

alliance on its head. For that reason alone it is worth serious appraisal, particularly in the context of the special discussion documents prepared for their respective national conferences by the strategic theorists of the SACP and Cosatu.

The secession from the ANC in the late 1950s of the Africanists in protest against the perceived domination of the ANC by “white communists”, as well as the subsequent formation of the Pan Africanist Congress under the leadership of Robert Sobukwe in 1959, might be regarded as a precedent for a nationalist breakaway³. Unanimity of opinion on that is highly unlikely for several reasons, not least because the situation in the 1950s was vastly different for black people from their position in South Africa today, there were, of course, no industrial and mining and potential newspaper magnates of the calibre of Tokyo Sexwale, Patrice Motsepe and Cyril Ramaphosa.

A left-wing palace coup within the tripartite alliance and the ANC — remember many communists are dual members of the SACP and the ANC, as are some middle to upper-echelon Cosatu members — is one of the options explored in the SACP and Cosatu discussion documents released in May and June respectively, except that the documents do not refer to palace coups but, rather, to the restoration of working class hegemony in the alliance and the ANC.

The SACP discussion document, published in a special edition of the bulletin of the party’s central committee, *Bua Komanisi*, devotes space and time to the question of whether the SACP should devise a formula to enable it to contest elections under its own banner, instead of its candidates appearing on the ANC electoral lists with nothing to identify them as com-

munist to the public. It is premature to assume that the discussion document is the prelude to a move by the SACP to end its alliance with the ANC, particularly as an earlier central committee discussion document, prepared for last year’s special SACP congress in Durban, makes it clear that the SACP Central Committee is opposed to any move that would jeopardise SACP participation in the alliance⁴.

The earlier discussion document asks whether the party should contest

elections in its own right. The main tenor of its argument is that the communist leverage within the ANC, though diminished in comparison with its authority during the armed struggle, still translates “into a massive gain in SACP influence and capacity to impact upon the broader South African [polity]”⁵. SACP deputy general secretary Jeremy Cronin makes a similar point in an address in June 2006 to the Cape Town Press Club⁶. He notes that 73 of the 279 ANC members of Parliament are communists, a total that the SACP is highly unlikely to match if its decision to go it alone changes its status from that of an ANC ally (or auxiliary) to that of an ANC rival. The chances of SACP-ANC electoral contests are high if the SACP stands in its own right, as the SACP shares the same largely poor black constituency with the ANC. While contestation will hurt both parties, it is likely to hurt the SACP more: as the smaller of the two parties and as the one with far fewer financial resources than the ANC.

From the above it follows that the party leadership is, at the most, tepid about moves that might result in it having to fight elections under its own colours and with its own meagre financial resources, particularly if it finds itself locked in battle with the ANC. A closer reading of the discussion document, and of a summary of it presented to the National Union of Mineworkers by SACP general secretary Blade Nzimande⁷, offers a radically different description of the problem

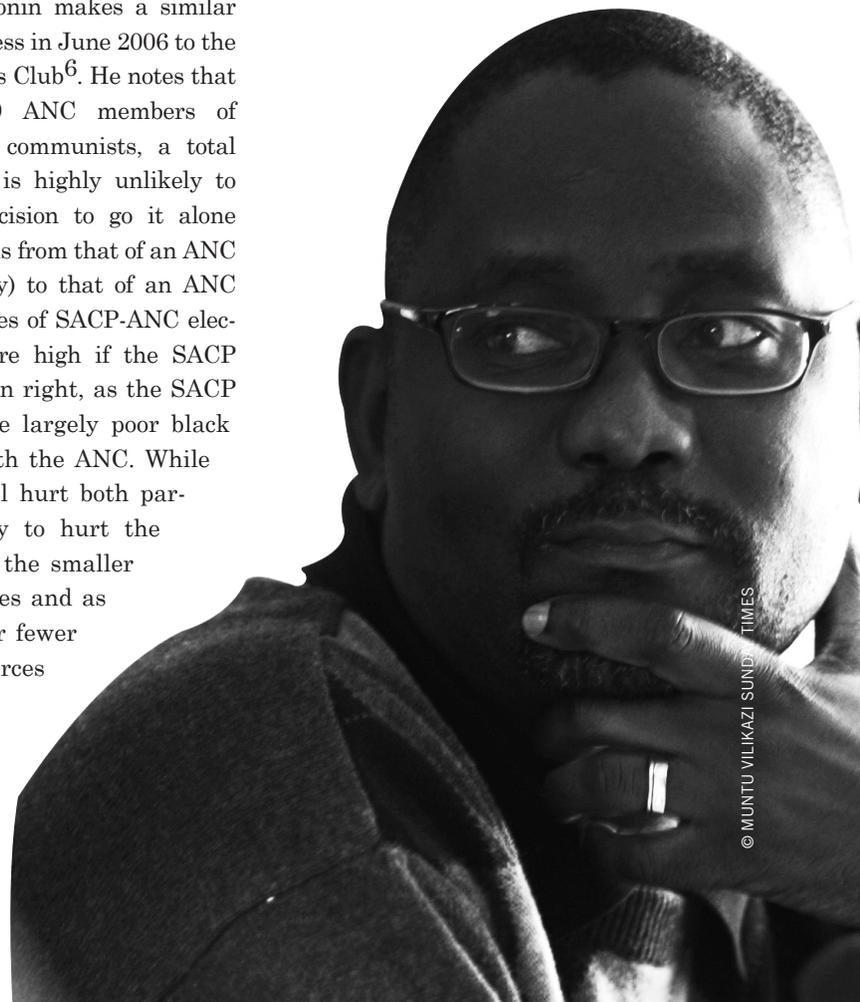
By withdrawing from the alliance, bourgeois nationalists could re-launch the ANC as a nationalist party or establish a break-away nationalist party

and advocates a sharply different course of action to remedy it.

The SACP sees the post-apartheid national democratic revolution as one in which there are strong elements of bonapartism and compradorism in the ANC.

The use of the label bonapartism refers to the

Cosatu General Secretary, Zwelinzima Vavi, detects growing authoritarianism in the ANC-controlled presidency



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French Bonaparte dynasty and alludes to strong presidential governance in South Africa. It is hardly flattering to the existing order since the two most famous Bonapartes, Napoleon I and Napoleon III, aspired successfully to attain the status of latter-day Caesars. It resonates, too, with the warning of Cosatu secretary general Zwelinzima Vavi of growing authoritarianism in the presidency.

Compradorist is an adjective derived from the noun comprador, meaning a native agent in colonial India or China who worked for foreign capitalist companies. In SACP-speak it implies that the newly

emerging black capitalist elite are the agents or, at best, the auxiliaries, of established white capitalists. Even less flatteringly, the compradors are equated with parasites in communist jargon: they feed off their white capitalist hosts. There is, however, one more element to the SACP portrayal of post-apartheid South Africa: the ANC government is depicted as being increasingly in league with the comprador capitalists and hence the capitalist establishment that emerged in apartheid South Africa, as well as the emerging (and well paid) black managerial class.

A salient result of the ANC-comprador-managerial alliance has been, in terms of the SACP paradigm, a shift away from the ANC's earlier sympathy for socialism and a consequent downgrading of the interests of the proletariat, and even the lumpen-proletariat, on the ANC agenda. In his address referred to above, Nzimande blames the recurring crises of "corruption, factionalism and individual careerism" on the ANC's ideological reorientation and, significantly, sees in it the explanation for the powerful upsurge of support for former deputy president Jacob Zuma at the ANC's national general council in July last year.

The remedy, in Nzimande's phraseology⁸, is an "offensive" against the axis (a word with fascist connotations) between the ANC, state managers and emerging black capital, behind which stands the old established capitalist class, which sullied its hands under the old apartheid order. The objective of the "offensive"

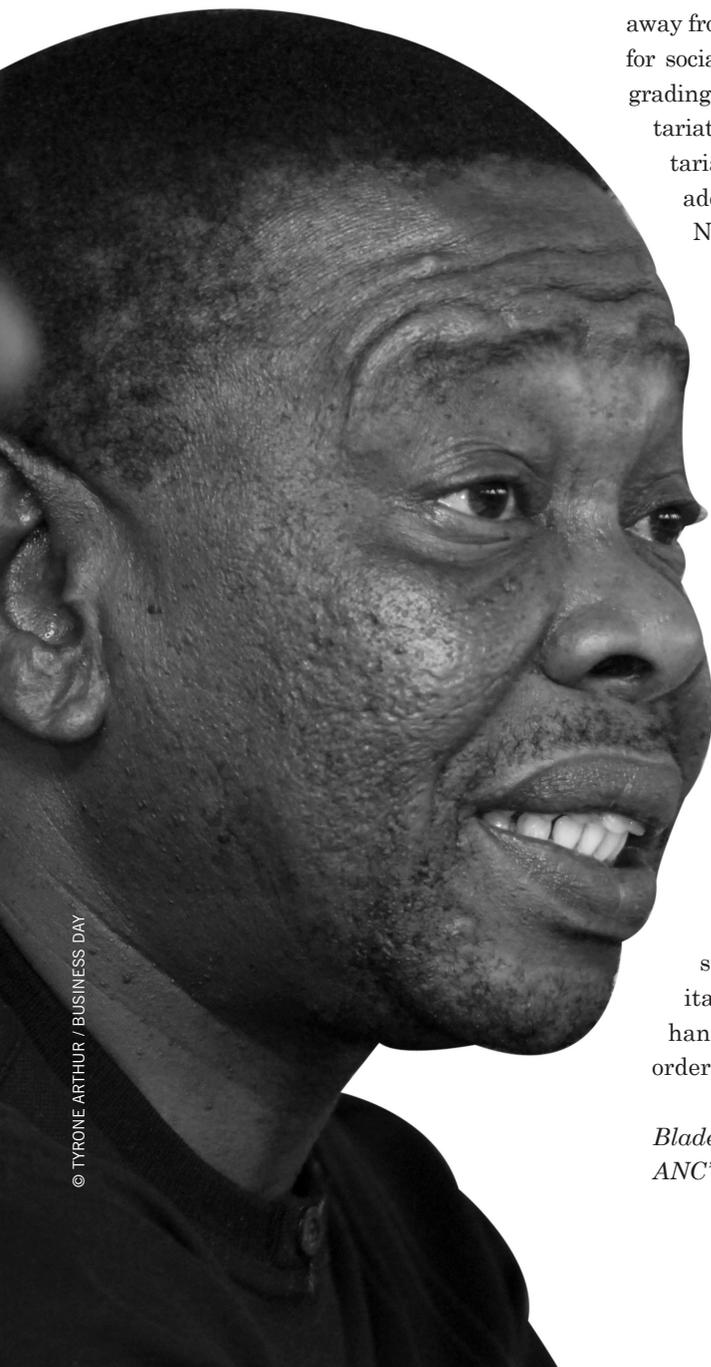
is manifestly to restore the socialist agenda by re-establishing the hegemony of the working class in the ANC and in the ANC-led tripartite alliance.

The Cosatu discussion document follows the same broad ideological trajectory, unsurprisingly given the large ideological overlap between Cosatu and the SACP. It concludes with a summary of five options open to Cosatu. Most attention, however, is devoted to one which aims at increasing Cosatu's membership from less than two million to four million and concomitantly creating a "conscious and politicised proletariat out of ordinary workers". From which the conclusion may be drawn that it is the one most strongly favoured by Cosatu's senior members. For that reason it is worth noting its injunction to "trained cadres to swell the ranks of the ANC" and transform it into an "ANC led by the working class at all levels" and which is "not hostile to socialism"⁹.

Two issues arise from the discourse of the present monograph thus far: firstly, whether the combined drive by the SACP and Cosatu (and their sympathisers in the ANC) can succeed in restoring working class hegemony and reinstating socialism as the underlying aim of the tripartite alliance, and, secondly, whether a successful palace coup by the left will induce the bourgeois nationalists to pull out of the alliance and possibly the ANC itself.

The answer to the first question is that had it been posed 18 months ago the answer would almost certainly have been in the negative, emphatically so. But the Zuma factor has changed the situation markedly: the alliance between Zuma clad in the ideological clothing of populism and the socialist brigade in the SACP and Cosatu

Blade Nzimande, SACP general secretary, urges an offensive against the ANC's axis with emerging black and old capitalist classes



Former ANC secretary-general Cyril Ramaphosa has the political skill to turn the situation around

may just succeed in making socialism the official political creed of the tripartite alliance and perhaps even the ANC itself and, in the process, hoist Zuma into the presidential office and onto the fount of political power. There is, of course, the inconvenient matter of Zuma's pending trial for corruption, But the clumsy manner in which the Scorpions carried out raids on Zuma's homes and the offices of his lawyers last year may dispose of that for him, courtesy of judicial orders declaring their search warrants unlawful.

The answer to the second is that President Thabo Mbeki and his confidants in the ANC have long been aware of the danger of a palace coup bid from the left, as shown by the ANC's 2001 *Briefing Notes*¹⁰ on militant leftists in, pre-eminently, Cosatu. The *Briefing Notes* warn that leftist militants want to transform Cosatu into a political formation, drive a wedge between the ANC and the SACP, and form a united front between Cosatu and the SACP to force the government "to adopt a populist social and economic programme"¹¹.

The senior ANC leadership is thus likely to resist any attack from the militant left, particularly as it rejects characterisation of the ANC as a bonapartist organisation and considers the ANC to be a leftist

movement. They may, however, decide for strategic decisions to withdraw from the tripartite alliance and concentrate on defending their control of the ANC *per se*. There is a proviso to that hypothesis, however. It assumes that the Zuma faction does not gain control of the ANC at the pending ANC national conference in 2007, a contingency that cannot be excluded after Zuma supporters successfully demanded his reinstatement as ANC deputy president at the ANC national general council in July 2005. Control of the ANC by Zuma populists and SACP and Cosatu socialists might lead to the unthinkable: the withdrawal from the ANC of the bourgeois nationalists.

The Zuma affair has disrupted old established patterns and made the task of predicting future events over the next 15 months to two years incredibly difficult. Every statement needs to be qualified by two or three caveats to allow for the apparent crumbling of old political verities

even as the scenarios are being formulated. At the same time what seemed implausible a mere 18 months ago now seems within the realm of possibility.

Given conjectures that Cyril Ramaphosa may contest the presidency, he has the charisma to avert a leftist takeover of the ANC by attracting support from the Zuma camp, including alienated former Mbeki loyalists. The race remains open. □



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attention of investors to political risk and the overarching need for certainty, can therefore not be too heavily underscored⁴.

In these troubling times, that also offers opportunities, South Africa stands on the brink of crafting a coherent post-Gear policy response to the challenge of accelerated growth through targeted policy interventions, such as AsgiSA and the Joint Initiative for Priority Skills Acquisition, and faces a unique chance to strike a creative balance between public and private endeavour in pursuing higher growth.

AsgiSA has identified six binding constraints to economic growth:

- ◆ Volatility and the level of the currency;
- ◆ The cost, efficiency and capacity of the national logistics system;
- ◆ Shortage of suitably skilled labour, amplified by the impact of apartheid spatial patterns on the cost of labour;
- ◆ Barriers to entry, limits to competition and limited new investment opportunities;
- ◆ Regulatory environment and the burden on small and medium businesses;
- ◆ Deficiencies in state organisation, capacity and leadership.

Given the ever-changing circumstances, there are numerous efforts currently underway in government circles to buttress the “accelerated and shared growth” effort.

Prior to the release of further details of AsgiSA by Deputy President Phumzile Mlambo-Ngcuka earlier this year after the State of the Nation address, Finance Minister Trevor Manuel hosted a panel of economic experts drawn from the world’s most prestigious universities, including Harvard, the Massachusetts Institute of Technology, London School of Economics and others, to subject the country’s economy to a “diagnostic”, or thorough diagnosis, in order to ascertain what the biggest constraints are to keep-

ing the country from unlocking its higher growth potential. Three of these economists, Ricardo Hausmann, Dani Rodrik and Andres Velasco, have recently done some remarkable research in pioneering new theories of economic growth — *growth diagnostics*⁵.

Following a mild outcry by local economists about the exclusion of local perspectives from these deliberations, President Thabo Mbeki announced the formation of a Panel of Economic Advisors to the Presidency. It appears likely that this panel will form the link between the globally sourced advice and local economic conditions and actual experience of the South African economy and its performance throughout the various phases of the

rapidly earmarked funding priorities in terms of social spending to address historical disparities, it did not do so against a backdrop of a clear, all encompassing macroeconomic policy. Implementing the full vision of the RDP would have required considerable resources and, as a policy, it required a more thoroughly costed model than the one to which it was subjected.

In addition, the brief period of RDP implementation coincided with serious global instability in emerging markets as well as the onset of the Asian financial crisis and the contagion it caused in financial markets. In this context it became clear that government required an unam-

The efficiency of the national logistics system, a shortage of skilled labour and the regulatory burden on SMMEs are constraints on economic growth

Reconstruction and Development Programme (RDP), the Growth, Employment and Redistribution strategy (Gear) and, latterly, AsgiSA.

Before looking at *growth diagnostics* it is necessary to briefly contextualise the possible adoption of this approach against the historical path of South Africa’s macro-economic policy evolution. Twelve years into the transition it is useful to reflect on how government has exercised its various roles of stabilisation, allocation and redistribution in the South African economy against the backdrop of the evolution of macroeconomic policy in South Africa from the RDP to Gear to the recently launched AsgiSA.

There can be little doubt that the RDP as a policy document did not constitute an integrated conception of macroeconomic policy. It started life as an election-rallying cry and subsequently became the flagship policy of the new government. Whilst it strongly emphasised the imperative of redistribution, and

biguous macroeconomic strategy that could, on the one hand, address the post-Asia emerging market turmoil and confidence question that lingered with respect to the new South African government, and, on the other hand, provide an integrated package of structural reforms that could release more resources for the public finance fight against the legacy of apartheid.

It is important to note that Gear aimed to implement some core aspects of the Washington Consensus as an integrated package — liberalisation, privatisation, labour market reforms and fiscal stabilisation. There are two primary critiques, apart from the ideological critique of the policy framework from the left and the associated criticism of the lack luster performance of Gear on economic growth and the job creation front. The first was that the Washington Consensus had outlived its usefulness and required a new “Augmented Washington

Trevor Manuel's expert panel

1. **James Levinsohn:** Professor of Economics & Public Policy — University of Michigan
2. **James Robinson:** Professor of Government — Harvard University. Faculty Associate — Weatherhead Centre for International Affairs
3. **Lynne Thomas:** Visiting Professor of Public Affairs — Harvard University
4. **Federico Sturzenegger:** Associate Professor at the Sloan School of Management — MIT. Faculty Research Fellow of the National Bureau of Economic Research
5. **Roberto Rigobon:** Centre for Research into Economics and Finance in Southern Africa (Crefsa) — LSE
6. **Laurence Harris:** Professor of Economics, Director of Department of Financial and Management Studies, Chair of the External System Academic Board — University of London
7. **Bailey Klinger:** Teaching Fellow — John F Kennedy School of Government — Harvard University
8. **Dani Rodrik:** Professor of International Political Economy — John F Kennedy School of Government — Harvard University
9. **Jonathan Leape:** Senior Lecturer in Economics — Founding Director of Crefsa — London School of Economics
10. **Ricardo Hausmann:** Director of the Centre for International Development, Professor of the Practice of Economic Development at the John F Kennedy School of Government — Harvard University
11. **Robert Lawrence:** Albert L Williams Professor of International trade — John F Kennedy School of Government — Harvard University. Senior Fellow — National Bureau of Economic Research (USA)
12. **Abhijit Banerjee:** Ford Foundation Professor of Economics — MIT and Director of the Poverty Action Lab
13. **Philippe Aghion:** Robert W Waggoner Professor of Economics — Harvard University



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academic discourse and the country experiences beyond the hiatus of the Washington Consensus and the Augmented Washington Consensus onto accelerated paths of economic growth. One expects

that Manuel will use his new role on the World Bank's Commission on Growth and Development to add South Africa's *growth diagnostic* experience and the input of his esteemed panel of economists into

efforts to move the South African economy onto a higher growth path. An added plus would be the emergence of new theories of growth and development from the commission's work in the future. □

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Questions and answers: Raenette Taljaard



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WITS lecturer and former Member of Parliament for the Democratic Alliance, Raenette Taljaard, has been appointed director of The Helen Suzman Foundation. **Chris Barron** asked her ...

What is the purpose of The Helen Suzman Foundation?

It's a foundation that was created to support liberal democratic values under the new democratic dispensation and under the new Constitution, and to further those values.

How?

Through a process of publication, research and conferencing.

So you're essentially a think tank?

Very much so.

More than just a magazine?

We intend to be much more than just a magazine, over time.

Who are you hoping to reach? Who is your audience?

The broader South African body politic and civil society. Because 12 years into the transition it's increasingly becoming

a very nuanced debate about values, and the values that we forge 12 years after the transition. In that process of contestation of ideas and values, we want to contribute to that debate.

"Liberal" is a term of abuse in South Africa. Isn't it a word you should steer clear of if you're hoping to have an effect where it counts?

Not at all. In fact what has happened in South Africa is a very unfortunate

payback is a natural, perhaps a healthy, response from those who have been abused and belittled. For social stability to prevail it is essential to ensure that the demand for prosecution does not degenerate into a witch-hunt. It must be even-handedly carried out and it needs to target those primarily responsible for the atrocities rather than the mere foot soldiers who pulled the trigger. Prosecution is primarily

survey referred to above thought that the injustice of amnesty granted to perpetrators needed to be balanced by some form of reparation to victims — while not seeing monetary compensation as the only acceptable palliative. Confrontation and a sincere apology, or knowledge about the fate of the missing, the opportunity for victims and survivors to relate the stories of their suffering in public and rebuild their

memory, perpetrators and benefactors are blessed by an ability to forget. Perhaps a new generation will be able to muster the courage to connect and acknowledge — though the Archbishop also noted that South Africans in struggle times anticipated a far more compassionate society than the current crime, inequality and greedy self-enrichment demonstrate.

We would do well to come to terms with the injustices of the past and, where necessary, cleanse our consciences, or the pressure of the past will continue to build

about the rule of law, which includes an unqualified signal to those who violate the rights of others that they will be brought to book — that there is no impunity. This is a minimum requirement for the building of a minimally decent society.

The other face of the TRC coin is the issue of reparations. The vast majority of those who participated in the public

communities were cited as important alternatives to normative forms of retribution and reparation.

When Archbishop Desmond Tutu was asked at the Institute's conference what his major outstanding wish for South Africa is, he responded: "How nice it would be if whites were to say 'I'm sorry' and 'thank you' to the vast majority of people in

this country who have been so forgiving about the past."

He is suggesting that whites acknowledge the benefits they wittingly and unwittingly received from apartheid. But a few years ago, the "Home for All" campaign calling on whites to acknowledge this benefit went down like a lead balloon! The Oxford-based historian, Timothy Garton Ash, once reminded us that while victims are cursed by a good

Oral histories, memorialisations, community projects and ritual cleansings can all contribute to sensitising South Africans to the atrocities of the past. Trauma centres, community counselling and self-help schemes can, in turn, help restore communities. These need not be expensive initiatives — and government department budgets for community reparations in many instances remain underutilised. Well-focused government funding for community projects through schools, community organisations and faith communities could reap benefits that reach well beyond those who continue to bear the brunt of the nation's past.

Much still remains to be learned and documented about the dark days of apartheid. This is what makes access to the TRC archives so important. They need to be readily available to all who require them. In this day and age the digitisation of the resources should be regarded as a priority — and the IJR is aware of donors ready to make the money available. Documentation should be available for access on school, library and private computers across the country.

We would do well to come to terms with the injustices of the past and, where necessary, cleanse our consciences, or the pressure of the past will continue to build. □

Archbishop Desmond Tutu wants more whites to express regret about the apartheid past



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African peer review: a critical appraisal

After an elaborate process of consultation South Africa's peer review report was abbreviated, "contextualised" and sanitised of the main criticisms

By Raymond Louw

In December 2005, Dr Tom Odhiambo, a researcher at Witwatersrand University's Institute for Social and Economic Research, wrote in *The Star* that the African Peer Review Mechanism (APRM) adopted by the African Union through its New Partnership for Africa's Development (Nepad) initiative would only serve to "entertain fantasy".

The African Union visualises a programme embracing the countries of Africa submitting themselves to voluntary assessment by their peers of their conduct under four basic headings: good political and democratic governance; good corporate governance; economic governance and management; and socio-economic development.

At the time of the peer review mechanism's launch in July 2001, the African Union urged governments to take part to gain the rewards of a favourable assessment which were then described as more access to trade with the European Union and a greater willingness by European donors to invest money in their countries.

The monetary rewards have since been silently etched out of the documentation — probably because nations objected to the implicit bargaining with former colonial powers for their approval and benevolence — and replaced by the view that good gover-

nance is an aim in itself to bring about higher standards of conduct. The aim is to urge countries to strive continuously to raise their standards by having subsequent periodic peer reviews.

After surveying the process, Odhiambo believed peer review was unlikely to be achievable and that Nepad should be modelled on the European Union as an economic forum. Some of the people who have been engaged in the early processes of peer review and the gathering of information are wondering whether Odhiambo's forecast is turning out to be correct. There is a growing feeling that the process in South Africa has been subjected to an elaborate smoke and mirrors exercise by the government.

The first doubts arose over the questionnaire for the assessment of government conduct that is sent to all countries volunteering to undergo the process. The rules allow countries to adapt it. Both Ghana and Kenya, who are undergoing the process ahead of South Africa, have done so in different ways. South Africa, too, has "simplified" the questionnaire by substantially reducing its size. But observers have noted that it has also been dumbed down and that some of the questions have been framed from a government perspective.

The questionnaire is the base document for several processes leading up to ultimate peer review by

African Union heads of state. The first is a country's self-assessment, which runs parallel with a background document compiled by the regional APRM Secretariat.

These documents are edited, ostensibly to reduce their volume, before being handed to a Country Review Mission headed by a member of the group of seven eminent persons who oversee the review process.

All three reports are compiled by the continental APRM Secretariat into a final document that is submitted to the South African government for comment. It can append but cannot amend. The document that emerges is sent to the African Union heads of state for peer review.

When Nigerian Professor Adebayo Adedeji, who heads the Country Review Mission, held a preliminary meeting with business interests, non-governmental organisations and other "stakeholders" in Johannesburg last year, people were invited to study the "simplified" questionnaire and where they perceived gaps, to add their own questions.

The South African chapter of the Media Institute of Southern Africa and the South African National Editors' Forum have been concerned at what they — and other international media institutions — regard as a serious omission from both questionnaires — the lack of a require-



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Professor Adebayo Adedeji heads the Country Review Mission: despite his involvement and that of various stakeholders, the final report falls short on key content and broad civic comment

ment for good governance that a country should promote a free and independent media.

Indeed, this media requirement was included in the original drafts of the questionnaire, but shortly before it was presented as a public document, a last minute revision resulted in the media and some other issues being excised. The drafting process was behind closed doors and no explanation was given for the exclusions.

The two South African media institutions submitted additional questions to the document on the requirement that a government promote a free and independent media. Their suggestions appear to have been ignored because the document circulated in South Africa contains no questions relating to the toleration of free and independent media, the manner media are treated by the authorities, or what laws are unacceptable because they restrict the media – and South Africa has a packet of these which the press has been trying for years to have scrapped or amended.

But the questionnaire contains pointed questions about the independence of the judiciary, the protection of the rights of women, children and young people, displaced persons, refugees and disabled persons — all important questions essential for an assessment. However, their inclusion throws into sharp relief the exclusion of the media issue.

Journalists say a country cannot claim to promote good governance if it does not foster a free and independent media — and a free media is one that is not inhibited by some of the laws on South Africa's statute book. So here, even in the early stages, fantasy had been woven around the standards for the assessment.

Other NGOs also added questions but theirs, too, appear to have been ignored.

Make-believe was stretched further when the country's National Governing Council (NGC) to oversee the self-assessment process was set up under Public Service and Administration Minister Geraldine Fraser-Moleketi with four cabinet ministers, three deputy ministers and an official from the presidency as members, together with 19 NGOs and stakeholders, many regarded as too closely aligned to government for comfort.

A major concern about the council is that no election was held; the members were appointed by the government. A notable absence from the council, too, are academics, especially when compared to Ghana, which involved several civil society academics in its self-assessment.

Protests mounted when the council was seen to be government top-heavy and the question was raised: Why could South Africa not conduct a self-assessment by using a body of eminent people from independent civil society, as Ghana had done? The question was

brushed aside but the reason is apparent: the government wanted to ensure a tight grip on the consultation and the documentation flowing from it.

But the protests had an effect because the council's next operation, to consult widely among South Africans, was broadened to try to neutralise the criticism of the council's composition.

Independent technical support agencies were engaged to draw up reports under the four headings. These included the South African Institute of International Affairs and the Institute for Democracy in South Africa, both of which dealt with good governance issues.

They were handed scores of submissions from the public to incorporate in their reports, all the result of the energetic work of the NGC. The council had arranged for dozens of meetings at provincial, local and rural levels throughout the country to generate answers to the questionnaire and to comment on government. It was a huge, elaborate exercise for which R20 million had been budgeted.

The support agencies' reports were discussed at a series of seminars and workshops conducted over four days in April and later the reports emerging from that exercise were further discussed at a two-day national consultative conference at the Walter Sisulu Square of Dedication in Kliptown, Soweto. The volume of comment that had been generated was immense, running to more than 2 000 pages, compiled into four large volumes and several summaries.

At neither the seminars nor the consultation in Kliptown were delegates given access to the texts in advance. So the elaborate consultation process was constrained, with delegates being asked to critique and finally endorse huge volumes of material that they saw for the first time on the day of the discussions.

Despite these handicaps, delegates persevered with their comments. Though they praised South Africa for its exceptional Constitution and its well-based legal and regulatory mechanisms, there was harsh criticism, pointing to ineffective implementation, lack of transparency, ineffective oversight and follow-through. Among the main criticisms of South Africa's conduct under the four headings were:

- ◆ Corruption with telling censure of the police, the civil service and other authorities;
- ◆ Ineffective public participation in policy-making, with parliamentary consultative practices described in one session as perfunctory;
- ◆ An increasingly ineffective parliamentary watchdog role, where parliamentarians were too readily adopting a rubber stamp approach to legislation;
- ◆ Over-centralisation of government, with excessive wide-ranging powers in the hands of the President;
- ◆ The proportional representation system, which made parliamentarians beholden to party lists and party leaders rather than constituencies and thus weakened their oversight role;
- ◆ Poor service delivery at local government level;
- ◆ Failure of independent conduct by Chapter 9 institutions, which are constitutionally empowered to act independently of the government;
- ◆ Laws remaining on the statute book which are in conflict with the Constitution — especially those related to the media — and should be removed or amended;
- ◆ Freedom of the media and expression, though enshrined in the Constitution, restricted by the authorities on occasion;
- ◆ Lack of information from government;
- ◆ Insufficient accommodation of civil society in governance;
- ◆ Poor enforcement of laws and regulations; and

◆ Continuing violence by mercenaries, taxi operators and criminals.

However, after that extraordinary baring of South Africa's soul — and a surprising feature was the quite remarkable candour of government representatives and civil servants in their criticisms — there is uncertainty about the following processes.

Last year, at one of the inaugural meetings, Housing Minister Lindiwe

Sisulu said that South Africans would be given an opportunity to comment on the country's self-assessment report before it went to the Country Review Mission, but Fraser-Moleketi has since said there is no provision for the document to be made public. There is nothing in the APRM rules to prevent it — indeed, participants would expect nothing less, given the promises of open consultation and maximum transparency, and especially as the council has overseen the editing of the self-assessment.

In July (2006), the Country Review Mission visited South Africa for its assessment. Fraser-Moleketi has said that important issues would not be left out. "I don't think we would want issues to disappear", she said at a press conference. "But we would want to contextualise them". However, she went on, it would be important to deal with fact and perception in a particular way and guard against "maverick voices" overwhelming the process and introducing a note of "disquiet". She conceded that there would be areas of difference but it would be important to ensure that there was consensus on the challenges that the country faced.

On May 31, South Africa was given an indication of how the government which, in practice, was the final arbiter of what was included in the report —

viewed the issues. The then head of the Government Communication and Information System, Joel Netshitenzhe, emerged from a cabinet meeting saying that the cabinet had dismissed claims that South Africa's democracy was under threat or sliding towards dictatorship.

He pointed out that "false assertions of this kind ... do not reflect the views of the majority of South Africans, as shown during the peer review

Government would want to "contextualise" certain issues and guard against "maverick" voices introducing a note of "disquiet"

process...". To make this comment before the peer review process had produced its final assessment is revealing of how the government approached it.

Professor Colm Allan, director of the Rhodes University-based independent Public Service Accountability Monitor (PSAM), who has seen South Africa's self assessment report and plan of action has denounced them as having been edited to a "vacuous version" and being "devoid of actionable undertakings to strengthen political and economic governance".

Citing 16 original recommendations from the public meetings that are omitted from documentation and another two which had been watered down, Allan said important criticisms were "effectively sanitised" and the action plan contained "so few measurable objectives that it undermines the possibility of holding the current executive and administration accountable for their performance and for improved service delivery".

So far the indications point to an elaborate public consultation having been conducted as a smokescreen. There are clear signs that the end result contains what the government believes should be said. Thus Odhiambo's prophecy might have been extraordinarily prescient. □

The ANC fails to forge a neutral public service

By conflating party and state the ANC has failed to establish a politically neutral public service dedicated to serving the citizenry, James Myburgh argues

According to the standards by which the West usually judges other countries, South Africa is doing well. The governing party's popular support is greater than ever, and the economy is growing strongly.

Yet, if one applies the standards with which Westerners measure the state of their own societies, then this bright picture dims considerably.

In particular, the dangerous consequences of the African National Congress' deliberate conflation of party and state are becoming more and more self-evident. They have been manifested in recent months in: the alleged illicit (and so far unpunished) diversion of state monies to fund the ANC's 2004 election campaign; the incapacity of the state to deliver services, particularly at local government level; and the involvement of the security services in the ANC's own internal battles.

What seems particularly lacking in South Africa, at the moment, is the ideal "that the discharge of public duties is an ennobling activity that demands exacting subjection to the law and selfless service to the public interest"¹.

Although the symptoms are now generally recognised and condemned (sometimes by the ANC itself), the disease is less well understood. Indeed, the ANC's efforts to bring the state under party control were initially welcomed by much right-thinking opinion. The movement's apologists explained that South Africa was going in the "same direction as many of the world's other democracies" or, more simply, was following the "US example".

The United States experience is an instructive one, not simply because it was misunderstood by such commentators but because it goes some way to explaining South Africa's current predicament.

The US civil service system has its origin, as does the British, in the 1854 report by Sir Stafford Northcote and Sir Charles Trevelyan on the organisation of the British civil service. In Britain up until the 1850s, entry into the civil service was based upon patronage — politicians had the right to give away such jobs. An earlier effort to limit political interference meant that promotions within the civil service were done through seniority, and officers kept their places during good behaviour.

The authors quoted above complained that under this system "while no pains have been taken in the first instance to secure a good man for the office, nothing has been done after the clerk's appointment to turn his abilities, whatever they may be, to the best account". As a result the public service attracted "the unambitious, and the indolent or incapable".

They proposed instead that entry should be based upon open competitive examinations and that promotion should be based upon merit, in order to encourage the more able to compete for higher posts. These reforms were implemented incrementally. In 1855 the Civil Service Commission was established to vet entrants into the civil service; to ensure that they were of suitable character, and that