



South Africa's Democracy at 20: Diagnosis and Prognosis

The National Biennial Conference of the
South African Association of Political Studies (SAAPS)

10 – 12 September 2014

Hosted by Unisa's College of Human Sciences
and Department of Political Sciences

South Africa's Democracy @ 20: Diagnosis and Prognosis

**Published Conference
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the South African
Association of Political
Studies**

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by

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Note from the Editor

The 2014 SAAPS Biennial Conference was held at a time when we celebrated both twenty years of the South African democracy as well as the fortieth anniversary of our professional association. We engaged in reflection on the status of our democracy, our international relations and diplomacy as well as our *democratic deficits* and strengths. We also engaged in a process of self-reflection on the role and status of our discipline, debating and discussing our relevance for South African society, and the meaning of our scholarship. We celebrated the life and mourned the loss of John Daniel, whom I met only once, but got a sense that he was a key advocate of *growing the next generation*. Indeed, listening to the many presentations focussing on our discipline, I observed a desire in our academic community to create a platform to facilitate continuity and growth of our scholarship. While we agreed that we seem to be searching for a disciplinary identity, that we needed to be more engaged with broader society, that we needed to be more open [or as some had said, brave] to debate and dialogue on the core issues that drive our discipline, we took a futuristic view by asking questions about the legacy SAAPS leaves for the next generation of political science and international relations scholars. It was in this spirit that the 2014 SAAPS Council decided to explore the possibility of a published conference proceedings to create space for both 'old' and 'new' scholars to add their voice to the scholarly debate and activities that form the foundation of our discipline. Hence, the birth of the first published conference proceedings of the South African Association of Political Studies.

The proceedings include two briefings of papers that were presented at the first Teaching and Learning Panel in September 2014. Giovanni Poggi takes a cursory glance at the use of social media technologies as a possible teaching aid, especially in the context of large classes. With the ever increasing numbers of our students (often not supported by comparable growth in staff components in departments), the use of social media could very well become a useful tool to generate critical, reflective and scholarly debate that is often lacking in bigger classes, but still remains a key skill we need to teach our students. In the second briefing, I present findings on the views and perceptions on the status of postgraduate supervision in political sciences and international relations. We often engage in the rhetoric of growing the next generation, but have not necessarily done an assessment of the status (and perhaps more importantly) the perceptions we have about the status of postgraduate supervision and studies in our discipline. A focus on Teaching and Learning is set to become an institutionalised feature at future conferences, and we hope that in time, we can eventually publish a special issue focussing on this core function we engage in daily.

I alluded that these proceedings seeks to create a space for both 'old' and 'new'. I am privileged to be able to include the voices of our Lifetime Achievement Awardees. Presented for the first time in 2010 at the Stellenbosch Conference, the SAAPS Lifetime Achievement Award honours scholars who have made a significant contribution to the development of our discipline. The recipients are people we look up to and hold as a measure what we aspire to achieve one day. I am humbled to be able to include the addressed of Prof. Peter Vale, Prof. Albert Venter, and Prof. Hennie Kotze. These 'old' scholars has done much to advance our discipline, as well as grow the next generation of critical thinker. Through the inclusion of their words of wisdom and reflection, we hope to leave a legacy for future scholars and create sufficient debate as SAAPS progresses through to the next 40 years. The address of the outgoing President of SAAPS, Prof. Clive Napier (2012 - 2014) also mirrors the need to preserve our history to create a solid foundation as we move towards another 40 years of SAAPS.

The academic papers presented here engage in relevant issues for reflection as South Africa moves into its third decade of democracy as well as key concerns in an uncertain international environment. David Wilkins considers the debates that shaped the transatlantic slave trade and reparations and its relevance for the South African truth narrative experience. This paper contributes to the overall debate on historical narrative through the contested notions of *healing through truth* or *healing through relational repair*. Key to his findings is the role that museums can play in presenting contested and/or ignored historical memory as a means to realise the vision and legacy of the TRC. Kelly Stone presents a sound analysis focussing on the cost of gender violence to economies, a key agenda for

the World Health Organisation. Building on the KPMG study measuring the financial cost of gender violence in Australia, this paper contributes to our understanding that gender violence is not just an issue associated with morality and/or *social ills*, affecting victims of gender violence, but rather, a broader societal problem that is quite expensive to manage in a reactionary fashion. Rather, the paper argues that an adequate response to violence against women will not only promote the agenda of gender equality, but also save taxpayers the burden of the cost of dealing with gender-based violence in a reactionary manner.

Ina Hugo's paper highlights three possible scenarios for North Korea, a state whose political trajectory may impact on the stability of the region. She explores the impact that an uncertain North Korean political future could have on the region, as well as the relationship between this state and various other stakeholders, including China. Thobekile Zikhali's contribution focusses on the delivery a basic human necessity for survival. She aptly explores the pro-poor political agenda through the lens of the water service delivery system. Her paper presents that although the overarching rationale that governance water provision is a pro-poor focus, the challenges that municipalities face, including a lack of financial independence and operational challenges, undermines the pro-poor political agenda and catering for the basic needs of the poor.

Pablo de Rezende Saturnino Braga's paper highlights the contested political realities within the domain of the human rights structure and foreign policy. With a focus on Brazil and South Africa, his paper highlights the political realities and difficulties that often lead to states' *talking human rights*, but not necessarily embracing political choices that support their rhetoric. This is especially difficult for states which democratised in the aftermath of gross human rights violations under authoritarianism. He explores the impact this has on a state's ability to claim a the coveted status of a regional power from a human rights perspective. Mothepane Yaliwe Petunia Selebogo, Victor Ojakorotu and Richard Kamidza explores the commitment of South Africa to implementing the South African Development Community's Protocol on Gender and Development. South Africa is a country where gender violence is endemic, even though the policy and political rhetoric highlight gender equality and mainstreaming.

Jo-Ansie van Wyk reflects on South Africa's nuclear diplomacy approximately twenty years after the then President F.W. de Klerk signalled nuclear disarmament. She highlights that South Africa was able to exploit a diplomatic opportunity through creating a foreign policy niche area; and, consequently gain status and prestige in the international community. Her paper reflects on the lessons learned in the area of nuclear diplomacy, and as such, reflects on South Africa's international role in nuclear diplomacy; an issue which has gained recently dominated international news.

Democracy remains one of the most contested terms in our scholarly and political language. Pieter Heydenrych engages with the construction of the contested idea of democracy in a South African context. He compares the western construction of democracy with a (South) African idea of what democracy entails. His main concern is deconstructing the idea of what a South African democracy might mean, and as such, explores the underlying values associated with our democracy. These values do not necessarily entail a focus on the institutions of democracy, but rather an experience shaped by a discourse of *ubuntu* which creates a *hybrid* western and African interpretation of democracy.

Last, but definitely not least, I must acknowledge the work of our peer-reviewers. Thank you for sacrificing your time during the very busy month of November (I don't think I need to say more than the word examinations) as well as part of your vacation to engage with the work of the contributors. Your feedback was an invaluable in strengthening the papers and producing the 2014 Published Conference Proceedings SAAPS.

Lastly, to the contributors, I thank you for your patience and for dealing so effectively with the feedback and requests I had sent. I hope that these proceedings are one we can all be proud of.



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Briefings - Perspectives from the Teaching and Learning Panel

Social media and blogging: Tools for building interactive forums for Political Science Scholars

Giovanni Corrado Poggi*

ABSTRACT Technological innovation in the 21st Century has provided us with an arena that promotes access to multiple sources of information and the opportunity for increased dialogue amongst peers and professionals. A principal concern, however, is that we do not utilise these often simple and user friendly structures adequately in the field of political studies. Oftentimes, the triviality surrounding the way in which social media is used to exercise opinion on popular platforms produces sentiments of derision from the academic fraternity. Fascinatingly, though, recent developments suggest that social media and blogging platforms may be used successfully to create open online dialogues amongst and between students and facilitators. This briefing looks at two key features that should be speedily adapted to the South African tertiary environment. The first will look at the rise of Twitter as a platform for the dissemination of current affairs information, which students and teachers may engage with simply and freely. Creating a departmental account on Twitter can assist in managing announcements; and the promotion of forums surrounding key global political issues. Due to Twitter's rapid commentary style, students can comment easily, whilst still contributing to meaningful debate. Secondly, for a more substantial platform of dialogue, departmental blogs may be fashioned on platforms such as Tumblr. In this instance, admin tasks in the management of an online account may be delegated to senior students to provide the impression that the endeavour is "managed by them, for them". Hence continuity is achieved through the appreciation of the account as something they own.

Why social media teaching politics?

This is not a strictly academic endeavour, as this would defeat the purpose open forum seeks to achieve. The rationale is conceived from the marketing orientated use of social media systems to promote and advertise products and brands. This has proven successful beyond measure in a growing technocratic and internet engaging global society (Mangold & Faulds, 2009; Singh, 2009; Zarrella, 2009; Jaffrey, 2011). The fundamental question for this briefing is that if social media can be used to sell products or destination holidays for instance, then why can we not market the field of political studies as a platform for individuals to buy into? The answer is simple, we absolutely can and we should.

One might consider that the academic environment, inclusive of the field of political studies, provides minimal opportunity for spontaneous engagement with media and current affairs relevant to our field. The core of our facilitation and instruction is founded in digesting hard theory and methodology. No harm is incurred in this process, as immersion in epistemology and ontology forms the basis for the creation of our knowledge systems. However, as a result of this focus, students are confined to an environment where they often cannot engage pragmatically with events in the world of *real politik*.

Considering the above, of course there exists a constant desire to promote the now clichéd ideal of "freshening up" the learning environment. It then becomes pertinent for us to meet undergraduate (especially) and postgraduate students at a level of sustainable association with political studies. In other words, we should be looking to expand mediums that excite and challenge their capacity to engage in cognitive thinking and perhaps even comparative study of local and global events. We must recognise that there is a bridge to cross between the diffusion of theory,

paradigmatic language, philosophy and ideology in class; and successfully linking it to daily global events in the local, continental and global space.

The ideal then is to market political studies as one could an exciting brand, is to present it in a manner that will attract students to become more involved in debates concerning the real events within our multi-dimensional and dynamic research field. It is agreeable that a well-informed student is more likely to achieve better results; and importantly, they also then possess the tools to challenge or protect the socio-political or socio-economic status quos without fear of ignorance or falling into the ever looming trap of apathy.

In light of this, the innovative world of social media provides the perfect opportunity to dispel the incongruence between what students learn and where those theories and concepts are used in the world outside of the lecture hall.

A hypothetical example may prove productive in describing a typical lecture hall scenario,

Within a sizeable class of undergraduate students, a lecturer may attempt to describe the ideology of Marxism. He/She could use the context of its philosophical roots espoused in the prolific works of Marx and Engels, an exhibition of *Das Kapital* perhaps. The idea is to explain the social realities of the effects of capitalism and the industrialisation period on that particular society. The systems which perpetuate a class based system are usually central to this type of argument.

Our present issue is that the typical undergraduate student may not immediately be able to capture the fundamentals of precisely that which Marxism entails. In this instance, a discussion about the modern application of the ideology would prove fruitful to the learning process. In South Africa for instance, one could exercise a racially skewed Marxist paradigm in order to create an analytical lens of the mining industry, specifically the disparities in income inequality between white and blue collar within the sector (De Waal, 2012).

The basis for the argument above was drawn from a *Daily Maverick* (2012) opinion article, a free and trusted online media outlet. Therefore, we need not look further than the online platforms we engage with on a daily basis to provide dialogue initiators for students to discuss practical events relevant to the complex theories and political jargon we are exposed to in class. All we have to do as facilitators is find an accessible medium to disperse debates in a viral manner among young adults.

The answer is contained in the use of social media. Mediums such as Twitter, or blogs such as Tumblr offer the perfect opportunity for this (Micek and Whitlock, 2008; Milstein, 2009; Comm, 2010). These sites act as established channels that young adults spend the majority of their time trawling for information. Today's young people consume information at a rate that generations before may have even termed a sensory overload. However, it is important to remember that they are well acclimated to this environment. Many of them will have regularly absorbed information in this way since they were adolescents. It is the facilitator's duty to attempt to engage with them on social media platforms, as much as it is the student's responsibility to acquire journal articles and conduct formal research in the library. There exists a now desperate necessity to dismiss the stigma among social media non-consumers that these platforms can only be used for the promotion of general entertainment, pop culture and frivolous activities.

As a disclaimer, unequivocally, this endeavour does not prescribe that academia as found in journal publications and other traditional publications should be neglected by students. Formal publications still form the lifeblood of explaining and predicting the most important movements and trends within our field, to begin to ignore them would be a severe injustice to the profession. With this consideration in mind, it is also important to bridge the gap between theory and current affairs in order to stimulate debate between students, especially outside of the lecture hall. The next section will briefly explain the methods used to exploit social media in an academic manner.

Set up, methods and techniques to using social media

This section will explain only briefly the process of setting up a departmental Twitter account and/or Tumblr blog. Twitter is the first platform that excites as a medium with which to create real-time discussion forums for students that can be sustained with minimal maintenance. For the purposes of this paper there are a few basic important points to recognise regarding Twitter.

Firstly, visit www.twitter.com and click on the option to create a new profile. The setup is relatively the same as setting up any other online based account. You will fill in general information about your department and create security passwords etc. Nevertheless, there are a few important bits of terminology to digest:

- * Your **Twitter handle** (e.g. @NMMUpolitics) will act as your profile name. If you wish to converse with anyone else on twitter, simply type their twitter handle into your tweet. They will then be notified of the existing conversation.
- * The hashtag (#) is also fundamentally important. Any term that has a hashtag placed in front of it transports the tweet into a global trend arena of people that have tweeted about the same issue. For example, tweeting about the #ArabSpring will place your tweet in a global debate on the effects of the Arab Spring in North Africa for instance.
- * Retweeting is the simple process of re-posting tweets from the many potential media outlets, politicians or organisations that your page has chosen to follow.
- * On your Twitter profile (where you edit your details), it is also important to upload a profile avatar (logo) and cover photo to give your page a unique and recognisable identity.
- * Furthermore, the Twitter Bio (left hand column of your profile) is important in explaining the ideals of your faculty/department and what your page looks to achieve. At this point it is also appropriate to place a disclaimer concerning non-partisan activity or a responsibility to remaining as unbiased as possible. Below, consult the @NMMUpolitics bio as example:
 - “A politics & conflict studies forum for NMMU students/alumni. Assisting in the development of meaningful debate on current issues. Retweets aren't endorsements” (<https://twitter.com/NMMUpolitics> 2014).

There is something particularly special about Twitter's format that makes it perfect for quick fire discussion. A single tweet has a limit of only 140 characters, which gives authors of posts and respondents to tweets only three or four sentences to post rebuttals, opinions or add web-links to an existing conversation. This is perfect for the student that is constantly on the go, but wants to keep up to date with relevant political discussion in the local or global media setting. The @NMMUpolitics handle is still in its infancy as it was created specifically the purpose of exploring the use of social media in teaching politics.

Finally, one must also take a cursory look at Tumblr blogging. In developing online forums for your students to discuss and engage on current affairs issues, you may also want to use an online blog such as Tumblr. The fundamental difference between utilising Tumblr and Twitter is that posts and comments in the aforementioned are not limited to 140 characters. Therefore, the NMMU Political and Conflict Studies blog on Tumblr is able to post more substantial articles or opinion columns with accompanying links. Response commentary on Tumblr also allows for more substantial commentary.

Social media techniques are so user-friendly and easily acquired that with one simple click one may be able to post a link to a Tumblr blog post on your departmental Twitter account. The interconnectivity between these systems is incredibly simple. The student would then simply be able to click on the embedded Tumblr post within Twitter and it will send them instantaneously to the larger conversation on the Tumblr account.

As we move in an increasing digital world where students seem to interact more online than in the classroom, exploring the use of social media as a teaching aid for teaching politics will become a reality that we will need to embrace. This is especially so if we are to graduate the scholars and practioners of the future.

Notes

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External Links (URLS):

- <http://polscinmmu.tumblr.com/> (Nelson Mandela Metropolitan University Political and Conflict Studies Tumblr. Blog)
- <https://twitter.com/NMMUpolitics> (Nelson Mandela Metropolitan University Political and Conflict Studies Twitter Page: @NMMUpolitics)
- <http://polsci.nmmu.ac.za/> (Nelson Mandela Metropolitan University Politics and Conflict homepage)

The State of Postgraduate Supervision in Political Studies: A cursory glance

Joleen Steyn Kotze*

ABSTRACT *In 2013 Politikon produced a special issue detailing the achievements and challenges to the scholarship of Political Science over the last forty years. Whilst this was not the first exercise in scholarly and discipline-specific introspection, a continuing theme in assessing South African political science seems to be the search for a discipline identity. The key question that emerged from our scholarly introspection seemed to be 'who are we as South African political science scholars'? What is the role that we play in broader South African society? This perpetual search for a South African Political Science identity also raises interesting questions with regard to growing the future scholars and scholarship in our discipline, especially considering our own scholarly identity crisis. This paper seeks to explore the challenges and opportunities of teaching and research in a postgraduate political science context. This brief presents findings of a survey conducted amongst various political science departments in 2014 with a specific focus on growing future scholarship and assess the perceptions surrounding the status of postgraduate political science.*

Methodology and Sample

Over the last forty years, various studies on the status of the discipline of political science has been conducted. These include the Rupert (1990), Du Pisani and Van Wyk (1991), Gouws (1993 & 2012), Booysen and Van Nieuwkerk (1998) and Gouws, Steyn-Kotze and Van Wyk (2013) assessments (Gouws, Steyn Kotze & Van Wyk, 2013, p. 6). These assessments sought to appraise the discipline from a variety of lenses, including *liberating and decolonizing* the discipline (Taylor, 1990); theoretical shortcomings; gender inclusivity; and transformation (Gouws, Steyn Kotze & Van Wyk, p. 6). Interestingly, prior studies on the state of the discipline have highlighted a perpetual search for a disciplinary identity. On the one hand the discipline is seen as lacking theoretical rigour, while on the other, it is regarded as too Euro-centric, lacking an African focus (Gouws, Steyn Kotze & Van Wyk, p. 28). This perpetual search for the essence of *who we are as political science* raising some interesting questions for the growth of future scholarship through graduate programmes in South Africa.

It is in this light that during 2014 the South African Association of Political Studies sought to gain insight into the perceptions and status of postgraduate supervision in political science and international relations. We conducted a survey amongst our colleagues and members across the different departments of political science and international relations. A two-pronged approach was used with the aid of the web-based survey tool, SurveyMonkey. An email invitation were sent to colleagues across the country and we placed a weblink to the survey on the SAAPS Facebook page. Although two email invitations were sent out, the response rate remained low. There is thus a need to guard against broad generalisations from the data, hence this briefing provides a cursory glance at the trends in postgraduate supervision in political sciences.

Table 1: Distribution of respondents

Institution	No. of respondents
Stellenbosch University	5
University of Johannesburg	3
University of Pretoria	1
ULPGL	1
Royal Danish Defence College	1
UNISA	3
University of the Witwatersrand	2
North West University	1
University of Fort Hare	1
University of the Free State	1
University of Limpopo	1
University of Cape Town	1
Nelson Mandela Metropolitan University	1
Total	22

Only 22 respondents completed the survey. It is of interest to note that the majority of respondents came from bigger departments at universities in Gauteng and the Western Cape, while only two respondents from smaller, rural institutions in Limpopo and the Eastern Cape participated in the study. This seems to reflect the continuing dynamic of a lack of sufficient participation and inclusion of former marginalised departments in predominantly rural areas.

Postgraduate supervision: The numbers

The Gouws, Steyn Kotze and Van Wyk survey provided a cursory glance of the thematic areas in which postgraduate supervision activities occurs (2013, p. 20 - 21). Major focus areas included South African politics, international relations, African studies and security studies, while strategic studies, conflict studies, and diplomacy seemed less interesting to postgraduate students (Gouws, Steyn Kotze and Van Wyk, 2013, p. 20 - 21). There is a need to conduct an assessment of the students' perspective on both the relevant focus areas that are of interest to the emerging generation as well as their experience and views of the graduate experience studying political science in South Africa.

Most supervision work occur at Masters' level, including the treatise or mini-thesis component of coursework Masters' programmes. The total number of students supervised by the 22 respondents were 136. This means that on average each respondent would theoretically supervise six students, which some will consider a manageable load while other may regard it as heavy. The findings, however, suggest that there is a discrepancy in the number of students academics supervise. While some respondents indicated that they supervised between 10 and 16 postgraduate students, others stated that they only only one or two students. The reason for this discrepancy was that supervisors with a light supervision load are often new to postgraduate supervision, while those with a heavier

load are regarded as senior academics. This places a lot of pressure on growing supervisory capacity as senior staff are over-burdened and may not have sufficient capacity to mentor younger staff through the supervision process.

Respondents with a heavy supervision load felt that the burden of postgraduate supervision was too much. For example, one respondent noted that 'in my six years at my institution, I supervised the following number of students: six PhDs, two Masters by research, eight Masters by coursework and research report, and six honours projects. I do believe that the supervision load was enormous'. Some respondents highlighted that the supervision burden is not necessarily found in the number of students they supervise, but rather '...the amount of time the students consume'. Language, gaps in skills transfer in critical thinking, and a lack of reading contribute to postgraduate supervision becoming a labour intensive endeavour, perhaps at the cost of generating scholarship with the aim of setting future research agendas and growing the body of knowledge.

Perceptions on the quality of postgraduate scholarship

Questions to assess the quality of postgraduate supervision over the last ten years seemed to be somewhat contentious. Of the 22 respondents, eight did not answer the question, although when asked to provide a reason for their answer, all respondents answered. It would thus seem that participants held an opinion of postgraduate supervision, but may not necessarily have been comfortable in rating quality. Of the remaining fourteen respondents, six indicated that the quality of postgraduate supervision had gotten better, while eight felt that it had gotten worse. A common theme that emerged as to why the quality of postgraduate scholarship had gotten worse is a lack of student preparedness. For example, one respondent noted that 'students are reading less on their fields of interest', and 'students enter the [graduate] system ill-prepared in critical thinking skills and research methodology training'. The massification agenda of higher education also seems to negatively impact on the quality of postgraduate scholarship, as one respondent highlight: 'I think there is pressure to get your qualification without getting the relevant maturity and life experiences first'. Overall, it would seem that a key challenge to generate quality postgraduate scholarship is a lack of a culture of reading among postgraduate students and that '...students may not read as deeply as previously'. Another factor that impact on the quality of postgraduate scholarship is the type of research students engage in. There is a concern that postgraduate activities are too focussed on survey-based research as opposed to theoretical and/or critical scholarship. As one respondent noted, 'I am relatively new to this, so I am not in a position to comment based on experience, but I am worried about the predominance of survey-based research, which points to a lack of intellectual engagement'.

While most respondents indicated that key challenges to quality scholarship are a lack of student preparedness, a lack of a culture of reading, and a lack of critical thinking skills, some also indicated that supervisors also contribute to the a possible deteriorating quality by not being reflective about their own supervisory practises. For example, one respondent highlighted that there seems to be general unwillingness among '...professors...to be reflective about their own training for higher degree supervision'. This is an area which is not sufficiently explored when engaging in debates about postgraduate supervision, and as such, could be a theme the newly established Teaching and Learning portfolio within SAAPS explores in the next few years. Specific themes that could be explored relate to the barometers used to measure skills transfer at undergraduate level to postgraduate studies; barometers used to judge or evaluate postgraduate scholarship; training of scholars in postgraduate supervision and how one measures successful skills transfer; and, codes of good practise for both new and experienced supervisors for mentoring and guiding students at a postgraduate level.

Reasons for the belief that the quality of postgraduate supervision has improved are supervisors being more selective with whom they work and the increase in university support programmes to assist students with '...what is expected of them...' during postgraduate studies. For example, one respondent noted that 'the university has a postgraduate office, which provides technical training (what needs to be in your thesis, etc.) and this has been a great support'. Another mechanism that assists postgraduate students is the introduction of a research component in the Honours qualification. One respondent noted that '...since last year we introduced a module on Research

Report at Honours level and all students who undertook this module have proven to find it easy to progress towards Masters' degree compared to the previous cohorts of MA students who were not exposed to research report writing at honours'. Another respondent highlighted that a literature Honours project has assisting in preparing students for Masters studies. The literature based honours study seemed to have served as a bridging mechanism in that students were *forced* to engage with theory in order to successfully complete their studies. What is unclear though is whether students who did a theoretical honours project continued with this work at a Masters' level. In other words, did these students revert back to an empirical/survey based Masters study, or did they engage in a theoretical/critical research project? There is a need to assess the type of projects and overall thematic areas that postgraduate students in political science work on. This will provide a sense of the future direction of South African political science as a whole, but also assist with identifying the shortfalls within our overall knowledge generation.

Respondents were asked to rate the quality of postgraduate scholarship on a scale of 1 (very poor) to 5 (excellent). Of the 22 respondents, one rated the quality of postgraduate scholarship as poor, twelve rated it as average, and eight as good. One respondent noted that 'we have better students than before, and worse students than before. But we have many students in the middle'. This perception does not bode well for the growth of future scholarship. Interestingly, average quality scholarship is also a theme that emerge in the state of the discipline surveys. This raises questions about what we consider quality scholarship, predominantly because there seems to be a continuous search for a disciplinary scholarly identity. As an academic community we seem to be proverbially stuck in between a western scholarly identity and trying to claim an African scholarly identity. In this light, Vale (2013, p. 380) noted that

...South African political science remains way of Africa and the African archive. In part, this is because it has been neglected in the country for so long. But the community, I fear, still has to make that great conceptual leap and understand that African knowledge and knowledge of Africa means a deep ontological shift.

Thus, if one considers Vale's observation on an ontological shift in how we approach our discipline, would this impact on the perceptions of what we consider quality scholarship? As we move to the next forty years of SAAPS, the question of epistemology and ontology, or rather the foundations of knowledge and by default what is quality scholarship, will need to be considered. This is especially necessary if one takes a futuristic view of growing the next generation of political science scholar, which postgraduate scholarship is suppose to facilitate.

Other factors that impact on the quality of scholarship relate to the large number of students scholars are expected to supervise, the dilution of Masters' qualifications, and a lack of qualified supervisors. For example, one respondent noted that 'at Masters' level the level [*sic*] is dropping, in part because we have too many students, and in part because the theses themselves are diminished in the programme, for example 50 % thesis'. Another respondent stressed that '...I felt that there were very few qualified supervisors and thus these were burdened with incredibly high supervision load. Their job was made harder by the poor quality of student preparedness'. Furthermore, one respondent noted that there '...is too much emphasis on postgraduate qualification - students hurry to complete for career purposes'. What is interesting though is that an academic community, I suspect we were already aware of these challenges, but seemed to be caught in a reactive cycle of trying to overcome challenges to generate, if not quality scholarship, but at least passable studies.

It also seems that interventions to generate quality postgraduate scholarship need to occur at two levels, that of the supervisor and that of the student. At the level of the supervisor, although most universities have workshops and training programmes, it appears that the impact of these on training good supervisors needs to be assessed. The challenge would be how to assess the quality of supervision in an academic environment where '...there is a mixed bag of some very good students who are mostly mature and work well with minimal supervision...[and] some very bad students who are a lot of work for the supervisor due to a lack of a good foundation, and/or motivation'. At the level of the student, again, most universities have support structures in place to facilitate the successful completion

of postgraduate studies. These structures include workshops (to facilitate skills transfer in methodology, academic writing, and proposal construction, to name a few), bursaries (to facilitate financial inclusion of poor students), and the establishment of postgraduate schools (to create a specific centres focussed on postgraduate activities). However, as one respondent noted: 'it would seem that many students are only able to achieve the bare minimum to pass....[students] produce mediocre work and meet the minimum requirement of being able to do research, but not necessarily publishable research'. The broader question is thus, do these interventions have sufficient impact at the level of training supervisors and getting postgraduate students to the required level to be successful in their postgraduate studies? If not, what are the interventions needed to empower both supervisors and students to generate quality postgraduate scholarship? I do not have the answers to these questions, but will venture to suggest that an impact assessment to determine proactive strategies to strengthen the quality of postgraduate supervision.

Interventions to strengthen postgraduate scholarship in political science

The findings seemingly did not reveal much of what we do not know in terms of the main challenges to postgraduate supervision. The primary challenges identified by respondents relate capacity (too many students, and heavy teaching loads in addition to supervision loads), language skills of students, a lack of adequately qualified (perhaps competent) students, lack of sufficient mentoring for first-time supervisors, lack of resources, a lack of sufficient reading among students, and a general lack of student preparedness. Thus, it was important to ask what respondents felt needed to be done to deal with the challenges and strengthen postgraduate scholarship. The primary themes that emerged related to strengthening the quality of basic education, lightening the supervision load, creating avenues for postgraduate students to publish and gain experience with peer review, and raising the admission requirements for postgraduate studies.

An important intervention is to assess undergraduate curricula and introduce a stronger focus on philosophy and theory at an undergraduate level. For example, one respondent noted that 'we need to look at how we train undergraduate and lay the foundation for postgraduate studies. Research methodology training and critical thinking skills generated through engagement with political theory is lacking. These must be developed at an undergraduate level to lay a solid foundation for emerging scholars'. Another respondent stressed that

it has to start at undergraduate (maybe even high school) levels. Students start a postgraduate programme with significant academic deficits that cannot be rectified at that level. Hence, the quality of research often remains average or below average. Moreover, there has been a very limited pool of effective and qualified research supervisors, which also does not serve the growth of these discipline in South Africa.

There seems to be a strong call for more collaboration between different South African institutions as well as international institutions. The purpose would be to focus on '...collaboration and benchmarking' in order to advance the 'teaching of philosophy and research methodology' where capacity in these areas may be lacking. Benchmarking, some respondents felt, could be achieved by establishing external evaluation bodies to assess curricula and engage in quality control reviews. It is here that some respondents felt SAAPS should be playing a leading role through holding '...comparative sessions on curricula, teaching methods, etc.'. SAAPS should also be setting standards and recommend entry requirements for postgraduate studies. Essentially, SAAPS '...should be trendsetters on the debate on the future of South African university education'. To this effect, there seems to be a need for the professional organisation to review its role in facilitating teaching and learning at a postgraduate level in order to support the growth of quality future scholarship.

Respondents also felt that SAAPS should explore a bursary system (although many universities have generous funding mechanisms to ensure the inclusion of as many students as possible in postgraduate studies), be more student-centred with hosting workshops, summer and winter schools on methodology and writing (again, many

universities already have these interventions in place), and provide avenues to facilitate student engagement with publishing and peer-review. Essentially, it would seem that SAAPS need to be engaged with the teaching and learning of political science, both at an undergraduate and postgraduate level. Lastly, SAAPS must also engage in the business of training academics in supervision skills. Interestingly, many of the interventions mentioned are already in place at various universities. This thus raises questions about the impact of these programmes, as it would seem that there is a sense that more needs to be done or alternatively, that what is already being done is not having the desired impact to train future scholars.

Conclusion

The perceptions of the status of postgraduate scholarship in political science seems to be filled with contradictions. Students are weak, but also strong. Supervision loads are too heavy, yet manageable. Interventions assist in creating good postgraduate students, but more interventions are needed.

This cursory glance has shown us that we need to have a conversation focussed on postgraduate scholarship and its role in growing future scholars. This conversation would need to start with defining what we perceive quality scholarship to be. However, given the contested nature of the academic identity of the discipline of political science, the notion of quality and what constitutes good scholarship might remain contested. A more realistic conversation, however, may be assessing current interventions and determining where these interventions fall short in facilitating the development of quality students and supervisors. This would entail an impact assessment and developing measures to appraise supervisory skills of academics to determine possible shortfalls. Of course, this will entail a conversation on how one can realistically assess the quality students and the supervisory competence of supervisors. An intervention which SAAPS may consider is a focussed training programme for supervisors incorporating a balance between political theory, methodological theory, and reflection on good practise for supervisors in political sciences specifically.

We also do not know the student perspective. This is a key weakness in assessing the status of postgraduate supervision, as we need to get the perspective of our *clients*. How do they experience their training as future scholars? What do they think about the skill and capacity of their supervisors as mentors? What are some of the key areas that they feel is lacking in creating the next generation scholar? This is a broader project that the Teaching and Learning panel may consider in future with a view of a full report at the next SAAPS biennial conference.

Notes

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South Africa's Democracy at 20: Diagnosis and Prognosis

The National Biennial Conference of the
South African Association of Political Studies (SAAPS)

10 – 12 September 2014

Hosted by Unisa's College of Human Sciences
and Department of Political Sciences

Acceptance Addresses - Lifetime Achievement Awardees 2014

11 September 2014



Lifetime Achievement Awardee Acceptance Address

Prof. Peter Vale

Dear Colleagues, as you hear these words, I'll be in Brasilia as a guest of the National Defence Studies Association of Brasil: it is their annual Conference and they have generously asked me to serve on a panel – an arrangement that was made eighteen months ago.

So, I must begin by issuing an apology for not being with you to thank you, the members of SAAPS and the outgoing Council, for recognising my work in this way. Moreover, I am privileged to receive this award alongside Professors Albert Venter and Hennie Kotze.

I have known them both (it is safe to say) for decades.

Albert and I grew up in the same town, Pietersburg (now Polokwane) where he attended the Afrikaans-medium Pietersburg Hoërskool and I, Capricorn High, where we spoke only in English. Across this divide, we did not know each other as school-boys but, in the years since our first meeting, we invariably return to the sounds and sights of our home-town in either of these languages.

The paths of Hennie Kotze and I crossed when this country's language divide, seemingly, didn't matter as much as it did in the 1950s. In 1966, Hennie and I were drafted into the South African Infantry to do our National Service: together we took an officers-training course and were both posted to Ladysmith. A lot of politics was discussed between us in those days and not much of it was systematic, but I always think of Hennie as my oldest professional friend.

With your permission, Mr President, I want to remember my friend (and sometime co-conspirator) John Daniel who died on July, 25th.

This gathering should know, had South Africa been a 'normal' society, that John would have been an early recipient of this award. As I will say in an Obituary which will run in the next *Politikon*, he was certainly the best trained South African Political Scientist of our generation having taken a doctorate with the great Claude E. Welch Jr and his MA with the late Howard Wolpe, political scientist, and later a seven-term American Congressman from Michigan.

Of course, John's fierce commitment to ending apartheid led to his exile. His return to South Africa in 1991 and his immediate engagement with this profession – and this organisation – made us all realise how much poorer the local study of Politics is for his long absence.

For these reasons, and because knowing John was one of the great privileges of my career, I want to dedicate this award to his memory.

Instead of talking, as I have been requested to do, about my life in this profession, I thought that I would offer you an explanation as why it is that I accept this Award, not as a Professor of Politics (or International Relations), but as a Professor of Humanities.

It is a long story but I'll be brief: with my family, I spent 1996-97 at the Universiteit Utrecht: my aim was to write a book on the southern African region but, instead, I read theory for the whole year.

This completely changed the trajectory of my professional life because I realized that all that I had done up till that point was to parry at understanding the world of international politics, but I had no real understanding of the social world in which this operates.

Armed with these insights, I have viewed the events of the past twenty years-odd with great alarm. Our understandings of the world of the social have been eroded by the notion that only positivism can explain the human condition. The rich intellectual and moral cupboard on offer by the Humanities has been emptied by the problem-solving turn in Social Science and the rise of empty phrases like “the knowledge economy”.

There is, of course, no greater culprit in this utilitarian move than that represented by our twin discipline, the field of Economics, which has almost entirely removed itself from the social and can now only offer this country (and our world) explanations that that are commodified, marketised and managerialised. As it has done this, it has formed an alliance with one of our most dangerous progeny, Security Studies, which is nothing less than an agent of global capital.

In no small part, their partnership helps to explain the truly bleak times in which we live – a tableaux of near wars in the Middle East and Europe and the continuation, in a country that we call free, of white wealth and black poverty!

My shift towards the Humanities, and the activism in this direction that has absorbed much of my recent energy, is in the spirit of the Chinese proverb that its better to light a candle than curse the darkness!

But enough of this serious stuff...

The Humanities teach us that true understanding comes from the full totality of human experience – not from numbers alone. An important one of these, undoubtedly, is the humour that captures inherent truth.

This seems to be the jolly spirit in which to leave you:

One of the finest explanations of Political Science – the veracity of which has intrigued me since the day I first heard it – is this:

The relationship of a political scientist to politics is the same as the relationship of a criminologist to crime.

You can, yourself, decide whether you find this useful and whether you think, in the light of developments in South Africa and elsewhere, it worthwhile passing on to a new generation SAAPS members!

Thank you for listening to this and, once again, for the honour you have bestowed on me.

Its now time for me to go out and study Brasilia stunning architecture!



Lifetime Achievement Awardee Acceptance Address

Prof. Albert Venter

*What's the latest news around the world? As usual, it is desperate out there – Tom Robbins, from: Even cowgirls get the blues.
Peeple of zee worl – relaxe, Sailor the parrot, in Fierce Invalids home from hot climates, also by Tom Robbins*

I have been asked to say a few words regarding my more or less 40 years involvement in Politics as an academic discipline, as well as an observer of the political. The political has fascinated me for most of my sentient life, more or less since 1958, when I was in grade 7 – std. 5 in those days. Until around 1972 my fascination was 'current political affairs'. I then embarked on formal studies in Politics, and have been at it since then. Less active now of course – I am becoming 'old and cynical'.....

From an early stage of my studies, I wondered how it was that in the 20th century a number of authoritarian and totalitarian regimes arose from the political thought of the West. I got answers from three political thinkers: Eric Voegelin, Karl Popper and Michael Oakeshott. The essence of the problem of being human is the drama of existence: life on earth is a life in uncertainty: at any time we can be confronted with death, violence, geographical storms, tsunamis, terrorist attacks – you name them, the list is endless.

In the 20th century, one response to this drama of existence was to look to the political for salvation. Politics was grasped as an instrument to save us from the earthly tensions of existence: the age of political ideology was ushered in. In the West the message of salvation through a transcendent Christ was replaced by a message of earthly salvation by a political ideology through the mediation of the state/politics. A final and certain earthly end or purpose is postulated, making the political a type of divine and earthly attainable end. Of course this project is doomed to fail, since the final solution to end the uncertainty of existence is unknown and will remain so: the *conditio humana* cannot be resolved by mundane action. Nevertheless an earthly eschaton / paradise was postulated by political ideologues and millions of people persuaded that the impossible was indeed possible.

In the last 150 years there have been many what Hans Cohn has called millenarian movements. Their common features seem to be that all preach a form of earthly salvation, it is collective – i.e. a movement of the true believers, it is terrestrial, i.e. the solution will take place on earth, it is immediate – i.e. one does not have to wait for a pie in the sky when you die, it is total – i.e. the whole of life on earth will be transformed by this new truth, it has a political demonology: the Jewry, the capitalists, the great Satan, the axis of evil, black peril (swart gevaar), red peril, (rooi gevaar) *da capo al fini*. These ideologies are a continuation of religion by political means, especially capturing the power of the state to transform, by violence and war if necessary, the evil human condition into an earthly paradise.

And yes, it took the second world war to rid the earth of the Nazi doctrine, the USSR collapsed after 70 years when the earthly paradise turned out to be not as paradisiacal as was expected – at enormous human cost. It took more than 30 years of armed struggle to defeat the apartheid state, it may take even longer to defeat the idea of racism in the / our beloved country.

But even in the post war moderate and more or less liberal democratic states, political millennialism has not been totally abandoned. In the nearly 70-odd years since the Second World War two dominant paradigms regarding the governance of the modern industrial, welfare state have prevailed. The first notion is the state as an enterprise in which the political is transformed into a rationalist undertaking. In other words, the state is deemed to be analogous to an enterprise which can be managed in a rational and systematic fashion. It is a style of politics that believes itself to be able to construct plans for society based on rationality, a politics of planning and certainty. To rationalists there are right answers to political problems which exist in advance of the problem, and that answer can then be applied to solve it. This conception of the state and politics curries favour with the public servant as well as the messianic politician, because they are naturally drawn to order and rationality. By disposition these functionaries are averse to the exception, the muddle, the commotion, the mix-up.

The 20th century English political theorist, Michael Oakeshott once retold the story of the Tower of Babel to illustrate the potential degeneration of this rationalist view of politics and the state. All the resources and energies of the people of Babel were directed at Nimrod's plan of building a tower to heaven in order to conduct an assault on its riches. All university courses were made vocational to some form of building studies. The dream soon turned into a nightmare. As clay for bricks ran out, the buildings of the town were demolished to obtain more bricks. People lived in tents in support of the common goal: Nimrod's vision of the TOWER. As the tower grew narrower at the top, fewer bricklayers were needed, resulting in large scale unemployment. The people became suspicious of Nimrod's prolonged periods in the tower, fearing that he may be planning an assault on heaven without them. When one day he did not emerge, the inhabitants of Babel panicked and surged up the tower, putting a tremendous strain on its structure. The tower began to sway and eventually collapsed, killing all. What had been designed as a stairway to paradise had become the tomb of an entire people.....

The second paradigmatic view of the state is one in which the state is a civic organisation. It is held together not by common purpose but the authority of common practices. Citizens share nothing save the recognition of the authority of common practices. The state as civic association is much like the speakers of a common language who are held together by common practice, adherence to the rules of the language; they do not share a common purpose and are free to say what they like. The state as a civil association is comprehensive, compulsory and exclusive. And as a civil association, exactly because it is compulsory, the state cannot have a common purpose, since if one no longer subscribes to its purpose, a citizen could not withdraw from the state – unless one emigrates. Therefore the state cannot be an enterprise association, a transactional association. As citizens the members of the state owe each other nothing but the practice of civility. Since a civil association needs to ensure that its laws are subscribed to by the citizens, it requires ruling and an apparatus of rule.

Ruling means governing, administration and adjudication, consisting of the elucidation of the law in cases of dispute, requiring or forbidding an agent to undertake a specific action. Administering means policing civil associations by engaging in such activities as detecting and preventing crimes, maintaining order and enforcing the law. Law making and ruling are the two most basic activities of a civil association. A citizen need not approve of a law: only recognise its authority and subscribe to its prescriptions. Civil rulers expect obedience to laws because they are well – laws. If civil rulers are to persuade, coax and cajole the citizens, there would no longer be rulers, but managers.

Indeed in Oakeshott's view the state and the political can best be depicted as people in a boat who sail a boundless and bottomless sea, there is neither harbour for shelter, nor floor for anchorage, neither starting place nor appointed destination. The enterprise is to keep afloat on an even keel; the sea is both friend and enemy; and the seamanship

consists in using the resources of a traditional manner of behaviour in order to make a friend of every hostile occasion.

What does all this mean? It means that there is and will be a tension between the views of the administrators that wish to manage the state as an enterprise with grand visions and the reality of the state as a ship on a boundless sea without harbour, shelter or final destination. One will tend to find quite a few adherents to the enterprise view of the state amongst colleagues in our respective disciplines. Likewise quite a few of our colleagues adhere to the civic view of the state. It is a conundrum without solution and will most certainly occupy our colleagues in the two sister disciplines of Public Governance and International Politics for a long time to come.

My own final bottom line is: any politician that promises heaven on earth, however subtle and hidden: give her / him the proverbial finger by intellectual or other means. Simply do not trust in earthly princes or priests that try to evangelise you to become a true believer to the cause. The end is likely to be a huge disappointment.

And together with Sailor, the parrot, I say: People of the world, relax!

Thank you.



Life Achievement Awardee Acceptance Address

Prof. Hennie Kotze

Mr President, Ladies and Gentlemen, and esteemed Colleagues

It is a great honour for me to receive this life time award for my contribution to Political Science. I rate it extremely highly, because it is my peers in Political Science that thought I deserve this award. Thank you!

When the President of SAAPS, Prof Clive Napier, informed me about the award, his instructions were: “We would like you to reflect in no more than fifteen minutes on your: (1) achievements in Political Science, and (2) on the past and future of the discipline”.

Let me start with the past.

In my Honours year (1971) a quote from *The Apple Cart* by Bernard Shaw (1928) struck me as so true of Political Science in South Africa. He wrote: “Even Political Science, the science by which civilisation must live or die, is busy explaining the past while we have to grapple with the present; it leaves the ground before our feet in black darkness whilst it lights up every corner of the landscape behind us”.

This insight from Bernard Shaw forced me to seriously rethink my own approach to Political Science. An incident that illustrates this approach happened at a Political Science conference at Unisa in 1973 (I started at Unisa in 1972 after completing my Honours at Stellenbosch). At this conference I presented a paper titled “’n Oproep tot groter relevansie in Politieke Wetenskap Navorsing”/ Translated as: “A call for greater relevance in research in Political Science”. A heated debate followed and Dr Niel Barnard (Free State University) accused me of asking political scientists to become “journalists”, looking for sensation all the time.

Fortunately, in the next forty years there were a lot of changes in the South African approach to the discipline of Political Science. I’ll get back to this at the end of my speech.

I completed a MA at Unisa with Jeff Lever as my supervisor. Then I departed to Manchester University (UK) in 1974 to complete a M(Econ). The reason: I really felt undertrained trying to read and understand articles in journals such the *APSR*; and the course at Manchester University included a strong dose of research methods. I also completed a course in quantitative data analysis at Essex University conducted by the European Consortium of Political Research which included a SPPS course. This prepared me for survey research and in general gave me the skills for a more quantitative approach to research.

I returned to South Africa in 1976 and took up a position as lecturer with the Political Science Department at RAU (now University of Johannesburg). Here I really enjoyed the hard work – day and evening classes – in a relatively small department. I returned to Stellenbosch in 1986 and was appointed as Professor and Chair of the Political Science

Department until 1999. In 2002, I was elected Dean of the Faculty of Arts and Social Sciences, a position which I retired from in 2012. In the latter position, obviously, it was difficult to continue with my research. However, it gave me an opportunity to establish a Graduate School in the Arts and Social Sciences for PhD-students, and also to build a research network working with six universities North of the Limpopo – PANGeA (Partnership for Africa's Next Generation of Academics). At the moment there are 110 full time PhDs enrolled, mainly young academics from these universities. The Faculty delivered the first two cohorts – intakes of 2010 and 2011 – of PhD students three years after enrolling them.

Back to my own research. In the early years my research focussed primarily on patterns of socialisation and its effects on public policy within the South African context. Since 1980 onwards, my research focus has centred upon an in-depth analysis of the social, political, and economic transformation that has taken place in South Africa. A longitudinal study on the attitudes and values of the country's opinion-leaders (elites) has formed one of the core elements of this project. Since 1990 eight elite surveys (1990, 1992, 1993, 1995, 1998, 2000, 2007, with the most recent one late in 2013) have enabled me to build up an extensive database on South African elite perspectives. In addition, I have been the principle investigator of the World Values Survey in South Africa since 1995. Six nationally representative surveys (1981, 1990, 1995, 2001, 2006 and 2013) measuring public values on topics from democratisation to religion, to work ethics, to social and economic values, have been completed to date.

Maybe the most important product of this on-going project is the insight it produces concerning the changes at the individual level that are transforming social, economic and political life. I'm convinced that these changes are invisible until they are measured and analysed through survey research. The surveys have been made possible by way of grants from various national and international donors, including several research grants from the HSRC and Open Society Foundation, as well as contributions from major businesses. The World Values Survey as well as the Elite surveys have thus formed two of the cornerstones of my research output to the field.

Despite my appointment as Dean of the Faculty of Arts and Social Sciences at Stellenbosch University in 2003, I have managed to continue with my research during this time; taking a much more focussed approach, placing special emphasis on elite and mass studies and value change.

Over the past ten years or so, I have been involved with three ongoing research projects: the World Values Survey, the Opinion Leader Survey and the Transformation Research Initiative. All three research projects draw from each other; however, they are independent projects with different focus areas.

After the establishment of a constitutional state in South Africa in 1994, the new regime obtained the right to restructure the relationships between the state, the economy and society. Numerous expectations were raised during this process, with the developmental needs of the population urgently needing to be addressed. These expectations were based on the normative assumption that the government should strive to meet the needs and wants of the population. One of the prerequisites for achieving this expectation was a commitment on the side of the governing elite to work towards good governance and enhancing the quality of democracy in South Africa.

Now more than two decades after the advent of democracy, the question needs to be asked whether the South African population's needs and wants are in fact being met adequately. A more important question perhaps is whether there is consensus among South Africa's leaders as to what exactly these 'needs and wants' are. Similarly, to what extent is there at least some level of congruence between the values and expectations of the mass public and those articulated by South Africa's leaders in the form of policy outcomes? Lastly, to what extent are we moving towards a situation where the public and elite accept democracy as the 'only game in town' – that is, the consolidation of democracy in South Africa? For me, searching answers to these questions, remain important.

In addition to the research mentioned above, I have been privileged to be the supervisor for 12 PhD students and 60 M-students. This brings me to what I consider a very bright future for Political Science in South Africa. There were just so many more clever and innovative students completing postgraduate studies over the last 10 to 20 years, compared to the 70s and 80s of the previous century. And, these students are all well trained in qualitative and quantitative research

methods which give them a tremendous advantage compared to most postgraduate students completing their studies in the previous century. Through my interaction with the younger generation I'm convinced that they are willing and capable to "light up every corner of the landscape in front of us" to quote Bernard Shaw's dictum about political science. Moreover, realising the needs of the South African society, many of them are conducting what I consider relevant research.

Lastly, Mr President, I want to thank all those colleagues with whom I worked in various roles during the last forty years or so. I thank them for their friendship and fellowship.

I also want to thank my wife Ria for her highly valued support over the years while she was pursuing her own studies and career as a psychologist. If it wasn't for her understanding and support the kids would have turned out proper delinquents and not the solid citizens they are.

Finally, I also want to wish SAAPS all of the best for the years ahead; I know it's in good hands!



South Africa's Democracy at 20: Diagnosis and Prognosis

The National Biennial Conference of the
South African Association of Political Studies (SAAPS)

10 – 12 September 2014

Hosted by Unisa's College of Human Sciences
and Department of Political Sciences

Presidential address by outgoing President Clive Napier

11 September 2014



My address comprises three parts. First, I will mention some of the achievements of SAAPS over the past two years; secondly I will refer to professional associations and thirdly, political science the past, present and the future.

The achievements of the Association

A great deal of energy has been devoted over the past year or more to the organising of this biennial conference. We all know – and particularly the organisers of past conferences know- what it takes to organise a conference. My thanks to Council members and also members of the UNISA Department of Political Sciences as the host Department for the great deal of effort – and the creative thinking that has come to the fore in organising this conference. Also to the sponsors of this conference listed in the program. In the interim year between the biennial conference of 2012 and 2014 – five successful regional conferences were held. Congratulations to the organisers of those conferences.

Let us look at some of the activities of the Association. *Politikon* is the flagship of the Association – the journal has been ably edited by Pieter Fourie and is published by Taylor and Francis of the UK. The journal is professionally published and I must point out that it is the main income source for the Association and also pays a stipend to the Editor, Assistant Editor and Book Review Editor. This is in line with many journals and associations where work is no longer done for the love of it but for compensation.

The Associations finances are healthy. Paid up membership is not as healthy as it should be. There are probably two hundred or more active political scientists in the country but not even half are paid up members of the Association.

Besides the organisation of this conference, energy is being devoted to the re-design of the SAAPS web site - the face of the Association. One of the new inclusions in the existing SAAPS web site is a list of past presidents, secretary treasurers and editors of *Politikon*. This list can be seen as a starting point in thinking about the past of the Association and the discipline.

Council has met on several occasions over the past two years and approved a number of initiatives including the establishment of an archive to be housed in the UNISA library to accommodate SAAPS and its predecessor association documentation and also as a sub section of the archive – an archive for political science teaching material to be accessible to all bona fide researchers.

Besides our local membership base and the involvement of the local political science community – we have over the past year or more attempted to expand our links with other sister organisations – an initiative supported by council. Professor Gerry Stoker of Southampton University participated as a guest speaker in our NMMU biennial conference in 2012. Flowing from that visit we are concluding an exchange agreement with the PSA (UK) which will be signed in October by that association – but in the interim – we sent Professor Yolanda Sadie to their association annual conference in April of 2014. We also concluded an agreement with the Australian Political Science Association (APSA) and will be exchanging delegates in the future. In August of this year, I represented our Association at the Brazilian Political Science Association held in Brazilia – and on that occasion we signed an exchange agreement. As a result of that agreement we have one of their official delegates present with us this evening. We are lacking is the need to strengthen our links with our fellow African political scientists and in particular – CODESRIA – an important research institute also founded in 1973 and some of the African political science regional organisations. A matter which has been raised at this conference is the revival of an African Association of Political Science. The earlier AAPS has been defunct for several years. We really need to apply our minds to this matter.

Besides our horizontal relations – we are also striving to strengthen our relations and involvement in international organisations and in particular – IPSA – the International Political Science Association. Earlier in the year, Council nominated Professor Dirk Kotzé to serve on the IPSA Council. He was subsequently elected as one of the five vice-

presidents of IPSA. Members of our Association have also over the years participated in WISC (World International Studies Committee) conferences. This past year it was Jo-Ansie van Wyk who represented SAAPS.

Professional Associations

Increasingly professional associations are moving away from volunteer organisations managed and administered by academics and others in their spare time – to associations managed and administered by paid managers and administrators funded by membership fees and subscriptions and grants from sponsors. I do believe that SAAPS needs to begin thinking in this direction and have some of the administrative burden placed in the hands of paid persons. These are the internal issues affecting many associations.

Now what about associations and their relationship with the government of the day? This is an enduring question in many parts of the world. The discipline of political science survived through the apartheid era despite the limitations placed on academic freedom and university autonomy. Post 1994 we entered an era of freedom as intellectuals to engage with society and its challenges. We as Political Scientists need to be vigilant in guarding our freedom to research and write on what we believe necessary and right. We may have a first taste of possible government interference in our academic work following the enactment of the Freedom of Information Act or the Secrecy Act as it is commonly referred to. I believe we must be wary of its impact. I refer to a recent development originating in the department of Higher Education and Training and that is the recent creation of the National Institute for the Humanities and Social Sciences (NIHSS).

The NIHSS was established on 5 December 2013 supposedly as an independent statutory body in terms of the Higher Education Act (Act No 101 of 1997). The scope or application of the NIHSS as stated on the NIHSS web site ([Http://www.hssi.org.za](http://www.hssi.org.za) accessed 8 September 2014) is to advance and co-ordinate scholarship, research and ethical practice in the fields of the Humanities and the Social Sciences (HSS) within and through the existing public universities and those to be established or declared in future as public Universities.

The web site states that the work of the NIHSS will be guided by the following principles: The principle of co-operation between institutions and the establishment of communities of scholarship in South Africa, Africa and international; The principle of norm-driven internationalisation, (co-operation and collaboration will not be for its own sake but on the basis of mutual respect and development); The principle of social responsibility and equity as enshrined or implied in the Constitution, and; The principle of functional differentiation as opposed to resource differentiation.

The role of the NIHSS will be to broadly enhance and support the Human and Social Sciences in South Africa and beyond, as well as to advise government and civil society on Human and Social Sciences related matters. It will do so through its various programmes, including Doctoral Schools, Catalytic Projects, an African Pathways Programme, and through supporting the Department of Higher Education and Training (DHET) in the implementation of the proposed corrective interventions.

Fine words and possibly noble intentions. Another bureaucracy. One must ask the question – could this be the beginning of a subtle curtailing by the government of the day in academic freedom and freedom of expression and research? We cannot give a definitive answer at this stage – but it is something SAAPS and its members must take note of and respond to when necessary.

Political Science: Past, present and future

A fact which is not well known is that the field of political science as an academic discipline is probably reaching the centenary of its existence. It was in 1925 that Edgar Brookes was appointed to the Chair of Public Administration and Political Science at the then Transvaal University College - later the University of Pretoria. Political Science

might have been taught before that date but I am not quite sure. None of us really know what is taught at the different South African universities and how teaching of the discipline has evolved over time and where should it go in the future. I do believe we must look at the past. Perhaps we can adopt Sir J R Seeley's motto in his book published in 1897 that 'History without political science has no fruit; Political Science without history has no root.' (Quoted by Brookes, 1977) Perhaps we should adopt this approach and look at our own history as an academic discipline in South Africa.

This is relevant to Peter Vale's contribution to the special 40th anniversary of our journal – *Politikon* – titled, *The Study of Politics in South Africa: A Prolegomenon*. In his contribution Peter Vale appeals for a comprehensive examination of the discipline's arrival and growth in South Africa to be written in readiness for the 50th founding year of the association's journal *Politikon*. As referred to above – the discipline is probably reaching the centenary of its existence and perhaps those keen enough to write the history of the discipline in this country should take the project further back to its founding years. If one is to write on the history of a discipline one needs documentary written and oral information. To this end we signed an agreement with the Unisa archives to accommodate discipline and association documentary material. I make a call to those with material to come forward and donate it to the Unisa archives so that a project of this nature can be undertaken in due course.

To the future. I and others ponder over whether we in our teaching and research are making a contribution to society. The issue of relevance has come up time and again. What should the relationship be between political science and praxis? This is not a new question and has been addressed in various ways in the past. This association has in the past had public representatives addressing it and two will be addressing the conference on the final day – and in a limited way bridging the gap between theory and practice.

My thoughts go back to a message of the first President of this association in June 1974 - made in a very different ideological era – but a message which does resonate to the new South African democratic era in which we currently function. In his message included in the first issue of *Politikon* he stated that "...research results, which dealt particularly with political problems in South Africa, should be disseminated on a wider scale." He was referring to the newly established journal *Politikon* to do this – which it is currently doing. He further said that "... there is the very real necessity that Political Science and International Politics, as taught at universities, must be brought closer to practice." Perhaps these sentiments are particularly relevant to the new order as they were to some in the old order with the goal of making the old order work. To state my own view, I do believe that there is a need to engage more fully in our teaching and research with the new order and its institutions in our teaching and research in South Africa and beyond. We do need to be relevant. I must ask the question whether we not skimming over the workings of our institutions at the national, provincial and local levels, the functioning of political parties and interest groups – how do they operate – what are their support bases and so on? What drives them? With some exceptions political scientists are very distant in their approaches to the real world of politics – which is after all their area of study. What is perhaps lacking is an understanding of what public representatives, policy makers and political parties actually do or need to do – in order for practitioners in the discipline to provide them with relevant knowledge.

I believe it is worth quoting Max du Preez on this topic published recently in the Pretoria News. He appeals for academics to use their vast knowledge and nuanced thinking for betterment of society by stirring public debate and bringing new insights on society. Du Preez adds – and he does this from the perspective of a journalist – but it applies to academics and public intellectuals as well. "... grow a thick skin and accept abuse as proof that you have reached at least some people. If your arguments are strong, your information sound and you remain consistent, even your worst enemies will eventually respect your integrity." Du Preez continues, "Accept that this is a rough neighbourhood, where hyperbole and insult are the currency, and you will be able to witness the impact your voice will make. Demand your freedom to be a forthright public intellectual and practice that freedom." He concludes by saying that snobbery and the rough and tumble of crude and often robust public discourse should not get in the way on having an impact on the betterment of society.

I concur – we need to dirty our hands a little more as Political Scientists in addressing the great and the lesser issues in pursuit of the betterment of present day society.

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South Africa's Democracy at 20: Diagnosis and Prognosis

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Repairing the Legacies of Historical Harms: Mutual lessons from the histories of transatlantic slavery and South Africa

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ABSTRACT *This paper considers the lessons that debates on reparations for transatlantic slavery offer to South Africa, especially as the nation reflects on the advances it has made in the twenty years since the fall of apartheid. The paper argues that these debates demonstrate how nations need to confront how deep and distant historical harms shape their development, and consequently, that these harms must be addressed as part of overcoming present-day injustices. The paper presents that calls for reparations often frame historical harms and their legacies in overly simplistic terms that result in oversimplified models of repair. The paper argues that the concept of truth telling advanced by South Africa's Truth and Reconciliation Commission offers a better concept of repair that is based on relational repair. Utilising the idea of truth telling as a vehicle of attitudinal and relational repair, the paper argues that revising the history that is presented by museums and schools concerning the history of transatlantic slavery could be seen as a process akin to historical truth telling. Furthermore, the paper presents that interpreting recent developments in how the history of transatlantic slavery is presented in museums and schools in the US, UK and via the UNESCO Slave Route Project underlines how South Africa needs to address its deeper history of harms, including the foundation of the Cape Colony on the institution of slavery, if it is to fully understand the origins of apartheid, the nature of apartheid's harms and, therefore, to overcome legacies of these harms. Such an understanding of the potential role of schools, museums and even the arts as vehicles of historical truth telling could reignite the perhaps stalled momentum of the transition from apartheid and the ideals of the TRC.*

Introduction

The year 2014 marked the twentieth anniversary of the end of apartheid in South Africa. This occasion prompted many to reflect upon the changes that the nation has undergone in the last twenty years and the extent to which the harms of apartheid have been overcome. The results of such an evaluation are equivocal. Whilst the black middle class has grown, the society remains incredibly unequal. Many of the social divisions in 2014 fall along the lines that existed during apartheid (Seeking & Nattrass 2005; Pons-Vignon & Paola 2014). The extent of these inequalities is also so gross that they arguably undermine the democratic nature of South Africa (Allais 2008).

The failure of South Africa to overcome the harms of apartheid can, to a significant degree, be located in a transition from apartheid to democratic rule that was undermined by politically motivated and pragmatic compromises. Compromise was necessary to ensure a peaceful transition and the ANC in negotiation with the apartheid government 'chose to postpone issues of economic restitution until later' (Villa-Vincencio 2009, p. 110). In prioritising peace, compromises to the remit of the Truth and Reconciliation Commission's remit were introduced which saw it only consider gross human rights violations that occurred during the apartheid struggle. Similarly, land restitution claims were restricted to disposessions that occurred after 1913 (Chrsitodoulidis & Veitch 2006; Roux 2006; du Bois 2006, p. 133). The historical narrative presented by the apartheid regime, which defended and justified the implementation of apartheid, has also been left relatively alone due to the political compromises of the transitional period. As Nigel Worden (2012, p. 4) has noted, the post-Apartheid government's decision to be reconciliatory has prevented the total 're-writing of South African history from an Africanist perspective' as called

for by the likes of Steve Biko. As a result of such compromises neither the everyday structural violence of the apartheid system or its long established roots were addressed in the transition process.

Historiography was a field of debate central to the intellectual forces of independence movements across the Caribbean and Africa. Individuals such as C.L.R. James and Eric Williams utilised the discipline of history to undermine defences of imperialism and to promote histories in which those of African heritage could find pride and empowerment (Blaut 1993, p. 55). This role of history was recognised by newly independent countries and resulted in many of them approaching United Nations Educational, Scientific and Cultural Organisation (UNESCO) for assistance in 'decolonising' their histories. These calls resulted in the production of UNESCO series of General History projects for Africa, the Caribbean, Central Asia, Latin America and the Islamic World (Ndoye, p. 3). The launch of the UNESCO Slave Route project in 1994 both built upon this momentum to decolonise history and also reflected a growing movement in the United States, the Caribbean and African to call for reparations for the harms caused by transatlantic slavery (Brophy 2006, p. xi; Howard-Hassmann 2008, p. 1-16; Beckles 2013, p. 15).

Debates about reparations for transatlantic slavery and the changing international historiography of transatlantic slavery have prompted a revision of how the history of slavery is presented in schools and museums in Britain and the US. This paper explores some of these developments through an evaluative framework shaped by the concepts of truth telling outlined by South Africa's Truth and Reconciliation Commission. By doing so it considers how such concepts can be adapted to distant historical wrongs, such as transatlantic slavery, where there are no longer individuals alive to provide testimony about the historical harm. The paper argues that the concept of truth telling offers a better route to overcoming the attitudinal and relational legacies of transatlantic slavery than claims for financial reparations which tackle the symptoms of attitudinal and relational harms rather than these harms themselves. The paper explores how developments in British and US museums and schools, as well as through the UNESCO Slave Route Project, point to how reparative historical truth telling can be facilitated. The paper then argues that these international developments underline how South Africa needs to confront the deeper harms of its past as part of its ongoing efforts to deliver national repair and future social justice.

To advance these arguments, the paper develops in three stages. First, the paper places the rise of the reparations movement into a political and historiographical context. This explains why calls for repair for historical harms became increasingly common during the latter part of the twentieth century, what such calls hope to achieve and why the concept of truth telling as a facilitator of reconciliation is arguably the best potential route for repairing historical harms and their legacies. Second, the paper considers how truth telling concepts from South Africa's TRC can be expanded to envision schools and museums as historical truth telling vehicles for the repair of legacies of harm caused by transatlantic slavery. Third, the paper considers the lessons this offers to South Africa in reinterpreting truth and reconciliation as an intergenerational 'process which is never ending' (du Bois & du Bois-Pedain 2006, p. 306). Such a process can and must address South Africa's deeper and more distant harms in its history. Only such a process can enable South African society to fully transition from apartheid.

The Age of Apology the rise of reparations movements

Calls for reparations for distant historical wrongs, such as transatlantic slavery, are a product of the politics of the second half of the twentieth century. They reflect postcolonial politics and historiography, the rise of the concept of human rights, and identity politics. The modern US reparations movement emerged during the Civil Rights Movement, fell away, and revived in recent decades out of a frustration with the failure of the Civil Rights Movement to deliver significant change (Brophy 2006, p. xi; Biondi 2007, p. 255-269). Randall Robinson's *The Debt: What America Owes to Blacks* (2000), has been widely credited with reinvigorating the African American case for reparations and bringing the argument to the attention of a new generation (Brophy 2007, p. 19). Similarly, calls for reparations to former colonised nations in Africa and the Caribbean reflect the historiographical arguments of Pan-Africanists and independence campaigners (such as Eric Williams (1944) and Walter Rodney (1973) in particular who argued that the transatlantic slave system financed Western economic development and industrialisation whilst underdeveloping Africa) but now coupled with a frustration that independence has not resulted in significant economic benefit for the majority of formerly colonised people or seen a rebalancing of the international economic order (Howard-Hassmann 2008, p. 7).

John Torpey (2006, p. 31-49) argues that the rise of reparations movements for transatlantic slavery reflect the world's failure to deliver on the promise of human rights. Meanwhile, Mark Gibney, Rhoda Howard-Hassmann, Jean-Marc Coicaud and Niklaus Steiner (2008) talk of the *Age of Apology*, by which they refer to the growing trend of nations and institutions to apologise for past wrongdoing. Arguably this trend was initiated by West German Chancellor Willy Brandt kneeling in front of a monument to victims of the Warsaw Ghetto in December 1970. This act was interpreted as proof of the sincerity of German expressions of regret and the motives behind their payment of financial reparations for Nazi era crimes (Hofhansel 2005, p. 20).

Germany's efforts at repair have both encouraged calls for reparations for other historical wrongs and for some governments and organisations to use apology as a way to rehabilitate their public image. Two years after Germany's last major reparations payment in 1991 to former forced and slave labourers from Eastern Europe, the African Union (AU) established a Group of Eminent Persons (GEP) tasked with developing a case for reparations to Africa for transatlantic slavery (Howard-Hassmann 2008, p. 26). Their position was outlined in 1993 by Lord Anthony Gifford QC (2000, p. 16) in the following way:

Who would be the plaintiffs in a claim for reparations? All Africans on the continent of Africa and in the Diaspora who suffer the consequences of the crime of mass kidnap and enslavement have an interest in it. The impoverishment of the nations of sub-Saharan Africa, which has led to so much famine, disease, and underdevelopment, has among its major causes the devastation caused by the slave trade. It is true that a minority of Africans collaborated with the slave trade and prospered as a result; but that should not undermine the overall truth that the rape of Africa was the responsibility of the European nations that established and promoted the trade.

In 1999 the GEP returned its 'Truth Commission for Africa' which argued that Africa was owed 'US\$777 trillion in compensation (plus annual interest) and that, presumably there was no African debt to outsiders' (Howard-Hassmann 2004, p. 86).

The GEP's claim formed the bedrock of the call for reparations for transatlantic slavery delivered at the United Nations (UN) World Conference Against Racism (WCAR) held in Durban in 2001. It was a case the West roundly rejected. As Rhoda Howard-Hassmann (2008, p. 35) noted, Western governments insisted that it was 'misleading to attribute all of Africa's tragedies to the legacy of slavery and colonialism'. The West also insisted slavery, the slave trade and colonialism were legal at the time they occurred.

The WCAR's discussion on transatlantic slavery and its legacy was bracketed in the proceedings, meaning that no conclusion would be binding. Despite this, the only real conclusion reached was that 'slavery and the slave trade are a crime against humanity and should always have been considered so' (UN 2001, p. 6; Beckles 2013, p. 172-193). Whilst seeming to support claims for reparations, this comment in reality entrenched the argument that the values and laws of the transatlantic slave era differ to those today and that appeals to modern human rights do not provide ground for legal claims for reparations.

The assertion that slavery was legal when it occurred was rejected by advocates of reparations, who argue that these laws which the West refers to are European laws imposed upon Africa against its wishes (Beckles 2013, p. 15-19). Of course, whilst the chattel slavery of the new world was legally codified by European and its racial codification was arguably unique, slavery was near ubiquitous across the world when transatlantic slavery started. Far from imposing slave trading on West Africa, the Europeans entered into a pre-existing coastal traffic. The Portuguese, the first Europeans to engage in slave trading on the west coast of Africa, purchased slaves in Dahomey (the Slave Coast, modern day Benin) for exchange for gold on the Gold Coast, in modern day Ghana (Thornton 1992, p. 111; Smallwood 2007, p. 15). That Europeans entered into slave trading is not surprising either given the existence of slavery in the Mediterranean at this time (Davis 2006, 49).

This limited narrative presented above does not deny the harm caused by transatlantic slavery to Africa and to people of African descent across the world. It does not deny that the transatlantic slave trade was a precipitator of European colonialism in Africa. It does not deny that the economic benefit of transatlantic slavery constituted a net

gain to the West, possibly at the expense of Africa. What it does do, is point to a more complex history than legalised claims for financial reparations acknowledge and are able to address.

The legacies of transatlantic slavery that prompt calls for financial reparations and apology are not direct legacies of historical harm but result from processes set in motion by transatlantic slavery and that have evolved over time. Transatlantic slavery aided the development and entrenchment of European anti-black racism (Quirk & Richardson 2009; Swaminathan 2009, p. 171-210; Davis 2006, p. 73-74, 189, 214). This racism shaped the development of European/Western identity and set the terms for how Europeans sought to interact with people of African heritage. Even European abolitionism was tied up in European ideas of progress which reinforced their belief in their own superiority. This racism has shaped how the history of transatlantic slavery was remembered (or disremembered) in the West. Eurocentric memory downplays African contributions to European development and portrays European colonialism as benign and beneficial (Colley 1992, p. 325). Today, although challenged, this memory still has traction and blinds many in the West, particularly white people, to the racial inequality and white privilege that still dominate the life chances of millions across the globe. Despite the flaws of legalised claims for reparations, there is undoubtedly a legacy of harm that requires redress and there is a strong case to say that there is a moral duty to try and deliver this redress.

In *Making Amends: Atonement in Morality, Law and Politics*, Linda Radzik (2009) argues that it is necessary for members of collectives whose past members committed wrongs, to denounce such actions and the attitudes and beliefs which enabled past wrongs to occur. This is necessary to demonstrate that a collective, or society or nation, has changed and that those victimised in the past, their descendants or those like them, need not fear such treatment anymore because they are now respected and valued. Not to denounce past wrongdoing is therefore a further wrongdoing (Radzik 2009, p. 63). Whilst Radzik focuses in particular on the female inmates of Ireland's Magdalen Houses, this conceptualisation of the duty to 'make amends' resonates with the history and legacy of transatlantic slavery explored in this paper. Specifically, making amends is not just a process that benefits the wronged party but benefits the wrongdoing party too. The wronged party or their descendants or those like them, are reassured that they are valued and will not be victimised. The present members of the wrongdoing party, meanwhile, demonstrate that they are different to the specific members of their collective guilty of past acts of wrongdoing, that they are more trustworthy and moral, and that they should not be judged on the basis of this historic wrongdoing (Radzik 2009, p. 75-110). This process thereby enables the development of healthy, trusting relationships between both parties.

This duty to make amends chimes with the complex history of transatlantic slavery and its legacy briefly illuminated above and echoes the ideas of truth telling and reconciliation practices utilised in transitional justice settings. The theoretical underpinnings of transitional justice truth telling processes offer an insight into how such processes of repair, or making amends, can be delivered for distant historical wrongs such as transatlantic slavery. In discussing the idea of truth as holding reparative potential the TRC Commissioners identified four concepts of truth: factual truth, personal truth, social truth and healing truth. Factual truth referred to truth as it would be recognised by a court of law, whilst personal and social truth referred to the subjective understandings of history shaped by individual and collective experience and political opinion. Healing truth was created from all three other forms of truth being investigated and discussed (Posel 1999, p. 11).

In the TRC the disclosure of factual truth was important as the apartheid government had denied, suppressed and distorted much information. Factual truth telling aimed to help bring closure to individuals who did not know what had happened to their loved ones. Revelations of the extent of state crimes was important as it enabled many white South Africans to recognise the extent of the illegitimacy of the apartheid regime and the lies upon which it relied to defend itself and its racist ideology (Posel 1999, p. 11).

Personal and social truths are inherently subjective as they are shaped by personal experience, collective identity and experience, and political ideology (Posel 1999, p. 11-12). The telling of both social and personal truth enables the creation of empathy and mutual understanding. Personal truth involves explaining how specific events and the wider history impacted upon individual lived experience while social truth helps explain how whole communities perceived the events as they lived through them, why they acted in certain ways and how these events have been remembered. Both these truths enable people divided by historical wrongs to empathise with and understand one

another and why they differ in their historical memories. Empathy and mutual understanding is, therefore, necessary to reconciliation and the creation of a shared historical memory upon which a shared identity and future justice can be built. The TRC provided an important start to investigating how historical injustices had shaped the development of South Africa but this process needed to extend beyond the TRC into wider processes of historical memory based processes of nation building.

Historical Truth Telling – A Role for Schools, Museums and Monuments

The concept of historical truth telling offers a useful framework for understanding the relational and attitudinal harms of transatlantic slavery's legacy and how they could be overcome. The concept of factual truth underlines the importance of further empirical evidence to help interpret the nature of this history and its legacy. The concepts of personal and social truth meanwhile help to explain the importance of recognising the emotional nature of this contested history, the investment different groups have in different interpretations, why it is important to deconstruct and understand these positions and why there is often a discrepancy between historical interpretations and empirical historical evidence.

The research of historians into the origins, development and legacies of this history should be considered as the best possible means of establishing, to the extent that it is possible, the historical factual truth concerning transatlantic slavery. Examples of the potential of historical research to contribute in this regard include projects such as University College London's *Legacies of British Slavery* project. This project uses British government records to trace who received compensation from the British state for emancipating their slaves and what this might have been used for in terms of buildings and investments (Hall *et al* 2014). Similarly, the work of *Voyages: the Trans-Atlantic Slave Trade Database* has revealed the likely total number of individuals to have been embarked into European transatlantic slave trade vessel to have been somewhere between 12 and 13.5 million (Voyages Database 2009). This large number underscores the importance of transatlantic slavery and its central role in European colonisation of the Americas and economic development. This number though is much smaller than some advocates of reparations have claimed. For instance, Randall Robinson (2000, p. 33) has suggested that up to 25 million people died in the Middle Passage alone. The discrepancy in these numbers demonstrates both the level to which research is still needed to more fully understand the nature and impact of transatlantic slavery and its legacy on the economic development of Europe, the Americas and Africa and the extent to which this history is emotionally interpreted. Quantitative research is particularly necessary to evaluate calls for financial reparations for the legacy of this history. Such evidential historical material is also needed to help interrogate and negotiate the 'social truths' regarding this history.

Competing historiographical interpretations of this history and its legacy reflect historical 'social truths' that shape present-day national and other forms of collective identities. Eurocentric historiography, especially in Britain but across the European world, has emphasised abolitionism as a reflection of national and European enlightenment. This argument encouraged ideologies of paternalistic racism and was used to justify colonial expansion as a civilising mission (Quirk & Richardson 2009; Swaminathan 2009). This historical memory now blinds many in the West to the legacies of transatlantic slavery, including their own subconscious racism. This social truth needs to be deconstructed in order for its continuing impact to be understood. This is not so as to judge and condemn Westerners but to enable them to understand how historical memory has contributed to the construction of their identity and positioning on the issue of reparations. Similarly, interrogating this historical social truth should enable advocates of reparations to understand the actions of Europeans during the slave trade period in a more subtle way than denouncing Europeans as simply racist.

Those who downplay this history and dismiss its significance to the world today need not only to understand the factual errors of such a position, but also the emotional and relational impact of such a position. By denying the significance of this history and by silencing those of African heritage who find the history of racially codified slavery and of European colonialism insulting, adds further insult and injury. As Linda Radzick (2009) argues, members of a collective of which some members have acted wrongly in the past, need to denounce this behaviour and explicitly demonstrate that they do not condone such behaviour and do not share the attitudes and identity that enabled that behaviour. By downplaying the history of transatlantic slavery and refusing to accept its legacy, people fail to do this.

Similarly, the position of advocates of reparations is a social truth rooted in a pan-Africanist and post-colonialist historiography and political world view. However, the telling of pan-African informed historical perspectives and of postcolonial criticisms of Eurocentric historiography are important. For telling of these truths to be reparative, it is important that discussion enables people to understand the emotional intensity of this position and to acknowledge the injury this history and denials of its importance causes. Nevertheless, it is important that advocates of this perspective or 'social truth' acknowledge that their position is also political and contains biases and blind spots that need to be addressed in order for the relational harm of this history's legacy to be overcome.

Historical truth telling is, therefore, a process which could enable present-day reconciliation. Interrogating both Eurocentric and Pan-African or reparationist historiography with historical research would hopefully open up the path to overcoming the divisiveness of this history and the general acceptance of what the legacy of this history broadly is. Upon this position a discussion of competing social and personal truths regarding this history could be facilitated. This in turn could enable the construction of a new collective historical memory in which differing perspectives are understood and not divisive, and where new identities, attitudes and reconciled relationships could develop. Schools, museums and monuments represent the ideal vehicles by which processes of historical truth telling can be facilitated. They offer spaces where the historical factual truths revealed by historians can be presented and in which competing personal and social truths can be discussed.

The potential of museums to be sites of historical truth telling is exemplified by how some British museums revised their representation of transatlantic slavery as part of their commemoration of the Bicentenary of the British abolition of the slave trade in 2007. In Britain, Eurocentric historical narratives have tended to celebrate elite, white abolitionist men, such as William Wilberforce (Oldfield 2007, p. 89-90, 119; Sherwood 2001). In 2007 this narrative was no longer the only one heard. Instead, those of African and Caribbean heritage, to a large extent, forced the British government and museums to consider alternative aspects of this history, often from their perspective (Fouseki 2010; Wilson 2010). For example, Birmingham Museums and Art Gallery raised awareness about the city's often previously overlooked ties to the transatlantic slave trade through its manufacture of guns that were exchanged for slaves. The museum also used an exploration of the life of Olaudah Equiano, an African abolitionist and author who lived in Britain in the 18th century to consider the links between the history of transatlantic slavery and present-day legacies of racism as well as the manifold economic and cultural ways in which Britain has benefitted from links to Africa and Africans (Parsons 2008; Cubbit 2007). In this endeavour the museum collaborated with the Equiano Society and local members of Birmingham's African Caribbean community. In this process of collaboration, Equiano's experiences in 18th century Britain acted as a tool for encouraging discussion of Birmingham's African Caribbean residents' experiences of migration to Britain since the end of the Second World War, and of life as persons of African Caribbean heritage in the UK. This project thereby enabled the discussion of previously ignored factual truths, such as Birmingham's manufacturing ties to the slave trade and the role of Africans in the success of abolition. It also provided space for various personal and social truths, such as Equiano's personal testimony and the individual and collective experiences and historical interpretations from Birmingham's African Caribbean community, to be discussed.

Museums, memorials and schools in the USA have also started to reveal previously excluded historical truths and perspectives regarding the history and legacy of slavery. Manhattan's African Burial Ground Memorial and Museum documents the history of enslaved Africans in New Amsterdam and New York, countering the common assumption that slavery was limited to the southern states and is a *southern, but not national* guilt (National Parks Service 2014). This discovery encouraged further research into the history of slavery in New York by the New York Historical Society that has further challenged past amnesia of this aspect of the city's past (Berlin & Harris 2005).

In the former Confederate capital of Richmond, Virginia, the city's past support of neo-Confederate, apologist historical narratives is being confronted by museums such as the Museum of the Confederacy and the Virginia Historical Society. Both of these institutions were established to defend the Confederacy by shaping memory of the Civil War and the Confederacy. As such they presented a mythology of the 'Lost Cause' which presented the Civil War as a war of northern aggression and insisted that the South was a gentlemanly society in which slave owners treated their slaves like family members (McElya 2007, p. 4-13; Fox Genovese & Genovese 2005, p. 170-171, 265-382). These ideas became highly popular in the aftermath of the Civil War and enabled the South to win the peace despite losing the war (Kaufman 2006, p. 1-37; Blight 2002, p. 120-152, McElya 2007, p. 8-9).

Reconciliation between the North and South was based upon a racist exclusion of African Americans, who saw, with the collapse of Reconstruction in 1877, their civil rights eroded and their position in the South return to a situation close to slavery (McElya 2007, p. 143; Blight 2002, p. 191-210; Blackmon 2009). The revision of neo-Confederate mythology is motivated by two factors. Firstly, neo-Confederate historiography has been rejected by Richmond's African American citizens who wish rather to celebrate the role of African Americans in defeating the Confederacy and overcoming slavery. Secondly, the city's business leaders wish to break Richmond's association with neo-Confederate arguments in order to present itself as a modern city suitable for international business and tourism (Tyler-McGraw 2006, p. 152-167). A result of the city's and its museums' attempts to confront past mythologizing of the Confederacy, formerly silenced and excluded African American experiences and perspectives have been included in shaping what history is told and how this history's legacy is interpreted.

School curricula alongside museums are especially suited to these processes of historical truth telling. In Britain, the debates raised by the Bicentenary were shaped extensively by African Caribbean and African community organisations and new museum exhibitions informed by consultation with such community groups. These helped encourage the alteration of the National Curriculum for England to include the history of transatlantic slavery and its abolition as a compulsory part of Key Stage Three (ages 11-14) History curriculum and Citizenship curriculum (which unlike History, was a compulsory subject in 2008) in state maintained schools (Evans & Schwarz 2012, p. 121).

In the US, where there is no national curriculum, there has nonetheless been a similar recognition of the need to confront the nation's history of slavery and racism. James W. Lowen in *Lies My Teacher Told Me: Everything Your American History Textbook Got Wrong* (2007) observes how US textbooks have sought to justify the past, in a misplaced motivation to create proud Americans and loyal citizens. US history textbooks tend to present a 'Eurocentric,' 'culturally relativist' narrative of a moral, good and heroic US, perpetuating ideas of US Exceptionalism and Manifest Destiny (Lowen 2007; Horton 2006; Epstein 1998). This narrative overlooks the human costs and wrongs of US history (including the annihilation of indigenous Americans and slavery) as well as past ideological and policy contests. By promoting the idea of the American Dream and of the US as equal and fair, white and privileged students are reassured but African American, Native American, poor working class and female students are alienated and demoralised (Lowen 2007, p. 31-69, 135-203). Furthermore, Lowen (2007, p. 344, 353) argues that such school history fails to prepare students to think critically as citizens by leaving them uninformed about the realities of US history and society, and ill-equipped to recognise and remedy future social, economic and environmental problems facing the US. Such criticism has resulted in the production of non-compulsory guidance by the National Centre for History in the Schools based at the University of California's Los Angeles campus (Nash & Crabtree 1996; Kendall et al 2004). These reforms and suggestions seek to include formerly excluded historical narratives and the perspectives of individuals and communities formerly sidelined from the national narrative. As such they seek to tell factual, personal and social truths that revise the national collective memory and broaden the experiences which are considered part of collective national experience.

The UNESCO Slave Route Project seeks to facilitate a similar impact at an international level. It aims to promote the history of slavery, in particularly but not solely transatlantic slavery. It builds upon past projects of UNESCO, such as the *General History of Africa*, to empower the voices of formerly colonised nations and reshape not only how these nations perceive their history but how other nations view their history too. The project also aims to preserve historic slave sites so that they can bear testimony to the history of slavery against those who would wish to forget or downplay this history (UNESCO 1994, p. 1-2). The project also aims to discover and promote traditionally overlooked sources of evidence about the history of slavery, including oral historical sources (Simpson 2004). The Slave Route Project does not just encourage the preservation of historical sites, it also encourages and sometimes assists in the production of new historical research and educational resources (such as Anti-Slavery international's *Breaking the Silence: Learning about the Transatlantic Slave Trade* (2003) and Hilary Beckles' *Slave Voyages: The Transatlantic Slave trade in Enslaved Africans* (2002)) and helps in establishing international school links and twinning projects so that school children from across the globe consider and discuss the history of slavery and its legacy. Such projects have the potential to assist in overcoming past ignorance and stereotyping between nations; the development of mutual understanding and respect; and the creation of improved relationships between

children from different nations. As Margaret Urban Walker (2006, p. 144) argues, 'repair is in the history that we make and make sure is told. It is also in a process we should expect to be intergenerational.'

Lessons for repairing South African historical harms

South Africa's transition from apartheid to universal suffrage has arguably only been a superficial, political transformation that has benefited a new elite whilst South Africa remains as unequal as during apartheid. Debates concerning reparations for slavery and segregation in the USA and for the lasting impact of transatlantic slavery and colonialism on African and Caribbean nations, underscores that political transition is not enough, in and of itself, to deliver socioeconomic transformation. Rather, there needs to be an exploration of how these historical wrongs have shaped the distribution of resources and the construction of attitudes, relationships and identities that shape how these histories have been and are remembered.

Like in the USA and the British Caribbean, the development of European society in South Africa at the Cape Colony relied upon the institutionalisation of slavery (Worden 1985, p. 3). The system of slavery at the Cape was tied to the transatlantic system; however, the Dutch institutionalisation of slavery in the Cape Colony was led by the Dutch East India Company (VOC) and not the Dutch West Africa Company. The institutionalisation of slavery at the Cape drew upon the codification of slavery in the VOC's colony in Batavia. Many of the slaves in the Cape Colony were also not of African origins but instead came from areas of Asia such as Java and Gujarat (Worden 1985, p. 16-18; Ross 1983, p. 13-22). The history of slavery in South Africa has, therefore, had a marked impact on the hierarchy of contemporary society.

The racial hierarchy of the early Cape Colony was markedly different to that which might be assumed when considering this history as a source of apartheid. This difference reflects how history shapes the development of the present in complex and nuanced ways, rather than direct causal chains. As Robert Ross (1983, p. 21) notes, slavery in the early Cape Colony was a product of a harsher and brutal time where class and race were heavily interlinked and overlapping. At the top of early Cape society were rich whites, followed by poor whites, Asians and freedmen, free blacks and Khoisan, with slaves at the very bottom. As Ross also explains (1983, p. 23), due to the sexual exploitation of slave women, many slaves in the colony 'were third- or fourth-generation South Africans [and] very often very fair-skinned'. At this time the racial parameters of apartheid were emerging but not yet fully defined with class differences often as significant as racial differences. During the era of slavery in the Cape the indigenous African population could not be enslaved, although many were heavily exploited by farmers following their impoverishment due to their displacement by European colonists. After abolition 'ex-slaves and Khoisan were considered equivalent' (Ross 1983, p. 36-52; Frederickson 1988, p. 230).

The traditional historiography of slavery in South Africa also largely overlooks the history of slavery outside of the Cape Colony. This reflects the importance of the Voortrekkers to Afrikaner identity and mythology. Constructed to commemorate the centenary of the 1838 Great Trek, the Voortrekker Monument in Pretoria is still South Africa's most commonly visited tourist site (Coombes 2003, p. 19-53). It depicts the common, popular history of the Voortrekkers as intrepid, Christian and freedom loving people who set out to create their own states away from the tyranny of British rule in the Cape Colony. The British had acquired the Cape Colony during the Napoleonic Wars and the 1833 Act of Emancipation and the ending of the apprenticeship system in 1838 were viewed as an affront and violation of liberty and independence by the Dutch speaking farmers of the Cape. As L.M. Thompson (1962, p. 126-129) who deconstructed apartheid historiography notes, the historiographical argument developed that: 'The voortrekkers trekked because "their elementary rights had been violated, and they could only expect oppression"', but they were pursued by the British and the Transvaal annexation of 1877 was "a crowning act in these deeds of shame".'

The Voortrekker mythology shares many similarities to the neo-Confederate mythology that the US Civil War resulted from northern aggression and the tyrannical violation of States' rights and the will of the southern man by the Federal Government. Just as the neo-Confederate mythology distorts the nature of the causes of the US Civil War, the Voortrekker mythology valorises the Afrikaner history and identity. This historical mythology became vital to the development of apartheid ideology. The Voortrekker Monument's construction and opening coincided with and

aided the heightening of Afrikaner consciousness which was recruited by the Purified National Party in the mid-twentieth century. The mythology of the Voortrekkers entering and colonising an empty land, which other Africans were also migrating into but were not indigenous too, was consistently drawn upon to defend the idea of Afrikaner ownership of the land and the segregation of different racial groups during the apartheid era (Coombes 2003, p. 28).

All this is not to say that Afrikaners alone were responsible for racism and creating structures of extreme labour exploitation. The development of slavery in the Cape was tied to wider European practices of racially codified slavery in the transatlantic world. Similarly the development and entrenchment of racial discrimination and exploitation during South Africa's industrialisation resulted not just from 'pre-existing patterns of race relations' but also the prejudices of the white migrant labourers from across the world (Smalberger 1976, p. 434; Frederickson 1988, p. 232).

The harms of apartheid result from deeper history than just the period of apartheid, as just demonstrated. As in the US and Britain, incomplete and biased memories of this history prevent the full extent of this history's harmful legacy from being recognised. Many white South Africans still do not recognise how this history has enabled their current privilege. As François du Bois and Antje du Bois-Pedain (2006, p. 307) have noted, the 'strong sense among white South Africans that what they have is not morally tainted at all because they had to work hard individually to use the opportunities that they had within the apartheid order, seems hardly diminished.' Whilst this may be true in terms of personal effort, it was hard work on an uneven playing field and against a handicapped opposition. Indeed, by the end of apartheid the establishment of white people in the upper middle class meant that many of the controls of apartheid were no longer necessary in economic terms (Seekings & Nattrass 2005). The reality of this and its historical origins are disguised from many by a failure of schools and museums in South Africa to satisfactorily outline this history and its continuing legacies. This arguably constitutes a failure to build upon the peaceful transition and the platform for truth telling and relational and identity repair provided by the TRC.

The TRC, whilst curtailed in its focus, did recommend that South Africa should more thoroughly investigate its history and how the nation's past had shaped the racial ideologies that underpinned apartheid. Similarly, the TRC's commissioners argued that the crimes of the apartheid system itself and the historical precedents of apartheid needed to be confronted (Villa-Vincencio 2009, p. 91). In reflecting on the achievements of the TRC, Charles Villa-Vincencio (2009, p. 104) argues that the TRC achieved much in difficult circumstances and that 'by committing itself to a TRC, South Africa went further than most nations in dealing with its past.' Criticising the TRC for the failures of the South African government to deliver faster economic transformation is, therefore, not the fault of the TRC but failure to build upon the platform that it provided. Villa-Vincencio (2009, p. 94-95), however, warns that continuing failure to address the economic inequalities that South Africa inherited from apartheid and the failure of white people in particular in South Africa to recognise that they are beneficiaries of apartheid and its legacy is a problem that could come to undermine the future peace and stability of South Africa. The question Villa-Vincencio (2009, p. 104) therefore asks, is how do you get those who have benefitted from apartheid and its legacy (and I would argue that should also include the new elite black South Africans who have joined the ranks of the middle class) 'to acknowledge their complicity' in the unjust systems of the past and present? The principles of the TRC hold the answer to this question. South Africa needs to commit once again to a process of truth telling that seeks to investigate the nation's past and to revise the biases and inaccuracies that shape historical memory and present-day identity formation.

During the apartheid period the history curriculum was closely monitored in order to defend the apartheid regime and the racist ideology upon which it was based. This influenced the teaching of history at all levels, sometimes even at Universities (Dhupelia-Mesthrie 2000). Since the fall of apartheid, the history curriculum has not received the same attention and the history of slavery is only a minor part of the curriculum with its relevance to present-day society underexplored. As Nigel Worden (2012, p. 5) explains:

For a while in the new millennium even the study of history altogether in South African schools and colleges came under threat. Some have attributed this to the predominant need within South Africa to look forward to a new future rather than back to a divisive past. However, without a historical

perspective, as ANC education minister Kader Asmal pointed out in 2004, there can be little understanding of the challenges that exist with the new nation.

The attention given to the history of slavery and its role in shaping the development of South Africa is indicative of the disregard that history has faced.

South Africa was a member of the UNESCO Slave Route Project when it commenced in 1994, but its membership lapsed as the South African branch received little domestic support and fizzled out by 2000 (Coombes 2002, p. 200-205). With regard to museums, slavery receives little consideration outside Cape Town, reinforcing the past historical narrative that has minimised the history of slavery in South Africa both geographically and in terms of economic impact and lasting legacies. In South Africa, the history of slavery is often considered shameful and embarrassing by both those descended from slave owners and those descended from slaves (Ward and Worden 1998). Whilst there has, therefore, been some detailed academic research into the history of slavery in South Africa since the 1980s, there is a lack of public discussion about this history and its relationship to present-day societal relationships, community and national identities, and socioeconomic inequality (Worden 1985, p. 2). Yet, the desire of many South Africans to further consider this history is attested to by the popularity of slavery in the South African novel (Gqola 2010; Christiansē 2007; Murrar 2010).

The recent revision to the National Curriculum, the 2011 Curriculum Assessment Policy Statements (CAPS), effective from 2012, explicitly recognised the importance of history to the pursuit of social justice (Department of Basic Education (DBE) 2011, p. 9-10). The curriculum also dedicates a substantial amount of time to the teaching of slavery, particularly during Grade 7. For instance, the second term of Grade 7 focuses on the Transatlantic slave trade, the third term on the early Cape Colony including the role of slavery in the colony, whilst the fourth term considers British rule in the Cape Colony including the abolition of slavery and the Great Trek (DBE 2011, p. 34-36). Slavery again returns as its role in facilitating British industrialisation is raised in the first term of Grade 8 which focuses on the Industrial Revolution (DBE 2011, p. 37). This is the last mention of slavery in a curriculum which is broken down into chronological periods. Whilst this means that there is a logical chronology to a child's history education, the stark periodisation could mitigate against longer and deeper linkages being drawn, such as between slavery, apartheid and present-day socioeconomic inequality. Indeed, it is not until the third term of Grade 9 that apartheid is discussed under the topic 'Turning points in Modern South Africa since 1948' (DBE 2011, p. 43), a title which suggests that the historical origins of apartheid in slavery is not something that will be explored. Whilst the CAPS curriculum's exploration of slavery within South Africa and its links to the transatlantic slave system and also abolition's stimulus of the Great Trek deserves praise, the curriculum still discourages an association of this history with apartheid and post-apartheid societal harms. Without a subtler consideration of the lasting legacies of South Africa's history of slavery, it is arguable that South Africa's school children will not fully understand how apartheid came into being and how its specific harms need to be addressed.

Conclusion

Historical harms, if unaddressed continue to fester, contributing to present-day and future harms. There is, therefore, a pressing moral duty to seek to investigate and understand both these past harms and their legacies. This paper has utilised the concept of truth telling developed by South Africa's TRC to argue that a process of historical investigation followed by increased educational and commemorative events could be part of the process of repairing the harms caused by past injustices. It has illustrated both the significant impact of distant historical harms and how schools and museums could act as historical truth telling vehicles by considering the history of transatlantic slavery and its legacy in the United States, Britain and internationally. It has argued that educational and commemorative developments that empower previously overlooked histories and interpretations can be considered as historical truth telling vehicles. These developments offer a guide as to how South Africa can revise its historical curriculum and utilise its museums in order to reinvigorate its national movement for truth and reconciliation beyond the specific parameters and constraints of the TRC. Indeed, the paper has argued that without confronting the deeper historical harms of South Africa's past of colonialism and slavery, South Africans' will never fully appreciate the foundations of their society, the harms inherent within it and the need to repair these harms. In short, South Africa's continuing gross inequality is a product of both its past and of a historical memory that either

downplays or forgets this past. Without confronting its past, South Africa will arguably never maintain the aspirations of its constitution.

Notes

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The net loss of liberalism: Examining the economic implications of violence against women and the failure of the neoliberal state

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“Of all the evils for which man has made himself responsible, none is so degrading, so shocking or so brutal as his abuse of the better half of humanity” (Mahatma Ghandi, 1921).

ABSTRACT *The World Health Organization (WHO) has identified violence against women as one of the most expensive public health concerns in the world. In 2003, the WHO started encouraging middle-to-low income countries to measure the costs of violence against women and to use the results of such research to inform their policy-making decisions. However, in spite of its deteriorating economy and inordinately high levels of violence, South Africa has yet to conduct a single comprehensive study into the financial implications of violence against women. In this regard, very little is known about the economics of this problem and the grave impact it has on the financial strength and stability of the country. Hence, the purpose of this paper is to express the consequences of violence against women in monetary terms. This paper will begin by assessing the costs incurred to the state, civil society, businesses, communities and the individual women who experience such violence. It will then move on to argue that South Africa has transgressed into a phallocentric state through its acceptance of neoliberal ideologies in an effort to unpack the reasons why government has continuously failed to develop an adequate response to violence against women. The paper will also address the defective nature of the government’s current paternalistic policies and its need to become a leader in the dismantling of phallocentric norms in which allow violence against women is allowed to flourish.*

Introduction

In May 2014, following the fifth democratic election in South Africa, President Jacob Zuma announced the dissolution of the Department of Women, Children and People with Disabilities (DWCPD) and the establishment of the Ministry of Women (Ministry) within the Office of the Presidency, which had been created to ‘champion the achievement of women’s socio-economic empowerment and women’s rights’, or so President Zuma alleged, (The Citizen, 2014). To some, the establishment of the Ministry suggested an admission by government that the DWCPD had failed in achieving its purpose. For others it served as another example of reactionary politics and the government’s deliberate attempt to appease public outcry over its repeated failure to address women’s inequality and the societal roots of violence against women. Although the Ministry now constitutes government’s ‘third institutional permutation of gender’, the Cabinet’s restructuring has reduced the general budget for women and reallocated these funds to other departments, as the mandates concerning children and people with disabilities have been transferred to the Department of Social Development (DSD), (Van der Westhuizen, 2014, p. 1). Even

further, the Budget for 2014 and National Development Plan (NDP) have both been described as 'gender-blind' for their failure to address the specific concerns of women, to direct funds towards programs that promote women's substantive equality, and to respond to the extensive needs of women living in conditions of extreme violence, (Van der Westhuizen, 2014, p. 1).

These developments are rather troubling given the context of violence against women in South Africa. A month before the brutal rape and murder of Anene Booysen, Andrew Harding, Africa correspondent for the BBC, published an article describing South Africans' reaction to violence against women as nothing more than a 'collective shrug', (BBC, 2013). While it may be true that many South Africans have grown increasingly desensitized to the rape and murder of women, I would argue that this sensory fatigue does not originate from a lack of concern, but rather from a lack of trust something will be done to stop it. Tireless efforts by grassroots movements have been made to motivate government to develop an adequate response to the 'scourge' of violence against women, as Minister Xingwana so referred during her speech at the launch of the 2013 '16 Days of Activism to End Violence against Women and Children', whilst prioritising issues of economic growth, international trade, and foreign investment remain routine, (Xingwana, 2013). It is indeed ironic that the South African government, so focused as it is on increasing the financial strength and stability of the country, seems completely ignorant of the fact that violence against women is one of the biggest inhibitors to its economic development.

In an effort to enhance the discussion on violence against women, an issue that has been historically treated as a social and moral ill, I argue here that this problem has massive economic consequences. I support this contention by referring to recent costing studies that have been attempted in South Africa which present a picture of the types of costs associated with violence against women in order to extend the problem into a discourse that is both measurable and quantifiable, and consequently, more effective in getting the attention that is urgently needed from government. Accordingly, this paper will begin by explaining the rationale for conducting a comprehensive costing study on the financial implications of violence against women, and will then move on to discuss the costs incurred to the state, civil society organizations, businesses and communities, as well as to women who experience such violence. This section will also explore the hidden costs of violence against women, including the expenses not captured by the studies conducted. The second section will present a feminist critique of South Africa's neoliberal political ideologies, paying particular attention to their phallogocentric nature and the risks associated with having a development framework that is essentially 'gender-blind', (Van der Westhuizen, 2014, p. 1). Against this backdrop, the third section of the paper will warn against the dangers of paternalistic policies, specifically ones that conceptualize women as 'victims' who are in need of saving, and will propose an approach to responding to violence against women that seeks to advance women's substantive equality through the dismantling of harmful phallogocentric norms in which violence against women is legitimized and perpetuated. This paper will conclude by motivating for increased data collection efforts relating to the financial implications of violence against women, for the increased interrogation of the phallogocentric nature of a neoliberal development framework, and for the reordering of South Africa's political priorities.

The economic implications of violence against women

Violence against women is one of the most expensive public health problems in the world, (Dalal & Dawad, 2011, p. 1931). In 2009, the international financial services consulting firm KPMG conducted a study on the cost of violence against women and children in Australia. The purpose of the study was to present a picture of the total economic loss that could be expected if the Australian government, people and communities did not take immediate action to implement a series of steps to reduce violence against women and children by 10% in the year 2021-2022. The study found that the Australian economy suffered a loss of \$13.6 billion in 2009 alone, and predicted it would suffer an additional loss of up to \$15.6 billion by 2016. When assessing the results, KPMG noted that both measures of loss amounted to more than the government's \$10.4 billion plan to stimulate the Australian economy during the global financial crisis, more than twice its \$5.9 billion investment in a leading educational initiative, and more than 75% of its initial budgetary allocation to the Building Australia Fund, (KPMG 2009, p. 4).

I argue here that the Australian study is significant for two reasons. First, by conducting a costing analysis, the study attached a monetary value to a problem that had been historically treated as a social and moral ill, which allowed it to present the consequences of violence against women and children in terms that were more easily understood by the Australian government and people. Second, by estimating the cost of non-intervention to the state and comparing that figure with the \$10.4 billion stimulus plan, the study revealed that any attempt to salvage the economy would prove to be futile if immediate action was not taken to reduce incidents of violence against women and children. In this regard, the Australian study demonstrates that the utility in measuring the financial implications of violence against women in so far as it provides the information that is necessary for an informed evaluation of the effectiveness of efforts to address the problem. Further, the study confirms that cost-benefit analyses are successful at identifying items that require additional funding and programs that involve wasteful spending, which is critical information to have, especially when motivating for budgetary and legislative changes, (Business Day Live, 2014).

In September 2014, KPMG released a similar report on violence against women in South Africa, which estimated an economic loss of between R28.4 billion and R42.4 billion in 2012-2013 alone, (KPMG, 2014, p. 2). It is imperative to note, however, that these figures are likely to be only 'a partial or minimum estimate' of the actual costs given that the South African government does not keep track of most of the information that is required for a comprehensive costing study. In its report, KPMG mentioned that the lack of a national prevalence rate for violence against women was a central limitation of the study, noting that regional prevalence rates could not be applied to other provinces due to cultural and demographic differences. In addition, KPMG noted that its report did not include costs associated with pain and suffering, but pointed to their significance by referencing the fact that these costs comprised 44% of Australia's total economic loss, (KPMG, 2014, p. 2).

Perhaps the most significant statement made by KPMG, however, was its assertion that one of the biggest challenges it faced to calculating the total economic loss was due to the South African government's failure to 'ring-fence' budgets for violence against women, a limitation that had been brought to the fore during Parliament's attempt to collect information from government in 2013, (Thorpe, 2014, p. 26-27). The fact that government does not allocate specific funding to programs for violence against women not only makes it impossible to track how much money it is spending, but also makes it impossible to determine whether the funding it provides is sufficient. Joy Watson, Head of the Parliamentary Research Unit, made similar observations in a report released in early 2014, when she stated that having access to information relating to government spending was critical for an effective assessment of government decisions, specifically for determining whether departments had complied with their obligations with respect to women's constitutional right to freedom and security of the person, (Watson, 2014(a), p. 13). In addition, Watson further noted that an absence of disaggregated data made it difficult to ascertain the extent and prevalence of violence against women. Such information is not only necessary for holding government to account, but also is necessary for making an accurate measurement of the total economic loss resulting from violence against women, (Watson, 2014(a), p. 13).

Although the KPMG report is an important contribution to ongoing efforts to confront violence against women in South Africa, its limitations are significant. In the recommendations section of the report, the authors specifically called on South Africa to strengthen its data collection efforts and to engage in additional research to enhance the report's findings, which the authors described as a 'preliminary analysis', (KPMG, 2014, p. 2). I argue here that collecting and maintaining such information is critical and should be prioritized at every level of government.

Although the next sections of the paper estimate the total cost of violence against women in South Africa, the figures presented are not comprehensive calculations, as they only include numbers that were both measurable and accessible, (IRIN Humanitarian News and Analysis, 2014). In addition to providing these estimations, the following sections also make note of the kinds of costs that should be included in a more comprehensive study.

(a) Costs to Women, Civil Society, Businesses and Communities

This section of the paper attempts to identify the costs incurred by women who have experienced violence, as well as the costs incurred to civil society organizations, businesses and communities. The monetary values presented in this section are based on the estimates provided in KPMG's report, which are derived from desktop research and consultations with researchers, practitioners and key stakeholders, (KPMG, 2014, p. 27). Again, these figures are not comprehensive calculations, but aim to reflect the types of costs and expenses that result from violence against women.

In February 2014, Jennifer Thorpe, a researcher at the Parliamentary Research Unit, tabled a report that attempted to measure the amount of government expenditure in 2012-2013 on gender-based violence, (Thorpe, 2014, p. 5). In addition to analyzing questionnaire responses from different government departments, the report included a list of the types of expenses incurred to women who experience violence, including transport to police stations and healthcare facilities, phone calls to friends, family and professionals for support, treatment for medical needs, financial loss resulting from time off work, moving expenses, as well as the costs incurred when children were involved, (Thorpe, 2014, p. 8). Using these costs as a baseline, KPMG used the same methodology as the Australian study and separated these expenses into consumption costs, loss of earnings, and costs associated with morbidity and mortality, and applied a 'cost-per-victim' approach which found the total cost to women in South Africa from 2012-2013 to be over R25 billion, (KPMG, 2014, p. 29-30). Shocking enough as a standalone figure, this number only scratches the surface of the total costs resulting from violence against women.

In addition to estimating the total cost to women who experience such violence, Parliament's report also listed some of the costs incurred to civil society organizations, which included educational and awareness raising expenses, advocacy and outreach efforts, as well as the salaries for staff and services for maintenance and cleaning, (Thorpe, 2014, p. 8-9). Although most civil society organizations do not keep track of the expenses specifically related to violence against women, KPMG's report attempted to calculate these costs using data from Rape Crisis and applying a cost-per-client approach, which estimated the total cost to be around R886 million in 2012-2013, (KPMG, 2014, p. 15 and p. 34). It is imperative to note, however, that KPMG's report stated that this figure is likely to be a gross under-estimate of the true costs to civil society due to the fact that these organisations provide 60% of all social services to women in South Africa, and therefore are likely to incur significant expenses in responding to violence against women, (KPMG, 2014, p. 34). The estimate of R886 million by KPMG is nevertheless valuable, and helps to provide a more accurate depiction of the total costs involved.

What Parliament's report did not include, however, was a list of expenses incurred by businesses and communities, which also suffer monetary loss on account of violence against women. For example, businesses that employ women who are victims of violence often suffer costs relating to days missed from work, prolonged leaves of absence, and expenses in finding staff coverage, (Day, McKenna & Bowlus, 2005, p. 15). When businesses employ perpetrators of violence against women, they also incur costs relating to days missed from work, prolonged leaves of absence, and expenses in finding staff coverage. Furthermore, businesses need to inform staff of incidents of violence and provide training and support services when necessary. If a business becomes the site of violence, it may suffer pecuniary loss due to a decrease in profits or closures required for police investigations. According to KPMG's report, the estimated loss to business was R1.8 billion in 2012-2013 alone, (KPMG, 2014, p. 35).

Although neither the report from Parliament nor the report from KPMG mentioned the costs to communities, the financial impact upon neighborhoods and residential areas is extensive and significant. Violence against women not only impacts the reputation of a community, but also causes a diminution in property value and a decrease in the quality of life of the community. When acts of violence against women occur in a particular community, residents are likely to refrain from participating in recreational activities, and may invest in private security measures, such as weapons, which can lead to more incidents of violence.

The next section of the paper will move on to discuss the costs incurred to government in responding to violence against women. As with the costs presented in the previous section, these figures are likely to only represent a fraction of the total expenses incurred.

(b) Costs to the State

In July 2013, the Select Committee on Women, Children and Persons with Disabilities distributed questionnaires to the South African Police Service (SAPS), Department of Justice and Constitutional Development (DOJCD), National Prosecuting Authority (NPA), Department of Health (DOH), and Department of Social Development (DSD) which posed a series of questions regarding the amount of funding each department spend on gender-based violence during the 2012-2013 period, (Watson, 2014(a), p. 4). These questionnaires formed part of the costing study mentioned in the previous section, the results of which formed the primary source of data for the KPMG report, (KPMG, 2014, p. 32-33). It is important to note, however, that by the time Parliament's report was released in February 2014 and the time KPMG's report was released in September 2014, neither the DOH nor the DSD had submitted responses to the questionnaires, (Thorpe, 2014, p. 9-10). Therefore, the data relating to expenditures by both DOH and DSD were constructed estimates made by Parliament and were based on secondary sources of data, (KPMG, 2014, p. 32).

According to the response submitted by the DOJCD, the department spent R106,855,823 on gender-based violence in 2012-2013, which included more than R30 million for staff to cover domestic violence cases and R22 million to establish forty-two sexual offences courts, (Thorpe, 2014, p. 10). In addition, the DOJCD spent more than R42 million on specialized staff for sexual offences and R8 million on maintaining the National Register of Sexual Offenders. To supplement the DOJCD's response to the questionnaire, the NPA reported having spent R47,645,606 on maintaining thirty-five fully operational Thuthuzela Care Centres (TCCs) throughout the country, which included the operating costs at an average of R359,000 per year, as well as the salaries for three full time staff members at average of R1,002,303 per annum, (Thorpe, 2014, p. 11-12). With regards to law enforcement, SAPS reported that it spent R40,604,988.58 in 2012-2013 on gender-based violence, which included more than R14 million on training for domestic violence and sexual offences, and another R10 million on vehicles for responding to sexual offences. In addition, SAPS reported having spent R11 million on the establishment of new Victim Friendly Rooms and another R4.5 million on research and public awareness campaigns relating to gender-based violence. However, SAPS was unable to report on protection orders due to the fact that it does not keep disaggregated data, (Thorpe, 2014, p. 10-12 and p. 19).

As mentioned earlier, neither the DOH nor the DSD provided answers to the questionnaires received from Parliament. However, information relating to some of the costs incurred by DOH was collected during a visit to a fully operational TCC, where it was revealed that the department had spent more than R2.5 million at that hospital to cover employee salaries in 2012-2013. By taking this figure and multiplying it across the thirty-five fully operational TCCs throughout the country, Parliament's report estimated that DOH spent about R116 million in 2012-2013 on the TCCs alone, (Thorpe, 2014, p. 13-15). Again, this figure only covers the costs of employee salaries at the TCCs and does not account for any other expenditure by DOH. Information related to spending by DSD was also able to be deduced from a proposal submitted by the Commission for Gender Equality (CGE) in 2013, which noted that DSD had spent almost R30 million in 2011-2012 on shelters across the country for women who had experienced domestic violence, (Stone, Watson & Thorpe, 2013:, p.4). In addition, when KPMG requested further information from National Treasury relating to expenditure by DSD, it discovered that DSD had spent more than R132 million in 2012-2013 on Victim Empowerment Programs (VEP) across the country, which included services for women who have experienced violence, (KPMG, 2014, p. 32-33). While these figures present some of the costs incurred by DSD, it is important to note that VEP-funded programs are not the only violence against women services that receive funding from DSD, (Bhana, Lopes & Massawe, 2013, p. 9).

To conclude, Parliament's 2014 report estimated that the South African government would spend R311 million *at the very least* in 2013-2014 on gender-based violence (Thorpe, 2014, p. 15), while KPMG's report estimated that it would spend more than R514 million (KPMG, 2014, p. 33). Although KPMG estimated that the government would

spend R200 million more than Parliament's report, (the difference is due to KPMG's inclusion of staffing costs for protection orders and the information received from National Treasury regarding expenditure by DSD), neither report included information from the Department of Home Affairs (DHA), Department of Education (DOE), Department of Correctional Services (DCS), the Department of Communication (DOC), the Department of Transport, and the Department of Community Safety (DCS). Furthermore, neither report measured the costs relating to social welfare grants, expenses which amounted to 2% of the costs included in the Australian study, or the costs relating to lost tax revenues resulting from a decrease in individual income and a drop in business revenues, (KPMG, 2014:, p. 32 and p. 37).

Although the figures presented in these reports are neither complete nor comprehensive, they provide a glimpse into the widespread economic implications of violence against women and the profound ineffectiveness of government to respond to the problem. I support this contention by pointing to the fact that the KMPG report predicted that the government would spend just over R500 million in 2013-2014 on responding to gender-based violence, while the national economy had suffered a loss of somewhere between R28.4 and R42.4 billion the year before, (KPMG, 2014:, p. 2). While R500 million is not a nominal amount of money, it is by no means a proportional response to address the enormity of the problem or its financial implications.

The next section of the paper will move on to argue that South Africa has transgressed into a phallogocentric state since its adoption of neoliberal principles into its development framework. I argue here that an analysis of neoliberalism and the phallogocentric assumptions upon which it is based is critical for understanding why government efforts to confront violence against women continue to be inadequate and ineffective.

Neoliberalism and the phallogocentric state

In 1996, the newly elected African National Congress (ANC) government made a significant shift in the development framework for the country when it abandoned what Professor Faranak Miraftab refers to as the 'equity-oriented approach' under the Reconstruction and Development Program (RDP) for a 'growth-oriented approach' under the Growth Employment and Reconstruction Program (GEAR), (2004,p. 877). During the period leading up to the 1994 elections, the RDP had been a key policy initiative of the ANC in its pledge to provide all South Africans with access to basic services and its commitment to women's equality by ensuring 'a full and equal role for women in every aspect of [the] economy and society', (Human Rights Watch, 2004, p. 1). However, despite the centrality of the RDP to the ANC's political platform, by 1996, a 'homegrown neoliberal program' had been developed by black and white elites in the post-apartheid government under the influence of the World Bank and International Monetary Fund, which introduced a development agenda that aimed to recover the full costs of goods and services from the South African people. GEAR, as it was known, pushed for South Africa's growth through neoliberal principles, including increased freedom of the market, decreased regulation of international trade, and a reordering of the state to facilitate those processes, (Miraftab, 2004, p. 877). By allowing the market to influence the operations of the state, it is my contention that the South African government created an environment in which its commitment to social welfare could be effectively dismissed by its commitment to neoliberal ideology.

In this regard, the next section of the paper will discuss the significance of South Africa's transition from an 'equity-oriented approach' to a 'growth-oriented approach', and will argue that the government's decision to embrace neoliberal principles facilitated the transgression of the state into a mechanism of phallogocentric power, looking specifically at how this ideological transition essentially disregarded the country's commitment to achieving women's substantive equality. The foundation of my argument is based largely upon Nancy Fraser's theory of the androcentric nature of capitalism, which she defines as 'the authoritative construction of norms that privilege traits associated with masculinity', (Fraser, 1993, p. 79). Like Fraser, my argument contends that neoliberalism is phallogocentric in so far as it promotes values that are traditionally masculine and wages war on social equality; however, in the following sections of the paper, I further assert that neoliberalism is the force through which phallogocentric imperatives are encouraged by the state and means through which the promise of an egalitarian

society is broken. By doing so, it is my intention to demonstrate why a critical assessment of the phallocentric nature of neoliberalism is important when trying to unpack the government's continuous failure to develop an adequate response to violence against women.

(a) *Neoliberal Ideology and the Disintegration of the Welfare State*

Neoliberalism is fundamentally market-driven and global in its vision, prescribing a particular way in which the social, political and economic facets of life should be organized and prioritized, (Büsher, 2007, p. 3). Unlike capitalism, which is an economic system that encourages private ownership and control of trade and industry with limited interference from government, neoliberalism is an ideology which attempts to bring *all* aspects of society, not just the economy, under the influence of the market. In this regard, neoliberalism is perhaps more accurately described as a hybrid form of social and economic order, with the market acting as its central organizing agent and the state acting as its market regulator. For example, since the rise of neoliberalism in the 1970s and 1980s, education and healthcare have become embedded within the competitive market, causing goods and services to become privatized and commodified for monetary exchange, (Büsher, 2007, p. 3). While many neoliberals perceive these changes as progressive and healthy for social and economic growth, James Mittelman believes they are inherently problematic to the extent that they encourage the capitalist principles of privatization and commercialization to influence spheres of social and political life, which in turn limits large numbers of people, women in particular, from accessing resources that are needed for the achievement of substantive equality, (Mittelman, 2000, p. 74-89).

Against this backdrop, I argue here that women constitute a class of people who are most threatened by neoliberal ideology due to the deeply gendered presumptions upon which it is based. In the introduction to her book, *Feminism Capitalism and the Cunning of History*, Nancy Fraser makes the assertion that there are 'naturalized androcentric features' of modern capitalist societies that have become institutionalized by the state and the economy, which have encouraged the continuation of women's political, social and economic subservience, (2012, p. 6-7). Although Fraser neglects to identify specifically what these 'naturalized androcentric features' are, I agree with Fraser and follow her line of reasoning by proffering here that neoliberalism is phallocentric, (in similar ways that capitalism is androcentric), in so far as it privileges qualities that have been socially constructed as masculine, such as economic viability, competition, and commercialization, over qualities that have been socially constructed as feminine, namely caretaking and homemaking, which have effectively isolated the vast majority of women from participating in what Fraser refers to as the 'public sphere', (Fraser, 1990, p. 64). In this regard, Fraser argues that gender is not only a basis upon which the capitalist political economy is structured, but also constitutes a measure for appraising worth, wherein things perceived as feminine are degraded and devalued, and women as a class of people are ultimately prevented from participating in the making of the social-political economy, (Fraser, 1995, p. 79). Linda McDowell reiterates Fraser's point in her paper 'Work, workfare, work/life balance and an ethic of care' when she contends that values deemed as feminine, such as interdependence, self-sacrifice and caring for others, have been discredited within the neoliberal paradigm, not only because they operate outside of the market, but also because they conflict with the modalities of competition, commercialization, and productivity, (McDowell, 2004, p. 145-163). In light of Fraser and McDowell's insights, I agree with Fraser's assertion that even in the absence of any clear intention to do so, neoliberal ideology legitimizes and perpetuates social, political and economic oppression because its philosophical foundation is structured upon the subordination of women, (Fraser, 1995, p. 79).

Within this context, this paper now moves on to argue that the gendered dynamic of the neoliberal paradigm has produced a series of phallocentric imperatives that have been embraced by the South African government, which have facilitated the state's transgression into a mechanism of phallocentric power. At a later point in the paper, I will discuss in greater detail what those phallocentric imperatives are, but for purposes of demonstrating South Africa's transgression into a phallocentric state, I want to refer specifically to the point in time when the ANC took up neoliberal principles under GEAR in 1996, (Miraftab, 2004, p. 877), and argue here that this event marks the critical moment when South Africa solidified its transgression into a phallocentric state. I support my argument by referring back to the discussion about the gendered dynamics of neoliberalism and contend here that South Africa

was essentially *required* to abandon its promise of creating a non-sexist society when it transitioned from an egalitarian approach under the RDP to a neoliberal approach under GEAR by virtue of the fact that neoliberalism's success depends upon the social, economic and political subordination of women. In this regard, the fact that the ANC government possessed no clear intent to subordinate women is of no consequence because its acceptance of neoliberal ideology was more than sufficient to transform it into a mechanism of phallogentric power. Lack of intent aside, I am not convinced the South African government is very concerned with women's inequality or the staggering rates of violence they experience given its allocation of resources, an issue that will be explored later in the paper.

In addition to transgressing into a mechanism of phallogentric power, this paper will now argue that the adoption of neoliberal principles has also encouraged the disintegration of South Africa's welfare state, which has the effect of stigmatizing millions of women and poses a serious threat to the achievement of their substantive equality. Nancy Fraser describes the disintegration of the welfare state as 'neoliberalism's war on social equality', wherein the genealogy of 'dependency' takes on a new form and the preoccupation with 'welfare dependency' replaces the long-standing commitment of combating poverty, (Fraser, 2012, p, 8 and p. 14). Hence, it is my contention that neoliberalism's attack on the promise of an egalitarian state in South Africa is most clearly reflected in the changing attitudes of its politicians, with ANC officials referring to cash transfers as 'handouts' and contributing to 'a culture of dependency' and 'entitlement' upon the state, (Seekings, 2007, p. 27). Although sections 26, 27 and 29 of the South African Constitution require the state to facilitate the 'progressive realization' of socioeconomic rights, I contend here that the growing resistance from government to support social assistance programs arises from the mistaken belief that these types of programs result in a 'welfare trap' and cause a form of moral and/or psychological decay, (Fraser & Gordon, 1994, p. 327-328). Rather than promoting principles of equal opportunity, equitable distribution of wealth, and the provision of basic needs and services, I therefore argue that neoliberal ideology has mainstreamed the notion of 'self-care' throughout current political discourse, rendering individuals morally reprehensible for their social and economic risks, and solely responsible for combating poverty, violence and illness, irrespective of their particular set of circumstances, (Mittelman, 2000, p. 74).

I argue that this is especially problematic in a country like South Africa, which is plagued by legacies of racism, sexism, classism, and cultural exclusion, the intersections of which continue to limit thousands of people, namely women, from achieving substantive equality, (Crenshaw, 1993:, p. 1242-1245). Although violence against women transcends racial, cultural and socioeconomic barriers, it is women who live in these intersectional spaces who are most likely to require intervention and assistance from the state. Furthermore, intersectional factors not only infringe upon an individual's ability to make economically savvy decisions and to maximize opportunity within the market, (Kaufman, 2009, p. 561), but also challenge the notion that lies at the very core of neoliberalism:

On the altar of a benevolent market rests the promise that economic gain can benefit all who are faithful to its principles. Neoliberal globalization's normative appeal lies in the vision it offers of the opportunity to ascend the global hierarchy of power and production. This model of world order is not only a set of policies about economic well-being, but also an ethical claim with real implications for distributive justice. Implicit in this value system is the express assurance that neoliberalism will lift millions of people out of poverty, embracing them in a win-win situation, rather than a winner-take-all dynamic, (Mittelman, 2000, p. 74).

Although its promises are enticing, the ultimate aim of neoliberal ideology is to disintegrate the welfare state, (Lemke, 2000, p. 11). Given its gendered dynamic and complex systems of structured subordination, neoliberalism inevitably places a significant limitation on the ability of individuals, namely women and particularly those from intersectional backgrounds, from achieving substantive equality.

In light of the above, this paper now moves onto explore how neoliberal ideologies have taken hold in South Africa by pointing to specific phallogentric imperatives of the current administration and demonstrating how these priorities have encouraged the disintegration of the welfare state and increased the marginalization of women. I argue here that this analysis is an important element to explore when trying to understand the ineffectiveness of government's response to violence against women.

(b) *Phallocentric Imperatives and the Increasing Marginalisation of Women*

The next section of the article will reveal the phallocentric imperatives of the state by conducting a gender-analysis of two government policies, namely the 2014 Budget and the National Development Plan (NDP). Given their centrality to the nation's development agenda, both documents serve as key examples of how neoliberal principles have influenced the state to develop a set of phallocentric priorities, which do essentially nothing to achieve women's substantive equality. Because violence against women is the ultimate manifestation of women's inequality, assessing the gender-sensitivity of the 2014 Budget and NDP is important for understanding how government's failure to support the achievement of women's substantive equality is connected to its failure to reduce violence against women.

In May 2014, Van der Westhuizen presented a paper at the Budget Expenditure Monitoring Forum in Cape Town entitled *Hits and Misses: Budget 2014's shotgun approach to gender* which evaluated the extent to which the 2014 Budget reflected government's commitment to achieving women's substantive equality. In her assessment, Van der Westhuizen asserted that the 2014 Budget lacked a general commitment to women in its entirety, making reference to the fact that women received almost no attention, and that even when they were mentioned, they were featured in a 'random and *ad hoc* way', which seemingly depended upon the impulses of certain government departments. Even more disturbing was Van der Westhuizen's observation that estimates of national expenditure were not consistent with proposed distributions for advancing women's equality, adding to the 'haphazard and incomplete' way in which policies and programs for women are implemented, (Van der Westhuizen, 2014, p. 1 and p. 3-4). It is therefore within the context of the 2014 Budget that I argue that the phallocentric nature of the state becomes most obvious, for the clearest indication of a government's priorities is the manner in which it spends its money, (Kaufman, 2009, p. 561). I support my contention by pointing specifically to the fact that the Department Women, Children and People with Disabilities received one of the smallest appropriations of funds from the National Revenue Fund in 2014, second only to the Department of Performance Monitoring and Evaluation, (information provided by National Treasury, 2014, p. xvii). Given the dismal appropriation of funds, is quite clear that women and their right to be free from violence, is not a priority for the South African government. Furthermore, it is also worth repeating again here that the state's ordering of priorities appears to be highly problematic given that violence against women was estimated to have cost the South African economy between R28.4 billion and R42.4 billion in 2012-2013 alone, (KMPG, 2014, p. 2). Placing women at the bottom of its list of priorities will continue to impose serious financial implications to the South African economy and will have dire consequences for the country's future, as levels of gender inequality continue to grow and violence against women continues to flourish.

Perhaps an even stronger example of the phallocentric imperatives of the state exists within the NDP, the document that is responsible for guiding South Africa on a 'healthier development path from now heading towards 2030', (AGendaFM, 2013, p. 8). Although revered by many politicians, the NDP has been described by feminist scholars as being 'gender-blind' for its failure to even mention women. Gouws (2013) agreed and noted during the fourth Agenda Feminist Dialogue in April 2013 that the NDP's failure to consider the gendered and practical concerns of women were consistent with past strategies of government, which, she argues, have done nothing to address the gendered and concrete concerns of women. Describing the NDP as a 'neoliberal document', Gouws further stated that its disregard of women's contribution to the economy and its failure to provide them with increased access to income-earning activities would only serve to trap women in conditions of poverty, (AGendaFM, quoting Gouws, 2013, p. 4-5). Lisa Vetten, researcher at the Wits Institute for Social and Economic Research, reiterates Gouws' concerns and further notes that government's understanding of equality is one of formality rather than one of substance, in that it conceives equality to be sameness in treatment rather than a recognition of the different spaces in which men and women are situated, and therefore, the need to be treated differently on occasion in order to overcome disadvantage and discrimination, (Vetten, 2014, p. 52).

Although neoliberal ideology has its fair share of critics, it does not appear to be losing any ground, even in the countries that comprise a large portion of the Global South. Therefore, as neoliberalism continues to gain more ground in South Africa and the responsibility of the state with respect to the progressive realization of peoples' socioeconomic rights becomes further diminished, James Mittelman argues that it will be women 'who take on most

responsibilities jettisoned by the state', while receiving almost no support from government in overcoming pervasive levels of gender inequality, (Mittelman, 2000, p. 75). Therefore, I argue here that women in South Africa are likely to face increasing levels of marginalization due to the gendered dynamics of neoliberalism and the phallogocentric imperatives of the state. Although the focus on South Africa's economic growth is important, I maintain that it is fundamentally one-dimensional in its phallogocentric approach to development and ultimately fails to create the conditions in which women's substantive equality can be realized.

Accordingly, the next section of the paper seeks to demonstrate that even when government allocates resources to dealing with violence against women, the approach it takes is largely paternalistic, which is another reason why government-run programs are ineffective at reducing the incidents of violence against women in South Africa. This purpose of this section is to foster a deeper understanding of government's propensity for paternalistic programs and why this approach inevitably limits the autonomy of women.

Paternalistic policies and women's disempowerment

Beyond devoting a minimal number of resources to dealing with violence against women, a central weakness of government's approach is that it is conceptualized within a framework that attempts to 'keep women safe', (Watson, 2014(b) p. 65). By limiting the discussion to a discourse that treats women as a 'vulnerable homogenized group', efforts to reduce levels of violence are ineffective in so far as they fail to address the phallogocentric norms operating within the broader social context in which violence against women occurs, (Watson, 2014(b) p. 65). Rather than becoming a leader in the dismantling of harmful social constructions of masculinity and femininity, (Watson & Lalu, 2014, p. 22), I argue here that the South African government's approach to violence against women has been one that reflects a kind of charitable paternalism, meaning that it conceives itself to be quite generous in decision to help these vulnerable victims of violence, and invariably does nothing to reduce levels of violence.

Paternalistic ideologies are problematic, particularly when it comes to responding to violence against women, because they encourage a line of reasoning that assumes women are weak and in need of saving, which ultimately does nothing to reduce levels of violence, (Hoeffer & Fearon, 2014, p.51). Programs that aim to assist women who have experienced violence may not intend to be paternalistic; however, when paternalistic approaches are used, namely when the state or other service provider assumes the role of a parent and the woman assumes the role of a child, these interventions not only diminish the woman's sense of independence and control, they also belittle her humanity. Lisa Vetten writes about this issue in her article, *The ghost of families past: Domestic violence legislation and policy in post-apartheid South Africa*, where she notes that when a woman's right to freedom and security of the person is framed in terms of her victimization and her vulnerability to harm, she effectively becomes 'something less than a free citizen' because her right is no longer treated as a positive claim upon the state, but rather as a negative entitlement to intervention by the state, (2014, p. 51-52). In support of her contention, Vetten points to the DOJ's *Vision 2000* document, which categorizes women, children, people with disabilities, elderly people and people residing in rural areas collectively as one 'vulnerable group' that has 'special needs' and that requires 'special treatment', and consequently makes them the central target of the DOJ's intervention strategy, which is further reflective of the charitable nature of government's paternalistic approach I referred to previously. Vetten argues in her article that the language used by government to describe women is saturated with paternalistic presumptions about gender and victimization, and usually frames them in terms of poverty and marginalization, (2014, p. 51-53). Wendy Brown echoes similar concerns in her book, *States of Injury: Power and Freedom in Late Modernity*, and asserts the need to criticize the institutionalized protectionism of the state and the paternalistic paradigm in which it operates in order to unpack the relations of power within which people have to operate, (Brown, 1995, p. 166-196).

As stated earlier, paternalistic policies are ineffective at reducing levels of violence and ultimately serve to limit women's autonomy. It is my contention that the paternalistic approach taken by government originates in the phallogocentric paradigm under which it operates; hence, the reason for its ongoing ineffectiveness. In addition, I also contend that charitable spirit in which the government conceives itself to act originates from the neoliberal ideology it has adopted and embraced which vehemently discourages the provision social services, regardless of the fact that

the state has a constitutional obligation to provide assistance to women who have experienced violence. Given the fatal weaknesses in government's approach, perhaps it should come as no shock that the 'scourge' continues.

Conclusion

Bringing attention to the economic implications of violence against women is intended to inspire a deeper examination of South Africa's commitment to neoliberal ideology, specifically the gendered dynamics of neoliberalism and the phallocentric imperatives it employs. In light of the multi-billion Rand loss KPMG's report predicted the South African economy would lose on account of violence against women, it certainly is time to consider the impact of this development framework on women and to ask whether South Africa is indeed moving towards sustainable development.

This paper explored the interaction between neoliberalism, phallocentricity and the paternalistic tendencies of the state in an effort to understand the forces behind government's continuous failure to develop an adequate response to violence against women. In addition, this paper called for increased data collection efforts on the costs of violence against women, and for a deeper interrogation of the success of neoliberalism, specifically in relation to the impact it has on women in South Africa. This paper also unpacked the inherent dangers of paternalistic policies in an effort to explain why government efforts to confront violence against women have been inadequate and ineffective and to motivate for an approach that enhances the autonomy of women. Finally, this paper set out to reveal that in order for women to experience meaningful change, the phallocentric priorities of the state need to be reordered in a way that promotes the achievement of their substantive equality, and the phallocentric norms in which violence against women are allowed to flourish need to be dismantled. The task may be daunting, but it is certainly achievable.

Notes

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North Korea: Three possible scenarios for the next 10 years

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ABSTRACT *The nature of North Korea's recent threats calls for a closer look at what lies ahead for the state. North Korea has threatened the international community countless times, with (in hindsight) no real intention of following through. But as North Korea's relationship with China becomes tenser, and the Six Party Talks seem a lost cause, one should look at whether the threats are viable this time. More importantly perhaps, the question of whether the regime can stay in power for much longer (and what this would mean for the region and international community) should be asked, as the regime's options for staying in power are starting to decrease. This paper will argue that looking at different scenarios concerning the country's future could mitigate the uncertainty perpetuated by the country's actions. It will explore three possible scenarios for the future of North Korea using three factors: the economy, regime control, and the country's foreign relations. The paper will then apply these factors to a simplified version of the Perfect Bayesian Equilibrium (scenario planning tree) to create different possible futures for North Korea, and conclude with an analysis of the scenario believed to be the most likely to play out in the next 10 years. It will provide insight into possible futures for this country and region, as well as an opportunity for introspection regarding the current situation on the Korean Peninsula.*

Introduction

The past few years have seen a lot of activity in and by North Korea. Kim Young-Il died and his son, Kim Young-Un, took over leadership of the country. The country's foreign relations also experienced notable developments, including provocations with the South, stalling of the Six Party Talks, and nuclear and missile tests. More recent developments bordered on the absurd, including speculation that Kim Young-Un was under house arrest due to a *coup d'état* (Swenson-Wright 2014); and the release of a film that parodies the new leader's leadership style, coupled with the country's desperate scramble to keep the movie (*The Interview*) 'away from the eyes of its citizens' (Ryall 2014). Moreover, despite the North and South's recent attempts to improve relations, actions by the North have kept the situation tense.

North Korea's failing economy, nuclear program and antagonistic behaviour towards the international community – *vis-à-vis* the new leadership and the outside world's lack of information about the regime – has made it imperative to speculate about what could be in store for the country and the region. The question of whether the regime can stay in power for much longer (and what this would mean for the region and international community) should be asked, as the regime's options for survival could be decreasing.

This paper will argue that looking at different scenarios concerning the country's future could mitigate the uncertainty perpetuated by the country's actions. It will explore three possible scenarios for North Korea in the next 10 years using three factors (or 'uncertainties'), which form the basis of the regime's ability to survive. The factors that will be looked at are: the economy, the regime's ability to make the people conform, and the country's relations with the international community. They are interdependent and cannot each stand as a single causal factor when determining future possibilities for the country. The paper will first look at the three factors separately (with the understanding that they are all mutually reinforcing); and then apply them to a simplified version of the Perfect Bayesian Equilibrium (scenario planning tree) to see how they could influence each other to create three different possible futures for North Korea. The paper concludes with a look at which scenario is the most likely to play out in the next 10 years.

Economic Reform

Used as a tool to maintain regime stability, North Korea's economy acts as a double-edged sword. For the regime to survive, and most importantly the Kim family and the elite, and for the oppressive quality of the state apparatus to maintain its strength, the economy has to operate at a level where market reforms do not introduce individualism and a society open to outside influence (Cha & Anderson 2012, p.16). Paradoxically, the regime needs *some* reforms to make sure that the economy does not completely collapse. The latter concern is not primarily because the regime is anxious about a popular uprising due to lack of the state's provision of resources. It is known, for example, that only a select class of people have been provided with food rations since the 1990s (Dong 2011, p.129). Strong evidence suggests that the regime is more concerned with making sure the military (which has been a primary recipient of state resources for decades (Habib 2011, p.49)), as well as elite members most loyal to the Kim family, stay loyal to the regime. It will therefore make sure that these groups maintain monopoly over any economic benefits.

The succession can be used as an example of this. Kim Young-Un brought hope for reform because the partly Swiss-educated man promised that 'North Koreans would no longer be forced to tighten their belts' (Dong 2013, p.62). The regime proceeded to at least partially legalise non-state ownership of certain industries. The decision to provide 'limited approval of market activities' proves that the government is aware that it needs economic reform survive (Dong 2013, p.63). Hope was short-lived, however as six weeks after Kim Young-Un's statement, the official newspaper of the Central Committee of the Workers' Party of Korea said,

Reinforcing military power, however, is not as easy and as simple as it sounds. Funds, as well as up-to-date technology, are necessary. The work of reinforcing the military power is one that cannot succeed without a firm determination and ***tightening one's belt***. The party and the people of countries waging the revolution have to reinforce their military power in spite of all difficulties. (Noland 2013, p.2) [Own emphasis]

The message the government's propaganda is conveying is that the people should not expect real reforms in the near future and that the military (and technological advancement – which could be a nod to the country's nuclear program) will be the primary focus of the new economic plan. This reflects Kim Young-Un's new policy that calls for the parallel development of the 'economy and nuclear weapons' which some say is a significant departure from the previous policy of the 'economy and the military'; but which could also be seen as an extension of that same policy. While on the surface it might seem that the new leadership wants to focus on asymmetric capabilities as a deterrent (Habib 2011, p. 47) and move away from wasting resources on conventional military power, the regime needs to keep the military elite loyal to survive and it cannot do so for long if it plans to stop directing these resources to this apparatus. The new policy merely rhetorically includes the importance of the nuclear weapons program as a new development, even though it has already been important to the regime for a long time. Recent developments with regard to deterrent measures by South Korea and the United States (US), taken in response to North Korea's continued missile tests in 2014 (Choe 2014), could also cause the policy – if it had ever been the plan to change – to change slowly. North Korea will have no option but to bolster its own conventional military capability in 'retaliation' to the South's actions.

There is an internal and an external economic incentive for the regime to continue developing nuclear weapons. Internally, the regime keeps those parts of society that are economically invested in the program (the military elite and nuclear development institutions) happy, by buying their loyalty with the continuation of the program. Externally, the nuclear program is used as 'a means to extract international aid in exchange for de-escalation' (Habib 2011, p.44). The Kim regime uses the nuclear program as a bargaining chip for humanitarian assistance. According to Benjamin Habib, 'North Korea derives approximately one third of its revenues from international aid' and uses it as balance-of-payments support, and not as an addition to already existing revenue (2011, p.52). The volatility of this approach should be self-evident. The regime is playing a very dangerous game, especially if it does not actually want to use these weapons. Not only does this threaten the security of the region, but if North Korea's threats are no longer taken seriously, then the amount of aid that the country needs to survive will not be given. North Korea's

main ally, China, will probably continue to protect the country from extreme international backlash, although even Beijing is becoming less tolerant (Perlez 2013).

Despite this, North Korea manages to receive aid and attract investment from countries like China because of its geopolitical significance in the region. North Korea does not need to threaten China with the possession of a nuclear weapon for the country to provide aid. China is invested in the stability of the region and will therefore look for policies that will maintain the status quo, regardless of whether that means denuclearisation or not (International Crisis Group 2013, p.24). For the sake of stability, China will arguably never 'pull the plug' on its 'errant little brother' (International Crisis Group 2013, p.17), although it might use tactics that are meant to 'punish' North Korea. It believes that an economically stronger North Korea will create more stability than a North Korea that is imploding. To this end, it will continue to hope that economic cooperation will change the internal dynamics of the state peacefully, without disrupting regional stability. It assumes that North Korea will be able to survive and 'seeks to strengthen Pyongyang...economically (through managed reform and opening) and diplomatically' (Delury 2012, p.73). Its continued economic cooperation with North Korea perpetuates the regime's existence. China does, however not want the DPRK (Democratic People's Republic of Korea) to stay as it is. It wants the DPRK to reform and open up its markets. This policy might save the country and its economy, but it will probably erode the power of the regime.

To mitigate this dependency, North Korea has recently started 'diversifying' its foreign investments. According to Andrei Lankov, 'North Korean diplomacy has been remarkably successful in squeezing direct and indirect aid from China...[and the fact that] China controls some three quarters of North Korea's foreign trade...is seen as worrisome by North Korea's elite' (2014). In the past, the country successfully played 'at least two (preferably mutually antagonistic) great powers' against each other in order to extract the most aid (or investment) that it can from them (Lankov 2014). Recently, North Korea has become uneasy with China's hold over the country when it comes to trade, and has started courting other countries. For example, in an effort to become less dependent on China for economic support, Russia has become a viable alternative. North Korea and Russia have begun to use Rubles instead of (US) Dollars in their accounts settlements; North Korean authorities have 'agreed to simplify visa requirements for Russian investors and employees of Russian companies working in North Korea'; and most importantly, Russia has agreed to forgive North Korea's debt to Russia to the value of \$10.96 billion (Voice of Russia 2014).

What this means for the regime's survival remains to be seen, although it could be argued that the above mentioned strategy could strengthen the North Korean elite's ability to make decisions without fear of punishment from their old-time ally, China. It could therefore also mitigate China's ability to force the regime to open up its markets, thus consolidating the elite's power and maintaining the status quo.

Within this context, it seems unlikely that proper economic reform will take place in the near future. Even if some reform is implemented, many analysts believe that semi-market reform will only bring short-term relief while the economy will still not be able to recover (Bradford, Kim & Phillips 2011, p.328). Only *full* market reform as well as investment in infrastructure development will be able to save the economy from eventual collapse (Bradford, Kim & Phillips 2011, p.332). It is unlikely that the regime will ever allow full market reform, as this will mean that it will lose a significant amount of control. The promises of investment and the assistance with infrastructure from Russia (with the construction of a natural gas pipeline, and other projects related to the healthcare sector and the country's foodstuff security (Voice of Russia 2014)) will help to maintain the status quo for now, but without drastic reform the country's economy will still suffer. The current system is inherently self-destructive. The regime will not impose full market reform because this will erode its legitimacy and power/control; but by not allowing market reform, it will quite possibly eventually lose strong support from its main ally and the ability to extract aid from other countries, as well as the ability to buy loyalty.

Regime security - Ideology and control

Another factor that needs to be taken into account is how the regime is currently maintaining internal stability. As previously noted, all three uncertainties are mutually reinforcing, and the relationship that the regime has with the economy is no exception. North Korea is a special case, however. The regime has experienced an economic catastrophe before, and it managed to come out of it without losing its grip on power. Other factors to consider include how the regime controls its people.

In the 1990s the DPRK faced its most critical challenge when 'the collapse of the Soviet Union, the drastic cuts in patron aid from China, and the onset of famine that killed hundreds of thousands all constituted the ultimate test of DPRK stability, and the regime staggered through it all' (Cha & Anderson 2012, p.7). Part of the reason why it survived has to do with the complex ideology that legitimises its existence. This understanding of what it is to be North Korean has a much deeper meaning than an understanding of what it means to be a patriotic citizen. According to Myers (2011, p.115), North Koreans do not only identify strongly with the state, but with their 'nation (state), between which they appear to make little distinction'.

The DPRK's ruling ideology seems to be one where 'Koreans are a uniquely virtuous race that needs a parental leader's protection to survive in an evil world' (Myers 2011, p.116). This allows the regime to still associate itself strongly with the 'founding father' of the DPRK, as Myers remarks: 'the Kim [Kim Young-Sung] myth identifies the regime with the state, just as it links the state to the race' (2011, p.118). Most discontent seems to be directed toward the state apparatus. For example, when unlicensed vendors selling produce in a public area were shooed away by security officials, one woman said: 'The state can't solve the problem for us, so what's the big deal?'; and the officials did not arrest her (Myers 2011, p.120). Note that she was not criticising the Kim family, as loyalty toward the Kim family and the regime itself is strong. 'Even today North Koreans blink back tears...when speaking of their "Eternal President"' (Myers 2011, p.118), and defectors 'show anger toward their former prison guards or toward corrupt bureaucrats, but this surprisingly does not aggregate into anger to expel the Kim leadership' (Cha & Anderson 2012, p.12). The regime also regularly uses the very effective tactic of blaming the outside world for internal challenges. This tactic is especially powerful as most of the population does not have access to outside information to verify any of the propaganda.

In short, the people's love for the Republic's founder and their loyalty towards this founder's family (including Kim Young-Il's 'military first policy' in the 1990s and Kim Young-Un's neoconservative '*juche* (self-reliance)' policy (Cha & Anderson 2012, p.17)) has solidified public belief in the legitimacy of the regime. This loyalty is, however, still reliant on certain actions by the state for its strength. As previously said, propaganda blames the outside world for most of the DPRK's internal woes. This is strengthened by the nuclear program and the state's internal security institutions.

Myers (2011, p.117) convincingly argues that the DPRK is a 'far right regime' and that it '[derives] massive support from the perception of [its] success in dealing with internal or external enemies'. The DPRK's nuclear weapons program is a manifestation of this policy. It first declared a 'state of semi-war against the West' in 1993 (in the midst of its worst known famine) (Ahn 2011, p.179). Since then, the West (especially the United States (US) and the IAEA (International Atomic Energy Agency)) has been the North's biggest 'enemy' – justifying its need to develop a nuclear weapon and redirecting any criticism of the state to these external bogeymen. In the 1990s, the program also helped to 'foster national solidarity' (Ahn 2011, p.179). The nuclear weapons program has become an 'important [symbol] of the "military first" policy and state promotion of science and technology to address...economic recovery, a strong national defence, food and energy security and national unification' (International Crisis Group 2009, p.4).

The program also provides the Kim family with another public relations tool. When Kim Young-Un came into power, he had to take over control of the military, although he had little military experience. He had to be identified with military activism, and subsequently his political debut was accompanied by provocative military behaviour which

included nuclear and missile tests (Business Monitor International 2012, p.76). There is sufficient reason to suspect that the regime will never give up its nuclear program, as it bolsters both the ideology that sustains the regime as well as the legitimacy of the Kim family's supremacy.

The regime has very strong barriers to collective action. Evidence shows that the regime 'treats internal security as a major threat', and that 'security authorities employ harsh measures to deal with dissent, including public executions and long sentences in internment camps' (Business Monitor International 2012, p.69). An example of this is 'the [recent] sweeping purge of senior officials, [the worst] since [Kim Young-Un's] grandfather crushed dissent in the late 1950s' (Mundy 2014). In this 'purge', half of the top military and administrative officials were replaced, and Jang Song Thaek (Kim's uncle by marriage) was 'executed for alleged treason' (Mundy 2014). It could be argued that the new regime, being led by an inexperienced and young leader, has undergone these changes (including the intentional execution of a member of the leader's family) in order to send a message. One writer observes that 'Kim's minions [have to] clap vigorously for him so as to avoid becoming his next target', but then adds that purges and fear might be the very thing that 'weakens the regime's viability from within' (Snyder 2013). Kim Young-Un's recent absence has sparked speculation concerning political instability in the country; although even if he has been a 'victim of a political coup', it could be argued that the importance attributed to the Kim dynasty (as one of the main legitimising tools for the current regime) 'restricts the range of eligible replacement leaders to a handful of distinctly implausible options' (Swenson-Wright 2014). Kim Young-Un's re-emergence onto the public scene, shortly after renewed international curiosity concerning his whereabouts, seems to have corroborated this theory.

The regime also utilises security institutions (with overlapping responsibilities to guard against a growth in autonomy by any one institution) to implement these measures. According to an International Crisis Group report (2012, p.10), '[institutions] within the party, state, military and mass organisations serve four main regime survival purposes'. These are:

1. Providing resource and rent seeking opportunities to regime loyalists who form the core coalition of support.
2. Imposing punishment for those who violate state laws, norms and objectives.
3. Serving as a "transmission belt" to indoctrinate citizens with [the state's] ideology. These mass organisations under the direction of the party are instrumental in sustaining the Kim family cult.
4. Monitoring the behaviour of others to ensure ideological purity.

Discontent is not unknown in the DPRK, and these institutions are indispensable as a means to eradicate mass mobilisation. Two possible elements within society could serve to undermine their effectiveness, however. It has been said before that the military elite has a strong influence on the regime – if it becomes dissatisfied with the status quo, the regime's security would be in danger. Here Snyder's remark becomes evident. If the new leader overextends his hand when it comes to the way he instils fear into the hearts and minds of other important officials in the regime – it must be highlighted here that Jang Song Thaek was not an ordinary citizen but a high-ranking official – these same 'minions' could retaliate and overthrow him.

Another challenge facing the regime is the introduction of technology. The regime itself admits that it needs to advance technologically to be able to counter the negative effects of poor economic growth patterns, but this introduces problems to the security apparatus as it will inevitably lead to increasing information flows. International Crisis Group (2012, p.9) reports that the regime's ability to indoctrinate the population with its ideology through control of the media is an important strategy to maintain control. Despite this, 'cheap electronics... have destroyed the North Korean state's monopoly on information: radios can be tuned to foreign Korean-language broadcasts, mobile phones [are available] to call relatives in the South, and DVDs and flash drives offering South Korean television shows [are available from China]' (Mundy 2014). This is why North Koreans found with foreign

DVDs and radio or TV broadcasts (and even cell phones) (Cha & Anderson 2012, p.18) have been met with extremely harsh punishment. A new drive by Kim Young-Un has called for an 'ideological campaign...to sweep away alien ideological trends and lifestyles', which mostly refers to the influx of new technology (Mundy 2014). But even with the threat of being sent to a camp for political prisoners, 'two thirds of its people...[watch] glamorous South Korean soap operas' (Mundy 2014). It is in this context that the film *The Interview* becomes a major blow to the regime's legitimacy. According to Klein (2014), 'if copies [of *The Interview*] are pirated in to North Korea, it is a very real challenge to the ruling regime's legitimacy'. He adds: 'satire is a legitimate way to challenge ideas' – and in the context of North Korea, it is a tool with revolutionary potential.

The country's hold on its people is lessening its grip. This will undoubtedly (especially considering Kim Young-Un's leadership style) be met with harsh punishment by the state, but whether the punishment will lead to a placated population is questionable. It could convincingly be argued that this new hunger for 'freedom' (Mundy 2014) will be a driving force in the regime's downfall.

External Relations

North Korea's relationship with the outside world is complex. The study only touches the surface of what North Korea's international relations mean for the country, region and world; but for the sake of the scenarios, it will focus on what dominates the country's foreign policy: its nuclear program. The country's foreign policy towards all other countries is seen through the prism of the country's ability to develop nuclear weapons (and acquire ballistic missiles). Many analysts believe convincingly that Pyongyang has no intention of denuclearising, as much as it probably does not have any intention of using the weapons. According to Habib (2011, p.43),

the nuclear program has value as a bargaining chip in international diplomacy to extract inputs for its moribund economy...as well as...a defensive deterrent and important cog in Pyongyang's offensive asymmetric war strategy.

It is argued that 'nuclear weapons induce caution in any state, especially in weak ones...[and that] North Korea wants the military capability because it feels weak and threatened' (Waltz 1995, p.7). Nevertheless, this theory does not assuage states like South Korea or the US. Their fear that the North's strategy could easily turn from a 'bluff' to a crisis is not unjustifiable, especially considering that the DPRK leadership's legitimacy is derived significantly from its anti-Western sentiment, and this legitimacy needs constant reinforcement from a regime perpetually concerned with internal stability.

North Korea and US allies (South Korea and Japan)

A nuclearized North Korea threatens, among others, the safety of South Korea, Japan and the US. South Korea is afraid that the North's asymmetric capability could render the South's conventional superiority null and void, and therefore still uses the US to bolster its security under a nuclear umbrella (Lim 2011, p.144). This policy of extended deterrence concerns China, which feels that the US is using the situation to contain Chinese influence in the region. Japan also relies on the US for protection from the DPRK. There is no guarantee, however, that escalation of provocations by the North Korean regime will not make both South Korea and Japan consider development of their own nuclear weapons (Business Monitor International 2012, p.78). This is what worries China and the US – neither power wants a nuclearized Korean Peninsula (South Korea and Japan acquiring nuclear weapons) while the DPRK's deterrent capabilities embolden it to provoke other states within the region.

It should be noted that this policy might be counter-productive as, according to Kenneth Waltz (1995, P. 11) 'peace has become the privilege of states having nuclear weapons, while wars are fought by those who lack them'. Waltz argues that North Korea's external behaviour has many times been provocative, but 'certainly not reckless' (p.8). The psychological impact of the pressure for North Korea to denuclearise could certainly embolden the small nation

to continue with its program as part of a defensive strategy, as 'nuclear weapons do enable the weak to counter some of the measures that the strong may wish to take against them' (p. 11). The uncertainty of the problem is what is at issue, however. The international community cannot say for certain that North Korea will continue to be less 'reckless' than other countries fear it will become, especially since the handing over of leadership from generation to generation does not guarantee a continuation of policy positions.

North Korea and the US

The North Korean-US relationship has recently been at its lowest point in years. After North Korea withdrew from the Six-Party Talks in 2009 (talks that included six countries – China, the US, South Korea, Russia, the DPRK and Japan; and focused on North Korea's denuclearisation in exchange for fuel aid and normalised diplomatic relations with the US and Japan), the country escalated its nuclear development program to the point where the current supposed willingness of North Korean officials to denuclearise has been met with scepticism (Choe 2013). The DPRK was extremely confrontational toward the Obama administration from the beginning of his presidency. Only two days after Obama's inauguration, 'unclassified satellite imagery showed that Pyongyang was already preparing for a Taepodong-2 missile launch in violation of UN resolutions [and during] the next several months, Pyongyang refused US attempts to establish contact' (Klingner 2012, p.113). On top of this, in 2010 North Korea disclosed that it was enriching uranium (Bahng 2011, p.123) and it conducted nuclear and missile tests, including an underground nuclear test in February 2013 (Choe 2013). More recently, North Korea fired five missiles in August 2014, and it claims that it has 'successfully tested a newly developed tactical missile' (Choe 2014).

The US still states that it will only restart the Six Party Talks with the precondition of North Korea's denuclearisation. Its 'strategic patience' doctrine (simultaneous dialogue and pressure) assumes that the DPRK will eventually denuclearise (Bahng 2011, p.123). But if it can be assumed that the DPRK does not and will not truly consider denuclearisation, the US is approaching the situation incorrectly. It is difficult, however, to easily conceptualise an alternative that will not heighten security concerns in the region.

If Waltz's theory could be applied to this situation, the US should not pursue North Korea's denuclearisation as they could be overlooking the fact that 'weak authoritarian rulers often avoid war for fear of upsetting the balance of internal and external forces on which their power depends' (1995, p.12). The problem is one of principle (and possibly the US's image). As the world's 'superpower' the US feels obligated to publicly pursue a policy that curtails the proliferation of nuclear weapons (as this seems, on the surface at least, to be the best way to promote international peace and stability). The US could be said to be stuck in a quagmire – letting North Korea keep its nuclear weapons will not be an easy (ideological) sell to either the US's domestic population or to any of its allies in the Korean Peninsula; but continuing with the course that it is currently pursuing seems to yield no tangible results (and is arguably one of the reasons why the tension in the region has not subsided). The US's alternative seems to be an attempt to look to China to solve the problem (Delury 2012, p.72). US-China cooperation regarding this issue is 'often held up as an example of constructive engagement between Washington and Beijing' (Scobell 2007, p.315). But the antagonism and suspicion that these two countries have towards one another will unfortunately hamper any real progress.

North Korea and Russia

Russia's recent 'East Asian Pivot', in an attempt to curb the European Union's (EU) energy sanctions, could add another proverbial headache for the US in its attempt to force North Korea to denuclearise. Russia's cancellation of 90% of North Korea's debt, as well as investment geared (mostly) towards the energy sector, strengthens North Korea's position against the US. If the US cannot coordinate sanctions in order to convincingly implement its strategy towards North Korea, the regime will likely continue to exist (and to advance its nuclear program). Its

strategy does seem doomed from the start, as China and Russia (and even to an extent South Korea) prefer stability to regime change (International Crisis Group 2013, p.24).

North Korea and China

China's protection of the regime has oftentimes frustrated other states like the US when it comes to trying to implement sanctions, but its stance toward the DPRK is not necessarily one that completely opposes US interests. 'China wants a stable neighbourhood environment. The US wants to safeguard its strategic interest in the Asia Pacific region. So their goals differ, but what they want to see to achieve that goal in the Korean Peninsula is the same: demilitarisation' (International Crisis Group 2009, p.9). China's actions (continuing trade with and aid to North Korea, for example (International Crisis Group 2009, p.7)) might seem counterproductive, but it sees the region through a different prism. It fears a collapse of DPRK's regime because this means that it will have to contend with a possible South Korean invasion into North Korea (with assistance from the US) as well as a refugee crisis on the border of North Korea and China (Business Monitor 2012, p.70). In addition, contrary to South Korean wishes (and by implication, possibly US wishes as well), China does not want the two countries to unify. Unification will very probably mean 'a unified Korea strategically aligned with the US' (International Crisis Group 2013, p.15). China suspects the US strategy to be one that seeks to use this situation to 'strengthen regional alliances and advance its overall Asia-Pacific strategy' (International Crisis Group 2013, p.14). North Korea acts as a 'geopolitical buffer' and China is not prepared to sacrifice this for a unified Korea or a denuclearised DPRK. China's approach to the issue also strengthens the argument that pressuring North Korea to denuclearise (which arguably would mean regime collapse) could create a more unstable situation than the current (albeit unsatisfactory) one being experienced by the states in the region. This is also one fundamental difference that hampers cooperation between the two powers (China and the US) concerning this issue.

According to Delury (2012, p.69), China's approach to North Korea is based on 'neighbourly engagement' which includes 'bilateral political ties, bilateral economic cooperation and multilateral diplomatic engagement [though the Six Party Talks]'. Despite this, China's relationship with North Korea has been strained. ICG reports (2009, p.1) that Chinese policy analysts have developed 'North Korea fatigue' after numerous DPRK provocations, and even China has now 'produced a list of equipment and chemical substances it banned for export to North Korea...[that] would give a boost to United Nations sanctions imposed this year' (Perlez 2013). But as previously noted, many in China still call North Korea its 'errant little brother'. China is moving towards a more 'normal' relationship between the two countries (Ng 2014), but 'Beijing still sees Pyongyang as a member of the communist family and will continue to succour it, though it may at times enforce discipline' (International Crisis Group 2013, p.17). This relationship is complex, however as it has been strained by Pyongyang's provocations, the fact that in July this year Xi Jinping visited South Korea before it visited the North, and the fact that North Korea has for the first time not provided China with access to inside knowledge that it used to enjoy (Ng 2014). But to say that this means China will not support the authoritarian regime because of these tensions (especially if this support is in China's geopolitical interest), is premature.

North Korea and South Korea

Finally, the relationship between South Korea and North Korea needs to be addressed. This relationship is also complex and involves more than just geopolitics. Both South Korea and North Korea have people that would like to see the two countries reunite, but the North (rhetorically) wants to take over the South forcefully, and the South (for the most part) is afraid of what a possible peaceful reunification would mean to its economy (Myers 2011, p.125). The North has for so long also reinforced the idea that South Korea is a puppet of the US that these two countries, although theoretically wanting to unify, are highly antagonistic towards each other.

The latest provocations by the North (including the sinking of a South Korean warship and an attack on the Southern island Yeonpyeong in 2010 (Business Monitor International 2012, p.74)), coupled with efforts to ease the tension in 2013 (the reopening of the Kaesong Industrial Complex (Choe 2013) and the (later postponed by the DPRK) promise of reunions of families divided by the Korean War (Choi 2013)) prove just how complex this relationship is. Their relationship is one of fear and distrust (the Demilitarised Zone and nuclear weapons), complicated by the desire to unify (although each state has its own version of how it wants the unification to take place). South Korea's partnership with the US, and North Korea's dependence on China, complicate their relationship even further. The chances of a unified Korea are slim even if the regime collapses in North Korea. There are at least two states (South Korea and China) that have contingency plans that include plans to 'move into the North in the event that it collapses outright' (Business Monitor International 2012, p.77, 79). Unification does not seem viable in the near future, whether this takes place peacefully (which is highly unlikely) or not.

Three scenarios: Methodology

This paper uses a simplified version of a Bayesian Equilibrium model, or a scenario tree. A scenario tree is normally used in economics or mathematics, and reflects a sequencing of events through time (Vázsonyi 2006, p.30). This specific scenario tree will be adapted to show how the three 'uncertainties' interact with one another (not necessarily in a time sequence) in ways that can produce different future outcomes. Scenario tree generation is a '[tool that has] the power to support decision-making under uncertainty', and it can be used to 'try [to] generate a finite set of *realistic possible scenarios*' ([own emphasis] (Vázsonyi 2006, p.29).

This specific methodology is used here to simplify the complexity of the problem that strategists face when analysing the risk that North Korea poses. There are two obvious limitations to this model: firstly, the issue is very complex and could lead to a multitude of possible futures – this model, in its attempt to simplify the problem, loses some depth of understanding in the process. The second limitation that the model poses for a qualitative analysis such as this one is one of information – or lack of information. In mathematical or economic scenario generation, it is assumed that all the information that one needs to generate these scenarios is available. Here, a lot of information is not available – not only is North Korea a closed society, but we can only speculate about future actions of the actors being analysed, based on public knowledge (which might not be all-inclusive) and past decisions (with the hope that past behaviour provides insight into current or future actions). Nevertheless, this scenario generation does provide valuable insight into possible future developments, and provides insight for the current situation.

The scenario tree in Figure 1 shows the three 'uncertainties'. These uncertainties have been chosen because they would have the highest probability of affecting change in North Korea. Scenario 1 ('Slow decline') is shown as the scenario if 'good' economic reform coincides with 'poor' or worsening regime security and 'poor' external relations. Scenario 2 ('Status quo') is where a worsening economic situation coincides with worsening regime security but improved relations with outside actors (like China and Russia, for example). Scenario 3 ('Partial/total collapse') is where a worsening economic situation coincides with worsening regime security and total isolation from the international community. Other scenarios, where economic reform coincides with increased regime security have been ruled out as the regime will very likely not be able to maintain legitimacy if the markets open and personal individualism is permitted. The scenario where increased economic reform together with increased regime insecurity coincides with an improvement of international relations is also ruled out as increased regime insecurity is more likely to lead to external provocation. Scenarios where a worsening of the economic situation coincides (long term) with a strengthening of regime security is also ruled out as lack of sufficient economic reforms in North Korea will lead to eventual economic collapse (and therefore a collapse in the regime's ability to buy loyalty).

Figure 1: Scenario Tree¹

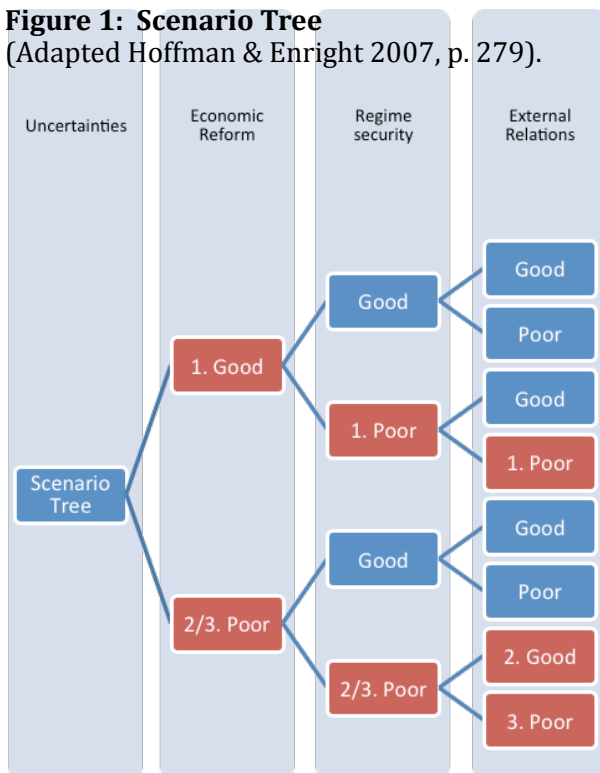
Scenario 1: Slow decline

In this scenario, if North Korea manages to implement sufficient economic reforms to make it autonomous enough to withstand sanctions (as well as prosperous enough to withstand mass protests), it will be able to continue with its current stance toward the international community. Sufficient economic reform will, however, threaten the security of the regime as more open markets together with increased technology and information flows will encourage individualism, and erode many barriers that constrain collective action. It is highly likely that challenges

to the regime of this sort will force it to increase repression towards the population, which would ultimately mean reversing some reforms and antagonising the international community (with the threat of its nuclear capability) to bolster internal legitimacy.

Figure 1: Scenario Tree

(Adapted Hoffman & Enright 2007, p. 279).



This scenario works cyclically, where reform leads to more repression together with retraction of policies geared towards marketization. The alternation between reform and repression will result in the regime being able to slow down the erosion of its legitimacy. As it loses grip on power in the long term, the regime could resort to more reckless coercion and regional provocation to maintain control. Barriers to mass mobilisation could possibly be eroded enough over time for protests to take place. This could lead to civil war (quite possibly backed by a faction within the military elite) if not checked, and a civil war would inevitably include possible intervention by outside powers such as South Korea, the US and

China. This intervention could lead to an incredible amount of destruction as it is difficult to predict what a regime fighting for survival will do with its Weapons of Mass Destruction (WMD).

A civil war could lead to a resumption of power by the elite, the creation of a new elite group (possibly more willing to implement reforms, but quite probably as oppressive as the first) or the intervention of either South Korea or China. Intervention by either of those countries will create extreme regional and international tension (not to mention destabilise an incredibly volatile region, especially as the DPRK has WMDs), and will probably only be used as a last resort. For the time being over the next ten years, the extreme version of this scenario is unlikely to play out, as repressive institutions in the state are strong enough to maintain sufficient barriers to mass mobilisation, and China will still trade with the DPRK despite souring relations, even if only for regional security concerns. The fact that the DPRK will very likely maintain its current relationship with the international community in this scenario (within the next 10 years) bolsters the argument that the country's nuclear program not only helps perpetuate the regime's existence, but quite possibly also helps to maintain regional stability.

What is interesting to note is that in this scenario it seems as though internal instability leads to the possible use of nuclear weapons, which in turn causes regional instability over the long run. There could be credibility to the idea that it will not be the nuclear weapon program that will eventually be the initial cause of regional turmoil, but rather an upset in the DPRK's domestic political situation.

Scenario 2: Status quo

In this scenario, the regime does not manage to implement sufficient economic reforms to improve the economic situation. This leads to increasing civil discontent, which leads to the strengthening of repressive institutions in order to quell protests. The regime will need to bolster its legitimacy by provoking outside actors, and it will do so using its nuclear weapons program. The current missile tests and provocations with the international community – including China – attest to this. The program will also be used as a bargaining chip for international aid. The provocations will serve a dual purpose. It will help to bolster internal legitimacy and redirect any blame for the poor economic situation to outside forces. It could be argued that North Korea believes that provocation leads to dialogue – recent events could mean that the DPRK is in need of more aid, or a stronger stand against internal dissent. This situation plays out in the current scenario – here provocation leads to engagement with the international community (as has historically been the case). This scenario treats this kind of relationship with the international community as ‘good’ rather than ‘poor’ because in this scenario the DPRK is not completely isolated internationally, and it still has the ability (and credibility) to negotiate with other countries to receive aid. It also classifies this relationship as ‘good’ because in this scenario external provocations could be seen as, in Waltz’s words, ‘ugly, but... not reckless’ (1995, p. 8).

Negotiation (possibly within the framework of the Six-Party Talks) that follows with the international community will lead to concessions in return for a promise to denuclearise. The regime has two options: it could accept the terms in exchange for aid and later continue with the program, or it can take the risk of accepting aid and incentives and giving nothing in return. The option to completely denuclearise is not available to the regime as the nuclear program is indispensable to the regime’s legitimacy, and is North Korea’s only way to counter stronger states’ actions against them.

If it does not reciprocate concessions with at least a partial display of denuclearisation, the international community will eventually give up and stop negotiating with the DPRK. In this case, the regime has nowhere to go for aid than to China (and possibly Russia). If however, it has frustrated China as well, it will be in a situation where it is completely isolated. Without the backing of China, Russia will find it hard to continue to support the regime in the way that it has been so far. This will eventually lead to the regime’s loss of power. It is difficult to predict whether this means that the same type of civil war will be possible (as in the first scenario), as market reforms in this case have not eroded the barriers to mass mobilisation to the extent that people feel empowered enough to rebel, and history has proven that the Kim regime can survive many challenges to its rule, including famine. If China and Russia both continue to prop up the regime with trade and aid (to prevent destabilisation of the region), then the regime could still survive for quite some time. The two countries mentioned here as the countries that will facilitate either the status quo or the decline of the DPRK, are certainly not the only countries that influence the future of the regime. But other countries such as South Korea will very probably not support the North without support from the US.

Scenario 3: Partial/total collapse

If the regime does not reform at all economically (or if it partially reforms, but the reforms are either not sufficient or have a negative effect on the economy in the long run) the regime’s ability to provide resources to the military, continue its nuclear program and intensify its internal security institutions will dwindle. In this scenario, the regime will have to provoke the outside world to try to legitimise its existence – possibly to the extent that it overextends itself and antagonises outside powers to the point where they retaliate with force. The erosion of barriers to mass mobilisation will severely undermine the regime’s stability internally, and increasing provocation with South Korea will create threats for the regime’s very existence from the outside. The international community is cautious about military solutions to the North Korean problem, but the DPRK could – in an act of desperation because of its declining grip on power – cross the line and force countries (including South Korea, the US, Japan and most importantly China) to counter the North’s threat to regional stability militarily. The problem with an approach like

this from the international community is that a preventative war (to prevent North Korea from using nuclear weapons) has to be fought and won, and the victor would have to 'impose effective controls over the indefinite future' (Waltz 1995, p. 14). They 'promise only limited success at considerable cost'. Added to this is the fact that countries that will have to get involved are suspicious of each other. This might not only cause instability in North Korea and the immediate surrounding region, it could cause tensions to flare up between the US and China. This is why the international community will do everything it can to avoid it.

Civil war is not unlikely, but the international community will do everything in its power to contain the situation. The likeliest outcome will be the implementation of either China's or South Korea's contingency plan (in case of regime collapse in the North). South Korea's plan will include militarily taking over the North and controlling it separately until it can sustain itself (unification will destabilise the South's economy, and is not considered a short term solution). China will attempt to stop this from taking place as it will result in US forces stationed on its border. China's contingency plan would include instituting a puppet government or governing the DPRK like a province. Both China and the US will tread carefully as neither government wants to get entangled in a war in the region. Paradoxically, neither power wants the other to have a strategic upper hand, which creates the possibility for escalating tension between the two states.

These contingency plans could either prevent a civil (or even regional) war, or could be used to contain an already existing war. The possibility of instability in North Korea causing regional inter- and intra-national wars would be an international security problem, not least because of the North's nuclear weapons. This scenario needs to be prevented at all costs and is not being taken lightly by any of the parties involved (including South Korea, China and the US). Systems in place to prevent this type of catastrophe need to be developed and adapted according to changing trends in the DPRK.

Conclusion

These scenarios prove that the regime is institutionally not capable of surviving over a long period. All possibilities, including the scenario that believes that the status quo will be maintained for the next few years at least, lead to the regime's end in the long run. Attempts by the Chinese government to help the regime survive will very likely not lead to a simultaneous strengthening of the economy and the regime (and – as China hopes – the maintenance of regional stability). Evidence suggests that these two factors are mutually exclusive. This implies that China's strategy, possibly the most logical *if* regional stability and not regime change is considered the best option, is only prolonging the inevitable. The US's strategy of 'strategic patience' (with protracted (and seemingly unsuccessful) talks concerning denuclearisation) will also prolong the status quo, at least for the next 10 years. Some believe that the US's policy regarding North Korea is more about weakening (and ultimately destroying) the regime and less about the peaceful denuclearisation of the DPRK. Neither approach – toppling the Kim regime or forcing North Korea to denuclearise – will increase regional stability, as it can be argued that the destruction of the regime will initiate regional instability and the country's denuclearisation will initiate the destruction of the regime. There's a good chance that countries involved in this situation believe this and have to balance the need to maintain the status quo with the political (ideological) responsibility of pursuing a denuclearised Korean peninsula.

The most likely scenario to play out in the next ten years will therefore very possibly be the maintenance of the status quo. The regime will probably alternate reform with repression, and provoke the international community just enough to extract concessions (but not enough to isolate itself completely). This situation has worked for the regime in the past and might be able to maintain the status quo for the time being, but as evidence suggests, this will not be viable forever.

Notes

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Factors affecting the effectiveness of pro-poor urban water service delivery in post-apartheid South Africa

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ABSTRACT *The birth of democracy in 1994 resulted in a massive law reform process which brought much optimism in South African water resource governance structure. These reforms have included a pro-poor oriented water service delivery system to redress the inequalities experienced by the poor during the apartheid regime. However, although a lot of financial resources have been used to improve water security amongst the poor, water access amongst the poor still remains a substantial developmental challenge. Social protests over water access have reached unprecedented levels in the post-apartheid era. The broad objective of the paper is to identify and assess pro-poor interventions in water service delivery in urban areas. Given the plurality of pro-poor mechanisms to ensure access to water, a special focus is made on the Free Basic Water policy to illustrate how the manner in which policies are formulated and implemented can affect service delivery. The role that municipalities play in water governance and how this subsequently impacts on the effectiveness of these policies and mechanisms is interrogated. The paper finds that the municipality as the sphere of government tasked with urban water service delivery lacks financial independence and is in itself fraught with various operational challenges. Supply side oriented reforms and neoliberal policies are also criticised for not taking cognisance of the needs of the poor, particularly as envisaged under a democratic developmental state.*

Introduction

The primary principle of the post apartheid water policy framework is the right to clean water – ‘water security for all’ (Reconstruction and Development Programme (RDP) cited in ANC 1994, p.28). This principle puts water as a human right and emphasizes the need for all South Africans to have equitable access to the resource. To uphold this right, the 1994 democratic government in South Africa engaged in a massive law reform process in water resource management (Kapfudzaruwa & Sowman 2009). The objective of the reform process was to involve water users in water governance and service delivery as a way of addressing water insecurities for the previously disadvantaged communities (Schreiner *et al* 2004). South Africa’s water insecurities are exacerbated by a growing demand for water in light of population growth, climate change, urbanization, economic development, and other related factors. If appropriate policies and institutions that enhance equal access to the resource are not put in place, the scarcity of water could further exacerbate social inequities in South Africa. Therefore, effective management of pro-poor water service delivery calls for good governance of water resources. For example, there is need to manage the resource via a process that takes an integrated approach and accommodates the voices of the vulnerable or poor communities. South Africa’s water policy environment is generally characterized by progressive reforms that are aimed at developing and implementing policies and plans to ensure secure access to water by vulnerable population groups which could include women, children and the disabled. One example of such reforms is the 2001 Free Basic Water (FBW) policy.

According to the International Federation of Red Cross and Red Crescent Societies (IFRC n.d), vulnerability could be defined as ‘the diminished capacity of an individual or group to anticipate, cope with, resist and recover from the impact of a natural or man-made hazard’. Therefore, vulnerable groups are groups of people who are at risk of social

exclusion and poverty compared to other people. Poverty is one of the persistent challenges for the water sector, manifesting itself in the inability of vulnerable communities to pay for water services. Since the advent of democracy, therefore, the South African government has been striving to implement pro-poor interventions and development strategies in the water sector. These pro-poor reforms have been guided by the desire to manage resources more sustainably while promoting equitable access to them (IFAD 2007). After apartheid, the new democratic government injected significant levels of capital and public resources into service delivery and ambitious targets for rapidly improved access to water and sanitation were set (World Bank 2010(b)). Despite this investment, water insecurities amongst the urban poor still persist.

This paper is motivated by these water insecurities amongst vulnerable population groups despite a series of pro-poor reforms in South Africa's water sector. Pro-poor mechanisms are defined to include measures that could deal with different aspects of protection or security for the most vulnerable groups in society such as the unemployed, poor, destitute and marginalised (Ducrot 2011). These include protection of the most vulnerable groups against further exclusion by more advantaged groups through water or land grabbing; giving the more vulnerable a specific voice so that their concerns can effectively be taken into account; provision of a security net to avoid further exclusion or overcome specific localized difficulty; and the facilitation of some kind of redistribution mechanisms to help the most vulnerable to overcome their situation (Ducrot 2011).

This paper will therefore, attempt to explore and understand factors affecting water service delivery with a broad objective of identifying and assessing pro-poor mechanisms as reflected in the legal and policy framework. The urban institutional framework of water will be analysed paying particular attention to the challenges municipalities face and how these impact on service delivery. In South Africa, municipalities face a myriad of implementation challenges as reflected in the increase in the incidence of service delivery protests. The paper identifies the over-emphasis on supply-side interventions in water management over water demand management as well as lack of financial independence amongst municipalities; policy formulation and implementation challenges of the FBW policy as negatively affecting the effectiveness of pro-poor policies and mechanisms. The principal argument of the paper is that the 'very institute' that is tasked with service delivery is fraught with operational challenges; and that supply-side interventions in water management do not take into consideration the needs of the poor. Most importantly, is the need to note that the poor are a heterogeneous group and thus the extent to which water policies alleviate poverty is conditional on the extent to which such policies are cognisant of this and are able to cater for the different needs of different categories of the poor.

Overview of South Africa's urban water policy environment

In South Africa, water services delivery in urban areas is framed by the provisions of *inter alia*, the Constitution (Act 108 of 1996); National Water Act (Act 36 of 1998); The Water Services Act (Act 108 of 1997); the Public Finance and Management Act (Act 1 of 1999) and the Municipal Finance Management Act (Act 56 of 2003). The introductory remarks of the Constitution highlight the government's main objective as the need to "redress imbalances of the past regarding water resource allocation and management whilst still respecting all citizens' constitutional rights" (Glazewski 2005 cited in Kapfudzaurwa & Sowman 2009, p. 685). The National Water Act of 1998 builds on this foundation and is intended to both reverse the wrongs of the past and conserve scarce water resources for sustainable development and usage. The national government, through the Department of Water Affairs (DWA) is the custodian of South Africa's water resources. DWA is primarily responsible for the formulation and implementation of policy governing the sector. While striving to ensure that all South Africans progressively gain access to water, the department also tries to promote effective and efficient resource management to ensure sustainable socio-economic development.

South Africa's water policy environment is influenced by the global policy on Integrated Water Resource Management (IWRM). The Global Water Partnership: Technical Advisory Committee (2000, p. 22) defines IWRM as 'a process, which promotes the co-ordinated development and management of water, land and related resources, in order to maximise the resultant economic and social welfare in an equitable manner without compromising the

sustainability of vital ecosystems'. In that regard, South Africa devised a National Water Resource Strategy (NWRS) and undertook a series of institutional and legal reforms from 2000 so as to make water resources use more equitable, efficient and sustainable (Kapfudzaurwa & Sowman 2009). The NWRS aims to address, among other, the challenge of security of supply. It seeks to incorporate the components of IWRM including equitable and sustainable distribution of water to all South Africans in both policy and practice. As part of its stated commitment to IWRM, the DWA is increasingly turning toward multiple use strategies combining surface water, groundwater, waste water, and a variety of harvesting and delivery techniques. Yet, despite these strategies, water insecurities persist among the vulnerable population groups in South Africa. While concepts such as equity, efficiency, sustainability and reliable administrative services are dominant in South Africa's policy documents, these are largely not reflected on the ground. Therefore, there is a need to analyse the implementation stage of the water policy cycle and socio-political factors that might reduce the effectiveness of these reforms. In particular, given the plurality of policies and mechanisms, there is still need for empirical and theoretical understanding of ways and linkages in which institutions (formal and informal) interact in water resources management.

The urban water resources management is one of the long-standing functions of local government authorities. According to the South African Constitution and the Water Services Act of 1997, the Water Services Authorities or municipalities are responsible for the provision of water and sanitation in urban areas. This implies a stronger focus on decentralisation initiatives in natural resource governance. According to Satge & Kleinbooi (2001) decentralisation refers to the redistribution of power and authority over decision making and management functions between central, regional and local levels of governance and other actors, including traditional institutions, or user associations together with other organisations of civil society and the private sector. The advantage of decentralisation is that local institutions 'have a greater sensitivity to local circumstances and are better able to respond to local needs because they are nearer to local communities and have mandated responsibility and accountability to the whole local population' (Agrawal & Ribot 1999 cited in Kleinbooi *et al* 2011, p.9). Although local authorities have the responsibility to manage and construct social infrastructure at the local level, they are still dependent on the central government for the financing of their activities (UN-Habitat 2002).

In addition to municipalities being in charge of water distribution and sanitation either directly or indirectly through municipally owned enterprises or private companies, government owned water boards are in charge of operating bulk water supply infrastructure and some wastewater systems (Segal 2009). However, municipality are able to delegate this responsibility to a water services provider for a defined period. For example, in 2001 the City of Johannesburg created Johannesburg Water, a legally and financially independent company wholly owned by the municipality as a way of efficiently and effectively managing water resources.

Efficient and effective resource management calls for a balance between cost recovery and equitable provision of water. According to Siphuma (2013), within South Africa, there has always been a tension between the goals of increased cost recovery enshrined in the 1997 Water Services Act on the one hand; and on the other hand, the developing aspect of the country as reflected in for example the 2001 FBW policy. While cost recovery speaks to a neoliberal approach to water service delivery, access to free water touches on the concept of developmental state in South Africa. These contradictions are difficult to reconcile in practice, because communities consist of different groups of people, for example, those who can afford to pay for water services, those who cannot pay for water services and those who would not pay even if they can afford. It therefore becomes difficult to manage these scenarios, and this often leads to situations where some residents complain that they are paying more while others do not pay. The other problem relates to separating those who afford from those who cannot afford. South Africa is moving towards a developmental state where the needs of the people should ideally be prioritized over the cost benefit analysis of water provision and paid services. This, however, becomes a complicated policy challenge for the government, particularly in terms of implementation as the country seems to portray a more neoliberal policy outlook.

Neoliberal policies in the water sector include privatisation. Peter (2010) argues that many problems can be traced back to post-apartheid government policies that can be described as 'neoliberal'. Privatisation of local services opens

up new opportunities for private accumulation through various interactive platforms between councillors, water user authorities and service providers, for example in the water supply chain management system. This is further compounded by the structure of the South African governance system. The African National Congress (ANC)'s policy of 'deployment' combined with its political hegemony can imply that councillors are more concerned about having the support of the party than advancing the interests and needs of their electorate (Peter 2010). These interactions are often top down approaches, which undermine grassroots participation in policy formulation and design. In their deliberations, there will be no clear planning, implementation schedules as well as no monitoring and evaluation system that takes into cognisance the needs of the poor.

The birth of democracy was expected to make the new government responsive to the socio-economic needs of previously underprivileged groups. However, over the years they have been allegations of politicians promising better water services, particularly as a way of garnering public votes but in most cases fail to implement the promises. In order to ensure that there is sustainable socio-economic transformation in a society; democracy needs to be coupled with good governance mechanisms. Peter (2010) argues that the basic premise for addressing the glaring inequities between the poor and the wealthy is the need for democratic institutions that will give voice to the vulnerable groups in the society. However, whether democracy is a panacea of all socio-economic ills the country is facing needs to be interrogated; for example can the post 1994 water reform really be the driver to reduce poverty and achieve equity. An effective reform process would be the one where decision makers are accountable to the residents taking into cognisance different socio-economic conditions of the residents concerned and putting effective political and administrative systems in place. This speaks to good water governance whereby these systems would help provide optimal support to citizens in leading safe and productive lives free from the ills of social protests. In the South African context, some argue that the social protests reflect disappointment with the fruits of democracy (Peter 2010) while other feel that these protests are a demonstration that the people of South Africa are now empowered enough to fight for their constitutional rights (Tapela 2012).

The demerit of privatisation in relation to service delivery is that the role of the state in the provision of these services is likely to be compromised. For example, their role has been taken over by private services providers over which states have no direct control or have failed to exercise adequate control (Mwebe 2005). Although privatisation advantages such as progress when it comes to production and delivery of utility services should be acknowledged, however, the same advantage has a negative bearing towards the poor who cannot afford to pay for these services. Privatisation breeds the environment where the rich or those who afford can pay their way to proper service delivery while the sticks will be on those who can't afford these services. Mwebe (2005, p. 41) argues that in South Africa's privatisation process the 'full cost recovery' model and the introduction of 'pre-paid metres' have led to disconnections of water to those who are unable to pay, and thereby reducing access. In the context of privatisation, the government still bears the ultimate responsibility of ensuring progressive realisation of the rights because practise has shown that private actors do not normally expand their resources to the poor especially when it's going to affect their profit margins (Nnadozie 2011).

Supply-side interventions in water management fail to take into account the specific demands of vulnerable groups

Most scholars recommend water demand management (WDM) - a relatively new management philosophy in the Southern African Region (Kansiime 2002; Rahm *et al* 2006; Swatuk and Rahm 2004; Swatuk and Mazvimavi 2010; Brown 2010). According to Vairavamoorthy *et al* (2008), WDM is the adaptation and implementation of a strategy or policies by a water institution or authority to influence the water demand and usage to meet a number of objectives, such as social equity, environmental protection and sustainability of water supply services. Generally, WDM is a management approach that aims to conserve water by controlling demand from consumers. The possible WDM measures include rainwater collection, re-use especially for irrigation of fodder, progressive pricing policy, and water efficient appliances in households, industries and agriculture, development industries of non-water borne sanitation systems and consumer education (Goldblatt *et al* 1999). In South Africa, growing water demand on the one hand and shrinking water resource base on the other, makes WDM an attractive policy option. This is mainly

because most of the causes of insecurity are demand driven, including for example population growth, urbanization, economic development, among other factors. However, the failure to implement water demand management measures is often blamed on the “lack of political will”, or on ineffective forms of governance. As the Global Water Partnership’s Framework for Action (GWP 2000) stated, that water crisis is often a crisis of governance.

The Department of Water Affairs’ National Water Policy Review (n.d) postulates that WDM should not be seen as an end but rather as a means to an end. The review further adds that in order to realise the full benefits of demand management there is need to broaden the scope of its understanding from a narrow dimension that ties demand management to tariff increases or advocacy work and move to a broader understanding of the term which speaks to sustainable implementation and development of water usage strategies. Such a broad definition would underscore the economic value and financial cost of water as a scarce resource. In a similar vein, the draft water conservation and demand management national strategic framework (1999) emphasizes more on economic efficiency, societal responsibility through efficient use of public funds and sustainability of the demand management approaches to reduce the consumption of water. In South African municipalities, wastewater is being generated for possible reuse and there are water restrictions throughout the country. Other WDM measures include, use of tariffs, private water connections and rainwater harvesting. Although some of these WDM measures are considered in the South African policy circle, the government’s approach when it comes to the actual implementation of these measures is argued to be flawed. The government allegedly considers water needs as requirements to be met rather than demands that may be variable and controllable (Centre for Applied Research 2010).

Taking water needs as requirements to be met drives the government to focus more on large water development schemes and supply as compared to demand management. The construction of the capital intensive Mgeni River System, among other dam constructions in the country shows policy interest in supply oriented efforts in South Africa. According to Segal (2009, p. 1), South Africa ‘developed an internationally recognised competence in building and operating large dams, tunnels and pipelines for storing water and for transferring it from areas of surplus to areas of shortage’.

The focus on supply side approach despite a new discourse on demand management comes with few explanations. Swatuk & Rahm (2004) note that the primary reason why governments are reluctant in controlling demand is that such policies could upset the political status quo. There are some allegations that the ANC assumes a ‘paterfamilias’ status within the country. Therefore, although the party may reprimand in some instances it, however, prefers to buy favour through a patrimonial approach to public goods (Swatuk & Rahm 2004). Arguably, in politics, politicians tend to avoid upsetting their constituencies. This makes the government prefer providing water in relatively low prices in an effort to gain their votes. More so, it is always hard to embrace change: demand management is still maturing in South Africa and to shift away from supply side interventions, is a risk the government does not seem willing to take, at least for now. However, pressure from civil society and international organisations could probably see the government focusing more on controlling demand.

With this as a background, this paper hypothesized that *supply-side interventions in water management fail to take into account the specific demands of vulnerable groups and as a result contribute to water insecurities amongst these groups*. Existing literature and observations support this hypothesis. This is evidenced by the idea that once one focuses on supply than demand, they risk neglecting the exact needs of different groups within the country and within districts. For example, building the Mgeni dam is a large development scheme that has obvious benefits. However, this is not the challenge faced by the poor. The poor face the challenge of connecting water into their private yards and it is this that needs to be addressed. Building a dam is a broad project which has chances of missing the salient features that are important. The emphasis on water needs to be met could make policy players ignorant of the exact water needs for the poor. For example, the policy players could rely on national statistics of water needs provided by research institutions or other agents. Making conclusions based on national statistics fail to acknowledge the uniqueness of each district and of the different groups within those areas.

The supply-side approach to water management is structure-oriented; investments in water projects are combined with engineering and technical expertise to capture, store and deliver water and to make systems operate effectively

(Bromley 1989). Concentrating on supply side or structural interventions makes it likely that the solutions will be more technical, top down and not responsive to the needs of the people. Non-structural approaches (or a combination of both structural and non-structural approaches) are often preferred because they take into consideration the social aspects of water management. A non-structural approach encompasses demand management, scientific research; education and persuasion to coordinate how humans use water (Bromley 1989). Overall, South Africa's emphasis on supply-side interventions fall short on engaging with the affected populations, examine their demand for water and provide to their needs. As a result, water insecurities persist.

Analysis of challenges faced by municipalities in water service provision

Although the responsibility for the management of water resources falls within the jurisdiction of the Department of Water Affairs, water service delivery at a local level is the prerogative of the municipality. Meissner et al (2013) argues that the water services delivery implementation framework is facing challenges in the poorer contexts. Nemeroff (2005) & World Bank (2010 (c)) note that, to address apartheid water injustices, service delivery has been characterized by a strong focus to deliver as quickly as possible with a number of accelerated programmes in place. For example, the Cooperative Governance and Traditional Affairs (CoGTA), the department responsible for the efficient functioning of local government introduced the Municipal Infrastructure Support Agency (MISA) to support municipalities and water service providers to carry out their mandates (Nemeroff 2005). MISA, together with the South African Local Government Association (SALGA) are tasked with ensuring that municipalities have technical know-how of the infrastructure management and delivery of services. Specifically, MISA is meant to aid the local government officials in planning, designing and maintenance of water infrastructure (Tapela 2012). The problem is that, although the idea of assisting is good, however, in practise it proves to be difficult to maintain a culture of efficient collaboration in relation to infrastructure management. Lack of financial resources to sustain such developments in the municipality has been identified as a constraint. As a result, priority shifts from being that of maintaining infrastructure to trying to ensure that everyone has access to basic water.

Limited and overlapping jurisdictions among concerned agencies such as government and private entities involved in water policy making prevents smooth and rational policy implementation. In theory, the relationship between the Water Services Authority and the Water Services Provider is regulated by a service delivery agreement (Van der Merwe 2004). In the few cases where these agreements exist for example, between the Water Services Authority and another municipality, municipal entity, water board, or private company; the outputs are not necessarily specified, and engagement with citizens about desirable outputs or feedback on performance is limited (Velleman 2011). Moreover, in most municipalities, the distinction between the Water Services Authority and the Water Services Provider is blurred, and no service delivery agreement defining their relationship specifying outputs or outcomes exists. Going forward there is need for municipalities and service providers to plan and implement water and sanitation systems which respond to the reality of the lives of the urban poor.

Many scholars point out that political constraints, coupled with bureaucratic managerial weaknesses, hinder efforts towards sustainable natural resource management (Dovers 2001; Swatuk & Rahm 2004; Rahm *et al* 2006; Manzungu 2004; OECD 2008). Allegedly, in South Africa 'water policies are talked about but not implemented'. According to the World Bank (2010 (a)) many municipalities are ineffective or dysfunctional and characterized by political in-fighting, inappropriate appointments, and corruption. The other challenges facing water governance in South Africa include the human resource capacity. Allegedly, expertise needed for local government decision making is lacking. Dovers (2001) argue that such incapacities make the rational implementation of even very basic policies very difficult. The belief is that with inadequate information or statistics, administrators make policy decisions blindly. Swatuk & Rahm (2004) argue that this problem affects the ability of the government and NGOs to attract external monies for projects as donors frequently require some measurement of project outcomes before approving a project. Moreover, although in some instances financial resources will be available, the inability of departments to spend their budgets is a reflection of the capacity challenge and poor planning and implementation in the financial administration of the specified government departments (Lornahoza *et al* 2013). Other pointed challenges are

cultural and political or power relations. For example, culturally there seems to be a strong perception amongst the public and government officials that water is infinite in the country. The professional culture of local government officials mostly those trained in the engineering sector has oriented them to provide a product rather than to think about water as a central component in the management of an ecosystem sustainably.

Lack of operational and financial independence limits service delivery by municipalities. According to Chitiga *et al*, cited by Ensor during the recent Financial and Fiscal Commission Conference held in August 2014, there is a need for municipalities to have operational and financial independence. They argue that 'the ability to raise their own revenues offers municipalities a valuable degree of freedom that allows them to implement programmes of their own choice and size as experience indicates that revenue autonomy tend to bring about significant higher benefits than costs' (Ensor 2014). The main argument was that South Africa's system of concurrent powers between the three spheres of government gives rise to duplication, wasteful use of resources and avoidance of responsibility for delivery outcomes.

The contestations within the Free Basic Water Policy

A pro-poor oriented water governance system puts in place various institutions and policies meant to manage water resources effectively for the benefit of vulnerable groups (UNHABITAT 2005). One notable policy in South Africa is the Free Basic Water (FBW) policy. The water supply and sanitation sector has, since the end of apartheid, been characterized by a strong government commitment to increase access to services. In July 2001 FBW became a national policy through a revised tariff structure that included at least six kilolitres of free water per month. The policy was being implemented gradually within the means of each municipality. Free basic water policy and indigent policies implemented by many municipalities provide some relief which may be inadequate in case of large households (Siphuma 2013). Blanc (2006) questions the effectiveness of the FBW policy as an adequate answer to the challenges facing South Africa. Blanc further observes that within the specific South African context, it would seem that the six kilolitres of free water policy is more of a social compromise based on a political decision, rather than a solution grounded on technical rationale.

The practicalities of implementing a free water policy run counter to the logic of providing free water, even for low volume consumption. According to Kasrils (2001) the FBW policy takes into account the standard amount of a 'basic' level of water supply. That is a level sufficient to promote healthy living, and is based on international practices and norms that recommend 25 litres per person per day. The capacity of municipalities to implement the FBW policy varies because each municipality has different constraints. As stated in the Department of Water Affairs website, better capacitated and largely urban municipalities have generally been successful in implementing free basic water strategies locally, while poorly capacitated and largely rural municipalities are still struggling with implementation (DWA n.d).

According to Muller (2009), some of the challenges faced in implementing the FBW policy include:

1. *Financial*: how the municipalities can finance service provision in an equitable and sustainable manner.
2. *Institutional*: how to acquire the necessary organisational capacity as well as individual competencies.
3. *Socio-political*: how to enable positive collaboration between and amongst water governance actors including the citizens.
4. *Technical*: how to develop and maintain proper infrastructure needed in delivering the service to the poor.

Another challenge is the measurement of poverty at different levels. For example, the poverty definition provided by national policy is a broad and all-encompassing one. Municipalities have decided on local poverty indicators and subsequently identify households that are poor. Due to cost differences across the country and due to other local issues (such as seasonal unemployment in some areas), specific local poverty indicators will be more appropriate than national indicators (DWA 2013).

One notable socio-economic right case that speaks to the inadequateness of the free basic water policy is the *Lindiwe Mazibuko vs City of Johannesburg* case. The litigants of the case were against the use of prepaid water metres and the set amount of free water provided to each household on a monthly basis (Langford & Russel 2008). Lindiwe Mazibuko and the rest of the litigants were from the Phiri community in Soweto. The Phiri community are classified as a poor community that mirror the inequality legacy left by the apartheid system (Southern African Legal Information Institute, SAFLII n.d). The right that was under interpretation was the right of access to water, as entrenched in section 27 of the Constitution, which provides that everyone has the right to sufficient water.

In discussing the dynamics surrounding the judgement of the case, Langford & Russel (2008, p. 77) note that 'to deny the applicants the right to water is to deny them the right to lead a dignified human existence'. However, as other socio-economic rights judgements, the Court held that the right of access to water has only to be progressively realised. Accordingly, progressive realisation recognises that the policies formulated by the state need to be regularly reviewed and revised to ensure that the realisation of socio-economic rights improves over time (SAFLII n.d). Thus, the Constitution does not require the state, upon demand, to provide every person with sufficient water regardless of available resources. Rather, it requires the state to take reasonable legislative and other measures progressively to realise the achievement of the right of access to sufficient water within available resources. The FBW policy was extended from 6 kilolitres a month to 9 kilolitres in 2009 (Nash 2012). Although this symbolises improvements in the access to water for citizens, however, the heterogeneity nature of poor groups undermines this improvement as the family size of the vulnerable groups differ. However, this does not negate the positive strides that the young democratic government has taken in the last twenty year journey towards effective service delivery.

In the Mazibuko case, the Constitutional court ruled in favour of the City of Johannesburg. According to Dugard (2007), the outcome of the case shows how conservative the courts are when it comes to socio-economic rights judgments. Dugard further argues that the courts tend to ignore the arguments raised by the poor litigants which largely serve the litigants needs. The problem with the FBW policy is that it is fluid, because it emphasises on progressive realisation of access to water. This fluid nature makes it very hard to pin down a service provider when there are allegations of insecure water access from the vulnerable groups. Moreover, in practice, municipality service delivery efficiency is not measured on impact, for example, how many people are they reaching out to efficiently. It is also important to note that within a metropolitan area, there is a mix of residents: 'those who pay, those who don't pay and those who won't pay'. The problem with this is that national government's allocation of funds is not ring fenced. For example, this implies that there is no public guarantee from national government that the funds given to municipalities for the free basic water services will be used for that purpose. They are therefore exposed to issues of maladministration.

The court case also led to some other flexible developments on prepaid meters. For example,

The court case led to the development of a more social practice concerning prepaid meters. For example, the minimum amount can be increased from 6 m³ per month to 10 or even 15 m³ per month depending on the level of poverty and size of a household. Also, new prepaid meters still deliver a minimum amount of 40 liter per hour under low pressure after service is cut off. Furthermore, 1000 liter of "emergency water" can be used four times per year, for example to extinguish fires, even if bills should not have been paid. 2000 liter of additional water can be granted by local authorities on demand for special needs. However, not all residents are aware of these fairly complex mechanisms (Anon n.d).

The above shows the complex nature of governing a scarce resource in the context of a maturing democracy. According to Dahl (1989) the rise of governance goes along with a transformation of democracy. A basic definition of democracy by Abraham Lincoln is 'government of the people, by the people and for the people'. A government of the people generally invites them to belong and identify with the present system and culture. The notion 'by the people' indicates that government officials take into account the interests of the individuals or groups that brought them to power. According to Scharpf (1999) participation of citizens speaks to 'input-legitimacy' of political systems. By contrast government 'for the people' refers to 'output legitimacy', in other words the notion that government should govern in a way that is profitable for the collective wellbeing of the people. Democracy is therefore, characterized by

structures and processes in which collectively binding decisions are made by responsive actors in the interest of those citizens who authorized them to rule in their place (Benz and Papadopoulos 2006).

Going forward, a concept of democracy adequate for the evaluation of governance should also take into account the functional and institutional differentiation between those who govern, as representatives, and those who are governed. Hence not only do the intrinsic values of democracy matter, but 'our approval of democratic institutions is equally conditional on their delivering the beneficial effects associated with democratic decision-making' (Castiglione 2000). This underscores the importance of service delivery analysis. Crous (2004) defines service delivery as the implementation of laws and the actual provision of services and products that constitutes governance. With regards to the Mazibuko case above, there is need for information sharing and transparency between municipalities and the people they serve. As it stands now, municipalities allegedly define 'the boundaries of what is and what is not negotiable and is under no obligation to act upon the outcomes of the participatory processes' (Nash 2012, p. 9). There is need for participatory measures in policy formulation and implementation of pre-paid meters so that the needs of the vulnerable groups are taken in, right from the beginning. Lack of participation and information sharing at the local level has contributed to social protests over poor water service delivery. According to Bond & Dugard (2008), South Africa's 'water apartheid' came to the fore in August 2002 as a result of a defiant protest march during the World Summit on Sustainable Development (WSSD). Since then, insufficient and inequitable water and sanitation services have featured among key factors in a majority of social protests that have burgeoned in post-apartheid South Africa since 2004 (Tapela 2012).

Conclusion

The demise of apartheid saw the new government setting up very ambitious targets for rapidly improved access to water and sanitation. An unintended consequence for addressing distributive justice is that it has undermined citizens' and users' voice and power to shape policies and hold service providers accountable in spite of people centred, inclusive and democratic vision of the sector. Despite pro-poor conservation and development strategies in South Africa, access to water amongst the urban vulnerable groups continues to remain a substantial developmental challenge. The creation of democracy in South Africa is not a sufficient condition for development as demonstrated by the challenges the country faces, twenty years after the political settlement. Poverty accompanied by increased polarization of urban societies and growing disparities in the living conditions of deprived households is still evident.

The factors that affect the effectiveness of pro-poor water service delivery are centred on the very institute that is tasked to deliver the resources. The municipalities are fraught with a lot of operational and financial challenges. The paper supports calls for the government to provide the municipalities with financial independence. This will ensure that they become in charge of the management of the areas within their jurisdictions and be held accountable when they do not deliver. At the moment accountability for poor service delivery across different tiers of government is poor. This is also because the policies that municipalities are supposed to implement are not properly constituted and articulated. The free basic water policy is fluid in nature. The Constitution's emphasis for socio-economic rights to be progressively realised makes it difficult to pin down any institute as responsible for service delivery failure as they can easily make reference to the constitution, which protects them by the notion of 'progressive realisation. In addition, funds that are allocated to local government are not ring fenced to ensure the poor have access to water.

Other problems are linked to supply vs. demand side oriented reforms as well as neoliberal policies vs. the developmental state agenda that South Africa intends to pursue. These policy contradictions create problems when it comes to implementation. This paper sees this as a dilemma that needs to be interrogated further. While a neoclassical policy such as privatisation is argued to attract private investments in the country, it could adversely affect the poor who cannot afford to pay for the services. Thus, there is need for government to continually seek a balance between accommodating the poor while satisfying neoliberal demands in as far as they promote economic development.

Notes

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Challenges of Regional powers: The foreign policy of South Africa and Brazil in the field of human rights

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ABSTRACT The guidelines of the South African and Brazilian foreign policy reveal the norm-orientation of the international role desired by both countries. The prioritization of human rights, multilateralism and regional cooperation enables the renewal of the countries' democratic credentials after the apartheid government in South Africa and the military government in Brazil. The features of the international roles of South Africa and Brazil fit well with their classification as regional powers, accordingly conceptual debate on International Relations which emphasizes the idea-driven foreign policy of regional powers. However, the contrast of discourse with political facts is essential to identify the real dilemmas faced by the foreign policies on human rights of both. The defense of human rights is a core value of Brazilian and South African foreign policies but it can oscillate before the contextual changes. The aim of this paper is to understand in what measure the human rights foreign policy, facing domestic, regional and international constraints, threatens Brazil and South Africa's status as regional powers

Introduction

This paper compares Brazilian and South African foreign policies of Brazil and South Africa through the lens of democratic consolidation. The underlying question this paper seeks to address is the relevance of the respective countries' foreign policy on human rights to legitimize the discourse and the international action of democratising regional powers seeking global leadership. This paper is divided in three parts: history, methodology and comparison. The first step is to analyze the historical processes of democratization in Brazil and South Africa, beginning in the 1980s. Both regimes faced severe international condemnation from the international community: Brazil for its military regime and South Africa for its apartheid system. It is not surprising that the foreign policies of these countries have to emphasize human rights issues to sustain international stature in an emerging leadership role. This is followed by a conceptual debate on regional powers in the realm of international relations. One essential feature emphasized by this conceptual debate is the notion of 'idea driven' foreign policy of regional powers. Finally, the paper compares the foreign policies of Brazil and South Africa with a specific focus on human rights issues, examining the similarities and the differences of these emerging regional powers.

Democratization processes and foreign policies

In both Brazil and South Africa, the discourse of national identity was built, among other things, based on the question of race. Brazil has emphasized its racial democracy supported by the culturalist reading of modernist sociologist Gilberto Freyre (1998). This framework denies the pessimistic attitude about Brazilian miscegenation and the current evolutionary theories of the social sciences (Hankins, 1926; Rodrigues, 1932; Oliveira Vianna, 1934; Lombroso, 2013). Apartheid in South Africa justified the separation of the races based on orthodox Calvinism and on the ethnocentric assumptions of white supremacy. One of the perverse consequences of these national ideologies perpetrated by the Brazilian and South African states was the deepening of social inequality in both countries.

Some prominent studies of the construction of the nation-state in South Africa imputed to the conflicts between elites' need to develop a common identity based on racial supremacy. Anthony Marx explains, 'to bind up the nations' wounds among whites, blacks were bound down, and the wound of race was left to fester' (1998, p. 2). To encourage loyalty to the nation, states strengthen their claimed monopoly of legitimate violence. The South African War, between Afrikaners and English settlers, is a milestone that demonstrates the conflict between elites, which came to be gradually solved with the ideology of racial supremacy and rule, demarcating citizenship according to this thinking.

In the case of Brazil, a country with relatively little elite driven conflict, the government adopted the ideology of racial democracy. The homogeneity of the elites did not create the need to restrict citizenship. Rather, racial tensions were accommodated. The lack of official racial domination became an obstacle to collective action against inequality. This is evident in the relative weak expressiveness of the black movement in Brazilian social struggles before democratization. In countries where the state set racial boundaries to citizenship, civil mobilization against segregationist institutions was significant. This was evident in states like South Africa with the anti-apartheid movement and the USA with the civil rights movement. By contrast, racial tensions in the case of Brazil were mitigated by the culture of tolerance that marked the national formation.

The two case studies intersect in the 1980s. After the processes of democratization in the late twentieth century, human rights became a central issue for Brazil and South Africa. Both countries had to concentrate major efforts to reverse the negative international image stemming from human rights violations perpetuated under authoritarian regimes in both countries. The search for international credibility and the consolidation of democracy thus became interconnected through human rights.

Brazil and South Africa's compliance with the international human rights regime and domestic reforms flowing from this regime were strategic. The aim was to create an international image to distance itself from its association as a human rights violator. However, political life, both domestic and international is characterised by paradoxes and conflict. The democratization of Brazil and South Africa occurred in this context of the opening of international trade and adherence to neoliberal standards of the post-Cold War order, and their political agendas were shaped by these guidelines. In a scenario of structural economic crisis in Brazil and South Africa in the post-Cold War environment, autonomy in foreign policy was, at first, combined in the form of associated and dependent development. The most important factor was the acceptance and adherence to regulations imposed by the central powers in order to create conditions for investment and attract international capital. These constraints are not contradictory and do not create significant barriers to the adherence to the international human rights regime, because these pressures stem from the same system of global governance and the countries that dominate it. From a market point of view, adherence to a human rights regime is favourable for the efficiency of markets, reducing transaction costs and helping to build the confidence demanded by investors and financial institutions. However, the results of these market constraints affect the human rights agenda of countries, because their policies directly impact the macroeconomic issues that affect quality of life, such as employment and income.

The international political situation of the 2000's allowed greater manoeuvrability for Brazil and South Africa, given the increased competition between powers (such as China and the U.S.) that strengthened the role of developing countries. The growing international presence of South Africa is particularly noteworthy considering its two terms in the United Nations Security Council, in 2007-2008 and 2011-2012, as well as their participation as a founding member of the Human Rights Council for two consecutive terms from 2006 to 2010, in addition to being a current member of the Council until 2016, after a re-election to that position in 2013.

The failure of the neoliberal project, consolidated with the financial crisis that shook the international economic system in 2008 strengthens new diplomatic initiatives of the South, such as IBSA, G4, G20 and BRICS. These coalitions are proposing alternatives to the main international institutions and demonstrate the greater autonomy that Brazil and South Africa have found in comparison to the proverbial 'hey day' of the neoliberal regime. Brazil

and South Africa remain seemingly committed to the themes that underpin deepening democratization, respect for human rights, defense of multilateralism and peaceful settlement of international disputes. However, one also notes that civil society organisations become critical of human rights based foreign policies, especially in the 2000s.

There is a need to consider the relationship between foreign policy and human rights, emphasizing the foreign policy of regional powers and assuming the public dimension of foreign policy (Pinheiro; Milani 2012; Ingram; Fiederlein, 1988). The focus is to understand the political dynamics that occurs in regional powers seeking an increased international presence while engaged in a broader democratisation project, for it is here that foreign policy and human rights intersect. Brazil and South Africa have projects of international participation rooted in human rights agenda, and the study of human rights foreign policy can assist in the comprehension of the challenges and paradoxes associated with the policies.

The debate on Regional Powers

The foreign policy of democratic emerging powers must face significant challenges to live up to expectations in the twenty-first century. The debate on the conceptualization of these countries is a topic that deserves special attention. Mass media has adopted the nomenclature of "emerging powers" to classify nations that are on the rise as new players in international politics. The economy is the determining factor in this nomenclature, because the emerging powers represent new poles of economic dynamism and greater production of global wealth, which, from the production point of view, represents a multi-polarity in the contemporary international system. But who are the emerging powers and why are they emerging powers? Would not other categories be conceptually more accurate for this discussion?

Within the range of countries that are presented as emerging powers, there is a need to understand the role of nation-states in their respective regions. The contemporary trend is 'a world of regions' as prophesied Peter Katzenstein (2005), in which a regional architecture predominate in international relations (Acharya, 2007), and a multiregional system is gradually built (Hurrell, 2007). In this new international system, emerging powers tend to be regional leaders, or at least claim for regional leadership (Nel & Nolte 2010, p. 878). Regional powers are generally designed as states that adopt a benevolent and cooperative attitude with its neighbours. These regional powers have a strong influence on regional interactions and on their degree of cooperation, conflict, and institutionalization (Destradi 2010, p. 903 - 904). Some conditions are necessary to classify a country as a regional power: (1) a domestic political stability that enables regional leadership; (2) capacity to assume the role of regional leadership and conflict mediator; (3) acceptance of its leadership's responsibilities by its neighbors, particularly on security issues. The difficulty in this classification stems from the fact that status is related not only with power resources, but also with perceptions of regional and global hierarchies. The status of regional power is a social category that depends on the recognition of it by other States (Nolte 2010, p. 892).

In a special section of the *Review of International Studies*, Philip Nel and Detlef Nolte introduce the topic by explaining that emerging powers such as China, Brazil, India and South Africa, demand a greater voice in the international arena, and, in this sense, entire regions perceive that are not adequately represented on the global agenda. According to the authors, 'they demand a regional power shift with regards to the global governance institutions that partly reflects the power shift in the materials basis of the international order' (2010, p. 877). Therefore, regional powers must defend not only their interests in international affairs, but also the interests of their own regions - in these study cases, we are considering the regional leadership of Brazil in South America and of South Africa in Southern Africa.

Regional leadership creates tension between the role wanted by an emerging power in the global stage and its role as a leader in its region. This tension is even more considerable in countries that are revisionists in regard to the rules and practices of global governance (Nel & Nolte 2010, p. 878). In the conceptual debate, it is important to

contrast 'regional power' with 'middle power'. The regional power has large population, a large GDP and power resources that allow it to face coalitions of other states in their region. A fundamental distinction between regional powers and middle powers is that a regional power can become a global power (Nolte 2010, p. 889) and may take revisionist policies towards global governance. These categories are not mutually exclusive. Nolte states that:

The label 'regional power' refers to countries which are influential and powerful in certain geographic regions or sub-regions (especially in Asia, Africa, Latin America, and the Middle East). The same states could be middle powers or great powers in the global context (2010, p. 893).

What is expected from a regional power is economic, political and cultural interconnection within their region; influence on the geopolitical delimitation of the region; influence on the structures of regional governance; defense of a common regional identity; provision of collective goods to the regional; active role on the agenda-setting for regional security; recognition of its regional leadership by other States within and outside its region, especially by other regional powers; defense of regional interests in international forums and institutions (Nolte 2010, p. 893).

The foreign policies of Brazil and South Africa have a strong emphasis on regional issues. Achieving a measure of domestic stability allows Brazil and South Africa to exercise its regional leadership more decisively. Brazil has become the dynamic centre of the South American regional integration, whether through MERCOSUR or more recent initiatives such as UNASUR. The affirmation of Brazilian regional leadership is mainly due to the recognition of the political and economic importance of the country as well as diplomatic relationships that evolve in these main multilateral forums. Brazil's leadership is also a product of its geography, population and economic status which are much more significant than of the other South-American countries. Brazilian leadership of the UN peacekeeping operation in Haiti (MINUSTAH) represents another important accolade of its regional status.

South Africa, once a pariah in Africa, became part of the main regional governance arrangements, such as SADC, SACU, AU and NEPAD. The strong presence of South African troops on humanitarian missions of the AU and the UN in Africa demonstrates the country's engagement in the problems of their region.

Accepting Brazil and South Africa as regional powers by its neighbours can be an obstacle to consolidating that international image. The resistance of Argentina, the main economic partner of Brazil in South America, in supporting Brazil's election for a permanent seat on the United Nations Security Council demonstrates the difficulty of recognition of Brazilian regional leadership. In the case of South Africa, these hardships can be illustrated with Mbeki's diplomacy regarding the crisis in Zimbabwe, when the former president professed willingness to mediate the crisis rather than overtly condemn Robert Mugabe was perceived as interventionism by other African governments (Mantzikos, 2010, p. 12).

Naturally, like emerging regional powers that pursue a more just and equitable global order, both countries stand up for the promotion of democratic values in regional levels. Brazil and South Africa have common standpoints regarding non-proliferation and disarmament and are interested in avoiding armed conflicts in their regions (Mantzikos, 2010, p. 9). Because of that, their human rights' policies domestically and abroad creates several tensions related to the expectations created by their norm-based speeches. The analysis of the human rights foreign policies provides inputs to understand the challenges of affirming these countries as regional powers.

Human rights foreign policies of Brazil and South Africa

Brazil and South Africa are presented as leaders of the Global South, but simultaneously face domestic and external constraints to affirm their regional and global ambitions. The foreign policies of Brazil and South Africa in regards to human rights are essential to claim these countries as regional powers, answering a broad international, regional and domestic agenda through interaction with various types of domestic and international actors. The difficulties of adopting foreign policy objectives that are consistent with their human rights discourses are very common to both Brazil and South Africa. Both countries face domestic hardships and must exercise leadership in regions that are also very sensitive to human rights issues. Thus, contrasting speech and action creates interesting dilemmas faced by those countries seeking to strengthen an international role based on human rights. The perception of these tensions between speeches and practices allows for social observation of the actual capacity of countries' international action.

Brazil

The President José Sarney's discourse in the UN General Assembly in 1985 has inaugurated a new milestone of 'the official rhetoric in multilateral forums, demonstrating the importance that was going to be assigned to human rights as part of the effort to the democratic transformation of the Brazilian State and society' (Beli, 2009, p. 176). The diversification of governmental and nongovernmental actors involved in Brazilian foreign policy following its transition to democracy, particularly in the area of human rights, reveals a field of increasingly intense political disputes. Milani (2012, p. 34) explains: 'With the arrival of new actors, the questioning on how the State should behave internationally on human rights also tends to change'.

The 1988 Brazilian Constitution expanded the role of the legislative branch in decision-making and contributed to a democratization of foreign policy. A similar trend was evident in other public policy development initiatives. This trend was even more striking in the human rights field, enshrined as a constitutional foundation of Brazilian foreign policy (Article 4, item II). During the 1990s, Brazil entered into the main human rights treaties in the region and in the world. Treaties ratified included the International Covenants on Civil and Political Rights and on Economic, Social and Political Rights, ratified in 1992; the ratification of the American Convention on Human Rights (Pact of San José of 1969), also in 1992; and the recognition of the jurisdiction of the Inter-American Court of Human Rights in 1998. The ratification of various thematic conventions, particularly the convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1989, reveal a new emphasis of Brazil's foreign policy concerning issues that were at the centre of human rights violations by the Brazilian military government, such as torture. Brazil has become one of the developing countries that has ratified the most conventions and treaties on human rights (Milani, 2012, p. 45).

These commitments reverberate within the domestic environment, in what is known as the judicialization of politics. The best example to illustrate this is the National Program of Human Rights (PNDH). Established in 1996, this programme has evolved as a response to commitments the Brazilian state made at the World Conference on human rights, held in Vienna in 1993 (Milani, 2012, p. 36). The PNDHs have established guidelines for public action in the human rights field. Deepening this judicialization process, constitutional amendment no. 45 of 2004 stipulates that international human rights treaties can be constitutional amendments. This organic relationship between international human rights regime and the domestic juridical system also supports the public dimension of foreign policy.

This, however, has also given rise to human rights NGOs demanding that Brazil condemn countries that engage in human rights violations - a claim that has as its background the dominant value of respect for human rights in relation to sovereignty and the norm of non-interference. These pressures became stronger in the administration of the Workers Party (PT), which took power in 2003. Under President Lula, Brazil's abstention in votes on the Human Rights Council and on the UN General Assembly resolutions condemning human rights violations in countries like Sudan, Sri Lanka and North Korea, were criticized by the national media and human rights activists, which classify Brazil's position as condescending (Milani, 2012, p. 50).

This is precisely the point of tension that exists between the goals of foreign policy and human rights. Lula's foreign policy tried to diversify partnerships and propose alternatives to the institutions of global governance. In this sense, the foreign policy on human rights has suffered a reversal on behalf of revisionist strategies, since the evaluation criteria of violations of human rights in developing countries have changed. According to the standard classified by Celso Amorim as 'non-intervention and non-indifference', Brazil should not be selective on the subject. Cooperation was adopted as the preferred path to improve human rights in other countries. Milani states that developing countries deserve 'under the Lula government, a policy framework that linked the defense of human rights to South-South cooperation' (2012, p.54). This is a notable change in the human rights foreign policy in Lula's government, and it is coherent to the revisionist practices of a regional power that remains part of the institutionalized mechanisms of international human rights regime but questions its effectiveness.

Therefore, in a first post-democratization moment to the governments of Fernando Henrique Cardoso (1995-2002), human rights represented a legitimate mechanism in the fight for Brazilian social progress, but it was designed without questioning the constraints of neoliberalism. According to Lima (2000, p. 295), the combination of political liberalization and economic opening (following the guidelines of the Washington Consensus) resulted in the 'competitive integration'. Cardoso's foreign policy sought autonomy through integration. According to Luis Felipe Lampreia, 'instead of an isolationist autonomy, an autonomy articulated with the international environment' (Lampreia, 1998, p. 11).

The project of more active international participation in the Lula administration has established human rights as a tool for Brazil's revisionist strategy. The change of Brazilians' voting patterns in key multilateral instruments is part of the Brazilian criticism of double standards adopted by the Western powers - which usually condemn enemies and ignore violations of allied regimes. Furthermore, Brazil aims to diversify strategic partnerships with countries accused of human rights violations, such as Iran, Turkey, Russia and China. Human rights NGOs (like CONECTAS), condemn the positions of Brazil and its partnership with these countries, and it creates tensions that exemplify the tension Brazil faces.

After all, does Brazilian revisionism commit or strengthen its human rights agenda and its affirmation as a regional power? Brazilian revisionist practices are consistent considering the double standard that prevails in the international human rights regime and do not undermine the commitments made by the country in various treaties and conventions on human rights. The paradoxes in the international regime of human rights demand a critical approach by a revisionist regional power. The actions of Brazil, before being inconsistent with values enshrined in the Constitution, are acts of denunciation to an international human rights regime characterized by the politicization and selectivity of its main decisions (Beli, 2009).

The problem is the alternation of Brazilians votes, which can lead to questioning whether the country is being revisionist or is also being selective and reproducing the pattern of Western powers. In this sense, it is critical to be consistent in its revisionism and corroborate its position as a geopolitically dissatisfied but ethically responsible country. To solve this paradox, Brazilian foreign policy has to set criteria to justify its votes as well as to legitimize its revisionist diplomacy.

Criticism is part of the dynamics of foreign policy as public policy, exposed to the scrutiny of several political actors. NGOs, social movements and parties take ownership of human rights issues and participate in the debate on human rights foreign policy. This creates setbacks with more strategic agendas, such as the relations with Russia and China. However, this is also a positive development in the continued project of Brazilian democratization and diversification of active actors in foreign policy agendas. The creation of the Brazilian Committee for Foreign Policy and Human Rights, linked to the legislative, is an example of the strengthening of popular participation in the human rights foreign policy (Silva 2012, p. 223).

Lula's government intensified the acceptance of jurisdiction of international tribunals and committees that accept individual complaints against the Brazilian State, such as the competence of the Committee of the Convention on the Elimination of All Forms of Discrimination Against Women, two optional protocols to the Convention on the Rights of the Child, the two Protocols to the Civil and Political rights Covenant, and the optional clause of the Convention against Torture (Beli, 2009, p. 179-180). The government's acceptance of interference by international bodies mitigates the negative effects of the conflictive relationship between sovereignty and human rights - and it is exactly in this point that the coherency of human rights foreign policy must be analyzed.

South Africa

The construction of a 'new' South Africa, led by Nelson Mandela, was based on the opposition of any racial differentiation among South African citizens, symbolically expressed by the metaphor of the 'Rainbow Nation'. Mandela's article published in *Foreign Affairs* (1993) set new guidelines of the foreign policy in order to overcome the past without encouraging black revenge against whites. There is an ideological break in the hegemonic project of the twentieth century and the foreign policy agenda is defined by the effort of the state to build a new identity narrative. The government of Nelson Mandela had to deal with two major challenges: assume the responsibilities of building a new country; and understand the world changes after the end of the Cold War and the collapse of bipolarity (Pere, 2002, p. 3).

Abrupt changes in domestic and international orders determined the need for a foreign policy adapted to these changes. Therefore, the idealistic foreign policy of the ANC was confronted with another approach: neoliberalism. By adopting a neoliberal prescription for macroeconomic growth, the focus of policymakers shifted to the implementation of structural economic reforms, which included fiscal reforms, monetary policy discipline, surplus targets, privatization, flexibility of the labor legislation and tariff reductions (Pere, 2002, p. 9).

Therefore, similarly to Brazil, post-apartheid South Africa went through a process of double transformation, with democratization and international economic reintegration of the country. This coincidence of external and internal factors led to a conception of foreign policy in South Africa much akin to Brazil, the principal similarity being the belief that the construction of international credibility would require adherence to the dictates of neoliberalism. The acceptance of the neoliberal doctrine aimed to build the confidence of the main actors of the international system. Brazil and South Africa's adherence to international regimes, like in the case of human rights, was part of this strategy of international participation.

In Mandela's government, South Africa signed and ratified several human rights conventions of the human rights international regime. These included the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on Elimination of All Forms of Discrimination against Women, the Convention against Torture and the Convention on the Rights of the Child. In addition, South Africa also several regional human rights systems, such as the African Charter on Human and Peoples' Rights and its

main instruments such as the Refugee Convention, Protocol of Women, Children's Charter, the African Charter on Democracy and the Protocol on the Establishment of the African Court. South Africa is also a signatory of the Rome Statute (Silva, 2012, p. 225). Therefore, the concern of renewing diplomatic credentials and restoring the role of regional leadership was based on the adherence to human rights regimes and illustrates the centrality of human rights in the foreign policy agenda of South Africa. Like Brazil, the massive adherence to international human rights regime was not opposed to the requirements of neoliberal thought. However, important contentious points can be observed in South African foreign policy regarding human rights.

The post-apartheid foreign policy was based on the pillars that Mandela described in the journal *Foreign Affairs*: centrality of human rights in international relations; worldwide promotion of democracy; emphasis on international law as a guide for international relations; peace as a global target and the use of non-violent means to achieve it; action on behalf of the African interests; regional and international cooperation to foster economic development. The defense of human rights was canonized as a cornerstone of foreign policy, an instrument to rebuild South Africa, according to the constructivist reading of Serrao and Bischof (2009). Mandela was emphatic: 'South Africa's future foreign relations will be based on our belief that human rights should be the core concern of international relations, and we are ready to play a role in fostering peace and prosperity in the world we share with the community of Nations' (1993, p. 97). Borer and Mills concluded: 'the world expected South Africa to make human rights a priority in foreign policy precisely because South Africa told the world that it would' (2011, p. 78). The negotiated transition that ended apartheid without bloodshed was a constant reference of Mandela and his successor, Thabo Mbeki, to strengthen the international role of South Africa in human rights. According to Alden 'by virtue of its 'miraculous' transition, South Africa was expected by the international community to 'punch above its weight,' a view that South African officials tended to encourage' (2004, p. 294). Therefore, South Africa volunteered to be a world herald in defense of the human rights flag, which raised expectations and the potential for frustration when the country has presented ambiguous positions, something recurrent in the political process.

South Africa adopted an arms embargo on exports to Turkey in 1995 because of concerns about human rights violations in that country, and during the visit of former Iranian President Rafsanjani in 1996; Mandela denied formulating a joint statement by not accepting the Iranian point of view on the issue of human rights (Maluwa, 2000 p. 208). These initial positions are remarkable. However, to what extent South Africa would be willing to sacrifice alliances on behalf of human rights, when faced by the classic dilemma between sovereignty and human rights? These frictions become more latent in the defense of relations with the Global South. South Africa has strong ties to countries with a history of human rights violations that supported the African National Congress (ANC), such as Cuba and Libya. Borer and Mills (2011) classify the human rights foreign policy of the country as paradoxical, especially because the reconciliation of the commitment to human rights with a pan-African and anti-imperialist agenda. These paradoxes are striking in some decisions, such as the support provided for the President of Zimbabwe, Robert Mugabe, even in a context of a growing humanitarian crisis in that country; the South African engagement in the policy of *refoulement* (the forced return of refugees); and the votes in favour of countries like Myanmar and East Timor judged for human rights violations in the United Nations Security Council (UNSC) (Borer; Mills, 2011, p. 77). It is important to illustrate that during its first term as a non-permanent member of the UNSC, South Africa voted in favour of 120 out of 121 resolutions. However when the UNSC's voted on human rights violations in Myanmar, South Africa did not regard the country as a threat to international peace and security. A draft resolution to impose sanctions against Myanmar was not successful due to divisions in the Security Council and the South African position was seen as damaging the country's international reputation and moral authority (Smith, 2012, p. 75).

Domestic actors and NGOs working in human rights are critical of these ambiguities. The history of struggle against apartheid contributed to create a culture of active political participation in South African civil society, which also has an impact on foreign policy formulation. A milestone in the opening of South African foreign policy was the document published by the Department of Foreign Affairs, called 'South African Foreign Policy Discussion Document', which invited academics and civil society to a forum debating the goals of foreign policy (Pere, 2002 p.

19). A vibrant civil society, with active participation of churches, labour movements, human rights organizations, among others, pressure to South Africa correspond to the expectations of being a moral authority in the world. The Congress of South African Trade Unions (COSATU) has an active role for the government to press the respect for human rights in countries of the region such as Nigeria, Zambia and Swaziland (Maluwa 2012, p. 213). This active role of the South African civil society deepens the public character of foreign policy and creates demands for accountability and transparency by the government.

The South African Constitution promulgated in 1996 disseminated domestic human rights protection and social participation. The Constitution established the Commission on Human Rights and the Parliamentary Portfolio Committees. The first body has the power to monitor the respect for human rights, and the parliamentary committees guarantee the scrutiny of all legislative acts and its compatibility with the Constitution (Maluwa 2012, p. 214-15). This system allows NGOs and civil actors to pressure Parliament and engage in legislative debates surrounding foreign policy and human rights (Maluwa 2012, p. 214).

Mandela's government realized that South Africa could be a positive example in the post-Cold War world, and this element could be converted in opportunities to promote the interests of the entire African continent. The moral authority of Mandela became the main mechanism for negotiating with African regimes that violated human rights. Instead of adopting sanctions, Mandela sought to mediate conflicts directly with the leaders involved. The only attempt to adopt sanctions against Nigeria in 1995, due to the General Abacha order for the killing of human rights activists, was rejected by African leaders at the Organization of African Unity. Mandela realized that the direct negotiations and regional mechanisms would be appropriate strategies for the construction of South African leadership. Despite the pressure from social movements, South African efforts to incorporate human rights considerations in its foreign policy represent honest attempts to conciliate the defense of human rights domestically and worldwide (Maluwa, 2012, p. 223).

The foreign policy priorities changed little in the first ten years after apartheid. In 2004 the Department of Foreign Affairs published a strategic plan emphasizing the South African commitment to promoting human rights and democracy. In the government of Thabo Mbeki (1999-2008), the principles of foreign policy were virtually the same of 1994 (Nathan, 2005, p. 362), defending the commitment to democracy and human rights (Geldenhuis, 2008, p. 8). However, Mbeki's strategy was different because its commitment with the 'African Renaissance'. Mbeki reinforced the power resources of the country in the region through the recasting of the main African organization, the African Union (AU), and the country's status as a regional power was demonstrated steady on empirical grounds, such as economic strength, military capability and the size of population (Geldenhuis 2008, p. 20). The commitment to Africa have encouraged partnerships with the Global South through multilateralism (Pere, 2002, p. 20), and South-South cooperation has been greatly strengthened. The South African participation in peacekeeping operations in Africa has increased considerably in the post-Mandela period (Schoeman, 2007).

The Zuma administration's rhetoric of human rights values remained strong, but moved to the national interest and cooperation, including urgent domestic issues such as unemployment, violence and corruption. The South African votes in the UN concerning crisis in Zimbabwe, Swaziland, Madagascar, Democratic Republic of Congo and Burundi means to some critics the neglect of a foreign policy based on human rights (Landsberg, 2012, p. 4). An important position of the government was to revise the post-apartheid foreign policy and forge a future scenario consistent with the South African capabilities. After the normalization of diplomatic relations and the regular participation in international organizations, the demand for a critical role of South Africa in support of developing countries, especially in Africa, is going beyond their capabilities and resources, as presented in the document on 15 years of post-apartheid foreign policy, *Meeting the challenges of the future* (Landsberg, 2012, p. 9). Zuma emphasizes the importance of foreign policy for solving national problems of South Africa, a way to manage the weight of expectation on the South African human rights foreign policy. The regional dimension of domestic problems justifies the priority of relations with Southern Africa and the multilateral efforts, which are increasingly the *modus operandi* of South African foreign policy.

The difficulty of adopting a more assertive stance on human rights violations in other countries emerges mainly as a product of tensions between international guidelines for action. The affirmation of a regional leadership sustained by a Pan-Africanist ideology is faced with human rights violations of many allies that are indispensable to the consolidation of South Africa as a regional power. It's a dilemma similar to the one that confronts Brazil. The selectivity of the international human rights regime relapses directly on African states, who lead the resolutions against human rights violations in the General Assembly and the Human Rights Council. The problems of selectivity and double standards that prevail in the system reinforce the need for a leadership in Africa that is more sensitive to the historical and cultural peculiarities of the region. The South African human rights foreign policy should not be judged only by their votes and partnerships, but in its example as a means of strengthening human rights domestically, primarily for providing legal mechanisms of political participation. The votes and partnerships in the country are subsidiary elements that must be elucidated by public debate. Despite the voting record, South African foreign policy has to face some paradoxes, such as when South Africa denies a visa to the Dalai Lama on two separate occasions, as this would strain diplomatic relations with China. It can be interpreted as evidence of the government's increasing disregard for human rights (Smith, 2012, p. 74).

The problems of selectivity and double standards that prevail in the human rights international regime reinforce the need for a leadership in Africa that is more sensitive to the historical and cultural peculiarities of the region. The ambiguity to solve is the absence of a line of continuity in the voting record, for example when Zuma was reluctant to condemn the abuses committed by President Bashar al-Assad in Syria and simultaneously supported the decision of the African Union to suspend Egypt because of the disproportionate use of violence by the military government. Like Brazil, it is important for South Africa to not echo the politicization and selectivity that is standard in the behaviour of Western powers in the international human rights regime. Karen Smith explains that 'the foreign policies of regional powers like South Africa have to be especially nuanced in order to juggle the often competing demands of international and regional expectations and interests' (2012, p. 77). Transparency in the motivations of country positions and dialogue with society is a way for solving these paradoxes which could be interpreted as challenges to the legitimacy of its foreign policy. Besides the ideologically content of the human rights foreign policy, their strategic and pragmatic goals cannot be ignored. Evidently, the policy needs to be minimally consistent with the ideas, but at the same time, the use of human rights as a mean of Western powers achieve their goals has built an international human rights system with various addictions - what make biased voting procedures in the UN system. The role of a moderate revisionism by regional powers such as Brazil and South Africa must balance between these ideological and strategic nuances. The main point is that human rights foreign policy is broader than the votes in a problematic international system. It is related with the opening for civil society participation and to domestic public policies to diminish social inequalities. Regarding this wider scope, even with its mentioned imperfections, the foreign policy in the human rights field is corroborating the kudos of both countries as regional powers.

Conclusion

Following the demise of authoritarian rule, Brazil and South Africa were guided by the adherence to international regimes and endeavoured to consolidate economic openness to the international capitalist system. After the turn of the twentieth century, the foreign policies of Brazil and South Africa became prominent in the international system. The role of these countries as regional powers was strengthened and they increased the revisionist diplomacy to foster reforms in the global governance. The autonomy of their foreign policies under the Lula and Mbeki administrations respectively was possible because of the consolidation of democracy and the changes in the international political economy. Certainly, the assertion of a democratic regional power is a process that has its imperfections, which in the most dramatic moments can awaken the memory of the ignoble regimes that preceded the democratization process. Social dilemmas are evident and particular, and the degree and quality of international leadership that Brazil and South Africa can achieve in the twenty-first century is directly related to the resolution of these social issues. In this sense, the participation of civil society in policy-making is crucial, since it has a striking

interface with the international legitimacy desired by both countries. Initiatives such as the South-South cooperation can enhance the role of these regional powers.

Notes

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Southern African Development Community Gender and Development: The case of South Africa's Quest for Gender Equality, Empowerment and Women Violence?

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ABSTRACT Gender activists were very instrumental in influencing the development and adoption of the Southern African Development Community (SADC) Protocol on Gender and Development in August of 2008. Using this SADC Protocol, gender activists' campaigns focus on gender based violence that is evidenced in physical, sexual, psychological or emotional, and economic abuse in the region, particularly in South Africa. The paper highlight the case of South Africa, a country that is characterized by country-wide reports of rape, sexual harassment and assault, domestic violence, human trafficking, and harmful cultural practices like female genital mutilation, ukuthwala (abduction of future bride, which is termed differently according to the cultural group practicing it), and virginity testing. Following the adoption of the Protocol gender activists came together between 2005 and 2008 to form cross-border and national alliances to undertake a campaign to influence the content of the Protocol, as well as lobby for its adoption.

Introduction

The status and struggles of women in Southern Africa are largely influenced by the political context of colonisation, decolonisation, the black majority rule, and the shift from one party to multiparty politics. Women status and struggles are also a factor of patriarchy², an ideological construct, which in many instances, marginalises women and the girl child. Ndulo (2009) argues that patriarchal system entrenches economic inequality through the feminisation of poverty, particularly in rural areas, working class communities and among the unemployed. Wright (1981) maintains that women in pre-colonial societies were involved in both the socio-economic activities and political participation. This is supported by Amadiume (1987 & 1997) who argues that the flexibility of gender systems of most traditional cultures and languages, allowed women to assume positions and roles that have today become the exclusive preserve of men. Guy (1987) and Walker (1991), however, concluded that gender analysis largely emphasised domesticity and women's unwaged role as primary producers, and as subordinates to men in agriculture-based economies.

Women also participated in societal public life. Sadiki (2001) acknowledges the evidence of women playing active and prominent roles in public decision-making processes including maintaining social peace by regulating and

²Patriarchy is a system of society or government in which the father or eldest male is head of the family and descent is reckoned through the male line; and in which men hold the power while women are largely excluded from it.

preventing conflict. Coquery-Vidrovich (1994, p. 34) notes that while men certainly asserted their political supremacy, women always retained opportunities for power. This is also supported by van Allen (1976) and Wright (1981) who argue that some women have a long history of consciousness and public participation that predate national politics resistance to colonial rule in some countries in the continent. Nzeogwu (2000), however, cautions that before colonialism African women did not participate in governance, and existed only in shadowy spheres and meekly accepted whatever their male lords and masters directed.

Socially, women had a value, as they were a symbol of fertility and, as such, a guarantee of children – the future growth and development of the family. This, of course, supports patriarchy. Kingship groups, whether patrilineal or matrilineal, expected their married women to give birth to children in order to ensure the future of the group. Mbiti (1988) argues that African traditional religions conceived the position of women as complementary to that of men even though the latter (men) were believed to be superior and in control of the former (women). Gordon (1996, p. 29) argues that women in some societies often controlled a range of economic activities including in agricultural activities and commercial market related ventures.

Violence against women and girls in Africa is on the increase. This takes the form of ritual rapes and murders, gang rapes, abductions, defilement and forced early marriages, military sexual slavery, rape as a weapon of war, trafficking in women and girls and widespread of ill-treatment of widows. In spite of legislation against some cultural practices, women in Africa continue to be vulnerable to harmful traditional practices and customs such as forced girl marriages and widow inheritance, which increases their exposure to the risk of HIV and AIDS, for example. Although laws have been passed in some countries to provide a framework for protecting women from gender-based violence (GBV), its implementation still lags behind policies and rhetoric, and measures taken are far from adequate. Even where such laws exist, enforcement is made difficult by the attitudes of law enforcement agents leading to abuse of victims who dare reporting incidences of violence against women and girls (Gender Links, 2011).

Equally scaring is socio-cultural attitudes that encourages and/or reinforce a culture of tolerance, silence and subordination of women in families and societies. Amadiume (1987, p. 52-99) observes that very few comprehensive programmes have been established to change attitudes of male dominance and mobilise men to join in the struggle for gender equality. This inhibits the collection of necessary but adequate data to tackle the root causes of violence against women in order to appreciate the extent of the problem. As a result, prevention strategies remain fragmented, reactive and have not received adequate resources. In some cases, adverse economic conditions make it difficult for economically vulnerable women to get out of abusive relationships. As a result, Gender Links (2009) observes that sexual abuse of women increases their vulnerability to sexually transmitted infections and HIV in society. In some countries, policy makers and top decision-makers shy away from engaging on issues of violence against women and from discussing gender issues or commenting on the wide prevalence of the problem. Jambaya, (2012) notes that GBV advocacy is mainly left to non-governmental organizations (NGOs) and civil society groups, which provide most of the support programmes and services to survivors. In some regional countries, there is limited capacity to monitor the impact of the measures taken.

This paper is divided into two parts. Firstly, the paper provides an overview of the regional Protocol on Gender and Development. This is followed by an assessment of South Africa's domestication of this protocol.

Overview of SADC Gender and Development Protocol

The Southern African Development Community (SADC) Gender and Development Protocol signed in August 2008 by member states, *inter alia*, seeks to eliminate all forms of discrimination against women in order to achieve gender equality and equity in their constitutions in the region. It also seeks to encourage and harmonise the development and implementation of gender responsive legislation, policies and programmes and projects (SADC, 2008). The provisions of the Protocol for GBV are summarised below, and their implementation will be monitored through a

two-yearly member states reports that compliment the SADC Executive Secretary's reports to the Heads of State and Government. By 2015, signatory states are expected to:

1. Adopt integrated approaches including institutional cross sector structures with a view to reduce current GBV levels by half;
2. Enact and enforce legislation prohibiting all forms of GBV;
3. Ensure that laws on GBV provide for the comprehensive testing, treatment and care of survivors of sexual assault;
4. Review, amend and repeal their criminal laws and procedures applicable to GBV and sexual offences' cases as well as laws that discriminate on the ground of sex or gender;
5. Enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims with the aim of re-integrating them into society;
6. Enact legislative provisions, and adopt and implement policies, strategies and programmes which define and prohibit sexual harassment in all spheres; and
7. Review and eradicate traditional norms including social, economic, cultural and political practices and religious beliefs which legitimise and exacerbate the persistence and tolerance of GBV (Gender Links 2012).

This Protocol not only contains concrete, time-bound commitments, but is also a legally binding agreement compelling SADC member states to accelerate efforts towards protecting women's rights and ensuring equality between women and men in the region. This includes gender equality and equity in national constitutions, dismantling all discriminatory laws, and targeting 50% women in political and decision making positions by 2015. Similarly, the goals at the regional level cover constitutional and legal rights in the areas of governance, education and training, productive resources and employment, GBV, health and HIV and AIDS, peace building and conflict resolution and the media.

By the 2013 13 Heads of States and 12 Government Summits signed and/or endorsed the SADC Gender and Development Protocol, which is now in force. However, the implementation of the agreed provisions suffers from general weakness, lack of uniformity and consistency, and variations that characterises SADC countries' legal provisions in dealing with gender-based violence such as sexual harassment. Gender Links (2007) observes that some countries such as Botswana, Malawi, Mauritius, Namibia, Seychelles, South Africa and Zimbabwe adopted domestic violence laws while others like Lesotho and Namibia have sexual offences legislation in place. For instance, Mauritius cover sexual harassment through sex discrimination laws; Botswana, Mozambique, Namibia, South Africa and Zimbabwe through labour laws; and Tanzania through the Penal Code and Sexual Offences Act. However, marital rape is not recognised as an offence in eight countries, that is, not yet inscribed in Sexual Offences Acts.

The SADC Protocol requires member states to enact and adopt specific legislative provisions to prevent human trafficking³ and provide holistic services to survivors, with the aim of reintegrating them into society. Consequently, eleven SADC countries including Lesotho, DRC and South Africa have ratified the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children while eight SADC member states including South Africa have specific legislation and/or trafficking laws to prevent human trafficking. In the sub-region, South Africa is a main destination for trafficked victims, with women and children coming from neighbouring countries and conflict zones further afield due to its porous borders, persistent gender inequalities and large economy (Gender

³The SADC Gender Protocol refers to trafficking as 'the recruitment, transportation, harbouring or receipt of persons, by means of threat, abuse of power, position of vulnerability, force or other forms of coercion, abduction, fraud or deception to achieve the consent of a person having control over another person for the purpose of amongst other things, sexual and financial exploitation'.

Links, 2013). However, the adoption of a comprehensive anti-trafficking law suffers from limited commitment to fully implement agreed provisions, and widespread inadequate penalties for the convicted offenders.

The protocol is silent about timeframes on the provision of services including social welfare departments, hospitals, courts and victim support units. For instance, some regional countries are struggling to provide emergency contraception, ready access to post exposure prophylaxis at all health facilities in order to reduce risk of contracting HIV and preventing the onset of sexually transmitted infections (SADC Gender Protocol Barometer (2011)).

Social development partners such as civil society groups and donors are actively working together with governments to implement the provisions of the Protocol on Gender and Development. However, recurrent limited resources and low domestic budget allocations in some regional countries, raises questions about the political will and commitment towards the agenda of gender equality in the region.

Some regional countries have relatively weak monitoring and evaluation mechanisms to measure progress in reducing GBV levels. The SADC Gender Protocol Barometer (2011) notes that 51.2% of women in Gauteng province experienced violence including emotional, economic, physical and sexual in their lifetime while 78.3% of men admitted to have perpetuated some form of violence against women. The Barometer further highlights the widespread nature of gender violence. In the Democratic Republic of the Congo sexual violence continues to be used as a weapon of war, South African women experience brutal violence through the practise of corrective rape and hate crimes against lesbians, among others, and Zimbabwe grapples with the effects of politically motivated sexual and other types of violations perpetrated against women. In general many regional women are still unaware of their rights when reporting abuses. In some instances, even informed women traumatised by an assault are unlikely to be assertive and insist on their rights in front of law enforcement authorities largely due to traditional and religious beliefs.

The Protocol advocates member states to ensure that at least 50% of decision-making positions in the public and private sectors are held by women by 2015. It further advocates member states to ensure that all legislative related measures are accompanied by public awareness campaigns that demonstrate the nexus between equal representation and participation of women and men in decision making positions and democratic processes at all levels.

South Africa's application of SADC Protocol on Gender and Development

Although the South African Constitution does not clearly define an act of discrimination in accordance with the definition outlined in the 2008 SADC Protocol on Gender and Development, it does makes provision for a guarantee of the right to equality. The grounds for discrimination and protection against unfair discrimination by both the state and the private person are provided under section 9 (3) of the Constitution. However, the courts have been interpreting and applying the Constitution creatively in a manner that reinforces the right to equality, which to a large extent, meets the definition of discrimination as articulated in the SADC Protocol. The country's courts also play a leading role in enforcing regionally and internationally ratified instruments. Further, the country's constitution enjoins the judiciary to have regard for foreign jurisprudence. For example, Section 39(3) states that the Bill of Rights does not deny the existence of any other rights or freedoms recognised in the law or conferred by customary law, as long as they are consistent with the Bill of Rights. This is of particular significance for the rights of vulnerable people, such as women and children. The above has since independence been motivating gender activists to continue pushing the proverbial envelope in terms of placing gender related debates on the agenda. In the absence of a guarantee that the rights in the Bill of Rights take precedent over custom, traditional practices harmful to women and children would not be deemed unlawful (CGE, 2010).

Gender Links (2012) notes that the South African constitutional mandate towards attaining gender equality is clear, and legislative reform has provided the building blocks for a gender equitable society. The government does, however, face major challenges in ensuring that constitutional, legislative and policy imperatives on gender equality and women's empowerment are translated into substantive improvements in the lives of women and girls (Economic Commission for Africa 2009).

South Africa is also grappling to implement the National Policy Framework (NPF) for Women's Empowerment and Gender Equality, which seeks to place 'gender at the centre of the transformation process within all structures, institutions, procedures, practice and programmes of government, its agencies and parastatals, civil society and the private sector' (Gender Links, 2009). However, the country's gender mainstreaming in all policy and programme formulation and budget allocation processes has not been attained.

Women discrimination and gender based violence

The fact that women are asserting their rights against GBV of various forms, confirms the important role of a rights-based approach to GBV and HIV/AIDS. This rights emphasis is supported by Albertyn (1995) who observes a shift of focus from individual rights of privacy and non-discrimination towards embracing more global social and economic concerns of poverty and inequality. Furthermore, the ratification of numerous international human rights declarations in the last few years give guidelines to organisations working in legal advocacy, health care delivery, social policy and service provision, and awareness campaigns internationally.

Gender based violence is one of the greatest obstacles to women's achievement of equality, development and dignity in post-apartheid South Africa. This violates women's human rights and undermines the overall attainment of the Protocol's objectives. However, low conviction rates and sentences for rapists and abusive partners that continued to be blamed on the criminal justice system exposes government's commitment towards eradicating GBV, and violence against women and children in particular as a serious crime in line with regional and international legal instruments.

South Africa is currently cited as one of the highest incidences of domestic violence in the world. Vatten & Bhana (2011) argues that domestic violence is the most common and widespread human rights abuse in the country, resulting in daily reports of women being murdered, physically and sexually assaulted, threatened and humiliated by their partners within their own homes. Gender Links (2007) estimate that 60 % of all South African women experience some form of abuse within relationships; that one woman is raped every 35 seconds; that one out of every six woman is regularly assaulted by her partner; and that in at least 46% of cases, men involved also abuse the children living with the woman. Furthermore, there is a broad consensus that women are more often subjected to severe forms of abuse and are more likely to be injured by an abusive partner. On the contrary, Gender Links (2007) argues that women who assault their male partners are more likely to avoid arrest even when the male victim contacts the police because law enforcement viewed them as victims rather than actual offenders of violence against men. This suggests that communities are endorsing aggression against men by women. The organisation further observes that domestic violence in same-sex (gay and lesbian) relationships though on the rise and extreme more often suffers from lack of interests from family members. However, some victims of domestic violence sometimes abuse or misuse available protection orders while others even withdraw the cases thereby making it difficult for the police to proceed with the case(s). In some instances, the community have not been forthcoming with honest and accurate information in order to assist the police in meeting this constitutional proposal.

Although a significant legal and institutional frameworks have been put in place to prevent and combat acts of violence and serious crime, and address violence against women, high levels of violence against women continue to be perpetuated in society due to inadequate implementation of these interventions. GBV is a societal challenge that calls for societal response because about 80% of reported crimes happen amongst acquaintances and close family

members. Meanwhile, the introduction of specialised courts by the Ministry of Justice coupled with sustained awareness campaigns with other role-players within government and NGOs has the potential to reduce such crimes. Overall, sexual offences decreased from 70,514 cases in 2008/9 to 62,649 cases in 2013/14 period. Similarly, reported rape cases slightly fell from 47,588 to 46,253 cases over the same period. In spite the fall, concern on the levels of rape in the country is still alarming, hence the adoption of protection of communities as a strategy of reduce further the incidences of GBV. The police has re-introduced the Family Violence Child Protection and Sexual Offences units in order to protect vulnerable groups in society. The sexual assault offence which rose from 13.8% in 2009/10 financial year to 14.6% in 2011/12, is no reversing gear starting with 6.2% recorded in 2012/2013.

In compliance with the SADC Gender and Development Protocol, the South African Constitution has been crucial in terms of providing for the rights of women and girl-children. Legislation like the Sexual Offences Act makes it an offence to engage in sexual intercourse with a girl child under the age of sixteen (16). CGE Annual Report (2008) has observed that the launch of a Victim Empowerment Business Plan includes policies such as the Victim Empowerment Charter, Victim Policy Framework and Compensation for Victims of Crime in order to integrate gender equality and fight violence against women in the prosecution of crime. Furthermore, the Sexual Offence and Community Affairs (SOCA) Unit was established within the National Prosecuting Authority (NPA), mainly to focus on sexual offences, domestic violence, human trafficking, enforcement of child maintenance, managing of child offenders, and other issues involving victimisation of women and children. SOCA Unit has succeeded in establishing Thuthuzela Care Centres (one stop centres) as good practices as well as the Sexual Offence Courts. In this regard, the NGOs are partnering well with state institutions such as the NPA, SOCA, the South African Police Service, the Directorate for Priority Crime Investigations, and the departments of Social Development, Justice and Home Affairs. But, the responsibility of providing victims of sexual abuse with access to police, counselling, doctors as well as court preparations and prosecution remain with the Centres. The NPA also launched an initiative known as the *Indabezitha Programme*, which seeks to train traditional leaders on the provision of the Domestic Violence Act (CGE Annual Report, 2008).

There are significant challenges experienced in accessing reliable data on GBV, hence the tendency to rely more on research and statistics developed by NGOs and research institutions. Despite the 98 years of celebrating International Women's Day, and the adoption of appropriate international legislation, GBV, and violence against women in particular, continues unabated. Brutality against women and girls is rampant in South Africa despite the country's progressive and responsive legislative framework. The Human Rights Watch Report (2001) observed that girls irrespective of economic status or race continue to encounter sexual violence in spaces where they theoretically should be safest, namely, the home and schools. This development demonstrates widespread patriarchal norm which perpetuates harmful expression of masculinity to weaker and vulnerable groups in society.

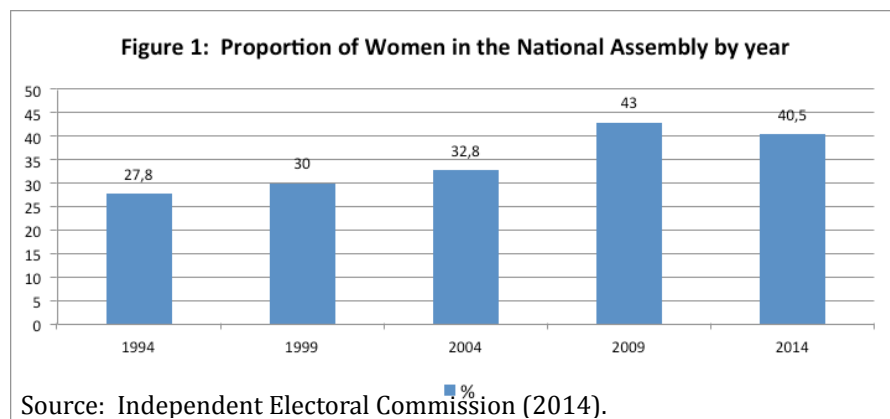
Women participation in politics and public sectors

The SADC Gender and Development Protocol broadly defined women's equal opportunity to participate in politics as a human rights issue as well as a basic prerequisite for genuine democratic process. In this regard, South Africa is on course of ensuring full participation of women in politics and public life, that is, achieving at least 50% women in decision-making positions in the public sector in particular and the private sector in general. Gender Links (2011) reports that about 55% of registered voters in South Africa are women, a statistic that indicate that women in South Africa are active participants in shaping the country's democratic dispensation. IEC (2014) also revealed that the registered women voters in the 2014 General Election were 13.876 million, outnumbering men in all age categories.

However, the country does not have national legislation establishing quota or requiring the equal representation of men and women in decision-making positions. The Electoral Act (Act 73 of 1998) encourages political parties to ensure equal representation of men and women in their election lists to the national and provincial legislatures although this has never been enforced. Presently, the equal representation of women on party political lists depends

largely on optional measures adopted by each political party. In the absence of a legislative requirement for political parties and government to implement the equal representation of women in decision-making positions, the achievements of *de jure* and *de facto* equality of men and women will be difficult to attain.

Notwithstanding lack of progressive gender focused legislation, South Africa has since the first democratic elections in 1994 made significant progress in ensuring women active participation in parliament. As a result, the proportion of women in National Assembly continued to rise with each election though slowed somewhat in 2014, StatsSA (2011) argues that the progressive increase reflects the ANC's post-2004 deliberate policy shift that ensured that at least every third person on the party list was a woman, which was further improved in 2009 to ensure that women should account for 50% of those on the party list. Beside the ANC, the Congress of the People (COPE), especially in 2009, also employed a deliberate 50/50 quota system. However, the poor performance of COPE in the 2014 General Elections made it extremely difficult to ascertain the party's respect of its affirmative policy. The number of women Members of Parliament (MPs) steadily rose from 27.8% after 1994 election to 43% after 2009 General Elections before dropping to 40.5% after 2014 General Elections. Following the establishment of the 2014 Parliament, the ANC allocated 47% of its total seats to women followed by the Democratic Alliance (DA) with 28%, the Economic Freedom Fighters (EFF) with 32% and Inkatha Freedom Party (IFP) with 21%. Disappointingly, a female-headed Agang's two seats were both taken by men. Further, the country's three female-led opposition political parties, namely, Helen Zille's DA, Zanele kaMagwaza-Msibi's National Freedom Party and Mamphela Ramphele's Agang South Africa are not advocating for more women in the legislature. Unfortunately, the above undermine efforts towards ensuring better representation of women in the National Assembly.



In line with the Protocol, the ruling ANC in the 2014 election became the first party in the region to have formally moved closer to achieving the Protocol's target of gender parity by 2015. This shows that change is possible through special measures taken either voluntarily or through legislated quotas. It is therefore anticipated that the 50/50 campaign would escalate in the forthcoming local government elections. Notwithstanding the ruling ANC 50/50

principle, however, there are glaring gaps and regression in some areas while the sexist mudslinging of 2014 general election campaigns still remain a source of serious concern in terms of gender free society. Gender equality goes beyond women's equal participation in decision-making (Gender Links, 2011), hence the need to redress society's patriarchal underpinnings currently affecting the behaviour of both men and women in both private and public spheres.

It can be argued that the drop in female MPs in the legislature from 43% to 40.5% could be attributable to overall decrease of ANC's support nationally given that the ruling party through its quota system has consistently had the highest representation of women MPs in the National Assembly. South African MPs usually represent the views of their respective parties, a development that calls for more gender sensitisation at the party level as well as ascertaining party's stance on particular gender issues. However, anti-gender quotas argue that higher number of women MPs does not necessarily translates into more gender equality in legislation. This argument seeks to balance descriptive and substantive representation in the legislature. In this regard, descriptive female representation and numbers may not necessarily be important than what women MPs collectively do once they are in power in terms of advocating pro-women rights' laws and regulations. The anti-gender quotas further maintained that the first democratic Parliament with about 27.8% female seats enacted probably the most progressive laws to date in the country. This is further supported by a female-led DA, which downplays the usefulness of gender quotas, arguing

that putting women in Parliament does not necessarily change the lives of their constituents in general and of women in particular.

The 2014 electoral results highlighted positive gains in recognising women in decision making positions. In this regard, the ANC's 50/50 quota system resulted in women in the parliamentary Committee Chairs (where all ANC Chairships are held by women) rising from 36.9% after 2009 to 46.8% after 2014. The governing party also ensured that the current Speaker of Parliament position is occupied by a woman. Women holding government leadership positions remain fairly in line with the governing party's gender equity policy as demonstrated in the table 1 below. From the table, the number of women in ministerial and deputy ministerial positions slight increase from 41% and 39% after 2009 to 42.9% and 43.2% after 2014, respectively. The table also reveals that the Zuma Administration though increased the number of ministerial and deputy ministerial positions in government, the corresponding number of female deputy ministers remain lower compared to the record of Thabo Mbeki's era.

Year	Position	Women	Men	Total	% Female
1994	Minister	3	24	27	11.0
	Deputy Minister	3	9	12	25.0
1996	Minister	4	21	25	16.0
	Deputy Minister	8	5	13	62.0
2003	Minister	9	20	29	31.0
	Deputy Minister	8	8	16	50.0
2004	Minister	12	16	28	43.0
	Deputy Minister	10	10	20	50.0
2009	Minister	14	20	34	41.0
	Deputy Minister	11	17	28	39.0
2014	Minister	15	20	35	42.9
	Deputy Minister	16	21	37	43.2

Source: Republic of South Africa's Parliament (2014)

However, the party's deployment of women to positions in government does not necessarily confine them to social services portfolios. As show in the table 2 below, after the 2014 General Elections victory, women ministers were given responsibilities that not only administer the affairs of women in the country, but also social development services which is at the heart of women in particular; peace and security of the country; and managing dynamic and complex relations with other countries as well as regional, continental and international institutions. Women have been mandated to manage portfolios that have huge potential to create employment and business spin-offs. These include environmental affairs; energy and the green economy; public enterprises; small business development; communications; and transport. Women have also been trusted with the management of militant and complex labour relations and the promotion of scientific and technological research.

Table 2: Women's portfolio and their responsibilities after 2014 General Elections

Portfolio	Who is responsible?
Overall women administration	
Women in the Presidency	Susan Shabangu
Social development services administration	
Basic Education	Angie Motshekga
Human Settlements	Lindiwe Sisulu
Social Development	Bathabile Dlamini
Water and Sanitation	Nomvula Mokonyane
Peace and Security administration	
Defence and Military Veterans	Nosiviwe Mapisa-Nqakula
Foreign Affairs administration	
International Relations and Cooperation	Maite Nkoana-Mashabane
Direct link with the economic cluster administration	
Communications	Faith Muthambi
Energy	Tina Joemat-Peterssen
Environmental Affairs	Edna Molewa
Labour	Mildred Oliphant
Public Enterprises	Lyn Brown
Science and Technology	Naledi Pandor
Small Business Development	Lindiwe Zulu
Transport	Dipuo Peters

Source: Republic of South Africa's Parliament (2014)

Though the Public Service Act does not make it mandatory for government departments to ensure equal representation of men and women at senior management level, following the 2014 General Elections, the ruling

party nonetheless moved closer to achieving its 50/50 quota deployment policy in government. Further, Jacob Zuma appointed a fully fledged Women Ministry in the Presidency under the supervision of the former Minister of Mines, Susan Shabangu. It is expected that there will be clarity on how this ministry intends to work together with other relevant stakeholders with a view to push to finality the Women's Empowerment and Gender Equality Bill as well as other outstanding bills such as the legislation around Muslim marriages, prostitution and domestic partnerships.

The representation of women in provincial legislatures reflects an overall decline from 41% after 2009 to 35% after 2014. Gender Links (2014) observed a corresponding decline of two leading parties in provincial legislature – ANC and DA - over the same period from 50% and 35% to 44% and 31% respectively. This also corresponds also to political parties' women representations in the provincial executive council. The rest of political parties' generally performed badly to an extent of failing to understand the political mileage of ensuring more women representation in the provincial legislatures.

However, political will and commitment to attaining women's equal representation in the political arena is not so encouraging when a gendered view is taken of leadership position (Development Indicators, 2009). In this regard, it is regrettable to note that since the 2009 General Elections, South Africa ceased to have a woman deputy president. While Mayors and councillors' positions will be known after the 2016 local government elections, disappointingly, the ANC despite winning in eight provinces has only one female premier in the Northern Cape compared to four in 2009 electoral round.

The 2009 female representation in National Parliament, provincial legislatures and cabinet puts South Africa amongst the leading countries in the world in terms of ensuring that a significant number of women hold important political leadership positions. In the case of appointments to national and provincial executive councils, the President and the premier have the final say on the appointments. In exercising this power, the President, the premier and the political parties concerned are not in any way bound to consider equitable representation of women, but follow political consideration. Such discretion held by the President, premier or political party is not subject to judicial review in terms of the provision of Promotion of Administrative Justice Act 3 of 2000 until such time that Parliament passes national legislation providing for the equitable representation of men and women at the national and provincial legislatures and cabinets.

At the local government level there are signs of progress towards gender transformation. This is evidenced by gender audits carried out by the South African Local Government Association in 2004 and 2006, which revealed that women representation in local government jumped from 29% in 2004 and rose to 42% in 2006 largely due ANC's voluntary 30% quota system. Female representation in local government declined between 2006 and 2011 despite an increase in female candidates by political parties (Selokela, 2011). The proportion of female representation in at the provincial level marginally increased by 1% but dropped by 7% at ward level as shown in the table below. One also notes that political parties suffered the same downward trend. In this respect, the ANC, in spite of its quota policy registered a decline of 2%, IFP underperformed at 4% while DA remained stagnant. The ANC's decrease could be attributed to the entry of COPE - a party that was formed largely by former disgruntled members of the ruling party - into local electoral contests. Given the outcome of the 2014 General Election, especially with the entry of EFF, the 2016 local elections can as for now be predicted as another intense battle ground, especially between the ANC and the current two bigger opposition parties (DA and EFF) in the country. At this stage, however, it can be predicted though that the women representation in local government is likely to marginally improve at best but slightly decrease at a worst case scenario.

Table 3: Women Councillors' representation 2006 and 2011 by ballot type and political parties

	2006				2011			
	F	M	Total	%	F	M	Total	%
Women's representation in local government								
Provincial	1889	2566	4455	42	2086	2727	4813	43
Ward	1425	2470	3895	38	1408	2869	4277	33
Women's representation by political parties								
ANC	2400	2852	5252	46	2665	3429	6094	44
DA	299	700	999	30	503	1158	1661	30
IFP	199	480	676	29	95	285	380	25
COPE					74	187	261	28

Source: Thulaganyo Selokela, 2011.

Women participation in the judiciary system

South Africa has not made significant progress in ensuring that women are sufficiently represented in the judiciary. The education and training programmes for recruitment of judges does not seriously address the need for women empowerment and equitable representation. The country still does not have a woman Judge President in any of its divisions of the High Court. On 15 October 2013, the Chief Justice met Jacob Zuma, South Africa President and recommended the appointment of judges in various divisions of the High Court as per the Judicial Service Commission (JSC) recommendation as indicated in the table 4 below (De Vos, 2013). However, no appointment had been made to date. Unfortunately, such delays frustrate all efforts and energy expended to ensure gender equity in the country. The 2009 statistics of the Department of Justice and Constitutional Development shows that out of 205 judges in South Africa, only 42 are women. Of the 42 women judges, 28 and 14 are blacks and whites respectively. However, (DoJ&CD Stats, 2009) noted that the Minister of Justice undertook to prioritise gender representation in future appointments of judges in line with the transformation of the judiciary system.

Table 4: Female judges who were recommended for appointment to the High Court Division by JSC	
High Court Division	Recommended Judge
<u>Eastern Cape</u>	Adv I T Stretch SC (Ms)
<u>Electoral Court</u>	Ms S Pather
<u>Free State</u>	Ms S Naidoo
<u>Gauteng</u>	Adv M M Jansen SC (Ms)
	Adv N J Van Niewenhuizen SC (Ms)
	Ms S S Mphahlele
<u>Western Cape</u>	Ms N P Boqwana

Women participation in the private sector

It is apparent that the gender transformation witnessed in the political realm has not been replicated within the private sector, where women remain grossly under-represented in senior management positions. This is despite a constitutional imperative for gender transformation in the workplace aimed at promoting equality and non-discrimination through the implementation of such measures as the Employment Equity legislation. The Businesswomen Association and Business Union South Africa assessment indicated that South African Businesses are struggling to implement gender transformation in the workplace. The Commission for Employment Equity Report (2010) reveals that women are more represented in administrative than in decision-making and senior managerial functions at the workplace. The Report further observes that black women in particular comprise a about 6%, 5% and 2% of those recruited, of those benefiting from skills development programmes, and of those promoted to top management positions, respectively. Similarly, the CGE Study (2008) on the promotion and protection of gender equality in the private sector established that:

1. Most companies are ignorant not only of national and regional treaties, but also of the country's commitments to gender equality;
2. Employment equity plans though developed, are not being implemented;
3. There are no focused gender equality strategies or women's empowerment programmes.

The CGE Study (2008) is also concerned about the influence of male-dominant working environment and institutional culture which continue to marginalise working women. The above is supported by invisible elements relating to internal policies and practices regarding recruitment and promotion processes of workers, sexual harassment in the workplace, access to on the job skills training, and the sense that men are taken more seriously compared to their female counterparts by male-dominated management structures and systems at the workplace. The above impacts negatively and harshly on the majority of black working class women. Related to the above is the reality that the gender wage gap in South Africa remains critical at about 33.5% compared to the global average of 22.4%.

Conclusion

The ratified SADC Declaration on Gender and Development (especially the Addendum on Violence) requires interventions at the legislative, social service, and educational levels to remove discrimination against women with a view to empower them as well as to promote and protect their human rights, to provide support to those who have

been abused, and to take action against perpetrators of gender-based violence (Klugman 2000). While gender activists appears to have been registering progress, unfolding socio-economic and political developments in some regional countries tend to delay the motion of advancing gender equity and violent free society. Manicom (2005) observes that while South African women's ministry championed the implementation of the Gender Equality Bill that covers many key provisions of the SADC Protocol on Gender and Development, a Traditional Authority Bill that gives sweeping powers to customary courts has prompted women's rights groups to take protest action.

While women representatives in South African National Assembly marginally declined, those appointed to cabinet slightly increase, and are given the mandate that reflect commitment to holistically tackle all forms of gender violence and discrimination in society. Women's portfolios range from social development to international relations to various components of economic cluster. Cabinet is the one sphere of decision-making in which it is theoretically relatively easy to "ring up the changes" since leaders have the leeway to appoint their inner team. It appears that South Africa used cabinet appointments for bringing women into leadership. GBV remained a concern because there is generally lack of an organised and systematic approach to addressing it. The efforts of the police, the judiciary, the private sector, government and civil society were arbitrary and not prioritised. Another significant limitation in the context of domestic violence prevention was a lack of a structured plan to manage and coordinate policy development and implementation. Again, given the high levels of crime and GBV and the related fear and anger, many South Africans perceived the Bill of Rights as providing greater protection to criminals and perpetrators of violence at the expense of victims. In response, government adopted a crime prevention approach that places the rights and needs of the victims at the centre of the crime prevention strategy. That is the National Crime Prevention Strategy which was developed in 1996.

Crime and GBV are complex social problems with complex social and legal consequences. Interpol data and crime statistics indicate that South Africa has unacceptably high levels of crime and violence. Levels of interpersonal violence are high, with high (though slowly declining) levels recorded in contact crimes such as murder, rape and aggravated robbery. Although this suggests that crime-combating and crime prevention strategies have resulted in a stabilisation in the occurrence of many crimes, levels of victimisation through crime remain a problem.

Notes

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South Africa's post-apartheid nuclear diplomacy

Jo-Ansie van Wyk*

ABSTRACT *South Africa dismantled its nuclear weapons programme and weapons by 1993; an event which coincided with major international events such as the end of the Cold War, the collapse of the Soviet Union and an emerging new international order. The country continues to enjoy some status, prestige and normative power for its nuclear reversal. Since the termination of its nuclear weapons and programme, South Africa has constructed a diplomatic niche for itself through its practice of nuclear diplomacy. Therefore, given its normative power as a nuclear roll-back country, Africa's most advanced nuclear state and South Africa's leadership in African nuclear organisations, the purpose of this paper is to analyse South Africa's nuclear diplomacy in the early 21st century by focusing on selected nuclear related events and developments, namely the conferences on the Treaty on the Non-proliferation of Nuclear Weapons (NPT), South Africa's inspection team in Iraq (prior to the US-led invasion in March 2003), and the nuclear fuel reserve of the International Atomic Energy Agency (IAEA). These cases will serve as illustrative examples of the principles and practices of the country's nuclear diplomacy in the early 21st century.*

Introduction

The year 2014 marks the 25th year since the process to disarm nuclear South Africa commenced in 1989 when then South African President FW de Klerk established a committee to oversee the dismantling and destruction of South Africa's nuclear devices. By early 1990, the De Klerk government unilaterally decided that 'all the nuclear devices should be dismantled and destroyed', and that 'all the nuclear material in Armscor's [Armaments Development and Production Corporation of South Africa] possession [should] be recast and returned to the AEC [Atomic Energy Corporation of South Africa] where it should be stored according to internationally accepted measures' (De Klerk 1993). Moreover, it was decided that Armscor's facilities 'should be decontaminated and be used only for non-nuclear commercial purposes; after which South Africa should accede to the Non-Proliferation Treaty, thereby submitting all its nuclear materials and facilities to international safeguards' (De Klerk 1993). Therefore, an immediate task was to decommission several nuclear weapons facilities in preparation for inspections by the International Atomic Energy Agency (IAEA) whilst maintaining the safety and security of the country's nuclear weapons equipment and stocks of highly-enriched uranium (HEU). More importantly, South Africa had to convince the international community of the sincerity of its intentions regarding nuclear non-proliferation.

When, on 24 March 1993, President de Klerk announced the extent of South Africa's nuclear weapons programme to the South African Parliament and the world, South Africa was also in the early phases of its political transition to democratic rule. Barely a month later 26 South African previously banned liberation movements and political parties established the Multi-party Negotiating Forum which paved the way for the South African Interim Constitution and initiated the Transitional Executive Council (TEC) to prepare the country for its first inclusive democratic elections in April 1994. This resulted in the establishment of a Government of National Unity (GNU) under the leadership of Nelson Mandela, the President of the African National Congress (ANC). These developments resulted in, amongst others, the termination of international sanctions and embargoes against South Africa, thus ending the country's decades' long global isolation and resulted in changes in its nuclear-related relations.

The post-1990 period has been most dynamic in terms of South Africa's international relations and diplomacy. This is especially relevant to the country's nuclear diplomacy. South Africa one of few countries to have terminated its nuclear weapons programme (others being Brazil and Libya). It also established numerous bilateral relations;

acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT) in 1991; and joined or re-joined several nuclear-related organisations, including, for example, the IAEA, the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA), the Nuclear Suppliers Group (NSG), the Zangger Committee (ZC), the Network of Regulators of Countries with Small Nuclear Programmes (NERS), the African Nuclear Regulators' Group and the Generation IV International Forum (GIF) (DFA 2009).

More importantly, ANC-led South Africa was very clear on its nuclear intentions. Apart from adopting a human rights-based foreign policy, the country reiterated that a 'primary goal' of its foreign policy is to 'reinforce and promote it as a responsible producer, possessor and trader of defence-related products and advanced technologies in the nuclear, biological, chemical and missile fields' (DFA 2009). The Government's argument was that South Africa, in this way, 'promotes the benefits which non-proliferation, disarmament and arms control hold for international peace and security, particularly to countries in Africa and the Non-Aligned Movement (NAM)' (DFA 2009). Not only was this a departure from the country's historic nuclear posture and diplomacy, but it was also a departure from the ANC's historic anti-nuclear position.

This paper argues that South Africa, as a roll-back state, has used niche diplomacy as a diplomatic practice in order to undo its nuclear legacy, and to gain material and non-material rewards such as status, prestige and trade opportunities. It is furthermore argued that, informed by its foreign policy and diplomatic practice, South Africa's nuclear diplomacy is underpinned by various principles informing the state's identity, role and interests. Against the aforesaid, the objective of this contribution is to analyse South Africa's nuclear diplomacy since 1994 in order to identify the country's principles and practices in respect of its nuclear diplomacy. Therefore, in order to achieve the objective of this contribution, the paper is structured as follows. Firstly it outlines niche diplomacy as a diplomatic practice. Secondly, using a constructivist approach, nuclear diplomacy as diplomacy *sui generis* is outlined. In the third part of the paper, three illustrative case studies of South Africa's post-1994 nuclear diplomacy - the NPT, the Iraq crisis (*ca.* 2003) and the IAEA nuclear fuel reserve - will be presented. The paper then proceeds to an analysis of the principles and practices underpinning South Africa's nuclear diplomacy. In conclusion, the contribution assesses the country's nuclear diplomacy.

Niche diplomacy as diplomatic practice

Niche diplomacy refers to diplomatic specialisation in a particular area and a state's concentration of resources in 'specific areas best able to generate return worth having rather than trying to cover the field' (Henrikson 2005, p. 67). Thus, it implies that a state aims to achieve non-material objectives - international prestige, status, material benefit, soft power and moral authority - with niche diplomacy. For a state to acquire and maintain a diplomatic niche, it requires authority, influence, power, recognition, and a secured position in a globally competitive arena through publicity, advocacy and positive branding (Henrikson 2005: 70-71).

Niche diplomacy also focuses on the ability of a state to 'identify and fill niche spaces on a selective basis through policy ingenuity and execution' (Cooper 1997, p. 5). Therefore, niche diplomacy is an instrument to examine the behaviour of a state that realises that it cannot act alone effectively 'but may be able to have a systemic impact in a small group or through international institutions' (Cooper 1997, p. 8). Therefore, typically states practicing niche diplomacy focus on a specifically selected issue, organisation or activity akin to middle power diplomatic behaviour, which have a strong normative foundation and emphasise 'entrepreneurial flair and technical competence' (Cooper 1997, p. 6 & p. 9). Apart from the above-mentioned characteristics of niche diplomacy, it also focuses on consensus and coalition building; cooperation on an issue-specific basis; and adopting the role of bridge-builder, mediator, facilitator or catalyst which requires 'entrepreneurial flair' in planning, convening and hosting meetings, prioritising for future meetings on a particular issue, and drawing up declarations and manifestos (Cooper 1997, p. 9).

In order to analyse niche diplomacy as a diplomatic practice, Cooper's (1997, p. 74) extended framework of middle power behaviour; Du Plessis' (2006: 140) typology of diplomacy; and Henrikson's (2005, p. 1-24) three niche diplomatic strategies have been adapted as the analytical framework of this paper. Therefore, Figure 1 presents a

classification and typology of niche diplomacy based on three dimensions of diplomacy. Duration and status refer to the nature of diplomacy by being permanent (routine) or temporary (*ad hoc*). Form refers to the number of actors involved, namely bilateral or multilateral. Level-type and status refer to the status of diplomatic representatives, whereas, strategy refers to a state's use of partnership, parallelism and/or confrontation. Finally, the intensity of a state's niche diplomacy ranges from accommodative to combative. Figure 1, therefore, serves as an analytical framework to describe, classify and analyse niche diplomacy as a diplomatic practice underlying a state's principles, identity, interests and role in respect of its nuclear diplomacy and is here applied to South Africa's nuclear diplomacy since 1994.

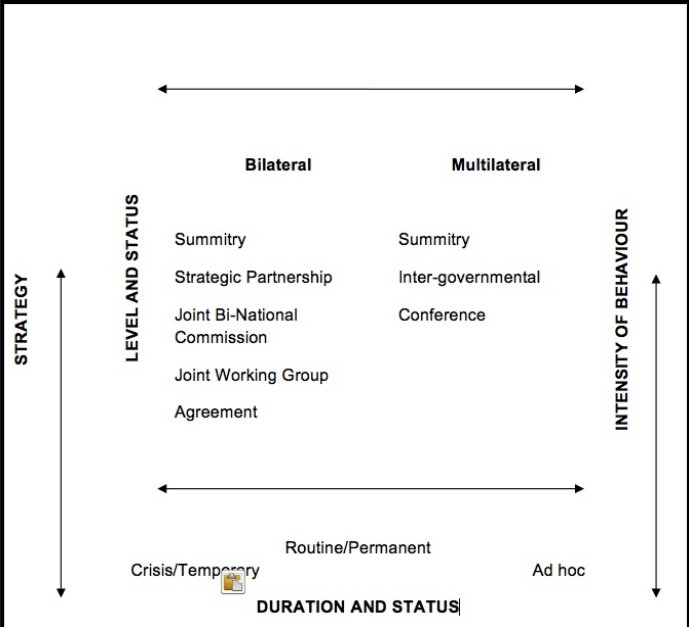
Nuclear diplomacy and practise

Nuclear diplomacy is the social interaction among and between international actors - states, international organisations, individuals and transnational non-state organisations - on nuclear-related issues, actors and - material or non-material - interests to achieve objectives aligned with an

Figure 1: South Africa's nuclear diplomacy and practice: an analytical framework

actor's construction of its self- or national interests, its particular identity and the nuclear-related norms it initiates, innovates, maintains, and with which it is compliant or non-compliant (van Wyk 2013, p. 54). This definition is not limited to states as the traditional and only actor in the nuclear field. Increasingly, non-state actors such as private corporations participate in scientific research and development, and trade in nuclear material, goods, equipment and services (van Wyk 2013:, p.54).

Nuclear diplomacy differs from other types of diplomacy. As a particular type of diplomacy, it requires a certain level of expertise from diplomats. It also can be regarded as two-sided. On the one hand, some actors attempt to prevent nuclear proliferation, whereas on the other hand, some actors attempt to maintain and/or acquire nuclear-related capabilities. Additionally, non-state actors also practice a form of nuclear diplomacy within the context of various nuclear export and trade regimes.



Sources: Adapted from Du Plessis, A. 2006. Foreign policy and diplomacy, in McGowan, PJ; Cornelissen, S & P Nel (Eds.), *Power, wealth and global equity. An international relations textbook for Africa*. Third edition. Cape Town: University of Cape Town (UCT) Press; Cooper, AF. 1997. Niche diplomacy: a conceptual overview, in Cooper, AF (Ed.), *Niche diplomacy. Middle powers after the Cold War*. London: Macmillan; Henrikson, AK. 2005. Niche diplomacy in the world public arena: the global 'corners' of Canada and Norway, in Melissen, J (Ed.), *The new public diplomacy. Soft power in international relations*. New York: Palgrave Macmillan.

and unconventional bilateral diplomacy; multilateral diplomacy, including international organisations; summitry of Heads of States and Governments; and mediation of conflict (see *Figure 1*). However, nuclear diplomacy differs from these modes in that it has a specific focus area (nuclear energy). Actors involved in it are, by virtue of the NPT, divided into two categories, namely nuclear weapons states (NWS) and non-nuclear weapons states (NNWS), with an increasing number of developing states with a nuclear weapons capability.

South Africa and the NPT

The NPT - entered into force on 5 March 1970 - rests on three major pillars or norms, namely nuclear disarmament; nuclear non-proliferation; and the peaceful uses of nuclear energy. At first a reluctant signatory of the NPT, South Africa eventually acceded to the NPT in 1991 and, since then, an unequivocal supporter - with some *caveats* - of the NPT. Since 1991, South Africa has actively participated in the Treaty's Review Conferences (RevCons) with its first attendance at these RevCons in 1995 when the country attended the Review and Extension Conference (REC).

South Africa's proposals on a mechanism for strengthening the review process were developed in consultation with other countries. The first draft of this document was compiled in Pretoria and finalised prior to the REC in New York. South African diplomat Pieter Goosen (1995, p. 3) explained that the 'ideas in the original South African draft on the review mechanism were not that of South Africa alone, as was the case with the draft on principles'.

On 19 April 1995, two days into the conference, South Africa's Minister of Foreign Affairs, Alfred Nzo, addressed the REC. According to Nzo (1995), South Africa played an 'active part' in the PrepCom meetings and had, in compliance with a Nigerian-sponsored UNGA resolution, provided legal analysis of the extension options to the Treaty's future. Nzo (1995) also stressed South Africa's position that the NPT should not be jeopardised and that the Treaty should be strengthened and not weakened. He reiterated that the NPT is the 'only international instrument on nuclear disarmament' which binds all five NWS. Referring to the 'inequalities inherent' in the Treaty, Nzo stated that it should be dealt with in such a manner as not to threaten the security provided by the NPT. More importantly, he confirmed that South Africa 'in principle supports the view that the NPT should be extended indefinitely. The termination of the treaty is not an acceptable option'.

Nzo (1995) also proposed that a mechanism must be found to address these concerns in order to fully implement the NPT. In order to achieve this, Nzo proposed the adoption of a set of *Principles for Nuclear Non-Proliferation and Disarmament* (hereafter Principles) to be taken into account when the implementation of the NPT is reviewed. He made it clear that these Principles were not intended to amend the Treaty but were intended to consider the current international environment, which differs from time to time. Nzo also proposed that these Principles should be renewed at every RevCon. He did not identify these proposed Principles but referred to issues which should be considered when formulating these Principles. These were:

1. a restatement on the commitment to the non-proliferation of nuclear weapons;
2. the strengthening of and full compliance with the IAEA safeguard agreements;
3. access to nuclear material and technology for peaceful purposes;
4. progress in the Cut-Off Convention negotiations;
5. progress in the reduction of nuclear arsenals;
6. progress in the negotiations for the CTBT;
7. a commitment to the establishment of regional NWFZs; and
8. Enforcing binding security assurances for NNWS (Nzo 1995).

Nzo also proposed a strengthened review process by recommending the establishment of a committee to study the review process, which should make recommendations to strengthen the NPT and its implementation. These recommendations, Nzo (1995) proposed, should be considered by the PrepComs for the 2000 RevCon. South Africa's proposals served as the basis for the package of decisions presented by the President of the Conference, Ambassador Jayantha Dhanapala from Sri Lanka. According to Thomas Markram (2006, p. 24), the package of decisions 'provided

a way for all State Parties to support the indefinite extension' and the means for achieving progress on nuclear disarmament. The final decisions adopted by the REC reflected South Africa's initial proposals. Two of the REC's three major decisions, Decision I (*Strengthening the Review Process of the Treaty*) and Decision II (*Principles and Objectives for Nuclear Disarmament*) were based on South Africa's proposals presented by Minister Nzo.

In its nuclear diplomacy at the REC, South Africa developed a niche role to achieve its objectives. Constructing its identity as a state with a unique nuclear identity which bestowed on it a certain normative power, South Africa was able to play the role of a norm entrepreneur by facilitating the socialisation of certain non-proliferation norms by other states. South Africa identified and filled specific niche areas, as described by Cooper (1997, p. 5), pertaining to the NPT. It deliberately focused on the 'elements of the NPT', according to Goosen (1995, p. 3), to 'identify the various issues which could be addressed'. South Africa's behaviour in this case was typical of middle powers whose behaviour, as explained by Keohane (in Cooper 1997, p. 8), was that of a state 'whose leaders consider that it cannot act alone effectively, but may be able to have a systemic impact in a small group or through international institutions'.

For South Africa, the norms espoused by the NPT formed the foundation of its diplomatic practice prior to and at the REC. South Africa's "entrepreneurial flair and technical competence" (Cooper 1997, p. 6 and p. 9) are evident in its decision to focus on the 'elements of the NPT' and to consult with other actors such as the OAU, the NAM and other countries (Goosen 1995, p. 1-3). Furthermore, South Africa's 'entrepreneurial flair' was also recognised by the President of the REC, Ambassador Jayantha Dhanapala (1995, p. 2) of Sri Lanka when he referred to South Africa's 'very imaginative proposal of having a statement of principles and a strengthening of the review process' which 'led to the other two parallel decisions that were taken together with the decision on the extension'. South Africa's diplomacy, therefore, was based on consensus and coalition building, and cooperation with other states on two specific issues (the indefinite extension of the Treaty and a review of the Treaty). In this South Africa adopted the roles typical of middle powers practicing niche diplomacy as identified by Cooper (1997, p. 9), namely bridge-builder, mediator, facilitator and catalyst. The latter involved South Africa's planning; convening and hosting of consultations on the NPT; and drawing up an initial statement which it amended after more consultations at the REC in New York.

Some critics, most notably Masiza and Landsberg (1996), and Taylor (2006) referred to South Africa's 'betrayal' of the 'non-aligned position'. Masiza and Landsberg (1996, p. 25), for example, questioned South African diplomats' consultation with non-aligned countries as having been too time-consuming. However, Masiza and Landsberg (1996, p. 25) and Taylor (2006, p. 170) maintain that there was no 'common non-aligned position'. Although the 1995 REC achieved some consensus on the review of the Treaty and its extension, it could not reach a decision on the implementation of Article VI; an issue which was carried over to the 2000 RevCon and which confirmed the historical gap that exists between NWS and NNWS on nuclear disarmament. South Africa's nuclear diplomacy at its first NPT conference produced significant diplomatic results for the country. It produced non-material rewards such as status and prestige. Moreover, it also signalled the country's compliance with the norms espoused in the NPT. It is against this background that South Africa prepared for the NPT's 2000 RevCon.

In the context of the NPT, the form of South Africa's nuclear diplomacy was predominantly multilateral with, as its level and status, multilateral summitry, inter-governmental meetings and conferences. Moreover, the duration of its diplomacy in the context of the NPT is fairly routine and permanent with three Sessions of the Preparatory Commission (PrepCom) of the NPT in the three years preceding RECs or RevCons. See Table 1. More important is South Africa's diplomatic strategies, namely partnership (with NNWS and NWS alike), parallelism, and confrontation (especially with NWS), whereas the intensity of its behaviour oscillated between accommodative (at the 1995 REC) and combative on NWS' inaction on disarmament.

South Africa's practice of niche diplomacy in the context of the NPT has been evident in its identification and filling of niches spaces through, what Cooper (1997, p. 5) called, 'policy ingenuity and execution'. South Africa used various strategies and instruments to conduct its nuclear diplomacy at the REC. Initially, South Africa preferred a limited

extension of the NPT, as explained by Goldberg (1994). In this, the country cooperated with some NNWS. At the PrepComs for the 1995 REC, South Africa developed a new position, resulting in confrontation with some of the countries of the developing world and some NNWS. It cooperated with the NWS, most notably with the US, in achieving the indefinite extension of the NPT.

Iraq 2003

In the wake of the events of 11 September 2001 (9/11), the United States (US) led an invasion into Afghanistan in 2001, and, by March 2003, into Iraq. Despite international diplomatic efforts to prevent a US-led invasion outside the UN Security Council (UNSC), the US and its coalition partners invaded Iraq in March 2003. South Africa was one of the states attempting to prevent the US-led invasion.

During his February 2003 State of the Nation Address, South African President Thabo Mbeki noted South Africa's proposal to the UN and the government of Iraq that a South African team should visit Iraq. The purpose of this visit would be to 'share' South Africa's 'experience relevant to the mission of the United Nations and Iraq to eradicate weapons of mass destruction under international supervision' (Mbeki 2003). Iraq accepted the offer. The team of South Africans was composed of experts from Pretoria's programme to destroy its nuclear, chemical and biological WMD and thus had experience in cooperating with the UN Conference on Disarmament (CD) and other international bodies responsible for the enforcement of the NPT and the Chemical and Biological Weapons Conventions (DFA 2003). According to Mbeki, the team was able to address 'all matters that relate to nuclear, chemical and biological weapons of mass destruction, missile systems, non-proliferation and disarmament, affecting all weapons of mass destruction' (DFA 2003).

Mbeki hoped that the South African 'intervention' would improve the cooperation between inspectors and Iraq to prevent war, while ensuring a WMD-free Iraq (DFA 2003). Therefore, South Africa shared with Iraq the South African legislation pertaining to WMD, namely the Non-Proliferation of Weapons of Mass Destruction Act of 1993, as well as notices and regulations published in terms of the act in the period between 1997 and 2002.

The Mbeki initiative illustrates middle power behaviour in employing niche diplomacy, per Cooper's matrix. That is, South Africa was able to identify and fill a niche using its non-material power as a former nuclear weapons state and its technical expertise. South Africa was able to engage with Iraq in a way that none of the superpowers managed to do.

On the eve of the South African team's departure for Iraq, Hans Blix (2003), head of the UN Monitoring, Verification and Inspection Commission on Iraq, briefed the UNSC on Iraq's nuclear weapons programme. He was unequivocal:

How much, if any, is left of Iraq's weapons of mass destruction and related proscribed items and programmes? So far, UNMOVIC has not found any such weapons, only a small number of empty chemical munitions, which should have been declared and destroyed.

South Africa, in support of Blix's assessment, advocated that the UNSC allow open another debate on Iraq. At one of these debates, South Africa informed the UNSC President that Iraq had accepted South Africa's offer to send a team of scientists, government officials and engineers to Iraq. The purpose of South Africa's offer was to share with Iraq its disarmament experience under international supervision. South Africa also reminded UN members that there was no time limit on the inspections in UNSC Resolution 1441, and called on the UN to resolve the Iraq issue peacefully (UN 2005, p. 328).

Typical of states acquiring and maintaining a particular diplomatic niche, required authority, influence, power, recognition, a secured position in a globally competitive arena through initiative (proposing open UNSC briefings and debates, and proposing the South African team's visit to Iraq); advocacy (promoting the UN as the primary institution to achieve and maintain international peace and security); and positive branding, which it achieved

through promoting itself as a disarmament success story, *i.e.* the ‘South African example’ (UN 2005, p. 328; van Wyk 2014, p. 200).

The South Africa delegation to Iraq prepared a report for President Mbeki, a copy of which was also delivered to Kofi Annan, and concluded that ‘Iraq had undergone a considerable disarmament process and conceivably did not possess any weapons of mass destruction that posed a threat to international security’ (UN 2005, p. 106). The South African report also acknowledged that Iraq continued to have some of the resources required to produce WMD, but argued that its general ability had been severely limited by international actions against the country (van Wyk 2014, p. 201).

According to Deputy Foreign Minister Aziz Pahad (2003), the South African team which he described as a ‘radiation survey team’ travelled 2000 km in Iraq, and gained access to ‘over 75 facilities, including military garrisons and camps, weapons factories, truck parks, manufacturing facilities and residential areas. The delegation also conducted interviews with individuals and groups on site during unannounced inspections, and during pre-arranged meetings with scientists and experts. In some instances, individuals consented to be interviewed without escort and without a tape recording (Pahad 2003; van Wyk 2014, p. 201).

South Africa’s approach to the visit was to focus on the policy decisions that were taken in South Africa to destroy its (*i.e.* South Africa’s) own WMD capabilities, and emphasised the provision of ‘fully transparent and proactive cooperation’ (Pahad 2003). The delegation also underlined the importance of taking the necessary steps to disarm, as well as the importance of confidence building through compliance with UNSC Resolution 1441 (2002) (van Wyk 2014, p. 201).

Against the aforesaid, South Africa’s niche diplomacy in this instance was reflective of Cooper’s (1997, p. 6 & p. 9) ‘entrepreneurial flair and technical competence’ through its bilateral cooperation on an issue-specific basis with the Iraqi government; and adopting the role of bridge-builder and mediator between Iraq and the international community. In the context of the Iraqi crisis, the form of South Africa’s nuclear diplomacy was both bi- and multilateral with, as its level and status, multilateral summitry, inter-governmental meetings and conferences. Moreover, the duration of its diplomacy in the context of this case has been temporary/*ad hoc*. More important is South Africa’s diplomatic strategies, namely partnership (with NAM, for example), parallelism (with, for example, the UN), and confrontation (especially with the US and P5), whereas the intensity of its behaviour oscillated between accommodative (of Iraq) and combative in respect of the US, the P5 and NWS.

IAEA nuclear fuel reserve

In June 2009, IAEA Director General Mohamed ElBaradei (2009 (a)) proposed the establishment of a low-enriched uranium (LEU) reserve under IAEA auspices. The Russian Federation also proposed the idea of an “assurance of supply mechanism” (ElBaradei 2009 (a)). ElBaradei reassured members that the purpose of the IAEA LEU bank and the Russian proposal was to ‘provide assurance of supply over and above countries’ existing rights’. He reiterated that the proposed fuel bank ‘does not limit countries’ rights in any way’ and that ‘no state would be required to give up any of its rights, including the right to develop its own fuel cycle’. The proposal entailed a physical LEU bank at the disposal of the IAEA as a ‘last-resort reserve for countries with nuclear power programmes which face a supply disruption for non-commercial reasons’ and accessible to all states in order for states that ‘they might not need their own enrichment or reprocessing capability’ (ElBaradei 2009(a)). The rationale for ElBaradei’s (2009 (b)) proposal was to ‘move from national to multinational control of the nuclear fuel cycle’ (van Wyk 2012, p. 190).

Developing states, including South Africa, perceived ElBaradei’s nuclear fuel cycle initiative as intended to prevent them from benefitting from nuclear energy and technology (Hibbs and Persbo 2009, p. 22). ElBaradei’s proposal to commence with the planning of a multilateral civilian nuclear fuel supply was blocked by the Board on 18 June 2009 (Hibbs and Persbo 2009, p. 22). However, in November 2009, the IAEA authorized the IAEA Director General to sign and implement an agreement with the Russian Federation to establish an LEU Reserve. The IAEA-Russian agreement

was signed on 29 March 2010 (IAEA 2010). Twenty-eight IAEA member states voted in favour of the establishment of the facility, whereas six members abstained. In abstaining from the vote, South Africa agreed with Tunisia, Venezuela, Ecuador, Brazil and Argentina not to support the nuclear fuel reserve. Pakistan did not vote.

In what can be regarded as a reaction to the IAEA decision to establish a nuclear fuel reserve, South Africa's Minister of Energy, Dipuo Peters (2009), reiterated South Africa's intention to secure its own fuel supply for 'future national energy needs' at the 53rd Regular Session of the IAEA GC in 2009. The Minister also indicated that various feasibility studies were undertaken by NECSA with the cooperation of some 'international players in fuel cycle services' (Peters 2009). In addition to this, the Minister also announced that laboratories and facilities were under construction to 'facilitate [the] re-establishment of fuel cycle operations in South Africa' (Peters 2009).

This followed an IAEA-Russian agreement to reduce nuclear proliferation and uranium processing by providing LEU to any IAEA member country that could be denied access to conventional nuclear fuel markets (NTI 2009; *World Nuclear News* 1 December 2010). Under IAEA safeguards, the IUEC would ensure an uninterrupted supply of LEU for nuclear power generation. Apart from funding the establishment of the 120 tonnes reserve, Russia also funded the maintenance, storage, safety, security and safeguards of the IEC.

The IAEA Board of Directors authorized its Director General on 3 December 2010 to establish an IAEA LEU bank; owned and operated by the IAEA in support of multilateral effort to ensure LEU supplies for power generation. By 2010, donors for the IAEA LEU bank have pledged US\$ 125 million and € 25 million (IAEA 2010).

At the time of Russia's initial proposal of a global nuclear fuel reserve in 2006, Abdul Minty (2006) reiterated that developing countries maintain that it is 'the basic and inalienable right of all states' to 'develop research, production and use of atomic energy for peaceful purposes' and that this right 'should be without any discrimination and in conformity with their respective legal obligations'. Minty (2006) pre-empted the outcome of the vote by some development countries on the establishment of the nuclear fuel reserve by stating their:

choices and decisions in the field of peaceful uses of nuclear technology and its fuel cycle policies must be respected. Just as for developed countries, developing countries also have a sovereign right to make their own decisions consistent with their national priorities and interest.

The decision by the South African government on nuclear fuel announced by Minister Peters (2009) signalled a major departure from IAEA policies as well as the use of parallelism as a diplomatic strategy with South Africa initiating nuclear fuel facilities parallel to the IAEA's nuclear fuel reserve.

In the context of the nuclear fuel reserve, the form of South Africa's nuclear diplomacy was predominantly multilateral with, as its level and status, multilateral summitry, inter-governmental meetings and conferences. The duration of its diplomacy in the context of this case has been routine. More important is South Africa's diplomatic strategies, namely partnership (with NAM, for example), and confrontation (especially with NWS), whereas the intensity of its behaviour oscillated between accommodative (of NNWS) and combative in respect of NWS. South Africa employed confrontation as a diplomatic strategy in the IAEA's establishment of the nuclear fuel reserve. It regarded NWS to be promoting their interests above those of other members of the IAEA despite the provision of Article IV of the NPT. In addition to this, the South African government's decision not to support the initiative may have also undermined Minty's candidature. South Africa was protecting its national interests, especially since it was conducting feasibility studies to recommence with its uranium enrichment programme.

South Africa's diplomatic practice in the afore-mentioned cases has illustrated its diplomatic strategies, the form, type and duration of its diplomacy. Following a deductive approach, the next section distills the country's diplomatic principles based on the above-mentioned practices.

Conclusion

Despite its flexible nature, diplomacy is conducted within certain parameters. The parameters of diplomacy refer to ‘factors that provide a framework or basis for diplomacy and prescribe, regulate or limit diplomatic practice’ (Du Plessis 2006, p. 142). Four parameters of South Africa’s nuclear diplomacy can be distinguished, namely the policy, institutional, legal and moral parameters. The policy parameter refers to the country’s decisions concerning the ends and means of its nuclear diplomacy. The institutional parameter determines the locus and process of policy formulation that influence nuclear diplomacy, including bureaucratic institutions and infrastructure for policy implementation. The legal parameter refers to the provisions and prescriptions pertaining to the use of diplomacy in terms of International Law. Finally, the moral parameter includes international morality, ethical guidelines for international conduct and behaviour and norms relating to diplomatic practice, which links to some of Holsti’s (2004, p. 178-210) observations on diplomacy.

Explaining the historical changes in diplomacy and diplomatic practice, Holsti (2004, p. 178-210) focused on changes pertaining to norms, institutions, ideas and practices pertaining to diplomacy in the twentieth century. Among these are increased specialisation, a proliferation of issues, technological innovation, the ‘democratisation’ of diplomacy and the rise of public diplomacy. Holsti’s observation refers to the “widening content of diplomacy” resulting in ‘changes in the substantive form of diplomacy’ as reflected in specific types of diplomacy such as, for example, environmental diplomacy, knowledge diplomacy, disaster and emergency diplomacy and nuclear diplomacy (Barston 2006, p. 1).

Having defined nuclear diplomacy, its performative aspects and parameters, the paper proceeds to analyse South Africa’s diplomatic practice and principles in respect of the selected illustrative case studies.

Since 1990, South Africa based its nuclear diplomacy on normative innovation, independence, and consensus-seeking practices and techniques. The country’s focus on a normative foreign policy has a direct bearing on its nuclear diplomacy where norms such as nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy are ascribed to. See *Table 1*. Therefore, the first principle of South Africa’s nuclear diplomacy is its normative approach to nuclear energy which is in line with Finnemore and Sikkink’s (1998, p. 894-905) life-cycle of norms. In this

instance, South Africa has accepted/enacted (norm cascade), as well as internalised certain norms in the practice of its nuclear diplomacy.

Table 1: South Africa nuclear diplomatic practice (*Source: Author’s own compilation*)

	NPT (1995)	Iraq (2003)	NFR (Ongoing)
Duration	Permanent & Routine	Ad hoc/crisis	Routine
Level	<i>More routine; decreased in level</i>		
	Minister of Foreign Affairs	Deputy Minister of Foreign Affairs	Ambassador Minty
Form	Multilateral	Dedicated team Bi- and multilateral	Multilateral
Strategy	Confrontation (NNWS) Partnership (NWS)	Parallelism Confrontation (US, NWS)	Confrontation
Intensity of behavior	Accommodation	Accommodative Combative	Combative
Principle	3 Pillars of NPT: legalistic NNWS solidarity Bridge-builder	3 Pillars of NPT: ‘inalienable right’ Legalistic NNWS solidarity	3 Pillars of NPT: ‘inalienable right’ Legalistic NNWS solidarity
‘Return worth having’	Confidence in non-nuclear post-apartheid South Africa	Status & prestige: ‘South African example’	Independence Nuclear nationalism National interests

A second principle related to South Africa’s nuclear diplomacy is that the country regards diplomacy as a social practice. Therefore, South Africa has not only invested in the global socialisation of norms but - in line with Finnemore and Sikkink’s (1998, p. 894-905) life-cycle of norms - also acted as a norm entrepreneur.

In the third instance, South Africa is also bound by the principle of solidarity with

NNWS. This is clear in its practices during the 1995 REC, its position on the nuclear fuel reserve, and its involvement in the Iraq crisis.

South Africa's diplomatic practice featured typical niche diplomacy through consensus and coalition building (in the context of the AU and NAM); cooperation on an issue-specific basis (based on the country's disarmament experience); and adopting the role of bridge-builder, mediator, facilitator or catalyst. Examples of the latter include drawing up declarations and manifestos as a member of the AU and NAM; several visits to Iraq by South Africa's deputy foreign minister; and president-to-president diplomacy in Mbeki's personal communication with Bush and Saddam. Mbeki, for example, called Bush to appeal to the US not to act unilaterally outside of the UN (Pahad 2003). Another example of South Africa's role as a bridge-builder and mediator is South Africa's submission of the South African team's report to the UN general secretary on 6 March 2003. Annan, according to Pahad (2003), distributed the South African report to all members of the UNSC.

South Africa's support of a rules-based international system and its position on multilateralism and South-South solidarity was also evident following the fall of the Saddam government, in its participation in the NAM Troika (South Africa, Malaysia and Cuba) meeting on the reconstruction of Iraq in May 2003 to discuss the role of the NAM and the UN in the reconstruction of Iraq and the provision of humanitarian aid to Iraq. Also discussed were the latter's membership of the NAM, and the status and staffing of diplomatic missions in Iraq (DFA 2003).

In its nuclear diplomacy, South Africa's diplomacy could be described as niche diplomacy typically practised by middle powers; this refers to diplomatic specialisation in a particular area, *i.e.* disarmament. Acting in middle power fashion, South Africa concentrated its resources (technical and practical disarmament experience) in this specific issue area (Henrikson 2004, p. 67). South Africa's ability to 'generate return worth having' implied that it wanted to achieve non-material objectives with niche diplomacy which, in turn, would likely generate international prestige, status, material benefit, soft power and moral authority. The post-1994 South African government often referred to South Africa as a state that had dismantled its nuclear weapons and terminated its nuclear weapons programme. The country was and remains involved in resolving the impasse in respect of Iran's nuclear programme; efforts it has been commended for by former IAEA Director General and Nobel Peace Prize Laureate Mohamed Elbaradei (2011). Mbeki (2003) referred to South Africa as 'an example of best international practice'. See *Table 1*.

However, the fact that a US-led 'coalition of the willing' invaded Iraq in March 2003 was for South Africa, a failure of its niche diplomacy and 'a blow to multilateralism'; demonstrating 'the urgency for the UN to assert its authority, and the need for UN reform' (*South African Press Association*, 20 March 2003; Emeagwali and Gonzalez 2003, p. 17). Against the aforesaid, it is clear that there are limits to niche diplomacy. One example of this is, for example, Norway's repeated efforts to reconcile and achieve sustainable peace between Israel and Palestine.

Why did South Africa's niche diplomacy fail in, for example, Iraq? Several possible explanations could be offered. Firstly, South Africa may be accused of punching above its weight. It displayed a certain naivety when confronting the P5, and most notably the UK and the US. South Africa was evidently mistaken about the geo-political ambitions of these states.

South Africa's niche diplomacy rested on its technical expertise in respect of its own disarmament. However, Pretoria lacked experience in wider disarmament initiatives, which may have contributed to its failure. It could also be that South Africa was unable or unwilling to coordinate its efforts with other states in order to maximise its international status and prestige. In addition to this, it could be argued that Mbeki should have announced his initiative much earlier. Some surmise that South Africa was more concerned with its economic relations with Iraq and entered negotiations on the breaking the impasse too late.

Thirdly, factors exogenous to South Africa may also have undermined its ability to succeed. The US invasion clearly indicated Washington's unilateralist agenda and its intention to undermine or sidestep the UN in order to pursue the US agenda. Therefore, irrespective of South Africa's initiative and report to Kofi Annan, the UN was compromised long

before a peaceful solution could be achieved. Another possible exogenous factor explaining South Africa's failure may be linked to the nature of the Saddam regime, and its relations with, for example, the UN and the US.

In the final instance, the South African initiative may have been undermined by other competing agendas and motives. One unresolved matter relating to the UN Programme in particular cast a long shadow over South Africa's diplomatic efforts. In April 2004, Kofi Annan established an Independent Inquiry Committee (IIC) (the Volcker Committee), which included South African former Constitutional Court Judge Richard Goldstone. By 27 October 2005, the IIC concluded that 2253 firms from 52 countries made illegal payments amounting to US\$ 1.8 billion to the Saddam government, including South African firms linked to government decision-makers (IIC 2005, p. 1-8).

It is instructive to determine what nuclear diplomacy does. Therefore, five performative aspects of South Africa's nuclear diplomacy can be identified, namely its official representation at bi- and/or multilateral conferences, meetings and negotiations on nuclear-related issues; its establishment and maintenance of nuclear-related relations with other actors; its initiation and maintenance of ideas on the use of nuclear technology; its socialisation in order to entrench nuclear-related norms in international relations, considering that material resources only "acquire meaning for human action through the structure of shared knowledge in which they are embedded"; and its inter-subjective understandings of the "nuclear taboo" and the peaceful uses of nuclear power (Kegley and Raymond 2010, p. 40). Therefore, South Africa's nuclear diplomacy is a useful social practice which has meaning and implications for the practice of its diplomacy, as well as its international relations.

Notes

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From the City of Westminster to Kliptown: An exploration of democracy in the South African context.

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ABSTRACT When considering the idea of democracy today, one's thoughts are typically directed towards a modern, Western understanding thereof. States regarded as exemplary democracies tend to conform to this Eurocentric understanding. International political efforts, furthermore, are continuously directed at promoting the democratization of states that adherents of this prevailing understanding of democracy consider undemocratic. South Africa has an undeniably Western democratic constitution and functions as a constitutional state. Do the values underlying this type of democracy, however, correspond to the values of South African society? Does a commonality exist? In this paper, I disentangle the values that underlie the concept of democracy from democracy's Western costume in order to consider South Africa's struggle to come to terms with what a specifically South African democracy might be. In conclusion, I explore the possibility of a notion of democracy that is based on underlying values rather than on the institutional and procedural trappings associated with dominant or exemplary Western democratic states.

Introduction

Two issues played a role in considering and thinking about the topic of this paper. The first is the 2003 article by Larry Diamond called "Universal Democracy?". In this article Diamond essentially deals with the question whether democracy can prevail worldwide. His point of departure is one of liberal democracy and he discusses what is required for democracy, states that are 'hold outs' as far as democracy is concerned as well as democracy promotion. What concerned me about the article is the focus on liberal democracy as perhaps the only game in town. Secondly, I thought about remarks made by the leader of the Economic Freedom Fighters (EFF), Julius Malema. He spoke about 'white tendencies'. The question that one contemplates is what is meant by this? These words were used by Malema when he was still president of the African National Congress Youth League (ANCYL). The words were uttered at a media conference held by the ANCYL at Luthuli House, the headquarters of the ANC. At the press conference a British reporter asked Malema some controversial questions, at which point the latter apparently lost his temper and responded to the reporter that he should not come here with his 'white tendencies' and called him a 'bloody agent'. Malema also referred to Luthuli House as a 'Revolutionary House'.

What Malema meant by these words can be debated. It might have been the venting of built up frustrations against the background of racial animosities and his own understanding thereof or it could even have been a way to divert attention from him answering difficult questions. However, for the purposes of this paper, it provides a starting point on the coming together in South Africa of European and (South) African understandings of society, politics and democracy. Yes, there is also the element of race and racial conflict, but that is not the focus of this paper (although of course it cannot be escaped in the broader political context). Perhaps Malema's remarks may be used as an entry point to probe a difference in understanding of the relationship of democracy with South Africa.

A further context for these thoughts is the impression that perhaps the South African democracy and constitutional order is still in a transition and that questions are being asked more frequently today, twenty years after the arrival of democracy, if what we have democracy-wise in reality reflects what we are and how this guides us as to where we are going.

When considering the idea of democracy today, one's thoughts are typically directed towards a modern, Western understanding thereof. States regarded as exemplary democracies tend to conform to this Eurocentric understanding. International political efforts, furthermore, are continuously directed at promoting the democratization of states that adherents of this prevailing understanding of democracy consider undemocratic.

South Africa has an undeniably Western democratic constitution and functions as a constitutional state. Do the values underlying this type of democracy, however, correspond to the values of South African society? Does a commonality exist? In this paper, I disentangle the values that underlie the concept of democracy from democracy's Western costume in order to consider South Africa's struggle to come to terms with what a specifically South African democracy might be.

What does democracy mean?

This brings us to a very difficult question; that of what democracy means. Generally a Western conception of democracy comes to mind when this question is posed.

For the purposes of this paper I am interested in what is at the core of democracy, and not in the institutional and procedural trappings of democracy. In other words, what do these institutions and procedures represent or what are the values of democracy? At this point a number of interpretations from the literature may be referred to. Markowski (2006, p. 137) states 'in all countries that have turned from autocracy to democracy, a majority of citizens should support democracy as an ideal; believe in the values of freedom and equality; exhibit tolerance; and support the rule of law'.

We are all aware of the typical description of democracy. Birch (2002, p. 71) commences a discussion on democracy by stating: 'The word "democracy" comes from the Greek and literally means rule by the people'. But importantly, he goes further by noting that the Greeks had little or no idea of the rights of the individual, and asserts that this idea is tied up with the modern concept of democracy. So, in the ancient Western understanding of democracy there appears to be something broader and more collective than the modern Western understanding of democracy. This is an important observation to remember in the context of this paper. Birch (2002, p. 71) states further that:

The founders of the American constitution shared in the generally poor view of democratic government. In *The Federalist*, James Madison, assuming that democracy involved direct rule by citizens, wrote that 'democracies have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives as they have been violent in their deaths' (Hamilton et al. 1901:48). The Founding Fathers talked of creating a republic, based on representative institutions, not a democracy; the leaders of the French Revolution talked of a republic also; and in Britain people described their system as one of representative and responsible government.

It is then argued that democracy as it has come to be understood by the 19th century is regarded as a system of representative government in which the representatives are chosen by free competitive elections. Birch (2002, p. 72) argues further that in the 20th century the term has also been used to describe social relationships. Americans, therefore agree that their country not only has a set of democratic institutions but also a democratic society which is understood as 'one without hereditary class distinctions, in which there is something approaching equality of opportunity for all citizens'.

Beetham (1997) (as quoted by Baker, 1999, p. 275) regards popular control over collective decision making and decision makers; and an equal right to share in such control, or political equality' as essential democratic principles.

Cunnigham (2002, p. 45) also states that

...virtually all liberal-democratic theorists agree in their endorsement of representative democracy where representatives are chosen in accord with formal procedures (at some point involving majority voting) combined with state protection of political and civil liberties and a private sphere free of state interference. Pluralism and political individualism provide core points of orientation for these theorists as well as being regarded important values in popular political culture for sustaining liberal democracy.

One can easily continue in this manner attempting to describe the Western notion of democracy. What stands out, also considering mainstream (North-American) political science is the formalistic and procedural nature of describing democracy. If certain formal requirements are met, then we are talking democracy. If certain procedures are followed, then we are talking democracy. If certain individual rights are *legally* adhered to, then we are talking democracy. If the people (or perhaps citizens) are represented, then we are talking democracy. But all of these requirements, procedures, rights and representation always stop short of what I regard as the substantive. When the debate reaches the point where the idea of democracy needs to be fully embraced and imbedded in society the brake pedal is engaged. Then it remains an uphill battle for the proponents of the full participation of the people in their democracies and a full realisation of democratic rights, if I may use the term 'rights'.

What we then find at this point is the tension between the position of the individual and the collectivity or society in modern Western democracy. Perhaps this is typical in Western thought, if I understand Praeg (2014) correctly when he refers to a binary approach in Western thought. So, here we have an oppositional aspect in Western democracy, but in the South African context we cannot escape a further oppositionality: Western compared to African.

African ideas of democracy

Against the background of the Western conceptualisation of democracy referred to above, it follows that the non-western context, and in our case Africa and South Africa, should be considered. On the question of African democracy, uncertainty remains. Baker (1999, p. 273) highlights Marina Ottaway is not sure she can find *true* (my emphasis) democracy in Africa at all, but only liberalized states:

It is far too early to talk of democracy in Africa. At best, these changes will prove to be the beginning of a long process eventually leading to democracy...[T]he most difficult part of a democratic transformation – the move from an initial opening to a sustained process of liberalization and of consolidation of *institutions* (my emphasis) – is still ahead for most countries (1997, p. 1).

As Ottaway argues above, so do many who write about democracy in Africa, specifically towards the end of the 20th century at a time that democratic transitions were taking place around the world and in Africa. South Africa with its democratic transition of 1994, is also one of these examples. But the background to the manner in which Ottaway argues is also a Western understanding of democracy. It perhaps presupposes that democracy as it is understood in the West can be transplanted as a package to other corners of the world without much difference. Even in the above quotation a core of this understanding is revealed, which are a sustained process of liberalisation and the consolidation of institutions. One could perhaps also call it liberal democratic institutions. Also note Comaroff & Comaroff (1997, p. 126), where they state that: '...democracy throughout much of the world has increasingly been reduced from the substantive to the procedural, from social movement to electoral process...'

Indeed, also Diamond (2006, p. 223), in the context of asking whether every country can become a democracy, defines democracy as 'a system of government in which the people choose their leaders at regular intervals through free, fair, and competitive elections'. He goes on to provide further detail by stating that:

The goal for every country should be a political system that combines democracy on the one hand with freedom, the rule of law, and good government on the other – in other words, *liberal democracy*. Beyond

the electoral arena, liberal democracy encompasses a vigorous rule of law with an independent and non-discriminatory judiciary; extensive individual freedoms of belief, speech, publication, association, assembly, and so on; strong protections for the rights of ethnic, cultural, religious, and other minorities; a pluralistic civil society, which affords citizens multiple channels outside of the electoral arena through which to participate and express their interests and values; and civilian control of the military (Diamond, 2006, p. 225).

Even in studies concerned specifically with Africa, the impression that is gained is still the basic Western understanding. For example, Young (1999, p. 35) states that:

The balance sheet on democratization is thus mixed but, in my reading, mildly positive. Not all experiments will survive. But important changes have taken place in many countries beyond the more visible issue of multi-party elections: a freer and more vocal press, better respect for human rights, some headway toward an *état de droit*. The more visionary forms of integral populist democracy are difficult to imagine. But a slow, halting, uneven, but yet continuing movement toward a more polyarchical form of governance is possible.

Eyoh (1998, p. 288) further discusses different perspectives on the African debate on democracy. Firstly, he refers to the universalist perspective which he regards as the dominant view of contemporary prodemocracy movements in Africa as well as among Western governments and Africanist social scientists.

It regards multipartyism as the pillar of democracy. The emphasis on multipartyism as a mechanism for ensuring representation and accountability is combined with a vigorous defense of the universality of individual rights as conceived of in the liberal tradition. As Ibrahim proclaims:

The liberal democratic model with its basic constitutive elements of regular governmental and legislative elections with universal and equal franchise, multiple parties, formal equality before the law and some protections for minorities is a good point of departure for the expansion of democratic space (Eyoh, 1998, p. 289).

It is important to note that Eyoh (1998, p. 289) point to the annoyance of universalists at the resort to the dichotomy between individual and (collective) social rights in order to question the appropriateness of the liberal model for African societies. Critics also point to the universalists' emphasis on the procedural dimensions of democracy.

Secondly, Eyoh (1998, p. 289) refers to the popular democratic perspective and states that:

An objection to the conflation of democracy with multipartyism and government accountability underlies the arguments of this perspective...(and) objections to a truncated version of democracy (multipartyism) are processed through critiques of liberal rights discourse....the critiques are predicated on a distinction between categories of rights (individual versus socioeconomic) and the historicity of liberal democracy as a class-based system of rule that emerged with and is geared toward the reproduction of capitalism in the West. By means of a conceptual distinction between private (economic) and public (political) domains, liberal ideology effects a divorce between political democracy and economic democracy.

This understanding as well as the following perspective, I believe is of special relevance to South Africa in terms of the development of our democracy, especially regarding increased emphasis on socio-economic transformation and rights.

Thirdly the nativist perspective is discussed. Eyoh (1998, p. 294) states that: '...the postcolonial state is divorced from culturally embedded understandings of the meanings of political community, principles of political participation, and moral anchors of political authority in African societies'.

For scholars such as the late Claude Ake and Maxwell Owusu, liberal democracy is not well suited for African social realities as it presumes through its according privilege to individual rights the atomization of society. Importantly, Owusu (as quoted by Eyoh, 1998, p. 295) suggests that 'though Western values, attitudes and institutions have had a

profound effect on national politics in post-colonial Africa, they have not been strong enough to create a lasting institutional and attitudinal basis for (democratic) political development’.

Eyoh (1998, p. 296) then also suggests that ‘...the nativist vision of a more inclusive, participatory democracy does not enjoin a return to the past but argues for a synthesis of indigenous and foreign constructs of political community and participation’.

This last remark is of crucial importance. We should not debate these matters within a frame of mind that attempts to conjure up a mystical understanding of African society and ideas, especially while we are (unfortunately) only able to articulate this in a Western vernacular. Such an approach could most probably even be construed as racist. Also Van Der Walt (2010, p. 230), pertaining to *Ubuntu*, states that: ‘It would be unrealistic to expect 21st century Africans to return to *Ubuntu* in its traditional tribal form, namely an essentially communal life view shrouded in a haze of mystic antiquity’. Therefore the focus articulated earlier pertaining to the fundamental values of democracy that applies across various contexts, is important.

It is therefore noted that the understanding and application of democracy in Africa clearly relates to the Western understanding thereof, no doubt as a result of Africa’s colonial history. Yet, refreshing alternative understandings are articulated, although still overshadowed by the influence of Western understanding and concepts – the important aspect is, however, that a debate exists.

The concept of *Ubuntu* and its relationship with democracy

Against the background of what have been said about democracy in the preceding paragraphs, it is suggested that a bridge or mechanism needs to be found to address the disjuncture between the Western concept of democracy and how democracy can be a viable and sustainable political way of life in Africa and South Africa, in particular. Such a mechanism needs to address the tensions that are manifest in the South African political system. Such a system needs to bring together what modernity and colonialism has brought to Africa and what is inherent in Africa, for a disentanglement of colonialism from Africa is impossible. One could also refer here to a ‘democratic fit’. As Van Beek (2006, p. 24) states: ‘...that people with different historical and cultural backgrounds are likely to create different types of democracy for themselves and that the better the fit between structure and culture, the better the prospects for consolidation and ultimately for the persistence of democracy in a given society’.

It is suggested that this mechanism needs to bring a (South) African philosophy together with Western philosophy as incarnated through democracy. This African philosophy could be *Ubuntu*. I suggest this also in the context that the door for a marriage between Western and African philosophy has been opened in the South African democratic and constitutional context through the reference to *Ubuntu* in the postamble of the Constitution, 1993.

Nussbaum (2003, p. 2) states that

Ubuntu is the capacity in African culture to express compassion, reciprocity, dignity, harmony and humanity in the interests of building and maintaining community with justice and mutual caring’. *Ubuntu*, an Nguni word from South Africa, speaks to our interconnectedness, our common humanity and the responsibility to each other that flows from our deeply felt connection. *Ubuntu* is consciousness of our natural desire to affirm our fellow human beings and to work and act towards each other with the communal good in the forefront of our minds.

See also Van Der Walt (2010) for similar explanations of *Ubuntu*.

Nussbaum (2003, p. 2) states further that the underlying value seeks to honour the dignity of each person and is concerned about the development and maintenance of mutually affirming and enhancing relationships, ‘because *Ubuntu* embraces and requires justice, it inspires and therefore creates a firm foundation for our common humanity.

With specific reference to the political context of this paper she states further that:

Like other cultures which are more communal and less individualistic, mechanisms for processing what is happening in a group in a dignified and participatory way are extremely well developed. African 'social technologies' exemplify the art of negotiating with each other in a way that I have not seen in western countries. ... the sensitivity to inclusiveness, transparency and tolerance of the other (Nussbaum, 2003, p. 2).

Tambulasi and Kayuni (2005, p. 150) clearly state that 'the *Ubuntu* concept is inherently democratic as it has built in mechanisms of protecting the individual and society rights. The fact that 'an individual is an individual through others' means that one cannot think of encroaching on the rights of others'. Tambulasi and Kayuni (2005, p. 158) finally suggest that *Ubuntu* should be applied in harmony with democratic and good governance principles.

Also, speaking about the South African Truth and Reconciliation Commission, the well-known Afrikaans intellectual and poet, Antjie Krog (2009, p. 211) states that

...Christianity (or human rights, restorative justice, or, for that matter, the theology of Tutu and the politics of Mandela) is not simply linked to, or an add-on to, a kind of African interconnectedness, but is in fact *imbedded* therein. Interconnectedness forms the interpretive foundation of southern African Christianity, and it is this foundation that enabled people to *reinterpret* (my emphasis) tired and troubled Western concepts such as forgiveness, reconciliation, amnesty and justice in new and usable ways. In other words: these concepts moved across cultural borders and were infused and energized by a world view of interconnectedness-towards-wholeness to assist people to break out of their past and make a new future possible.

From this understanding of *Ubuntu* it is therefore clear that some overlap and commonality exists between (Western) democratic values and the values of *Ubuntu*. A key concept used by those quoted above is also humanity (see also Praeg, 2014). Also it is clear that different aspects to *Ubuntu* exist, such as a focus on humanity, a focus on justice and a spiritual focus, as articulated by Krog (see also Van Der Walt, 2010). But also clearly a connection with democratic values as we understand them from the Western vernacular, can be identified. It also speaks to the need to reconcile the individual and society, which is perhaps one of the most worrying features of South Africa in the 21st century. It therefore appears to bring together the tension of individual and community and importantly as we understand it here, not too exclude or marginalise the individual and to tip the scales wholly towards the community.

On the other hand, Marx (2002) is highly critical of the way *Ubuntu* has manifested in a post-apartheid South Africa and the role it plays in a new cultural nationalism supposedly promoted by the South African regime. Marx (2002, p. 56) states that:

Just as 'Afrikaans culture' remained a largely undefined concept during its process of nationalist mobilisation, no Africanist has yet been able to provide a clear description of what Africanism is about, without resorting to the construction of cultural-historical myths. Nationalists promote ideas of 'Volksgemeinschaft', connection with the earth (Mother Africa) and cultural unity. In other parts of the world, these ideas evoke unpleasant memories, whereas in South Africa they have been condensed into the pithy formula of *Ubuntu*.

Interestingly, Marx goes on to link Afrikaner nationalism and *Ubuntu* (2002, p. 56-57)

During the 1930's, a then professor of philosophy and later State President of South Africa, Nicholas Diederichs, attempted to provide Afrikaner nationalism with a metaphysical foundation in his well-known tract '*Nasionalisme as lewensbeskouing*'. He described an integral nationalism by emphasising that the individual could find its destination and fulfilment only by being incorporated fully with the nation; in effect its self-denial as an individual. Diederichs arrived at a characterisation of human destiny that sounds very much like *Ubuntu*: The individual or single human being as such is an abstraction that does not exist in reality. Outside of the community and the communication with other human beings the human

being is not really human. Because he is a social being by nature he is and becomes truly human only within human community.

Marx indeed highlights a possible danger in the utilisation of *Ubuntu* for the purposes of state building and nation building in Africa. This should be borne in mind when the concept is being considered and when a balance needs to be struck between the individual and the community.

The concern is thus perhaps that the *Ubuntu* concept demonstrates a fuzziness that is difficult to handle, especially if you are speaking with a Western mind and a history of rationality. Yet it does seem to bridge the individualistic isolation of Western democracy and the disjuncture between *I and Us*. But because of this it also has an implication for nationhood and nation building and can therefore become a political tool. However, the same can be said for any political concept and what better way can there be to combat the misuse of a political concept than a democracy that is encompassing and substantive?

Keevy (2014) also expresses critique pertaining to *Ubuntu* and refers to problematic issues in the context of democracy, such as *Ubuntu* and its relationship with patriarchy and discrimination against women, amongst others, and suggests that *Ubuntu* is not in compliance with international human rights notions of equality and human dignity. She further emphasises that in her view '*ubuntu* is *not* in consonance with the values of the Constitution in general and the Bill of Rights in particular' (2014, p. 55). This position contradicts with that taken by the South African Constitutional Court which 'introduced the jurisprudence of *ubuntu* in an effort 'for courts to develop the entrenched fundamental rights in terms of a cohesive set of values, ideal to an open and democratic society' (Keevy, 2014, p. 54). Further also the Constitutional Court has argued that '*ubuntu* is a shared value and ideal that runs like a golden thread across cultural lines' and it has a "universalistic ethos' (Keevy, 2014, p. 54).

It is therefore clear that positive and negative points of view can be articulated pertaining to *Ubuntu*. Perhaps consideration should be afforded to those core values of *Ubuntu* that can be reconciled with the core values of democracy in a post colonial South Africa.

Comparing Western and African/South African democratic values

Van Beek (2010, p. 31) suggests that the persistence of democracy requires a specific set of values and orientations from its citizens, meaning a specific political culture. She also goes on to refer to Diamond (1993) concerning the quality of democracy and 'Diamond's point that political culture undergoes changes and that these changes are the key variable determining 'how and when a political system moves closer to or further from the perfect ideal of democracy' (1993, p. 4).

It is suggested that the values of democracy identified above pertaining to especially liberal democracy can be compared to the values identified above in respect to (South) Africa and especially, *Ubuntu*. The table below represents this comparison. What is clear in this regard is that an overlap and commonality do exist, suggesting the universality of at least some of the values concerned, and perhaps begins to answer the issue raised at the beginning of this paper pertaining to the universality of democracy. In my view, what are also clear are the lesser emphasis in terms of African values on formality, institutions and procedures; and the lesser emphasis in terms of Western values on community. This is not necessarily something new. It does, however, reflect on areas that may be explored to enhance the universality of the democracy concept, and also in very practical terms where the dangers in democratic sustainability of South Africa's democracy, anchored in the Western style Constitution, 1996, can be found. Examples of these are a lack of society focus and vulnerability of institutions and procedures. Many of these dangers we have seen manifested during the past twenty years of democracy, in my view bearing out the transitional nature of our democracy. Important, though, this does not diminish the South African ideal of democracy.

Table 1. Comparative table pertaining to Western and African/South African democratic values

Conclusion

In view of the tension concerning Western notions of democracy and its application and/or relevance, which is also the question asked in relation to South Africa as the first twenty years of democracy has unfolded revealing the underlying tensions and unanswered questions of our democracy, the aim of this paper was to explore what is at the core of democracy. On the one hand democracy is now widely accepted in Africa as the way politics should be practised, while on the other hand both from the West and from Africa itself the promise of democracy remains unfulfilled. In the West, it seems there is an always present pessimism about Africa and democracy; and in Africa, there is the ever present concern that democracy remains foreign or colonialist.

Western / Modern values	African / South African values	
Freedom	interconnectedness-towards-wholeness	
Equality / political equality / formal equality / Equality of opportunity for all citizens	Common humanity / (political) community / humanity of the individual / <i>umuntu ngamuntu ngabantu abanye (a person is a person through other persons)</i>	
Tolerance	Responsibility to each other / mutual caring /	
Rule of Law / independent courts	Supportiveness	
Rights of the individual / civil and political rights / political individualism	Cooperation	
Representative government	Companion	
Free and fair competitive elections / electoral institutions / popular control over collective decision making and decision makers / equality between electors / multipartyism	Reciprocity	
Democratic institutions / Consolidated institutions	Dignity	
Democratic Society <ul style="list-style-type: none"> • "where there is agreement on the political nation • A flourishing of independent and accountable associational life • Social inclusion • A democratic culture of tolerance • Non-violence 	Harmony	
• Participation and trust*		
No hereditary class distinctions	Justice	
Protection for minorities	Culture of giving	
liberalization	Generosity to the poor and the less fortunate	
Formal procedures / Democratic state procedures, including: <ul style="list-style-type: none"> • Equality in law • Freedom of expression and association • Universal suffrage • Majority rule but with maximum debate and consensus on decisions • Open contestation for offices • Sovereign government, free of constraints by internal and external actors • Wide representation and subsidiarity in decision-making • Accountability, responsiveness and accessibility of decision makers • Impartiality in appointments, decisions and treatment 	Political participation	
Private sphere free of state interference		

Table 1. Comparative table pertaining to Western and African/South African democratic values

What I suggest in the discussion above is that Western democracy, even as it is to a large extent understood in Africa, reflects its European and modernist roots very clearly. Wnuk-Lipinski (2010, p. 76) also states that: 'What is beyond doubt is that the metanarrative of conceptual tools to study democracy and citizenship is indeed rooted in the Western cultural zone'. The rational, legalistic and technical understanding of democracy represents a core, but it is a core that is far away from the fullness of itself. It is perhaps only a shadow of what it should be. This democracy when it is applied to Africa is already incomplete, but when confronted with values long highly considered in Africa, it comes up short. These values are those of *Ubuntu*. *Ubuntu* could be the mechanism to ensure universality of democracy through the balancing of the modernistic rationality thereof with what it aims to do, which is enabling people to be their own political masters, a core democratic value. The values emphasised in African politics relating to communality and the

"we" and "us" of politics need to speak as one voice with democracy, this is true in any of the democratic values mentioned above, be it justice, be it rights, be it political or economic freedom, etc.

It is also true in the context of an African democracy, where it is a question of statehood and nationhood as well, that this cohabitation of institution and substance are required perhaps more than in the West. Yes, the concerns about the utilisation of *Ubuntu* in the context of nation building and nationalism exist and are acknowledged, but perhaps the nation, state and people are mutually reinforcing in African democracy. After all even in the age of globalisation, is

there a Western democracy that is not a nation or a state? Or alternatively put, maybe it is time for the “global deregulation of the Western paradigm” (Abiola Irele, as quoted by Eyoh, 1998, p. 298).

As a concluding emphasis the position can be reiterated that areas that may be explored to enhance the universality of the democracy concept, and also in very practical terms where the dangers in democratic sustainability of South Africa’s democracy, anchored in the Western style Constitution, 1996, can be found, include a lack of society focus and vulnerability of institutions and procedures. Also, in terms of what have been articulated earlier in this paper on different views about democracy in Africa, the consideration of these areas in the context of (South) African values could contribute to a more integrated understanding of (South) African democracy and the provision of local content and meaning to democracy which is institutionally and procedurally sound yet vibrant with the substance of a democratic ethos.

Notes

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1. The table above represents a cursory overview of the typical values related to Western democracy, and does not purport to be exhaustive or fully accurate. Similarly the African values relate to the definition of *Ubuntu*. The colour coding represents an attempt to draw similarities in Western and African values. Areas in the table that are not colour coded indicate values where a direct comparison is not obvious.

2. The values represented in the table 1 are generally open to differences in understanding and application and is not definitionally cast in stone, allowing for the fluidity that the concepts of democracy and *Ubuntu* contain.

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