutional arrangements as responsible for initial setbacks. For example the Local Government Act (2004) had not been ratified at the time the DACDF was initially proposed, and the local councils, which have now become beneficiaries, were not involved with its implementation. Although it could be argued that the decentralisation process should, in theory, play an important role in improving the accountability and management of the funds, it may also be the case that the re-introduction of the local councils has caused further conflict and confusion, which could have an impact on the rational use of funds (Maconachie,

2009).

Mining and Agriculture

Among the various issues associated with agriculture and mining, two important issues are land availability and labour availability.

Land: In Sierra Leone, rural lands are abundant and held under various forms of communal tenure, with the 'paramount chief' serving as the ultimate custodian of the land. Unruh and Turay (2005) observe that in Sierra Leone, 'there are as many different forms of customary tenure laws as there are language groups'. But in most places family and lineage heads representing the original settlers of an area appear to have control over land. In such cases the involvement of a paramount chief appears to be restricted (Williams, 2006). Maconachie (2008) observes that:

In terms of production land availability in Sierra Leone is often described as being one of least constraining factors. The role that land tenure systems assume in constraining agriculture productivity is frequently played down by critics, it is believed by many commentators that customary or indigenous systems have generally accommodated the needs of the farmers seeking access to land. ...however detailed discussions with wetland managers revealed that gaining access to (wet) land sites can be a highly political process that is shaped by an individual's social relationships. An appreciation that struggles over land and other productive resources can thus be of a political nature provides sufficient reason to question many of the "blueprint" solutions to land issues that have so frequently been prescribed in the past.

Thus widely held perceptions of a) abundance of agricultural land b) un-restricted use of mining land and c) rampant lawlessness and disorder in rural Sierra Leone are to be subjected to empirical investigation. The influence of paramount chiefs as custodians of the land is critical in controlling access to rural resources to the point of causing obstruction to the access to productive land; especially land that is rich in natural resources. For example the control of mining land

for diamond, gold and rutile rests to a large extent with traditional authorities. Thus mining investment cannot take place without the consent of the chiefs (Jackson 2005).

Labour: Recent studies have found that a significant reduction in the availability of family labour over the years and increased levels of poverty in the post conflict period have made agriculture more challenging. This is because of lack of means necessary to set the labour cycle in motion (including the 'food for work' arrangements). Another constraint is temporary off-farm labour migration (Maconachie, 2006). Peter (2006) indicates that youth in general and ex-combatants in particular in many areas have chosen to become full-time miners and thus farm labour is drawn away from agriculture. Some studies have revealed positive livelihood strategies adopted by farming communities either by dividing their time judiciously between farming and mining or through careful division of labour within households between mining and agriculture or resorting to seasonal mining, dedicating favorable seasons for agriculture and dry seasons for mining (Maconachie and Binns, 2007).

Studies have also identified that the cultural changes which have taken place since the war have increased the mobility of youth, due to the 'exposure' they have received during the war. Some also report that mobility has increased because a rift had developed between the youth and community elders, such that many youth do not feel any allegiance to the chiefs (Richards, 2005). This rift is also attributed to a 'long term crisis of agrarian institutions' with labour exploitation by an agrarian elite as the crux. The process of acquiring and defending land rights and ensuring labour supply is steeped in micro-politics and based on power relationships between members of social groups. This poses the important question as to whether top-down tenure reforms ignoring rural social institutions and their intricate functioning can offer a permanent solution to problems of agricultural land access. This also offers a possible solution to indiscriminate mining and its unfavorable externalities by the careful

and well directed empowerment of the local institutions.

Diamonds for development

Since their discovery in 1930, Sierra Leone's diamonds have played a major role both in the prosperity of the 1950s and 1960s and in the devastation and war of recent years. Research conducted in the eastern province during the 1970s before the war suggested that if diamond capital was reinvested into the local economy, it could provide the necessary catalyst for rural development (as reviewed in Maconachi and Binns, 2007). The trade in diamonds generated an estimated annual income of 150 to 250 million dollars in 2000 against a GDP of only 636 million dollars (Smillie, Ian et al 2000). In stark contrast to the resource curse theories, there are reports of a 'tightly managed and highly ordered structure to production' in alluvial diamond mining (Maconachi and Binns, 2007). It is also reported that the sector currently generates considerable revenue to the government and over 0.5 million people currently depend on the small scale artisanal mining sector (Ministry of Mineral Resources, 2005).

Some scholars also foresee great potential for the alluvial mining sector (Maconachi and Binns, 2007). Though a large body of work illustrated the detrimental effects of artisanal mining on rural economy by way of drawing productive young labour away from farming and suggested that the government became locked into a cycle of dependency on diamonds while food grains were imported (Richards, 1996), a relatively small number of researchers have tried to give a more optimistic account of 'nexus between agriculture and diamonds' at the micro-level. Maconachi and Binns have identified a 'dove-tailing' of diamond mining and farm activities in the early 1970s in which artisans engaged in alluvial diamond mining during the dry season and in farming during rainy season. They show 'regular circulation of labour between farming and mining activities'. Recent studies conducted by the same team confirm that many of these links between farming and mining persist in spite of severe

dislocation during the war and suggest that these links could play a key role in the rejuvenation of market-oriented food production, providing impetus for post-war rural development. The work implies that the economic incentive provided by buoyant food demands from the mining population has the potential to strengthen economic capital among rural producers and demonstrates the existence of clusters of livelihood strategies (Scoones, 1998).

Issues for political economy analysis

Having thrown up a few issues that deserve attention, a concern that emerges is what were/ are the political economy factors contributing to the 'resource curse status' of alluvial diamonds in Sierra Leone? And could the alluvial diamond resource, given its

“Local communities were required to surrender their lands to the government for conservation purposes; and they had no additional input to the process or benefit from it.”

non-excludable and lootable nature, be used for rebuilding the economy of Sierra Leone or will it continue as a resource curse?

Disaggregating this big question, a few sub questions emerge:

- How successful were the various measures that existed in the four distinct political phases of the country's history, ie) pre-colonial time, colonial rule, postcolonial pre-war regime and the post-war (present) period for management of diamond resources?
- Whether existing local institutions have anything to offer towards sustainable and transparent exploitation of these two resources (productive land and minerals) in such a way that complements each other?

- Whether the state can ensure sustainable exploitation of alluvial diamonds and transparency in its transaction through regulations?
- Whether the alluvial diamonds problem can be modeled as a commons problem and could the current decentralisation initiatives contribute to its better management?

These broad questions in place, it is important to study the political economy and institutional factors responsible for the resource curse of alluvial diamonds and its implications on the life of people in the pre-war, (during) civil war and post-war periods in Sierra Leone. It is also pertinent to study the power relations from local chiefdoms through the national to the international levels which directly and indirectly influence the diamond extraction and transactions.

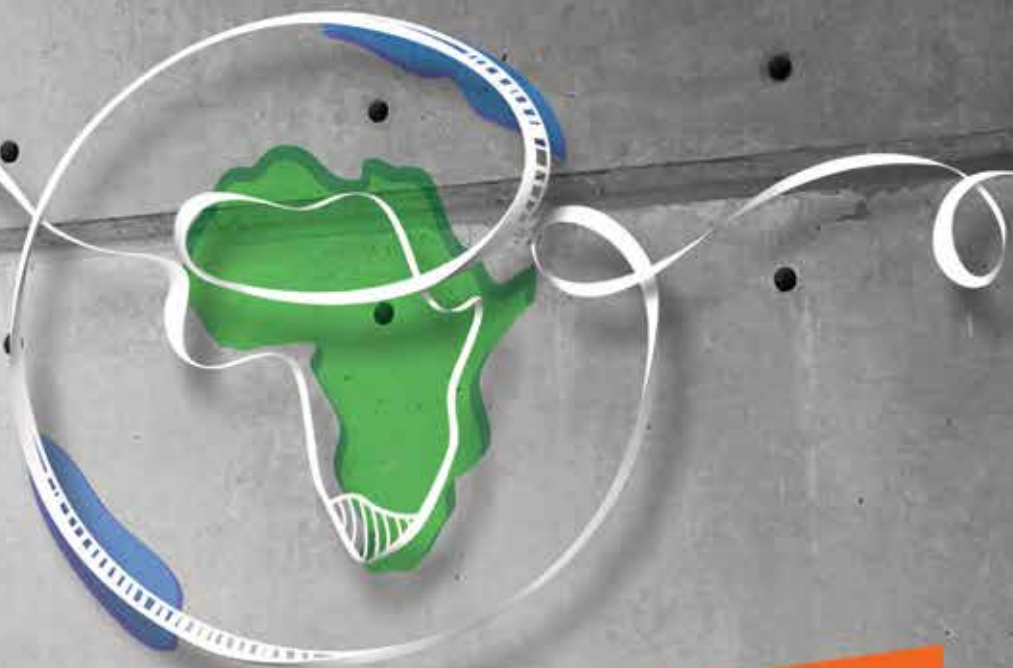
An analysis of the comparative performance of the state introduced decentralised diamond management initiative (DACDF) in various provinces vis a vis other internationally monitored programmes (like the KPCS) would not only be interesting but might provide useful insights into the process of nation building in Sierra Leone. ■

End notes:

- ¹ Stevens came to power in the late 1960s, and quickly moved to control Sierra Leone's diamonds. Although Stevens's political party – the All Peoples' Congress (APC) – had won national elections in 1967, it was initially prevented from taking office by a military coup in favour of the former ruling party, the Sierra Leone People's Party (SLPP). A countercoup in 1968 finally led to Stevens's installation as prime minister.
- ² Kimberlite is a type of rock where diamonds are found. Kimberlite and alluvial diamonds are identical in their crystalline structures, but their surface characteristics differ.
- ³ In a real extent, the country's alluvial diamond-mining fields cover almost 20,000 square km, though the actual diamond-bearing alluvial ground is actually about 200 square km. Often, these deposits are spread across national and chiefdom boundaries.
- ⁴ This has to be read in the light of the contract form of hiring labour. In post war Sierra Leone, donors have launched a credit scheme to support the miners, allowing them to keep all the profits after repaying the credit. The argument is: while these terms are favorable to the miner relative to profit sharing, they increase the incentive to 'gamble'.
- ⁵ Lootable commodities are those that have high value-to-weight ratios, and can be easily appropriated and transported by unskilled workers.
- ⁶ Kono alluvials: Kono district is the major diamond mining/producing district in the country. It has both extensive alluvial and Kimberlite diamond deposits being exploited at the moment.
- ⁷ Includes not only diamonds but also gold, rutile, bauxite and iron ore.
- ⁸ As such, some critics speak of the need for a 'Kimberley II Process', to address local issues that encourage smuggling and impede enforcement (Strasser-King, 2004). While the USAID-funded Peace Diamond Alliance initially laid the foundations for such an initiative immediately following the war, more recently, the Diamonds for Development initiative has continued to strive for such a process – as reviewed by Maconachie, R (2009).

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Science and technology can be the answer to South Africa's youth challenges

By Department of Science and Technology

Youth unemployment remains at chronically high levels and despite several interventions by Government, the situation persists.

A recent youth social profile report released by Statistics South Africa revealed that structural factors such as a lack of education and skills development are largely behind the problems faced by South Africa's youth.

It also found that the new generation of black Africans – between 25 and

34 years – are less skilled than their parents, as well as every other race and age group.

The Minister of Science and Technology, Naledi Pandor, believes science and technology can be the answer to challenges faced by young people in the country.

Delivering the Department of Science and Technology's (DST) 2016/17 Budget Vote on 19 April in Parliament, the Minister said

that the Department would pilot a grassroots innovation initiative in this financial year, focusing on supporting young innovators and technology entrepreneurs in the informal sector and in marginalised communities.

"The Department of Science and Technology funds various initiatives directed at improving the education and socio-economic status of our youth. Science and technology can



play an effective role in addressing the challenges faced by young people," said the Minister.

She added that, in 2015/16, the DST supported 1 276 youth through the Technology Innovation Agency. This included support for 52 youth-owned SMEs, 951 youth-owned SMEs that receive support from the Technology Stations Programme, and 273 individuals trained through the Youth Skills Development Programme,

with 85 of them receiving international training.

Minister Pandor said that the DST was the largest funder of postgraduate students in the country: "We will continue to support more young people and ensure that they learn how to create businesses and social enterprises, using advances in technology and knowledge." She said that the Department had invested R741 million to support some 14 500

postgraduate students (9 715 or 67% of them black and 8 265 or 57% of them female).

As part of the Operation Phakisa Oceans Economy, the Department had allocated R20 million to supporting aquaculture activities in marginalised coastal communities, with a focus on women and the youth.

The Minister said her plan was to expand mLab Southern Africa, a mobile solutions laboratory and start-up accelerator designed to help young information and communication technology entrepreneurs.

"An allocation of R6 million to the project will allow us to expand the initiative beyond Gauteng and the Western Cape to the Northern Cape, Limpopo and KwaZulu-Natal. We also want to reach young people in Soweto, Mamelodi and Soshanguve."

This year the Council for Scientific and Industrial Research will support

“We will continue to support more young people and ensure that they learn how to create businesses and social enterprises, using advances in technology and knowledge”

50 students through the Data Science Skills Development programme. Last year 33 third-year Computer Science, Electrical Engineering and Statistics students were trained.

Students in this programme provide data-related business solutions to various stakeholders, including government departments and industry.

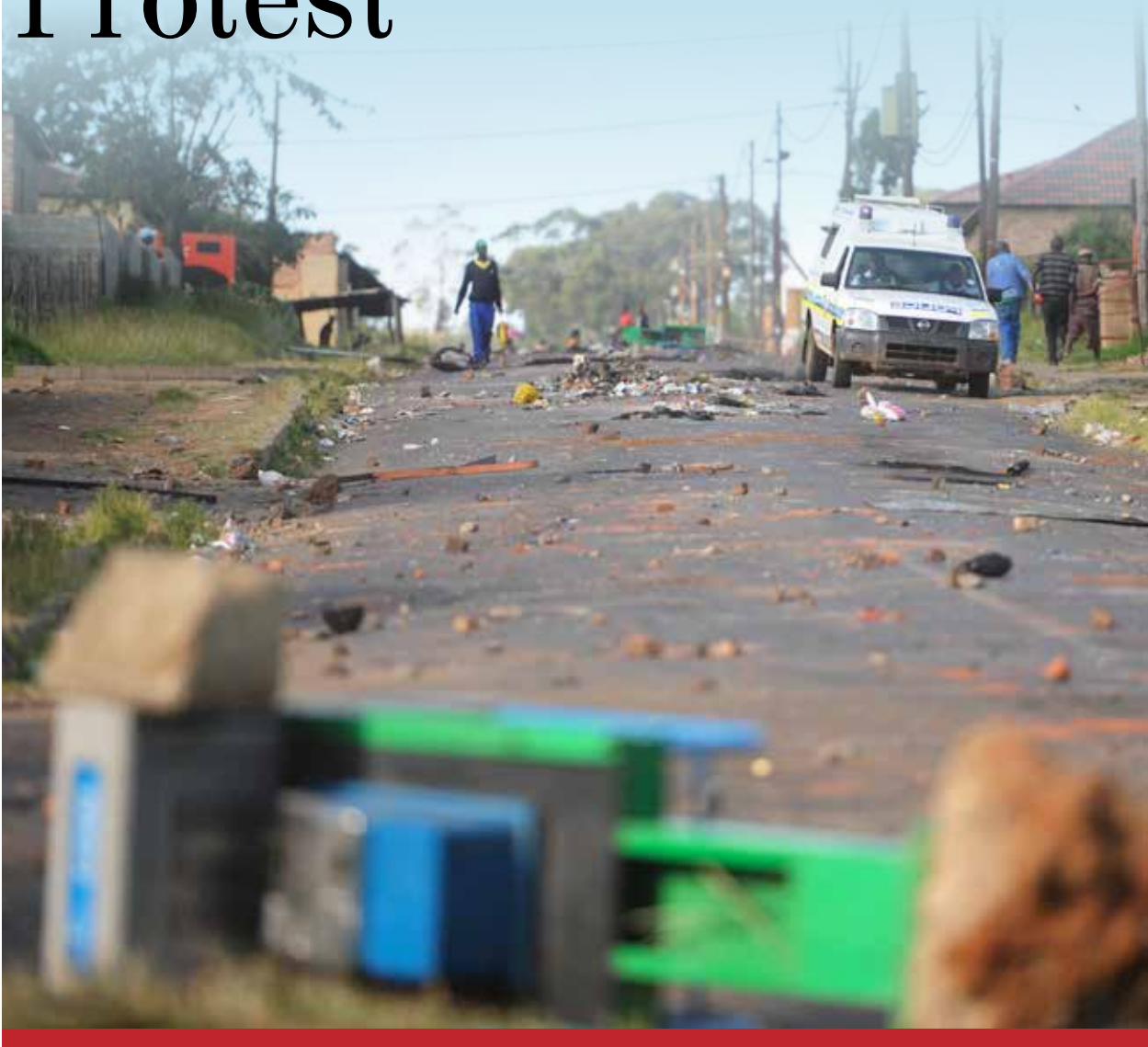
Minister Pandor has urged young South Africans to take advantage of new opportunities made possible by science and technology in the country. ■



**science
& technology**
Department:
Science and Technology
REPUBLIC OF SOUTH AFRICA

LAHLE LEGEZI

A Service Delivery Protest



Protest in this case is seen as a means to force the municipality to accede to their demands irrespective of whether these are legitimate or not; irrespective of whether these have been arrived at through a process of negotiation which subscribes to democracy or not.

By Thabo Israel Pudi and Vuyisile Theophilus Msila

This article reports on the study and analysis of a service delivery protest undertaken by the eMalahleni community. The protest was captured on video. The video footage was analysed. This analysis was backed up by qualitative interviews with five respondents. The article opens with some background which explains the context of service delivery protests in South Africa today.

In the apartheid years the ANC and other liberation organisations sought negotiations with the apartheid government for a settlement. When this was not to be, they took to protests, defiance campaigns and armed resistance to put pressure on the government of the time. They also appealed to the international community. Finally the Apartheid regime succumbed.

Negotiations started after the release of Mandela in 1990 and culminated in the installation of democracy in 1994. After a fierce battle of over a hundred years where many lives were lost, there was now agreement to go to the negotiation table. This willingness to negotiate did not come by itself but was a negotiated settlement through what is affectionately dubbed the carrot and stick approach by the African National Congress (ANC, 1969).

Now the very government that believed in negotiation and has achieved democracy through negotiations is apparently reneging on its belief in negotiation. There seems to be no negotiation between the people and the government for the settlement of problems, including demands like 'the right to free electricity' as is the case at hand.

Instead people have resorted to protests and demonstrations which are in stark contrast to a society that at one stage was dubbed an epitome of world peace with the 1994 peaceful democratic elections. After the peaceful, free and fair democratic elections of 1994, much was expected from South Africa.

Now, twenty two years later, there are still remnants of dissatisfaction which are rising all the time and which negate the spirit of democracy and reconciliation [Pudi, 2014]. When the people show their dissatisfaction, the

government resorts to the might of the police and the army – not to negotiate with the people but to silence them.

This is creating a hostile environment not a negotiating one. People have a right to express their dissatisfaction and the government has an obligation to listen to their views and attempt to reach a negotiated settlement, not to coerce or to shoot at them. The people also have an obligation to understand that rights go with responsibilities and that freedom comes at a cost.

Perhaps when the government entered into a democratic settlement, it did not 'take the people along', but their votes. People generally do not vote to show their understanding of democracy; but do so to put others who they believe have knowledge and understanding of the democratic principles to assume the power and control.

The people should be educated about compromises. The imperatives of democracy which include peace, tolerance, understanding and so on should also be propagated through education. Commensurate with this, the Education Ministry produced a document "Manifesto on Values, Education and Democracy" (DoE, 2001). These values, it seems, have not found their way into the people's minds and hearts.

Unintended outcomes of a protest

When people form groups and go on the rampage destroying properties, lives are also put at risk. Some of the people whose properties have been damaged and or loved ones injured or killed will not easily forgive or forget the protestors' actions. Lifetime animosities will develop. In addition, some people may lose their employment all because they were prevented from going to work; these unintended victims may also retaliate.

The foreigners whose shops are burnt when such protests take place are also placed in a situation where they live in fear, which may create counter-violence, as it has already in some cases. Cross-border relationships will also be strained, as has already happened. South Africa runs the risk of being isolated by the rest of Africa and the international community. There

have often been reminders in recent years that South Africa can ill-afford to forget or neglect the role that other African countries played in support of their liberation during the struggle years.

Lessons that children learn

Children learn what they live; children live what they have learnt. If a child lives with hostility, he learns to fight. The aggression and insults that the children learn from their parents and big brothers and sisters when they are in a protest action are taken by these children with them to school. Children who live under such conditions think that this is the way of life. They may inherit a certain value that life is cheap; and that people, as long as they are not 'us', or are in disagreement with us, deserve to be attacked or even killed.

Protests are not always about love but can be about animosity and hate. This hate, let alone the insults, once etched in the hearts and minds of the children, will form a basis of their outlook about life.

Is there much in these violent protest actions (South African style) that parents can be proud of when they consider them in hindsight? We should not forget that when parents go on these protest actions, they do not lock away their children; they instead take them out of school so that they can be part of the protest action.

How to reconcile the past with the present

The study which led to our writing this article emanated from the continuing existence of conflict even after the installation of democracy and the subsequent Truth and Reconciliation Commission (TRC). The TRC was established to create a situation of reconciliation after the devastation caused by apartheid. The reconciliation was aimed to take place between the victims and the perpetrators. Whether that has been achieved reasonably well or not is a matter for speculation. The TRC report also concedes that it did not have the capacity to address all problems, as the TRC was not a panacea to all the illnesses or atrocities of the past.

Unfortunately, the TRC operation

was limited to those individuals who needed amnesty and those individuals (victims) who needed reparation. The TRC did not address any conflict outside its scope of operation. Whilst there could have been a purposeful healing between the victim and the perpetrators, there has not been any investigation as to the healing amongst society in general. But the conflict in society still exists even beyond the apartheid years as evidenced by the service delivery protests and others such as racial slurs prevalent in our society today.

Caldwell's prediction (Caldwell, 1992:13) that situations of conflicts (e.g. politics, economics, and human rights issues) are not going to disappear just because the Union Buildings have been occupied by someone different is indeed true. Democracy is not about replacing white with black. It is about doing the right things for the benefit of all, irrespective of race, gender or origin.

Methodology for this study

It is a well-known fact that politics is a numbers game [votes] and that this rhymes well with the quantitative research methodology. But when investigating the content of people's feelings (state of opposition or hostilities) it is logical that the content and context should also be pursued. This cannot be done quantitatively. Should that be the case, we would be deprived of the richness and depth of explanations that people give with respect to their feelings.

Einstein has been credited with the saying: "not everything that counts can be counted and that not everything that can be counted counts". This warns of the embedded dangers that lie within the choice of a quantitative or qualitative research methodology. The contents and contexts and explanations derived from the literature study, the video footages and the interviews are of paramount importance in establishing the nature and rationale of a conflict situation. The five interviewees were selected randomly in the township. To achieve objectivity, it was necessary that the five interviewees are not selected from the group that took part in the protest.

For obvious reasons, protesters' views are tainted with a particular viewpoint that is pro the protest.

Video documentary

A video documentary about the service delivery protest that took place at eMalahleni in Mpumalanga, South Africa has been comprehensively studied. This video documentary was compiled by SM Productions who gave full permission for the researcher to use it for this study. The title of the video documentary is "Lahle Legezi" (Mabena, 2012).

In the video documentary the

“People have a right to express their dissatisfaction and the government has an obligation to listen to their views and attempt to reach a negotiated settlement, not to coerce or to shoot at them. The people also have an obligation to understand that rights go with responsibilities and that freedom comes at a cost.”

following can be discerned:

People are protesting about the supply of electricity. The local municipality ordered that illegal connection of cables should be removed. The illegal connections of electricity are called "izinyoka". But the people intimidated the electrical department personnel who had come to cut off the illegal connections. In response the municipality commissioned the police to accompany the engineers who were to remove or disconnect the illegal connections of electricity. The people decided to retaliate. A protest was organised.

Roads were barricaded and tyres were burnt. Unfortunately some of the shops belonging to foreigners were also burnt down. One taxi was also burnt. It is alleged that the taxi driver defied the barricade and ended up as a casualty of the wrath of the protestors. No taxis were allowed to carry people to town or to work. The protestors sang political songs and danced the toyi-toyi dance. The schools were also closed and school children were part of the rampage. Smoke filled the air while the protestors moved from street to street singing and hurling insults at the police and members of the South African National Defence Force (SANDF) who had been called for reinforcement. The police fired on the people with rubber bullets and live ammunition. Pandemonium ensued. Some people got injured and one of them later died at the hospital.

The people are reacting to the removal of illegal electrical connections. They believe that they are entitled to free electricity.

Analysis of the protest/video footage

The main cause of the protest was that the municipality had ordered that the illegal electricity connections be removed. This was done without consultation with the people. That the people themselves did not consult with the municipality 'to be given permission' to do illegal connections is not even a thought. However, a comment was made in the footage that 'the mayor has given "us" permission to do the illegal connections'. This claim might seem extremely improbable if it were not for the fact that sometimes politicians buy the acceptance of the masses by encouraging wrong deeds even if it means paying people to get rid of an opponent.

When the people intimidated and chased away the municipality employees, the municipality brought in the police. The police were not there to negotiate. In fact their mere presence was an attempt to intimidate the crowds. A new stage of the protest then ensued, where the people burned tyres and barricaded the roads to prevent the police and the SANDF from driving through. But these barricades also prevented taxis

from moving or any car from moving for that matter. People were stopped from going to work. Schools were closed and school children were taken out of school to join the singing and dancing. This singing and dancing was not without insults hurled at the police, the municipality and the government. The slogan which reverberated during the protests was “We want free electricity!”

“We want free electricity!”

However it is unreasonable for anyone to insist that they must have free electricity. To generate electricity is not free. In fact nothing in this world is free, even the Freedom that as South Africans we are enjoying today was not free. People had to fight and die for it. So, even freedom has a price. The only explanation that one can advance for this demand for the freedom to do illegal connections is that it is the result of the spirit of entitlement. The previously oppressed have an unrealistic belief that to repay the past injustices they have to obtain things for free. In fact there is also a belief that electricity is one of the things that was previously denied them, and with democracy it should be given to them free, like grants for example.

We have seen instances of white owned delivery vans and vehicles being set alight when they enter the townships. This is probably linked to the culture of non-payment of electricity and the municipality services. This is a really serious conflict situation because if the government does not step in to ensure that everybody pays for the electricity that they use, then this may be construed as apartheid in reverse. In general, the white communities are paying for their electricity; and there have been numerous complaints that the township or black people must also pay for their services.

The editor of the video documentary (SM Mabena) believes that the people demanded free electricity because the coal that produced this electricity was taken free from the people’s land – eMalahleni. Because the land belongs to the people, then the coal also belongs to the people and as such the electricity that is generated from their coal must be free.

“The government must speak with us. We have voted for this government and this is what they now do”

This is definitely a cry for recognition. The government is accountable to the people. Why people are not paying for electricity or are unwilling to pay must be investigated. Academics and research institutions should also investigate the situation. The first step in problem solving is to identify the problem (Sternberg, 2002). Knowing what the problem is, is half the problem solved. If the government is for the people, then the government must seek to know what the people’s problems are. Knowing the problems

“Children who live under such conditions think that this is the way of life. They may inherit a certain value that life is cheap; and that people, as long as they are not ‘us’, or are in disagreement with us, deserve to be attacked or even killed.”

puts one in a better position to seek a solution.

“The people shall govern”, so says the Freedom Charter. If the people are unable to pay for electricity it may be because they are unemployed. If the people are unwilling to pay for electricity for other reasons, one of these might be a lack of understanding of the basic fact that by not paying they will cripple their very own government, and make it impossible for any services to be delivered.

The people may lack the knowledge and understanding that the government is the people. JF Kennedy’s wise advice to the people to: ‘ask not what the country can do for you, ask what you can do for the country’ might come in handy [Kennedy, 2010].

By sending the police and the

soldiers, the government is neglecting its responsibility to negotiate with the people. In fact the situation will logically lead to a wedge being put between the government and the people. It will be a situation of ‘us and them’ where the people disown the government. Then Caldwell’s general theory about governments (Caldwell, 1992:13) shall have been proved to be true, that is, “show a lot less faith in governments and a lot more faith in ordinary people.”

“The mayor and his ANC buddies and councillors stay in town and we are left here in the township to suffer”

The wedge has gone deeper. If the government is the people, then the people must live together. That councillors representing the townships stay in town appears to be absurd. Unfortunately the other reality is that when the people in the townships go on strike or protest, the mayor and the councillors are the first targets. Their houses are burnt down and sometimes they are also murdered. In a united South Africa, there should not be a situation of town and township. The whole of South Africa belongs to all who live in it. Anybody can go and live in town or in the township. This is what the vote means.

To hold the situation of wrongdoing at ransom with a vote is a dangerous game. We are not sure what are the characteristics or things that compel people to vote. Maybe one of them is the condition as to where your councillor should stay. That makes sense because both the mayor and councillors should not be visitors or foreigners to the people they serve. But the black people did not choose to go and live in the townships. The apartheid government with their policy of separatism (apartheid) designed that black people should live in the township. That the mayor and councillors can afford to live in town on their own volition may not be so much a problem as the fact that basic necessities [service delivery] are not afforded to those who are for one reason or another trapped in the townships because they are poor.

“All they need is our votes and then they fail to address our problems”

Of course the government needs votes to stay in power. But this does not give them the right to neglect the people once they have been voted into office. The government does not have to wait until people have a problem before they react. People have a funny way of registering the fact that they have a problem and that is protest and mass action. It worked in the apartheid era. Politics is a numbers game; service delivery is a vehicle to garner votes. Whilst the main ingredients of service delivery may remain the same, the manner in which these are packaged during election campaigns is an artistic game deftly demonstrated by the speed and commitment of the door to door campaigns, food parcels and blankets given to the elderly before elections. This is called electioneering and is legal. The problem arises when electioneering promises do not last beyond the voting.

Voting is the easiest thing in the world. All you have to do is put a cross, nothing more. But it is this simple vote/cross repeated many times that at the end of the day gives power to the beneficiaries, the governments and not necessarily the people.

“We are sick and tired of these police. They are ‘dogs’; they can’t do this to their own children”

Other than the observable behaviour, the words uttered during the conflict can be analysed in order to get more clarity about the conflict. Was the conflict necessary? Could it have been prevented? Obviously the conflict was unnecessary as it is unhealthy and leads to more strife, not solutions. A conflict situation can result not only in the burning and looting of property but often results in injuries and deaths. The police have an obligation to prevent such things from happening. Lawfully the police and the army are deployed in a strike or protest location because they have to protect lives (including their own) and also property, whether this be state property or individual property. In fact the police have a duty to instil law and order.

But the inculcation of law and order does not have to happen on the

battlefield. In fact neither the police nor the army are trained in handling conflict situations. Like the soldiers in the poem *The Charge of the Light Brigade*: “Theirs not to reason why”, when they have been deployed to an area of unrest; “Theirs but to do and die” – or to kill and not be killed [my addition].

This is rather a harsh reality as is evidenced by the recent Marikana shootings. In this instance the police behaved in a fashion no different from how the police behaved during the apartheid era. The nitty gritty of these are being debated even after the Farlam Report has been released. Thirty-four miners who were on an industrial strike or protest were murdered in just one moment by a ‘bunch’ of policemen who shot them at point blank range. Based on this, it is rather naive to think that police can resolve a conflict situation.

But this is a catch 22 situation where failure to send police to a protest or conflict situation can be read by the law-abiding citizens as failure of the government to protect them. The situation is worsened by the fact that protesters even vent their anger on foreigners.

This is like a man that is upset with his wife kicks the dog or the wall. It does provide a painful relief. But attacking foreigners or their assets cannot be justified in any way.

Even if the police were endowed with the requisite skills for conflict management, a strike situation is an extremely emotional affair and does not always leave room for negotiations. The strikers normally have their minds made up about what they want to do and the best that the police can do is to disperse them with teargas or rubber bullets and to prevent them from regrouping again. This is a very risky undertaking because the very strikers are in many instances openly armed to the teeth. Negotiations can be entertained when tempers are cooled down. From the comments made, it is clear that the police are not viewed as friends of the people.

“Why do they shoot us? We are not birds to be shot at”

We want to believe that the incumbent here was referring to being

shot at with rubber bullets and live ammunition. The live ammunition allegation is debatable. Of course using live ammunition is totally out of the question unless we are to breed another Marikana. Einstein (2009) was right, “Peace cannot be kept by force. It can only be achieved by understanding.” Coercion is a recipe for disaster. Whilst it may be argued that apartheid was achieved and maintained through the barrel of the gun; but, to the contrary, democracy was obtained through negotiations. This is notwithstanding the ANC argument of carrot and stick tactics.

The fact that one of the protesters was admitted to hospital and later on died, is suggestive that live ammunition may have been used. The documentary does not provide evidence on that question.

“We shall keep on protesting. We are not afraid of them and their guns”

To keep on protesting means that all hope for negotiation has been lost. Protest in this case is seen as a means to force the municipality to accede to their demands irrespective of whether these are legitimate or not; irrespective of whether these have been arrived at through a process of negotiation which subscribes to democracy or not. Instead, new terms which are inconsistent with the principles of democracy have been coined such as “siyabangena”, “siyabanyova” and lately “Habashwe” (implying the intention to challenge, foil or downright reject). The latter term has spread like wild fire as it has enjoyed full broadcast by the South African Broadcasting Corporation (SABC) during the 2015 Rugby World Cup, where ‘habashwe’ meant ‘let’s do it’. The intention and interpretation of the SABC will definitely differ with the negative ramifications that the term has picked up since. When the police shoot the people, those on the other side may apply the term “Habashwe”. Sometimes the lack of urgency to sort out township conflict by the government may be interpreted as conforming to the spirit of the word “Habashwe”, all because they are not us; because they are in the township and we are in town and do

not feel the effects; or because they are poor and we are not or because they are foreigners [makwekwere]. In short, divisive or conflict generating terminology even in sport could fuel more conflict. The above terms or phrases are indeed divisive as they spread the message of hate. There is a 'bunch' of such in sport as well.

"I am no longer going to vote"

The democratic process is held at ransom with a vote. We want free electricity, "si vhotile" (we have voted). It seems like the municipality and the people are not on one page. Whilst the people are still caught up in the spirit of defiance and defiance campaigns [service delivery protests], the municipality is reading the riot act. Both cannot hold on longer to try to understand each other.

Our conclusion was that the analysis and interpretation of the video footage could be enriched by undertaking objective interviews with other people from the community. So this was done.

The Interviews

Equipped with the understanding of the situation under study from the video material and the analysis as above, we were ready to triangulate the study. I set out to conduct an interview with five community members randomly selected. To organise the interview, I prepared a schedule. The purpose of the schedule is to help me to stay on track during the interviews. Without a schedule, one stands a chance of spending time asking 'the right questions' that may not be relevant to the intentions of the study. So to focus the interview, the schedule was prepared. That way one has control and can elicit the relevant responses and also ask follow-up questions.

All five interviewees vehemently stressed that it is not fair that people in the township should have free electricity. They also stressed that people should pay for the electricity but that the municipality must also take into account the indigent who should be made to pay a flat rate where possible. Currently the National Indigent Policy for municipalities does provide a small amount of free electricity to qualifying users. Two of the interviewees went

further to point out that although people should pay for their electricity, it is the duty of the municipality to ensure that electricity is supplied without interruptions to people who are paying for such services.

They also (all five) stressed the need for better service delivery which included supply of electricity, building of roads and cleaning of the townships. The greatest source of these strikes is the lack of service delivery. All five stressed that the government seems to be in a comfort zone and have forgotten about their responsibilities. They were unanimous in condemning corruption by government officials.

When the question about the role of the police was asked, the responses received differed. While two felt that police should be called to protect innocent civilians trapped in protests and innocent foreigners, the other

“South Africa cannot move forward whilst its government and municipalities are still trapped in the past.”

interviewees deplored the way the police are used. They indicated that the police are overburdened with crime and that there is little that they have done to combat the use of 'nyaope' (an illegal drug) as a basic proof that they (the police) are ineffective. They were emphatic that most of the time the leaders in a protest of this nature have the courage derived from taking a dose of 'nyaope'.

When the question of the justification of a protest was asked, all five saw a reason for a protest but also the need for caution.

Interviewees 1 and 2 felt that if the government does not want to discharge their duties, then a protest is necessary. However, this must be a disciplined protest without looting, burning of tyres or causing a public disturbance. They were also rather apprehensive that memoranda that are submitted in a protest are generally thrown into the dustbin once the protest is over. No

one in the government would dare to open a case of a protest that is past. Whoever does that may run the risk of being accused of trying to resuscitate the protest or accused of being part of that protest simply because s/he is making a follow-up. People generally complain and the media raises their concerns long before the protest but governments generally do not heed this and attend to it before it becomes a big problem. In the end the media is sometimes suspected as the force that is inciting the people for a protest.

Interviewee 5 indicated that 99 percent of protests are politically motivated. Politicians, it is said, have a strange method of evaluating customer satisfaction and that is through strikes. Strikes are a barometer to prove whether a municipality is doing well.

Conclusion

The ANC government entered into democracy having certain expectations. These, it seems, did not include the expectation to expect the unexpected. Their apparent inflexibility to adapt to new or emergent situations points to the fact that they are still trapped in first gear. Isn't it time that the government shifts its gears to 2nd, 3rd and so on in order to pick up speed so as to move this vehicle [South Africa] forward? South Africa cannot move forward whilst its government and municipalities are still trapped in the past. A municipality should not wait for strikes to test the success of their service delivery mechanism. They have to be proactive. Service delivery, as one protester stated, "should not be preached, but should be delivered all the time, and not only in pre-election time like food parcels". ■

Bibliography

- ANC (1969). The Morogoro conference of the ANC. *Strategy and Tactics of the ANC*. Tanzania, 25 April – 1 May 1969.
- ANC (1992). *Ready to Govern: ANC Policy Guidelines for a Democratic South Africa*. Published by the Policy Unit of the African National Congress. Adopted at the National Conference 28 – 31 May 1992.
- Caldwell, D (1992). *No more Martyrs now: Capitalism, Democracy, and Ordinary People*. Conrad Business Books: Craighall. Printed by The Natal Witness Printing and Publishing Company.
- DoE, (2001). *Manifesto on Values, Education and Democracy*.
- Mabena, S (2012). 'Lahle Legezi. A video documentary on a protest for free electricity'. An SM Production Theatre film (2012).
- Pudi, TI (2014). *Stories of the Liberation Struggles in South Africa: Mpumalanga Province*
- Sternberg, RJ (1985). 'Teaching Critical Thinking, Part 1: Are we making critical mistakes?'

The “ONE United Nations” Approach Working in KZN Province



The Delivering as One approach in the province ensures that programming is driven by provincial demand, rather than international supply; and since the process is more straightforward and consolidated, there can be more transparency, predictability and accountability.

By Mohamed N Eisa and Christopher D Mlosy

Beneath the surface of states and nations, ideas and language, lies the fate of individual human beings in need. Answering their needs will be the mission of the United Nations in the century to come. United Nations Secretary-General, Kofi Annan, Nobel Prize Acceptance Speech.

The true measure of the success for the United Nations is not how much we promise, but how much we deliver for those who need us most. United Nations Secretary-General-elect, Ban Ki-moon Acceptance Speech to the General Assembly upon election.

In fact, there is no a single country in the world that has reached a high stage of economic and social development without having developed an advanced industrial sector. United Nations Industrial Development Organisation Director-General, Li Yong.

The importance of good governance for economic growth and poverty reduction is now generally accepted. Despite low income and productivity, South Africa plays a vital role in the world economy. South Africa supplies a variety of raw materials crucial to the economies of the so called industrialised countries and also provides important markets for manufactured goods from those industrialised countries. The UN's mandate is quite broad, however, based on the principle that all voices are heard in the chambers: those of government representatives of the African countries as well as the industrialised countries, of debtors and creditors, of non-governmental and voluntary organisations, of independent experts from business, research and academic communities. This gives universality to the UN agencies' approach to economic and development issues, and ensures that the concerns of the most vulnerable find an echo within its discussions and programmes.

The UN has its specialised agencies that concentrate on an individual area; their contributions feed into a broader perspective that takes into account the many and complex linkages between different economic factors. Though its own financial resources are modest, it has been able, over the years, to provide expert advice, training and specialised equipment to help countries assess and make better use of their resources and pursue many other development activities.

Economic growth is not an end in itself. It is largely a means for improving the conditions and overall well-being of a country's citizens, to free them from the daily struggle for survival so that they have the time and resources to better themselves and their society. People are thus the ultimate end of

development. Health and education are seen as central to this process. People who are healthier and better educated can contribute more to society and to economic production. One of the most critical challenges in South Africa is the need to provide employment to the growing population.¹ The legacy of inequality and poverty, the delivery of essential services and the provision

“Overall it seems that provincial partners who have to view a handful of consolidated interventions rather than dozens of initiatives scattered across agencies, gain a big-picture understanding of UN activities.”

of decent work is a consistent theme of successive South African national, provincial and local governments.

The development paradigm in the KZN province has changed significantly since the establishment of the United Nations Millennium Development Goals (MDGs) in 2000, but over the past few years implementation of the MDGs has encountered certain problems. The United Nations met in New York from the 25th to the 27th of September 2015 and adopted 17 goals on SDGs which emanate from the MDGs – a set of 8 measurable goals for 2015 focused on improving human conditions around the globe. Therefore, post-2015 Sustainable Development Goals (SDGs) are the

new universal set of goals, targets and indicators that UN member states will be expected to use to frame their agendas and political policies over the next 15 years.²

Sustainable Development Goals (SDGs) Post 2015

The SDGs follow, and expand on, the Millennium Development Goals, which were focusing only on developing countries, and expired in 2015. The SDGs are:

1. End poverty in all its forms everywhere.
2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.
3. Ensure healthy lives and promote wellbeing for all at all ages.
4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
5. Achieve gender equality and empower all women and girls.
6. Ensure availability and sustainable management of water and sanitation for all.
7. Ensure access to affordable, reliable, sustainable and modern energy for all.
8. Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all.
9. Build resilient infrastructure, promote inclusive and sustainable industrialisation, and foster innovation.
10. Reduce inequality within and among countries.
11. Make cities and human settlements inclusive, safe, resilient and sustainable.
12. Ensure sustainable consumption and production patterns.
13. Take urgent action to combat climate change and its impacts.

14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification and halt and reverse land degradation, and halt biodiversity loss.
16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
17. Strengthen the means of implementation and revitalise the global partnership for development.

The overlap between public and private interest in sustainable development is becoming increasingly clear, and the development and implementation of the Post-2015 United Nations Millennium Goals require an unprecedented level of partnership between industry, governments, civil society and other key stakeholders. They also require significant institutional capacity, mobilisation of resources as well as collaboration and co-investment between the stakeholders in sustainable development. The roles of these players are pivotal in bringing to the partnership innovative methods and strengthened mechanisms for leveraging funding, creating decent employment, technology transfer and innovation.

Provincial Governments, at all levels, should provide an enabling environment that facilitates multi-stakeholder – especially private industry and business involvement, as we move towards United Nations Delivering as One (DaO) in 2016 and beyond. It is equally important for stakeholders to recognise the leading role of Provincial Governments in driving forward the development agenda and pushing backwards the frontiers of social challenges. Provincial Governments alone may not create a private sector with a corporate culture of sustainability but their actions can either slow, hinder or facilitate it. Not only does the public sector have an essential role in providing public policies and services related to health and education, environmental

stewardship, and infrastructure, among other things; it also has a critical role in scaling up inclusive and sustainable industrialisation to contribute to development.

South Africa-United Nations Strategic Cooperation

South Africa has made significant progress in both economic and social development since the end of apartheid in 1994. The South Africa-United Nations Strategic Cooperation Framework (UNSCF) 2013-17 is the overall framework for the UN system's work in South Africa. The SCF has been developed in a participatory process, coordinated by Department of International Relations

“Building vibrant and systematic partnerships with the private sector is a vital prerequisite for the successful implementation of a transformative agenda to accelerate poverty reduction and sustainable development in the post-2015 era.”

and Cooperation (DIRCO) and the UN Country Team. The South Africa-United Nations Strategic Cooperation Framework is the overall framework for the work of the UN System with the focus areas such as inclusive growth, climate change and greening, South Africa's economy, service delivery and democratic governance, South Africa's regional and global role; and programme management and monitoring and evaluation. Two cross-cutting areas within all the above programmes which are significantly important in South Africa are gender transformation and HIV/AIDS.

In South Africa, the UN Country Team initiated discussions with the Government of South Africa with

the view of starting to implement the 'Delivering as one Approach' (DaO). The Government of South Africa showed its commitment by attending the annual retreat in 2011 where it made strong recommendations that it would like to see the United Nations Delivering as One in the period 2013-2017. The UN System DaO initiative is also guided by UN System cooperation pillars in support for the realisation of the National Development Plan 2030. Working together and based on the National Development Plan (Vision 2030) implementation approach, different organisations in a UN Country Team (UNCT) combine to provide valued policy, technical and operational expertise to address some of the complex, multidimensional development issues confronting National, Provincial and local governments.

In order to mobilise and engage this diversity and depth of UN capacity and experience, the South African Government supports a UN team that delivers together in the country to achieve its objectives.

The UN System Delivering as One Approach

The United Nations is an intergovernmental organisation established on 24th October 1945, to promote international co-operation. South Africa was one of the 51 founding members of the United Nations in 1945. The United Nations General Assembly on 12 November 1974 suspended South Africa from participating in its work, due to international opposition to the policy of apartheid in the country. South Africa was re-admitted to the UN in 1994 following its transition into democracy and since then the democratically elected government has pursued a foreign policy based on the centrality of the UN in the multilateral system. South Africa joined UNIDO member countries as a full member state in 2002. UNIDO as one of specialised agencies of the United Nations team in South Africa has been assigned to coordinate the UN DaO initiative in KZN and is also promoting inclusive and sustainable industrial development to harness the full potential of industry's contribution to the achievement of

sustainable development, and lasting prosperity for all.³

The United Nations launched the "Delivering as One" pilot⁴ initiative in 2007 to respond to the challenges of a changing world and test how the UN family can provide development assistance in a more coordinated way. When UN Agencies work together, they bring diverse forms of expertise together in order to tackle the many sides of complex, multifaceted development issues. The coordinated combination of interventions goes far in unleashing progress. It becomes possible to concentrate human and financial resources around priority goals, and to aim for greater outreach and larger scale results in a shorter timeframe. In the DaO there is a direct path running from provincial priorities to programme development and implementation.

The United Nations is financed by assessed and voluntary contributions from its member states. Its objectives include maintaining international peace and security, promoting human rights, fostering social and economic development, protecting the environment, and providing humanitarian aid in cases of famine, natural disaster, and armed conflict.

Delivering as One (DaO) is the name of a report and an initiative. The report was issued by a United Nations panel established by the then UN Secretary-General Kofi Anan in 2005. The report explored how the UN system could work more coherently and effectively across the world in the areas of development, humanitarian assistance and the environment. The panel issued its report in November 2006, and sets out a programme of reform of the international humanitarian system. The DaO initiative design seeks to enhance coordination between normative UN organisations, specialised organisations and civil society organisations, and at the country level UN programmes. The DaO initiative transformed from a larger theoretical inter-state framework into the Delivering as One at a country or provincial level initiative. This DaO reform comes in response to the changing aid environment – an attempt to translate the Paris and Accra principles of aid effectiveness into

practice. It also aims to reaffirm the UN's position as a relevant actor in the field of sustainable development.

In South Africa, Delivering as One (DaO) is based upon the four pillars of 'ONENESS': having One Programme jointly signed between the UN and KZN Government; One Leader and Team via the UN Resident Coordinator and the UN Country Team; One Budgetary Framework; and One Office. The budgetary framework helps to monitor the UN expenditure and fund-raising and foster inter-agency cooperation through the creation of technical assistance partnerships between UNIDO and relevant provincial and national organisations/institutions that aim at improving the industrial development path which is crucial for poverty alleviation and employment creation.

One UN at the County Level: Key Features

One Programme

- Country owned and signed off by government, responsive to the national development framework, strategy and vision, including the internationally agreed development goals.
- Building on the UN country team's common country assessment or national analysis, and reflecting the UN's added value in the specific country context.
- Strategic, focused and results-based, with clear outcomes and priorities, while leaving flexibility to reallocate resources to changes in priorities.
- Drawing on all UN services and expertise, including those of non-resident agencies, in order to effectively deliver a multi-sectoral approach to development (with due attention to cross-cutting issues).

One Leader

- Resident Coordinator authority to negotiate the One Country Programme with the government on behalf of the entire UN System and to shape the One Country Programme (including the authority to allocate resources from pooled and central funding mechanisms).
- Clear accountability framework for Resident Coordinators and an effective oversight mechanism for

the Resident Coordinator system.

- Resident Coordinator authority to hold members of the team accountable to agreed outcomes and to compliance with the strategic plan. The Resident Coordinator is also accountable to the members of the UN Country Team.
- Strengthened Resident Coordinator capacity with adequate staff support to manage UN country team processes and ensure effective dialogue and communication with partners.
- Competitive selection of Resident Coordinator candidates, drawn from the best talent within and outside the UN system.

One Budgetary Framework

- Transparency, management, and the effective implementation of the One Country Programme through One Budgetary Framework.

One Office

- One integrated results-based management system, with integrated support services.
- Joint premises (where appropriate).
- A common security infrastructure and clear lines of accountability.

Source: UN DoR Report of the Secretary-General's High-Level Panel 9 November 2006

Why pilot the Province of KwaZulu-Natal?

As the former Premier of KZN explained: *We are clear in our approach that poverty is a human rights issue – and that its eradication is at the heart of the realisation of a people's right to development. Our role therefore is to develop programmes and interventions that will get to the core of this challenge. Each progress we register in changing the lives of the citizens of our Province (most importantly those in the margins of society), significantly undermines the legacy of under-development that we inherited whose impact remains prevalent.*

Senzo Mchunu was the first Premier in South Africa to sign a Memorandum of Understanding (MOU) with the UN System to implement UN DaO programme. From the Premier's point of view, the new approach of UN DaO has brought ground-breaking changes to the traditional method of work in the UN System in KZN province, taking

into account that the province is home to approximately 10.6 million people. The UN DaO initiative in KZN does, however, raise challenges that must be addressed by the entire KZ Provincial Government as the province needs to establish integrated strategies that seek to promote socio-economic and industrial growth.

Unemployment has been identified as one of the major structural constraints within the province and contributes to high levels of poverty and income inequality, causing deterioration in the overall quality of life of the people of the province. High unemployment results in high dependency ratios, with many more people relying on fewer wage earners. Currently an unequally large proportion of the population of KZN relies on grants and related forms of welfare as a source of income.⁵

In order to implement the UN DaO initiative in KZN a Memorandum of Understanding was signed between Premier Senzo Mchunu and the then Resident Coordinator of the UN System in South Africa in November 2013 under UNSCF 2013-2017. The 2013 Memorandum is fully supported by the current UN System Resident Coordinator and all Heads of UN Agencies. The KZN Premier has assigned a coordinator at his office and four focal points as the implementing team to work with the UN DaO Team. And as a result the UN is closely collaborating with the KZN Provincial Government Premier Office and MECs. The success of the DaO initiative in KZN largely depends on the spirit of cooperation, strengthening existing and forging new partnerships and networks with the KZN Provincial Executive Council and the full involvement of all relevant provincial stakeholders for overcoming the prevailing development challenges and achieving prosperity as outlined in 2030 Provincial Government Development Plan.⁶

Priority Areas for KZN and the UN System Support

Under the Memorandum of Understanding (MOU) five priority⁷ areas are identified for UN joint cooperation with KZN Provincial Government. These include: a poverty package coordinated by United Nations

Industry Organisation (UNIDO); the promotion of sexual and reproductive health rights and behavioural changes coordinated by the United Nations Population Fund (UNFP); community empowerment with an emphasis on renewable energy, with youth skilling coordinated by the United Nations Environment Programme (UNEP); and training of public servants in areas of anticorruption, public finance, result based management, monitoring and evaluation, policy and strategic processes and State of the Province (SOP) Report.

The HDI, MDGs and the outlook post MDGs are coordinated by the United Nations Development Programme (UNDP). Under the joint programme, members of the provincial UN team will link with different

“Unemployment has been identified as one of the major structural constraints within the province and contributes to high levels of poverty and income inequality, causing deterioration in the overall quality of life of the people of the province.”

departments to implement agreed upon priorities, with clear management monitoring and accountability process.

Operation Phakisa

The long-term developmental programmes of South Africa and in particular KZN can no longer be based on land resources only; they must also include the coast and ocean resources as the province includes the coastline of a vast ocean, and it has not yet fully taken advantage of the immense potential of this untapped resource.

Therefore under DaO initiative in KZN, UNIDO will also participate in the implementation of Operation Phakisa⁸ or the Ocean Economy

initiative which is designed to fast track the implementation of solutions on critical development issues highlighted in the National Development Plan 2030 and KZN 2030 PDGP. Operation Phakisa will play a crucial role in accelerating the delivery of some of the development priorities in KZN Province in the coming years, such as aquaculture, small ports development and capacity building for some productive industrial sectors of the economy. With regards to aquaculture UNIDO will be looking at enhancing growth in the sector through increasing the value contribution of all segments across the aquaculture value chain, while creating jobs especially in fish processing, product quality and marketing. UNIDO recognised that aquaculture is a relatively underdeveloped area in KZN, despite its being an increasingly important contributor to food security.⁹

The Delivering as One approach in the province ensures that programming is driven by provincial demand, rather than international supply; and since the process is more straightforward and consolidated, there can be more transparency, predictability and accountability. Greater coherence on the part of the UN agencies allows them not only to carry out priority provincial programmes, but more generally to align with provincial agendas as a whole. This encourages UN Agencies to take a sector- or issue-based approach that reflects a full range of provincial needs, and makes links that lead to more effective and sustainable interventions. Overall it seems that provincial partners who have to view a handful of consolidated interventions rather than dozens of initiatives scattered across agencies, gain a big-picture understanding of UN activities. This enhances their ability to make choices about their own programmes and priorities, and about the parameters of engagements with other international partners.

UNIDO: UN DaO Initiative Coordinator in KZN

UNIDO was established by the UN General Assembly in 1967 to promote and accelerate the industrialisation of developing countries and to

coordinate the industrial development activities of the UN system. The mandate of UNIDO is to promote and accelerate sustainable industrial development. UNIDO, as one of the UN Organisations, has been tasked to coordinate all UN DaO activities in KZN.

The role of UNIDO in the DaO is to develop approaches that enhance the coherence, efficiency and effectiveness of the UN system and reduce transaction costs. UNIDO advances the global development agenda by focussing its activities on poverty reduction, inclusive globalisation and environmental sustainability. In addition to being coordinated by the Office of the Premier, UNIDO has established working links with the Provincial Department of Economic Development, Tourism and Environmental Affairs, Sector Development and Business Governance, under the guidance of the Deputy Director General, to carry day to day activities in the province.

UNIDO also is tasked to lead industrialisation as a driver of development in KZN. Industry increases productivity, job creation and generates income, thereby contributing to poverty eradication and addressing other KZN development goals, as well as providing opportunities for social inclusion, including gender equality, empowering women and girls and creating decent employment for the youth in KZN Province. UNIDO believes that strengthening international cooperation for industrial development should be based on foreign direct investment, transfer of knowledge and technology, appropriate financial mechanisms, and new partnerships built on a broad multi-stakeholder basis, and on mutually agreed terms.

UNIDO as a technical organisation of United Nations is convinced that Inclusive and Sustainable Industrial Development (ISID) is a key driver for the successful integration of economic, social and environmental dimensions, required to fully realise sustainable development for the benefit of future generations in the province. The ISID initiative of UNIDO is meant to promote industrial development for poverty

reduction, inclusive globalisation and environmental sustainability. The commitment and cooperation between the provincial government and UNIDO is based on a common understanding of the strengths of UNIDO to add value to the Provincial Government's Plans of Actions in the pursuit of its development objectives and priorities. Achieving high rates of employment, decent work and sustainable livelihoods are the key strategic priorities adopted by the Government of KZN towards eradicating poverty and reducing inequality.

Conclusion

The post-2015 agenda offers a unique opportunity to define a set of universal sustainable development goals and launch an ambitious new agenda to tackle complex development challenges, and at this critical time the UN development system is intensifying its efforts to achieve even greater results. There was general agreement that a repositioned UN means moving from a narrow service delivery project focus to encompass better coordinated, and more substantive policy support. The UN DaO is a state-by-state initiative. The key objective of Delivering as One is to achieve more effective results for human development. Better inter-agency policy coherence, by facilitating integration between economic and social policies, is a critical tool for this. In more practical or applied terms, it is about moving out of the project mentality and embracing a strategic, systematic and transformative approach. The UN DaO approach has brought ground-breaking changes to the traditional method of work in the UN system. Delivering as One is also meant to reduce transaction costs for both the UN system itself as well as for national and international development partners.

The DoA initiative is transformed from a larger theoretical inter-state framework into the Delivering as One at a provincial level initiative. Governments are thus responsible for providing smart policy frameworks that facilitate, set incentive structures and otherwise encourage the uptake of voluntary corporate and public-private initiatives in alignment with the

principles of sustainable development. Nations and people depend on each other more than ever. Partnering with the private sector is the foundation of any successful large-scale development strategy. The shared nature of the global development challenges we face today calls for collective action that is inspired and shaped by the challenges and opportunities of the next fifteen years. Building vibrant and systematic partnerships with the private sector is a vital prerequisite for the successful implementation of a transformative agenda to accelerate poverty reduction and sustainable development in the post-2015 era. ■

Endnotes

- ¹ Growth in 2015 was below 2.0%. The South African economy needs grow by at least 5% per annum on a sustainable basis to meaningfully reduce the unemployment rate which reached 24.3%, with youth unemployment at 49% at the end of 2014.
- ² The Post-2015 Sustainable Development Agenda. Enormous progress has been made towards achieving the Millennium Development Goals (MDGs). There are 17 SDGs and 169 targets in the new international agenda which will be the bedrock for shaping the next global agenda on economic, social and environmental development for the period 2016 to 2030. Global poverty continues to decline, more children than ever are attending primary school, child deaths have dropped dramatically, access to safe drinking water has greatly expanded, and targeted investments in fighting malaria, HIV/AIDS and tuberculosis have saved millions. The MDGs made a real difference in people's lives as per UN MDG Report 2015 indicates that the proportion of people living on less than US\$1.25 has decreased from 47% in 1990 to 14% in 2015 - from 1.9 billion to 836 million.
- ³ UNIDO: Inclusive and Sustainable Industrial Development : Creating Shared Prosperity, Safeguarding the Environment. Vienna 2014.
- ⁴ Albania, Cape Verde, Mozambique, Pakistan, Rwanda, Tanzania, Uruguay, and Vietnam. Nearly a decade of experience in UN system-wide reforms produced "Delivering as One". Its eight pilot countries proved this was an enterprising and ambitious approach that helped the United Nations to better coordinate its operational activities internally and to more effectively align them with national priorities and plans.
- ⁵ About a million people between the ages of 5-24 in KZN are neither in educational institutions or working. Almost a quarter of the population is under the age 15. 49% of the population resides in a rural environment. The UN DaO initiative notes that this demographic weighting can be a great asset if properly harnessed for development.
- ⁶ KwaZulu-Natal's Vision: By 2030 KwaZulu-Natal will be a prosperous province with a healthy, secure and skilled population, acting as a gateway to Africa and the world. By 2030, it should have maximised its position as a Gateway to South and Southern Africa, as well as its human and natural resources, creating a safe, healthy and sustainable living environment.
- ⁷ The DaO initiative complements the joint implementation of the SA-UNSCF 2013-2017 as endorsed by the National Government of South Africa. The five priority areas were subsequently identified on 8th May 2014 in Pietermaritzburg, KZN and are consistent with the GoSA National Vision 2030, NGP 2020, and KZN PGDP 2030.
- ⁸ PHAKISA means HURRY UP in Sesotho.
- ⁹ Philippe Scholtes, a Managing Director of UNIDO who visited South Africa in November 2015, suggested that it would be a good idea to combine current UNIDO activities with UN DaO initiatives in KZN with Operation Phakisa. This idea is supported by both the IDC and KZN Provincial Government: Department of Economic Development, Tourism and Environmental Affairs.

After 22 Years of Democracy Give This Government a Bell's

Many people cannot distinguish between gaining nothing and gaining something, but not enough.

By Thembile Ndabeni

If you asked people whether there has been any change in their lives since 1994, the answer from many would be a resounding 'No'. This reflects continued anger, and it does not augur well for rational thinking because out of anger people do not think straight. Many people cannot distinguish between gaining nothing and gaining something, but not enough.

The dawn of democracy in 1994 ushered in universal suffrage. Everybody from 18 years was allowed to vote, a major step forward: being recognised as a citizen in our country. In the past the vote was based on two Cs: Colour and Class.

The constitution adopted on 8 May 1996 brought an overall change after 1994. It strives to make sure that all people enjoy their rights and the Government has to ensure that these rights are guaranteed and protected. Every citizen is entitled to protection from the constitution, including the right to these freedoms: freedom of speech, the press, association, assembly, and expression. This never happened before 1994.

The post-1994 government introduced grants as a support for the destitute. Prior to 1994 there were no grants for Africans, even for the elderly. After 22 years of democracy there are feeding schemes and other nutrition programmes at schools. After 1994 the Department of Water Affairs was set up with its own minister. Never in the history of South Africa has a government cared

so much about people having access to water. And even people from rural areas and informal settlements have access to clean water. Of course there are still challenges.

One of the major issues is still the restoration of land to black people, Africans in particular. Some policies were not understood by the previously disadvantaged poor and poverty-stricken. For an example, Meyiwe et al (2014:174-175) stated that "The State Land Lease and Disposal Policy of 2013 confirmed that beneficiaries could become owners of their farms only after a period of 50 years on lease, and that this option would be available only to medium to large-scale commercial farmers, not to small-scale or 'subsistence' farmers.

Plaut and Holden (2012:306) said: "This process of restitution does not, however, deal with the land taken by colonial conquest prior to 1913." To deal with this, the ANC government set a target for the entire land reform programme to transfer 30 percent of white-owned land within five years. When it became clear that this could not be achieved, the target date was extended to 2014.

Minister of Rural Development and Land Reform Gugile Nkwinti admitted it was not possible. "Driefontein attracted international attention in 1982 when the community leader, Saul Mkhize, was shot dead by police at a meeting protesting against the removal" (Omond, 1986:138).

1994 marked the start in redressing

the issue of housing in South Africa at large. Since the advent of Democracy about 2.4 million RDP houses were built. In the past, if a husband died, the wife would lose the house. In order for a single woman or widow to have or retain the house she had to commit an "evil act" (go to bed with them) with "izibonda". If you could wake up people who passed on before 1994, they wouldn't believe it. Some houses are also built for special and elderly people. Temporarily dwellings are given to people in times of catastrophes, floods, fires etc.

Health is another area where tremendous improvements have been made, particularly in relation to the care of women and children before and after childbirth and the control and treatment of Malaria, TB, HIV and Aids and other communicable diseases. The building and opening of more health facilities continues to save lives.

After 1994 access to health improved dramatically. That was the result of the rationalisation of health management and more equitable health expenditure. Many health facilities like clinics and hospitals were built especially for the poor. Emergency vehicles, from the air to ground, are available to the poor. The manner in which the government has addressed the issue of HIV/Aids has shown that it cares. There are grants for people with HIV/Aids and ARVs and condoms are available for free. The issue of health under democratic South Africa forms part of the phrase "a better life for all". Inevitably so, because there can be no better life without a better health. This is why the use of primary health care services increased. The Batho Pele (People First) principle was introduced for all public servants, including those in the Department of Health. The government demonstrated its commitment by introducing the Patients' Rights Charter.

But there are still challenges: in the rural areas there is still a shortage of health facilities and medical practitioners; and everywhere there are still dysfunctional hospitals and clinics. We have planned but not yet introduced our national health service and we still have to apply the newly agreed minimum standards for public

health care and act to ensure they are met.

The democratic government had to replace an education system that said Africans can be educated to be “hewers of wood and drawers of water”. It was not easy to eradicate the ideas and practices of Bantu Education and create a new integrated non-racial, non-sexist system which also rejected class discrimination. This was partly because of the difference both in quantity and quality of the old race-based structured education departments. Resistance by conservative white parents and to a certain extent by their teachers in allowing African learners in “their schools” (Model C) was another challenge in certain areas.

Education might not be really free as it was promised or expected but it is accessible. Meyiwe, Nkondo et al (2014:290) argue “Most learners in South Africa enrol and complete primary education, despite numerous barriers to success, and even though substantial early childhood education and pre-school provision remain to be achieved”.

Even though school fees are paid in some schools, there are also some no-fee schools. Even in those where school fees are paid, if a child’s parents or care-givers cannot afford to pay, it is not the end of the story. If the person knows how to appeal to the school governing body (SGB) and supply evidence of their earning too little or their unemployment, the school fees can be waived. Unfortunately, many SGBs hide this possibility and turn away parents who can’t pay. But legally, a child cannot be humiliated or victimised because they cannot afford to pay school fees. Schools that do that have to account for their action.

Another development is presented by Kriger and Zegeye (2001:33) “South African sign language is treated as a twelfth official language which is a development of international significance”. In tertiary education, there are bursary and loan schemes from the government. This is to assist the students from poor backgrounds. As a result, many students are attending institutions of higher learning. However, conditions and standards of teaching

and learning, especially in township schools, are often poor. As a result there is a lack discipline as well as a lack of capacity and/or effort by many teachers resulting in poor performance. The standard, quality and the relevance of the studies for the future of our children also need special attention.

Even after the recognition of workers’ day and rights internationally, workers’ rights in South Africa were not respected. May Day was acknowledged only after 1994, and this recognition gained strength with the adoption of the constitution.

Though there are still enormous challenges, the Department of Labour was set up to look at labour issues. This was as part of the broader programmes to address people’s rights. NEDLAC was

“South Africa managed a peaceful transition. After more than 300 years Blacks in general, Africans in particular, regained their God-given dignity. Universal suffrage was a good start and a necessary condition for further progress.”

established as a platform for business, labour and government to enter into dialogue. Buhlungu (2006:148) said that NEDLAC “makes sure policy is discussed with the people it affects ...gives workers a voice on all major policies that affect them”.

After 1994 workers here began enjoying rights enjoyed by other workers in the world. Amongst those rights was a limit to normal working hours – 8 hours a day; May Day is now a public holiday; protected strikes are legal. For the first time in our history people with disabilities get preferential treatment for employment. There are even quotas to be met in the public service to make sure that departments comply.

In conclusion, there is still a lot to be

done but we must take a balanced view and not only see the shortcomings. South Africa managed a peaceful transition. After more than 300 years Blacks in general, Africans in particular, regained their God-given dignity. Universal suffrage was a good start and a necessary condition for further progress. Though the land question cannot be resolved overnight and is still a challenge, people do get what is produced by the land, food. Housing is one area the government has tried its utmost; building such a number of houses in such a short a space of time is laudable. And, as explained, great improvements have been made in the health sector, whilst much still remains to be done.

On the education front, there is a lot to be desired. but the government did an admirable job in integrating the race-based education departments, and creating a non-racial curriculum designed to promote more critical and creative thinking.

A special round of applause should be given to the government for catering for the deaf by having sign language as an official language. Workers are enjoying their rights but also workers themselves need to act responsibly at all times; anarchy and revolution are not synonymous.

Overall the government has done a lot, but could perhaps have done even better. To expect a government to redress and address the damage and destruction caused by colonialism, imperialism and apartheid within 20 years is unrealistic. Responsibility for failures must be shared. The Constitution gives us a legal foundation and should guide all our actions. But it needs to be applied. Let everyone play their part and the government must deliver on the mandate given to them by the people. ■

References

- Buhlungu, S. 2006. *Trade Unions and Democracy: COSATU workers' political attitudes in South Africa*. Cape Town: HSRC Press.
- Kruger, R., & Zegeye, A. 2001. *Culture in the New South Africa: After Apartheid*. Cape Town: Kwela Books.
- Meyiwe, T, Nkondo, M, Chitiga-Mabugu, M, Sithole, M & Nyamnjoh, F. 2014. *State of the Nation: South Africa 1994-2014: A twenty year Review*. Cape Town: HSRC Press.
- Omond, R. 1986. *The Apartheid Handbook: A Guide to South Africa's Everyday Racial Policies*. New Orleans: Pelican Books.
- Plaut, M & Holden, P. 2012. *Who Rules South Africa? Pulling the strings in the battle for power*. Johannesburg & Cape Town: Jonathan Ball Publishers.
- Russell, A. 2009. *After Mandela: The Battle for the Soul of South Africa*. London: Hutchinson.

THROUGH A CREATIVE LENS

The two poems we publish this quarter are both written by young women who are thinkers; who want to express their ideas to a larger audience; who care about the people of this world, Africa and their own communities; and wish to make a positive impact on society.

Zintle Groepe was born in King William's Town in 1989 and later she relocated to Gauteng where she attended Germiston High School. She is currently studying psychological counselling through UNISA and is involved in structures of the ANC and ANCYL. Zintle works as a National Administrator for the Congress of South African Students (COSAS). She writes: Generally I would describe myself as a young humanitarian of a few words and this is the reason I started putting my thoughts on paper, because for me it was the best way to express myself (a form of therapy). My inspiration comes from Mahatma Gandhi and Maya Angelou. I dream that one day, my writing will impact many.

Collateral Damage

Zintle Groepe

House down,
Infant bombed,
Family blown,
Nation torn.
Collateral Damage
Man cries,
Pain scorches,
Morality dies,
All in ashes.
Collateral Damage
Child orphaned,
Nation doomed,
Victory they shout,
Oil they sought.
Collateral Damage!!!



Moeketsi Nkhahle writes: I live in Sharpeville, Vaal. Since high school, I have spent a lot of time assisting with the development of previously disadvantaged communities, working with several different organisations. After completing my Diploma in Marketing Management at Vaal University of Technology in 2015, I took a volunteer position at Sharpeville Tshwaranang Trust helping in an after-care programme for primary schools, assisting with a feeding scheme and learning abilities for children with poor family backgrounds. I got acquainted with *The Thinker* via a friend who studies at UJ Auckland Park. I decided that I too would like to share my observations and experiences in my community in a form of Urban Slam Poetry. Below is one of my thoughts in my daily life from the other side of South of Afrika in the Vaal.

What do we own?

Moeketsi Nkhahle

Pro Blackness "Young and Afrikan" All
Young, Black and Afrikans all around
the Globe, What do we own?

Not enough clothes Not enough cell
phones Not factories, but empty cans
of cokes Not enough hate we have for
our own

What do we own? Not enough books
But enough cleavages to expose our
boobs Not enough confidence in our
looks

But enough accounts to pay for our
photo displays on twitter, instagram
and facebook

What do we own? Not enough
properties and land; Like the ones we
go to praise God in, for hope But get
fear in return, to suppress our souls
Not enough pride in identity to set our
own goals

What do we own? The word dope...?
Not enough Afrikan-centred education
knowledge of Afrika's wealthy history
half full

So we could label Anthony Charles
Lynton Blair brilliant and Robert
Gabriel Mugabe a fool

What do we own? Not enough space
stations to visit the moon Not even
satellites orbiting the globe

Not enough courage to admit to truth when it is told What do we own? Not enough laws to restrict racism against Afrikans in America and Europe
No Central Afrikan Banks to give Afrikan SMEs loans

What do we own? Not even a black rose, For our Afrikan young girls, ladies & women To warm their thoughts when the world gets cold

Because we do not own enough winter coats

Not enough yachts & boats To refresh in the fresh breeze on the coasts

Thank God human cannot own Heaven Thank God the fate of after-life remains unknown

Otherwise, it was going to be owned and sold To all the Young Afrikans around the globe

What is it that we do own? Do we even own our lives? Do we even have full control over our minds, beliefs, emotions and behaviours?

Can we really call this life and continent of Afrika our own?



Diversity and culture in the post-apartheid South Africa



The partition of Africa stifled diversity and acculturation in the continent – leading to ethnicity, racism and, of late, xenophobic tendencies.

By Parks Tau

In May we celebrated Africa Month and it is perhaps important to reflect on diversity, history, heritage and culture in the liberated South Africa.

In the post-apartheid era, various political formations, from the South African Student Congress (SASCO) and others, found themselves in a dilemma. They wondered how to engage with the newly elected ANC government, now run by their comrades.

Prior to the national democratic elections, the apartheid regime was a visible and clear enemy. The struggle for freedom was directed at its overthrow. However in the post-apartheid era and for students at tertiary level, this situation meant engaging with the university authorities in a meaningful way before resorting to strike action. This was particularly the case as university officials in various institutions of higher learning now came from the ranks of the liberation movement. These replaced the verkrampte apartheid officials who, for decades, ran and controlled black universities with an iron fist.

For example, in the 1990s Fort Hare was headed by Professor Sibusiso Bengu, and subsequently by Professor Mbulelo Mzamane. The University of the North, known popularly as Turfloop, came under the guidance of Prof Njabulo Ndebele whilst the University of Venda was led by Professor Mushe Nkondo and the University of the Western Cape was led by Professor Jakes Gerwel. These, and other progressive and politically conscious and informed vice-chancellors, understood that they had to accommodate students and drive the process of transformation forward, together with students after their encounters with Bantu education in all its guises and manifestations.

The situation required tertiary students to be part of transformation structures in their respective universities, engaging their institutions on such issues as curriculum change and quality assurance. Furthermore, the university environment required students to deepen their understanding of complex matters ranging from culture, ubuntu/botho, religion, history and heritage to diversity, democracy and freedom, including issues around homosexuality, race and gender discrimination.

These issues are still applicable today. Tertiary students and all of us are the direct inheritors and beneficiaries of the recent struggles and debates. Knowledge of this history in turn enables students to debate and engage in tolerance with others – even in the midst of vigorous intellectual engagement and often disagreement. Most importantly, this informed engagement will enable students to influence university policy in the right direction.

Therefore it is important for students to immerse themselves in knowledge around these various themes, steeped in history and heritage, in order to deepen their understanding of today's society. Debates and controversies have a history, and to make sense of issues today, we must know how our comrades confronted issues in the past. If we do not know about the past, we

“Knowledge of this history in turn enables students to debate and engage in tolerance with others – even in the midst of vigorous intellectual engagement and often disagreement.”

are arguing in a vacuum. We are likely to find ourselves going in circles when we ought to be standing on our feet and using past achievements to see even further than those who went before us were able to. History cannot be wished away. It cuts across many disciplines, helping to create well-rounded people with wide-ranging and liberated minds.

Let me emphasise: history is crucial in a changing multi-cultural society like South Africa. It is perhaps particularly important at this time when some of our people fail to see the oneness of Africa and the many links that bind us to our fellow-Africans throughout the continent. Through history we learn that before the partition of Africa by European colonialists in the Berlin Conference of 1884-1885, there was freedom of movement in Africa

with no border restrictions, leading to seamless acculturation and diversity. The partition of Africa stifled diversity and acculturation in the continent – leading to ethnicity, racism and, of late, xenophobic tendencies.

Post-apartheid South Africa re-introduced to us the concept of cultural inclusion, leading to social cohesion between races. We do not always fully achieve this, but we need to think back to our apartheid past perhaps more often than we currently do, measure how far we have come from that grotesque system, and give thanks for the struggles that enabled the citizens of South Africa to look at each other and interact together as equals under the Constitution. Under apartheid, black history, heritage and culture were swept under the carpet and that of whites held with high esteem. This explains why the country's history is contested and often divisive; and why our landscape is peppered with statues and symbols aimed at promoting white supremacy: one of our fierce debates today.

The fall of apartheid and the new democratic dispensation which afforded us an opportunity for social cohesion and non-racialism requires us to accommodate our brothers and sisters from various parts of the continent. This requires us to broaden our understanding of cultural diversity, curtailed by colonialism. We need to show ubuntu/botho towards the migrants who have come to our country. Their fellow-countrymen and women gave us shelter and support during our exile times and assisted us with resources to fight apartheid. After all, as proclaimed in the Freedom Charter: South Africa belongs to all who live in it. We should also recall that some of our struggle veterans traced their origins from the African countries. For example, Clemens Kadalie, the founder of the Industrial and Commercial Union (ICU) in 1919, the forerunner of all progressive unions such as the South African Congress of Trade Unions (SACTU), the Federation of South African Trade Unions (FOSATU) and later COSATU, came from Malawi.

As the City of Johannesburg we have taken the lead in stemming the tide of prejudice through our anti-



Wooden heads on stand on plinths in Newtown, Johannesburg The artists intended these heads to reflect the faces African diversity.

xenophobia programme, ensuring that immigrants from different parts of the continent receive equal treatment and that they form a dynamic part of the Johannesburg melting pot. Through our policy on integration of migrants approved in March 2011 we have been able to promote diversity and social cohesion in our cosmopolitan city, ensuring that we can continue to have confidence in the moral character of our citizens.

To achieve our objective of bringing about a non-racial and diverse society, the City is working closely with civil society and faith based organisations. The City also participates in structures oriented towards migrants such as the Johannesburg Migration Advisory Panel and the Johannesburg Migration Advisory Council. These are mandated to establish partnerships with relevant stakeholders and organisations representing migrants. Initiatives like these make it possible for us to understand in a nuanced way the challenges faced by immigrants, enabling the City to respond to them positively.

Through our migrant integration policy, we have been able to develop and implement specific programmes geared towards combating intolerance and xenophobic tendencies. In that way we are breaking down psychological barriers and the stereotypical colonial preconceptions which inhibit the realisation of African collaboration and ultimate unity. Such programmes include dialogues and workshops

with our citizens as well as orientation programmes for new arrivals which enable migrants to understand the city including its history and culture.

Our democratic dispensation also requires us to:

- interpret and implement our constitution which embraces diversity and human rights in a meaningful way;
- read and familiarise ourselves with our white paper from the Department of Arts and Culture which emphasises cultural diversity and social inclusion;
- be tolerant of other races, cultures, and religions – this includes lesbian and gay cultures and those whose opinions differ from ours;

“The fall of apartheid and the new democratic dispensation which afforded us an opportunity for social cohesion and non-racialism requires us to accommodate our brothers and sisters from various parts of the continent.”

- understand that culture is not static but evolves, bringing about acculturation; and
- contend with and argue against behaviour and thinking that stereotypes and demeans people – this includes discrimination against women.

Students face the challenge to influence our institutions and our country in the right direction. They must immerse themselves in knowledge and enhance their understanding of the various themes and problems debated at different levels and on various platforms today. Access to information should not be a problem, especially considering how much easier it has become for our students, to gain access to electronic journals and e-books.

There is a vast world of literature out there, and it would not be sensible to lay down a rigid ‘curriculum’: a few books that comes to my mind are Professor Willy Makgoba’s edited *African Renaissance*; that great classic novel by Nigerian writer Chinua Achebe, *Things fall Apart*; another classic, this time of religious scholarship, *African Religions and Philosophy* by the Kenyan John Mbiti; and yet another classic, this time of African political thought, from Guinea-Bissau, *Return to the Source: Selected Speeches of Amilcar Cabral*. Note, by the way, by considering the authorship of these great works, how intellectually we are part and parcel of this great African continent.

In addition, there are various platforms and institutions that host seminars and disseminate knowledge on the various themes. These institutions present students with an opportunity to develop a culture of debate and engagement. They include the SARChi Chair of African Diplomacy and Foreign Policy at the University of Johannesburg, the Govan Mbeki Research and Development Centre at the University of Fort Hare and the Africa Institute of South Africa (AISA) in Pretoria which is now attached to the Human Science Research Council (HSRC). Students must also feel free to engage with the City of Johannesburg’s various departments, some of which, like the Community Development, deal with aspects of diversity, history and heritage. ■

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