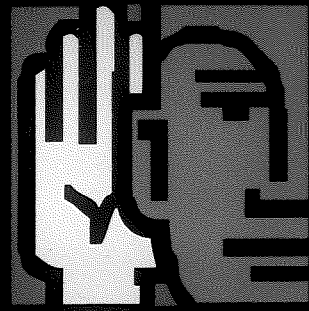




UMRABULO



LET'S TALK POLITICS



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Feature theme: Education Transformation

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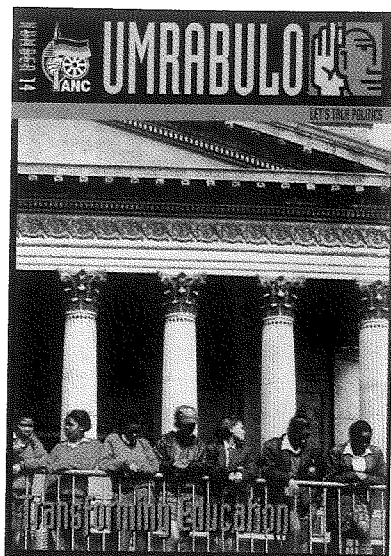
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Introduction

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The struggle for a non-racial, non-sexist and equal education system has always been an important component of the struggle for a South Africa that belongs to all. In contrast to the discrimination and inequality of Bantu Education, the Freedom Charter offered a vision of free and compulsory schooling of high quality for all children, with higher education and technical training made available to all on the basis of merit through the provision of state financial assistance.

The RDP document adopted in 1993 by the Alliance, committed the democratic state to develop an integrated system of education and training that provides equal opportunities to all irrespective of race, colour, sex, class, language, age, religion, geographical location and political or other opinion. It must also address the development of knowledge and skills that can be used to produce high-quality goods and services in such a way as to enable us to develop our cultures, our society and our economy. (Clause 3.3.1)

Eight years since the democratic breakthrough of 1994, important advances have been made. Yet, in 1999 Education Minister Kader Asmal observed: "the public believes that we have a crisis on our hands. Our people have a right to education that the state is not upholding. After five years of

democratic reconstruction and development, the people are entitled to a better education service and they must have it."

This Umrabulo feature on Education and Training deals with two pillars of Education transformation in our country – schooling and higher education transformation. Both these areas are fundamental to our human resource development strategy and are faced with many challenges.

The 2001 Matric results heralded a significant turn-around following a few years of truly dismal results. This was only possible through targeted strategies by the Department of Education and with the cooperation of all stakeholders in education. Umrabulo interviewed Gauteng MEC for Education, Ignatius Jacobs, to find out what they have done to turn around public schooling to register the improvements in their 2001 Matric results.

The recent release of the National Working Group report on changing the regional and national landscape of higher education institutions is the culmination of a long policy process in higher education. However, as our feature will indicate, many systemic problems have yet to be addressed to make this sector truly representative, effective and serving our national developmental interests.

Feature Theme

Overview of education transformation, 1994-2001



President Thabo Mbeki and Education Minister Kader Asmal team up to help paint a classroom at Winele Secondary School in Katlehong on the East Rand.

The Constitution of South Africa (Section 29, 1996) states "everyone has the right to basic education, including adult basic education". This frames the developments in the education system and is a key indicator against which the system will ultimately be evaluated. This article outlines the key developments within the education system since 1994, and points to some of the achievement. It further highlights some of the priorities that lie ahead in the realisation of our goals.

Systemic changes

Pivotal to the transformation of the education system was the dismantling of the old divided and fragmented system and establishing one national and nine provincial departments. This required changes in structure, systems, procedures as well as the culture and approach of the departments so as to attain the goal of a quality, efficient, accountable and effective public service. However, while there has been considerable progress in this area there is still considerable work to be done to build a shared vision, new values and attitudes, as well as the creation of capacity and an ethos that can drive the achievement of these organisational goals.

The Education Policy process

A central plank of the transformation process has been the fundamental transformation of policy and legislation pertaining to all aspects of the education system. Key policies and legislation include:

- The Ministry's first White Paper, Education and Training in a Democratic South Africa: First Steps to Develop a New System (Feb, 1995), which outlined the vision for the new system;
- The National Education Policy Act (NEPA, 1996), which served to formalise the role of the Minister of Education as well as the relationship between National and the Provinces;
- The South Africa Schools Act (SASA, 1996), which made schooling compulsory for children between the ages of 7-14.
- The School Funding Norms, which is an important component of ensuring redress;
- The Further Education and Training Act (1998) and associated documents, which spell out the vision and programme for the FET band and the role of FET institutions;
- The Higher Education Act (1997), which makes provision for a unified and nationally planned system of higher education;
- The Adult Basic Education and Training Act

3

(2000), which provides a framework for the development of the ABET system;

- The South African Qualifications Act (SAQA, 1995), that provides for the development of the National Qualifications Framework, which is central to the vision of an integrated education and training system that facilitates lifelong learning;
- Curriculum 2005 that sets out an approach to education that emphasizes learners, through an outcome-based system, and integrates the development of values of nation building and democracy;
- Finally, legislation that regulates the responsibilities and competencies of professional teachers (specifically the Employment of Educators Act (1998)) and provides a governance structure – the South African Council of Educators (SACE).

From frameworks to action (1998–2000)

These policy and legislative changes brought about significant achievements in the system. However there remain considerable challenges pertaining to implementation.

Some issues that are of particular concern include:

- Addressing racism, violence and other manifestations of anti-social values;
- The need for skilled and capable personnel, as well as the importance of transforming bureaucratic and hierarchical management practices;
- The imperative for improvements in the material conditions of education and the quality of education practice;
- The continuing low levels of literacy and education – the 1996 Census reveals that 19.3% of South Africans aged 20 years or more have no formal education and only 24% have some or have completed primary education.

The Minister of Education highlighted the concerns relating to the education system and stated that:

"The public believes that we have a crisis on our hands. Our people have a right to education that the state is not upholding. They have put their confidence in the democratic process, and returned their government with an overwhelming mandate. After five years of democratic reconstruction and development, the people are entitled to a better education service and they must have it"

(Minister Asmal, August 1999).

Meeting the challenges through working together:

Tirisano

In this context a plan known as *Tirisano* was developed in January 2000. This plan attempts to mobilise all players to work towards a common vision. The nine priorities of *Tirisano* are:

1. We must make our provincial systems work by making co-operative government work.
2. We must break the back of illiteracy among adults and youths in five years.
3. Schools must become centres of community life.
4. We must end conditions of physical degradation in South African schools.
5. We must develop the professional quality of our teaching force.
6. We must ensure the success of active learning through outcomes-based education.
7. We must create a vibrant further education and training system to equip youth and adults to meet the social and economic needs of the 21st century.
8. We must implement a rational, seamless higher education system that grasps the intellectual and professional challenges facing South Africans in the 21st century.
9. We must deal urgently and purposefully with the HIV/AIDS emergency in and through the education and training system.

The nine priorities are divided into five programmatic areas. These are HIV/AIDS, school effectiveness and teacher professionalism, the fight against illiteracy, further education and training and higher education, and organisational effectiveness of the national and provincial systems. Subsequent to the development of the plan, three additional areas were also highlighted; these are early childhood development, education for learners with special needs and gender equity. Initiatives are now underway in each of these areas.

A number of processes have begun as part of *Tirisano* to address the myriad of challenges facing education. However the education reconstruction project is far from complete and there are still a number of areas that require concerted attention.

Addressing the challenges in the education system

Central to addressing the challenges within the education system are the pillars of co-operative governance and budgetary processes.

Co-operative governance: This pillar highlights the need for cooperation between the different tiers of government as well as the involvement of stakeholders in policy development. While there are a number of issues that arise in these processes such as capacity questions and questions of representation, this form of governance remains a priority and

there is a process to ensure that this evolves so as to become increasingly more effective.

The Medium Term Expenditure Framework:

This process has allowed the majority of provinces to reflect positive changes in their allocations, however the poorest provinces still have inadequate allocations for non-personnel expenditure. To try and address some of these problems, there have been a number of changes to improve the efficiency of the system. Some of these changes relate to admissions policy, age-grade norms and assessment. These interventions aim to reduce repetition and improve flow-through rates. The success of these interventions will be explored more fully in the next section.

An exploration of the success of these interventions

There are a number of broad areas that have been prioritised, and in which it is appropriate to locate discussions pertaining to the achievements within the system. These are access, equity and redress, capacity, quality and HIV/AIDS. While all of these areas are inter-related, there is an artificial attempt to separate them so as to allow for some evaluation of success.

Access, equity and redress: These priorities have been immensely complex during the process of implementation. Some achievements have been that spending patterns have moved towards racial equity and ensuring redress – in part through funds made available through the RDP. Further, the MTEF has facilitated the development of a coherent redress and poverty targeting strategy. This strategy involves the introduction of a number of central mechanisms for achieving equity. This includes the introduction of an equitable shares formulae to guide provincial allocations, as well as the National Norms and Standards Document which provides a framework for allocating non-personnel recurrent costs on the basis of needs. Addressing educator:learner ratios are also seen as an important measure to reduce inequities.

The School Register of Needs (SRN) reflects an improvement in infrastructural inequities, and there is a grant to support innovation and school design. Despite these achievements, there are still real concerns regarding the equity of learning conditions, and intra-provincial inequalities remain a serious problem.

A key factor when considering equity and redress is that of access and success in the system. As discussed previously, there are still a number of concerns such as slow progression, and high failure and repeater rates. Changes that have been introduced in FET are intended to address the different needs in the system, and to be more responsive through focused vocational and academic programmes. As part of this response, there will be an emphasis on

programmes of national need such as science, mathematics and technology. This is seen as a critical intervention so as ensure that the system is both more manageable and effective. This intervention is also supported by the allocation of additional funds for adult literacy and skills development. The NQF, while there may be certain implementation delays, is also seen as an important vehicle for facilitating access and lifelong learning.

Access to early childhood programmes is a concern, and an important intervention includes a grant to allow for the implementation of the pre-school reception year in the urban and rural nodal development points.

Further, issues of equity, redress and access continue to be a feature of debate about higher education in South Africa. The three-year planning framework provides a mechanism for addressing some of these concerns, and this is supported by the allocation of block grants and earmarked funding. This includes funding for NSFAS as well as institutional redress and development.

These different parts of the system come together as part of the HRD strategy that was jointly launched by the Ministry of Education and Labour. The strategy, a *Human Resource Development Strategy for South Africa: A Nation at Work for a Better Life for All* focuses on early childhood development, general school education, adult literacy and skills development as a basis for improving the foundations for life. This takes into account the devastating impact of the Matric system and the poor pass rates. The FET strategy is seen as critical in addressing this problem. The strategy also focuses on the development of high-quality skills.

Capacity: This remains a real concern both in terms of individual and institutional capacity, as well as a real obstacle to meeting transformation priorities. To address this there is a conditional grant of R280 million per year in support of financial management and education quality.

The Review of Curriculum 2005 pointed to the lack of capacity to implement this programme. A commitment of more than R1 billion per year to supporting learner materials is an important intervention to address some of the capacity questions that were raised by the review.

Further, there is the recognition of the need to reshape the manner in which schools and provincial departments are managed, and the manner in which their responsibilities are defined. This includes the need for a common vision and understanding across the different stakeholders and role players.

Quality: There is also a concern about the quality of learning and the difficulty of curricular interventions in the context of schools that are not functioning effectively on a systemic level. Critically,



Addressing educator – learner ratios is seen as an important measure to reduce inequities.

these include the need to build quality assurance and accountability into the system, in addition to the interventions raised above; there is also agreement about the need to focus on assessment. Part of this includes a strategy for assessing learners' achievements at Grades 3, 6, and 9 for the award of a GETC.

Within the FET band, there will be a focus on both classroom-based as well as externally-based assessment. The proposed GENFETQA and the HEQC are bodies that will assist to facilitate the quality movement in South Africa and should enhance the credibility of the system. The DoE has also fine-tuned its focus on quality indicators and performance assessment tools.

Impact of HIV/AIDS: HIV/AIDS is likely to impact on the education system in a myriad of ways. Firstly in terms of the impact on teachers, who may be ill, absent or dying or have family members that are ill. Secondly, it may impact on demand for education and the ability of parents to pay for this education. There is a commitment to funding programmes that grapple with HIV/AIDS, and key interventions identified include programmes that develop awareness, information and advocacy, building HIV/AIDS into the curriculum and planning for HIV/AIDS and the education system.

Priorities for 2002/2003

During the Parliamentary briefings in February 2002, the Ministers of Education and Labour outlined priorities and plans for the 2002/2003 budget year to take further the implementation of the human resource development strategy. They identified the role of education in the development and utilisation of human resources at three levels: -

Improving the foundations for human

resource development: This include prioritising the provision of early childhood education to especially the poor; provision of opportunities for adult learners, including basic literacy and numeracy and ABET that leads to a General Education and Training Certificate and the provision of high standard general education for all learners, including those with special educational needs.

After the approval of the Early Childhood Development (ECD) and Inclusive Education Programmes White papers by Cabinet in 2001, the following fully-funded programmes in each area will start this year: -

- Identifying 4 500 ECD sites in nodal areas, which will be supported with training and materials;
- Conversion of 30 special schools into Special Needs Resource centres which will serve a wider community; and
- Conversion of 30 primary schools into "full service" schools which will be able to accommodate learners with special needs.

In General Education, the DoE has prioritised Mathematics and Science teaching and the inculcation of values and the teaching of history in school, with the following programmes: -

- Bursaries to 300 teachers to attend two-year, university based programmes in Maths and Science; in addition to the R90 million that will be spent this year on upgrading 10 000 unqualified teachers.
- The national symbols (the flag and anthem in particular) will be actively promoted in schools this year, in support of the 'Proudly South Africa' campaign to build patriotism.
- Promoting the centrality of history in nation building, with a national Conference on

Improving History Teaching to be held in September this year.

- A refined National Curriculum Statement for General Education (grades 0-9) will be announced this year, which will give direction and support to educators. This statement will only be implemented in 2004, to ensure that teachers are properly trained and that teaching and learning materials are produced and distributed.

Expanding and improving the provision of Further Education and Training (FET) for youth and adults: The transformation of technical colleges by April to establish 50 high quality FET institutions that will offer relevant outcomes based programmes. This should build a link between general education and lifelong learning, providing opportunities for people to be trained for work, continuing vocational training or for higher education.

The alignment of higher education to national human resource priorities: Higher education has responsibility for the development of high-level skills, and institutional re-organisation will be necessary to achieve this goal. This will be done through programme related funding and dedicated measures to support students into scarce skills areas. Some of

the R800 million per year National Student Financial Aids Scheme (NSFAS) funds will also be dedicated

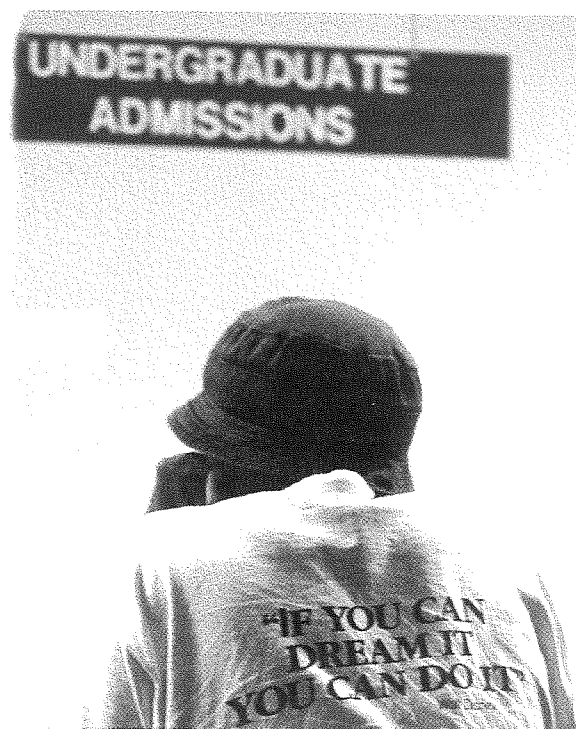
for particular programmes, similar to the ring-fencing of R30 million for teacher education bursaries.

Conclusion

A single, equitable system of quality education within a system of lifelong learning has been a central priority for the government. The process of building this new system has been complex and many of the problems of the past still need to be addressed. Racism is still a part of our society and the education system must take up these challenges and ensure that it is building and promoting those values that are consistent with the Bill of Rights and the Constitution – these include equity, tolerance, openness and social honour.

The manifold demand for resources continues to be a challenge, and there is a need for budgets that prioritise redress and equity. This requires effective government spending and an approach that is co-operative across government and is complimented by innovative partnerships with NGOs. The task is large, but there has been significant progress and learning and these should assist in paving the way towards the attainment of the vision and goals that we have set.

Key information about the higher education system in South Africa



THE HIGHER EDUCATION POLICY PROCESSES

The higher education terrain has been immensely contested as part of the overall struggle against apartheid and against apartheid education in particular. Since the days of the Separate University Education Act, through to the struggles led by structures such as SASO, AZASO/ SANSCO, NUSAS, UDUSA and others, the transformation of higher education to meet the goals of a non-racial, non-sexist and democratic South Africa have been on the agenda of the national liberation movement.

With the possibility of a negotiated settlement on the horizon towards the late 1980s, the National Education Co-ordinating Committee initiated a research and policy programme into education transformation in a democratic South Africa, known as the NEPI process. This formed the basis of the inputs and discussions on higher education transformation during the process to draft the Reconstruction and

Development Programme in 1993. The RDP document thus contained the following clauses on Higher Education: -

3.3.13.1 *The higher education system represents a major resource of national development and contributes to the worldwide advance of knowledge. But, its present structure and capacity are seriously distorted by the apartheid inheritance, its governance systems are outmoded, and its funding arrangements have led to serious crises for both the students and institutions themselves.*

3.3.13.2 *In order to address these structural problems with the seriousness they deserve, the new democratic government will consult all significant stakeholders with a view to appointing a representative and*

expert higher education commission to investigate and report urgently on the role of the higher education sector in national reconstruction and development; the structure of the system; access/selection and exclusion; the role of open learning and distance education; institutional governance and the governance of the system as a whole.

In 1994, the ANC published a document titled "A Policy Framework for Education and Training." This document sought to further set out the framework for higher education in a democratic society. It provided the following approach to the transformation of higher education:

Key Principles of a transformed Higher Education system in South Africa: The National Government will have central responsibility for the provision of higher education; redressing the historical imbalances will be a priority; the higher education system and individual institutions will be required to be effective and have clearly defined objectives linking to sustainable national development; and democratic values of representation, accountability, transparency, freedom of association and academic freedom will underpin the higher education system.

Institutional landscape of Higher Education: There will be a single national system of higher education consisting of two sectors. The division of universities into graduate and research institutions on one side and teaching universities on the other will not be supported and in the longer term, the development of multi-campus institutions will be supported.

Provision: Higher education will be expanded in line with national development needs and plans in particular in relation to human resource development; priority will be given to balance the mix of outputs between the different levels and programmes in higher education; the Funding Formula for Higher Education will be reviewed and restructured to meet the aims of expanding the system, redressing institutional inequalities and increasing the intake of disadvantaged students; higher education qualifications represent a social and individual benefit, and therefore costs will have to be shared by the state and individuals; a new policy on student finance will support the access of disadvantaged students to higher education and the mechanism for funding will include the bursaries scholarships and a national loan scheme.

Access: Access of disadvantaged students to higher education will be increased to ensure that it is reflective of the country's demographics. Admissions criteria and procedures will need to change to facilitate the increased access of disadvantaged students.

Governance: Institutional governance will provide for the effective representation of all stakeholders in the higher education sector. A commission will be appointed with the task of reviewing structures and resourcing of the entire sector and making recommendations regarding the specific role of the sector in national development and reconstruction.

Implementation and policy process since 1994

The then Minister of Education, Professor Bengu appointed a *National Commission on Higher Education (NCHE)* in February 1995 as outlined in the RDP, as a first step to kick-start the process of transformation of higher education in the country. Its terms of reference included the following:

- What the shape of institutions should be in terms of the type of institutions;
- What the size of the higher education sector should be;
- How to ensure the maintenance of academic and other standards whilst at the same time expanding educational excellence;
- How the higher education should be funded and how as a matter of priority a national bursary and loan scheme could be established with particular reference to sustainability of funding and management; and
- How the higher education system should be governed, including the role of government authorities and the role of advisory and other statutory bodies.

▼ Recommendations arising from the NCHE Process (1996)

The Commission in its work looked at various documents and policy proposals including the Constitution of the country. The proposal for a transformed higher education system was informed by the guiding principles of equity, democratisation, development, quality, academic freedom/institutional autonomy, effectiveness and efficiency.

The central features of the higher education system as proposed by the NCHE were increased participation by a diverse range of constituencies; increased co-operation and partnerships between higher education and other social sectors and institutions; responsiveness to social and economic needs and a single co-ordinated system, with co-operative governance and goal-directed funding forming the core of the transformation framework.

Parliament in 1997 adopted the White Paper 3, *A programme of the Transformation of Higher Education*. The White Paper was a culmination of an extensive process of consultation that was initiated with the establishment of the NCHE and the release of the Green Paper on Higher Education in December 1996 for public comment.

▼ Policy framework as outlined in the White Paper on the Transformation of Higher Education (1997)

The White Paper outlines the framework for change, with the central focus that the HE system must be planned, governed and funded as a single national co-coordinated system.

Like in the NCHE report, the key principles of such a single national system, according to the White Paper include equity and redress; democratisation; development; quality; effectiveness and efficiency and academic freedom. It also added the principle of public accountability.

A *Higher Education Act* based on the policy framework outlined in the White paper was adopted in 1997. The Act established the legal basis of single national higher education system and replaced the Universities Act, Tertiary Education Act and the Technikons Act. It also provides the framework for the establishment of the Council on Higher Education, for institutional transformation.

In January 2000, the Minister of Education, Professor Asmal requested the Council on Higher Education (CHE) to provide him with concrete proposals on the shape and size of a single, co-coordinated higher education system, derived from the set of general principles which served as guidelines for restructuring of higher education at institutional level during the first five years.

A Task Team was established by the CHE and it used the Education White Paper 3 as its point of departure as well as the goals and principles advanced in the document as its guiding principles. The task team presented its report in 2000 (*Towards a New Higher Education landscape: Meeting the equity, quality and social development imperatives of South Africa in the 21st Century*, better known as the *Size and Shape report*) and it was released for public debate.

▼ Key Proposals of the CHE Size and Shape Report (2000)

The report proposed a single higher education system that would consist of the following types of institutions:

- a) "Bedrock institutions" whose main focus will be the provision of quality undergraduate programmes; limited postgraduate programmes up to masters level and a research programme related to curriculum, learning and teaching with a view to application.
- b) Institutions whose orientation and focus will be on the provision of quality undergraduate programmes; comprehensive post-graduate teaching and research programmes up to the doctoral level and with extensive research capabilities (basic, applied strategic and developmental) across a broad range of areas.

- c) Institutions whose orientation and focus will be on the provision of quality undergraduate programmes; extensive postgraduate teaching and research programmes up to the masters level; selective postgraduate teaching and research programmes up to doctoral level and with select areas of research (basic, applied, strategic and development).

- d) A single institution focusing on distance education; and

- e) Private Higher Education institutions

The '*Size and Shape report*' sparked heated public debates, especially from historically disadvantaged universities (HDUs), with its proposals of essentially a two-tier system of 'bedrock institutions' and others that provide high quality research and postgraduate programmes. In addition to entrenching the apartheid divisions of the past, it was argued that the division of the system based on undergraduate and research/post-graduate programmes did not make educational sense in a developing country like ours.

Following public inputs to the Ministry on this report, the Cabinet adopted the *National Plan on Higher Education* in March 2001. The National Plan outlines the framework and mechanisms for implementing and realising the policy goals of the White Paper. It recognises the strengths and weaknesses of the system and is based on a developmental approach, intended to guide institutions towards meeting the goals of a single integrated higher education system. It moves away from the '*Size and shape*' approach of a system based on the division between bedrock/undergraduate and research/post graduate institutions, towards an integrated system based on programme focus. The National Plan therefore provides a unique opportunity to establish a higher education system that can meet the challenges and grasp the opportunities presented to us by the contemporary world.

▼ Key Proposals of the National Plan on Higher Education (March 2001)

A single integrated higher education system:

The National Plan (NPHE) establishes indicative targets for the size and shape of the higher education system, including overall growth and participation rates. It proposes that the participation rates in higher education should be increased from 15% to 20% in the long term. The proposed rates will address both the imperative for equity as well as changing human resource and labour needs.

In addressing the problems of low graduation rates the NPHE proposes that academic development programmes should be funded as an integral part of the new funding formula. It also envisaged a review of the role and efficacy of the National Student Financial Aid Scheme (NSFAS).

It further proposes the recruitment of mature and disabled students as one of the priorities as well recruiting students from the SADC region as part of the SADC Protocol on Education.

The NPHE proposes to shift the balance in enrolments over the next five to ten years between humanities, business and commerce and science, engineering and technology from the current ratio of 49%: 26%: 25% to 40%: 30%: 30% respectively.

All institutions will be expected to establish equity targets with emphasis on the programmes in which black and women students are under-represented and to develop strategies to ensure equity outcomes.

Redress for HBI's will be linked to the agreed missions and programme profiles, including developmental strategies to build capacity, in particular, administrative, management governance and academic structures.

Institutional Restructuring: The NPHE proposes the establishment of a single dedicated distance education institution to address the opportunities presented by distance education by increasing access both locally and in the rest of Africa. This will enable economies of scale and ensure that advantage is taken of the rapid changes in information and technology.

The Plan proposes to merge the University of South Africa and Technikon SA and to incorporate the distance education of Vista University into the merged institution. A Working Group will be established to facilitate the merger.

The NPHE proposes that the institutional landscape of higher education must be restructured to

create new institutional and organisational forms to address the racial fragmentation of the system. This will be achieved through:

- Institutional collaboration at the regional and national level in programme development delivery and rationalisation, in particular of small and costly programmes, which cannot be sustained across all institutions;
- Investigation into the feasibility of more rational arrangement for the consolidation of higher education through reducing, where appropriate, the number of institutions, but not the number of delivery sites on a regional basis;
- The establishment of a National Working Group to undertake the investigation on the principle and goals of transformation of higher education as outlined in the White Paper;
- The establishment of National Institutes for Higher Education in Mpumalanga and Northern Cape in order to facilitate access to HE.
- The unbundling of Vista University and the incorporation of its constituent parts into the appropriate institutions within the region.

▼ National Working Group Report (December 2001)

The Minister established the NWG in April 2001 to advise him on restructuring the institutional landscape of HE. Its terms of reference were based on the principles of the National Plan on Higher Education. The NWG has released its report and recommendations to the Minister and the report has also been released for public comment.

KEY PROBLEMS FACING HIGHER EDUCATION IN S.A.

A number of conditions and developments within higher education represent fundamental challenges to the system and major obstacles to the achievement of policy goals. The higher education system and individual institutions manifest two different though connected kinds of problems and weaknesses. These can be characterised as 'structural problems' (fundamental, long-standing, contextual) and 'conjunctural problems' (immediate, contextual).

Structural problems include:

- The geographical location of institutions that was based on ideological and political considerations,

rather than rational and coherent planning. For example, the so-called 'bush campuses' got their names because they were mainly located in rural Bantustan areas and were supposed to be for different ethnic and racial groups.

- The continued and even increasing fragmentation of the system. The higher education system still does not function in the coordinated manner envisaged in the White Paper, nor has the existing planning instruments and institutions produced meaningful collaboration amongst institutions. Many of the features of apartheid fragmentation

continue within the system and between institutions. Public universities and technikons appear to compete with each other as market competitors, rather than operate as part of a unified and coordinated higher education system.

- There are major inefficiencies with regards student throughput rates, graduation rates, student dropouts, student repetition and the retention of failing students, and unit costs across the system. South African universities and technikons produced about 75 000 graduates and diplomats in 1998 on a headcount enrolment base of 600 000 students. 25% of new undergraduate students drop out of universities or technikons by the end of their first year of study.
- There are skewed patterns of distribution of students in the various fields of study – Science, Engineering and Technology (SET), Business and Commerce, and the Humanities and Education.

Table 1:
Student enrollment per programme (1999)

Programme	% of students enrolled
Teacher training	15%
Other humanities	35%
Business and management science	25%
Life and physical science, engineering, computer science, all the health sciences, applied technology fields	25%

- The distribution of students in the various levels and fields of study – SET, Business and Commerce, and Humanities and Education – and at certain institutions is skewed in terms of race and gender.
- Academic and administrative staff also display poor patterns of race and gender representation and distribution.
- Most institutions have extremely low research outputs and even the institutions that demonstrate a higher ratio of research outputs relative

[SOURCE: Towards a new Higher education landscape: Meeting the equity, quality and social development imperatives of South Africa in the 21st century, 2000]

to other institutions have uneven levels of outputs. In 1998, about 65% of all publications recognised for subsidy purposes were produced by only six of the 21 universities. These same six institutions also produce close to 70% of South Africa's total masters and doctoral graduates.

Conjunctural problems in the higher education system

- The decline in student enrollment within the public education sector. The serious decline in retention rates of student from the first to later years has also compounded this problem. As a result, the overall participation rate in higher education for the age group 20-24 years stood at 15% in 1999.
- The inability of several institutions to continue to fund their activities because of the relationship between enrollments and funding, as well as their inability to attract other sources of funding. The inability of many poor students to pay fees, as well as the institutions lack of capacity to collect fees, have resulted in increases in student debt. This is a problem that affects mainly, but not exclusively historically disadvantaged institutions (HDIs).

- The increase in private higher education institutions, mainly in the form of international, small single-purpose providers. These institutions are presently inadequately regulated in terms of registration, accreditation and quality assurance.
- Many institutions experience fragile governance capacity (council, management and administration, students) and, at some, the persistence of crises.

- The current higher education information systems are sorely inadequate, especially in relation to information on finance matters. The problems and weaknesses of the higher education are extensive and varied. They will not disappear on their own or be overcome by the institutions on their own. They must be confronted at a national level and addressed with vigour.

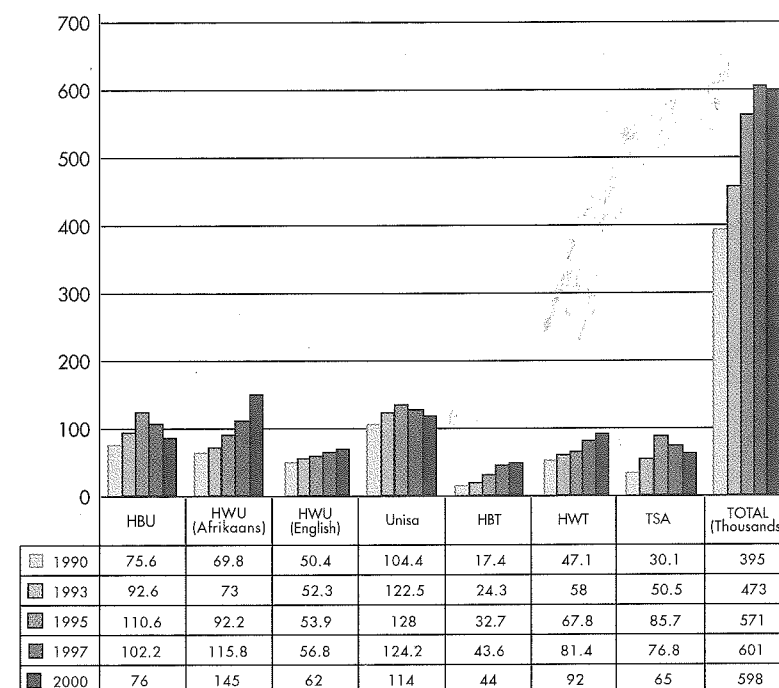
PARTICIPATION IN HIGHER EDUCATION

The period 1994-1997 was characterised by a high level of optimism, which flowed from expectations that the pressure of access to the higher education system would continue in a post-apartheid South Africa. It was taken as given that student enrolments in universities as well as technikons would increase rapidly throughout the rest of the decade.

The evidence available in time supported the belief that student enrolments in South Africa were on a steep upward trajectory. Figure 1 shows that by 1994 the headcount enrolment for the university plus technikons sectors had reached a total of more than 600 000, an increase of nearly 206 000 (or 52%) over the total for 1990. The increase in 1997 compared with the enrolment figure in 1993 was 127 000 (or 27%). The average annual increase in headcount enrolments between 1990 and 1997 was 4%.

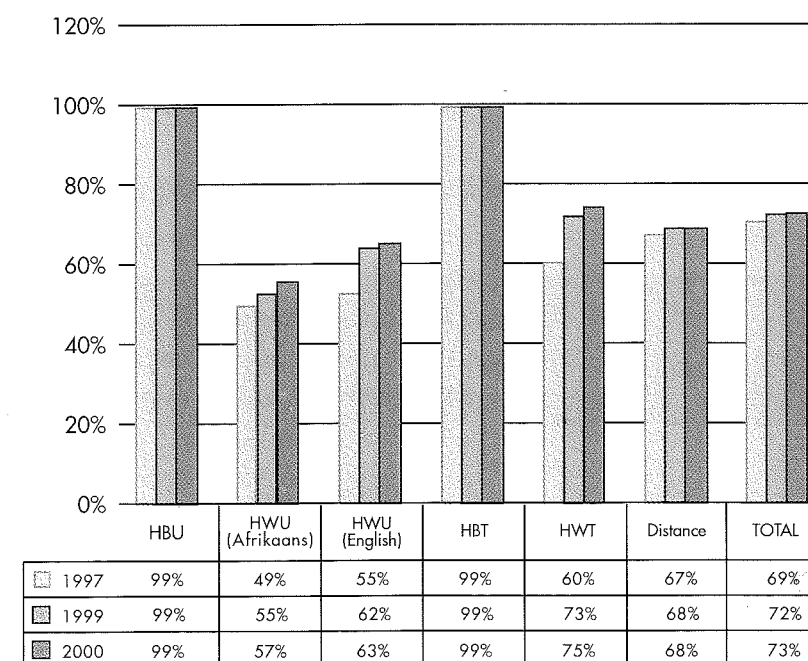
However the data of 2000 shows that there has been a decrease in student enrolments. There are various reasons that could be linked to this such as the impact of Private education in the higher education system and the decrease of pass rate in the schooling system at Matric level. The figure shows that the decrease in 2000 compared to the period 1997 was 3000 (or 0.5%).

Figure 1 Headcount student enrolments (in thousands) by sector: 1990-2000



The increase in headcount also generated expectations in the higher education system that government funding would grow in future years, particularly because government funds had been allocated to institutions on the basis of formulae which were driven primarily by student enrolment.

Figure 2 Percentage of black students (African, Coloured and Indian) in headcount enrolment totals



▼ Enrolments by race group and gender

The enrolment data available suggests that the public higher education system has moved, in broad overall terms, towards the equity goals set by the 1997 White Paper. This can be seen in figures 2 and 3, which show the percentage of black students and women in the headcount enrolment totals, which follow.

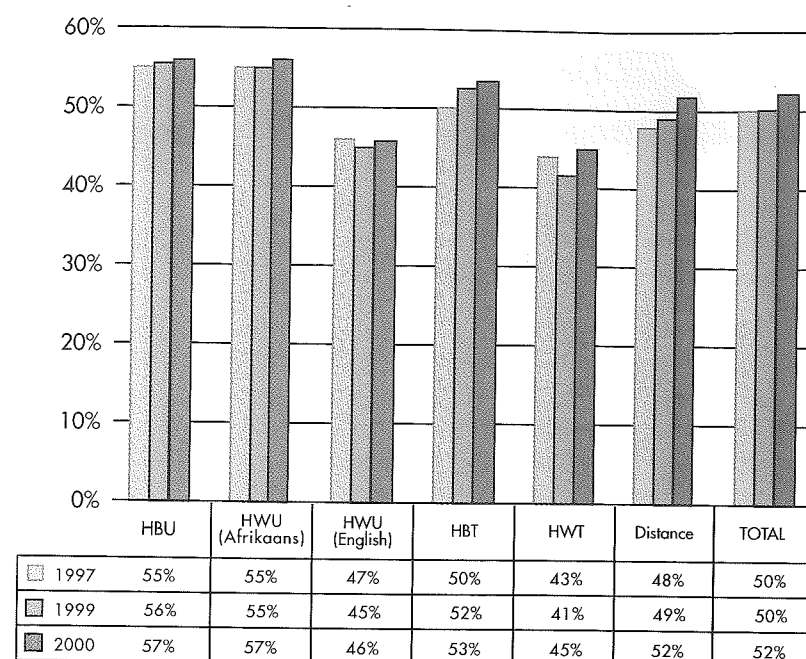
The averages show that by 2000, 73% of students in the public higher education system were black and 52% were female, compared with proportions of 52% of black students and 43% for female students in 1993. This shows that the public higher education system has made substantial moves during the 1990's towards the achievement of race and gender equity.

But taken overall, this achievement hides major inequities, which persist in the sector. Black and female students

remain underrepresented in post-graduate programmes, as well as in all programmes in business and management, and in science, engineering and technology.

A further equity problem, which remains hidden in the changing racial patterns, is that of decline in participation rates in South Africa's higher education system. Changes in the racial distribution of student enrolments are not the result of a major increase in the rate of participation among those who were previously excluded from the higher education system. They stem primarily from a sharp decline in the enrolment of white students in the public higher education system. White enrolments fell from a total of 215 000 in 1995 to 164 000 in 2000, a decline of 41 000 (or 19%) over this period. Nevertheless it must be stressed that the growth in African student enrolments did have a positive effect on this group's overall participation rate.

Figure 3 Percentage of female students in headcount in enrolment totals



Feature Theme

Report of the National Working Group on Higher Education

DECEMBER 2001

▼ Mission and brief of the National Working Group (NWG)

- The National Working Group, under the chairpersonship of Saki Macozoma, was established by the Minister of Education in March 2001 to advise on the restructuring of the institutional landscape of Higher education, as outlined in the National Plan on Higher Education (March 2001)
- The terms of NWG was to make recommendations on appropriate arrangements for the consolidation of the provision of higher education on a regional basis, through new organisational and institutional forms, including reducing the numbers of higher education institutions.
- The NWG completed its work in December 2001, when it handed over its report to the Minister of Education. The recommendations contained in the report were arrived at based on consideration and investigations, which included:
 - * Relevant policy documents
 - * Outcomes of previous investigations
 - * Data on recent and current trends in the higher education system
 - * Guiding principles, performance indicators and linked benchmarks
 - * Meetings with various higher education constituencies
 - * Written submissions on institutional mergers and collaboration; and
 - * International experiences.
- The Ministry of Education is considering the report, has released it for public debate and inputs and will make recommendations to Cabinet.

▼ GENERAL RECOMMENDATIONS

- **Regional collaboration:** should not be left to the free will of institutions, but be enforced through incentives and sanctions outlined in the National Plan on Higher Education.
- **Universities and Technikons:** should continue to operate as institutions with distinct programmes and mission foci.
- **Comprehensive institutions:** in some circumstances, the NWG recommended the merger of a university and technikon to establish a comprehensive institution, guarding against institutional drift.
- **College sector:** Agricultural and nursing colleges should be integrated as part of the higher education sector; in a number of cases the NWG recommended that these colleges form an integrated part of merger proposals.
- **Distance education:** Strict regulation of programmes offered by residential institutions, without jeopardizing programmes of high quality and that meet regional or national needs.
- **Satellite campuses:** should be regulated to stop their unplanned proliferation.

▼ Regional recommendations

Eastern Cape

- A comprehensive higher education institution (offering both university and technikon programmes) in Port Elizabeth, through the merger of **University of Port Elizabeth** and **PE Technikon** and the incorporation of the **PE Vista campus**.
- One unitary university with its base in East London, through the merger of **Fort Hare**, **Rhodes** and the **Medical school of UNITRA**, with a focus on information, communication and technology programmes. The Fort Hare campus of the merged university should diminish its academic programmes, developing a core of those programmes in which it is strong.
- A unitary technikon with primary campuses in East London and Umtata, as well as campuses elsewhere in the province, through the merger of **Border Technikon** and **Eastern Cape Technikon**. The location of the other campuses and the future of the present Butterworth campus to be determined by the Education department. The infrastructure of **UNITRA** should form the core of the Umtata campus, through the discontinuation of its remaining academic programmes, with provision being made for registered students to complete their studies.

16

Free State

- The **University of Free State** to remain as an independent and separate institution, incorporating the Vista Bloemfontein campus.
- **Technikon Free State** to remain as an independent and separate institution, incorporating the **Vista Welkom** campus.
- Consideration should be given to merging the **nursing** and **agricultural colleges** of the province with either the **University of Free State** or **Free State Technikon**.

Gauteng

- **RAU**, **Wits** and **University of Pretoria** to be maintained as separate and independent institutions. All three universities should give attention to issues of equity and access, and to serious regional collaboration with a view to rationalization and strengthening of programmes through co-ordination and consolidation. At a minimum, these should include the disciplines of medicine, dentistry, business and management, engineering and the performing and creative arts.
- The **Vista Mamelodi campus** should be

incorporated into the University of Pretoria.

- The three technikons in the Tshwane metro, namely **Technikon Northern Gauteng**, **Technikon North-West** and **Technikon Pretoria** should merge into one unitary institution with two sites, one at the current Northern Gauteng site and the second at the current Technikon Pretoria site. The feasibility of using the Technikon North-West facility for different purposes, e.g. further education, while its students and staff are accommodated in the new merged technikon, should be explored.
- **Technikon Witwatersrand** should be maintained as a separate and independent institution. It should give priority to regional cooperation, especially with regards its school of engineering with other schools in the region.
- **Vaal Triangle Technikon** should be retained as a separate and independent institution and the facilities of Vista Sebokeng campus be allocated to it to allow for further growth. The students and staff of **Vista Sebokeng** should be incorporated into the Vaal Triangle campus of the unitary North West university (a merger between Potchefstroom University and University of the North West)
- **RAU**, **Wits** and **Technikon Witwatersrand** should jointly propose to the Ministry how to utilise the **Vista East Rand** and **Soweto campuses**, to facilitate access of students to higher education.
- The distance education programmes at **Pretoria University** and **Pretoria Technikon** should be reviewed and where appropriate discontinued.

KwaZulu Natal

- The merger of **ML Sultan Technikon** and **Technikon Natal** should be brought to a speedy conclusion. **Mangosutho Technikon** should be merged with this new technikon. The **Umlazi Campus** of the **University of Zululand** should be used by the new merged technikon.
- Merging the **University of Durban Westville (UDW)** and **University of Natal** into a unitary institution, with rationalisation of programmes across the three campuses.
- The **University of Zululand (Ongoye)** should refocus its mission, becoming a comprehensive rural institution, offering technikon type programmes as well as limited relevant university type programmes. Its future growth should be in the technikon type programmes, with major involvement in the Richards Bay area.
- No other publicly funded HE institution should operate in the province, except the merged national distance education institution.

Limpopo (formerly Northern Province)

- The **University of the North (Turfloop)**, **University of Venda** and **Medunsa** should be merged into one unitary institution. All **colleges of agriculture** and **nursing** in the province should be merged with this unitary institution. The new institution should also offer technikon type programmes and qualification, focusing on the needs of the region, concentrating different types of strengths in different campuses. Medunsa should continue to offer its current range of programmes in the health sciences, but rationalise its science programmes by building synergy with the other two campuses. Its faculty of Dentistry should be retained, focusing on the needs of the northern parts of the country. The Education ministry should over the medium to long-term investigates and makes decisions on the relocation of Medunsa's programmes and infrastructure to the Northern Province.

North West

- Merging **Potchefstroom University** and the **University of the North-West** into one unitary multi-campus institution. The new institution should refocus the mission of the North-West campus by introducing more technikon type programmes to meet the needs of the province. As part of this merger, the **Vaal Triangle** campus should be retained and its telematic programmes regulated within the provisions of the new government policy in this regard. The **nursing** and **agricultural colleges** in the province should be

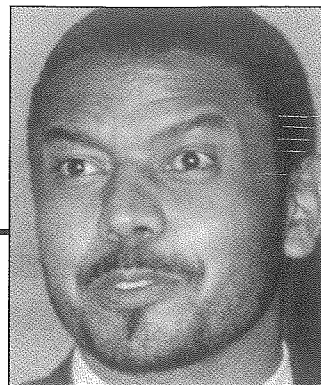
merged into this new institution. The students and staff (but not the facilities) of the **Sebokeng campus** should be incorporated into the new institution.

Western Cape

- The **University of Cape Town**, **Stellenbosch University** and the **Cape Technikon** should be retained as separate, independent institutions, giving priority to issues of equity, regional collaboration, programme rationalisation and the development of an enabling environment to ensure that all can pursue their studies unhampered by social and cultural impediments. UCT and Stellenbosch should establish a single platform for the teaching of the health sciences and performing and creative arts as a matter of urgency; with close cooperation between their medical schools. Further areas of the consolidation of programmes already identified by the regional consortium should be explored with the DoE. Stellenbosch should pay particular attention to the enrollment and support of significant numbers of contact African and non-Afrikaans speaking students.
- **Peninsula Technikon** and the **University of the Western Cape** should merge to form one unitary comprehensive institution, with both technikon and university style programmes. The **Western Cape College of Nursing** should be merged with this new institution. The dentistry schools of UWC and Stellenbosch should be merged and be located in the new comprehensive institution.

17

Building confidence in the public school system



Interview with Ignatius Jacobs, MEC for Education, Gauteng Province

Umrabulo spoke to cde Ignatius Jacobs to find out what the province has done to improve its Matric results in 2001.

Cde Jacobs: We all agree that we need a well-educated and skilled population to build a winning nation, and that education and training should be amongst the key drivers to achieve this goal. The Gauteng Department of Education (GDE) through its 2001/2002 Budget sought to give further impetus to the achievement of the goals of strengthening the culture of learning and teaching through Tirisano; increasing our Matric pass rate and improving the quality of education by focusing on the development of previously disadvantaged urban and rural schools. Furthermore, by utilising the Norms and Standards of School Funding Policy, we are at work to ensure a more equitable distribution of resources.

Concretely, the GDE prioritised schools for attention from amongst the close to 2 500 public schools in Gauteng. These included the 79-odd schools in the province that were totally dysfunctional (obtaining 0-20% Matric pass rate) and about 110 schools that were poor performers in terms of their Matric Results (under 40% Matric pass rate). We created Education Action Zones (EAZs) around these schools, putting in place the following strategies to improve the quality of education: -

- Targeted interventions with learners and educators;
- Fostering community and parental involvement in schools;
- Addressing issues of school governance and management;
- A turn-around programme for each school, focusing on the basics such as the schools physical environment (toilets, windows, gardens, water, etc), discipline and safety, sports, arts and culture and maximising the times spent on learning and teaching.

The Secondary Schools Intervention Programme, which we started implementing in 2000, offers additional academic support to learners through the provi-

sion of additional learning materials, audio-visual support material and additional tuition by experts.

The GDE also targeted farm and rural schools, paying attention to issues such as improving the capacity of multi-grade teachers, relations with farmers where we have public schools on private land and the provision of rural transport.

Umrabulo: *What has been the impact of these strategies?*

Cde Jacobs: Apart from improving our pass rate (see Table 1), we have strengthened the culture of learning and teaching, we are beginning to see the dividends of our focus on urban and rural disadvantaged schools and we are putting in place measures to address the issues of equity.

Table 1 Gauteng matric pass rate (%)

1998	1999	2000	2001
55.6 %	57 %	67 %	73 %

Umrabulo: *We often read about township schools being empty and the flux to former Model C schools.*

Cde Jacobs: Ninety percent of African learners are still in township and ex-HOR and ex-HOD schools. Improving the quality of public education is therefore about improving the quality of education in these schools. They remain the schools that bear the brunt of the apartheid education legacy, with continued barriers to learning, which include limited curriculum offering, inadequate teaching and learning resources and a host of other constraints.

It is for this reason that government has prioritised the improvement of the quality of learning and teaching, ensuring that learners in township schools have access to key subjects such as mathematics, science, technology and the economic sciences and improving

the performance of black learners at Grade 12 level. In terms of the Norms and Standards of Schools Funding Policy, we spent much more than before on previously disadvantaged schools.

Subject choice is an important equity issue. For example, because former Model C schools offer a much greater subject choice, they have more teachers and the teacher: learner ratio is therefore also smaller than in disadvantaged schools.

Umrabulo: *The national education ministry has introduced the School Registry of Needs as a tool to measure progress to address the legacy of apartheid in education. What progress has been made in Gauteng in this regard?*

Cde Jacobs: Well, the figures speak for themselves (Table 3). For the period 1996 – 2001 the school maintenance and expansion of infrastructure have cost R150.3 million and consisted of approximately 3 700 projects of varying scope, targeting disadvantaged schools. The School Registry of Needs (1996 and 2000) indicates the progress we have made in addressing the backlogs.

Amongst the unique challenges faced by Gauteng is the high level of migration to the province, which impacts on learner:educator:classroom ratios. The GDE has a special fund to address this problem, aimed at building extra classrooms and new schools, especially in new and expanding informal settlements in the province.

Umrabulo: *We often talk about education as the development of human capital mainly in respect of the economy, but what about its role in social development and nation building?*

Cde Jacobs: I've said during our 2001 Budget vote that education should give birth to a new generation of intellectual, social, political and economic human capital of a free nation and to the success of the African Renaissance.

To achieve this, Gauteng has a conscious programme to promote social education, within the context of a broad human resource development strategy, including: -

- Establishing an internal communication system to improve learners, parents and educators access to information and services;
- Excursions to various social education institutions, such as museums, cultural and arts centres, libraries, scientific exhibition halls, memorial halls, theatres, zoos, botanical gardens and so forth, to raise consciousness about our cultural heritage;
- Promoting the use of educational radio, television

Table 2 Size of Gauteng school sector (July 2000)

Number of Learners	Public	Independent Subsidised	Independent Non-subsidised	TOTAL
In Pre-primary institutions	9 437			
In Schools	1 436	100 977	16 544	1 554 495
• Grade 0/Pre-primary	964	5 513	1 253	21 368
• Grades 1-7 (primary)	14 602	53 298	8 878	955 123
• Grade 8-12 (secondary)	892 947	41 778	6 325	572 014
• (secondary)	523 911			
In Special Schools (1999)	26 779	-	-	26 779
In Technical Colleges (1999)	42 459	-	-	42 459
Number of Institutions	Public	Independent Subsidised	Independent Non-subsidised	TOTAL
Pre-primary institutions	94			
Schools	1 905	287	78	2 270
• Primary	1 303	83	21	1 407
• Secondary	462	57	15	534
• Combined	140	147	42	329
Special Schools	98	2	4	104
Technical Colleges	33	-	-	33
Number of Educators	Public	Independent Subsidised	Independent Non-subsidised	TOTAL
Pre-primary institutions	379			
Schools	43 254	5 879	927	50 060
• Primary	25 606	1 254	129	25 989
• Secondary	15 922	961	162	17 045
• Combined	2 726	3 664	636	7 026
Special Schools	2 101	-	-	2 101
Technical Colleges	1 955	-	-	1 955

Description	1996 SRN	2000 SRN
Learner : Educator ratio	27:1	29:1
Learner : Classroom ratio	34:1	33:1
Classroom shortages	24%	26%
Conditions of school buildings		
• Good (no.)	1 089	664
• Minor repairs	813	1 157
• Poor	103	276
• Very poor	20	36
Schools with no access to computers	620	16
Schools without media centers	56	48
Schools with no telephones	326	94
Schools with no water on site	5%	2%
Schools without sport facilities	37%	35%
Schools without power source (any)	13%	7%
Schools without toilets	13%	1.10%

Table 3 Gauteng School Registry of Needs

- and print media;
 - Education in the Arts by raising sponsorships for literary and artistic awards, drama contests, exhibitions and art education programmes and activities for learners. This is a joint programme coordinated by the provincial social cluster.
 - Working with the private sector and NGOs to establish a Science Education Centre in Gauteng.
- Gauteng is in the unique position that all 11 official languages are spoken in the province, in addition to other European languages such as Portuguese, Greek, etc. All 11 languages are therefore being taught in schools, but mainly in township schools. Former Model C schools still offer mainly English and Afrikaans as first languages. One of the priorities for the coming

years will be to ensure the phasing in of at least one African first language in all these schools.

An important project to develop all our official languages in schools is a short story competition in African languages sponsored by Iwisa Maize Meal. The project is piloted in primary schools in Atteridgeville, Tshwane metro, with the winning stories published and distributed for use in schools across the province and royalties paid to the teachers.

Furthermore, given the changing complexion of the learner population of former Model C schools, the province developed a specific approach aimed at learner integration, building non-racialism and multi-culturalism and addressing the representivity of the teacher corps at these schools.

Because our young people are our future, the department is also promoting a social plan focusing on extra-curricular activities with an emphasis on youth development, sport and culture. For example, an earmarked amount (R2 million) was set aside in the 2001/2002 Budget to promote youth culture through the strengthening and transformation of music centres. This programme also includes strengthening school sports programmes with a focus on athletics and the provision of equipment and facilities (R12 million) and promoting basketball and baseball through partnership with the relevant National Sports Associations (R1.5 million).

The department also promotes youth development and leadership, school safety and an environment education programme (R4 million).

Umrabulo: *Young people remain amongst the high-risk groups for HIV/AIDS infection. What programmes are in place to deal with this issue?*

Cde Jacobs: Surveys done amongst youth and learners in the province indicate that between 90 and 95% of youth are aware of HIV/AIDS, how it is transmitted and about prevention. The challenge is however to change young people's sexual behaviour. The programmes of the GDE include advocacy campaigns, focusing around

World Aids Day, Life Skills week in schools, Valentine's Day and the distribution of First Aid Kits to all schools. It has a life skills programme as part of the curriculum in schools, focusing on prevention, living with and managing HIV/AIDS. It is developing learner, parent and educator support materials to promote awareness of all aspects of the disease.

Umrabulo: *The Blue IQ programme of the provincial government seeks to build Gauteng as a centre of industrial innovation and development. What contribution does the education system make towards this programme and the broader objectives of the African renaissance?*

Cde Jacobs: The contribution of education is mainly to develop the human resources that can be at the forefront of this programme of innovation. The GDE has introduced the concept of Schools for Focused Learning to not only address the imbalances of the past, but to promote the notion of the African renaissance. Schools for Focused Learning will therefore provide highly specialised education in the critical areas of mathematics, technology, science, business, commerce, management studies, language and communication. Learners in these programmes will be predominantly from the disadvantaged communities.

We have also allocated R500 million over the next three years to the Gauteng Online.com. The objective of Gauteng Online.com is to develop information technology infrastructure in schools in the province, targeting at least 25 computers per school with Internet connectivity and with all learners and educators having an e-mail address by the end of the three-year project.

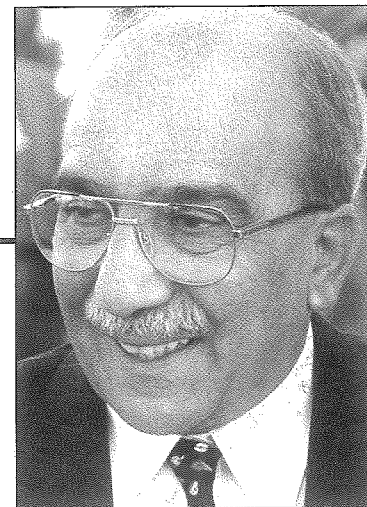
The department will also ensure the development of appropriate software and educational materials to ensure that all learners are computer literate. The Gauteng Online.com was launched last year as part of the National Youth Day celebrations at Ikaneng Primary School in Soweto.



...we need a well-educated and skilled population to build a winning nation, and... education and training should be amongst the key drivers to achieve this goal.

Meeting the challenge of sexual abuse at schools

by Kader Asmal



Last week I visited schools in Tsakane, and I was horrified to learn that two students – young girls – had been viciously beaten with sjamboks by rampaging youths, and were hurt so badly that they had to be taken to hospital for stitches to the head.

This is not sexual violence, but it is violence, and this sort of violence undoubtedly provides the basis for ongoing sexual violence. The reason is simple. If nobody is prepared to speak out and take action against the thugs who did this despicable thing, which took place in broad daylight, at school, and in the presence of learners and teachers, then what fear do these thugs have when committing sexual violence in a dark, isolated place.

I was amazed that so little importance had been given to this attack. The report from my officials indicated two learners had been injured, but that does not capture the horror of the sjambok attack, which must bring back memories of the worst kind of oppression under apartheid. The schools had not reported the incident to the police, or laid charges. It is as if this is normal, and accepted, especially in poor, black communities. And if we do not rise up about one form of violence, other forms will rise up and find a place in society. We must stop this thing where it starts – at the first sign of disrespect, abuse or violence. We cannot tolerate one form of abuse while trying to stop other forms – these things are indivisible. The silence that characterised these sjambok attacks is the same as the silence that has surrounded matters of sexual harassment and sexual violence for many years.

The reasons for this violence are complex and need to be examined if we are to deal with this matter head on. However, in South Africa, the legacy of violence that underpinned the apartheid state has exacerbated this problem. Patriarchal violence was sanctioned and legitimated by the state and religious institutions and this, combined with culturally endorsed violence towards women and girls, led to extremely high levels of violence in our country. The

violent repression of political opposition by the apartheid state has meant that many of our people view force as the only mechanism to deal with the problems that they may encounter. This legacy is highlighted in the haunting words of a 14-year-old girl, who argued that:

"In our ... community, it is part of traditional culture to beat a woman and force her to have sex. My brother sometimes beats his girlfriend and then feels so bad about it afterwards. If I talk to him he gets back to his senses and sees that it is wrong, but later he will carry on and do the same thing to her again..."

We must therefore not be misled into believing that sexual abuse is a sudden phenomenon, or that South Africa is alone in dealing with the challenges that we face in this regard. In the recent global report of the International Tribunal for Children's Rights released last year, it was noted that despite the universal ratification of the Convention on the Rights of the Child in 1989, all indications are that violence against children is on the rise.

Nevertheless, while we may not be alone in our fight against this scourge, the fact is one act of abuse against a South African child is one too many. And although reliable data on the extent of sexual abuse in our schools is hard to find, there is compelling evidence, such as highlighted in the comprehensive study by the Medical Research Council on the rape of girls in South Africa, to indicate that both the nature and levels of abuse require immediate and urgent action from us. The time for further inquiries into this matter must come to end, we cannot afford to sit back and allow this abuse to continue.

Indeed, parents from all walks of life – white and black, rich and poor – have come to me to tell some terrible stories about what has happened to themselves and their children. They have been silent for too long, and I fear we have failed these children. Our children look to us for protection and it is our collective responsibility to protect their right to inno-

cence. We know the perpetrators, and they live among us.

As Phylcia Oppelt, SUNDAY TIMES journalist argued in her recent column:

"... we as a society have to accept the portion of responsibility too. We live with these monsters and harbour them in our communities without censure. Too many men and women still believe that women ask for it; that women who wear short skirts and tight-fitting blouses must want to be raped..."

Let us therefore isolate them so that their lives become uncomfortable. It is reported that up to 54% of rapists are not found, and yet most rape is committed by people known to the victim. Someone must be hiding these rapists, and in so doing, sending a message that this thing is okay.

It is sometimes argued that there is no common understanding of what constitutes harassment, or of the devastation that it causes to victims, and that this confusion is why it continues. Chairperson, with respect, I think that this view is rubbish, and provides an apology for such behaviour. We are all agreed that sexual harassment and violence against our children (or anyone else) is completely unacceptable. You do not need a dictionary definition to know these things are wrong. You do not need a degree in psychology to know that the impact of this abuse means that the victim's self-esteem plummets, their school performance is affected, some drop out of school and for many, their social and personal development is also retarded. These children fail to fulfill their ambitions and the overwhelming majority of these are girls.

Some adults go further and claim they have genuine and acceptable relationships with these children! Often it starts with small and seemingly innocent favours – a girl goes to the tuckshop to buy lunch for a teacher, for example, and brings it to the staffroom, full of subservience. Through this, a power relationship is established, which is but a step away from a climate in which rape and abuse will flourish. Pupils are not the servants of teachers, and favours should not be asked or given.

When any abuse comes to light, there must be no attempt to resolve the matter behind closed doors, offering some form of compensation to make the problem disappear. Abuse and harassment is not a private matter, to be bartered over and hidden from public view. Perpetrators must feel the full might of a public prosecution.

I recently received a study commissioned by UNICEF, and conducted by the HSRC, entitled: *A Study of School Responses to Violence and Harassment of Girls (November 2001)*. Although the study covers only eight schools, the depth and quality of the data is impressive, and the schools are of all types. So although we must not gen-

eralise, we should also accept that they have captured a picture of what is happening in at least some of our schools. It is not a happy picture, although there are vast signs of hope in the values of many of our soon-to-be citizens. Let me share with you some of the findings:

Firstly it found that beating and bullying is the most common form of violence against girls, and it starts in the first grade, supporting my earlier contention about the indivisibility of violence. Second is that overt sexual harassment becomes common from Grade 5, although girls at primary school are more at risk in the community than at school.

Girls at high school are found to be equally at risk at school, and relationships with teachers are common. All girls are at risk of rape and sexual harassment going to and from school. Sadly, girls are also at risk in their own homes where they experience abuse and high levels of physical violence, as well as sexual harassment and rape.

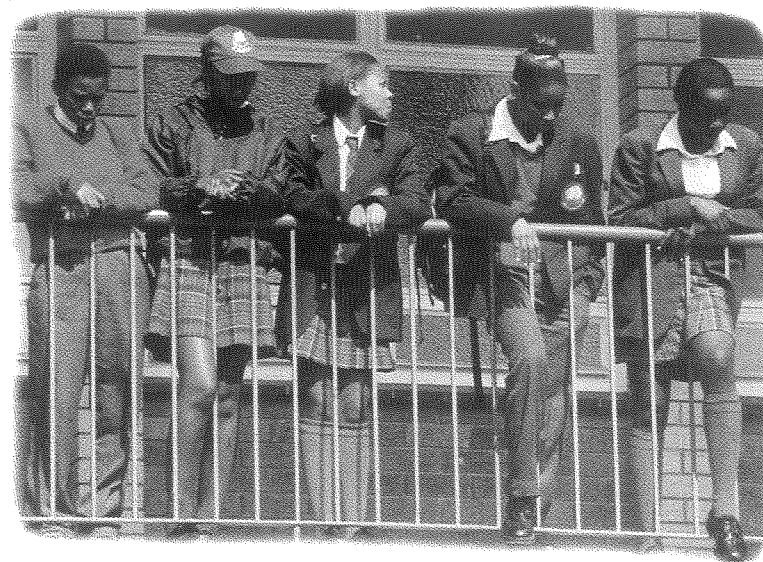
The responses of schools to situations of abuse were found to be varied. Some showed zero tolerance, with set disciplinary procedures and structures, and strong links with Social Development offices and the SAPS Child Protection Unit. They must be commended. Other schools used verbal reprimands, random corporal punishment and parental summonses, while some, sadly, showed no response at all. The underlying problems identified in the report included a lack of openness, ambiguous attitudes towards violence against girls, and the lack of clear definitions and preventative procedures. I must say I am tempted by the offer made by an NGO to conduct surveys in schools to anonymously identify abusers, but I do not want a witch-hunt, which this could create.

The report then assists by identifying a number of areas for intervention, and I am glad to say that they are highly consistent with the work already being done by the Department. These include the need to facilitate individual change by building a culture of respect for one another; the importance of improving school and community responses, the necessity of developing clear policies as well as the promotion of awareness and knowledge about the problem amongst all role-players.

As you will see in our submission and as I recently reported to the NCOP Hearings on this matter, the Department has responded to all of these recommendations.

Firstly, through the revised school curriculum, which includes an awareness of sexuality as a life skill, we aim to develop in our children the values which will ensure that abuse is not a problem in future. They must have the confidence to insist on respect from others, and the humility to show respect for the integrity of others.

For our teachers, the South African Council for



Schools need to create an environment where all learners, especially girls, are protected against sexual and physical abuse.

Educators has a training programme on Ethics and Values in Education, run by the University of Natal, and which hundreds of teachers have been attending in their own time over weekends.

To improve school and community responses to the abuse of girls, we have taken a number of measures. We amended the Employment of Educators Act to dismiss any teacher having a sexual relationship with a learner. A teacher who sexually abuses learners should not be in the classroom, and the Council for Educators has powers to ensure that such a teacher is deregistered. I have requested provincial education MECs to pay particular attention to the prosecution of offenders, and ask also that teacher unions report to parliament on disciplinary steps taken against their members. I have also met with the South African Council of Educators to discuss a more vigorous approach to stopping the sexual misbehaviour of teachers.

In order to help school principals, my Department has produced a very practical guide for schools on Managing Sexual Harassment and Gender-based Violence, which is accompanied by a training programme. And last year, together with the South African Police Service, we compiled a workbook for

schools called *Signposts to Safe Schools*.

In recognition of the need to free the full potential of our girls, we are finalising a teacher's manual on Gender Equity in Education. Together with the above manuals and guides, this will help to create schools that are friendly to girls. The values of the Constitution cannot be nurtured in young South Africans in an environment where those in authority are contradicting them.

In conclusion, while we have taken a number of important steps in dealing with the problem, what remains clear is that much more still needs to be done. One area to which we need to give consideration, is the development of comprehensive child-care legislation as part of a broader national drive to ensure that the perpetrators are brought to book. However, legislation in itself is not enough. We must change attitudes if we are to cherish all our children. And this can only happen when we teach our children through precept, and more importantly through example, to respect and value others regardless of race, gender, class or creed.

Address by Minister of Education Kader Asmal at the Parliamentary Public Hearings, 11 March 2002.

By-elections in 2001

A statistical review

by Michael Sachs

By-elections can provide crucial indicators of the attitude and disposition of the electorate towards democracy and political parties in general, and towards the incumbent party in particular. They are real life experiments; polls of political opinion at ward level. In some instances the outcome of by-elections can have political implications far beyond the ward in which they take place.

Seventy-nine by-elections were held in South Africa in the course of 2001. The distribution of by-elections by province is given in table 1. Chart 1 shows the reasons that precipitated ward by-elections. By-elections are called wherever a vacancy appears in a ward council seat. This may arise because the councillor has passed away, resigned or been expelled from his or her party. Of the seventy nine by-elections in 2001, 34 were precipitated by a councillor's resignation from his or her post, 33 resulted from the death of a councillor and 12 were the result of the expulsion of a councillor either from the party or the council concerned.

Table 1: By-Elections 2001 per province

Province	Number of By-elections
KwaZulu-Natal	27
Eastern Cape	12
Gauteng	9
Mpumalanga	9
Western Cape	8
North West	7
Northern Cape	3
Free State	2
Limpopo	2
National	79

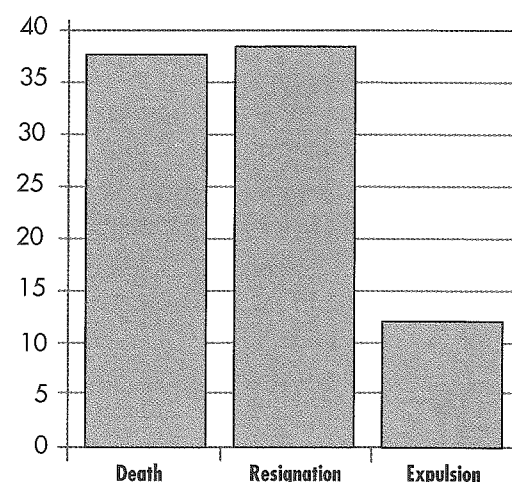
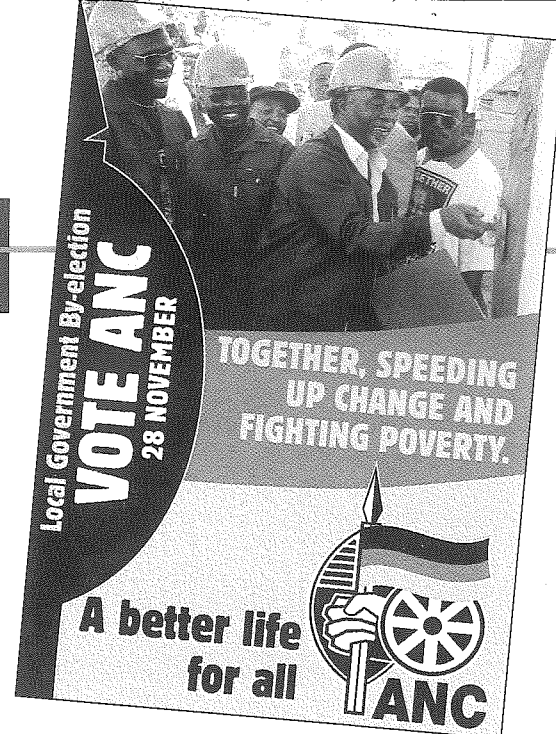


Chart 1: Reasons for By-elections held in 2001

This review uses ward level demographic and political data to analyse all 79 by-elections held during 2001. We begin by considering the patterns of voter turnout in comparison with turnout in the same wards in past elections. We then consider voting patterns in three categories of wards, defined by their demographic characteristics: African rural wards, African urban wards and minority wards. Finally, the overall participation and performance of the ANC is summarised and conclusions from our analysis highlighted.

Voter Turnout in By-Elections

On average 33% of registered voters cast their ballots in the 79 by-elections. Average turnout in the same wards in the December 2000 elections was 48% and in the 1999 General Election it was 86%.

Chart 2 shows the average turnout in by-elections

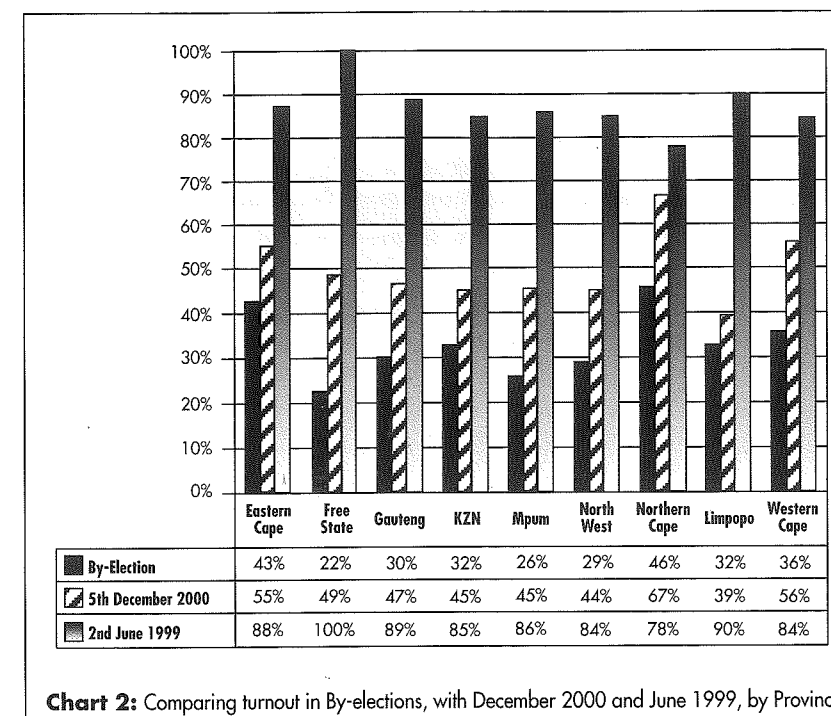


Chart 2: Comparing turnout in By-elections, with December 2000 and June 1999, by Province

in each province compared with average turnout (in the same wards) in the General Election in June 1999 and the municipal elections in December 2000. It can be seen that, in general, turnout in by-elections is very low.

In an attempt to increase turnout the IEC agreed to hold some of the by-elections on a Saturday (as opposed to the normal Wednesday). However, on average, those by-elections that were held on a Wednesday had a slightly higher turnout (33%) compared with those that were held on a Saturday (32%).

In only six of the by-elections did turnout exceed 50% of registered voters. These are listed in table 2.

Table 2: By-Elections where turnout exceed 50%

Ward Name	Province	Turnout
1. Victoria West, 3	Northern Cape	67%
2. Idutywa, 17	Eastern Cape	61%
3. Worcester, 1	Western Cape	57%
4. Carltonville, 2	Gauteng	53%
5. Breede River, 3	Western Cape	50%
6. Port St. Johns, 6	Eastern Cape	50%

- It is notable that of these six wards:
- All are sparsely populated rural or peri-urban areas.
 - All were highly contested by-elections. The party in control of the ward changed hands in two cases:
 - Victoria West, where the ANC won the ward from the DA, and

- Breede River, 3 where the DA won the ward from the ANC.
- In the top three, the ANC mobilised more voters (i.e. substantially increased its vote) compared with the December 2000 Elections. In Port St. Johns the UDM substantially increased its vote, while in Breede River, 3, the DA substantially increased its vote.
 - Several are racially mixed, with large Coloured populations.
 - Most had a relatively high turnout in 2000.

Table 3 lists the five wards with the lowest turnouts.

With respect to these low turnout wards the following can be noted:

- All are located in metropolitan areas
- The relevant wards in Johannesburg and East Rand are urban African wards (i.e. with high population density and an African population in excess of 99%)
- All are strong ANC supporting areas, with the exception of Cape Town, 71, where the ANC did not contest against the DA.
- There was little contestation in any of these wards.
- In general, the decline in voter turnout, compared with December 2000, was spread evenly between the ANC and opposition parties. In other words voter apathy affected opposition parties as much as the ANC.

To some extent low turnout in by-elections and high levels of voter apathy are to be expected. It should be remembered that both the December 2000 and June 1999 elections were held throughout the country on a single day. The ANC (and to a lesser extent other political parties) invested considerable resources in voter education and mobilisation prior to and on these days.

Further, the media spotlight that was focussed on the electoral process is likely to have generated more voter interest than can be expected in by-elections, which went largely unnoticed in the media.

Nevertheless, even given the absence of focussed

Table 3: Five lowest turnouts

Ward Name	Province	Turnout
1. Johannesburg, 1	Gauteng	9%
2. Durban, 17	KZN	14%
3. East Rand Metro, 14	Gauteng	16%
4. East Rand Metro, 13	Gauteng	16%
5. Cape Town, 71	Western Cape	17%

mobilisation and an intense media spotlight, the very low level of voter participation in by-elections is worrisome. ANC structures need to consider to what extent this has resulted from organisational weaknesses and lack of prioritisation of election campaigns at the level of the ward and, perhaps more importantly, at regional, provincial and national levels.

Noting the above, we can conclude the following in respect of voter turnout in by-elections:

- Voters regard municipal elections as less important than general elections, and by-elections are regarded as the least important
- Voter apathy (i.e. non-participation) tends to be more pronounced in urban areas.
- Voter turnout is higher where elections are contested (i.e. voters tend to be more apathetic where they are confident that one party or another will definitely win).
- Holding by-elections on a weekday as opposed to a weekend has no impact on turnout.
- The level of organisation and the human, material and financial resources devoted to by-elections by political parties can be decisive in affecting turnout.

African Rural Wards

Twenty-three of the 2001 by-elections were held in sparsely populated rural areas with a predominantly African population (i.e. in excess of 90%). These wards are poorest and most marginalised in the country, with average annual household income of around R7,500. They are also characterised by a relatively high proportion of women.

Of the 23 African rural wards where by-elections were held, 11 were in rural KwaZulu Natal, where IFP support averaged 81%. The ANC contested all but two (Ulundi wards 4 and 19).

These by-elections were characterised by:

- A two-horse race between the IFP and the ANC, with no other parties registering to participate;
- Stability of party support, with the ANC appealing to around one fifth (20%) of voters and the IFP gaining the support of the rest;
- Average to relatively low voter turnout (between 18–43%);
- The decline in turnout compared to December 2000 was spread evenly between ANC and IFP supporters.

The ANC also fought ten by-elections in rural Eastern Cape. The UDM was the main opposition in all, with the exception of Elundini [Mount Fletcher] ward 16, where an independent forced the UDM into third place. The elections in these wards were characterised by:

- A two-horse race between the ANC and UDM
- Relatively higher voter turnout (ranging between

28–67%)

- Overall stability of party support between the two parties with the ANC retaining between 69–94% of the votes, with an average of 83% and UDM support ranging from 6–27% with an average of 14%.
- UDM generally failing to match its support in the 2000 municipal elections. In most cases the decline in the number of people who voted for the UDM is greater than the decline in the number who voted for the ANC. Port St. Johns was the only ward in this category where the UDM increased its vote in absolute terms.

By-elections were also held in African rural wards in North West (Mogwase) and Limpopo Province (Giyani). The ANC retained a massive majority in both these wards (91% and 87% respectively) despite contestation from the UDM, UCDP, ACDP and PAC.

It is clear that the ANC continues to command an overwhelming majority (i.e. in excess of two thirds) in African rural wards. Most contestation in these wards takes the form of a two-horse race between the ANC and parties with strong links to traditional leadership and former Bantustan bureaucracies (i.e. IFP, UDM, UCDP) and/or other conservative forces (e.g. ACDP).

Furthermore, the DA has made no impact whatsoever on African rural wards. Where the PAC stood, they made small but significant gains in support in African rural areas.

African Urban Wards

Eighteen by-elections were held in African township areas. These tend to have a higher average household income (with average for the group as a whole being R13,100 per annum), better socio-economic indicators and a higher proportion of men than the rural wards considered above. In these areas the ANC faced opposition from a broader range of forces, including the DA, the PAC, AZAPO, UDM and independent candidates.

In general the fall in voter turnout (compared with December 2000) is highest in this category. This reflects large falls in the turnout of ANC voters in particular. Falls in turnout of ANC voters were generally larger than falls in the turnout of opposition voters. The largest falls in the turnout of ANC voters were recorded in informal settlements.

Examples are:

- Palestine in Johannesburg where only 1,133 people voted for the ANC in the by-election compared to 5,383 in December 2000 and 14,124 in 1999.
- Ward 13, East Rand, which is largely an informal settlement in Katlehong. Only 1,860 voted for the ANC in the by-election compared to 5,174 in 2000)

- In Phillippi, Cape Town Ward 34, only 2,305 voted for the ANC compared to 5,266 in 2000.

Nevertheless, there was generally no increase in the number of votes for opposition forces. In all but a few of the African township wards opposition voters also declined relative to December 2000. However, these declines were generally less significant than those experienced by the ANC. There were as well, the following exceptions where the opposition increased its vote:

- In Carletonville ward 4, the DA mobilised 129 votes compared with only 45 DA votes cast in December 2000, an increase of 84 votes
- In Westonaria, ward 15, AZAPO increased its vote from 97 in December 2000, to 146 in the 2001 by-election
- In Zeerust, ward 10, the UCDP increased its vote from 399 in December 2000 to 460 in the by-election

All in all the falls in turnout compared with December 2000 were by far the greatest in urban African wards. Given that these wards tend to be more contested than rural wards, the decline in turnout of ANC supporters, especially in informal settlements is worrying. However, to place the matters in perspective, we should bear in mind that the ANC remains overwhelmingly dominant. If we exclude two of these wards in Durban where the IFP is dominant, the ANC averaged 81% (ranging between 61% and 95%) of the vote in African township by-elections.

It should also be noted that with the single exception of Carletonville ward 4, there is no evidence from by-election results to suggest growth in support of the DA in urban African townships. The Carletonville ward in question, is perhaps distinguished by its very close proximity to the adjacent white area, where the DA commands an overwhelming majority.

'Minority Wards'

Here we define 'minority wards' as those with an African population constituting less than 50% (i.e. wards with a large minority population). In these areas, population density varies from very rural areas to urban township and suburb environments. Household income is higher than the national average in all but a couple of these wards. By-elections were held in 16 wards of this nature in 2001

In the majority of minority wards the DA is the major opposition to the ANC and the contest is essentially a two-horse race. However, the ACDP and other small parties and independents stand as a 'third force' in some cases. A large number of these wards are marginal for both the ANC and the DA and victory or defeats are often determined by the efficacy of mobilisation. Given the demographic and politi-

cal diversity of these minority wards, rather than aggregating and averaging the data, we here provide two examples by way of illustration:

Sentrale Karoo [Victoria West] Ward 3 is a stunning victory for the ANC. In this multi-ethnic rural ward in which coloured voters constitute 66% of voters, the ANC and the DA are evenly balanced as can be seen from the 1999 results in table 4. Due to re-demarcation of the ward, the number of registered voters was drastically reduced before the December 2000 elections. Nevertheless, this appears not to have affected the overall balance between the two parties as reflected in the 5 December 2000 results.

The ANC got 46% of the vote in the general election in 1999, and 44% in the municipal election in 2000. However, the ANC increased the number of voters it mobilised from 544 in December 2000 to 775 on 21 November 2001. Although the DA won 51% of the vote in 1999 and 56% in 2000, they failed to mobilise their voters to the by-election. It is also likely that some voters switched from the DA to the ANC.

Table 4: Central Karoo (Victoria West) Ward 3

	By-Elections 21 November 2001	Municipal Elections 5 December 2000	General Elections 2 June 1999
ANC	775 Votes 70%	544 Votes 44%	2,642 Votes 46%
DA	339 Votes 30%	696 Votes 56%	2,952 Votes 51%
% Poll	67%	94%	88%

In **Johannesburg Ward 93**, the ANC was defeated by our own failure to mobilise core voters. This ward (close to Rabie Ridge, Midrand) is composed of disparate communities including informal and formal areas. It is 37% African and 55% white and has a huge number of registered voters (17,760). Despite the majority of white voters, the ANC managed to win the ward in the general election of 1999. However, the ward was lost in both 2000 and 2001. In the context of a very low turnout, the DA experienced a 45%

Table 5: Johannesburg Ward 93

	By-Elections 21 November 2001	Municipal Elections 5 December 2000	General Elections 2 June 1999
ANC	1,793 Votes 47%	3,237 Votes 45%	7,178 Votes 50%
DA	1,937 Votes 51%	3,729 Votes 52%	6,125 Votes 43%
% Poll	21%	43%	90%

drop in the turnout of its supporters. However the ANC, with a smaller drop in turnout failed to win the ward.

We can conclude that, given that the outcome of by-elections in minority wards are usually determined by the relative turnout of supporters, the ANC stands to gain victories in these wards where we are able to properly mobilise our supporters. Conversely, we can also lose control of such wards if we take our organisational gains for granted.

Performance of the ANC in 2001

Our analysis of the relative turnout of supporters in various by-elections shows that in most cases winning by-elections is not about persuading swinging voters to change their minds. Rather by-elections are won and lost on the ability of parties to persuade their core supporters to turn out for the election, in the context of wide-spread voter apathy.

Table 6 provides a breakdown of contestation by political parties and independents of by-elections in 2001. Clearly, the ANC continues to be the only party with the organisational capacity and/or political intent to contest elections in all geographic areas and among all sections of the population. All other parties were highly selective about the elections they chose to contest, whereas the ANC contested all but six of the by-elections.

In all the wards where the ANC stood it was contested by other parties, with the single exception of Highlands [Belfast] ward 4 in Mpumalanga. Of the other 72 elections (where the ANC contested with other parties) 50 were won and 23 lost by the ANC. The ANC's overall percentage of the vote increased in 34, declined in 36 and remained the same in two.

Of the 50 by-elections that the ANC won, four were wards that the ANC had lost on 5 December 2000. These were:

- Sentrale Karoo [Victoria West] Ward 3, in the Western Cape: The DA had beaten the ANC in this ward in December 2000 and in June 1999. However, the ANC secured 70% of the vote in the by-election held on 21 November 2001 (see table 4).
- Newcastle, Ward 28, in KwaZulu Natal where the IFP had won 52% of the vote in December 2000, but which the ANC won with a whopping 67% compared to the IFP's 28% in the by-election on 25 April 2001.
- Mandeni Ward 12, also in KwaZulu Natal where the IFP had received 70% of the vote in December 2000, and was reduced to 35% in the

Table 6: Contestation of by-elections by political parties

Party	Contested	Won	Lost
ANC	73	50	23
IFP	37	18	19
DA	27	8	19
UDM	22	1	21
Independents	17	1	16
PAC	16	0	16
Other	15	1	14
ACDP	12	0	12
AZAPO	6	0	6
UCDP	5	0	5

July 14 by election. The ANC beat the IFP by just three votes. Most of the IFP decline was due to the growth of Ubumbano lwesizwe Independent Residents Association, which took 31% of the vote.

- Breede Valley [Worcester] Ward 1, in the Western Cape. The ANC increased its percentage of the vote from 21% in December 2000 to 51% in the by-election on 15 September. This was mainly at the expense of the DA, whose overall vote declined by more than half. Several independent candidates and a local party stood in the election, which may have contributed to the sapping of the DA's strength.

Of the 23 by-elections the ANC lost, two had been won by the ANC in the December 2000 municipal elections:

- Nokeng tsa Taemane [Cullinan] Ward 5 in Gauteng was the ANC's only real strategic defeat during 2001. In this ward, where the white population accounts for 42% of the total, the DA defeated the ANC in the context of somewhat low voter turnout (39%) and poor organisational effort on the part of our own structures. Whereas the ANC maintained the same number of voters compared to December 2000, the DA mobilised effectively and doubled its vote. This brought the ANC's percentage down from 49% in 2000 to 44% in the by-election and increased the DA's share from 33% to 56%. The ANC's loss of the ward had the effect of swinging the balance of power in the whole municipality, thereby handing over the Nokeng tsa Taemane Council to the DA. No doubt our structures in Gauteng have engaged in much soul-searching following this painful defeat.

- Breede River/Winelands, ward 3 in the Western Cape. The ANC had received 67% of the vote in 1999 in this ward, and 50% in 2000. Part of this drop may be attributable to the large reduction in the number of registered voters for this ward (from 4,304 in 1999 to 2,436 in 2000). The ANC experienced a further decline in 2001, achieving only 34% of the vote during the by-election on 15 September. Contributing to this decline was the emergence of a civic association (which achieved 5% of the vote) and the ACDP (which got 16%). The DA won the ward with a minority of votes (44%).

Of the six by-elections that the ANC chose not to participate in:

- Three were held in the IFP heartland in northern KwaZulu Natal (two in Ulundi and one in Nongoma). No party except the IFP contested these three wards, although the ANC did contest a number of other wards in Northern Kwa-Zulu Natal, increasing its percentage in a number.
- One was in an IFP stronghold (Mandeni, ward 5), where an independent residents association (Ubambano LweSizwe) challenged and beat the IFP.
- Two were in the Western Cape:
 - (a) Cape Town, ward 71 where the DA scored 91% of the vote in December 2000, and
 - (b) Overstrand [Hermanus] ward 9, where the DA scored 76% in December 2000.

Conclusion

The outcome of by-elections 2001, taken together, shows that:

- The ANC continues to be the only party with organisational capacity and political intent to contest democratic elections among all sections of the population and across all geographic areas.
- The ANC retains overwhelmingly dominant support. In broad terms the ANC retains the trust and confidence of the electorate even at mid-term and, from the results of by-elections, there is no evidence to suggest declining or increasing support for the ANC.
- Our support continues to be most solid in those areas where the poorest of the poor reside, particularly in African rural wards. Both voter turnout and ANC performance were particularly good in these areas. In some of these areas, turnout in by-elections during 2001 has been greater than in the local government elections on 5th December 2000, and the percentage of the vote received by the ANC has actually increased.
- While our support remains overwhelmingly dominant in urban African areas, we should view with concern the low levels of voter turnout in urban townships, particularly in informal settlements.

Defining 'free and fair' elections

The jury is out

by Dren Nupen



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It is now generally acknowledged that development is impossible in the absence of true democracy, respect for human rights, peace and good governance.... Africa undertakes to respect the global standards of democracy, which core components include political pluralism, allowing for the existence of "several political parties and workers' unions, fair, open, free and democratic elections periodically organised to enable the populace choose their leaders freely". New Partnership for Africa's Development (NEPAD), Abuja October 2001

Introduction

To understand what "free and fair" elections are and the determinants required to deem an election "free and fair" it is necessary firstly to familiarise oneself with the discourse underpinning this subject. There is an extensive body of knowledge that deals with elections and democracy, as well as defining the criteria used in assessing whether an election is :

- free and fair – and variations thereof such as substantially free and fair,
- credible,
- legitimate,

- demonstrates the will of the people,
- acceptable;
- successful etc.

These pronouncements are generally predicated on predetermined criteria to assess whether an election has succeeded or failed. An analysis of the legislative framework of the elections, as well as the social and political conditions in which the elections took place, and its impact on the democratisation process needs to be reported. This does not mean that observers are entitled to make a judgement of the political processes of that country – it merely suggests that any assessments and observations of the electoral process needs to be contextualised in terms of how they impact on the democratisation process and should not be limited to the technicalities of the process alone.

There are no absolute standards by which to measure the "freeness and fairness" of an election. Some aspects of the process may be without question, whereas others could be fundamentally flawed. The decision as to whether such an election is successful and credible or "free and fair" depends on how the observer mission assesses the overall conditions in which the elections took place, and whether

the predetermined criteria used to define what constitutes "free and fair" or "successful" elections – for a specific phase of the process i.e. the pre-, during or post- election periods – have been met.

In southern Africa, elections are conducted in the midst of challenging social, political and economic conditions such as poverty, conflict and HIV/Aids. The historical legacies of colonialism and apartheid give the region unique characteristics that militate against the wholesale importation of developed countries' electoral models and practices. In this context it is essential to seek a uniquely southern African dimension to electoral processes so that regional needs can be properly accounted for.

The electoral authorities in the region have varied electoral experiences – almost all countries in SADC have now held multiparty elections – but do not always have the full range of required resource at their disposal. The electoral authorities however share a determination to consistently improve the electoral processes within their countries, often under very difficult circumstances. One of the objectives of the Electoral Commissions Forum of SADC countries' and electoral management bodies in SADC countries) is to ensure that the best international practice in electoral processes is successfully synthesised with regional southern African conditions in order to provide the best possible basis for effective, free and fair elections and electoral practices. They have therefore embarked upon developing a set of regional electoral norms and standards to be used as the benchmark for SADC electoral best practice. This has been done in partnership with two other regional institutions.

The importance of developing such a set of SADC Norms and Standards for elections is that they offer a comprehensive benchmark for electoral systems, and ways to improve practice. The purpose of the development of such explicit and practical guidelines and practices is to help implement principles more effectively in national arrangements. Clearer norms and standards offer a framework for informed discussion as well as offering a powerful, indigenous benchmark for assessing electoral integrity. It also provides national, regional and international observer missions with a set of objective criteria by which to assess and evaluate elections in SADC countries.

The fundamental benefit from a "successful" and "free and fair" election is that it creates legitimate, representative government. At a minimum, this reflects an election in which all major players compete equally and accept the outcomes of the process. To conduct a "successful" and "free and fair" election some fundamental preconditions need to be in place:

- firstly minimal social, political and human rights conditions must be in place in order to provide an

environment in which an election can take place. All stakeholders participating in the elections must agree on these;

- secondly, the body entrusted with the running of the elections must be perceived as independent, impartial and free from pressure from any of the political parties, in particular the ruling party;
- thirdly, the electoral process itself must, in its design and implementation, reflect best practice principles which are accepted by all the relevant stakeholders engaged in the electoral process. The definition of best practice will differ from country to country but basic principles for the management, supervision and conduct of the electoral process can be developed in each individual country and generalised as a regional approach.

Securing these fundamental conditions requires the development of a reasonable degree of consensus between the three critical stakeholders in the electoral process i.e. the electoral management bodies (EMBs), political parties and key institutions of civil society. Where such consensus does not exist, the credibility and legitimacy of the electoral process and its outcomes – the governments that are formed, will be questioned and ultimately undermined.

Contextualising the criteria for free and fair elections

International observers have been involved in tracking, monitoring and observing electoral processes for many years. In Africa these missions were put in place under the auspices of the UN to assess and observe the "fairness and freeness" of the votes of the first independence elections. In latter years the UN not only supervised and observed elections but their functions were extended to include a peace-keeping role – as seen in the Namibia 1989 referendum and in Mozambique in 1994.

Over the last couple of decades there has been an increase in the number of observer missions despatched to various parts of the globe to observe and monitor elections and referenda. With this increased activity in election observation there has also been a demand for a more thorough and scientific approach to election observation, and for the development of a set of clearly defined criteria to evaluate the electoral process. These criteria have until recently been debated primarily at a theoretical and conceptual level, and have to some extent created difficulties in their translation into practical checklists. There have been disputes and disagreements about what should be included in the "checklist", and developing countries have noted their concerns that the criteria for "free and fair" are too stringent – as the social and economic problems of the some of these countries have a direct impact on their ability to deliver elections according to these

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criteria. Concerns have also been noted about the methodology used to measure whether elections have been conducted in a "free and fair" manner, and the process of consolidating the final evaluation statements of the various missions into a single coherent pronouncement of the election has also been noted as problematic. Elklit and Svensson propose that there are two ways of resolving this dilemma:

- 1) Firstly, they suggest that one approach could be to investigate the "various phases of the... (electoral) ...process..." (ie. the legislative framework, the demarcation process, voter registration, access to the media, campaigning etc)...and then to assess whether the conditions within each area either hinders or promotes the freedom and fairness of the election..."
- 2) The second approach that they propose and support is where the investigation of the electoral process is predicated on an "examination of the relationship between elections and democratic development." This, they maintain, "provides the basis for defining the concepts of "free and fair", as "this approach takes into consideration the pre-election processes and the nature of the institutional arrangements required to conduct such elections. This option considers whether political freedoms as well as the human rights conditions are in place, not only immediately prior to the elections, but that they form an intrinsic part of the democratic culture of the society. It therefore is not a functional evaluation of the mechanics and techniques of voting, but takes into account broader issues related to the process of democratic transition and democratic consolidation.

When evaluating and assessing the efficacy of the electoral process it must be borne in mind that while an obvious and central component of democratic life is elections, they may take many forms and they by no means exhaust the category of democratic politics. Elections are not the only prerequisite for democracy – they form one of several critical aspects in the constellation of the institutional requirements for democracy, and while the periodic holding of elections is a necessary precondition for the establishment and consolidation of representative democracy, elections by themselves do not guarantee a successful transition to, and endorsement of democracy. In some

Table 1: Key elements in an acceptable electoral process

	'FREE'	'FAIR'
Before Polling Day	• Freedom of speech • Freedom of Assembly • Freedom of association • Freedom from fear in connection with the elections • Absence of impediments to standing for elections • Equal and universal suffrage	• A transparent electoral process • An election act and a system for seat allocation which grants no special privileges to any party, group or person • An independent and impartial electoral commission (and administration) • Impartial voter education programmes • Absence of impediments to inclusion in the electoral register • Adequate provisions for checking the provisional electoral register • An orderly election campaign • Equal access to public mass media • No misuse of government facilities for campaign purposes.
On Polling Day	• Opportunity to participate in the election • Absence of intimidation of voters	• Secrecy of the ballot • Adequate provisions to ensure that voters only vote once • Well designed ballot paper without serial numbers • Access to the polling stations for accredited party representatives and election observers • Impartial assistance to incapacitated voters • Proper treatment of void ballot papers.
After Polling Day	• Legal possibilities of a complaint • Adequate possibilities for resolution of election related conflicts.	• Proper counting and reporting procedures • Proper precautionary measures when transporting election material and securing polling stations • Impartial reports by the media on election results • Impartial treatment of election complaints • Acceptance of the election results by all involved.

Source: J. Elklit and p. Svensson (1997) "What Makes Elections Free and Fair", Journal of Democracy, 8:3, P. 37

instances elections can be an obstacle to that transition as was seen in Angola and Ethiopia in 1992. "The successful conduct of elections are themselves dependent on a series of other conditions which form the body of the democratic process, and whose realisation is in large part the essence of the transition from authoritarian to democratic rule and the process of democratic consolidation."

Moreover, the conduct of quality elections and the required framework for such elections is one of several critical institutional preconditions that need to be in place before democracy can be seen to be in place. This is one reason why it is important to engage in the process of developing and refining the electoral process, and also understanding what is needed in order to have "free and fair" elections – as an integral part of the process of progressing towards a consolidated democracy.

According to Dahl "...free and fair elections are the culmination of the process, not the beginning." The presupposition is therefore that until and unless most of the fundamental rights and freedoms have been firmly rooted in the society it is not possible to hold "free and fair" elections. In societies experiencing deep-rooted conflict and where individual and collective rights have been severely undermined, it cannot be assumed that because an election has been held that democracy automatically is in place or that there has been a successful transition to democracy.

Having established that elections are merely a moment in the democratic process and not an end in themselves, the criteria for evaluating elections needs to be clearly defined and articulated. The evaluation tools also need to be sufficiently flexible to take account of the varying contexts in which elections are held.

Defining "free and fair"

The phrase "free and fair" should not be viewed as a fixed set of criteria by which to evaluate and assess elections – there is no formalised standard and the complexity and variability of the electoral process makes it very difficult to have any fixed point from which to assess the process. In some instances election observers may choose not to use "free and fair" as their criteria, but at the same time they may find that it is being used by other missions – in the same contexts – who may have less knowledge and sensitivity to the criteria than they do. The findings of these missions may to a lesser or greater extent be the same, but the use of different terminology (based on which criteria they choose for evaluating the elections) when pronouncing on the elections, may create confusion amongst the electorate and dissension between the various observer missions.

This does not mean that it is essential that all missions have to use the same criteria for evaluating and assessing an electoral process. What, however, is needed is clear terms of reference for each respective mission as well as a well-defined set of criteria against which the elections will be assessed. If during the course and scope of its duties the mission finds that there is no clear indication that the process was conducted according to internationally accepted standards, it should refer to its evaluation criteria and the broader context in which the process is taking place. In arriving at a conclusion, the mission should consider whether the course of events reflects the preferences of the electorate. This is the critical issue of any observation mission – one which will either endorse or undermine the credibility of the mission and which will have, in the final analysis, an impact on the post-election politics and the way in which the international community responds to that country beyond the elections.

What then are "free and fair" elections? In order for elections either to be accepted or rejected it is necessary to clearly define what the criteria for "free and fair" elections are. According to Dahl **freedom** contrasts with **coercion** – it implies the right to make choices, whereas coercion implies the absence of choice. **Fairness** on the other hand implies **impartiality** – an even application of rules and equal opportunities for those involved in the process. The opposite of **fairness** would then refer to the **unequal treatment of equals** where some groups, individuals and communities are given an unreasonable advantage over others.

When applied to an electoral context, the concept of **freeness** will refer to the ability of voters to participate in the electoral process without coercion or restriction, and this freedom according to Dahl pro-

vides for the "rules of the game". **Fairness**, on the other hand, refers to groups and individuals having equal access to all opportunities available to them in order to contest the elections. Elklit and Svensson note that the issue of "freedom must be given priority, because it is a precondition for democracy and for elections as a means to that end. Without rules granting formal political freedoms, the question of the fair application of the rules is meaningless, and the question of equality of resources, irrelevant"

Table 1 outlines indicators against which the "freeness and fairness" of the various phases of an election, namely the pre-, during and post- election phases can be evaluated. These indicators reflect not only the basic preconditions that are required for a successful and legitimate election – one that will be accepted by the majority of the citizens of the country – but also demonstrates why it is critical for observer missions to observe the crucial pre-election period and in fact, invest more time and resources on this phase of the electoral process than on the polling day(s).

The pre-election period in many ways determines the rest of the electoral process. Up until recently, observer missions have spent a great deal of resources on observing the polling and the counting processes. However, because the stage for the process is set in the pre-election period, observer missions have come to realise that their resources and time are more profitably spent in this pre-phase of the process. Issues such as access to the media by political parties; rallies and public meetings, the party campaigns, the voter registration process and the verification by the parties and the electorate of the voters roll, the putting in place of the election timetable, mechanisms to promote and encourage women and young people to participate in the process, etc should all be evaluated in terms of the criteria set out for a "free and fair" process. In addition the activities taking place in the pre-election period also provides critical indicators as to whether the legislative framework formally allows for an environment conducive to meaningful contestation – i.e. a level playing field, and high levels of representivity, inclusivity and participation.

If, as has been argued above, the pre-election period has been the focus of attention and the provisions, outlined below, have been substantially adhered to then there would not be the necessity to scrutinise as closely the polling and counting procedures and provisions, except where there is evidence of rigging, fraud, intimidation and violations of the electoral law.

Pre Election Issues:

1. that the legislative framework which sets out the rules of the electoral game are agreed upon and

understood by the electorate and those contesting the elections. The laws and regulations have remained in place and have not been changed or amended before or during the process:

- 1.1. that the electoral system is appropriately structured to be inclusive and representative;
2. that an independent and impartial electoral authority is in place to manage the process and has the trust of the political parties and the electorate. That it has sufficient funding to fulfil its task efficiently and professionally;
3. that the process of demarcation of constituencies and polling districts is transparent and being undertaken by an independent authority and has not been involved in gerrymandering the constituencies and districts;
4. that an impartial and accurate voter information programme is provided throughout the country, with a campaign starting some time before the elections to include the process of voter registration;
5. that the voter registration process and the verification of the register is understood by the electorate and campaigns are undertaken to encourage voters to register;
6. that the parties have access to voters and are able to hold public meetings and rallies without interference or intimidation, as well as nominating candidates of their choice, according to the party's constitution;
7. that an election campaign can be conducted by all parties in a "level playing field" where there is:
 - 7.1 equal access to the media by all;
 - 7.2 public funding for political parties with effective accountability structures as an additional means of contributing to a "level playing field" among parties contesting the elections;
 - 7.3 the incumbent may not use government resources for campaign purposes.

There are no perfect elections and the criteria outlined in Table 1 for "Free and Fair" elections are at times difficult to meet, especially in the developing world. There may be aspects of some of the criteria that can be achieved, while others may be unattainable. Does this then mean that the election is not "free and fair" or at least not "acceptable" – and if so what would be the political and economic consequences of such a statement on the country holding the elections? Would a less stringent criteria focusing only on polling day(s) provide the necessary results and be as credible? Do statements such as the "will of the people", "substantially free and fair", and "a credible and legitimate process" provide the rigour that is expected of observers or does it merely indicate that the observers were not able to observe the

entire electoral process and are therefore providing only a limited assessment of what they came across. These statements never seem to be enough. There is pressure on observer missions to "tell it like it is" i.e. that the election is either "free and fair" or not. Anything else is perceived to be a compromise of international standards.

There are however other alternatives to the criteria of "free and fair", one being the characterisation of an election as "successful". This is a somewhat different approach and is believed by some to be more appropriate for emerging democracies than the universal standards that make up the criteria for "free and fair". This approach focuses on the outcomes of the election rather than on the integrity of the election administration on election day, and the issues relating to the pre-election period. Although acknowledging the importance of the pre-election period the proponents of this view maintain that an election that is merely procedurally "free and fair" may not set the stage for democratic politics. In essence then, all elections are to some extent similar in how they are administered, but their political and economic contexts will vary greatly, as well as how the electorate view and participate in the process.

Electoral Norms and Standards for SADC countries

As has been mentioned previously some developing countries are of the view that the criteria for "free and fair" are too restrictive and not flexible enough, given the political and economic conditions and the level of democratic development of these countries. The variations in the pronouncements by election observers of elections held in SADC countries, as recently experienced in Zambia 2001 and Zimbabwe 2002 has confirmed a view that has been around for some time now, that SADC countries should develop their own norms and standards for electoral practice and behaviour. These norms and standards would build on and integrate international best practice principles and standards, but would ensure that they incorporate and reflect the realities of the conditions of the SADC countries. This does not mean that there are different rules and standards for Africa – it is merely a recognition that African elections will never reflect the realities of the north and should therefore not be penalised for their inability to do so.

The importance of the norms and standards for elections is that they offer a more comprehensive benchmark for electoral systems, and ways to improve practice. The purpose of the development of such explicit and practical guidelines and practices is to help implement principles more effectively in national arrangements. Clearer norms and standards offer a framework for informed discussion and debate on how electoral arrangements can best meet the

democratic principles agreed by SADC. They also offer a powerful, indigenous benchmark for assessing electoral integrity.

The development of this approach, in contrast to a reliance on generalised terms such as "free and fair" offers a more sophisticated and rigorous instrument to guide and measure progress, and provides a tool for evaluation to assist SADC countries to deepen democratic practice.

The norms and standards electoral practice is still in its infancy as a tool but draws strength from being solidly based on the founding political and constitutional values of the region. They draw on the declarations and instruments of SADC countries. These include, for example, the SADC Treaty, which affirms the commitment to democracy, the Harare Declaration (1991); and other declarations relevant to the development of democratic practices such as the Declaration on Gender and Development signed by SADC Heads of State (1997), as well as the Windhoek Declaration on the Freedom of the Media (1991).

More important, the norms and standards have already proved their relevance in the cauldron of practical politics by making a significant debut in the Zimbabwe elections. Thus, for example, one of the most widely quoted statements on the Zimbabwe elections was that of the SADC Parliamentary Forum (SADCPF) that "the climate of insecurity obtaining

in Zimbabwe since the 2000 parliamentary elections was such that the electoral process could not be said to adequately comply with the norms and standards for elections in the SADC region." Other observer groups referred to the SADC Norms and Standards – including the ZESN, the largest and most influential civil society network monitoring the election. From within the international community, the US Government stated that the "electoral process, from start to finish, ignored the norms and standards which govern elections throughout the Southern African Development Community (SADC)". This demonstrates that the electoral norms and standards for SADC countries have earned a place in the future development of the political life of the region.

On the other hand the principal African government statements, including that of the SADC Ministerial Group and the OAU, referred to the more limited period of the election days themselves, and then declared the result valid by being either substantially "free and fair" or reflecting the "will of the people".

The experiences of the Zimbabwe election is set to catalyse a fundamental debate within the region on electoral practice and its relationship to democracy development.

Dren Nupen is from the Electoral Institute of Southern Africa (EISA).

Transforming the youth and child justice system

by Anne Skelton

"The Government will, as a matter of urgency, attend to the tragic and complex question of children and juveniles in detention and prison. The basic principle from which we will proceed from now onwards is that we must rescue the children of the nation and ensure that the system of criminal justice must be the very last resort in the case of juvenile offenders".

These words were spoken by the former president, Nelson Mandela, in his opening address to the first democratically elected parliament in South Africa in 1994. The impetus for this important commitment by the ANC-led government was the history of the suffering of children in South Africa's police cells and prisons. In the 1970s and 1980s many of these children had been political detainees, subject to arbitrary arrests, detention without trial, sometimes to torture. By the late 1980s the political detentions had stopped, but many children continued to be swept up into the criminal justice system because of "ordinary" crimes, the majority of which were non-violent crimes, mostly theft. Non-governmental organisations and human rights lawyers did what they could during the apartheid years; there were detainee's parents committees and free legal representation during the years of intense political activity, and later there was a concerted campaign by a group of non-governmental organisations to have children released from prisons and police and to call for reform to the way in which the criminal justice system dealt with children. In the early 1990s a strong child rights movement began to develop in South Africa, giving a firm theoretical framework for the efforts at reform. All of this must have been ringing in Nelson Mandela's ears as he made his first promises of action.

Where are we now?

Now, in 2002, into the second term of office of the new government, South Africa needs to appraise whether the promises have been kept. On the face of it, the picture is disappointing. There are over 2000 children (under the age of 18 years) in prison await-

ing trial, some of whom have been there for over a year. Since 1994, 12 children have died whilst in state custody, either awaiting trial or serving sentences – some committed suicide, whilst others were killed by cell-mates.

What has happened since 1994?

However, although few children have experienced the advantages yet, a great deal has been happening in South Africa regarding the transformation of the way in which children are dealt with by the criminal justice system. The Ratification of the UN Convention on the Rights of the Child by the South African government in 1995 set the scene for broad-reaching policy and legislative change. The new South African Constitution embodies a section protecting children's rights, which includes the statement that children have the right not to be detained except as a measure of last resort and then for the shortest appropriate period of time, separate from adults and in conditions which take account of their age. One of the earliest cases to come before the newly constituted Constitutional Court led to the court striking down corporal punishment (until then used as a sentence for children by South African courts) as being cruel, inhumane and degrading treatment.

The government did act with urgency, as Nelson Mandela had promised they would, on the issue of children in prison. In this regard, however, the country experienced that the practice of proceeding with too much haste can create problems of its own. An amendment to an existing law, which was intended to entirely outlaw the imprisonment of children during the awaiting trial phase, led to chaos when it was suddenly promulgated. Inadequate consultation between the relevant government departments as well as a lack of alternative residential facilities for children caused the application of the new law to be fraught with practical problems. So serious were the consequences of this that within a year the govern-

ment had to amend the law again, this time allowing children charged with certain offences to be detained in prison awaiting trial. The debacle also had some positive results, however. It led directly to the setting up of a structure called the "Inter-Ministerial Committee on Young People at Risk" (IMC) which became an important agency for policy making in the field of child and youth care, including the management of children who come into conflict with the law. The IMC, chaired by Minister Geraldine Fraser-Moleketi, set up a number of pilot projects to try out new policy recommendations they had made, and some of these were important incubators for the development of new ways of dealing with children. Of particular relevance to children accused of crimes were projects which dealt with the management of children immediately following arrest. One very successful project has developed: a "one stop child justice centre" to which children accused of crimes can be brought by a police officer and assessed by a probation officer. On the same premises (which is not at a criminal court building) there is a resident magistrate and a small courtroom. The staff at the centre have developed a strong inter-disciplinary model of working with the children who they receive. This model has been so successful that other provinces have imitated it and it is set to become a vehicle for the implementation of a proposed new legal system.

Law Reform

In 1997 a project committee under the auspices of the South African Law Commission began its investigation into Juvenile Justice. The project committee was appointed by the then Minister of Justice, Dullah Omar, to look into the situation in the country regarding juvenile crime and to draft comprehensive legislation to deal with this issue. The committee was made up of a number of experts from civil society who had both practical and theoretical knowledge about the way in which children are processed through the criminal justice system. The process of law reform has been a consultative one. In 1997, the Commission published an issue paper, setting out the problems in the current system and making broad recommendations for change. After an intensive period of consultation the committee set to work on writing a draft Bill which was entitled the "Child Justice Bill". This was accompanied by a Discussion Paper which set out in great detail the rationale for the recommendations put forward. This was again followed by energetic consultation with police, prosecutors, magistrates, judges, NGOs and academics. There was also a specially designed consultation process undertaken with children themselves.

The final report of the Commission's Committee on Juvenile Justice was handed to the Minister of Justice in August 2000. The draft Bill accompanying

the report, called the Child Justice Bill, was then scrutinised by the Directorate Parliamentary Legislation, and was approved by Cabinet in November 2001. The Child Justice Bill is due to be introduced into parliament during the first half of 2002.

The draft Bill begins with a set of principles which frame the paradigm in which the new system will operate. The objectives of the legislation are to

- promote the procedural rights of children who are subject to the provisions of this Act
- promote *ubuntu* in the child justice system through:-
 - fostering of children's sense of dignity and worth;
 - reinforcing children's respect for human rights and the fundamental freedoms of others by holding children accountable for their actions and safe-guarding victims' interests and the interests of the community;
 - supporting reconciliation by means of a restorative justice response; and
 - involving parents, families, victims and communities in child justice processes in order to encourage the reintegration of children who are subject to the provisions of this Act; and
- promote co-operation between all government departments, other organisations and agencies involved in implementing an effective child justice system.

The proposed new system places a great deal of emphasis on the first 48 hours after the child is apprehended. A number of alternatives to arrest are provided (such as taking a child home and giving a written notice to appear at a subsequent proceeding) and the police officer is enjoined to use one of the alternatives to arrest in all petty offences unless particular reasons exist for not doing so. Where arrest is used it is to be done in a manner which promotes the dignity and well-being of the child. Due to the history of policing in South Africa, as well as a current lack of trained personnel, the Commission has decided not to include a provision for a specialised unit with the police force to deal with arrested children. Instead, the system aims to get the children out of police hands as soon as possible, either into the care of their parents or to a probation officer who will undertake an assessment of the child. An individual assessment of each child is an innovation created by the proposed system. The primary purposes of the assessment are to establish the prospects of diversion of the case, and to formulate recommendations regarding release of the child into the care of his or her family or placement of the child into an appropriate residential facility. The probation officer's assessment report must be given to the magistrate presiding over the next step of the system, the preliminary

inquiry. Also an innovation, the preliminary inquiry must take place within 48 hours of the child being apprehended. It is chaired by a magistrate but is very much a "round table" conference, with everyone, including the child, being encouraged to participate. The main objective of the preliminary inquiry is to establish whether the matter can be diverted. After a discussion about the matter, a decision to divert will be made, with the prosecution having the final say in this regard. Other decisions regarding release or placement of the child are also dealt with at the preliminary inquiry. Diversion is a central feature of the new system, and the draft Bill sets out a range of diversion options, listed in three levels depending on the intensiveness of the programme. Any case may be considered for diversion. One of the diversion options is a family group conference. Those children who are not diverted (either because they indicate that they intend to plead not guilty to the charge, or because the particular circumstances surrounding the child or the case make diversion inappropriate) will proceed to plea and trial in the Child Justice Court. The envisaged Child Justice Court is not a completely specialised or separate court. In urban areas, where there are sufficient cases to warrant it, full time Child Justice Courts with specially selected and trained personnel will be set aside. In rural areas, the court will simply "constitute" itself as a child justice court, following the procedures set out in the legislation. The aim is that the majority of children will be tried in the Child Justice Court (which will operate at District level). However, cases involving murder and rape, or other exceptional circumstances may be referred to the Regional Court or even the High Court. However, it must be stressed that even when this occurs the child is not to be tried as an adult. The superior courts are bound by the special provision for children set out in the draft Child Justice Bill. The Bill includes a wide range of sentencing options, including non-residential or community-based sentences, sentencing involving restorative justice concepts such as restitution and compensation to the victim, and finally, sentences involving a residential element. The Draft Bill makes it clear that imprisonment should only be used as a measure of last resort and then for the shortest possible period of time. The use of imprisonment is further limited by an age limit and a list of offences for which children may be imprisoned. Legal representation will be provided for at state expense where a child is deprived of his or her liberty or where the alleged offence is such that he or she is likely to get a sentence involving loss of liberty. The expungement of records is provided for in a unique system whereby the magistrate in the child justice court or other court hearing the matter must, at the time of determining the sentence, also make a decision whether or

not the criminal record should be expunged, and if he or she so decides, to set the date on which the record will fall away, and the date should not be less than three months and not more than five years from the date on which sentence is passed. Certain very serious offences are, however, excluded from the possibility of expungement. Finally, the Bill provides for a monitoring structure to oversee the efficient running of the new system.

Although the Draft Bill is largely procedural it does contain some important substantive law provisions. The most notable of these is the issue of the minimum age of criminal capacity. The current law is based on the old Roman Law concept of *doli incapax*, and rests on two legal presumptions. Children below the age of seven years are irrebuttably presumed to lack criminal capacity. Children who have attained the age of seven years but have not yet turned 14 years of age are also presumed to lack criminal capacity, but this presumption can be rebutted – if the state can prove that the child appreciates the difference between right and wrong, and can act in accordance with that knowledge. This law has been found not to be an effective protection for children, the presumption being far too easy to rebut, and the courts having focused on the first leg of the inquiry (the child's ability to understand the difference between right and wrong) with scant regard for the importance of the second leg (that the child must be able to act in accordance with that appreciation). After much intensive debate the Commission is proposing that the minimum age should be raised from 7 to 10 years of age. The presumption of lack of criminal capacity of a child who has attained the age of 10 years but has not yet reached the age of 14 years should remain in place, with increased protection for this group of children in the form of a higher requirement of proof that the presumption can be rebutted. The State will be required to provide proof, beyond a reasonable doubt, that the child understood the difference between right and wrong at the time of the commission of the alleged offence. Evidence of the intellectual, emotional, psychological and social development of the child must be provided, and must be supported by a report from a person qualified in child development or child psychology, who must personally testify before the court as to the content and findings of the report. A "child" is a person under the age of 18 years and this accords with the Constitutional definition of a child in South Africa.

Progress made in practice: Children in prison awaiting trial

In addition to the law development work that has been going on, the government and civil society have been doing much to improve the current situation of

children in the criminal justice system, and to plan properly to smooth the way for effective implementation of the new system. The Directorate: Children and Youth Affairs in the Department of Justice and Constitutional Development has been leading an inter-sectoral process to deal with the problem of children awaiting trial in prison.

After 1996, the number of children awaiting trial in prison began to go up. During 2000 it became apparent that the numbers of children awaiting trial in prison had been steadily rising, and in April they had reached an all-time high of 2716. An inter-sectoral team was set up to gather information and make recommendations for specific intervention. The team was led by the Department of Justice and was made up of representatives from the departments of Justice, The NDPP's office, Social Development, Correctional Services, Safety and Security. Following on the recommendations of the inter-sectoral team, an Inter-sectoral Protocol for the Management of Children Awaiting Trial was launched at a special session of parliament to mark the International Day of the Child, 1 June, in 2001. Minister of Justice, Penuell Maduna, said in his speech that "Although a new law to deal with child offenders is in the pipe-line, legislation on its own will never solve these problems which are systemic. It is thus necessary to develop a sustainable model for monitoring and intervention." The objectives of the interim protocol are to ensure:

- effective inter-sectoral management of children who are charged with offences and who may need to be placed in a residential facility to await trial
- appropriate placement of each child based on an individual assessment
- correct use of the different residential options available
- the flow of information between the residential facilities and the courts
- that managers of facilities are assisted to keep the numbers in facilities manageable
- that communities are made safer through appropriate placement of children, effective management of facilities and minimisation of abscondment
- that the situation of children in custody is effectively monitored
- that appropriate procedures are established to facilitate the implementation of the proposed new legislation, once it has been passed by parliament.

Following on the investigation, the numbers were reduced during the year 2000 from 2716 children awaiting trial in prison to below 2000 children. Inter-sectoral monitoring and management of the issue during 2001 saw the figure remain constant at around the 2000 children mark. However, figures for the last three months of 2001 show a disturbing

upward trend, with 2260 children in prison awaiting trial in December 2001.

The four provinces which have struggled most with the issue of children in prison awaiting trial are Gauteng, Kwa Zulu Natal, Eastern Cape and Western Cape. Since June 2000, however, both Gauteng and the Western Cape have managed to turn things around, reflecting a drop on numbers of imprisoned children. Eastern Cape and Kwa Zulu Natal continue to struggle, with Durban showing an alarming upward trend. There has been considerable support and intervention in the city, including the setting of two additional dedicated courts to deal with the backlogs in juvenile cases, but the intake of new cases is rising, and despite efforts on the ground, the picture is not really improving. In March 2002 the number of children in Westville prison alone is hovering around the 700 mark – almost one third of the national total. A reality facing Durban is the fact that it is the fastest growing city in the country, with very high levels of poverty. Children living at the edge of overstretched families, are going to the streets to see what they can find. This is reflected in the high intake of new cases, which appears to be growing on a monthly basis.

Programmes to support the Child Justice system

The success of the draft Child Justice Bill will depend to a great extent on the broad availability of programmes for diversion and appropriate community-based sentences for children. At the present time programmes for diversion and appropriate sentencing are offered mainly by way of agreements between the prosecuting authorities and non-governmental organisations, with probation officers playing a brokering role. During 2000 approximately 15000 children were diverted to recognised programmes. If the Bill is to be successfully implemented it may be necessary to provide programme placements for a further 12 000 children.

The Child Justice Project (located in the Department of Justice) has set about the task of enhancing the capacity and use of programmes for diversion and appropriate sentencing for children in the following ways:

- Through building strategic partnerships with relevant government and non-government organisations offering services in this field.
- Through identifying and developing a data-base of programmes which are used for diversion/sentencing or have the potential of being so used.
- Through hosting a national forum in June 2001 to build partnerships between government and civil society.
- Through holding provincial workshops with government and civil society role-players to plan

effectively for programmes to support diversion and alternative sentencing.

Planning for effective implementation of the Child Justice Bill

The Child Justice Bill is due for enactment during 2002. The Directorate: Children and Youth Affairs (Department of Justice and Constitutional Development), mindful of the importance of proper planning with regard to legislation, has embarked on a carefully developed process to ensure that the Bill is properly supported as it is considered by Cabinet, debated by parliament and thereafter effectively implemented. This support is focused on implementation planning and budgeting. The Directorate is assisted in this regard by the Child Justice Project, a United Nations technical assistance project for the government of South Africa, the objective of which is to assist with capacity development for the implementation of the new Child Justice system.

When the Bill was placed before Cabinet it was accompanied by an implementation strategy framework. This document provided a gap analysis, and an indication of what each of the relevant government departments will need to do between now and when the Bill is put into operation in order to allow for smooth implementation.

This planning process has now gone an exciting step further. The departments, assisted by an economist, have embarked on a detailed implementation strategy and budget, linked to the Medium Term Expenditure Framework.

A spreadsheet has been prepared that includes a look at current budgetary allocations relating to children being taken through the criminal justice process, and then at new activities required by the Child Justice Bill. Budgets to cover these new activities are then set out under the rubrics of "reprioritised funds" and "new funds" with columns reflecting the first three years of the life of the new system. This allows for a phased approach to allocations for new requirements, although there are obviously certain fundamentals that are required for the system to work, and these will need to be available from the initial date of implementation. The spread sheet will be very useful in demonstrating to parliament and the public as a whole that the implementation plan-

ning has been carefully integrated with the budgeting process – that government has a clear, detailed plan for implementation, and the necessary funds to do it.

This process is something of a first. For one thing, it is unusual because it is an inter-sectoral effort related to budgeting, and secondly because it is happening so early in the process of law making. All too often in the past legislation has been passed and only then does everyone start thinking about how to implement it and whether the money is available to do so.

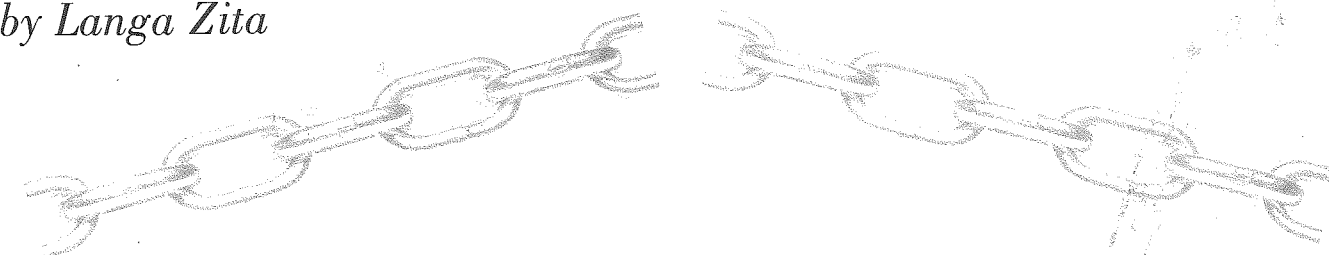
Conclusion

President Thabo Mbeki, in a speech made to launch the "Children's Promise" in 1999 spoke of a collection of quotations from the townships which was published during the height of Apartheid. The publication was called "Two dogs and freedom", and its title came from a quotation from a child living in a township who said; "When I grow up I want to live in a house with a garden and have a wife and two children, a boy and a girl, and two dogs and freedom". President Mbeki uses this story to make the important point that although South Africa's children are now politically "free" they remain imprisoned – some literally – by their poverty. And so it must be said that reform of the criminal justice system cannot, of itself, create social justice for children. South Africa's efforts for a new child justice system will have to be supported by broad-reaching improvement in the social and economic lives of all its citizens if real change in the lives of children is to be seen.

Civil society organisations came together and formed the Child Justice Alliance, to promote informed debate about child justice issues as the Child Justice Bill goes through parliament. For more information contact **Jacqui Gallinetti** at the Community Law Centre, University of the Western Cape, phone (021) 959 2950 or e-mail her on jgallinetti@uwc.ac.za. Visit the website of the Child Justice Alliance at <http://www.childjustice.org.za/alliance.htm>

Is South Africa the weakest link in the 'imperialist chain'?

by Langa Zita



The notion of the weakest link

The failure of a socialist revolution in the developed world has compelled historical Marxism to rethink its understanding of the likely course of the transition to an alternative society. Lenin, who like many other leading socialists, regarded the well-organised and socially present German working class as the vanguard of the socialist revolution, reviewed this thesis substituting in its place the Russian socio-economic formation with its combined and uneven characteristics.

Lenin conceived the notion of the weakest link in the imperialist chain. Examining the Russia of his time, he recognised both its economic backwardness but also that this was combined with the most organised, most militant working class and peasant movement. The demands of these movements, Lenin anticipated, could not be contained or resolved within the logic of an underdeveloped capitalist and semi-feudal Russia.

In this article I want to re-engage with the notion of the weakest link. The concept of the weakest link is used in this instance not in the original instance as an acute configuration of social contradictions on the eve of a mass uprising. It is consciously and specifically used to indicate the probability of an advance to a post-capitalist society, in a democratic terrain, through democratic means.

Initially, the weakest link was conceived in relation to the struggle for and the construction of a socialist alternative. Lenin had parted company with many of his contemporaries precisely about the possibility of a transition to socialism in Russia.

Today, with a century of attempts to build 'socialism' behind us, re-examination of some of Lenin's assertions is in order. I wish also to raise the question whether this conception of the weakest link is

applicable to South Africa. Samir Amin (1990) argued, in relation to the semi-peripheral countries, that the organic development of capitalism envisaged in the development theory of 'catching up' is doubly impossible. Underdevelopment, he argued, by definition implies the inability of creating an organic and developed capitalism. But under-development is equally an impediment to the construction of a socialist society in semi-peripheral situations.

Assuming that Amin is correct, the concept of a weakest link today would be applicable to self-conscious revolutionary attempts, which are neither explicitly socialist nor capitalist. The logic of these revolutions however compels them to adopt fundamental social change of an anti-capitalist character.

The anti-capitalist character the revolution assumes is in response to the polarisation within 'actually existing capitalism'. Amin further asserts that it is no longer useful to understand capitalism in the old way, as defined in the classics, as principally a contradiction between capital and the working class over the extraction of surplus value.

He says:

"There are two ways of looking at the dominant social reality of our world (capitalism). The first stresses the fundamental relationship, which defines the capitalist mode of production at its most abstract level, and, from there, focuses on the allegedly fundamental class struggle between the proletariat, in the narrowest sense of the term, and the bourgeoisie.

The second stresses the other dimension of capitalist reality; its unequal development worldwide, and hence focuses its analysis on the consequences that polarisation involves at every level, thus defining other issues in the political and social struggles that occupy the front of the historical stage.."

In this article, I opt for the second way of seeing what I as a result call "actually existing capitalism".

Amin would thus argue that "anti-systemic" forces and movements are those that call into question this inequality and refuse to submit to its consequences. Though the struggle is immediately directed against an eminent feature of capitalist expansion that its constituency socially rejects, this places it in direct conflict with a feature intrinsic to capitalism as it actually operates today.

These challenges to the capitalist order by revolts in its periphery oblige us to seriously rethink the "socialist transition" to the abolition of classes. Regrettably the Marxist tradition remains trapped by its initial vision of a "workers revolution" which would occur in an environment of advanced productive forces. Development would thus make the transition to socialism itself quite short.

All the revolutions of our time (Russia, Yugoslavia, China, Cuba, Vietnam) are ill-advisedly referred to as "socialist". The term is applicable to the intentions of the actors who had indeed set themselves that goal - creating a socialist alternative. But these revolutions were in reality complex anti-capitalist revolutions because they occurred in backward regions. They could not open up the path of "socialist construction" consistent with the criteria associated with classical Marxism, precisely because of their under-development.

My second line of argument is built around the observation that the unequal development eminent in capitalist expansion has placed on the agenda a new type of revolution, conducted by the peoples of the periphery. The *anti-capitalist character of such revolutions* resides in the reality that they are revolts against actually existing capitalist development, which these peoples find intolerable. But that does not mean that therefore these revolutions simply have a socialist character. By the force of circumstance, they have a complex nature. They are the expression of specific and new contradictions, which Marx could not have imagined. The real content of such post-capitalist regimes is a *popular national reconstruction* in which "...the three tendencies, socialism, capitalism, and statism combine and conflict..." (Amin, 1990; pp 98-101).

Both the bourgeois revolution (regarded as opening the way to organic capitalist development) and the socialist revolution are impossible in the countries of capitalism's periphery. The revolt against peripheralisation cannot resolve this dilemma. At best it is a popular national revolution with an anti-capitalist character, because it seeks to break out of the eminent logic of actually existing capitalism.

Such people's movements are thus likely to be the principal determinants of the evolution of the world

system toward the transcending of capitalism in both dimensions, by gradually pushing back the effects of world polarisation peculiar to capitalism on the one hand, while encouraging (equally not without contradiction) the social forces that aspire to abolish capitalist exploitation on the other.

The watchword here is gradual. It is a long transition not because we want it to be long, but due to circumstances it is proper for it to be so. We have to see it as a long process because of the challenge of the development of the forces of production. Socialism was understood by Marx as a transformation of a developed capitalist society. Because of the level of development of the forces of production, it would be possible to share the abundant wealth.

This is not the case in the Third World, including in our own country. There are specific features of capitalist relations, primarily competition and innovation that enhances the process of the development of the forces of production. In an underdeveloped socio-economic formation it is advisable to draw on this element, not as the sole factor but nonetheless as a fundamental element. If this is a necessary undertaking, there is therefore a need for predictability, so that individuals who have rolled out their capital can have the necessary horizons to recoup their returns. A short transition militates against this.

Strands within the national popular project

The role and place of the capitalist, statist and socialist elements in the national popular project presents specific challenges whose resolution, by definition excludes short cuts.

Let us take the capitalist element. A popular project as defined above is a major challenge to all the forces that are involved. It involves both co-operation and conflict. Each of the actors has to redefine their relationship to each other. In general, capital, including its black section, would find it relatively easy to drive its project of accumulation, but would have to deal with a state that is not solely subject to its interest.

Similarly, with the statist tendency there would be a need to elaborate its role. Should the state be reduced or should it be expanded? Which areas should it be involved in and in what form? Which relationship with other tendencies should it elaborate?

The socialist tendency too would have to rethink the elaboration of its project. Firstly how do you elaborate the socialist political economy in relation to other classes? What is the content of that political economy today? Is it the shorter working week? Is it co-operatives? Is it the basic income grant? Is it joint ventures between workers and their managers? Is it elaborating economic networks, relations and ven-

tures that are self providing- and therefore promote an exit from the capitalist framework- a radical version of sustainable livelihoods? How do you knit together these relationships? How can you elaborate a project of this nature, which is complex and difficult and yet approach it as solvable in the shortest possible time?

We have to see the transition as long, because we have to stabilise the economy. The challenge of building a dynamic economy, by definition demands stability. Whilst there are many views on the matter, it is difficult to ignore the criticism that the Chinese Communists have leveled at the Cultural Revolution. The same can be said about the land invasions in Zimbabwe. Stability is critical in order to be able to plan, to interrogate the interrelations of the various elements of the economy, in order to tease out the most appropriate strategy for accumulation. Stability though should not be seen as counter-posed to transformation. If genuine transformation is to take place, not from above but from and with the people, it has to proceed in a pace and rhythm that is not very far from them. Brazil's Porto Alegre experiment of popular budgeting was debated for ten years before it was implemented. The radical decentralisation project in India's Kerala province, which was implemented in 1996, was first mooted in 1957. This does not mean that we should prolong things for the sake of prolonging them, but the longer horizon is always more useful if the project itself is to have popular moorings.

For socialism to be sustainable, it has to emerge and to develop as a way of life, a culture and a civilisation. A civilisation by definition is an evolution of practices, attitudes and ways of being. Whilst force cannot be discounted in political affairs, socialism as a lived reality cannot and should not be solely a product of force, particularly to those who stand to benefit from it. With 1994 having fundamentally redefined the framework of political relations, there is a space to pursue as an element socialist inspired projects and cultures of cooperation and solidarity.

People cannot be dragged into these relations. At most, vanguards should mobilise them. But for these socialist relations to be enduring, the people themselves should organise themselves in these ways. They should see these relations as the most natural way of solving their daily life problems. Such an understanding and mutation by definition cannot be imposed. It can be argued for and people can be persuaded, but it has to be their lived experience and that by definition involves time. Civilisations take time. If socialism is a new civilisation, time is its ally.

The socialist project, which the socialist tendency has to elaborate as an element within a multi-class popular project, is an experiment. It is an historical attempt. It has not existed before, despite attempts that honestly claimed its name. An experiment can succeed or fail. Or there may be many failures in the development of what may end up a successful experiment. You cannot approach an experiment as something that is closed. You should be open-ended. Rushing an experiment that involves millions of lives is gross irresponsibility. Again it is better to undertake the project with resources of patience - thus the objective necessity of a long transition to socialism.

If the transition to socialism has to be seen as a long transition, is our slogan 'SOCIALISM IS THE FUTURE, BUILD IT NOW' misplaced? No it is not. Precisely because the project objectively has to be long, in the meantime people will suffer from the problems generated by capitalism. This violence of the dominant reality of capitalism calls for socialist measures. Secondly, we want socialism because we hold the opinion that its measures hold the most appropriate solution to the problems of capitalism. But reality is not ready for society's total overhaul in a socialist direction. We have to build elements of socialism now, both as a necessary response to capitalist violence, but also as the building blocks to the alternative society. This project cannot just be about contemplation, propaganda and political education, important as these may be. Primarily it has to be about immersion in socialist activity, distilling lessons from this practice, which will be valuable when the conditions for generalised socialist advance mature. Thus we are correct when we say as the SACP, in preparation for such a future, build socialism now!

Some may argue that the advent of the micro-electronic revolution can minimise the length of the transition. This can come about as a result of the fact that such technologies in their various forms, as biotechnology, flexible micro-electronic products, satellites etc, can be easily applied in rural settings, and be deployed in activities for self-production. Indeed there is some truth in that. However the developed North presently monopolises the development of these technologies. Very few developing countries if any have the capital goods industry (machine making machines) to produce the micro electronic machines. More critical is the fact that the application of such technologies to radical projects still has to be tested, though there is already pioneering work in this regard in certain progressive circles in the United States. Secondly, access to such technologies implies a generalised environment of wealth creation (so as to broaden revenues), which is best

pursued in a multi-class project. In the same vein, the access to those technologies and their deployment for popular use will be contested by other classes. The education and training for the application and maintenance of these technologies, the infrastructure necessary to roll them out, will demand money and time. More fundamentally, the 35 % unemployment in South Africa – an expression of its historical enclave and colonial status – cannot be resolved in a short time, even with the deployment of the most advanced technologies. Thus again the importance of maintaining the strategic perspective of the necessity of the long transition to socialism.

I have sought consciously to elaborate the strategic implications and meaning of embracing Amin's reflection on the lesson of 20th century's radical projects. How relevant are Amin's conclusions to us, as South African revolutionaries? Can they be of any assistance to us in understanding the attempts at 'socialist construction'? Do they assist us in rethinking our own project?

Is South Africa the weakest link in the imperialist chain?

Having defined the anti-capitalist character of the popular revolutions of the Third World we can pose the question: is South Africa indeed the weakest link in the imperialist chain? For a country and a society to be regarded as the weakest link it should exhibit characteristics that not only indicate the competence of the popular classes to challenge the logic of polarisation, but also the capacity of winning such a contest. It implies that over and above the potential of the popular classes, there must also be the possibility of victory. I would contend that this is the case in South Africa. To illustrate this let us contrast South Africa with other Third World countries facing similar challenges.

South Africa and progressive movements in the Third World

South Africa shares the violence of actually existing capitalism with the rest of the Third World. More than 35% of the economically active population is unemployed. South Africa also has very high levels of poverty and the illiteracy rate is higher than 50%. South Africa's democratic victory in 1994 was the only victory the Left scored in the Third World in the recent past. If one links this to the achievements of the anti-apartheid movement globally, South Africa occupies a unique position in global geopolitics. This uniqueness gives South Africa a measure of maneuverability, which Chile and the Nicaraguans did not have. But we should guard against this favorable

position generating illusions about what is possible.

Though the ANC's strategic framework of a national democratic revolution emphasized the social dimension of liberation, particularly as captured in the popular Freedom Charter, the ANC's ascendancy to power has principally been about democratisation. Of course, it has been democratisation that has been underpinned by a number of progressive social measures.

Over the past seven years, South Africa has witnessed the consolidation of representative democracy expressed through the following institutions: representative democratic politics, with a vocal if rightwing opposition; an independent judiciary with an effective and active Constitutional court; various constitutional commissions on gender, fiscal and human rights, all geared to strengthening democracy and a culture of the rule of law. These procedural democratic mechanisms on their own are a necessary, though not a sufficient, condition for the consolidation of democracy. However, popular forces to keep the government in check as well as to sustain a perspective of radical change for the long haul are also increasingly using this procedural democratic framework. In this regard the South African project seems to be laying genuine foundations for its popular defence from its very inception. East European and existing 'socialism' failed to address this and this partially accounts for the reversals that have occurred and might well be threats to the struggle for 'socialism' in Cuba, China and Vietnam.

A second important feature that could strengthen South Africa's status as the weakest link is the relative development of the South African economy. While the industrial economy was historically built on mining, a considerable manufacturing sector, which is quite efficient and globally competitive, has evolved. At present it contributes more to the gross domestic product (GDP) than mining. South Africa also has quite a developed, if racially skewed, management cadre. Though there is a shortage of highly skilled workers, policies are in place to address this deficit. Whether it is conceived as eminently anti-capitalist or as part of a long global transition to socialism, in the medium term, there is every possibility that these strengths can be used to enhance the transformative project in South Africa. The relative development of the South African economy presents novel prospects for transformation that might have existed only in Chile. The surplus generated by the urban classes could thus become the engine for the transformation of the rural areas. To attain this, the democratic government must acquire the necessary strategic coherence. The challenges of transformation, given that there are no great prospects for job creation in the urban centres, will

increasingly force us to look at rural development. We have not yet fully embraced accelerated land reform, though agrarian reform is increasingly emerging as the way to go. But even with regard to the latter, much work still needs to be done.

In its perverse way, South Africa does reflect the interconnection between the developed world and the Third World. Indeed the consumption patterns of the white minority together with the black middle class and elite correspond with those of their northern counterparts.

This northern dimension is not entirely negative. It was precisely this relationship that brought the traditions of working class struggle, trade unions and political parties, including the Communist Party, to South Africa. Since its birth, the SACP has emerged as a formidable actor in the South African political drama.

Some might be tempted to view South Africa as a possible mediator between the north and the south. That would be a dangerous illusion. South Africa is part of the South.

It does however appear that this relationship holds out a number of positive possibilities. Because of this relationship with the north – particularly Britain and Europe – the South African working class was in a position to score certain victories that placed it in a relative strong position even under apartheid. For example, we have a system of pension funds, which is quite exceptional in the Third World. Consequently, a considerable body of wealth, running into billions of rands, objectively belongs to the workers. The challenge is to transform this objective resource into a subjective capability that can be deployed to reinforce an alternative accumulation logic.

South Africa has also drawn on the European experience of corporatism. Beginning during the last years of apartheid, the trade union movement strove for the establishment of institutions of social dialogue as perfected by Scandinavian social democratic movements. But in our case, the establishment of these institutions has not resulted in the elaboration of a consensus that subordinates everything to the rhythms of capital. Indeed some commentators have insisted that these institutions must be located within a context of an 'anti-capitalist' strategy. Conceptually these institutions are different to the European ones. Their composition takes into account our peripheral situation and allows for the participation of social actors beyond the capital, labour and government nexus, e.g. representatives of community organisations, NGOs and rural movements. Despite this, the community chamber is struggling to make an impact. Similarly the corporatist structure has not been given the social weight that it has in Scandinavia. The

practice over the past seven years has been complicated by attempts to nurture corporatism, whilst simultaneously asserting the unambiguous role of the democratic government.

Of course the question has to be posed, how appropriate are these institutions in the context of a nascent popular revolution in the third world?

Though consultation of key social forces is critical, the marshalling of its forces should be the principle emphasis of the national democratic movement. Can one marshal and consult at the same time? However to the extent that it is important to hear first hand the views of the various social forces from the very onset, corporatism provides the movement with a sounding board. These corporatist structures have assisted in making breakthroughs in the auto industry, transforming an industry that was in crisis five years ago, into one of the best performing ones. We will have to see more such successful initiatives before we draw up a proper balance sheet of these initiatives.

This north-south intersection has increased awareness and sensitivity among the advanced and critical sections of our society to the debates and reform strategies in the north. Presently the leading trade union federation, Cosatu, is spearheading a campaign for a comprehensive overhaul of the national health system. If implemented, this will be major advance for all the working people as its effect would be the consolidation of all health-related expenditure and costs in a single insurance system. In this regard we are drawing on, whilst adapting, from the best of European system. While none of this has yet been finalised, this seems to be the direction that the health ministry is steering.

In a similar vein, there is emerging a coalition of forces seeking to overhaul our social security system. In the past the system catered mainly for the aged, the disabled, single mothers and workers for the first six months of unemployment. This social security system is totally inadequate in a context of more than 35% unemployment. Forces ranging from within the ANC, the SACP, Cosatu, the NGO coalition, churches, all support the implementation of an unconditional solidarity income grant for all citizens. This grant will, of course, be much smaller than any enjoyed by working people in developed economies.

Earlier, under innovative minister of labour, Tito Mboweni, the government even considered exploring the shortening of the working week, as a way of drawing more workers into employment. As originally conceived a shortened working week would have led to a reduction in workers' earnings. Unfortunately, no one has yet responded to this idea and its implications. However it indicates a willingness on the part

of the popular movement in South Africa to draw on the radical traditions of the northern working classes. Such reforms in our context will constitute a revolutionary change, as they will result in a fundamental change in people's lives. The revolutionary character of these reforms will be further strengthened by the coincidence of these advanced reforms with the massive contradictions of a Third world society.

The tripartite alliance – ANC, COSATU and the SACP – is the ultimate guarantor that South Africa indeed becomes the weakest link in the imperialist chain. Quite remarkably, this alliance has survived more than eighty years. It is the only instance, other than the Vietnamese, where a Communist party has successfully implemented the Comintern line of working with nationalism with the intention of radicalising it. The Alliance has evolved to embrace a Marxist culture and methods of analysis by the entire liberation movement. But as our recent history attests, the three tendencies that animate third world revolutions are alive within the Alliance, hence the pattern of conflict combined with cooperation that has characterised Alliance politics over the past 10 years. Because of our history, our rootedness amongst the people, the unique traditions of engagement in the Congress movement, it is my view that the Alliance will be the bedrock and the guarantor of the elaboration of a 'national popular reconstruction'.

46 Obstacles to the weakening of the weakest link

It would be absolutely wrong to present this project as achievable without problems. I have identified its essential features above. There are real obstacles both inside the revolutionary movement and beyond. More importantly there are vested interests that will be threatened by the measures proposed. A racially based ruling class, which has benefited from a racially based system, is not likely to co-operate to attain these changes without stiff resistance.

This dilemma is more acute when we consider that we view the urban-based classes as the vanguard, leading the rest. Our economic structure, semi developed though it is, is comparatively weak in terms of global competitiveness and productivity. Furthermore, should the need arise to recompose the class basis of the accumulation path, without disturbing the essential character of the economy, such changes will need the synergy and co-operation between the state and private sector. In the light of our racial past how probable is the positive resolution of these questions? We nonetheless must find ways of stimulating cooperation between the democratic state and big capital.

In addressing these questions we have to be self-conscious about the overall thrust of our development

path. But this is one of our greatest areas of weakness.

There has been a healthy presence of international capital on our shores for the past century. This international factor did not inhibit the consolidation of a dominant national capital. What has to be considered, and has not been addressed with the seriousness it deserves, is our strategy for dealing with international capital. We have been firm with regard to our progressive labour market laws. We are even firmer in our dealings with our own domestic capital, as evidenced by the intention to nationalise mining rights. But are these evidence of a particular disposition or are they aspects of a conscious plan?

The forces for change

There are also serious problems amongst the revolutionary forces for change. There is a fundamental tension between the professed vocation of the Alliance – a working class biased society – and the manner in which the ANC government is pursuing that objective. Ironically it is the bodies that should be the organised expression of the working class within the alliance – viz, COSATU and the SACP – who are experiencing the greatest difficulties with day-to-day ANC government policies.

I would submit that this is an expression of an untheorised transition. The ANC, like all genuine national liberation movements of the twentieth century, was affected by the fall of Eastern European socialism. However, unlike its Communist party ally, there has been no open and public exchange about the implications of these momentous developments for the ANC. I emphasize public debate, because despite the absence of a public debate, there appears to be a clear line that informs the daily practice of the ANC. In the main it is a progressive line with a pronounced bias towards the poor. The danger however is that the line is not the outcome of broad popular participation. As a result, we as the ANC, have been shy to clearly pronounce and act out the class character of the society that we are building despite its pro-poor orientation.

It is important that we raise these questions because being pro-poor does not necessarily mean that your programme envisages the poor as the ruling class. Similarly whilst preserving the pro-poor orientation of the movement today, we need to interrogate the relationship between being pro-poor and being pro-working class. Major sections of the working class are not the poorest of the poor, but the advantages they have over poorest of the poor are: organisational infrastructure, the ideology and working class tradition of struggle that can enable the working class to lead society. The working class, not the poor, has the capacity to lead society.

I am raising these questions fully aware of the fact that there have been three major conferences of the ANC since its unbanning in 1990. But despite these and the numerous discussions that have ensued, there has not been serious debate within the ANC about the implications of the fall of East European socialism.

There are however very hard questions that we have to confront, particularly as Communists in the ANC. The involvement and co-operation over more than 80 years of Communists with and in the ANC was aimed at giving and maintaining a working class orientation in the ANC. If we have come to understand that third world revolutions are not about the immediate creation of a working classed society – socialism, but are about popular reconstruction in which the capitalist, statist and socialist tendencies operate, what are the implications of this insight for the ANC? Does this mean that the ANC should abandon its pro-working class bias in favor of the three tendencies? Is this what is objectively happening? Does this not amount to working class forces handing over the ANC to other class forces? Or is it possible to emphasize the working class bias of the ANC whilst simultaneously accommodating an unfettered expression of the other tendencies? Does not the anti-capitalist character of this revolution draw its inspiration and sustenance from the initial working class bias? Is this working class bias not the ultimate guarantor that these struggles do indeed become part of the overall long global transition to socialism? I think to the extent that a fully conscious popular reconstruction is yet to be developed, to that extent Third world movements with a working class bias are still the most appropriate vehicles through which to pursue these objectives.

Another challenge has to be resolved. That is the unique handling of the class and national question in the South African revolution. The South African Communist Party, drawing on its African heritage was able to hegemonise Marxist politics in the entire

liberation movement. Unlike the normal contestation in the Euro-centric environment, these fundamental questions are resolved in a convivial setting, mainly informal. The watchwords in these interactions are trust. In the neo-liberal environment of today, it is debatable whether the trust, which enabled the hegemony of working class ideas to germinate in the Congress movement, is still possible today. But one thing is clear, without the re establishment of this trust, there will be no popular reconstruction, only compradorisation.

Conclusion

To conclude, indeed South Africa appears to be the weakest link in the imperialist chain. This is a result of the massive movement that the people of South Africa have developed in the struggle against apartheid. This movement together with the huge social problems that the society faces, in the context of its the radical traditions, positively disposes it to catalyze a project that can open up sustainable radical possibilities for the third world. However to successfully achieve this there are fundamental challenges that the movement has to confront. These challenges include a fundamental rethink of the very character of the revolution itself.

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Morals for Africa? a?

Cedric Mayson interrogates the call for a Moral Regeneration Movement

The euphoria that engulfed us after the democratic elections of 1994 was rooted in the marvelous experience of liberation. The storms of oppression had yielded to sunshine on the rainbow people, and the nation was being transformed. In many ways, it was. The 'dark days of apartheid' receded, and because we are very good at producing children, most of today's population cannot remember those days anyway.

But before long the headlines took on different dimensions. The media became dominated by horror stories and people began to ask what has gone wrong? Why isn't it working?

Several causes of the moral collapse can be found. We must interrogate the past, the present, the opposition, and ourselves – and design a route from liberation to transformation.

Interrogating the Past

The legacy of colonialism and apartheid

It is not acceptable to continually lambast the apartheid regime but it is a simple fact that many events and attitudes of today are rooted in that past. When people complain: 'I don't know what the young people of today are coming to', they must be reminded that the youth of today are becoming what the young people of yesterday made them.

"Crime is in part an overdue debt that the country must pay for ignoring for decades the conditions that breed lawlessness".

Many citizens have still not reconstructed themselves from the immoral attitudes embodied in the old regime, nor seen the need to. Whites thought themselves superior, blacks were taught to think themselves inferior, and although the Group Areas Act has gone, the minds of millions still inhabit racist cultural ghettos.

Christian National Education and Bantu Education inhibited us all, and we still carry that burden. It is hard to throw off false teaching that denigrates oth-

ers, weakens foundational learning skills on which to build everything else we need to know, the failure to possess a love of books and knowledge for their own sake, and the indoctrination that education is about getting more money instead of getting more life.

False theological and sociological teaching promoted beliefs that cultural and racial differences were signs of inherent goodness or badness, intelligence or stupidity.

African spirituality was rejected and with it the holistic approach to life, the communal awareness of ubuntu, respect for the unknown, and the expectation that ordinary human beings could be endowed with a strong spirit. These treasures of basic human relationships which had motivated so many African people were denigrated by the 'imported' religions. But these too were frequently warped as religions competed for the power of their institutions and lost the power of their inspiration.

Violence was accepted as necessary and widely practiced by the State, and many citizens.

It was to liberate us from this that the people put

... the corruption of public servants by the private sector; the low level of tax morality; white collar crime and the subversion of business ethics; venality, theft and fraud within the public sector; corruption in the criminal justice system; the unbridled self-gratification of rape and child abuse; disrespect for human life; the easy resort to the use of force; the acceptance of theft as a means of personal enrichment; mendacity in the conduct of public affairs; contempt for the law; and the virtual collapse of a system of social behaviour informed by the precepts of humanism which, historically, have informed African culture.

*President Nelson Mandela.
ANC Conference 1997*

the ANC into power in 1994, and huge advances have been made. But many of the moral problems remain.

Interrogating the present What's the Problem?

Take pen and pencil. Sit in a kraal on the round hills of Kwazulu Natal or in the white and gold glory of the Cabinet Room in Tuinhuis, Cape Town; drink beer from a recycled oil can in a kraal in the Eastern Cape or Venda; or fancy

imported coffees in a mall in any of our great cities; kneel in a mosque or cathedral, put your hat on the back of your head in synagogue or pull it over your eyes on the beach ... wherever you go people will be talking about the same problems which seem to have accompanied democratic freedom.

Some say we have failed to enforce justice. The Police, Courts, and Prisons are ineffective and out of hand, over-worked and under-paid, over-crowded and under-resourced, corrupted by negligent, incompetent, unmotivated people.

Some blame it on the media, who use their freedom to chain us to a western culture of immorality and crime, who in the name of revealing wrong actually promote it, who are controlled by owners and advertisers whose self-centred motives debase society.

Some blame it on the government, which has the power to chase out criminals, get rid of disease and poverty, and establish a liberated society for everybody, but doesn't.

A realistic analysis must go deeper than this.

Worshipping the Golden Calf

Christians, Muslims and Jews in South Africa all recount the ancient story of the people of Moses who reminted their ornaments into a statue of gold and then knelt down and worshipped it: "Here is your god, who brought you out of captivity!" Are we still there?

Many give money a supreme value and worship it. Getting money is accepted as the main purpose of education, jobs, position, and life. How you get it is of secondary consideration, justifying cheating, lying, taking bribes, stealing, or jumping the queues for the perks. After all, we say, everyone does it.

The Star
BRIGH FOR SA
Army man 'drunk' at the wheel
CITIZEN REPORTER
A LIEUTENANT-Colonel in the Army, attached to the Directorate of Foreign Liaison, was arrested after an accident in a state vehicle. Police spokesman, Inspector Percy Morobane, said the official had apparently collapsed a red robot on the corner of Nelson Mandela Drive and Schoeman Street in the Free State city of Mafikeng. The official, who suffered head injuries, was under police guard in a Military Hospital.

Diary of serial rape su
Case 3 ... one by one the charges starkly, and unemotionally, a dossier body-dragging hearing

Police's probe flayed at
Both state and defence complain of inadequate investigation

For many, it's steal or starve
How can we end the cycle of poverty-induced crime, asks Jovial Rantao

Bomb rips through
a court chambers

Penguin killer re-arrested, to appear in court
EAST LONDON – Sea-bird slayer Francis Minnie has been re-arrested and remanded in custody until May 6, when she will appear in the East London Magistrate's Court for failing to report for her community service at the local aquarium.

Man arrested for kidnapping
A 35-YEAR-OLD man was arrested of a kidnapping for allegedly kidnapping a 10-year-old boy who was missing from the KwaZulu-Natal area in 2000. East Rand police said.

DD MAKES JACK
The child was identified from a television programme by a parent who reported the child's whereabouts to police.

Four up for 'bad' Mandrax
FOUR men accused of leading in the possession of 5000 Mandrax tablets were arrested.

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There was a collapse of an acceptable level of morality in our society, which resulted in the elevation of the self, and the serving of the interests of the self to the point that this becomes a religion. The self became the god we all must worship... The apartheid state, because it was illegitimate, could not establish a set of ethics that would constitute part of the national being. In the vacuum individuals had to decide for themselves what was good and what was bad, and the good was defined as what would serve my interests.

President Thabo Mbeki

Organised crime is a good business that gives you money, cars, houses, guns, girl friends, fancy schools, and the prestige of being wealthy whether you live in Houghton, Mamelodi, or Mitchells Plain. Wisdom means don't get caught.

Being a criminal is just another way of making money like being a politician, a tycoon or a pop star. Respectable and disreputable people have the same motivation: to get on, to make the grade, to be in the money, and to hell with everyone else. When money becomes more important than people a society is on the slippery slope of social disintegration where many cannot tell wrong from right, which has doomed every empire from the Roman to the US.

The challenge is to the morality of our economic structures, not merely our personal attitudes. It is our system which pours wealth into the control of a minority and condemns half our population to abject

poverty from which they cannot extricate themselves. The GINI factor which measures the disparity of wealth between rich and poor is the highest in the world in South Africa, and is always a recipe for crime, corruption and social failure. People who drive past an 'informal settlement' shantytown bemoaning the housing shortage, but do not relate it to the mansions being erected in the fancy suburbs next door are sunk deep in immorality. 'No bread?' said Marie Antoinette of the poor. 'Well, let them eat cake.'

Money is not wrong, and plenty of wealthy people have a care for others. It is the love of money that is the root of evil, because those who worship the golden calf are fluffing up a fallacy.

Worshipping me

Whether moral systems are secular and rooted in political and sociological theory or find their roots in religion all of them reject self-centredness. They put concern for the community first: loving your neighbour, sharing, ubuntu. Both the Freedom Charter and our new Constitution give assurance and hope to individual persons, but do it in terms of a transformed society not rewards or pleas for individual goodness.

A major cause of moral breakdown today is the emphasis on individuality, the self-centredness of everything from advertising to family relationships, from going into politics to going to heaven. The sense of community has been swept aside by the notion that the only thing that matters is progress for me.

Such self-centredness extends to my group, my race, my family, my religion, my culture, my politics and denigrates everyone else. Religion-gone-wrong can be just as bad when it emphasises personal salvation for life after death and ignores the support of hell on earth. Accepting self-centredness means you must also accept a society of division, antagonism, murder, rape, corruption and crime

Violence

People are not naturally violent: humanity has survived and prospered because we are cooperative and supportive. But when we worship money, or individual and group self-centredness, our feelings for others degenerate and brutality becomes quite reasonable – whether it is focused on hitting children, raping women, mugging the weak, or killing commies, wogs, nazis, viets, arabs, jews, pakkies, niggers, kafirs, white scum or terrorists. They cease to be real people, so it is no crime, no problem.

The non-violence culture is a precious heritage of the South African struggle which has been driven out of us by western values and we need to recover it with very specific programmes. Self-interest can be highly productive when people's interest is committed to change society.

Eating people is wrong? Ridiculous! People have always eaten people. If the juju wanted us not to eat people, he wouldn't have made us of meat.

Donald Swann and Michael Flanders

The Media

Interrogating the present insists we must examine the role of the media. During the years of the struggle a number of newspapers went under – notably the Rand Daily Mail – because their stories were not popular with enough readers. A major problem today is that the media depends for its profit on a society pervaded by anti-social preferences, whose owners uphold oppressive economic structures, and whose advertisers will only pay for space if they approve of what surrounds it. Is it feasible for editors to produce positive, progressive, socially transforming media when business managers must fund it from an immoral environment?

Can there be an alternative media? In the struggle we did it ourselves with secret duplicators. Should religions club together to produce something more than parish magazines? Can we promote a wider circulation for alternatives which are here but not known? Is internet viable when most cannot afford computers? Does government, as the public broadcaster, have a responsibility to promote a moral media portraying positive alternatives to the current way of life, with little support from advertising?

Interrogating the Opposition – the OOF

Oppressive Opposition Forces (OOF) are seldom defeated: they regroup. They change their name and their slogans to suit their analyst's latest fads, but their aim has not changed. The only policy of many OOF is to get their hands on the rands, which is threatened by the ANC's commitment to the poor.

The OOF are subtle manipulators who employ clever psychological techniques to destabilise and undermine the National Democratic Revolution. It was no mistake that a last act of the oppressive regime ensured that all the new MPs would have wealth which moved them into a different category from the poor.

The OOF endorse the globalised economy over which we have little control. Everything from the value of the rand to the price of sugar is decided overseas, the exchange of goods is moved from cash to cards to make us dependent upon debts, and it is not only the poor who recognise that globalisation has joined slavery and colonialism as a major crime against humanity. But the OOF, dependent on western values, don't want to see it.

The OOF move the struggle on to their own ground: the Cold War was lost when it became a battle for capital instead of a battle for justice. The policies of the ANC are good, so the OOF do not attack them, but distort them, and concentrate on personal attacks to undermine our leadership.

The OOF have studied the skilful use of the entertainment industry and right wing fundamentalist religion in the US and Europe to promote oppressive indoctrination. They will be defeated by confrontation on ideological grounds.

Interrogating ourselves

Many revolutions which started with a great commitment to justice and freedom seem to have suffered a subsequent period of distraction. Decay is not inevitable but a danger. Many revolutions – political, social or religious – lost the high moral ground and had to work through the recovery of values and vision with the OOF barking at their heels.

It happened to the French, American, Russian, Latin American, and Uhuru-anti-colonial revolutions. The quest for liberty, equality and fraternity, was right and just and did not produce the blood bath of the guillotine: but it happened. Rebelling against the British Empire and the Tsars did not produce Vietnam and the Gulags: but it happened. The winds of change which blew the fresh sweet breath of freedom and justice through Africa did not themselves produce monsters like Amin and Mobuto: but it happened.

The great religious revolutions of the Reformation, the Evangelical Revival, and Liberation Theology transformed spiritual and social life but were sometimes diverted into extremes of fundamentalist folly. The resurgence of conservative values so blunted their vision and weakened their influence, that millions today find religion irrelevant.

Is our South African revolution under assault from similar destructive influences? Are the slogans of the struggle losing their potency? In the past the ANC survived because it had the courage to face problems which had arisen, and today it faces the influences which feed fat cats and factions.

When people obtain possessions and power they can develop different priorities. The focus moves

- from a social struggle to a personal struggle
- from community to individual
- from commitment to entitlement
- from a vision of a new world to the quest for power in that world
- from seeking collective transformation to seeking personal advancement.

The quest for power and possessions is a legitimate part of the struggle against oppression and need not embarrass us. It goes wrong when it becomes a personal obsession – and the OOF constantly seek to tempt us all into the trap.

The new Struggle to recover our ideological roots

From its commencement the liberation movement was a collective moral force. It was based on the inner reserves of our people which are still there, and can be recovered.

Our strength is that the majority of our people are committed to the common good of all. The people are the source of pressure for change. Experience shows that the vision and strength of the people can be mobilised to change society.

Our roots are in the metro cities, municipalities and neighbourhoods where people live. Our focus must water these roots by facilitating activities in each province, metro and municipality to built partnerships of commitment.

Our aim must be to revitalise a movement for regeneration within existing organisations (not to start a separate institution for moral upliftment.)

From our roots come:

- a dominant vision of a new country and a new world, in which the OOF are confronted, and we establish our own priorities in our own neighbourhoods. .
- a commitment beyond ourselves to a new Africa, with the political and economic transformation envisaged in the African Union and NEPAD.
- a collective solidarity to tackle the Problem of the Rich so that generosity replaces greed, service replaces the lust for power, transparency replaces corruption, and the people re-establish a collective moral force.

All the power of good we need is at our fingertips. We can be spiritual giants, not mimicking western role models. Africa can stand strong in a globalised world, and use its inherent strength for all its people.

The acceptance and enactment of high value systems within our society, are vital to ensure the happiness of our people, the prosperity of our business, the success of our politics, and the transformation of our nation: Our task is to meet together to design and develop a programme ...

- empowering people to make their own ethical decisions.
- embracing a common code of ethics and behaviour.
- improving relations amongst the inhabitants of our land.
- building racial harmony.
- promoting economic justice for all citizens.
- eradicating corruption and unethical practices.
- establishing a crime free society.
- producing a responsible youth, sensitive and responsive to the challenges
- encouraging the rejuvenation of shared values in the family.
- developing a new patriotism.

This is why the Moral Regeneration Movement has been brought into being, and is being launched on 18 April 2002.

The Moral Regeneration Movement

Political and religious leaders attended a Moral Summit in Johannesburg in 1998 but little followed.² The President and Deputy President subsequently initiated a series of workshops on moral regeneration attended by all sectors of society, which produced the booklet: 'Freedom and Obligation', and discussed the establishment of a national Moral Regeneration Movement.

The MRM Launch will take place on Thursday 18 April 2002, in Pretoria. 1000 members from all sectors of society in every province will represent Traditional leaders and Religions, Labour and Business, the Media and Academia, many Civil society organisations and NGOs, political parties, and the national, provincial and local Government.

President Thabo Mbeki will open the event, followed by a presentation examining the problems we face. The morning sessions will share some activities taking place in civil society and government, to challenge the problems.

After lunch, the focus will move to consultations on a provincial basis at which the different sectors will discuss what can be done and how to do it, collectively. Issues raised will include Crime, Corruption, the Family, Women and Violence, Youth and Education, Riches and Poverty, and Leadership and morality.

Deputy President Jacob Zuma will sum up and formally launch the Moral Regeneration Movement which is planned for a maximum of four years.

THEN AND NOW

in the good old days of the liberation struggle

Then we had a vision of a new country
and a new world.

Today, some have lost that vision and do not know
where they are going.

Then we had a commitment beyond ourselves
Today, some are only committed to
advance themselves.

Then we enjoyed collective solidarity with
the community around us
Today, some have lost the sense of community.

Solidarity has become an historical concept that
many individuals do not experience anymore.

*All great religions and traditions overlap
when it comes to the fundamental principles
of human conduct – charity, justice,
compassion, mutual respect, and the quality
of human beings.*

Dr Kofi Annan

The MRM

Although proposals will be presented to the Launch, the focus will move rapidly to sectoral initiatives to be taken up at provincial level.

It is not intended to establish a Moral Regeneration Movement at the top to be the guardian and promoter of the nation's morals – this would destroy the whole concept. All our people, in our diverse cultures, have high moral values, and are concerned about the anti-social activities threatening our country. That struggle can only be won when people face it where they meet and act at the local level. Where we live is the site of the struggle in which the nation will conquer these challenges.

The MRM is a framework to encourage, sensitise, facilitate, and net work our concern to continue with the transformation of our liberation process. The MRM envisages a confident community, with a strong moral fibre, refining the spirit of ubuntu/batho, defeating the destructive oppressive forces, and using the resources of government and civil society to empower the community to develop and enjoy the ethical values embodied in our Constitution.

It wants to cap the marvelous experience of liberation with the experience of transformation. In a world that so often seems to be falling to pieces, we believe that Africa has what it takes to make the change.

REFERENCES

- 1 Chief Justice Earl Warren of the US, nagal.
- 2 See a 'Code of Conduct for persons in positions of responsibility' by the NRLF, and the ANC booklet 'Ethical Transformation – a statement on the moral renewal of the nation'.

Western Sahara:

The last colony in Africa

By Nathi Mthethwa

Introduction

The people of Western Sahara have lived under colonialism by European countries and under the expansionism of Morocco for more than 400 years. Their quest for independence and self-determination has been similar to South Africa's under apartheid colonialism, hence South African revolutionary democrats under the leadership of the ANC have been friends to the Saharawi people. On the other hand Morocco were old time friends and comrades in arms to the old South African apartheid regime. Like South Africans, Saharawis know that humanity's convictions to be free cannot be surpassed by any might in the universe, not even military aggression. This is the last colony in Africa that must be freed.

The Early Wars of Resistance

This North Western coastal African country experienced attempts to subjugate it as early as the 16th century. Sultan Muley Mohamed dispatched troops to colonise Western Sahara in 1566, but his troops were repulsed by the natives. Despite this resistance, the Moroccans continued with attempts to seize this country, and were met time after time with resistance from the Saharawis. Notably in 1584 in the region of Daraa', Sultan Mulles Ahmed El Mansour made numerous attacks against this nation, but failed for the natives stood their ground in protecting their motherland.

Towards the end of the 16th century, sailors from Canary Islands made contact, regularly disembarking and eventually established commercial relations with the people of these areas. This proved to be a friendly and respectful contact between the two nations for almost three hundred years. The Canary Islands also had contact with Spain.

The Spanish mission of Joge Juan and Gutierrez Salmeron (1766) set out to find an outpost on the Atlantic Coast between the desert and the South of Atlas Mountain. To this end, they turned to the different Sultans who at that time governed Morocco, but they could not fulfill their request, citing that they did not have the necessary authority over this

territory. This position was formally confirmed by Morocco with the signing of the treaty of Marrakech (1767), with Morocco acknowledging that they had neither authority nor power over territories to the South of river Nun.

Colonisation by Europeans: Spain and France

Spain, under Emilo Bonelli (1881) managed to manipulate the natives and established three outposts. This eventually led to the government of Spain declaring this area its protectorate in 1884. In the same year, Villa Cisneros was established as a settlement for fishing and trading companies. Between 1886 and 1900, Spain made several treaties with France, who, spurred on by its interest in the region and encouraged by the inexperience of certain Spanish politicians, had been gradually taking land away from Spain in these latitudes. This happened despite the treaties signed by Spain with the Saharawi chiefs and dignitaries.

A new treaty in 1904 laid down the definitive limits of the Spanish territories, establishing the present-day frontiers of Western Sahara. This signaled a clear act of dispossession of the indigenous Saharawi people from influence and control over territories that had always been theirs.

Whilst fighting yet another war of dispossession against the Saharawi people at the time of Ma El Ainin (1913), the French burned Smara, the Holy City of Western Sahara. However, the presence of the Spanish administration and army helped to safeguard the indigenous people, but caused several diplomatic upsets for Spain.

In 1956 Spain renounced its protectorate over Caliphate (in the north of Morocco) at the same time when the French was consolidating their own protectorate to the South, handing over to Sultan Mohammed (the father to Hassan II), which led to what is known as the State of Morocco. Claiming to reinforce its hold on Africa territories, Spain turned Ifni and Sahara into Provinces.

In 1958 Spain surrendered Tarfaya to Morocco as a result of tension between the two, thus depriving

Saharawi people of their traditional nomadic regions in Daraa'. Continuing the mentality of subjugation, the Spanish colonial regime created what was referred to as Yema (Saharawi Assembly) in 1967. The spirit of resistance even at this stage had not died down from the indigenous people, who saw the death (1970) in detention of Mohammed Ibrahim Basir, the founder of Movement for the Liberation of the Sahara following a demonstration against colonialism.

In the face of continued national oppression through colonialism and economic exploitation of the people of Western Sahara, they set about pushing their struggle to higher levels by creating the Popular Front for the liberation of Saguia El

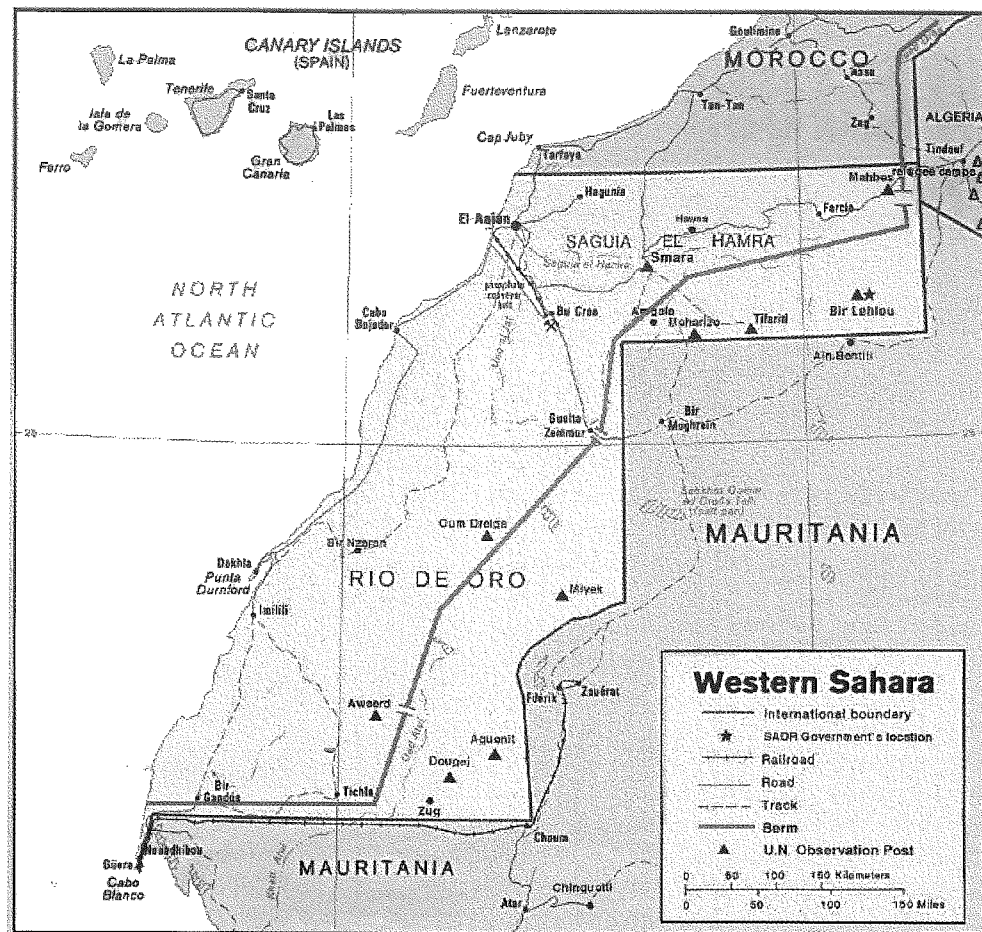
Hamra and Rio De Oro (Polisario Front) on 20 May 1973. This was a vehicle that immediately started fighting for the decolonisation of Western Sahara. Morocco simultaneously petitioned the United Nations to ask Spain to pull out of Western Sahara, not for the good of the indigenous people but for its own opportunistic reasons.

The Polisario Front at its Second Congress in August 1974 called for the independence of the territory and the creation of a non-aligned Arab Republic. It also decided to pursue the path to armed struggle as a means to achieve these aims, given the refusal to talks with genuine representatives of the Saharawi people by Spain.

For its part, Spain established a dummy political party, the Party Saharawi National Union (PUNS) to maintain legitimacy and control over the decolonisation process.

The Spanish government through PUNS organised a demonstration in 1974, which was overshadowed by a parallel one organised by Polisario. The Polisario demonstration was viciously repressed, resulting in the first deaths on the road to independence under Polisario.

However, the internal political situation in Spain became such that it could no longer concentrate on its colonisation project. Issues like the illness of Franco and who would succeed him, international pressure against death sentences and the opposition exploiting these pressures were too much for the



Franco regime. The government felt weakened and on the verge of collapse. Spain at this stage was very shaky and the Sahara issue became too hot to handle. Realising that the independence of Western Sahara was inevitable, it started implementing a rapid policy in 1975 to prepare the Saharawi people in its colonial territories for self-administration.

Amongst all of these maneuvers by the Western colonial powers, King Hassan II of Morocco – like those before him – continued with attempts at encroachment on Saharawi territory and preparing Moroccan people and their political parties ideologically by organising a “Green March” exerting pressure on Spain to pull out.

The Madrid Tripartite Accords

On the 14 November 1975, the Tripartite Accords of Madrid were signed between Spain, Morocco and Mauritania. Under the terms of this agreement, signed with the backing of the United States, Spain handed over the administration of the territory of Western Sahara to the two other signatory countries.

These agreements spelled the end of Spain's colonial rule in the Sahara and demonstrated the political weaknesses of the Spanish government at that historical juncture. Through these agreements, Spain furthermore breached its obligation as a colonial power by handing over Western Sahara to its co-signatories who had nothing to do with the country.

Western Sahara under Moroccan occupation

The Madrid Tripartite Accords and the death of Franco (1975) paved the way for the Moroccan military occupation of Western Sahara. Mauritania (another Madrid Accords signatory) invaded the territory from the South in 1975. The majority of the member countries in the UN condemned this.

In the light of the Moroccan and Mauritanian claims on the Western Sahara territory and the claims of the Saharawi people to self determination, the United Nations General Assembly referred it to the International Court in The Hague for its opinion. The International Court of The Hague judged the case favourably to the Saharawis's claim to self-determination over their territory and denied the claims of Mauritania and Morocco. This formed the basis of Resolution 1540 of the United Nations which reaffirms the right of self-determination of Western Sahara.

The Saharawi Arab Democratic Republic (SADR) was proclaimed in 1976 in Bir Lahlu. On the same day, the last Spanish functionaries of the tripartite administration abandoned their posts. The Saharawi civilians fleeing the Moroccan invasion were attacked at various times and places with incendiary bombs by the Moroccan air force. Thousands of Saharawi people crossed 200 kms of desert to reach Algeria, who agreed to help them and become the principal ally to the Saharawi people. Refugee camps were set up in Tindouf, which are still there to date.

Polisario Front launched a new offensive strategy in June 1976, attacking the capital of Mauritania and Nouakchott. It was during this attack that the first Secretary General of the Front, El Wall Mustafa Sayed died in combat. 1979 saw the start of an open warfare between the kingdom of Morocco and the Polisario Front that continued until the ceasefire in 1991, which was sponsored by UN Resolution 690 (of 1991).

Morocco has since created all sorts of obstacles to the resolution of this conflict, such as blocking the process towards a referendum to decide on the future of Western Sahara. Under the initial plan, a referendum was to be organised in January 1992.

Role of the International community

The International Community has through its institutions pledged support to the cause of the Saharawi people. As early as 1976, the United Nations Organisation (UN) began to put pressure on the Spanish Government to decolonise Western Sahara. Ten years later, after assessing the situation on the ground, the circumstances and the views of the population, the UN in a report on Western Sahara, recognised the right of the Saharawi people to self-determination. Furthermore, it recommended that the process of decolonisation be initiated.

Two years after the Saharawi people proclaimed their Republic (1978), twenty countries granted official recognition to it. To date, more than 75 countries

have given the Saharawi Arab Democratic Republic (SADR) official recognition and diplomatic status. Mauritania officially recognised the SADR in February 1984.

In the same year, Western Sahara was admitted as a fully-fledged member of the Organisation of African Unity. In protest of the recognition of the dignity of the people of Western Sahara, Morocco withdrew from the OAU. The Non-Aligned Movement meeting held in Harare, Zimbabwe in 1985 supported the resolution of the OAU and UN to peacefully resolve the issue of Western Sahara.

The people of the world and their international institutions clearly gave their overwhelmingly and unswerving support to the struggle for liberation of the Saharawi people.

ANC solidarity with the Saharawi People

The ANC, as an old Liberation Movement in Africa gave its support and in turn was supported by the fighting peoples of the world. Western Sahara was and remains special because their enemy, Morocco has always sought assistance from the apartheid regime which sponsored, funded and armed the regime of King Hassan II.

The warmth of friendship between the ANC and the people of Western Sahara is best expressed by the affectionate reference of Saharawi people to the late President O.R. Tambo as “Our Father Tambo”. Whatever opportunity came the ANC's way, the movement has not missed to identify clearly with the cause of Saharawis.

Addressing the Sixth Conference of Heads of States of Non-Aligned countries, O.R. Tambo said, “Polisario is fighting a surprising war...The experience of the people of Western Sahara is the first kind of experience that we can think of since the struggle of decolonisation started in Africa. No African country that we know of has done to the people of Western Sahara. But, be that as it may, the reality is that the Polisario has to fight for the liberation of Western Sahara not from Spain but from a brother African country. We have no doubt that the struggle of the people of Western Sahara will be victorious”. (Cuba, 1987)

On the 21 July 1988, President O.R. Tambo led a powerful delegation to Western Sahara on invitation from Polisario Front to meet with a delegation led by the President of the Saharawi Republic and Secretary General of Polisario Front, President Mohammed Abdel-Aziz. During the course of this visit, both delegations:

- Paid tribute to Comrade Mandela on his 70th birthday and called for the unconditional release of political prisoners.
- Paid tribute to people of South Africa and Western Sahara for their resistance against apartheid racist regime and Moroccan colonial occupation.

- Reminded humanity not to forget the massacres suffered by people in Soweto, South Africa and in Zemla, Western Sahara.
- Vowed to mobilise the international community to dismantle apartheid and condemn it as a crime against humanity and to force Morocco to respect and implement the decisions of the OAU, the UN and the NAM on Western Sahara.
- Condemned apartheid cross border raids against front line states as well as the illegal occupation of the South of Angola; and
- Strongly condemned the collusion between the apartheid regime in Pretoria and the expansionist regime in Rabat, reflected in their political, military and intelligence cooperation.

Closing the visit, President O.R. Tambo stated (that) "we, the ANC, will continue to support your struggle by all means necessary, in order for both our causes to triumph".

In 1994 President Nelson Mandela made a commitment to establish full diplomatic ties with the Saharawi Arab Democratic Republic. Addressing the media in September 2000, Polisario representative in Pretoria Comrade Mohammed Beisat said that the Saharawi people already enjoy de facto recognition by South Africa. Indeed this is the truth; politically Polisario enjoys full support of the tripartite alliance including the ANC Youth League, which continues to pledge solidarity with Saharawi people and works closely with UJUSARIO (the Polisario Front Youth wing).

President Mbeki has made several public references to the Western Sahara as the last colonial issue in Africa. In meetings with counterparts from Algeria and Western Sahara, President Mbeki has endorsed the UN process and called on all parties to play a positive role and speed up this process. South Africa has played an ongoing diplomatic role to ensure that this is achieved.

The UN General Assembly's Committee dealing with decolonisation matters admits that the Western Sahara issue is the only remaining African item for its attention.

Solidarity continues!

In contemporary politics, the ANC Youth League has continued to mobilise support for the cause of Saharawi people. It has used the various international youth fora to raise this issue and it continues to build its fraternal relationship with Ujusario, the youth wing of Polisario.

The perspective of the Youth League has been that priority must be given in its international participation in various youth organisations to the African

political and economic situation. The ANCYL membership of international youth organisations include:

- The World Federation of Democratic Youth (WFDY), serving as its African Regional Co-ordinator;
- The International Union of Socialist Youth (IUSY), serving as one of its Vice- Presidents and also as co-coordinator of its Africa region;
- The Pan African Youth Movement (PAYM); and
- The Southern African Youth Forum (SAYF)

The ANCYL participates with UJUSARIO in all the above forums (with the exception of the SAYF) and has continued to support the international solidarity campaign spearheaded by UJUSARIO in these forums. On a number of occasions, it has spearheaded resolutions in these forums on Western Sahara and lobbied other youth organisations in support of such resolutions.

Its fraternal programmes with UJUSARIO over the years included hosting delegations from UJUSARIO in South Africa, a visit to the Saharawi refugee camps by ANCYL President Malusi Gigaba in 1996, participating in Western Sahara International Solidarity Conferences, participating in its Caravan Programmes and organising programmes at home amongst its members to highlight the plight of the Saharawis. The two organisations also attend and often address each other's National Congresses in the spirit of solidarity and friendship.

Conclusion

The struggle of the people of South Africa has been supported the world over. Those in pursuit of peace must therefore use the opportunities created by our freedom to strengthen humanity's quest for social progress. The struggle of Western Sahara and its triumph is the primary guarantor for a truly African century.

Let all freedom loving people of South Africa, black and white dedicate themselves to a clarion call made by Comrade Nelson Mandela that "once more, we pledge our solidarity to the people of the Saharawi Republic in their efforts to achieve the freedom and self-determination that are rightfully theirs".

For more information on Western Sahara, visit the website: www.arso.org

Nathi Mthethwa is a former member of the ANC Youth League National Executive Committee and part of the Organising task team of the ANC.

Themes in ANC history

Human Rights and the ANC

The struggle for fundamental human rights for all South Africans has been prominent in the ninety-year history of the African National Congress. The organisation was the first in the country to develop a bill of rights, and was the foremost proponent of equal rights for all South Africans over several decades, laying the basis for the inclusion of the Bill of Rights in the country's democratic constitution.

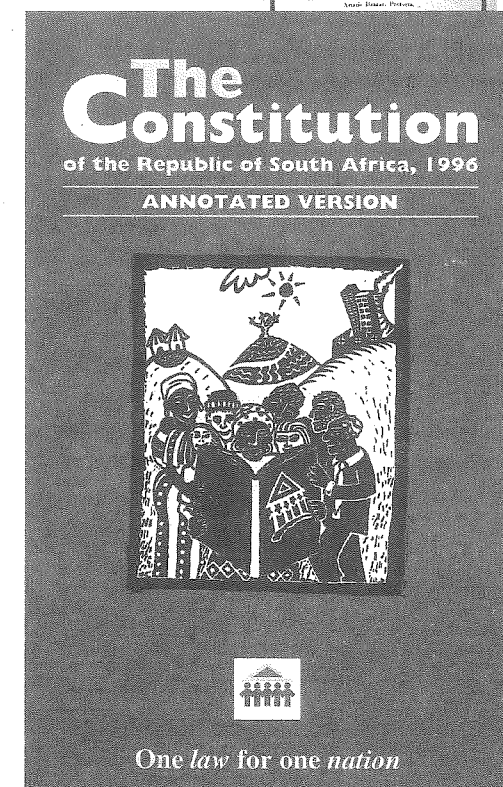
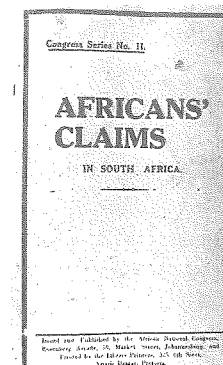
In May 1923, the annual convention of the ANC adopted the African Bill of Rights, and urged "the great European races of the Union to take the whole question into consideration". The bill asserted that human rights should be universal, that all South Africans had a god-given right to ownership of land, that there should be equality before the law and equal political rights, and that all should be able to have an equal share in government.

The convention declared: "That the Bantu inhabitants of the Union have, as human beings, the indisputable right to a place of abode in the land of their fathers. That all Africans have, as the sons of this soil, the God-given right to unrestricted ownership of land in this, the land of their birth."

Though couched in the respectful language of the time, the meaning of the declaration is clear: - the African people are a full, integral and central part of South African society, entitled to all the rights and freedoms of citizens anywhere in the world.

The ANC leadership saw that the salvation of the South African people depended upon embracing rather than rejecting democratic notions. These were not abstract propositions. They responded to the acute oppression felt by the majority of South Africans and became the basis for campaigns in the decades to come.

The principles contained in the 1923 Bill of Rights were not new, having been expressed right from the formation of the ANC. The concept of rights had already become part of the political discourse of the time. Addressing the ANC's founding congress in



1912, Pixley ka Isaka Seme told "Chiefs of royal blood and gentlemen of our race" that the congress had been called to form a national union "for the purpose of cre-

ating national unity and defending our rights and privileges".

In a petition directed to members of the British parliament and public in 1914, the ANC objected to provisions of the 1913 Land Act, which "interfere with rights the Natives have exercised for generations".

In his address to the ANC congress in 1921, the then President, Rev Z.R. Mahabane, challenged the colonial status of the African people in terms of which they were treated not as adult citizens with full rights, but as children to be spoken for and controlled.

"The poor black man is consequently reduced to a position of utter voicelessness and votelessness, hopelessness, powerlessness, helplessness, defencelessness, homelessness, landlessness, a condition of

deepest humiliation and absolute dependency," he said.

From the earliest decades of the ANC's existence, the plight of South Africa's African, coloured and Indian people was described in terms of the basic human rights, which they were denied. In characterising the situation of South Africa's majority in this way, the leadership of the organisation placed the issue of human rights at the heart of the resolution of "the native question".

The place of human rights within a future dispensation in South Africa was given further content in the 1943 document, 'Africans' Claims in South Africa'. The document arose from a decision of the ANC congress in December 1942, where its President, Dr AB Xuma, was asked to appoint a committee to study the Atlantic Charter, proclaimed by United States President Franklin D. Roosevelt and British Prime Minister Winston Churchill as a statement of the peace aims of the Allies. Xuma's committee was to draft a bill of rights to be presented to the peace conference at the end of the war.

An Atlantic Charter Committee, consisting of prominent African professionals and intellectuals of varied political views, was convened under Prof ZK Matthews. The committee's report was unanimously adopted by the ANC annual conference on 16 December 1943. Following its adoption, Dr Xuma requested an interview with Prime Minister Jan Smuts to discuss it, but received a reply that Smuts was "not prepared to discuss proposals which are wildly impracticable".

The document was notable for its language, which is non-racial and non-sexist. It envisaged full citizenship rights for all men and women of all races in South Africa. Rather than an abstract statement of rights, the African Claims document dealt concretely with all the forms of oppression felt by the majority in South Africa. In particular it called for the repeal of all discriminatory and restrictive laws.

It demonstrated clearly the interconnection between political and economic oppression in South Africa, particularly in so far as disenfranchisement, lack of freedom and dispossession from the land were intertwined.

The centrality of the right to education and the right to health as fundamental human rights is underlined. The 1943 Bill of Rights laid the foundation of the struggles for the next decade. Its broad approach coincided with a broadening of the base of the ANC, the establishment of an alliance with the Natal and Transvaal Indian Congresses and the beginning of mass campaigning.

In 1955 the ANC produced its third major 'Bill of Rights' document, the Freedom Charter. Adopted by the Congress of the People at Kliptown in 1955, this document became the beacon for millions of South Africans uniting them in a common struggle for dignity, equality and social justice.

It was the foundation of the prosecution's case in

the notorious treason trail 1956-1961, and circulated in the underground and in exile. The Freedom Charter became the foundation of the non-racial vision, which now finds expression in the new South African constitution.

The Freedom Charter developed many of the themes of the 1943 Africans' Claims document in a context in which the ANC emerged as the leading force of a broadly based anti-apartheid movement which included men and women of all races, beliefs, backgrounds and cultures. It anticipated by a decade the two great international conventions on human rights adopted by the United Nations, namely the International Convention on Civil and Political Rights and the International Convention on Social, Economic and Cultural Rights.

In keeping with the nature of oppression in South Africa and the actual yearnings for freedom of the people denied their human rights, the Freedom Charter stressed the indivisibility of political, social and economic rights. The Freedom Charters made human rights popular. It was central to the development of popular struggle around human rights.

In 1987, the ANC National Executive Committee formally accepted the need for South Africa to have a justiciable Bill of Rights enshrining universally accepted fundamental rights and freedoms. This was an effective answer to those who were insisting on racial group rights as the foundation of constitutional development. The ANC was able to draw on half a century of campaigning for human rights as the foundation for its claim for equal citizenship in a united country.

As the country entered the negotiations phase, the ANC's constitutional committee pioneered the debate on the role and functioning of a constitutional court. In a landmark conference held early in 1991, the first serious proposals were made on the composition, role and functioning of a constitutional court in South Africa. The ANC also pioneered the call for the establishment of a human rights commission to work in liaison with the courts and the legislature in defending and promoting human rights.

Both the interim constitution, adopted in 1993, and the final constitution, adopted in 1996, drew heavily on this long tradition. The Bill of Rights in the Constitution is testimony to the commitment of the South African people to freedom, equality and justice.

It took the ANC almost 90 years before the rights it espoused at its formation could be enshrined in the highest law of the land. The decade towards the ANC's centenary and the years beyond must see the movement work to ensure that all South Africans can exercise these hard-won rights.

This is one of a series of articles appearing in Umrabulo this year examining key themes in the 90-year history of the ANC.

Umkhonto we Sizwe: We

Within living memories

By Makhandla Senzangakhona, Edwin Mabitse, Uriel Abrahamse and George Molebatsi

PART
TWO

The Luthuli Detachment: Zipra and Umkhonto Alliance

In 1965, the white settler regime in Rhodesia led by Ian Douglas Smith declared Unilateral Independence (UDI). J.B. Vorster, then Prime Minister of South Africa, was selling "détente" to independent Southern African countries, among them Malawi and Zambia, in a clear attempt to undercut the efforts of the Liberation Movement from support. Thus was born the unholy alliance between the Smith/Caetano and Vorster regimes.

The armies of the unholy alliance posed a challenge; they stood in the way of MK and Zipra reaching home. Moreover, they sought to frustrate and defeat the goal of total liberation of the Southern part of the continent. This was not to be. Thus was born the Luthuli Detachment, named in honour of ANC President, Albert Luthuli, who passed away in the same year, 1967.

The central objective of the contingent of MK that crossed the Zambezi from Zambia to Zimbabwe during the campaign, was to work their way towards South Africa, in order to commence operations on home turf. The battles that ensued from the encounters and clashes with the Rhodesian armies and apartheid reinforcements have gone down as among the first and fiercest between the regime/s and armed liberation combatants.

The objective of the campaigns were not completely fulfilled, yet, they had tested the psychological armour of the regimes in the area. The legacy of Wankie and Spolilo imparted to future generations of fighters, heroes of the mettle and calibre of Ntate Mashego, Flags Boshielo, Chris Hani, Ralph Ngungwana and many more. In the aftermath of the battles, some MK cadres managed to retreat and others were arrested only to join colleagues on Robben Island.

History would be incomplete without the mention of the sacrifices and courage of the likes of James Masimini who insisted that his comrades retreat while he covered the enemy approach. This is incidentally reminiscent of the example of one Alexander Matrosov, a Soviet Red Army hero of WWII who cov-

ered enemy machine-gun fire with his chest during one battle against a rampant Nazi unit. James Masimini, fought like a lion until his body was riddled by enemy bullets. Such heroism and self-sacrifice is rare at any time.

Umngwenya immortalised MK in the campaigns and lived true to the words of O R Tambo when he declared that MK would provide the cutting edge to the political struggles of the people.

The June 16 Detachment

The victory of the liberation forces led by Frelimo and the MPLA of Mozambique and Angola respectively in 1975/6 had far-reaching implications for the struggles of the people of Southern Africa and South Africa, in particular. These developments altered forever, the geo-politics of the region in favour of the revolutionary forces.

In response, the apartheid regime rushed to reinforce its occupation forces already deployed in Namibia and Angola. The regime invaded Angola, confident of launching in Luanda. History has recorded the demise of that attack and the rout of the advancing columns just 12 kilometres at the entrance to Luanda, along the road known as Quifangondo or Nshila-wa lufu (Road of Death) in the Angolan dialects.

Coupled to the fateful but heroic deeds of the student militants of 1976, the apartheid regime found itself caught in battles not only in Namibia and Angola. It had to reckon with the rising militancy of students and workers' strikes as well as the activism of formations like SASO and others that have refused to die albeit the constraints imposed on their mobilisation mission.

This period also witnessed a trickle of the first cadres released from prison after many years of incarceration following Sharpeville and the illegalisation of the activities of the liberation movement. Soweto exploded in 1976 and the uprising spread contagiously countrywide. In fact, the system of Bantu Education had provided the spark that ignited the volcano of resentment. The apartheid regime took

fright. It sought to extinguish the fires and quell the rising tide in the manner reminiscent of the 60s.

However, the immediate response was the exodus of thousands of young people, who left the country in search of the liberation movement, some through Lesotho, Botswana, Swaziland and others through Mozambique. This unique generation of mostly youth and students were destined to add a glorious chapter in the war of liberation. They complemented MK ranks at a very crucial stage in the history of the People's Army. Like their predecessors they emulated the Spirit of Volunteerism and a veritable disdain for death, taking the struggle to new and higher levels of mobilisation and military effort.

The contingents of young men and women who arrived in Temeke, Tanzania, at a safe house known as Mkhumbane, in the environs of Dar-es-Salaam in 1976, were not only determined but also impatient to get back home. They fell under the command and mentorship of Ntate Mashego. He undertook the housekeeping management including their physical preparations, a curtain-raiser for the eventual military training. He led them on day-break road work or jogging and the residents of Temeke, who had come to enjoy the morning routine, cheered by the roadside. The contingents were all known to the locals as ordinary students.

The residents of Mkhumbane were not only impatient; they were also angry and dying to lay their hands on weapons of war, more especially what they fondly dubbed Alfred Khuzwayo (AK 47), and get back to South Africa for the big battles. Then they could not understand why political education was so important, when everybody knew the oppression that needed to be fought back home. Despite his experiences with the First South African Native Military Corps during WW II, and combat in Wankie and Spolilo, Ntate Mashego found himself with a unique challenge.

As far as they were concerned, the June 16 militants saw no reason why the road back to South Africa should be difficult. After all, they had crossed the perilous and treacherous borders unarmed. What danger could be there with arms in hand!

Temeke proved to be the dress rehearsal of an enduring legacy in political and revolutionary initiation. Political Training and other subjects were introduced within the prevailing conditions. Comrade Mark Shope taught them Trade Unionism and the History of the Labour Movement in SA and Politics in general. Comrade Elias Mahlase (Banda), inducted them into Military Tactics while several leaders, among them Duma Nokwe, Joe Slovo and Mzwai

Piliso took turns to hold discussions with them.

Notwithstanding everything, the clamour for guns could not be extinguished. Mashego soon realised that after their routines in the morning, the recruits were very diligent with their morning meals. It was a stratagem that permitted them enough time to sneak outside and admire the passing armed units of the Tanzanian Peoples Defence Force (TPDF) on their morning exercises.

The Movement had not reckoned with the flood of recruits that would follow in the wake of June 16. Though better prepared than in 1961, the swell that followed was unprecedented. However, the solution was near; it came from the MPLA and the People's Republic of Angola who offered rear-bases for MK training.

The plane that touched Gabela, a small town near Porto Amboim and Gambalu, in Huambo Province on the 7th of September 1976 carried the President of the newly-born Republic of Angola, Agostinho Neto.

On board with him were a group of twenty-one June 16 militants, the first to set foot on Angolan soil to establish MK. Gabela had earlier served as the seat of the short-lived Unita government leading up to Independence. It was here where the ill-

fated "Zulu Column" of the apartheid war machinery met its demise against the onslaught of BM 21 multiple rocket-launcher, nicknamed "Katusha", before retreating to the South with Unita. Angola, in 1976 was still a battle zone and a country at war.

Gabela, though not yet the camp for MK, still enabled the advance contingent of the people's army to extend fraternal relationships with the fighters from the African Islands of Sao Tomé and Príncipe. In particular, it laid the founding stone of relationships with FAPLA. Hence this group of MK trainees came to be known as the FAPLA/Mkhonto.

The contingents that succeeded those already in Gabela into Angola were housed at an engineering installation in the capital Luanda. The installation, hereafter referred to only as Engineering, was formerly utilised as workshops during Portuguese colonial lordship. It was a huge complex where FAPLA, Cuban internationalists and the Zimbabwe African People's Union (ZAPU) fighters were quartered.

Engineering taught MK the local diet of funji, a traditional porridge made from the tubers of the cassava and introduced them to pao (bread) procured from the local loja-do-povo (people's stores). It inducted the June 16 militants in the subjects of Orientation in the terrain, Topography, the Theory of Fire-Arms and Engineering.

In particular, it provided them a hint of military

logic, to know that a military engineering formula does not have to be mathematically correct to blow a target. What mattered was the job to be done based on the concrete experiences of "sappers-military" engineers who have tested the mixtures in real battles in other popular wars.

Soon, Politics became the article in their revolutionary vocabulary and Francis Meli, the Commissar, was there to see to it that everybody was steeped in the knowledge. Comrade Commander Machel, who was later replaced by Julius Mokoena was there too to ensure that military practice transformed the general enthusiasm into a purposeful direction. The biggest thrill to the troops at the base was always provided by the opportunity to practice March and Drill.

The drill sessions were conducted in OAU-supplied uniforms that came in colours of brown, yellow and green. These they had dubbed "Savimbis" because UNITA had used them too during the war for independence.

Just as was the case at Gabela, the troops at Engineering also eagerly awaited the journey to the South of Angola, where a proper military facility for MK was being prepared. But the long wait at Engineering was not without its positive effects. The cultural life of the contingents was coloured with song, poetry and dances of the people of South Africa. In the words of Peter Seeiso (Scandal): "we sang before eating, during work and at formation". Though it was not until the settling in Nova Katengue that this aspect of their life bloomed, the Zulu expression "Fak' iNgoma" would become a catchphrase in no time.

The role and place of women began to assert itself at that point in time. Generally, they received no special treatment and earned none and justified the saying: "We fight side-by-side with our men." The men reciprocated by fondly referring to them as 'Mzana'.

The much-awaited journey to the anticipated military camp in the South of Angola was long in coming. It would not come until some sections of the contingents at Engineering found themselves at Funda, opening another camp. Funda was located not far from the cross-roads town of Caxito. The terrain, previously a game reserve, abounded in wild game: warthog, buffalo, python and antelope and scores of other species, the noisiest of which were the baboons on the neighbouring mountain range.

Funda was the home of Angolan peasant villagers and SWAPO, then undergoing their military paces under the instruction of Cape Verdian Officers. The MK contingent to Funda were addressed by both Presidents Tambo and Nujoma on arrival and exhorted to learn their lessons and vindicate the sacrifice, trust, and friendship bestowed upon them by the People's Republic of Angola.

Funda provided to MK the first taste of the hardship and demands of training. They made friends with thirst, fatigue, less sleep and with the swarm of

mosquitoes. In time, the fighters learned from the local peasants that the smoke from palm-leaves were a very effective repellent of mosquitoes.

One lesson that Funda imparted to the fighters, recalls Mghobozi, is the status of "orders" in military life: "perform first and clarify later!" This did not make sense to the fighters who were still apt to engage orders and not less ridicule the Instructor. One day the Cape Verdian forgot his temper. "He told us," recalls Zizi, "you think you are clever. SWAPO comrades are behaved; they take orders and perform. What about you - you question everything? If you want your independence, go get it from the OAU. We (Cape Verdians) got ours through this compatriot (rifle)!"

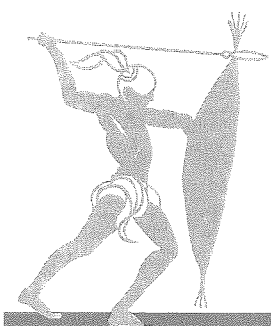
The Funda group also learned their lessons and in time they acclimatised and found joy in the midst of the challenges. The greatest gift by Funda to this contingent was the indissoluble bonds they forged with combatants of SWAPO. Hence the informal solidarity of SWAPO/Mkhonto, forged in the steaming heat and sweat, malaria and the unforgiving terrain.

Together they scored a victory once when they captured a scout sent by Holden Roberto's FNLA to spy on the camp for possible attack. Subsequently, they tracked the bandits to a nearby village and in the ensuing engagement, they succeeded in freeing several women. It transpired that the women had been abducted from their villages in the South and made to cross three provinces, on foot, in the company of their abductors.

These MK fighters relate how Funda introduced them to a python meal. They flatly refused to partake of it. At that stage, a snake was a snake to them and not a treat for one's stomach. Condensed milk taken with biscuits was often the only meal. The hardship of struggle was rearing its head. Malaria claimed its first victim at Funda for this group of fighters. SWAPO/Mkhonto would only be reunited with their colleagues in Benguela several months later.

The bulk of fighters that had remained behind at Engineering eventually made it to Benguela in the South. The journey, undertaken in a column of thirteen buses and a medley of trucks was long and nerve-racking. The guns of war had not completely died down in the countryside where Unita and FNLA still harboured ambitions to wrest power from the MPLA. The fleet of buses, with its thirsty and starving passengers reached Benguela as the hour struck five in the afternoon. Everybody then thought that they had finally arrived.

Benguela is one of 17 provinces, including the capital of the People's Republic of Angola. It is situated on the South-West of the country and like the port cities of Luanda and Namibe it offers an outlet to the Atlantic ocean through the port city of Lobito. The latter is one of the only three major ports in the country. It is in Benguela where the much-spoken about Benguela rail-line that connects the economies of Angola, Zaire and Zambia starts. This rail-line



This unique generation of mostly youth and students were destined to add a glorious chapter in the war of liberation.

became the favourite sitting target of the destabilisation campaigns of Unita in subsequent years.

The landscape in Benguela was bare and naked of foliage; the earth was baked khaki, and at places yellow as sulphur, a hue that occupied the eyes with a burning ferocity. Water was scarce while the soil was oily. Its grains and granules stuck on the human body. The monotony of the desolate landscape was only broken by the blue waters of the Atlantic Ocean spreading away in the distance to the west. The place could have been the Karoo or the Kalahari that many had only read about in the subject of Geography and spied in the Atlas maps.

Quite a few refused to believe their ears on being informed that this was to be their camp; when they had wished that Benguela should be only a transit point. It turned out to be just that. Novo Catengue, the real camp was still in the future and said to be under construction. Benguela was to be their camp in the meantime.

The place, formerly a farm of sorts, boasted one double-story building, a care-taker's quarters and an unroofed structure that had not known complete construction. Mzana (women) were allotted the former caretaker's den while men set up home in what was previously the poultry pen. Several days they reconciled themselves to the fetid stench of accumulated chicken droppings and piss and the ferocity of chicken-fleas that made a festival of the arrivals, in their sleep and daily effort of turning the place into home.

The year was 1977, the year in which the assassins of Smith murdered Jason Ziyababa Moyo, second vice-President of ZAPU, in Zambia. Several migwenya, including Mzwai Piliso, were seen very depressed because of their long association with these fighters since the days of Kongwa in Tanzania.

Benguela turned out to be a true induction ground of the expectation of military life and its vicissitudes. It prepared the fighters to face hardship. A notorious lesson in tenacity was provided by the flies. The flies competed with the fighters for every morsel and drop of milk on the way to the mouth. Word has it that it was not until Baba Mavimbela, a Kongwa and Robben Island graduate, initiated a campaign of cleanliness that they earned reprieve from the flies. Until his intervention, the fighters were in the habit of discarding their empty-tin cans around.

Training was demanding; it exposed the chatter-boxes for what they were and distinguished those with strong constitutions from the malingerers, those who faked all kinds of excuses to escape the grueling routine and repertoire of military life. Those frail by nature would be forgiven and find accommodation in the maxim: "we go by the pace of the slowest" when learning, however, "not by the pace of the laziest". Some comrades rarely ran out of ruses to avoid training, but their number was miniscule. Their "chronic" ailments and distressing screams of pain were legendary and never failed to arouse sympathy amongst the more sensitive in the detachment.



In Benguela, they underwent a complete, but non-graduating course, seeing Nova Katengue was still in the distance. The entire instructorate were MK veterans steeped in the military theory and combat preparedness stretching as far back as the Kongwa and Wankie/ Spolilo days. For political instruction they boasted stalwarts in the form of Francis Meli, Mark Shope and Jack Simons. These are among the men who are credited with breaking through the fighters' negative attitude of emphasizing the gun over politics. They taught the fighters that without politics, they are not soldiers, but mere mercenaries!

The first generation of MK instructors were as theoretically grounded, as they were action oriented. It is Mark Shope who is remembered for teaching that: politics equals the bread, the bed and breath people breathe. "He taught us," Veli recalls, "that every child is entitled to a pint of milk, a slice of bread, an egg a day as a right, and not as a privilege." Simons further reminded the fighters that they should not forget to reproduce themselves in the act of executing the revolution. It was still Mark Shope who in his frank lectures left fighters seething. He openly taught that the struggle to liberate South Africa could take years to accomplish, "It could be 10, 20 or 50 years from today," he said in answer to a fighter's question. This was hard to swallow for the fighters who expected to pick up guns and head home.

The combatants then could not understand why the

ANC and MK could not do what the Katangese from the DRC province of Katanga, under General Bomba were doing - advancing by about fifty kilometers per day on Mobutu's Zaire and army, threatening to overwhelm Shava Province. Mobutu was saved by the intervention of French airborne troops. These daring exploits fired the fighters' imagination. They failed to realise that South Africa was not Zaire and the Apartheid war machinery was not in the league of Mobutu's army.

Malaria continued to be a major hazard even here. It was not uncommon to hear a report at Reveille announcing that close on 100 fighters lay sick in their beds. At the time, part of the problem was that some comrades shunned taking the prescribed prophylactic tablets. Chloroquine, with its bad taste and somewhat irritating side effects instigated a fair amount of truancy. It was not until cerebral malaria struck and they witnessed a fighter's senses take leave of him that its seriousness was brought home to everybody.

The much-awaited day arrived; the rumour about the impending move to Nova Katengue, indeed, came true. Convoy trucks showed up to ferry them to the destination. They had been joined, for some time then, by FAPLA/Mkhonto from Gabela, and SWAPO/Mkhonto from Funda. The streams had, at last, merged.

Nova Katengue is situated in the mountainous and hilly region of Benguela, a mere stone's throw from the Benguela rail-line. It was dressed in elephantine savanna, a habitat of snakes and wild game attesting to the area's previous role as a game reserve. The climate was mild and friendly save the winters, due to the proximity to the Cold Benguela current which could be as biting.

Katengue, by comparison to Benguela, was an oasis endowed with a stream, a host of buildings and clutter of machinery ranging from the Caterpillar earth-moving systems, drilling monsters and compressors. It turned out that the place had been a quarry and construction

site in the past. The Portuguese sabotaged much of the machinery on their retreat from the advancing tide of MPLA forces, at the close of the war. MK fighters, in turn inherited much of the equipment, but the majority were not in working order. They came in handy, notwithstanding the labours of repair, in the task of constructing the camp.

Katengue is synonymous with MK as it is with the Cuban Internationalists. They were the military advisors; they provided succour (logistics) in the lean season and manned the defense at a critical juncture in the life of the detachment. Initially, the com-

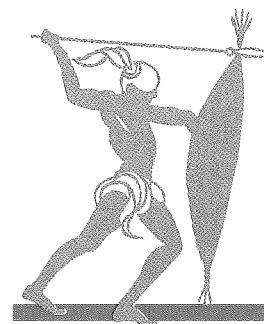
paneros, as the Cubans were fondly called, were skeptical about the working habits of South African youths. "At first, to them [Cubans]" recalls Daku, "we were youth, worse still just students. We surprised them! They were unaware that among us were several 'bush' mechanics, carpenters, bricklayers and electricians. Veli was one among us. They wanted to do the work alone; then they discovered that we knew - we were not only good, some of us, were better. From then, we had earned their trust."

The electricity generator became operational, the water pump too, and an electrified stage became the shrine of culture and camp festival. In no time the camp was up and fully functional. It was in recognition of this feat of creativity, innovation and industriousness of its members that Katengue earned the honour of "University of MK" bestowed by President O. R. on the graduation occasion of the June 16 Detachment.

The ANC and MK have weathered many ploys and conspiracies over the years. One of these was the perfidious plan by one Nito Alves, former Minister of the Interior of the PRA during the first administration under President Agostinho Neto. He almost got away with a bus-load of MK fighters during the transit at Engineering.

He would have succeeded, given the heightened expectation of the journey to the South, had those responsible for the combatants at Engineering not refused to allow their protégés to board the buses that were sent to fetch them unannounced and with no clear destination. The story unraveled after the foiled coup attempt hatched by Alves and his co-conspirators. As Minister, Alves, had detailed inside information about the refugee locations, and unhindered access to them. This aborted machination would pale into insignificance in the light of what lay in store for MK.

The ANC and Umkhonto we Sizwe have weathered many ploys and conspiracies over the years.



During 1977, circa May, 12 cadres of MK stood before the racist judge in the Pretoria High Court on charges of recruiting, transporting and receiving fighters of MK from military training and bringing arms and

ammunition for sabotage purposes in the country. Most prominent amongst them was the late assassinated leader of the ANC and former Robben Island inmate, Joe Gqabi. Within weeks, a renegade named Mthembu, who stood witness against the twelve, perished under a hail of bullets. He is known to have also acknowledged standing witness against Mandela during the Rivonia Trial.

Three days before the second commemoration of June 16, the apartheid authorities were shocked into contact with armed MK fighters in down-town Johannesburg. This was the famed Solomon



Mahlangu incident. (Mahlangu was arrested and later condemned by the regime to hang – a sentence that provoked immense international outrage but was nevertheless carried out with impunity on 6 April 1979).

In a separate incident, a security police major and a constable were wounded in the fierce gun-battle with another fighter in Dobsonville. Before the year was over, the police had admitted the occurrence of more than thirty sabotage and meeting engagements. Reference here is being made to the battle of Mochaneng in Rustenburg with MK guerrillas.

Official pronouncements were quoted as saying that there was an estimated four-thousand blacks, mostly ANC, currently undergoing military training. The regime passed the Defence Amendment Act of 1977 which extended military training for white male South Africans from one to two years, provided for media censorship and for the commandeering of goods and equipments. Not long thereafter, the regime legalised cross-border raids; it arrogated itself the right to pursue any terrorist base threatening the security of the Republic. In so doing, the regime defined the countries South of the Sahara, as its terrain of battle.

Katengue had a fair share of its light moments and humor – even with hunger pangs. Three are particular and concern the train, the hare and macaco (monkey). The Benguela passenger train turned out to be a distraction during classes. As it passed by the camp, the train and its passengers attracted the attention of the trainees. In the end, the instructors relented and permitted the fighters to enjoy the spectacle. The hare provided sport to the physical and tactics classes. In the midst of serious training, a hare would dart out of the long elephant grass and the trainees would get into a frenzy and give chase, much to the chagrin of their superior, turning the whole situation into some carnival mood. Only later could the mood be restored to learning.

How the macaco turned into a delicacy is no less a hilarious and amusing episode. Hunger and nutrition deficiency were frequent companions of the detach-

ment. This was particularly so when the goods train failed to arrive with provisions for the camp.

“Do you eat a monkey?” Daku recalls being asked by a Cuban colleague.

“Never,” he swore, “I eat no monkeys!”

“Do you know what you just ate now?”

“Yes, meat!”

“What meat?”

“Any meat, but no monkey,” he barked emphatically.

“You’ve eaten a monkey today”.

Realising as it were that the shortage of meat somewhat affected the morale, the Cuban had shot a monkey away from camp and hid the head. Afterwards, he produced the tell-tale head to the astonishment and subsequent amusement of many around. For years Daku would vouch that there was nothing monkeyish about that meat! On the contrary, it tasted like any meat, if not more delicious. He concedes, of course, that the absence of meat for some time could be responsible for accentuating the taste.

The history and experiences of Novo Catengue deserves many books, but the story would be incomplete without the narration of three particular episodes namely: Black September, The Graduation of the June 16 Detachment and the aerial bombardment by the South African Airforce of those days.

Black September: It happened in the early hours of one evening when the Detachment were busy with various aspects of the night programme including political discussions. “It was a horrible and terrible night,” recalls Refiloe, commonly known as M’Ref. “I had never witnessed anything like it in my entire life!”

We were busy playing draughts when we saw Lastborn suddenly flop on the ground and writhing in pain like someone being attacked by an army of ants. At first we thought it was another diarrhea outbreak since we still had lots of flies around the kitchen although these did not compare to what we saw in Benguela. We continued to play leisurely, but Lastborn did not stop crying. Someone amongst us

accused him of being spoilt.”

“We were in political discussion,” remembers Scandal, “when someone requested to go to the toilet. He went out. Then another one, and another and another! The Platoon Commissar thought the requests were another ruse to dodge the political discussions. Soon the place was in commotion, with many in convulsions. The epidemic laid hold of the camp. Units that were in the terrain that night were recalled and discussions cancelled.

The way to the medical point and toilet was a flurry of movement. Everywhere people were ferrying someone. Others were vomiting while others unable to reach the toilets relieved themselves along the way or just where they stood. Many of the comrades were too weak to stand up.”

“I will never forget the picture of Comrade Christina More that night,” recalls Abbey. “She carried empty milk tins from one person to another. She literally undressed many comrades who could not make it to the toilets and wiped them as would a mother of children in nappies. She was like a mother, a sister and comrade never to be forgotten.

“I have never seen so many people relieving themselves simultaneously in all my life,” adds Abbey with a haunted look, “the whole camp resembled a huge toilet and stank like one!”

Upon reading the situation, the Cubans, reinforced by several Armoured Personnel Carriers (APCs), sealed the camp from any possible attack as the doctors got to work, treating the personnel affected. People were dehydrated; bodies lay limp everywhere or in coma. The entire camp had been poisoned. It emerged much later that the poisoning had occurred in the kitchen where someone had tampered with the evening meal of beans and rice. Fortunately, no life was lost.

In the wake of Black September, the routine of rotating platoons for cooking duty was discontinued. A permanent kitchen platoon was selected, ensuring that they were screened beforehand. The full facts and the hand behind the poisoning would unravel years later and lead, among other developments, to the formal establishment of the Security Department (Mbokhodo), and the establishment of Camp 32, derogatively referred to as Number 4 or Quatro in Portuguese after the infamous Johannesburg Fort prison.

After Black September life returned to normal. Everybody was now focused on the course that was coming to an end. It was an end that would see them emerge as fully-fledged soldiers. **Graduation day** was, indeed, a grand occasion. It was importantly graced by President O R Tambo and a host of fraternal representatives and other well wishers. The detachment filed past, salute high and proud in grand fashion. A number of soldiers who had acquitted themselves well during the course became recipients of the coveted honour of being commended as among the best MK soldiers.

“I’m a soldier of the South African revolution serving in MK”, they took the oath holding the Spear of the Nation with the President, “..I solemnly swear to my country and allies that I dedicate my life to place power in the hands of the people; to destroy racism, oppression, exploitation and colonial domination in all its forms; to defend the victories of the people’s revolution. I am ready and prepared at all times...And if need be I am prepared to lay down my life for the cause of our revolution. I make this solemn oath knowing fully that should I violate it, I shall be guilty of betraying the cause of my people and will be liable to severe penalty including death. A tooth for a tooth, an eye for an eye, a life for a life. Amandla!”

The Detachment had graduated and proudly earned themselves a first: to be known as the June 16 Detachment, an honour bestowed upon them by the President in recognition of the valiant courage of the youth of South Africa. Their training tasks fulfilled, the Detachment focused on the dream to return home. Their mood then, is best summed up in the words of one of their poets who wrote:

The Frontline

Where manhood and consciousness is tested

The only place to bury persecutions and burdens of ages

The only place to declare names immortal

Trust me brother you will not be alone there

Frontline

Where bullets will graze on man and grass

Where man will make his own lightning and thunder

Where the enemy will fall and never rise

Brother truly my shadow will be next to yours.

The graduate detachment was succeeded by a second one in 1978 that later came to be known as the Moncada Detachment in honour of the Cuban Internationalists. Moncada celebrates the Cuban National Day. Though belonging to the June 16 collective proper, Moncada was made of elements that were only able to arrive in Katengue at the close of the first course. They succeeded the first intake of graduates as the latter left for various missions at home and abroad.

Several members of the graduating detachment left behind were selected to undergo an advanced specialised training, ironically in Benguela once again. Disappointment at being left behind, some among them, numbering 17 did not share the sentiment nor saw the necessity of specialised training. They had been to Benguela, some as far as Gabela, and expected only to go home after the main course. They refused to undertake further training. The Group of 17, were pardoned for their defiance of military orders, but were ultimately sent to Quibaxe, a new training centre to the north.

Subsequently, some members of this group, reinforced with elements that had returned from further training in the Soviet Union and the then German Democratic Republic were tasked to set up another

camp known as Fazenda. Fazenda literally means a small farm holding, which it originally was during the colonial era. It lies across Rio Dande. Fazenda in later years hosted the Survival Course that was intended to prepare those chosen for the rigorous demands of surviving underground within enemy-held territory. Cadres selected for membership of the Special Operations Units falling under the famed Barney Molokoane also undertook some of their sessions at Fazenda. (Originally, when the Special Operations unit was formed, it came under the direction of comrade Joe Slovo, but was commanded by Motso "Obadi" Mokgabudi and subsequently by Rashid Patel following the demise of Obadi during the Matola, Mozambique, raid by the SADF).

The conditions at Fazenda were rugged and unkind. Perhaps it was this, among other factors, which made inhabitants of Fazenda to at times feel that they were being dumped and that they could not be trusted by the army. Their perceptions

were reinforced in this regard by the fact that the initial membership included some members of the group of 17, as well as the fact that before the introduction of the Survival Course life in Fazenda was taken up mainly by political classes.

Life in Nova Katengue in the South continued apace. Upon graduation, members of the Moncada Detachment commenced various special courses including Anti-Aircraft and Politics. Out of the Politics course, was born the crop of cadres destined to set up the first Politics and Commissariat Departments. This was decisive in that, for the first time, the conditions had been laid for the replacement of Cuban advisors considering the fact that there was already in existence a large contingent of other qualified military experts who had been trained mostly in the Eastern Bloc. Indeed, when the majority of Umgwenya left for other missions in later years, MK had acquired the capacity for self-training, a capacity provided by the June 16 Detachments elements.

The attack on Katengue

The assault on Katengue by the apartheid military forces contributed and precipitated the relocation of MK training activities from the South to the North of the country. The year was 1979, a year during which the ANC announced a three-year programme of armed propaganda and mass-mobilisation. The programme was ushered by the designation of 1979 as the Year of Isandhlwana-The year of the Spear in celebration of the Centenary of the Battle of Isandhlwana of 1879.

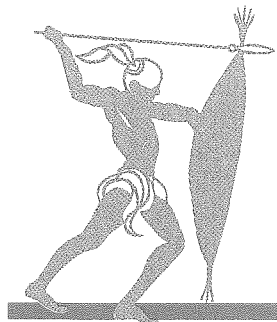
The announcement came on the heels of what is

now known in the annals of liberation history as the Battle of Mochaneng, when, a small unit of MK got into a meeting engagement with the SADF in Rustenburg in the Western Transvaal. The battle lasted for four hours. Several SADF soldiers were wiped out by MK during that battle.

The MK cadres, who had lost only one member, retreated for more than 200 kilometres before reaching the border into Botswana. According to sources, in an unguarded moment, an SADF officer suggested that one MK soldier was the equivalent of ten SADF soldiers in battle. Press reports in South Africa then also divulged that since 1960, the banning of the Liberation Movement, state expenditure on defence

had multiplied from the initial figure of R44 million to over R1500 million. The enemy was preparing to launch a Total Onslaught, which meant that the regime had acknowledged to itself the need to fight the war in the

The camp resembled a city visited by ruins, a city whose age could have been mistaken for centuries.



diplomatic, political, cultural, economic, military, psychological and intelligence spheres for the very first time.

Word of the impending attack on Katengue had been circulating for some time. It was further strengthened by the attack, the previous year, on the SWAPO refugee camp at Cassinga, Southern Angola, where the apartheid military machine massacred children and old women in their hundreds. The outrage subsequently came to be known as the Cassinga Massacre. In the circumstances, Katengue took measures against the possible eventuality despite not knowing the form it would take.

After receiving intelligence reports about the preparation to attack Katengue, the routine of the camp was changed. Every day the detachment emptied camp in the morning hours before dawn and retreated to sanctuary into the mountains. They left behind only sentries manning the defence and the anti-aircraft gunners securing the air-space.

The enemy planes arrived on the 14 March 1979. The attack was, apparently, synchronised with a radio broadcast by Radio South Africa as though in an act of mockery on Africa. Just as the announcer's voice came on the air: "Good Morning Africa, this is Radio RSA" the planes were there!

"They were four," recalled Sipho, otherwise known as Chapeu, one of the survivors. "We were standing sentry under the bridge where we had been since 04h00 in the morning after leaving camp. When we saw them that morning, they were still far and appeared no different from birds. We argued, with others saying they were birds. No birds, they are planes. No, birds! We took them for birds."

The outposts on the perimeters of the camp had spied them too and radioed the guard house. The latter, cautious not to give rise to a false alarm, queried the alarm. Then the Canberras were on the camp in no time. "They came from the South," recalls Jackson Soni, known by everybody as Killer. "The Canberras led the way, they held security, while the mirages came behind with their loads. They came above the wedge in the mountains like they were falling from the sky". They swooped down upon the workshop and when they lifted, hundreds of many kilograms heavy of bombs were raining down.

The workshop went up in flames together with its dump of fuel. The store of two hundred litre drums buried underneath the workshop exploded into an inferno, the likes seen only on movie screens. A cloud of soot and smoke hung upon the camp. Then the bombs rained on the parade ground, HQ and the stage. Nomkhosi Mini, known by all as Mary, and daughter of Vuyisile Mini, was caught in the house where she had apparently returned to fetch something. She ran out amidst exploding loads and shrapnel and made it just in time into a dug-out.

One cadre had remained sleeping in the dwelling when others retreated. He awoke to the havoc of bombardment and came out. He was running in the open, heedless to Mary's screams calling him to the dug-out. The planes bore down on him its machine-guns ploughing a trench on his prints. He was not lucky and bought it with his life. A Cuban comrade lost his life too. Another comrade was spliced by a big splinter from a 300-pounder bomb and died on the spot.

High in the mountains two anti-aircrafts guns were coughing and stuttering fire; one defender armed with a SAM-7 (Strella) experienced problems and wasted precious minutes before rejoining the defence to repulse the birds of death. The fighters on the ZGU anti-aircraft guns fought until one of the planes was hit. It was seen reeling and spinning in the sky until it disappeared to its grave in the depth of the Atlantic Ocean in the West.

The cadre who shot the plane, Petrus Mashego or Shoes to everybody, would later be sentenced to death by the apartheid regime, after successful infil-

tration and operations in the country. Several years later his sentence was commuted and he was sent to the Island.

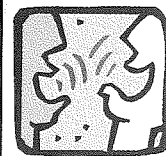
After the attack, the detachment came down from the hills. Katengue had been leveled to the ground and everything they had known lay in heaps of rubble. The camp resembled a city visited by ruins, a city whose age could have been mistaken for centuries. Some missiles lay unexploded on the ground. Later, the enemy claimed to have destroyed a "Cuban Missile site" based in the South of Angola.

It was clear that the enemy planes had intended to catch the detachment that morning at parade. They seemed precise about the coordinates of the camp and the time the detachment were massed. Another Kassinga had been avoided. However, the true facts regarding the exact source of enemy knowledge would again only be known years later. After the bombardment, Katengue could be of no more use to the detachments and the army moved North.

This was the year of the Orlando Police Station attack inside the country and the arrest of James Mcedisi Mange, whose exploits and manipulation of arms forced the enemy officers to concede being out-classed. He was sentenced to death in a Pietermaritzburg Court, but vowed, "Never on our Knees". His comrades outside were inspired by his stand of "No surrender" and vowed, "Woe betides Pietermaritzburg, should the blood of James Mange flow, it will drown both man and animal. Wa u thinta Umkhonto!"

Katengue was no more; it would live in the spirit and blows of MK to be visited on the regime. In the cultural sphere, Katengue had bequeathed a beacon, the Amandla Cultural Ensemble, which was destined to be the cultural ambassador of the struggling people of SA throughout the world. Amandla made its first appearance on the world stage at the World Youth Festival in Cuba in 1979.

PART 3, which focuses on Umkhonto we Sizwe during the 1980s until its incorporation into the South African National Defense Force (SANDF) in 1994, will be published in the next edition of UMRABULO.



Tloga Tloga: Factionalism

A counterrevolutionary tendency

By Rudolph Phala

Introduction

On 8 January 2002, the ANC celebrated 90 years of existence on the soil of South Africa, 90 tough years of struggle and sacrifice, years of renewal, pride, revolutionary practice and illuminating glory. In the previous few years, at least since the April democratic breakthrough in 1994, the ANC has been bedevilled by something foreign to its nature, mission and practice. The enemy within has grown to threaten the life of the entire body. A phenomenon called factions grew into strong force that threatened structures of the ANC in a number of regions and provinces. While cabals may have existed in one form or another during its history, this new phenomenon was frightening.

In the run-up to the 1996 provincial conferences there were problems in a number of provinces including Free State, Northern Province, North West, Gauteng and Kwazulu Natal. Internal leadership wrangles were fuelled by the media, by allegations of this or that misdemeanour against comrades and others by factions fighting for turf in the provinces. These frictions have since resulted in elected structures of the ANC being dissolved and replaced with appointed interim leadership in the Northern Province, Free State and Gauteng, while Mpumalanga needed national intervention. On many occasions, factions were at the centre of these internal leadership wrangles.

The causes of factionalism

Factionalism is caused by a number of factors including, amongst others, the following: -

a) Stifling of political discussions: When political discussion is stifled within structures of the movement, comrades will start to discuss issues of the organisation outside these structures. The strength of the organisation is in the expression and contest of honest views and ideas. The value of this tradition in the ANC is that any position adopted, after all ideas and views points have been expressed, can be regarded and becomes the approximation of the cor-

rect and most appropriate view at a given point in time.

b) Inability and/or inexperience in understanding the responsibility of dual membership: Today, both the ANC and the SACP are legal organisations. We have many comrades who are members of both the ANC and the SACP, and many other Alliance and MDM formations concurrently, who do not know what to do, what not to do and when, under the circumstances of dual membership and multiple mandates.

In some instances you find a person behaving as if s/he is a representative of the ANC in an SACP meeting and vice-versa, and labelling comrades for expressing their honest views on an issue in that meeting. Some comrades will even go out of the meeting to tell others who weren't in the meeting that "mangmang is a rightwing or sell-out nowadays, s/he was saying this or that in this or that meeting". They will mobilise for divisions within the movement in this destructive and divisive manner and through rumour-mongering. In our view, part of the problem in this regard has been that we have not adequately dealt with the important question of how in practical terms the ANC provides leadership to the Alliance after 1994.

c) Not expressing one's honest views in meetings of the organisation: Another way in which factions emerge is when comrades do not express their views in meetings, but speak outside the constitutional structures of the ANC. They choose to express those views to the people who are not members of that structure and in fact report to them on deliberations of the meeting and finally stick to a mandate of outsiders, not a structural organ of the ANC. They are of course making themselves accountable to a faction. This weakens the constitutional structures of the movement and makes it very vulnerable. The ANC constitutional structures are then paralysed by shackles of factions. They are held ransom by all manners of rumour-mongers, tale-bearers, liars and turncoats.

d) Allegations of corruption and maladministration: In some provinces where factions have had a field

day, they arose partly because of unsubstantiated allegations of corruption and maladministration against some comrades in government. Such allegations included nepotism, favouritism and corruption. Some comrades who were regarded as being in the good books of national leadership lost their positions in leadership contests, because the leadership were said to be turning a blind eye to these allegations. It is therefore necessary that we have mechanisms in place to investigate and decisively dealing with corruption, both real and alleged.

e) Rank opportunism and get-rich-quick careerism: A major factor which overshadows everything else has of course been the opening of new opportunities and possibilities as a consequence of the 1994 democratic breakthrough.

In a key discussion document around these issues the NWC has this to say: "Because leadership in structures of the ANC affords opportunities to assume positions of authority in government, some individuals then compete for ANC leadership positions in order to get into government. Many view such positions in government as a source of material riches for themselves. Thus resources, prestige and authority of government positions become the driving force in competition for leadership positions in the ANC.

Government positions also go hand-in-hand with possibility to issue contracts to commercial companies. Some of these companies identify ANC members that they can promote in ANC structures and into government, so that they can get contracts by hook or by crook. This is done through media networks to discredit other leaders, or even by buying membership cards to set-up branches that are ANC only in name.

Positions in government also mean the possibility to appoint individuals in all kinds of capacities. As such, some members make promises to friends, that once elected and ensconced in government, they would return the favour. Cliques and factions then emerge within the movement, around personal loyalties driven by corrupt intentions. Members become voting fodder to serve individuals self interest". (*Through the eye of a needle* - Umrabulo no. 11, June-July 2001).

The document has a frank appraisal of the leadership questions facing the movement and should be welcomed.

Negative consequences of factionalism

We can talk at length about what causes factions and the fertile conditions for the germination of factional tendencies. The phenomenon of factionalism is essentially counter-revolutionary, because wherever and whenever it exists, it continues to have dire consequences for the movement, wreaking havoc on its structures, culture and strength.

The negative consequences that resulted from the phenomenon of factionalism include the following: -

- Opening the movement up for attack by all manners of political scavengers.
- Divisions at leadership level tend to permeate to lower structures, with the consequent paralysis of the entire organisation.
- Lack of consistent, cohesive and able leadership capable of giving political guidance to the movement and its members and cadres, and the subsequent lack of confidence by lower structures in the capacity of provincial leadership to lead the movement.
- Senior leadership levels (PEC, PWC, and office bearers) characterised by inability to take decisions and implement them.
- Members of the leadership structures accountable to people outside those organs.
- Lower structures (regions, sub-regions, zones, branches, block committees) seen as sphere of influence of the factions, which weakens the capacity of the organisation to function as a united movement.
- A tendency of defying decisions of the organisation, and without any action being taken in such instances.
- Conferences, particularly regional and provincial ones, characterised by stiff leadership battles and divisions with little or no political discussion or programme of action.
- Creation of branches that are ANC in name only so that a conference is composed of voting cattle. Buying bulk membership, even for dead people in some instances, is one way in which voting fodder for conferences is manufactured.
- Some comrades when they are defeated in the ANC go to form a branch of SACP or SANCO, and will want to use that structure to fight those who defeated him/her in the ANC. This becomes prevalent particularly in the run-up to conferences or elections of MPs, MPLs and councillors.
- Factions thrive in a situation where there are all manners of rumours about comrades, and the level of mistrust and suspicion is high.
- Some individuals mortgage the movement in pursuance of their own personal agendas. They promise business-people tenders in exchange for this or that favour. In turn business-people "help" them win positions in the ANC.
- Using positions of responsibility and authority (especially in government) to dispense patronage and create a support base. As a result, unsuitable or unqualified people then get appointed to positions or jobs as beneficiaries of factions.
- The case of you scratch my back, I will scratch yours, in the event of provincial/regional conferences, where branch delegates are merely treated as voting cattle and candidates are voted for on the basis of their faction and not merit.
- Reduced participation in the movement amid sharp increase in "paper membership". In such cir-

cumstances, the ANC support in general declines as a consequence of the intra-organisational leadership disputes.

Some of the problems we have encountered in the previous few years have obviously been contributed to by of the work of the "enemy" – those forces that we defeated in the 1994 elections. We should not under-estimate their ability and intention to carry out the transformation of the ANC into a regressive, corrupt, parliamentary political party, which has lost all its progressive revolutionary content. Having failed to kill the ANC from outside, they would want to kill the ANC by its own hand. These forces want to do to the ANC what they did to other revolutionary movements in Nicaragua, Guatemala, Algeria and Guinea Bissau.

Let us recap

Since 1996, the NEC has been forced to intervene in a number of provincial leadership disputes. The Northern Province, Gauteng and the Free State were the worst hit, followed by Mpumalanga, and the North West. In some instances, factions were so entrenched that that they even glorified themselves with names such as Mapogo and Mkhukhu in the Northern Province. This clearly cannot be allowed.

Part of the reason why these problems were so concentrated in the Northern Province is that it is one of the provinces with a rich history of resistance and consistent support for the ANC. It has consistently given the ANC the biggest majorities in all national, provincial and local elections.

To amplify this further, it is a province where the ANC, its leagues and Alliance partners are the biggest of all in the country and as a consequence had the biggest voting representation to National Conference, the highest decision-making structure of the movement (see Table A). When all is said and done, the hand of the enemy is as busy in the Northern Province as elsewhere, because it is the home of the movement.

The agenda of our enemy includes amongst others

Table A: Provincial representation at the ANC 50th National Conference (1997)

Province	ANC (1997)
Northern Province	430
KwaZulu Natal	408
Eastern Cape	391
Gauteng	372
Free State	320
Mpumalanga	251
North West	234
Western Cape	198
Northern Cape	105

weakening the ANC from within by transforming it and demobilising its mass base. By the enemy we refer to those forces that still want to cling to the exclusive benefits of minority rule, which are fundamentally opposed to transformation. The ANC is the main vehicle in the hands of the people of South Africa to carry through this mission of transformation. The advance, the deepening and the defence of the national democratic revolution is an immediate threat to them. The ANC is thus a threat to them.

What is to be done?

The principal questions remains what must be done, not to play into the hands of this agenda. There are many things that the movement has done in the past few years to deal with this problem and focus the ANC on the task of transformation. Amongst the things that need to be restated and re-emphasised are: -

- The NWC discussion document (Through the eye of the needle) could prove very effective as the basis for debate about leadership questions in the movement.
- Emphasising the primacy of the ANC branch as a critical organ of the movement, in which members participate without hindrance. This task includes building branches that involve members in activities, raise their political consciousness and are a dynamic link with the masses. The ANC branch is a place where members must put to use their skill, energy, political insight and experience.
- Strengthening and practising the principles of internal party democracy within the ANC such as elected leadership, collective leadership, mandate, accountability, recallability, report back, consultations, criticism and self-criticism and democratic centralism.
- While we must continue to tirelessly educate and politically nurture even the most incorrigible within our movement, we need to also be seen to take action against those who deliberately transgress ANC norms, rules and codes of conduct.
- The new membership system should go a long way in helping us to deal with the erstwhile problems of ghost members, branches, delegates and votes. It will immediately deal with multiple membership of one person in more than one branch and graveyard branches. The realignment to one branch per ward will also help a great deal in that the number of branches will be fixed and cannot mushroom in the run-up to conferences.
- Dealing quickly and decisively with allegations of corruption and corrupt practices by members and leaders of the movement.
- Implementing our cadreship development and deployment programmes as central to the task of ensuring that the ANC remains a people's revolution-

ary movement for transformation.

- Taking seriously the induction of new members and structures of the movement to the values, norms, practices, constitution, history and politics of the ANC. This will help to ensure that other forces don't mislead members and structures.
- Above all, to deal with factions requires ongoing political work and putting politics first in dealing with problems of the movement.

Conclusion

If we consistently apply ourselves to building the organisation by putting into practice the above, the movement may in the long run be unshackled from the paralysis of factions. Many of our comrades don't understand that leadership is not only from the front but also from the back and that we need to deal with

trouble-makers, rumour-mongers and tale-bearers, politically.

An ANC member must behave in an exemplary manner - honest, disciplined, loyal, decisive, striving for self-improvement, lead by example and reinforce the confidence of the people in the ANC. This includes transforming every person who joins the ANC into a New Person, who is imbued with new ideas, values and ethos.

Part of this task is to practise what we preach. Justice and fairness must not have eyes; we must always strive to be even-handed in handling affairs of the movement. We must not be seen to be biased and taking sides particularly in leadership disputes.

Rudolph Phala is Secretary for Political Education, ANC Limpopo Province

Breathing life into the 'Tloga Tloga debate'

A response by the ANC Youth League Limpopo Province

A Necessary Prelude

The fundamental task of organisational leadership everywhere and every time is nothing else but to unite the rank and file, including the collective. The liet motif of the organisation is to serve as a condition for the attainment of the victory of our own revolution, nothing less. It is important that we do not indulge in activities that have the potential to harm endeavors aimed at realising the objectives of the NDR project, thereby rolling back hard-won gains.

In the spirit proclaimed by Chinese revolutionary, Mao Tsetung, to "let a hundred flowers bloom, let a thousand schools of thought contend", this paper will attempt to get to the bottom of factionalism, as a phenomenon that has engulfed our movement, and the ANC in particular. It will assist in identifying 'flowers' and not countenance 'poisonous weeds'.

This matter has been subjected to vigorous debate by the ANC YL as the preparatory political school of the ANC and by the ANC itself. The problem of factionalism has tended not to be subjected to open and robust discussion and debate, by the leadership and membership alike. Only recently, when structures were dissolved, did it become topical within the movement. Unfortunately, the lower structures of the movement are not adequately brought on board in this debate.

This paper comes just after an embargo was lifted on Cde Rudolph's Tloga Tloga document, which attempted to identify the cause, form and content of factionalism.

This paper seeks to take forward this debate and to contribute to the contest of ideas.

It will attempt to debunk and demystify the basis upon which tloga tloga bjalo ka seema argument is based.

Taking issue with the tloga tloga argument

Cde Rudolph paints the picture, by arguing that since 1994 the ANC has been "bedeviled by something foreign, which has grown to threaten the life of the entire body". The paper further states "the enemy

we defeated in 1994 wants to kill the ANC by its own hand". Who is the enemy, in this context? Is it corrupters, factionalists or what? What about those in a position to sanction corrective and punitive measure - using both internal party processes and state processes?

The paper contends that "by the enemy, we refer to all those forces which had a minority rule, who are fundamentally opposed to transformation". However, it falls short of demonstrating how this identification of "the enemy" relates to the problems and challenges faced by the democratic movement at the current conjuncture.

The paper correctly asserts that factions rear their ugly heads when "discussions are stifled and suppressed" and therefore giving comrades no room to express views and perhaps grievances; instead they speak to non-members and outsiders. The real question is why comrades decide to remain mum and do not feel free to express their views within the structures of the movement.

The paper opts to turn a blind eye rather than to address the suppression of comrades in meetings, workshops, congresses and so on. This often takes the form of exceeding the boundaries of democratic centralism. Debate is also suppressed because those who are guilty of acts of corruption or other misdemeanors, fear exposure or that it will open a can of worms too difficult to deal with.

As a solution, the paper suggests the banning of debates outside organisational structures. This in itself would be anti-debate, because the very basis of umrabulo includes group discussions, study circles and indeed engagement between comrades at any given opportunity as critical tools of imparting education and politics.

Notwithstanding the above, we should not allow the exchange of ideas and arguments to be substituted with gossip, slander or character assassinations. As Leon Trotsky said: "...rumours, personal speculation and simple gossip cannot help but occupy an important place in petty bourgeois circles where people are bound together not by party ties but by personal rela-

tionships and where no habit has been acquired of a class approach to events".

There is indeed the tendency in our ranks for comrades to be far less interested in the principle question facing our revolution - of bettering the lot of our people's lives - than in who should be the chairperson, personal conflicts and all sorts of wanton financial adventures for selfish personal gains.

Cde Rudolf in his paper calls on all comrades, including senior leadership at provincial level and above, to be even-handed. "Justice must not have eyes", he submits. However, it is near impossible to be referee and player at the same time. The reality of the matter is that comrades within leadership collectives, RECs, SECs and BECs and PECs in particular, are the very ones that sacrifice the implementation of conference resolutions and decisions at the altar of shielding one another. We are in fact expecting a person implicated in a wrongdoing to form part of processes aimed at addressing such wrongdoing.

These processes then inevitably result in the stifling of issues, silence on the part of participants and one sidedness. Comrades thus execute and implement the opposite of what the collective agreed upon and fail to root out maladministration, corruption and all sorts of other acts of misconduct; fundamentally undermining the foundations of our organisational policies.

To say that factions "arose partly because of allegations of corruption and maladministration against some comrades in government" sounds like a superficial justification. Again the paper does not fully explain this aspect. The truth is that there are some in our ranks who at this point are merely driven by their eagerness to accumulate capital as quickly as possible. They are content with their own fiefdoms and laagers. Given a modicum of experience in struggle, factionalists are easily recognisable not only by their social traits but by their approach to all questions.

The essence of tloga tloga - issues of leadership

A discussion that omits to give proper meaning to this treasured idiom will be seriously flawed, particularly when it comes to issues of factionalism and measures aimed at addressing it. In its original form, the idiom is called 'tloga tloga kgale, modisi wa dikgomo o tloga natso sekeng'.

Because we are here not merely talking about members and structures as voting cattle, we are thus saying that 'modisa wa dikgomo' who fails to lead them from the onset will not now and in future, be able to marshal and command confidence on the part of dikgomo to lead them. The cattle will either defy modisa through kicking and horning, get into mase-mong a batho or as a last resort, disappear into thin air and be lost.

The flip side of the coin is that some cattle will see things differently, opting to comply unquestioning

and blindly. Within this 'complying type' you'll have some loafers and slackers, who are there to manipulate modisa and the rest of mohlape. In organisational terms, it wouldn't be wrong to call them 'armchair politicians'.

Modisa can utilise an assortment of ways and instruments to sway control and stamp authority, whether lawful or unlawful. Amongst the 'kicking and horning type', you'll find dikgomo tse dumelang gore modisa o di isa tseleng ye e seng yona. They will insist on pursuing a route, which they think every cattle will follow, because it has nothing to lose but its yoke. This route will see the rest of dikgomo getting green grass, clean water, mohlakatse, a better shelter and of course a better life for all.

Of course, the availability of 'greener pastures' will remain a central determining factor regardless of the style of leadership provided by modisa. You will then begin, bjalo ka Modisa, to categorise your herd of dikgomo into mohlape wa gago bjalo ka 'diflowers' as complying type and the kicking and horning type will be depicted as poisonous weeds.

The problem is that 'modisa wa dikgomo' became so indecisive and vacillated ka go palelwa go tswa natso sakeng. The idiom captures a fundamental quality of leadership - in addition to honesty, discipline, accountability, consultation, and ability to be above petty squabbles - namely the quality of decisiveness. Flowing from this is the mala-fides and bona-fides of decisive action. Decisiveness in leadership should be exercised with honesty and openness and served to advance the cause of the poor, women, working class and all of the motive forces. It should not erode the organic link between the organisation and its social base, nor reduce the masses to being spectators.

A central task of revolutionary leadership is to initiate, invite, seek and strive for the unity of the rank and file. The idiom is therefore a clarion call to all badisa and leaders alike, to rise to the occasion and act decisively at given moments and times so that dikgomo do not go astray.

The idiom further propagates honest study of concrete conditions by the leadership collectives at a given point in time. What then happens when a diagnosis of problems is made? Leadership, after merging and taking account of all ideas and submissions, must decide on a way forward that will provide a guide to action. Such action has to be at the right time and level of the organisation, before a problem transcends to other levels, where it can become toxic to the lifeblood of the organisation. Indecisiveness is harmful to a revolutionary collective, it is a corrosive that eats away unity, undermines cohesion, causes apathy and creates dissension because 'mistrust and suspicions' is rife, as Cde Rudolph correctly asserts. How else does one explain the so-called apathy and disgruntlement amongst young people when facing another round of elections?

What then is factionalism?

At one stage Cde Winnie Madikizela-Mandela asserted that it does not warrant an Oxford Dictionary to define factionalism as a group, division, section or a bloc of people within the main body who hold a different view, believes, ideologies and so on. Most organisations and movement have some forms of tendencies or factions – for example Sinn Fein and the IRA, Hamas and Islamic Jihad within the PLO, Al'Qaeda within the Taliban and so forth. In Russia, you had the Bolsheviks and Mensheviks within the RSDP before the Great October Revolution. Some tendencies or factions within movements are entities that operate independently. Some express a body or bodies of opinion within a movement such as references to radicals and moderates, hawks and doves, democrats and conservatives and so on.

Through its evolutionary stages (before the banings, in exile and underground), the ANC has experienced these kinds of tendencies, most of which were fundamentally ideological in form and content. The 1930 ANC National Congress saw Josiah Gumede being ousted as the President as some 'conservatives' and 'chiefs' feared radicalisation of the ANC and did not want to be ruled by a 'man who milks their cows'. The PAC breakaway in 1959, the expulsion of Group of Eight led by Tennyson Makiwane in 1975 and of course the Quattro mutiny are some stark examples. It is important to reflect on these historically important incidents to fully grasp the tendency of factionalism, as it exists currently within the body politic of ANC

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The root cause of factionalism

Every new stage of development, every increase in the party ranks and the continuing complications of the methods of struggle in every phase open up not only new possibilities/opportunities but also new dangers for the ANC. Amongst the dangers of the period after 1994, because we now have access to power and resources, is the fact that the ANC is vulnerable to comrades becoming loose canons, regrouping in factions and transgressing the ethics and norms of our revolution. Even those trained in the most advanced revolutionary schools, often display a tendency to free themselves from organisational discipline.

Cde Rudolph mentions a plethora of factors such as stifling of debate, misunderstandings on the working of the Alliance, allegations of corruption and so forth that contribute towards factionalism. While agreeing that these factors do play a role in the emergence of factionalism, this paper firmly argues that factionalism in the current phase is wholly and singularly caused by corruption. The primary cause of factionalism in the South Africa liberation movement today is nothing else but corruption and greed. All other fac-

tors mentioned emanate from this.

Corruption, divisions and factionalism complement each other. At the centre of this is the unresolved question of ownership of the means of productions and power relations. Hence the scramble for power, state resources and its resultant consequences.

There exist therefore situations at various parastatals, departments as well as municipalities where comrades regard these structures as their own fiefdoms. Party caucuses are for selected few, awarding of tenders and contracts are fraught with irregularities and so on. Basic organisational policies, due processes of law and, to some extent, constitutional provisions including the ANC code of conduct, are flouted to pursue personal interests and undue enrichment.

The questions that really face us in dealing with this phenomenon are: Why do we lack the clout and courage to act against these perpetrators and transgressors? Why do we allow these corruptors to go on scot free? Why do we tolerate sloppy investigations and further fail to implement recommended actions? And why do we allow all of these to happen in the bright of daylight before our eyes as activists, leadership, bureaucrats, and officials?

Our problem – individually and collectively – seems to be the guts to act. As a result, corruption is perpetuated and the evil of factionalism thereby preserved.

Cde Rudolph mentions a shopping list of measures needed to 'unshackle the movement from the paralysis of factions'. While concurring with these measures, it is important to open up and confront issues of governance if we are serious to turn around this sordid state of affairs. This becomes necessary because factions are embedded and stem from wrangling for control of state resources as a basis to dispense patronage and mortgage the movement in pursuance of personal agendas.

Conclusion

The movement must consider, among others, some form of demobilisation and rehabilitation of these factions. It must take into account that a lot has been invested in some of these comrades and throwing them away will not serve as a sustainable solution to the problem.

The ANC should therefore leave no stone unturned to deal with these tendencies, lest it gradually drifts into a bureaucratic and managerialist parliamentary party. Much worse, it may also lead to organisational degeneration and stagnation; and marginalisation from its revolutionary trajectory. It will be to the delight of those who have an interest in seeing the national democratic revolution fail. The likes of Tambo, JB Marks, Hani, Slovo, Mzala, Maphanga, Nchabeleng, Bachana Mokoena and others will look on us from their graves in utter disgust.



The motive forces and the NDR

Some critical thoughts on the NDR

By Christopher Malikane

The aim of this paper is to interrogate some critical issues regarding the current phase of the NDR. The motivation for this paper is not only the tensions that have recently characterised the relations within the Alliance, but also a level of vagueness, or perhaps disagreement, on who constitute the motive forces of the NDR. This disagreement is tied to a deeper problem of analysing the principal contradiction that defines a particular phase in the unfolding process of social change.

The best way to approach this question is to state upfront that this paper will not deal with the GEAR controversy, and its associated sister controversy on the restructuring of state assets. However, this paper will show how the manner in which current debates are framed, undermines the very concept of a National Democratic Revolution, and actually fosters secondary contradictions.

Principal and secondary contradictions in the South African social formation

In *The Road to South African Freedom*, the SACP argued that "as its immediate task the SACP works for a united front of national liberation. It strives to unite all sections and classes of the oppressed and democratic people for a national democratic revolution to destroy White domination. The main content of this Revolution will be the liberation of the African people."

This formulation of the main content of the national democratic revolution became the hallmark of subsequent theoretical developments of the Congress movement. Its further application is discernible in the historic 1969 Morogoro resolutions, which actually formalised this conception of the NDR in the ANC.

To say that the revolution in South Africa is national democratic is to reach a conclusion, which implies an analysis of the character of the socio-economic formation. South Africa's social formation was characterised in the historical papers of the movement as a colonialism of a special type (CST). Because the

concept of colonialism does not specify the nature of class relations it was important to move beyond the form of the social formation to its content. Colonialism of a special type was found to be perpetrated by a capitalist class. This class came to be known as "white monopoly capital".

The movement was also clear that in general, capital couldn't exist without wage-labour. The African working class formed the major material basis for capital's expansion. It was thus critical that this class be mobilised for two reasons. It is strategically located at the point of production and the majority of the African people belonged to this class. Thus, the liberation of the African majority seemed to be doubly determined. The subsequent theoretical development of raising the gender dimension gave the movement a richer insight into the problems of the South African revolution. However, there needed to be an understanding of the structural relationships between the race, class and gender dimensions of this revolution.

Such an understanding is impossible without specifying the determinant and dominant aspects of the South African social formation. The movement characterised the principal contradiction in SA as between apartheid colonialism led by white monopoly capital on one side, and national liberation led by the black working class on the other side. The class aspect is determinant, and the national aspect dominant. The gender dimension was found to be dominant in both the class and national aspects because black women suffer the most oppression and exploitation. Because of the colonial nature of oppression and exploitation, the revolution assumes a national character hence it was called a national democratic revolution. And so the principal contradiction in SA is the NDR because it involves a struggle of opposites.

A critical look at the NDR shows that it is made up of compound aspects. Apartheid colonialism was perpetrated not only by white monopoly capital, the struggle for national liberation was not only waged by the black working class. The dominant aspects of the principal contradiction are white monopoly capital

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and the black working class. This concept of the "dominant aspects" of the principal contradiction is different from the concept of the "principal aspect" of the principal contradiction.

The concept of the "dominant aspects" of the principal contradiction is crucial because it implies that there are subordinate aspects of the principal contradiction. For example the petit-bourgeoisie, by virtue of its location in the economic structure, cannot be the dominant aspect of the principal contradiction. The dominant aspects are the classes that define the dominant mode of production in a social formation. However, not all sections of these classes are in the dominant aspects. This latter qualification is a reflection of the character of the revolution.

Thus, secondary contradictions in the NDR are those involving the dominant and non-dominant aspects in each of the poles of the principal contradiction. This means that the contradictions between the black petit-bourgeoisie and the black working class are secondary not only because the relations between these two social categories do not define the mode of production, but also because the colonial situation defines the national character of the revolution.

The contradictions between the black bourgeoisie and the black working class are also secondary. The dominant contradiction, within the framework of the national liberation struggle, is between the black working class and white monopoly capital.

It is within this understanding that the Alliance maintains that the content of the NDR is the liberation of black people in general, Africans in particular. And that this liberation struggle is a function of a united front of classes, each class having its own interests in the national liberation struggle. Among these classes is an aspirant bourgeoisie, which stands to gain by the subsequent dismantling of white monopoly of the economy. It is thus the basic, fundamental premise of the theory of the NDR that the national factor dominates and the class factor is determinant.

The question which then confronts us is how the liberation of the proletariat can be compatible with the liberation of the aspirant bourgeoisie? Under what conditions are these two classes in conflict with each other in terms of their concept of national liberation?

These questions require a more critical appraisal of what a national liberation in the context where the majority of the oppressed are dispossessed is, and what this liberation implies in terms of the property-owning classes that are stifled by white minority domination of industry.

The question of the principal strategic contradiction today

Some of the recent, and crucial papers in the movement make the NDR to consist of principal and sec-

ondary contradictions. This does not only confuse issues, it also leads to a "theoretical multiplication" of enemies of the national liberation movement. To say that we are in a revolution is enough to indicate the existence of at least one contradiction. But to go further and say we are in a national democratic revolution implies that a dialectical analysis has been carried out and the principal contradiction that defines our revolution has been identified. To say that there is "a principal contradiction of the NDR" implies that besides white monopoly capital, there is another principal enemy of national liberation. Dialectics teaches us that in each and every phase of development, one and only one contradiction becomes principal and defines that phase.

The SA revolution moves in phases, each phase defined by the principal contradiction. The development of the principal contradiction in itself has phases, which are defined by which aspect is dominant in the principal contradiction. For an example in a context where white monopoly capital is on the offensive, the black working class is on the retreat and vice versa. This struggle of the dominant aspects defines the phases of the principal contradiction. And so, today we need to define which dominant aspect of the principal contradiction is on the offensive and which is on the defensive. On this basis we can go further to inquire into the factors at play and how such factors can be debilitated or enhanced.

The confusion about the nature of the current phase of the NDR also generates apathy in mass democratic structures. Mobilising the masses to be always in political action is not at all easy if the forces against transformation are not represented by one section of society, i.e. if the dominant aspects of the principal contradiction are not specified. What is even worse is when creating the principal contradiction in the NDR encourages secondary contradictions in the national liberation struggle.

As I have noted, creating a principal contradiction in a principal contradiction leads to a multiplication of enemies. Some recent papers argue that the principal contradiction of the NDR today is between those who want to stabilise capitalism along neo-liberal lines, and those who want to see a thoroughgoing national democratic transformation.

Take the neo-liberal black petit-bourgeoisie, I doubt whether we can call such a stratum the principal enemy. Or even more, take the black bourgeoisie, I doubt whether we can call such a class the principal enemy simply because of the colonial and neo-colonial character of the S.A. social formation.

However, some papers have now begun to equate the black bourgeoisie with the white one, sometimes to a point bordering on a denial of the existence of the black bourgeoisie. And so a transformation of the principal contradiction has been introduced - implying that we are no longer in a national democratic revolution. This encourages secondary contradictions, and strengthens white monopoly capital's grip

over the country as the motive forces turn against each other. If the main content of the NDR is the liberation of blacks in general, Africans in particular, there is no basis for equating the black and white bourgeoisies. The two are on opposite sides of the national democratic fence. To do so will be to encourage secondary contradictions and to divert subordinate aspects from bolstering the revolutionary dominant aspect.

The ANC may perhaps no longer be eager to mention officially that white monopoly capital is the principal enemy because of the need to mobilise foreign and domestic capital investments. Here, the imperatives of the ANC as a national liberation movement conflict with its character as a leading political party in government. This does not of course improve clarity of leadership.

On the other hand a critique of neo-liberalism in which the national democratic approach does not dominate, blunts the clarity of the NDR and serves to encourage secondary contradictions. The effects of these problems are now taking a toll on the movement, especially because the concept of NDR has grown to become second nature even to new recruits from other parties. No systematic attempt is made to think through the current conditions of non-expropriation of white monopoly capital as the basis of the contradictions in the motive forces.

What type of a bourgeoisie stands to gain in the NDR?

In the articulation of the economic principles of the NDR, it emerges clearly that the national democratic state should be a state that places at the centre of its responsibilities the interests of the working class. Not only because this class is "at the point of production", but because the majority of black people fall within this class. Thus advances and setbacks in the NDR must principally be appraised from the standpoint of the black working class because this class is one of the dominant aspects of the principal contradiction. This is not to say that the movement must be indifferent to black bourgeois advances and setbacks. The latter dynamics must be analysed from the standpoint of whether white monopoly is gaining an upper hand or not in its conflict with the black bourgeoisie. If white monopoly makes advances at the expense of any black group, the NDR is automatically under attack - and the black working class has to join in the fray against white capitalists.

This essentially means that our approach to the NDR must not be limited solely to the dominant aspects of the principal contradiction. Under conditions where the dominant aspects are in a stalemate or the black working class is under attack, the movement must identify spaces to advance the NDR by exploiting the subordinate aspects of the principal contradiction, not by unleashing secondary contradictions. In this context, the black working class will have to take the lead in influencing outcomes from these subordinate contradictions. This will ensure

the most democratic way of taking the subordinate contradictions to their conclusion and also build momentum to affect the balance of forces in the dominant contradiction.

For example, in the light of the fact that there is a neo-liberal attack on the black working class, it would be a mistake for this class not to engage in issues such as the merger between black and white businesses because the structure of the private sector is also important even in the context of a nationalising democratic state. This essentially means that the working class must not only show interest in the debate over restructuring of state assets, it must also show interests in the restructuring of the private sector. This is not on the same plane as a call for an industrial policy, which by the way is important. Rather the issue here is the working class should also equally question the ownership patterns in the private sector, march against white monopoly of the economy with the same if not more vigour as it would against privatisation and the "neo-liberal" restructuring of state assets. This is important because negative tendencies seek to elevate the private sector to lead the transformation process.

Even the notion of private-public partnerships makes no sense if the private sector is led by white monopoly capital on the one hand, and the public sector is led by the black working class led movement. Such a partnership notion denies the very NDR that we seek to advance because now the dominant aspects are thought of as possibly becoming partners in social transformation.

There is thus no way the working class can thoroughly address the national question without also making an imprint on the structuring of private capital. This is crucial because even in a nationalising democratic transition, private capital will interface with the state sector in varied ways. This is where the concept of a "patriotic bourgeoisie" comes in. This concept has to do with a bourgeoisie that is subordinate to "democratic dictatorship" and carries out its activities in line with the regulations of the democratic state. This political relation is what should actually characterise a mixed economy whose mention is massively scattered in the movement's historical papers.

However under current conditions the state does not own, and it weakens its ownership of certain monopolies. This casts great doubts on the class content of this policy and it also raises serious questions about the relation of forces within the motive forces. If we assume that the movement is working class led, then it is possible to think about a bourgeoisie that is subject to the policies of this movement, just as much as there is a concept of a private capitalist sector that is subordinate to the "democratic dictatorship" of the working class led democratic state. This then raises two questions.

The first question is whether the black bourgeoisie as it currently evolves is capable of being subjected

to the policies of a working class led movement. Experience shows that the policies by which the private sector is deracialised have been characterised by little or no influence of the working class, either because the change in the balance of forces within the motive forces or the working class has deemed it not part of its responsibility to enter the de-racialisation debate, or the working class has strategically tied its hands to a state-led approach in the context where it is not even at the leadership of the state.

The second question is whether the black bourgeoisie as it evolves is capable of being subjected to working class power, thus enhancing the working class in the struggle against white monopoly capital.

Experience shows that this is not the case. But does this then imply that the black bourgeoisie is the enemy of national liberation in the same way as the white bourgeoisie? If this is the case, then there has been a transformation of the principal contradiction and it is definitely no longer the NDR.

Conclusion

In conclusion, I have shown that it is erroneous to see the black bourgeoisie as the enemy in the same light as the white bourgeoisie. The question of whether the black bourgeoisie is part of the motive forces or not is one area of disagreement in the movement. It is very much at the heart of the strategic orientation of the national liberation movement. This question is also critical at a juncture wherein a radical programme of democratic state ownership is under attack. The movement cannot afford to be indifferent to the type of private sector that must be created. The movement must also interrogate the

subordinate aspects of the principal contradiction and place the working class at the centre of shaping the outcomes of these subordinate contradictions.

There is a need to distinguish between the principal contradiction and the secondary contradictions. The principal contradiction defines the character of the revolution, which in our case is the national democratic revolution. There is a need to distinguish between the dominant and subordinate aspects of the principal contradiction. The dominant aspects are composed of classes that define the dominant mode of production. These distinctions make possible the formulation of strategies based on a clear understanding of the current tasks and challenges of the movement.

Lastly, the relevance of the NDR is based on the failure by the movement to expropriate white capital. This situation may be rationalised by invoking the objective balance of forces internationally and nationally, and yet this rationalisation may in itself be a capitulationist subjective exercise. Whilst capitalism may have a field day internationally, the national basis of white monopoly power and its ability to "escape" expropriation needs to be interrogated. If white monopolies are not expropriated, then the resolution of the economic aspects of the national question fundamentally rests with the enemy. Indeed under these conditions we should expect no miracles outside a neo-liberal set-up.

Christopher Malikane is a SA Fulbright Scholar in the USA, completing a PhD in Economics.

Transformation of arts, culture and the New Person

By Morakabe Raks Seakhwa

"...The arts belong to that phenomenon of human existence called culture. Together with crafts, religion, customs and norms, and languages of the society, they create a situation in which the soul can sing, and sing louder to restore a social morality..."

President Thabo Mbeki

It is always a difficulty to talk about the transformation of arts, culture and creation of a new person without situating these within the real existing environment. It also helps to take into account the historical background as a pointer towards the likely panning out of these into the future. The above quotation takes care of the need to define what arts and culture mean here.

It is a firmly held view of the writer that, without arts and culture, a society is in a very poor state. Poorer still is that society if one of its quests is the creation or development of a New Person.

To transform the arts and culture and create a New Person assume that the other material basics must be in place. These are food, clothing and shelter, with others deemed superfluous until and unless the first three have been satisfied.

Our society is still emerging from a terribly divided past, both in racial and class terms. President Mbeki was recently quoted as having said our society or nation is divided into the rich white and poor black parts. The late Joe Slovo also spoke of our society suffering a colonialism of a special type: the colonised and coloniser being within the same bor-

ders but everything else similar to other classical colonialism.

If we accept these definitions of our society, then we must accept that, currently and in the immediate past our cultures have also suffered these. This, notwithstanding the fact that, because of our long history of living together, even though separately, there are very strong core cultural values and practises we all share.

How then are we hoping to see transformation on these fronts? One of the answers may be that a systematic, sustained and programmatic campaign needs to unfold. The driving force will, of course be government, but with civil society intervening and acting as agencies of delivery within and beyond the arts and culture fraternity.

It is with a measure of contentment that we witness our government already tackling some of the issues, through legislation of acts and support institutions both in funding and capacity building scenarios. To name a few, institutions such as the Pan South African Languages Board (PANSALB), National Arts Council (NAC), Business and Arts South Africa (BASA), Southern African Grant-makers Association (SAGA), Arts & Culture Trust of the President (ACT) and so forth.

To conclude, we need to as a society, and government in particular tackle the arts and culture with the same kind of focus and attention we give to other aspects of transformation, such as houses and jobs. This will include affirmative action in the arenas of funding and capacity building for the development of arts and culture. The creation of the New Person will be the result of the above.

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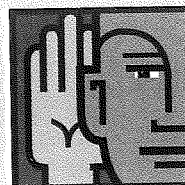
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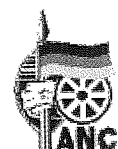
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