

QUARTER 3 – 2014 / VOLUME 61

The Thinker

A PAN - AFRICAN QUARTERLY FOR THOUGHT LEADERS



CHE MATHLAKO VUSI GUMEDE VICTORIA BRITTIAN FREDDY KHONOU STEFAN SCHEPERS
 MUCHIE, HASSAN & NAGASH WALLY SEROTE CHRIS TOPHER MLOS Y KAYUM AHMED MATS SVENSSON
 BONGANI KHANYILE KHETIVE MARAIS BUSANI NGCAWENI KE ORAPETSE KGOSITSILE AFZAL MOOLLA RALPH DUKE

Anver Saloojee on

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On the Cover:

The globalisation of neo-liberal economic policies.

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An Election to be Proud of

Since the historic first democratic elections on 27 April 1994 South Africa has had another four free, fair and credible elections. Credit for this remarkable achievement must go to the people of this country who voted in their millions, the political parties that contested the elections and the Independent Electoral Commission (IEC).

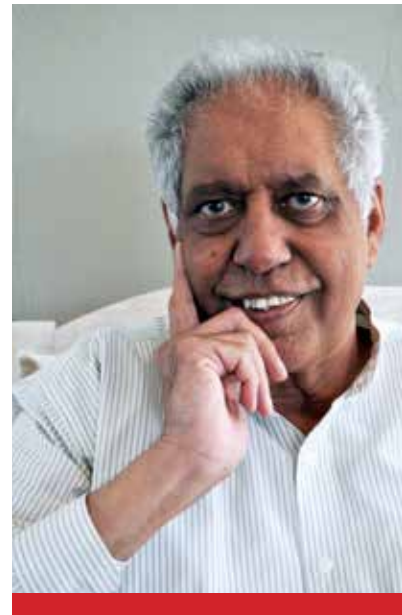
The fifth national and provincial elections of 7 May 2014 had a voter turn-out of 73.48% with the total votes cast of 18,654 771. As expected the ANC once more received the mandate of the overwhelming majority of our people to govern for the next five years. In 1994 the ANC won 62.55%, in 1999 66.35%, in 2004 69.69%, in 2009 65.9% and in 2014 62.15%. The margin of victory achieved in 2004

under the leadership of Thabo Mbeki is not likely to be repeated in the future.

Much has been written and spoken about the 3% drop in the vote for the ANC. Yet, if one looks at voting history, one notes that ANC support in 2014 is where it was in 1994. It is no mean feat to sustain this massive voter support for twenty years in a free, fair and credible election system.

However, it is critical that the ANC does not become complacent or arrogant, as the election results also signal alarm bells. The loss of support in the key Gauteng metros of Johannesburg, Tshwane and Ekurhuleni, as well as Nelson Mandela Bay in the Eastern Cape, are warning signs that the ANC cannot afford to ignore.

There are 13 political parties



represented in the National Assembly. This is a positive and refreshing demonstration of the breadth of public representatives in the central arm of our elected legislatures in the three spheres of government.

Over the past few months elections also took place in India, Egypt and

© Thapelo Morebudi / The New Age





Malawi.

India, with a voter base of about 800 million people, has held free, fair and credible elections since 1947. Yet, within this laudably democratic context the skewed effect of the ‘first past the post’ constituency system, based on the Westminster model, can be clearly seen: in the last elections the BJP, a right-wing political party, with its roots in the fascist-like RSS, won 282 seats out of the 520 in the Lok Sabha, although they only won 31% of the votes cast. The outgoing ruling party, the Indian National Congress, with 19.3% of the votes only garnered 44 seats. Those who so assiduously clamour for change in our electoral system should note the downside of the constituency-based system; a party with less than a third of the votes can completely dominate parliament, whilst the smaller parties have very little chance of gaining any representation at all.

In Egypt a military coup staged by the army in July 2013, paved the way for the election of former defence minister and commander of the military forces Gen Abdel Fattah el-Sisi as President. It is noteworthy

that el-Sisi won a staggering 97% of the votes in a low poll of 47%. Furthermore the Muslim Brotherhood, which won the first democratic election in Egypt, was banned. More than 16,000 of its members and leaders were imprisoned and hundreds have been sentenced to death. Compared to South African’s elections the Egyptian one is a sham and a travesty of basic democratic norms and justice.

In June, 2014, Malawi concluded a highly controversial as well as hotly contested election. After a number of court actions, demands for a vote recount or the holding of fresh elections, the High Court ruled that the

“The ANC does have many hardworking, dedicated, loyal and disciplined members to enable it to take the required steps and action.”

election results had to be announced. The Progressive Democratic led by Peter Mutharika, brother of the late President Binguwa Mutharika, was declared the winner with 35% of the votes. The Malawi Congress Party, the autocratic pro-apartheid party of the late Hastings Banda, now led by Lazarus Chakwara, won 25%; and the outgoing President Joyce Banda came third with 20% of the votes. An interesting outcome of that election is that 52 independents won seats.

It is also noteworthy that in the latest European Parliamentary elections right wing parties did well, especially in France and England. As Nouriel Roubini, professor of economics at New York University wrote:

Nowadays, both advanced economies – such as the US, where unlimited financing of elected officials by financially powerful business interests is simply legalised corruption – and emerging markets – where oligarchs often dominate the economy and political system – seem to be run for the sake of the few.

For the many, by contrast, there has been only secular stagnation, with

depressed employment and stagnating wages. The resulting economic insecurity for the working and middle classes is most acute in Europe and the Eurozone, where in many countries populist parties, mainly on the far right, outperformed mainstream forces in last weekend's European Parliament election. As in the 1930s, when the Great Depression gave rise to authoritarian governments in Italy, Germany, and Spain, a similar trend may now be under way." (Business Day, 4 June 2014)

South Africa has one of the fairest and most inclusive electoral systems in the world, where the number of seats won in the elections is distributed by the percentage of votes received, enabling smaller parties with marginal votes to win at least one seat. This is known as proportional representation.

If the ANC is not to pay a heavy price in the 2016 local government elections as well as the 2019 provincial and national elections, it has to take immediate and bold actions to meet the expectations and aspirations of the people in urban and rural areas. Furthermore it has to stem the tide of factionalism and corruption in all its structures and the lack of on-going contact and communication with communities.

The ANC does have many hardworking, dedicated, loyal and disciplined members to enable it to take the required steps and action. In this context, ANC branches, in areas where they operate, should be the eyes, ears and voice of the local communities. These branches need to ensure that ward committees are properly constituted and representative so that they may play a vital role in enhancing dialogue and two-way communication between the communities and local government structures. In this way the ANC can once more prove the cynics and sceptics wrong.

Palestine: The Struggle Continues

On 2 June 2014 the PLO celebrated its 50th anniversary. A month earlier Palestinians observed 66 years of Israeli occupation or "Nakba"- Catastrophe, the wholesale destruction of villages, terrifying intimidation and the forced removal of people. As Imraan Buccus

pointed out:

Just as the world remembered us in our dark days, so too should we remember the oppressed of the world. Especially on a day like the day of the Nakba, when 800 000 Palestinians were forcefully removed from their homes.

Their tears are surely our tears. And as a people oppressed for so long, we can perhaps understand the Nakba more than others.

All freedom- and justice-loving people should spare a thought for those who yearn for democracy and justice at this time when they recall the Nakba – the Catastrophe of May 15, 1948. (New Age, 16 May 2014).

The PLO is recognised by progressive forces, the Arab League and the African Union and the United Nations as the sole and legitimate representative of the Palestinian people. In marking this occasion we also pay homage to that indomitable freedom fighter and great Palestinian leader Yasser Arafat. Arafat, who was Chairman of the PLO Executive Committee from 1969 until his death in 2004, was an admirer and firm supporter of the ANC as well as a close friend of OR Tambo and Thabo Mbeki.

During its 50 years of existence the PLO has suffered great internal turmoil, dissension, factional battles and unwarranted external interference in its internal affairs. Notwithstanding these monumental upheavals and challenges the PLO remains the voice and hope of the Palestinians.

One of the most serious divisions in the Palestinian resistance movement came after Hamas won the 2006 elections, becoming the governing party in the Gaza Strip in 2007. The major western powers including Israel refused to recognise Hamas as the legitimate governing authority in the Gaza strip. Indeed they have taken active steps to undermine this democratically elected government. Russia, China, South Africa and many other countries in the world gave due recognition to Hamas.

Hamas, founded in 1937, has its roots in the Egyptian Muslim brotherhood movement. Following a violent confrontation between Fatah, the leading organisation in the PLO,

and Hamas in 2007, Fatah leaders were expelled from the Gaza Strip. For the last seven years the Palestinians, their government and movement have been deeply divided. Geographically the Palestinians were divided by Fatah controlling the Palestinian National Authority in the West Bank and Hamas the Gaza Strip.

After difficult, painful and complex negotiations a new government of national unity was founded on 2 June 2014. This move was welcomed by friends, supporters and allies of the Palestinians throughout the world. Not surprisingly, however, Israel has issued bellicose statements denouncing the unity pact. It even prohibited three of the Gaza leaders from travelling to Ramallah for the oath taking.

The new government has a cabinet of 17, with Dr Rami Hamdallah as Prime Minister and Minister of Interior and Ziad Abu Amr as Deputy Prime Minister and Minister of Culture. The cabinet has only three women, which is not good enough from a gender perspective in the context of the struggle for the empowerment and emancipation of women.

After some hesitation the US has undertaken to work with the new administration. Israel, under the illusion of its own power and invincibility, sharply criticised its main backer and supporter: the US administration.

Progressive forces in the continent should take note that Israel is now paying special attention to strengthening and deepening ties with some African countries. It is our responsibility and duty to ensure that the AU and its members do not give support to the Israeli occupation of Palestine or help in any way to advance its strategic interests.

As we mark the 50th anniversary of the PLO and celebrate the new unity agreement and government, let us intensify the solidarity campaign with the Palestinians as well as with the International Boycott Disinvestments, Sanctions (BDS) campaign. We owe it to our historical I ties to build a powerful mass solidarity movement in South Africa. In this momentous undertaking the ANC and its alliance partners the SACP and COSATU have to play a leading role. ■

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Infrastructure Investment & Sustainability: The Importance of Building a Savings Culture

It is commonly asserted that South Africans save too little, and indeed gross national savings have persistently fallen well below those of our emerging market peers in the past, acting as a central drag on economic growth and development. Notably however, there is evidence that the current situation may change for the better, as government officials have begun to more assertively back ideas aimed at lifting the national savings rate.

In particular, the Minister of Finance has in recent budget statements made reference to a number of important reforms to South Africa's savings landscape, including the introduction of tax-incentivised savings accounts and a general drive to improve the penetration and lower the cost of retirement savings programmes. We believe that these reforms, if implemented timeously and comprehensively, could play a crucial role in the development of South Africa's economy over the long term.

Certainly, if historical experience is anything to go by, initiatives aimed at raising the national savings rate should be welcomed by policymakers and the South African public in general. In Chile, for example, policymakers embarked on a sweeping retirement savings reform programme between 1981 and 1985, which amongst other measures initiated a formal system of minimum retirement savings contributions. This reform programme underpinned a dramatic structural change in the Chilean economy, drastically increasing the pool of investable funds and lifting the long term median growth rate from 3.0% in the 1970s to 6.9% in the 1980s. A similar pattern emerged in Singapore, which throughout the 1970s implemented its own policies aimed at lifting savings rates by raising mandatory contributions. The benefits of this policy drive were swiftly felt, as Singapore enjoyed an average growth rate of above 7% in the decades that followed.

Generally speaking, a greater aggregate savings rate is thus clearly beneficial to both investment and growth, an idea further supported by the positive relationship between paved roads and savings rates in a number of emerging economies (Chart 1).

Within the economic literature however, there are differing opinions regarding the channels through which savings reforms affect investment and growth. One held view is that by increasing the private pool of savings, targeted reform can directly increase the availability of investable funds. Another is that raising the private savings rate allows government expenditure to become more sustainable through reducing its welfare burden and increasing the share of budgeted capital expenditure. In South Africa, this is an important potential benefit, particularly as the number of welfare recipients as a share of the total population has risen dramatically since 1994 (Chart 2). Whichever channel is dominant, there is a broad consensus on the growth benefits of savings reforms – especially those which improve retirement savings penetration.

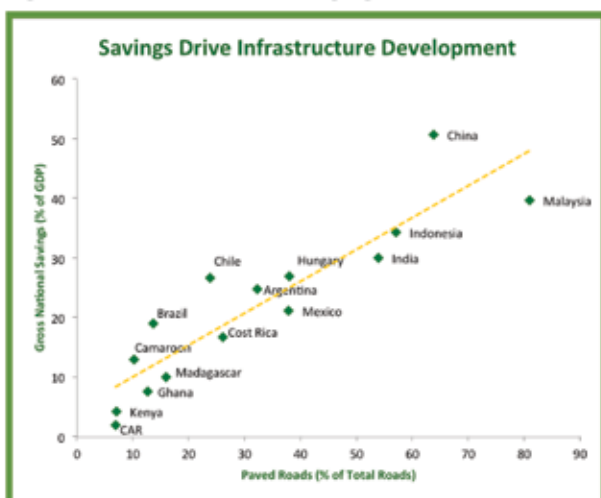


Chart 1

Source: World Bank, 2013

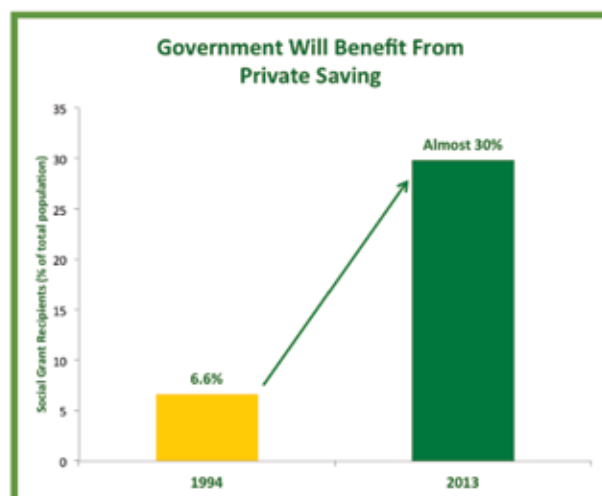


Chart 2

Source: National Treasury, 2013

Beyond the positive impact on government deficits and infrastructure enhancement, countries which are able to finance investment expenditure locally also tend to exhibit less severe macroeconomic imbalances. In fact, a shortfall of domestic savings has been an important driver of South Africa's widening current account deficit (Chart 3), which has taken centre stage in global investors' minds over the past year.

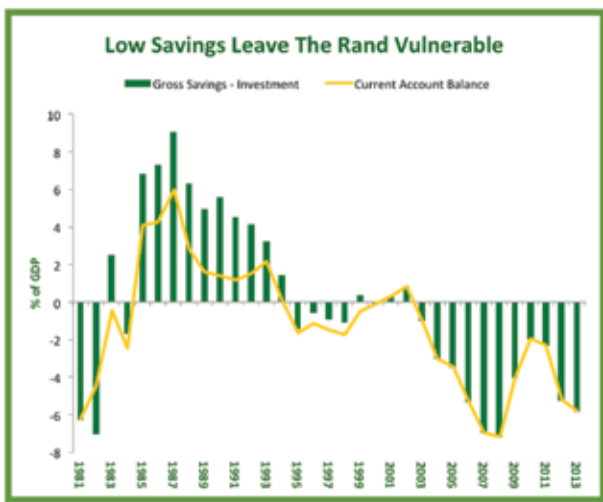


Chart 3 Source: IMF WEO, 2014

A striking example of this has been the relative instability of investment flows into 'twin deficit' emerging markets such as Turkey, India, Indonesia, Brazil, and South Africa since May

2013, in each case leading to a rise in inflation and a decline in growth expectations. It follows that lifting the national savings rate can materially improve the level and volatility of growth in the local economy, particularly as the current account deficit narrows and foreign sentiment plays a less important role in domestic investment growth.

With these benefits in mind, a policy driven savings reform should continue to feature prominently on the government's list of priorities. If policymakers are serious about the National Development Plan, and the resilience of this document in the face of various opposition suggest that they are, infrastructure expenditure will remain abnormally high for some time to come. In this context, a sustained boost to private saving rates can contribute meaningfully to financing various long term projects, and significantly improve the average quality of life for both current and future generations of South Africans.

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All contributing analysts write in their personal capacity

Kayum Ahmed was appointed Chief Executive Officer (CEO) of the South African Human Rights Commission in August 2010. Kayum holds five degrees and three post-graduate diplomas including a Master's in International Law (LLM), and a Master's in Arts (MA). Kayum is a recipient of various awards, including the Nelson Mandela Scholarship, Hubert H. Humphrey Fellowship, United States Congressional Fellowship, Aspen Institute Africa Leadership Initiative Fellowship, and the *Mail & Guardian's* Top 200 Young South Africans Award.

Victoria Brittain is a writer, journalist and active fighter against racism and sexism as well as a patron of Palestine Solidarity. She is a former associate foreign editor of *The Guardian* (UK). She has lived and worked in Africa, Asia and the Middle East and is a research associate in development at the London School of Economics. She has written several books on Southern Africa and the effects of Western policy during the Cold War. As part of her research on the impact of conflict on women, Brittain has travelled around the Democratic Republic of Congo, Angola, Cambodia, East Timor and Rwanda. She is the author of *Hidden lives*, *Hidden Deaths* and *Death of Dignity* and co-author with Moazzam Begg of *Enemy Combatant*. Her play *Waiting* is written in the words of the wives of Guantanamo and other prisoners.

Professor Vusi Gumede is Professor and Head of the Thabo Mbeki African Leadership Institute at the University of South Africa. He is affiliated with various institutions, including the Southern Africa Trust, the Institute of Justice & Reconciliation, the Mapungubwe Institute for Strategic Reflection and the Molefi Kete Asante Institute for Afrocentric Studies. He is a former associate professor at the University of Johannesburg, Yale University's World Fellow, Cornell University's Distinguished Africanist Scholar, Special Adviser to the Minister of Public Enterprises, Chief Policy Analyst in the Presidency and lecturer

at the University of Witwatersrand's School of Governance. He holds postgraduate training in Economics and Public Policy, including a PhD in Economics from the University of KwaZulu Natal in 2003.

Professor Seid Hassan is Professor of Economics at Murray State University in USA. He lectures on global issues concerning economics, international trade, economic development and monetary economics. He is a keen observer and commentator on issues and challenges confronting his native country Ethiopia.

Bongani Khanyile has an LLB degree and a Post-Graduate Diploma (Corporate Law) from the University of Johannesburg. He is an Industrial Relations Consultant at Labournet and is currently studying for his Master's degree in Labour Law. He is a Board member of the Alberton Child Welfare and with his wife runs the Bongani Khanyile Evangelistic Association.

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Khethiwe Marais holds a Bachelor's Degree in Sociology and History from the University of the Witwatersrand and a Master's Degree in Applied Linguistics from the University of Johannesburg. A language rights activist, she has been involved in language policy development in South Africa since the early 1990s. She currently works as project leader for the project 'African languages in teaching and learning' at Unisa Language Services. She is an avid reader of literature on American foreign policy.

Chris Mathlako is a former student activist and a member of the ANC. He served as provincial secretary of the SACP in the Northern Cape and as senior advisor to former Premiers Manne Dipico and Dipuo Peters. Presently he is a member of the CC and Politburo of the SACP and Secretary for International Relations. He is General Secretary of the Friends of Cuba Society, South Africa, member of the Working Group of the International Communist and Workers Parties and serves on the secretariat of the World Peace Council (WPC).

Dr Christopher D Mlosy holds a BSc (Hons) and an MSc in Economics, a Master's in Development Studies and a PhD in Business Administration Development Economics. He has worked as an economist in the Ministry of Planning and Economic Affairs in the Tanzanian government and was Head of Department for Labour Studies. In 1990, Mlosy was seconded to the ILO providing professional and technical expertise for the administration of projects in East African countries. He also worked as Chief Executive Officer of the Small Enterprises Development Foundation. This experience was supplemented by his work as International Expert for the United Nations Development Programme (UNDP)/ILO in Maseru, Lesotho, on Employment Policy Formulation and Labour Market Analysis. Currently Mlosy works in South Africa.

Professor Mammo Muchie is a fellow of the South African Academy of Sciences and the African Academy of Sciences. He is a Professor at Tshwane University of Technology, adjunct professor at the Adama Science and Technology University in Ethiopia and a senior research associate at the Technology and Management Centre for Development at Oxford University. Since 1985 he has produced 365 publications in books, chapters in books and articles.

Professor Minga Negash is Professor of Accounting at the Metropolitan State University of Denver, Colorado and at

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Professor Anver Saloojee is Professor in the Department of Politics and Public Administration, Ryerson University, Toronto, Canada. He is President of the Ryerson Faculty Association and Vice President of the Canadian Association of University Teachers. Between 2005 and 2008 he was a Special Advisor in the Presidency, Government of South Africa. Recently he co-authored a chapter with former Minister Essop Pahad: "The bureaucratic, flexible and democratic developmental state: Lessons for South Africa in Future Inheritance, Building state Capacity in Democratic South Africa," edited by Professor Daniel Plaatjies (Jacana 2011).

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

Dr Stefan Schepers was director general of the European Institute of Public Administration, Maastricht, and he was elected as a Member of the European Academy of Sciences and Arts. He is a visiting professor at Northampton University Business School (UK) and is director of EPPA (Brussels) and AEAC (Johannesburg), advising corporations on business-government alignment and trade. He is currently Secretary General of the independent tripartite High Level Group on Innovation Policy Management, advising the EU how to improve framework conditions for innovation. He holds master's degrees in law from the University of Leuven, in European studies from the University of Strasbourg (F), and a PhD in political sciences from the University of Edinburgh. He has published on European integration, public and corporate governance, law and international affairs.

Mats Svensson lived in Jerusalem for several years. He started by working in the Swedish Consulate. For the last two years in Jerusalem he walked the separation wall in the West Bank from south to north, following house demolitions in Jerusalem and settlement expansions, and documenting life under the Israeli occupation, apartheid and colonialism. His book *Crimes, victims and witnesses: Apartheid in Palestine* was published in 2012 by Real African Publishers. He has worked in Congo, Bangladesh, Ethiopia, Eritrea, Malawi, and South Africa. He presently lives and works in Lusaka, Zambia. ■

The Thinker

A PAN AFRICAN QUARTERLY FOR THOUGHT LEADERS

**The Journal for
Progressive Thought**

www.thethinker.co.za

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Printed by Paarl Media, Paarl, Cape Town, South Africa
www.thethinker.co.za



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“ THE CALL NOW IS FOR EACH OF US TO ASK OURSELVES: ARE WE DOING EVERYTHING WE CAN TO BUILD THE COUNTRY OF OUR DREAMS? ”

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As the world reflects on his legacy, we give thanks for Madiba's life, his leadership, his devotion to humanity and humanitarian causes. We salute our friend, colleague and comrade and thank him for his sacrifices for our freedom.

The Nelson Mandela Foundation delivers to the world an integrated, dynamic and trusted resource on the legacy of Nelson Mandela and with this, our mandate to promote the vision and work of our Founder by convening dialogues and creating platforms for engagement around critical issues to promote social justice and drive positive change.

South Africa occupies a unique space in Africa and globally as an example of a country that emerged from the intersections of deeply rooted racial, cultural and political divides.

The Foundation's mandate is to relevantly and tangibly use memory to inform, develop and define. It is the role of an embracing educator - whether you are an adult or a child - to utilise the history, experience, values, vision and leadership of our Founder and key stakeholders to provide an impactful platform and springboard to drive positive change.

The Nelson Mandela Foundation was established in 1999, when its Founder, Mr Nelson Mandela, stepped down as President of South Africa.

In 2004, Mr Mandela inaugurated the Nelson Mandela Centre of Memory (NMCM) with the aim to create a public facility

as a multi-purpose space of memory and dialogue on his life and times.

Mr Mandela's understanding of the importance of memory as a powerful informant of the present was engendered through his years of incarceration, cut off from the possibility of a private and family life. Memory gave him the stamina and courage to continue. His ethos of inclusivity and the need to tolerate, engage and resolve conflict through dialogue and negotiation, created the space for the South African constitution to be written with the possibility of social revolution, and civil war in South Africa averted. The many areas of war and conflict which prevail around the world today are testimony to the need for Mr. Mandela's legacy of social justice and dialogue to prevail long after the man has left us.

With its launch in November 2013 of its newly refurbished building, the Nelson Mandela Centre of Memory houses a state of the art archive with access to Mr Mandela's office, a unique permanent exhibition on the life and times of Nelson Mandela, and a temporary exhibition space and interactive dialogue spaces.



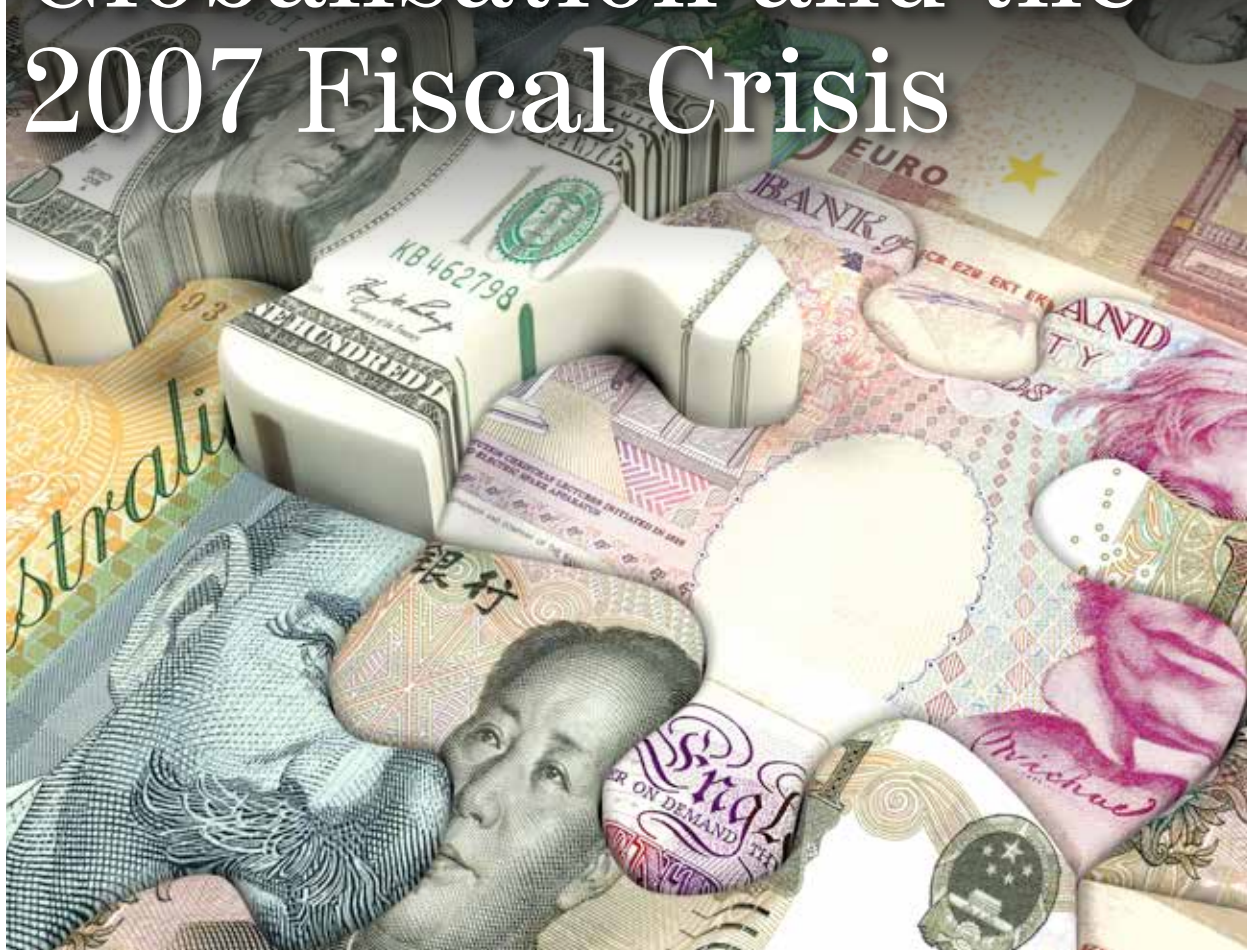
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Globalisation and the 2007 Fiscal Crisis



The question that remains is who will ultimately pay for the debt that states have accumulated as a result of the Great Recession. The answer is quite simply the poor, the working poor, and the middle classes.

By Anver Saloojee

There are many profound changes taking place in the world today – changes in trade, technology, communications, migration flows, patterns of production and consumption and changes within countries of the global South as well as the global North. Many of those changes are linked to the contemporary phase of globalisation. Neoliberal globalisation, however, has generated successive crises since

the 1980s and in 2007 it generated a fiscal crisis that began in the heart of the global North and rapidly spread around the world resulting in the Great Recession of 2007. Neoliberal globalisation – as an ideology and as the practices of marketisation, privatisation and deregulation – was shorn of its claims to have resolved the contradictions of the Keynesian welfare state as it plunged the world into the deepest

recession since the Great Depression of the 1930s.

Having said this, it is important to note that globalisation is a contested term and most if not all definitions of globalisation depend on the socio-political and structural location and the ideological orientation of the definer. The contestation of the term derives from the reality that globalisation is not a new phenomenon, for as Martin Khor notes, “Globalisation is what we

in the Third World have for several centuries called colonisation” (as cited by Scholte, 1999). In a similar vein Neeraj says “...it is nothing but ‘recolonisation’ in a new garb” (Neeraj, 2001). While both Khor and Neeraj are correct, globalisation predates colonialism and it could well be argued that the empires of ancient Greece and Rome were the first globalisers. Even globalisation as economic trade predates colonialism as there existed long distance trade between India and the east coast of Africa, long distance trade on the continent of Africa and along the east and west coasts of Africa.

Globalisation is also contested because in the post Keynesian world it has been associated with the devastating structural adjustment policies the International Financial Institutions (the World Bank and the International Monetary Fund) imposed on the developing world. And globalisation has led to increased global inequality and global poverty. Not all countries, let alone all socio-economic groups, classes and strata, have benefitted equally from globalisation. For Harris, (1995) “Globalisation refers in general to the worldwide integration of humanity and the compression of both the temporal and spatial dimensions of planet wide human interaction ... [It] ... has aggravated many of the region's most chronic problems - such as the pronounced degree of economic exploitation and social inequality that have characterized Latin America since it came under European colonial domination in the sixteenth century”.

What distinguishes globalisation today from all previous forms of globalisation is the sheer size, scope, and reach of the multiple forms of globalisation – be it economic globalisation, the globalisation of economic crises, technological globalisation, the global division of labour, the globalisation of production and consumption or be it the globalisation of political protest, or social and cultural globalisation (see Hans-Henrik Holm and Georg Sorensen 1995).

Globalisation is about the shrinking of spaces and the compression of distances and the obliteration of borders over which information flows.

Läidi (2002) refers to this as “...a process of intensifying social relations on a worldwide scale that results in an increasing disjunction between space and time”. There is little doubt that at one level globalisation is about the increased interconnectedness between nations, societies and even communities where economic and socio-political events in one region of the world can have huge and often devastating effects on people in other parts of the world. This is best exemplified by the global economic crisis which began in the United States of America in 2007. What began as a national financial crisis associated with “toxic” financial assets (primarily in the banking sector where subprime lending markets were totally unregulated) very quickly spiralled into a global economic

“Countries seeking relief had to give priority to external debt repayment, and adopt austerity programmes of tight money and budget cutbacks focused on social expenditure affecting the most vulnerable.”

crisis. Giddens (1990), speaks of this kind of globalisation as the “... intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa.”

For Robert Cox, “The characteristics of the globalisation trend include the international division of labour, new migratory movements from the South to the North, the new competitive environment that accelerates these processes, and the internationalising of the state ... making states into agencies of the globalising world” (Cox, as cited by Scholte, 1999). Anthony Giddens sees globalisation as producing contradictory trends of destruction and solidarity with

differential effects in various parts of the world: “Globalisation is not a single set of processes and does not lead in a single direction. It produces solidarities in some places and destroys them in others. It has quite different consequences on one side of the world from the other. In other words, it is a wholly contradictory process. It is not just about fragmentation: I see it more as a shake-out of institutions in which new forms of unity go along with new forms of fragmentation” (Giddens 1996/97).

Stuart Hall calls it “... a hegemonizing process in the proper Gramscian sense” (Hall 2000). It is this hegemonising process that Waters refers to when he says “Globalisation is the direct consequence of the expansion of European culture across the planet via settlement, colonization and cultural replication. It is also bound up intrinsically with the pattern of capitalist development as it has ramified through political and cultural arenas. However, it does not imply that every corner of the planet must become Westernized and capitalist, but rather that every set of social arrangements must establish its position in relation to the capitalist West - to use Robertson’s term, it must relativize itself” (Waters, 2001).

For Roland Robertson globalisation does not simply refer to the objectiveness of increasing interconnectedness. It also refers to cultural and subjective matters, “... the compression of the world and the intensification of consciousness of the world as a whole.” The key features of the different definitions include (but are not limited to):

- interconnectedness across space, time geography;
- new kinds of social relations of production;
- global division of production and consumption;
- global markets for goods and services;
- awareness of interconnectedness of social and political connectedness including with respect to global networks of solidarity;
- national versus international/transnational interests;
- social relations as distanceless and

- borderless relations;
- the world as a single place – a borderless social sphere;
- the political and economic power of supra national bodies, International Financial Institutions, regional free trade bodies as well as global and regional institutions of political governance;
- culture and communication across of time and space; and
- international migration of labour and not just of capital.

What is lacking in most of the debates on globalisation is the globalisation of economic crisis, which found expression initially as a national financial crisis in 2007-08 and very quickly impacted globally, leaving very few countries unscathed.

The second part of this article briefly looks at how globalisation today is equated with a global economic crisis.

The Globalisation of the Washington Consensus

The post great depression consensus on the appropriateness of the organisational model for the economy and of administration and management in the developed world (and by extension in some of the colonies and in post-colonial countries) – Keynesianism and the social welfare state – came under severe attack towards the end of the 1970s. The economic crisis of “stagflation” (a recession with high inflation) precipitated new thinking about the role of the state in the economy, in regulating the economy and in service delivery. There emerged a discourse on civil service reform with its focus on efficiency and effectiveness which was far from neutral. It was part of the neo-liberal agenda that sought to roll back the state and the gains of the Keynesian welfare state and return to some imagined laissez-faire state characterised by unregulated markets and minimalist government.

Some first wave Public Service Reform initiatives undoubtedly predated Structural Adjustment Policies but it is the latter that gained enormous traction in the developing world as they were externally imposed and were an integral part of World Bank and IMF loans (World Bank, 2002; Wescott, 2008).

In the 1980s many developing countries were seriously affected by rising oil prices, inflation (some by hyper-inflation), and high debt loads exacerbated by high interest rates. Many sought financial relief from both the IMF and the World Bank (commonly referred to as International Financial Institutions or IFIs). Both used the Third World debt crisis to force Third World borrowers to accept Structural Adjustment Programmes. Countries seeking relief had to give priority to external debt repayment, and adopt austerity programmes of tight money and budget cutbacks focused on social expenditure affecting the most vulnerable.

The 1980s neo-liberal agenda encapsulated in the phrase “The Washington Consensus” constituted a set of conditions externally imposed on developing nations seeking World Bank or IMF loans to assist with the impact of the oil price shocks and

- privatising state owned enterprises;
- drastically pruning back social service expenditure;
- allowing the private sector into areas where they can provide public goods (health care, water, sanitation, education etc);
- undertaking a policy of export led growth;
- deregulating labour costs; and
- instituting user fees on government services.

The impact of SALs on the states of the global South was enormous – they led to downsizing, deregulation, privatisation, outsourcing, contracting out and an explicitly anti-poor policy agenda. Seizing on the economic vulnerability of many developing nations, the IMF and World Bank utilised neo-liberal Structural Adjust Programmes (SAPs) to begin a direct assault on what they conceived to be over-developed, bloated administrative structures in many developing countries. Structural adjustment also came to mean the structural adjustment of public administration and service delivery in the developing world.

As Akyuz notes, every time a crisis particularly in the form of a financial meltdown hit an emerging market and Newly Industrialised Country (NIC) the response from the IFIs was always the same: blame the victims for their predicament; ignore the systemic nature of economic instability; ignore global speculation in the currencies of NICs (especially from speculators from the global North); and demand the country in crisis adopt SAPs as a condition for a bailout (Akyuz, 2000). These policies were in marked contrast to the policies that were being practiced in the developed North.

By the 1980s even centre and centre left political parties in the global North became champions of neo-liberalism. High interest rates led to higher borrowing costs by the state and drastically increased public sector debt charges, seriously eroding public sector revenues. As a result, proponents of neo-liberalism were able to argue that the social welfare state was the source of crises and was also no longer sustainable. These proponents of neo-liberal policies were also ascendant within the IFIs. A new economic order

“Instability and fiscal turmoil came to be the hallmarks of the new economic order.”

the high interest rates which were prevalent in the late 1970s. Structural Adjustment Loans (SAL) were provided subject to countries implementing the following policies:

- opening the domestic economy to foreign investment and ownership;
- abolishing government subsidies on subsistence food products;
- liberalising trade;
- abolishing government subsidies to domestic farmers;
- devaluing national currencies and maintaining open capital accounts;
- instituting macro-economic fiscal discipline (eg deficit reduction and debt elimination policies);
- maintaining higher reserves of foreign currency and ensuring currency convertibility;
- tightening monetary and fiscal policies to restore investor confidence in the domestic market;
- deregulating domestic markets;

was rapidly established. But the new neo-liberal order was a dismal failure as it generated new and more frequent national fiscal crises around the world including in the Global North and among NICs.

Instability and fiscal turmoil came to be the hallmarks of the new economic order. By the early to mid-1990s various parts of the world were hit by financial crises – Mexico 1994-95; the East Asian crisis of 1997-98, Russia 1997, Turkey 2000, Argentina 2001-03. With each crisis and with the ongoing push to deregulate the financial industry, increase privatisation and undercut the power of regulatory bodies, the potential for a domestic crisis in a powerful economy to rapidly expand into a global fiscal crisis was also exponentially growing. Recognition of this potential was also growing.

Certainly the 1995 G7 conference in Halifax, Canada, was sounding warning bells about a potential for a global fiscal crisis and called for "... crisis prevention through the adoption of sound monetary and fiscal policies within each country, as well as greater surveillance of national economic policies, financial market events and data dissemination" (McBride and Whiteside, 2011). Interestingly with the exception of Canada none of the other G7 or G20 countries adopted anything resembling SAPs. It was Paul Martin, the Finance Minister in the Jean Chrétien Liberal Government, who from 1994 onwards pushed a stringent neo-liberal agenda domestically with the result that by 2001-02, programme spending by the state dropped from a high of 19.4% in the 1980s to 11.3% of GDP – the lowest since 1948-49 (McBride and Whiteside, 2011). Many argue these cuts, combined with Canada's unwillingness to deregulate its banking sector, enabled it to better weather the 2007 crisis than any other G20 country.

Even as these regional crises were unfolding there was recognition that there was a need to regulate global financial flows and speculative trading in currencies as both appeared to cause economic instability. There was even a call for the implementation of a tax on currency speculation – the Tobin tax. On the heels of the fiscal crises of

the 1990s and 2000s Nobel Laureate James Tobin explained the Tobin tax as follows: "The tax on foreign exchange transactions was devised to cushion exchange rate fluctuations. The idea is very simple: at each exchange of a currency into another a small tax would be levied - let's say, 0.5% of the volume of the transaction. This dissuades speculators as many investors invest their money in foreign exchange on a very short-term basis. If this money is suddenly withdrawn, countries have to drastically increase interest rates for their currency to still be attractive. But high interest is often disastrous for a national economy, as the nineties' crises in Mexico, Southeast Asia and

“The sub-prime mortgage crisis in the United States of America laid bare significant structural and systemic faults in the banking and financial sectors both in the USA and globally.”

Russia have proven. My tax would return some margin of manoeuvre to issuing banks in small countries and would be a measure of opposition to the dictate of the financial markets" (Tobin, 2001). Canada was the first G20 country to argue in favour of the G20 adopting the tax as a way of regulating the rampant currency speculation that was fuelling financial instability. It was never adopted despite attempts by both France and the UK to reintroduce it for debate at the G20 in 2009.

The 2007 financial crisis is significant because it began in the heart of capitalism as a sub-prime mortgage crisis and in short order became a financial crisis affecting virtually every country in the world. The sub-prime mortgage crisis in the United States of America laid bare significant structural and systemic faults in the banking and financial sectors both in the USA and

globally. It snowballed into crises in the housing sector, the commodities and manufacturing sectors; global stock markets plunged and the world was rapidly engulfed in the worst recession since the Great Depression of the 1930s.

For the very first time globalisation was equated with the global economic and fiscal crisis. The financial and banking sectors in both the global North and South were deeply affected by the crisis. Bear Stearns and Lehman Brothers, both huge financial institutions with global reach, collapsed in March and September 2008 respectively – as did Fannie Mae and Freddie Mac, both mega mortgage companies in the USA.

Bailouts of banks around the world became the norm, as did bailouts of the auto sector in the USA and Canada. In other parts of the global North, auto companies went bankrupt. The financial crisis in the USA precipitated a global economic crisis with the resultant global recession. Reacting months too late the IMF declared in 2008 that the US was in the "largest financial crisis ... since the Great Depression" (McBride and Whiteside, 2011).

The dimensions of the global crisis, the accompanying credit crunch and the devastation that was wrought can be gleaned from the following data:

- By 2007, the subprime industry worth \$1.3 billion US was collapsing;
- In addition to the collapse of Bear Stearns and Lehman Brothers, Mortgage Lenders Network U.S.A. the country's fifteenth largest subprime lender filed for bankruptcy – followed in short order by New Century Financial Accredited Home Lenders Holding, and Countrywide Financial;
- In July 2008 Indymac the Bank went into receivership – the fourth largest bank failure in US history;
- French investment bank BNP Paribas announced the first of many credit losses and "write downs";
- The European Central Bank pumped 156 billion Euros (\$214.6 billion US) into the European banking market in August 2007;
- The US Federal Reserve Bank injected an initial \$3 billion into

the banking sector and in October 2007 a group of US banks backed by the federal government created a \$100 billion superfund to purchase mortgage-backed securities whose values were eroding by the day;

- The Bank of Japan reacted similarly with an initial 1 trillion yen (\$8.4 billion);
- In 2008 Merrill Lynch was sold to Bank of America and Washington Mutual was seized by the Federal Deposit Insurance and its assets were sold off to JP Morgan Chase for \$1;
- In March 2008 the Dow Jones Industrial Average fell by 20% - beginning a collapse of stock markets around the world;
- Between October 6-11 2008 the US stock market suffered its worst week in 75 years; - the Dow Jones declined 22.1% (the worst week on record); the S&P lost 18.2% (worst since 1933).
- By October 11, 2008 US stocks alone lost \$8.4 trillion of their value from the 2007 high point;
- Stock markets around the world were similarly affected.

Global bailouts by governments continued throughout 2008, 2009 and 2010:

- February 2008 Northern Rock was nationalised by the UK government;
- October 2008 the US government announced the \$250 billion of public funds money was to be used to prop up the US banking system and Congress approved a \$700 billion financial rescue package designed to help strengthen bank profitability (Barboza, 2008);
- November 2008 the US government rescued the global Citigroup to the tune of \$45 billion;
- January 2009 the German government invested 10 billion euros into Commerzbank, the second largest bank in Germany;
- January 2009 the US government spent \$20 billion to bailout the Bank of America (with a further \$118 billion US in guarantees against toxic assets);
- January 2009 the Irish government nationalised the Anglo Irish Bank – the country’s third largest bank;
- October 2010, the government of

Ireland admitted that the financial crisis was not over and that the cost of bailing out its stricken banks could be as high as E50 billion (£43 billion). Finance minister Brian Lenihan said the final bill for supporting one bank, the already-nationalised Anglo Irish Bank, would equal the country’s annual tax income of E34 billion under a worst-case scenario. Even under a best-case scenario, the total bailout would reach E45 billion, with Anglo needing E29.3 billion. The cost of the bailout has increased the Irish national debt to nearly 100 per cent of annual economic output (*The Express*, 4/10/2010).

- Market capitalisation of the Icelandic stock exchange fell by 90%
- In October 2008, control of Landsbanki and Glitnir of Iceland

“Workers were hardest hit – they lost their jobs, those who remained were being paid less and asked to work harder and their pensions and benefits were significantly reduced.”

was handed over to receivers appointed by the Financial Supervisory Authority (FME). Two days later, the same organisation placed Iceland's largest bank, Kaupthing, into receivership as well. The assets of the three banks taken under the control of the FME totalled 14.437 trillion krónur at the end of the second quarter 2008, equal to more than 11 times of the Icelandic GDP;

- Relative to its size the collapse of the Icelandic banking sector is now regarded as the largest collapse in economic history (*The Economist* 11 December 2008);
- March 2008 the Carlyle Group, the most revered name in private equity, admitted that one of its

funds could not repay its debt. For every \$1 of equity, the \$22 billion Carlyle Capital Corporation fund was leveraged with \$32 of loans. In other words, it toppled over under the weight of unsustainable debt;

- September 2008 Ben Bernanke announced an \$85 billion US emergency loan to AIG the world’s largest insurance company which was on the verge of collapse;
 - September 2008 HBOS, the UK’s biggest mortgage seller was on the verge of collapse as plans were put in place for Lloyds to take over HBOS;
 - October 6, 2008, more than £90 billion was wiped off the value of Britain's companies in the worst day of trading on the London stock exchange since Black Monday in 1987;
 - October 2008 the UK government announced a £500 billion (approximately \$850 billion US) bank bail-out and a £50 billion direct investment in the banks to shore them up;
 - October 2008 in an effort to both bolster the slumping Chinese economy and not add more to the global recession, the Chinese government said it would spend an estimated \$586 billion over the next two years – roughly 7 percent of its gross domestic product each year – the package is the largest economic stimulus effort ever undertaken by the Chinese government;
 - As the crisis spread to the manufacturing sector in the US and Canada, the auto industry which employed tens of thousands of workers went into a tailspin and the two governments spent close to \$20 billion in emergency loans;
 - Hard hit by the crisis, the Saab motor company struggling to avoid insolvency throughout 2011, petitioned for bankruptcy in 2011.
- The crisis was widespread, profound and spread as stock markets and commodity markets around the world collapsed. No country was untouched by the crisis which in the global North deeply affected the PICS – Portugal, Italy, Greece and Spain. Not surprisingly countries in the globalised North, as well as China

and Japan invested hugely in stimulus packages – for example by March 2009 Congress had approved the largest stimulus package in the world and it had grown to \$804,070 million or 5.9% of 2008 GDP (it took the form of both tax cuts as well as increases in public sector spending). The stimulus packages combined with historic lows in interest rates were unable to pull economies of the global North out of this entrenched recession. It was not until 2013 that the major stock markets regained their losses and once again reached their 2007 highs.

One of the initial crises of globalised neoliberalism was the international debt crisis of the 1980s. Following that came regional crises in Latin America, Asia and Russia, then came the 2007 Great Recession and within the time frame of the latter is the sovereign debt crisis affecting the PIGS but initially felt most harshly in Greece which was on the verge of bankruptcy by May 2010. The sovereign debt crisis has not been completely resolved and it continues to plague vulnerable European economies (particularly Spain and Portugal). McBride and Whiteside (2011) argue that "...the neoliberal globalisation paradigm has delivered a more volatile economic environment than its Keynesian predecessor. The 1990s saw deep recessions and several financial crises. The crisis that began in 2007 is the most serious to date".

Conclusion

Ironically the ideological rationale for abandoning Keynesianism was that it purportedly generated crisis and stagflation and it was incapable of dealing with the new realities of free trade, trade liberalisation and regional and global economic integration. Yet the response to the Great Recession beginning in 2007 was both a return to the 1930s New Deal stimulus packages and policies (a form of Keynesianism) and a return to inward looking economic policies (buying and sourcing locally) with increased calls for regulation (the latter was hardly ever implemented post 2007).

The Great Recession and the accompanying bailout and stimulus packages hit the working class and

the middle classes the hardest. There were huge layoffs in all sectors of the economy, and as corporations began to restructure in response to the recession they squeezed out huge concessions from workers – including with respect to lowering salaries, clawing back wage and benefits gains and restructuring pensions. So workers were hardest hit – they lost their jobs, those who remained were being paid less and asked to work harder and their pensions and benefits were significantly reduced. In additions hundreds of thousands of workers and their families lost the equity they had built in their homes and in the stock market. As a result of the subprime mortgage crisis, and the massive collapse in the housing market, families in the US particularly found they owed more on their homes

“Governments around the world spent trillions of dollars in the “Great Recession” to bailout corporations and on stimulus packages to stimulate their respective economies.”

than the homes were worth. Further because many found themselves unemployed they had to simply walk away from their homes. Workers were the hardest hit and they lost trillions of dollars in equity they had built over the decades.

On the other hand, governments around the world spent trillions of dollars in the “Great Recession” to bailout corporations and on stimulus packages to stimulate their respective economies. The globalisation of neo-liberal economic policies generated a catastrophic crisis which neo-liberalism has failed to adequately deal with. But the question that remains is who will ultimately pay for the debt that states have accumulated as a result of the Great Recession. The answer is quite simply the poor, the working poor,

and the middle classes. An age of austerity has been ushered in and the call for debt reduction, fiscal stability and balanced budgets will undoubtedly occur though austerity and particularly through cuts to social programmes. Schmidt argues that unlike the housing bubble, the commodities bubble and the IT bubble, the public debt "...bubble and bailout are expected to come from the same public purse" (2010). And this can only mean that the vulnerable who were rendered unemployed, who lost their equity in their houses and in their pensions will be hurt and harmed even more as austerity, debt reduction and balanced budgets once again become hegemonic watchwords of global neoliberalism. The globalisation of the crisis of neoliberalism has not spelt the death knell of capitalism. It has however generated the globalisation of resistance and the strengthening of global networks of solidarity. ■

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URBAN-NEOLIBERALISM

The protests in Brazil and Turkey in context



By Chris Matlhako

"The rise of these social movements needs to be placed in the context of the destructive impact of capitalist globalization. Over the past four decades the world economy has undergone a transition from a system of international trade centered on national economies to a globally integrated system of production under the aegis

of transnational corporations. This has marked a new epoch in the history of capitalism. Neoliberalism has served as the economic doctrine for breaking down barriers to the free flow of capital around the globe", writes Roger Burbach in *Latin America's Turbulent Transitions*.

As the first kick of the ball occurs in one of the 'incomplete' stadia

in Brazil's economic hub and most populous city, Sao Paulo, marking the commencement of the world's biggest football spectacle, the 2014 World Cup, scenes other than corners and samba celebration goals will also be beamed to billions of people across the world. As this piece is being written, reports are streaming in of protests to disrupt the event and demonstrate

anger as part of a systematic campaign. The federal government calls this a 'campaign to make use of fair claims made by the population for improvement in public services for the purposes of promoting a rhetoric hinged on inefficiency of the state and public spending'.

The World Cup 2014, which started across the cities in Brazil this June, will grip the attention and scrutiny of the entire world, not least because preparations have been rocked by sporadic protests since June-July 2013. Besides the football, the demands of the protestors who have fought for media attention in running street battles with the authorities, will become even more politicised and amplify the choruses for the overthrow of the government of President Dilma Rousseff – à la post-Arab Spring and the 'Ukraine-ouster' cocktail.

The urban-neoliberal praxis and context is a key framework for comprehending the urban redesigning and public spending through mega-projects, including hosting major events. It is a critical methodology, very useful in evaluating these developments. It 'focuses on the way in which globalization and liberalization articulate with the emergence of new forms of governance, on the formation of a new scalar gestalt of governing and on the relationship between large-scale urban development and political, social and economic power relations in the city', says Swyngedouw.¹

Brazil, described as 'the country of the future', is generally believed to be on the verge of realising much of its historic potential, as it deals with the socio-economic and political contours that characterise Brazilian society, led by the Workers Party and its left-leaning allies. The national motto: "Order and Progress", spread across the Brazilian flag, seems to be achievable through the deepening democratisation process, which commenced after the great workers' leader Luiz Inácio Lula da Silva, (popularly known as Lula) assumed power on 1st January 2003.

Over this period Brazil has grown phenomenally, both as an economic power and in the international sphere. However, the vestiges of the bitter realities of the past still linger on,

through poverty, regional disparities and inequality. Today Brazil is the world's fourth largest democracy and its sixth largest economy. Of the developing countries, only China receives more foreign direct investment. But, unlike China, Brazil is a robust producer and exporter of manufactured goods, foodstuffs and raw materials. This includes large amounts of energy, still growing, owing to recent major discoveries of oil and gas. All of this has not gone unnoticed up north, as much of Latin America turns towards new forms of alliances in terms of trade and economic-bloc integration, away from the United States and its North American Free

“ The Brazilian authorities have always held that these demonstrations, though espousing legitimate demands, have as their ultimate strategy a broader campaign and offensive against President Dilma Rousseff, the Workers Party and its allies. ”

Trade Agreement (NAFTA).

Already the world's media is in overdrive in anticipation of the increasing protests over this period. As a precursor, the 2013 Confederations Cup was characterised by such actions at the same time as wide-spread protests engulfed public spaces in major cities across the world. The Brazilian authorities have always held that these demonstrations, though espousing legitimate demands, are part of a broader strategic campaign aimed ultimately against President Dilma Rousseff, the Workers Party and its allies, 'with international repercussions, whose intention is to sow disinformation and pessimism, led

by the opposition, with critical support from the big media, in an attempt to undermine the government'.

The Brazilian and Turkish protests sprung up around the same time, in June-July 2013, and have often been linked together through varied arguments. The usual explanations proffered by mainstream media centre on its praxis of 'lack of democracy and a deep disenchantment of the middle classes, endemic corruption, a lack of accountability and transparency'.

Lacking a plausible explanation for these developments across major cities in the world, capitalism and its media, think-tanks and others, have sought to develop a post-Arab Spring praxis. The mouthpiece of capitalism, *The Economist*, published a six-page essay: 'What's gone wrong with democracy – and how to revive it'. In the post-Arab Spring period, capitalism has been unable to explain the events which overtook its designs for increasing its geo-strategic, political and economic interests.

In the case of Brazil in particular, 'pent-up frustrations with the lack of social services, such as public transport', are cited as the factors driving the protests.

The media reaction to the Turkish protests, which have had a prolonged life, should be viewed against the background of the loud chorus of denunciations for the Syrian and Iranian presidents to quit, because they 'no longer enjoyed the support of the people' – No! Not Turkey and Recep Tayyip Erdogan's ruling Justice and Development Party (AKP). None of the western powers have raised a whimper in the subsequent developments and heavy police crackdown on protesters across nation-wide actions in Turkey, which culminated early this year with Prime Minister Erdogan banning the 'twitter' social media platform, after it carried reports of allegations of official state complicity in the Syrian crisis. Prime Minister Erdogan has been fighting off one scandal after another. Recently he was fighting for his political life after a series of secretly taped conversations was posted on Youtube, a video-sharing website, on 24 February. In them he allegedly discusses with his younger son, Bilal,

how to get rid of millions of euros of cash stashed in his house. "After all it (Turkey) is the ultimate CNN poster country, it's totally on 'massage' in its brand of autocracy-enabling neoliberalism (as the Gulf Cooperation Council petro-monarchies)", argues Pepe Escobar.²

We argue that there is much more to this paradigm of Western-media democracy. In fact, the underlying factors are, in varying degrees, all related to the failure of the neo-liberal capitalist trajectory, which is compounded by a general economic decline and simultaneous relative growth in the periphery.

Both Turkey and Brazil have recently witnessed surging economic growth, despite the systemic capitalist crisis in the epic-centres. These events have few similarities, and are in fact hugely different, not least because of the political orientation of the leadership of the countries and the trajectories they are upon. Whereas Brazil is democratising, Turkey under Erdogan is moving towards greater authoritarianism.

At the core of this agenda are the failed policies of urban neo-liberalism and its variants: in Brazil, a historic legacy of distorted urban spatial development; and in Turkey, 'a slew of the ruling Justice and Development Party (AKP) mega-projects (infrastructure) all across Istanbul that totally exclude the input of civil society'. "The AKP", argues the Turkish Communist Party (TKP), "was the most appropriate instrument for a smooth realization of neo-liberal transformation in Turkey." The AKP, which is a split from the Welfare Party of Islamist 'national vision' tradition, has received unlimited support from the United States and the European Union, which regards this party as an instrument to make Turkey a 'model country' of 'moderate Islam' in accordance with its 'extended Middle East Project' of US imperialism.

Reflections on the protests: their meaning...

Coinciding with the opening of the 2013 FIFA Confederations Cup, a series of massive and spontaneous outbursts organised by Movimento

do Passé Livre (Free Fare Movement), flared up in the major cities of Brazil. As Brazil was about to explode, rage continued to pour out in the suburbs of Turkey and in the Bulgarian capital of Sofia; and Bosnians filled the streets of Sarajevo to protest against the government's ineptitude in clearing a massive backlog of unregistered newborns. As if to announce and welcome the focus of the world on the post-dictatorship and democratising Brazil, and simultaneously remind all of the recent history of the country, massive numbers of people poured out onto the streets of Brazil's major cities protesting, principally, against rising fares in public transport.

The authorities – and everyone else – were caught unawares, including

“It is crucial to note that the mayor of Istanbul, also from the ruling AKP, owns a retail chain that will make a killing out of the mall. Similarly, the man holding the contract for this ‘redevelopment’ is no less than Erdogan’s son-in-law.”

the crowds, which overwhelmed both the organisers and the authorities. The Western media has had no plausible explanation, and thus no catchphrase, like they did with the so-called 'Arab Spring', to condense these events into their paradigm and rationale.

The only common thread they cobbled together was the active participation of the middle classes in huge numbers in the street protests and the media-technology platforms used to ignite them. However, this does not sufficiently explain the underlying factors and the core of issues that were the locomotive of the massive outpouring. The trigger the events occurred in the city of São Paulo with violent repression visited

upon the demonstrators by the Military Police – acting on instructions of the PSDB (Partido da Social Democracia Brasileira) state government. This created conditions which spiralled rapidly to a point where the movement coordinating the protests (MPL) lost control.

With respect to those organising and coordinating the protest, there is speculation that, particularly in the case of Brazil, there is convergence with the recent revelations of the USA spying saga. It is suggested that this was used to instigate dissent under different pretexts, taking advantage of the genuine concerns of the people. The Brazilian fault-lines of a highly unequal society, a large population with huge expectations, untransformed capital and a legacy of graft, created fertile grounds for the massive outbursts. In the attempt to overcome the historic legacy of the past, progressive Brazil has had to contend with a contradictory trajectory whose key players are the very social movements it nurtured and built links with in the preceding periods – now priority beneficiaries of the policies adopted by Lula-Rousseff.

The Lula-Rousseff project of socio-economic modernisation in Latin America's largest economy has not passed unnoticed, especially after Rousseff recently proposed a plebiscite on the issue of conducting in-depth political reform in the country and mooting a second presidential term. "The plebiscite and subsequent steps should lead to the calling of a Constitutional Assembly, which would amend the main law of the land to be more democratic, increasing the role of the people in making important decisions on the country's developments. These plans are already evoking opposition from Brazilian financial oligarchic circles", says Nil Nikandrov.³

It must also be noted that Presidential elections in Brazil are set for October 2014. There are sections in Brazilian society who oppose the rule of the left and feel that over the last eleven years of presidencies of Lula da Silva and Dilma Rousseff, the 'regime has become corrupt' and should be changed. However, in a televised address to the nation, Rousseff

adopted a conciliatory policy rather than confrontational one. She stated she was proud that many Brazilians are fighting for a better future country: "It's good to see so many young people and mature people as well, walking side-by-side, waving Brazilian flags and singing the national anthem," she said. Importantly, she emphasised that the decision to use the military police against the demonstrators was made by state leaders and not the federal government. She also pointed out that she would never allow international sporting events to be held at the expense of state-funded social programmes.

As a result of a complex intersection of factors, the key demands that President Dilma Rousseff's government is addressing, including the high transport costs, are a reflection of the legacy of the huge inequalities, deep poverty and the distorted spatial urban geography of the country. What was originally a movement against high bus fares morphed into mass demonstrations against ingrained corruption, shoddy public services, high taxes and rising inflation.

These events are also occurring in the backdrop of the raging protests in Turkey, Bulgaria and Bosnia. 'Around the globe this summer'; we are told, 'is the summer of the middle class discontent, particularly in the developing world'. The Turkish Communist Party (TKP), reflecting upon these events, sent out a public declaration to left and progressive forces saying:

While the masses are chanting the slogan, 'Government, resign!' the negotiations limited to the future of the Taksim-Gezi Park are meaningless. The government pretends not to understand the fact that the old balance has been upset fundamentally and cannot be restored. Everybody knows that the popular movement is not the product of susceptibility towards the trees in the Gezi Park. The anger of the people is over the urban transformation projects, the terror of the market, open direct interventions in different lifestyles, Americanism and the subordination to the US, the reactionary policies, the enmity

towards the Syrian people. The AKP [the Justice and Development Party of Turkey, which is the party of Prime Minister Recep Erdogan] cannot deceive the people with a discourse of 'We will plant more trees than the ones that we will chop down.' This underlined deep-seated problems, through which the Gezi popular protest was able to crystallise.

Different interpretations are being offered, as some in the capitalist mainstream media seek a construct that would fit. Occurring in the midst of the crisis of capitalism, the mainstream media has had to dig deep to find a praxis and subsequently proclaim the explanation in terms of one common

“These events have few similarities, and are in fact hugely different, not least because of the political orientation of the leadership of the countries and the trajectories they are upon. Whereas Brazil is democratising, Turkey under Erdogan is moving towards greater authoritarianism.”

element, 'middle class' activism and participation in large as yearning for 'deeper democratisation'. The other common denominator in these latest protests is the 'bourgeois use of infrastructural development projects to fetter a politically-connected elite'.

These latest protests have little in common and are driven by varying demands. They have thus been interpreted differently, particularly by the capitalist mainstream media, which has been left dumb-founded in relation to both the basis (material conditions) and demands (aspirations) of the popular outbursts. Elsewhere, they are presented in ways not very

different from the position stated in the following quote from the *Washington Post*:

Around the globe, this is the summer of middle-class discontent, particularly in the developing world. From Istanbul to Rio de Janeiro, from Bulgaria to Bosnia, the pent-up frustrations of an engaged citizenry are being triggered by a series of seemingly disparate events. Government development of a park in Turkey has erupted into broad unrest over freedom of expression in a society that, under a devout and increasingly authoritarian leader, is witnessing the encroaching power of Islam. A hike in bus fares in Brazil, meanwhile, has touched off an uproar over official waste, corruption and police brutality. But what do they have in common? One small incident has ignited the fuse in societies that, linked by social media and years of improved living standards across the developing world, are now demanding more from their democracies and governments.

In all of these analyses, the class basis of the protests is submerged and obfuscated.

Nourishing the politically connected bourgeoisie

The underlying objective of this strategy is to create an accumulation path for the bourgeoisie and cronies through creating the impression of addressing the developmental needs of the people. Neo-liberalism's vanity projects include the proposed mall in Gezi Park and much bigger proposed developments such as a bridge across the Bosphorous and a new airport further north of the city of Istanbul, as well as massive spending on infrastructure for sporting events such as World Cups and the Olympics. In fact in his 2011 elections campaign, Erdogan is reported to have opened his campaign with spinning a 'crazy project': a 50km canal from the Sea of Marmara to the Black Sea to be completed by 2030 – centenary of the Turkish Republic – to the tune of up to \$20 billion. The AKP has subsequently defended these vanity projects as their ambitious policy for 'urban transformation' and has taken advantage of the cliché, 'bridge between civilizations' in the Istanbul

're-development'. There are however obvious political machinations, where Istanbul accounts for 85 of the 550 parliament members whereas Ankara, the capital, has only 31.

The basis for protests in both Brazil and Turkey at least requires deeper analysis and a much broader perspective. At the heart (nominally) of these is what we can call 'infrastructural development deficit' and/or parasitic buttressing of a compradorial bourgeoisie through a primitive accumulation agenda. Calling this a 'positive infrastructural development', as in the case of Gezi Park, it has emerged, is intertwined with a much bigger agenda of the ruling elites of the AKP and Erdogan.

Thierry Meyssan argues that 'the Turkish people are not protesting against Recep Erdogan's autocratic style, but against his policies; in other words, against the Muslim Brotherhood, of which he is the mentor'. What started on Taksim Square is not a 'colour revolution' over a new building project, but an uprising that has spread across the entire country; in short, it is a revolution that calls the 'Arab Spring' into question. Meyssan asserts that the Turkish uprising is rooted in the inconsistencies of the Erdogan government. The latter – after having billed itself as "Muslim Democrat" (based on the "Christian Democratic" model) – suddenly revealed its true nature with the advent of the Arab Spring "colour revolutions."⁴

Prime Minister Erdogan belittles the popular protest spreading among a cross-section of secular Turkey and totally opposed to his highly personalised-autocratic mix of hard-core neo-liberalism and conservative religion. That the prime minister is now deriding demonstrators as "looters" is indeed very strange – is he not the same man who said Egyptian strongman Hosni Mubarak "must listen to his people" and Syrian President Bashar al-Assad must go? Escobar says that the Gezi Park's destruction follows a globally tested neo-liberalism racket; it will be replaced by a simulacrum – in this case a replica of the Ottoman Artillery Barracks – housing, and, what else, yet another shopping mall. It is crucial to note that the mayor

of Istanbul, also from the ruling AKP, owns a retail chain that will make a killing out of the mall. Similarly, the man holding the contract for this 'redevelopment' is no less than Erdogan's son-in-law.

Conclusion

In contrast to Turkey's Erdogan, Brazil's Rousseff immediately seized the opportunity to provide leadership to the otherwise leaderless protest which was spiralling out of control into violent confrontations and unnecessary deaths. On 24 June, Rousseff spelt out the proposal of a pact involving governors, mayors, parties and leadership of the social movements. The pact, according to her, aims at offering a concrete response to the demands from the streets addressing

“The Brazilian fault-lines of a highly unequal society, a large population with huge expectations, untransformed capital and a legacy of graft, created fertile grounds for the massive outbursts.”

the following issues:

- enforcing fiscal accountability so as to maintain economic balance and control inflation;
- a debate about summoning a referendum authorising a Constituent Assembly to make democratic political reform;
- a project classifying corruption as a heinous crime;
- the improvement of the Brazilian health system by expediting investments;
- the improvement of the quality of public transport and the creation of a Mass Transportation National Council with the participation of society; and finally
- the allocation of more resources to education using 100% of oil royalties.

These are indeed far-reaching proposals and if they are followed up have the potential to contribute towards entrenching a much deeper democratisation process in Brazil. This will indeed present the opponents of the Lula-Rousseff process with added problems. The Partido Comunista do Brasil (PCdoB) argues in its recent analysis, "The huge mass mobilisation created a new and unstable political situation and the outcome is yet to be seen. There is an ongoing fight regarding the meaning and the way to be taken ahead. Such situations demand mobilisation and action from the democratic and popular political field, mainly the left-wing, for the changes to actually happen, strengthening the government and the leadership of President Dilma Rousseff."

The most frequent argument in the media with respect to Brazil is that the federal government prioritised the World Cup infrastructure at the expense of healthcare and education. The World Cup had a budget of US\$ 1.3 billion. The construction of stadia was undertaken via funds from the National Economic and Social Development Bank (BNDES), local resources and private sector investments. About 70% of the World Cup spending was not on the stadia, but on infrastructure, services and labour, with training and capacity-building programmes. Expenditure on urban mobility is just about the same as on the stadia – 45 urban mobility projects prioritising public transport. These projects include dedicated bus lanes, stations, terminals and traffic-control centres, Bus Rapid Transit (BRT), and light-rail vehicles (LRV).

For Brazil, the problem is not the protests and demonstrations during the World Cup, but rather the structural violence that has come to pervade Brazilian society over centuries of inequality and the criminalisation of poverty. ■

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RADICAL LAND AND AGRARIAN REFORM ON THE HORIZON IN SOUTH AFRICA

Following Zimbabwe's Footsteps?



Although the land question for South Africa appears similar to that of Zimbabwe from a historical sense, it might very well be that the current contexts require different sets of interventions.

By Vusi Gumedede

The patterns of power relations and privilege in South Africa have for long been shaped, produced and reproduced by a historic accumulation regime – starting with primitive accumulation which escalated to all manner of enslavements – dependant on the dispossession of the majority of people, particularly their right to use and control their own land. For instance, the true story is yet to be told of how the colonialists violently disrupted relatively advanced farming in the most southern tip of the African continent.¹ As Claude Ake (1980) and Archie Mafeje (2003) argue, the introduction of wage labour led to rural-urban migration and effected distortions in Africa's natural economy, culminating in the dislocation of the prospect of an agrarian revolution. It is no surprise that the life of an African, relative to the life of a non-African, even in the continent of Africa is a life in hardship, deprivation and underdevelopment.²

Africa's development challenge

Essentially, we are dealing with skewed global power relations which maintain the status quo. At the level of domestic economies, the skewed global order manifests itself through state-market relations that privilege capital and its allies at the expense of development and the people. There is a deliberate design by the global capitalist order to perpetuate a socioeconomic and political system that advances the interests of the West and maintains the peripheralisation of the African continent. In the case of South Africa, Sampie Terreblanche (2012:40) captures it well, stating that "in the history of South Africa since 1652 a great variety of capitalist corporations have succeeded in 'identifying' themselves so triumphantly with successive political authorities (or with successive states) that they took over the states and (mis)used them to promote the narrow class interests of the capitalist/corporatists class to the detriment of society at large."

Instructively, Lungisile Ntsebeza and his co-editors (2013: 1) open their recent book with a punchy sentence saying "there remains a land crisis in South Africa." In the ensuing sections,

I advance an explanation – perhaps at a theoretical level – as to why land reform in South Africa has been slow. I tap on land reform experiences of selected countries within our African continent and selected countries in Asia, to suggest what should or could happen in South Africa, regarding land and agrarian reform.

Deconstructing a legacy of land dispossession in South Africa

Between 1811 and 1909, there were at least ten wars of resistance by Africans against the settlers. This excludes the many battles and wars that Africans fought against non-Africans starting in 1510, a war that Africans fought and won against the Portuguese colonialists. After unsuccessful

“ If government does not change gear towards a radical or comprehensive approach to land and agrarian reform, the consequences will be devastating for the entire country. ”

resistance against the Dutch by the Khoi, led by Chief Qora, the Cape colony was to change hands between the Dutch and the English before the English converted it to a 'permanent British possession' in 1815. Eighty five years later – in 1909, through the malicious Union of South Africa Act – the whole of what we now know as South Africa became the country of European colonialists when the "British colonial power transferred the country of Africans to the Anglo-Dutch settlers" (Pheko, 1994:5).³

Immediately after the formation of the Union of South Africa, the Natives Land Act was passed by the colonialists in 1913;⁴ making Africans 'aliens' and 'temporary visitors' in their country of birth. South Africa effectively went through, for centuries, a similar brutal experience to that of other African countries, although of course life was even harder for other parts of the

African continent.⁵ For about 350 years, Africans in South Africa were subjected to discriminatory and unjust (land) laws. Colonial and apartheid laws played a key role in legitimising systematic land dispossession and segregating Africans. For instance, the 1913 Natives Land Act allocated only about 13% of land to Africans, the rest of fertile land was allocated to whites.

Land dispossession was used as a means to subjugate and oppress Africans and to force Africans into labour reserves and into super-exploitation as wage workers. Despite efforts to address the land question, the legacy of land dispossession remains visible on the South African socio-political and economic landscape. Lungisile Ntsebeza and his co-editors fittingly argue that "the resolution of the land question by radical land redistribution [in South Africa] is a *sin qua non* for dismantling the former bantustans... [and that land and agrarian reform should ensure a] thoroughgoing process of decolonisation" (Hendricks et al (2013: 348-9).

Revisiting the Land Question

As Frantz Fanon (1963: 9) aptly put it, "for a colonial people the most important essential value, because the most concrete, is first and foremost the land: the land which will bring them bread and, above all, dignity". It is obvious that, therefore, the land question in Africa, and particularly South Africa, is the mainstay as far as the liberation project is considered⁶ – the complete liberation of Africans requires that land must be redistributed, at minimum. Policy should be very clear so as to guide actions to be undertaken regarding land and agrarian reforms. Tendayi Murisa (2013), for instance, argues that the poor understanding of small scale farming in Southern Africa has resulted in inappropriate policies and that "policy reform at regional and national levels should be driven and informed by the needs of affected communities" (p.209).

Land remains a major source of livelihood for most people on the continent and this will likely be the case until the industrial and service sectors take the lead in most African economies (Moyo, 1998). There

are also spiritual reasons why land is of paramount importance – it is in the land and through the land that people can connect with their spiritual being and are able to be truly themselves.⁷ Apart from its value for agricultural production to realise commercial and subsistence farming for monetary exchange, land also provides basic household needs such as woodfuel, medicines, game meat and housing materials. Rural people in particular need access to land, tenure security, agricultural support and an environment that is conducive to small-scale farming. South Africa's national development initiatives depend, to a large extent, on the attainment of equitable land distribution and its sustainable utilisation. The success of our democracy depends on this.

The arguments for land redistribution are many and wide ranging. There are political, economic, social as well as moral reasons why there should be a radical transformation process in land ownership patterns in South Africa. Everyone agrees that redistribution would reduce inequality and hence enhance social justice. Land reform is also necessary to right past wrongs because productive land was stolen from Africans during the process of colonisation. It is a given, as Frantz Fanon would contend, that as part of the process of decolonisation, this land should be restored back to the people that owned it. Redress in South Africa has to start by recognising the historical experience of apartheid colonialism. It is in this context that many argue that South Africa should follow on Zimbabwe's footsteps.⁸

Zenzo Moyo⁹ (2013) observes that land owners and the landless people in South Africa seem to agree that so far land redistribution and the transformation of land ownership patterns in South Africa is moving at a very slow pace. Parliamentary hearings on land reform in 2007, the ANC's conference resolutions in 2007, and the parliamentary media briefings in 2008 confirmed the view that many people (both within and outside the ruling party) are increasingly unhappy with the pace of land reform. The premises on which this belief is held by the various stakeholders differ

fundamentally.

Arguably, landowners want land reform to be speeded-up in order to avoid the 'chaotic' way in which it was done in other countries such as Zimbabwe, while on the other hand, landless people want land redistribution to be quickened so that they can also participate fully in the economy of the country and correct the imbalances of the past.

Because only a negligible amount of land has been redistributed so far, many people have begun to doubt the efficacy of market-oriented land reform processes. Yet, while the need for redress is acknowledged, the legacy of the principle of willing buyer, willing seller has been unending and grossly underwhelming to say the least. The

“Land reform must go hand-in-glove with a restructuring of the rural economy. A bolder and more holistic approach to restructuring South Africa's rural economy is therefore needed.”

implication has been that those who now own the land will either willingly give up portions of their ill-gotten gains or that the state has enormous financial reserves which will allow it to buy up huge tracts of viable farmland. Of course we are or were wrong.

Thomas (2003: 694-5) argued the following about Zimbabwe, which is also relevant to South Africa:

It is uncontested that land was simply stolen from its owners throughout the century before independence. Redistribution would reverse this process and return land to the dispossessed. Additionally, racial basis of land inequality needs to be specifically acknowledged. Redistribution is justified at least in part through the need to redress racial imbalance

in land ownership for a number of reasons not least among them being that the political instability is inevitable when the subordination of Africans is perpetuated by the inactivity, through collusion or impotence, of an essentially African government. The eradication of this nexus of privilege and humiliation is essential to the re-establishment of confidence among a demoralised black population.

Of late, there are even more direct comparisons between Zimbabwe and South Africa when it comes to land and agrarian issues. Ian Scoones (2010) and his co-researchers, for instance, make a case that there are important lessons from the Zimbabwean Fast Track Land Reform programme for South Africa and Namibia. They further argue that what happened in Zimbabwe during 1999-2002 could also happen in South Africa. Sam Moyo (2013) draws insightful parallels between South Africa and Zimbabwe, effectively arguing that South Africa is increasingly facing similar 'forces' that led to the radical land reform in Zimbabwe – the agrarian question is just as prominent in South Africa today as it was in Zimbabwe in 2000.

Lessons from Zimbabwe

Zenzo Moyo (2013) makes a point which many people have repeatedly made, that the land question in Zimbabwe has been a problem since the political independence of that country in 1980. One of the reasons why people participated in the liberation war was because of the skewed land ownership patterns that favoured the minority white population (Shoko, 2004).

Through a process of systematic and 'legal' evictions, about 5 000 large commercial farms had come to occupy 15.5 million hectares of the 33 million hectares of farm land by independence (Thomas 2003). This process expropriated fertile land from blacks and ensured that most fertile land was in the hands of white commercial farmers. In 1979, the colonial government, led by Ian Smith, and the nationalist parties led by Robert Mugabe and Joshua Nkomo

participated in the Lancaster House negotiations that were meant to end the war and lead to majority rule (Moyo, 2013). This 1979 Lancaster House Agreement (LHA) set the terms for all policies in the first ten years of Zimbabwe's independence (Sadomba & Andrew, 2006). A close look at LHA shows that the proposed land reform process nuanced the reconciliatory nature of the 1979 negotiations, thereby discounting any radical land reform.

In terms of seeking a resolution to the land question in Zimbabwe at the time, the British, as former colonisers, agreed that they would contribute to land purchase, and pledged 20 million pounds in 1980 (Scoones et al 2010). The basis of land acquisition according to the LHA was through the principle of willing seller, willing buyer (Moyo, 2013). All participants of the negotiations acknowledged that land reform had to be a central plank of post-independence policy. During this period, the new government played by the rules, keen to gain international confidence and encourage reconciliation with the white farming community. White commercial farmers were seen as a protected species for much of the 1980s (Scoones et al 2010).

During the 1980s, plenty of land was made available through the willing seller willing buyer arrangements (Moyo, 2013). However, this often represented only the marginal sections of larger properties, as farmers retained their productive core. Most of those who got land received marginal land, not very fertile for agricultural purposes. Without any doubt, the willing seller, willing buyer principle ensured that whites withheld their best land, thereby denying new settlers the opportunity to fully participate in the agricultural economy (Thomas, 2003 and Scoones et al 2010). As Thomas (2003) indicates, by the late 1980s, it was clear that plans for mass resettlement were not going to materialise. Consequently, the land question was therefore brought back into the political agenda (Moyo, 2013). It provided an opportunity to reform policy to facilitate a more aggressive transformation to neutralise the

looming crisis of expectation on part of the landless masses.

Post-LHA, the government amended the Zimbabwean constitution to allow for the compulsory acquisition of land with little compensation and limited rights of appeal to the courts (Moyo, 2013). There followed in 1992 a Land Acquisition Act which gave government the right to compulsorily acquire land with minimal compensation. But donor pressure ensured that the Lancaster House willing seller, willing buyer condition persisted and with escalating land prices, this meant that very little land redistribution actually occurred (Moyo, 2013). In 1997, the government decided to act radically. It launched the second phase of the land reform and resettlement programme (LRRP II), based on compulsory acquisition, but with compensation. It identified a

“There is a need to enhance and deepen skills development, infrastructure development, service provision and credit access to ensure that smallholders are well supported.”

number of farms for acquisition based on criteria spelt out in the 1990 land policy statement. These farms were where farmers owned more than one farm, the farmer is absentee, the farm is derelict or under-utilised; or borders a communal area (Scoones et al 2010).

As stated by Scoones et al (2010), from 1999, in the midst of political confusion and intense debate generated by the constitutional referendum and the run up to the much delayed 2000 elections, land invasions started across the country. These invasions set in motion a process of radical land reform. Competing visions of what land was for and what land reform should be about played out. As Scoones et al (2010) further observe, there is currently active academic debate on whether these land invasions were spontaneous

peasant-led movements motivated by a genuine desire for land, a bottom up process to force government into action (as suggested by Sadomba & Andrew, 2006; Moyo, 2011 and Moyo & Yeros, 2007) or were occasioned by selfish interests of politicians to buttress their faltering political position.

In parallel to the technical view focused on the commercial viability of the agricultural sector, other visions of the resettlement programme emerged, including claims for restitution of ancestral lands, compensation for war veterans and wider social and equity goals linked to a radical restructuring of the agrarian economy (Scoones et al 2010). According to Sam Moyo (2011), a large number of blacks, especially the poor landless and farm-workers, sought radical land reform to redress racial and class inequalities, foreign domination and historical loss of land. The disbelief that land should only be distributed through market friendly processes is precisely where the Zimbabwean 'land grabs' by the masses began. Zenzo Moyo (2013) is of the view that these reasons are also applicable to the South African context and this explains why everyone agrees on the need to transform current land ownership patterns.

Moyo (2013) argues that the Zimbabwean government's Land Reform and Resettlement Programme (LRRP) can therefore be seen as comprising three phases: the first from 1980 to 1990; the second from 1990 to 1996 where several laws were passed after the realisation that the first decade had achieved very little land reform. The third phase commenced with the identification of 1471 farms for compulsory acquisition in 1997. The purpose of land reform in post independent Zimbabwe was to redress past land alienation by creating equal access to land for the majority of the population. The LRRP's goals were to create political stability and an acceptable property rights regime; to promote economic growth through wider equity and efficiency gains from land redistribution; and to foster national food security, self-sufficiency, and agricultural development through labour intensive small farm production, optimal land productivity, and returns



to invested capital targeting the landless, war veterans and poor farm workers.

From a broader perspective, the Zimbabwean land reform and resettlement processes followed four distinct models. First was the intensive settlement on an individual family basis (known as Model A) which accounted for close to 80% of the land reform in the 1980s and 1990s. Land was acquired by the state and then divided into smaller plots that were then distributed to beneficiaries. In this model, beneficiaries received cropping land as well as access to grazing land. Tenure was in the form of permits – one for settlement, one for cultivation and the final one for livestock grazing (Sadomba and Andrew, 2006). Beneficiaries of this model were to give up any other land that they owned elsewhere. The second model was the village settlement with cooperative farming (Model B), designed to repossess large commercial farms and then reorganise them as farms owned and run by cooperatives. Financial resources were to be made available to the cooperatives and income

realised would be allocated either to individual members of the cooperative or allocated to farm improvement (Zamchiya, 2011).

The third one was Model C, state farms with out-growers. In this model, beneficiaries were resettled around a core estate. Thus the estate provided the settlers with certain services such as water, seeds, and technical expertise while the settlers provided labour for the estate. Cropping land within this estate was allocated to villagers who also gained access to grazing land for their livestock, which was managed communally. The fourth one was implemented mostly in the arid southern part of Zimbabwe. In commercial grazing for communal areas (Model D), the government purchased commercial ranches that were near communal lands. Livestock was then purchased for these communal areas and were allowed to fatten the livestock on the ranch before they sell them. The idea was to reduce grazing pressure on communal lands. The models associated with the FTLRP are: A1 (i.e. small farms of between 12 and 30 ha) and A2 (i.e. farms

composed of individual plots that are classified as small, medium and large scale commercial schemes).¹⁰

It is also important to acknowledge the upside of the land reform processes that took place in Zimbabwe. Today Zimbabwe has radically altered its agrarian structure. According to Moyo (2013), over 15 million hectares were devoted to large scale commercial farming, comprising around 6,000 farmers, nearly all of them white in 1980; but that fell to around 12 million hectares by 1999, in part through the modest land reform and resettlement programme. Moyo (2013) estimates that there are still five million hectares under large scale farming, some of which is in very large holdings. It is estimated that there are just over 2000 white-owned commercial farms still operating, with most having been displaced, along with a substantial number of farm workers (Moyo, 2013). Most of the land is under small scale farming, either as communal or resettlement areas. Estimates vary; but around 7 million hectares have been taken over through the FTLRP (Scoones et al 2010) exceeding the original target

of expropriating five million hectares (Moyo, 2011).

Moyo (2011) indicates that there have been some major shifts in production, with certain commodities such as tobacco, beef, horticulture, tea and coffee, seen by some as Zimbabwe's mainstay in agricultural economy, being badly affected by land reform, while others such as cotton, traditionally a small holder crop have been less affected. Food production, particularly maize, has gone down in most years compared to the average production in the 1990s, owing to the dislocations of land reform and the establishment of new farms, as well as poor input supply and repeated drought (Moyo, 2013). Food imports and emergency relief have occurred each year since 2000, although the 2009 maize harvest was estimated at 1.24 m tonnes, reducing the need for emergency measures (Cross, 2009).

A closer look at how the Zimbabwean land reform programme was conducted may be opportune to try and establish whether or not it was as chaotic as many in South Africa fear, and what lessons South Africa can learn from that process.

As Mngxitama (2000) warns, a comparison of the land reform process between Zimbabwe and South Africa has to be sensitive to some very fundamental differences. The Zimbabwean liberation struggle was inspired by the land question. The South African struggle was mainly premised on urban demands mainly couched in terms of freedom and equality (Mngxitama, 2000). But in both countries, colonial conquest is the reason for skewed land ownership patterns. This difference should be acknowledged and emphasised because it may point to some differences in approach between these two countries' land reform programmes.

The Korean land reform processes were lauded, together with Thailand, as the best land reform processes that developing countries should aspire to emulate. Laishey (1979) argues that if a land reform programme is to succeed, it must be radical and far reaching. Those who receive land must also continue to receive assistance and support from the state in order for them to be able

to properly and sustainably utilise the new resource they have just acquired (Laishey, 1979).¹²

What could be a way forward?

Land and agrarian reform must represent a radical and rapid break from the past without significantly disrupting agricultural production and food security. Ntsebeza and his co-editors (2013) and Sam Moyo (2013) share this view. However, although the speed of redistribution matters, simple shunting of hectares is not sufficient. Land reform must go hand-in-glove with a restructuring of the rural economy. A bolder and more holistic approach to restructuring South Africa's rural economy is therefore needed.

As Zenzo Moyo (2013) argues, the

“The potential for millions of African smallholders to increase production, raise incomes and create much needed jobs was overlooked, even in the post-apartheid dispensation.”

process of land reform in South Africa should result in agrarian transformation which must ensure food security for the country as well as environmental sustainability. A progressive transformation process should benefit small farmers and emerging African commercial farmers, who should be capacitated by being equipped with the requisite skills to assist them not only to own land, but to also contribute to food security within the country and region. Small farmers should also be assisted to move up the farming ladder and this can be achieved through deliberate and radical empowerment processes where loans and grants are availed to new entrants into the farming economy.

Ian Scoones and his co-researchers (2010), Prosper Matondi (2012) and Tendayi Murisa (2013) identify very

specific areas which require attention from the government of South Africa. Murisa (2013) in particular recommends that Southern Africa, in its quest to ensure a vibrant small scale farming sector, should:

- pursue African-defined and sustainable agrarian revolution;
- commit more resources;
- pursue pro-poor land reforms; and
- strengthen rural mobilisation.

The apartheid government had equated national food security with large-scale commercial farming – a sector dominated by whites. The potential for millions of African smallholders to increase production, raise incomes and create much needed jobs was overlooked, even in the post-apartheid dispensation. This was the bedrock of agricultural transformation which fuelled the rapid economic growth of most Southeast Asian economies. In South Africa, the government has prioritised grafting redistributed land onto existing commercial units. Much of this land has been deemed no longer productive. No doubt, successful large farms will always have a key role in South Africa's agricultural economy. However, the current model is not compatible with a critical need to transform the rural economy and to create more rural jobs. Between 2006 and 2012, the number of South Africans employed in agriculture fell from 1.09 million to 661,000. Rural unemployment stands at 52%, twice the national average. Acute poverty is rife in rural areas. For the country as a whole, South Africa has the dubious honour of having one of the highest rates of inequality in the world.

The Southern Africa region also faces a number of challenges relating to land. Not only do we have racially skewed land distribution and poorly resourced land administration institutions, we also have problems of unsustainable land utilisation leading to the decline in the ability of our land resources in providing goods and services. The degradation of the land base is both a cause and an effect of poverty among land users. It is, therefore, important that land users are provided with skills, knowledge and other resources to be able to optimally and sustainably utilise

the land for income generation and poverty reduction.

There is a need to enhance and deepen skills development, infrastructure development, service provision and credit access to ensure that smallholders are well supported. Related to this is the need for government to ensure the better use of existing irrigation facilities, to extend irrigation schemes and to enhance water access by rural dwellers. There is now renewed emphasis placed on overcoming food insecurity through support for smallholder farmers and by stimulating market opportunities for smallholder farmers, for instance through targeted state procurement. The ANC's undertaking to create a million agriculture-related jobs by 2030 might suggest that it is beginning to recognise a real opportunity in agriculture. It is clear that if this opportunity is to be realised, a bolder – and more wholesale – approach to restructuring South Africa's rural economy is needed.

Redistribution strategies of mixing market driven models with state driven processes appear to be ideal. As argued by Sam Moyo (2011:527), the Zimbabwean experience shows that even under neoliberal economic trajectories, a radical process of land redistribution is still possible. The state only needs to be more radical as portrayed by the South Korean process, and the Zimbabwean one, albeit with modifications where necessary.

The state should have the right of first refusal for any land that comes into the market, and such legislation should be implemented transparently. Expropriation of land should not be totally abandoned, but must be used as a tie breaker. With the correct dose of radicalism, and the benefit of retrospection afforded by the Zimbabwean, South Korean and Malaysian processes, South Africa should be able to proceed smoothly towards acceptable redistribution levels within the foreseeable future.

Cliffe (2007) also identifies another important dimension that needs re-examination. South Africa conducts land transfers through a one-to-one basis where the government matches the seller of a specific property to a

group of purchasers who are supposed to provide a business plan for that particular property. The government therefore plays a facilitator's role and funds the purchasers. This business approach acts as a bottleneck and is costly and therefore retards the process of acquiring land. It also militates against smallholder and communal subsistence farming. The government's preference for joint operations in the form of groups or cooperatives does not always produce the desired results, either. Most projects fail to materialise, often due to differences of opinion on the part of the beneficiaries who are supposed to implement a business plan, which may have been drawn by a business consultant in the first place.

What kind of land reform and land tenure is ideal for South Africa? Where does such a system place smallholder farmers? It is not uncommon for one to see swathes of idle land when one traverses the breath of South Africa. Is it because this land is unproductive, or it is because the land reform programme that the country has adopted attaches more value to peri-urban land? Would working that land not help to decongest urban centres, at the same time ensuring food security in the rural areas? Cliffe (2007:2) calls this the 'alternative farming system' and says smaller-holder production has many advantages.

In conclusion, South Africa could learn a lot from the land reform process in Zimbabwe in terms of what worked and what should be avoided. The South Korean and the Malaysian experiences provide valuable lessons too. For instance, the Korean experience suggests that market-oriented land redistribution processes can still be employed in a fast track reform programme. The state also needs to ensure that those who have been given land are assisted and guided until they are clear on what they need to do with the land they have gained. Although the land question for South Africa appears similar to that of Zimbabwe from a historical sense, it might very well be that the current contexts require different sets of interventions. The critical issue relates to policy.¹³ It would seem that the land reform processes in post-apartheid South Africa have been influenced by a multitude of policy

options, understandably informed by multiple objectives, and not by a single clear policy direction.

If government does not change gear towards a radical or comprehensive approach to land and agrarian reform, the consequences will be devastating for the entire country at some point. It is in the interest of all of us, the private sector, large scale white commercial farmers and global capital included, that redistribution of land and reform of agricultural development take place urgently. ■

References:

- ¹ Leonard Thompson (2001) briefly covers the important pre-colonial farming methods which were disrupted by the arrival of whites in what we now know as the Western Cape.
- ² As Walter Rodney (1973), in his timeless book – *How Europe Underdeveloped Africa* stated, "at all times, therefore, one of the ideas behind underdevelopment is a comparative one. It is possible to compare the economic conditions at two different periods for the same country and determine whether or not it had developed; and (more importantly) it is possible to compare the economies of any two countries or sets of countries at any given period in time".
- ³ As Motsoko Pheko (1994) summarises the history of land dispossession in South Africa, there were 349,837 settlers and over five million Africans in South Africa at the point of the passing of the 1909 Union of South Africa Act.
- ⁴ The South African colonial apartheid parliament under former president FW de Klerk abolished the racially based land measures through a new law (Act 108 of 1991, which repealed the 1913 and 1936 Acts). The white paper on land reform was later published, proposing limited land redistribution.
- ⁵ Kwezi Kwaa Prah (2006), in a must read book, *The African Nation*, provides a detailed account of what non-Africans – the English, the French, the Dutch, the Germans, the Portuguese etc – did to Africans during the various forms of enslavement, colonialism and imperialism.
- ⁶ The South African land reform programme, since 1994, is based on three main tenets: tenure reform, redistribution and restitution.
- ⁷ This point, about the 'spiritual' importance of land, was emphasised by small scale farmers I interviewed in Zimbabwe during 18-21 October 2013. I also had detailed discussions with two leading scholars in Zimbabwe: Dr Ibbo Mandaza of the Southern African Political Economy Series Trust and Prof Sam Moyo of the African Institute for Agrarian Studies.
- ⁸ Hendricks *et al* (2013) appear to be openly recommending radical land reform akin to the Zimbabwean Fast Track Land Reform Programme, as is Moyo (2013) and others.
- ⁹ Zenzo Moyo worked with me on land reform research, comparing South Africa and Zimbabwe. His article (Moyo (2013)) is available at: http://www.consultancyafrica.com/index.php?option=com_content&view=article&id=1323:land-reform-in-south-africa-and-zimbabwe. I have also published a paper in the *International Journal of African Renaissance Studies* 9(1), (2014). I have also worked with Zukiswa Mqolomba on land reform in South Africa.
- ¹⁰ Lebert, T. An introduction to Land Reform in Zimbabwe. Available at: <http://www.foodfirst.org>; Zanchiya, P. 2011. A Synopsis of Land and Agrarian Change in Chipinge District, Zimbabwe. *Journal of Peasant Studies*. 38 (5) pp 1093-1122.
- ¹¹ See Matondi (2012): 8-12
- ¹² It is important to acknowledge that context matters. Korean and Malaysian Land Reform experiences were influenced by their peculiar circumstances, just as the Zimbabwean Land Reform was influenced by a specific context.
- ¹³ I have been explaining, in my various recent publications and opinion articles, the policy constraints that face the government. In the context of social and economic policies, for instance, see Gumede (2013).

Aspen and Sifiso Nxasana Paediatric Trust provides welcome financial boost to Nelson Mandela Children's Hospital



Pictured at the inaugural Nelson Mandela Sport and Cultural Day, FNB Stadium. From L to R: Fikile Mbalula, Minister of Sports and Recreation; Bongzi Mkhabela, CEO Nelson Mandela Children's Fund; Sizwe Nxasana, Group CEO First Rand; Dr. Judith Dlamini, Chairman Aspen Pharmacare Group and Sifiso Nxasana Paediatric Trust; Stephen Saad, Group CEO Aspen Group; Tiny Rennie, Deputy Director General of Health; Paul Mashatile, Minister of Arts and Culture; Kirsten Nematandani, SAFA President; Stavros Nicolaou, Senior Executive Aspen Pharmacare Group.

Aspen Pharmacare, a leading JSE-listed pharmaceutical company in the southern hemisphere, raises R5 million through its Sifiso Nxasana Paediatric Trust for the Children of Africa

Saturday 17 August, Nelson Mandela Sports & Cultural Celebration, was a propitious day for the Nelson Mandela Children's Trust, as Aspen's Group Chief Executive, Stephen Saad, handed over a cheque for the substantial sum of R5 million to the Nelson Mandela Children's Hospital. Also present at the event were Former Presidents Thabo Mbeki and FW De Klerk, Deputy President Kgalema Motlanthe, Minister of Sports and Recreation Fikile Mbalula and Minister of Arts and Culture Paul Mashatile.

Throughout his presidency, Nelson Mandela shared his vision for sports as a powerful and unifying force in society and it is behind this backdrop that the Unite4Mandela "One Man, One Nation, One Celebration" campaign was conceived. The campaign aims to unite South Africans in celebration of our global icon's vision and it culminated in the inaugural Nelson Mandela Sport & Culture Day, which was hosted on 17 August 2013 at the FNB Stadium in Johannesburg amidst scenes reminiscent of the 1995 Rugby World Cup.

The proceeds from this day will go towards the building of the Nelson Mandela Children's Hospital, which will be only the second paediatric hospital in Southern Africa.

The Sifiso Nxasana Paediatric Trust was founded by Saad in 2012 following the tragic death of Sifiso Nxasana, son of Aspen's Chairman, Dr. Judy Dlamini and her husband Sizwe Nxasana. "Sifiso's untimely demise brought home to me the desperate need in our country for quality healthcare for our children, and I realised that Aspen could make an invaluable additional contribution in its healthcare capacity by supporting the Nelson Mandela Children's Hospital through this Trust," Saad explains.

South Africa still has some of the highest disease burden and disproportionately high infant and child mortality and morbidity in the world. This is not surprising considering that there are no or very limited specialist paediatric healthcare services in the South African public sector. As a consequence of this the Nelson Mandela Children's Hospital has become a flagship initiative for our country.

"As Aspen, we aim to help honour Madiba's wish of providing specialist paediatric healthcare for the children of Africa", explains Stavros Nicolaou, Aspen's Senior Executive. "This hospital will strengthen the overall healthcare system and provide hope to many thousands of children who would otherwise be denied access to such healthcare facilities", Nicolaou adds.

In addition to fundraising, the Nelson Mandela Children's Trust provides for the sustainability and appropriate resourcing of both the Nelson Mandela Children's Hospital and the KwaZulu-Natal Children's Hospital, developing adequate management capacity and human resourcing while contributing to the overall strengthening of the South African Public Healthcare system.

"We wish to acknowledge and commend all donors for their contribution, which will provide much needed impetus to this initiative and in particular, we wish to thank Ministers Motsoaledi (Health), Mbalula (Sports and Recreation) and Mashatile (Arts and Culture) for their vision in conceiving and successfully executing the Mandela Sport and Cultural Day. The scenes of nation building in the stands on that day will live long in our memories," concludes Nicolaou.

ASPEN expresses its profound sadness at the passing of our icon Nelson Mandela.



Heroines

The mothers, wives and children of these 154 prisoners in Guantanamo are poignant symbols of the war on terror's devastation of individual lives from Yemen, Afghanistan, and Pakistan to European countries like the UK, France and Germany, and to the US itself where many thousands of Muslims have been wrongfully imprisoned in the post 9/11 hysteria.

By Victoria Brittain

Many times in the years since Washington's response to the terrorist attacks of 9/11 to launch a war on Muslims across the world, I found myself haunted by the old South African tune: "Wathint' Abafazi, Wathint' Imbokodo" (you strike the women, you strike a rock). It is more than half a century since August 9th 1956, when over 20,000 women

marched to the Union Buildings in Pretoria to hand over a petition to the then South African prime minister Hans (JC) Strijdom, protesting the pass laws. That prime minister is long forgotten, but the images of those women and their successors indelibly marked the anti-apartheid movement, and the key role of women in iconic liberation movements from Algeria to Palestine.

The new political times, and the cultures and societies of those who have borne the brunt of the US "war on terror", have left women's ordeals in this brutal era largely invisible and unrecognised. These women do not march, nor go on television, or on Facebook. Their heroism, endurance, and resilience is hidden in stories largely untold beyond their own circles.

But in South Africa earlier this year women from many walks of life responded with great warmth and empathy to their stories as I read from my book *Shadow Lives, the forgotten women of the war on terror*. Injustice, the impunity of the powerful, and women's endurance is a story South Africans relate to.

Guantanamo Bay prison is the symbol of how more than a decade of torture and injustice by the US authorities have been normalised. The youngest prisoner held during these years was 13; the oldest was 89; 21 children were held; the percentage of prisoners who were never Al Qaeda fighters (according to US official statistics) is 92%; FBI reports of abuse of prisoners are over 200; the number tortured in secret CIA prisons is 26; and nine men have died in custody, three of them in circumstances widely reported as during torture.

Guantanamo is too an illustration of how most of the Western world has become numbed, and forgotten to be outraged.

President Barack Obama promised to close Guantanamo on his first day in office, and repeated the pledge a year ago. And among the 154 men still held there are 75 who were cleared for release years ago, first under President George W. Bush and again under President Obama. Most of those men went on hunger strike early last year to try to get the world's attention. Some are still on hunger strike. Contrary to UN principles and medical ethics they have been force-fed ever since to prevent them from dying. The pain of this process has been exposed in a US courtroom as one prisoner (unsuccessfully) brought a court case to stop what the judge described as "agony". The man, a 42 year old Syrian, Jihad Ahmed Mujstafa Diyab, who is among those long ago cleared for release, was offered a home and refugee status by the president of Uruguay. But the US has failed to release him, and daily puts him through the agony of feeding through a nasal tube while he is strapped in a restraint chair.

The best known prisoner in this position is Shaker Aamer, a Saudi born UK resident, who the UK government

has asked to be returned to his family. Zinnira, his wife, is one of the female relatives of the 154 men still held in Guantanamo, who have lived for more than a decade with the knowledge of the prolonged isolation and physical torture their men have suffered at the hands of US officials. These women live with this pain, always preoccupied with trying to shield their children from feeling the brick wall of official indifference to their interminable ordeal, and teaching them not to hate.

Zinnira's story:

"Zinnira Aamer sat very quietly on the sofa in her parents' flat, wanting to hold hands and talking so softly it was hard to hear her. The words were so sad it was difficult to listen to them. She talked about her dreams, and the bad

“The youngest prisoner held during these years was 13; the oldest was 89; 21 children were held; the percentage of prisoners who were never Al Qaeda fighters (according to US official statistics) is 92%”

thoughts and bad voices in her head. The voices told her sometimes that her husband had divorced her while he was in Guantanamo, or that he was dead. And the voices came and went and came again, insistently, with those messages that were her deepest fears. She became obsessed by the wish to go immediately to paradise and forget this world.

In the darkest days when all her efforts to block the voices out failed, she was deeply depressed and unreachable. Medication made her sleepy and days slipped away in sleep and half sleep. Some days she asked softly for reassurance that the voices' words were untrue, and sometimes the reassurance worked, at least for a

moment, and her shy smile flashed. Her mother sat across the room, a small warm presence in a white sari quietly reading the Koran. Sometimes Zinnira had to be in hospital, but home with her parents was more comforting, although stressful for an elderly couple who were both in poor health.

There was another Zinnira, who learned to drive, ran her own small house, took her four children to school, cooked and cleaned, taught extra classes after school and spent devoted hours in hospital sitting beside her mother after she had a serious operation. In the good times Zinnira took Arabic classes on the Internet so that when her Saudi husband returned from Guantanamo, he would be proud and happy with her. She made plans to learn sewing with her sister-in-law, and often looked after other children in the family as well as her four. She sent her husband letters and photos of the children through the Red Cross.

Zinnira's father had come from India, invited to be the imam at a South London mosque where he had once been the guest preacher in Ramadan. And Zinnira was brought up in London – the baby in a family of eleven children. Going on the Hajj to Mecca with her father when she was 21 was her young girl's romantic dream come true. When she did go, she prayed that Allah would let her marry a man in white robes and a scarf, like those she saw during that intense experience. She never doubted that her prayer would be answered.

Back home in London, her prayer was answered, when a young man from Medina came to her father's mosque, and spoke to her mother about wanting to get married. Shaker Aamer visited the family flat, talked to Zinnira's parents and brothers about his plans to stay in Britain and his current work as an interpreter for lawyers. He was an attractive, confident, outgoing man, and everyone liked him. Zinnira liked him immediately, though she was rather overwhelmed by him. He was very different from anyone she knew in her own community circle and, as she remembered later, he seemed at first "well, just too big really".

But Shaker's kindness to her made her love him, and they were soon

married. They were opposites in many ways: he was worldly, educated in the US as well as Saudi Arabia, she was a very sheltered South London girl with India as her hinterland; in contrast to her shyness, he was outgoing, talkative, always making friends with everyone. She laughed once as she told the story of how at their wedding he was chatting to the registrar so busily that she thought they must be friends from before. "He's big, and strong, and talking, always talking to everyone, making friends with everyone – people always love him."

The couple had three small children when Shaker, like others in this book, and several of his friends, began to think about moving to Afghanistan to be part of what they believed would be building a pure Islamic state, leaving Britain and western culture behind for ever. In the aftermath of the defeat and retreat of the Soviet army in 1989, and then the apparent ousting of the various warlords by the Taliban, they saw Afghanistan as a chance to make Islamic dreams come true. Shaker discussed his plan with his father-in-law, who advised him to go ahead of his family first and see what he could organise. There were no anxieties – the war with the Soviets was over – just practical questions to solve. (His father-in-law had after all also made a life-changing move for his large family, in uprooting from India to Britain.)

Zinnira soon went too with the children. She adored her husband, never doubted his judgment for a moment, and settled down in Kabul looking after her babies in a house shared with another young couple they knew from Birmingham, Moazzam Begg, his wife Zeynab, and their children. While her husband plunged into a new life of school construction and well digging, Zinnira felt very far away from her family, with conditions of daily life remote from her experience. But she felt her husband looked after her very carefully; he bought her a washing machine, which pleased her very much, and they were happy together with their two boys and a girl.

Years later, her friend Zeynab remembered how lovely their house had been: "My husband found the

best house, a big, big house and I was downstairs and she was upstairs. She was very, very happy there, and Shaker was so pleased she did come with the family – he made a big effort to make it nice for her, always having guests, he was such a generous person." That life, and their happiness, ended after 9/11, and the subsequent US bombing of Afghanistan.

Years later, Zinnira's darkneses would usually come towards the end of the year as she remembered the trauma of late 2001 and the departure from Afghanistan. She blamed herself for Shaker ending up in Guantanamo. He had sent her and the children for safety to Pakistan in late 2001 when the US bombing of Kabul began, and she had written to him saying that she was alright there, and he shouldn't worry about her or rush back from

“In late 2001 Shaker had been captured by bounty hunters. Whoever they were, they earned the \$5,000 for every Arab or other foreigner promised in hundreds of thousands of US leaflets scattered in Pakistan and Afghanistan.”

Kabul where he was looking after their house. She was not alright in fact, she was terrified for him, frightened of how her life with the children had suddenly slipped into wholly unfamiliar territory which she could not negotiate without Shaker. But writing to him, she wanted to be reassuring, to be a good wife. The letter stuck painfully in her mind, perhaps if she had asked him to come at once, nothing would have happened to him, she believed.

This preoccupation with being a good wife was still at the centre of Zinnira's life ten years after her husband's disappearance in Afghanistan. Already, after eight years she marked off the

sad milestone of when she had been away from him longer than she was with him. Sometimes people suggested she should divorce him, as other women in similar positions of limbo did, sometimes at their husband's initiative.

But life without Shaker was unthinkable for Zinnira. Even completely absent, he was her life, her preoccupation, as much in her times of sickness as in her optimistic times when she prepared for a future life with him back in charge. Would they live in London or in Saudi Arabia? Everything would be Shaker's choice.

Unbeknown to her, in late 2001 Shaker had been captured by bounty hunters. Whoever they were, they earned the \$5,000 for every Arab or other foreigner promised in hundreds of thousands of US leaflets scattered in Pakistan and Afghanistan. They bartered him with two of the other armed groups that roamed the country in the chaos after the US bombing and entry with Special Forces troops after 9/11.

Shaker was finally handed over to the Americans and ended up in Guantanamo, after rough days of humiliation, interrogation and torture in Kandahar and Bagram (like so many others). It was a long time before Zinnira knew any of this, and the initial trauma of separation, when she was pregnant and especially vulnerable, scarred her deeply. She returned to London in early 2002 and the birth of her third son, Faris, in February 2002, without her husband at her side, was the real beginning of her hard London years as a single mother with the responsibility for four children, including one who had never seen his father. Even for the older ones, the years passed with Dad becoming more and more a remote abstraction.

Zinnira herself had to cope, like a few others in London, with the sadness and fear of hearing of the British men coming home from Guantanamo in 2003 and 2004, but without her husband. Then she gradually had to learn something about the horrors these other men had endured, and feel her mind slip painfully into seeing her husband in that context. Hunger strikes, restraint chairs, shackling,

solitary confinement, freezing cold cells, interrogations by women, sexual humiliations, were beyond anything she could bear

Then over more years, after a great deal of litigation by their lawyers, another milestone passed when all the UK residents finally came home – except Shaker.

Meanwhile, in yet another milestone, Zinnira received a devastating letter from her husband:

I am dying here every day, mentally and physically. This is happening to all of us. We have been ignored, locked up in the middle of the ocean for years. Rather than humiliate myself, having to beg for water, I would rather hurry up the process that is going to happen anyway. I would like to die quietly, by myself. I was once 250 pounds. I dropped to 150 pounds in the first hunger strike. I want to make it easy on everyone. I want no feeding, no forced tubes, no 'help', no 'intensive assisted feeding'. This is my legal right. The British government refuses to help me. What is the point of my wife being British? I thought Britain stood for justice, but they abandoned us, people who have lived in Britain for years, and who have British wives and children. I hold the British government responsible for my death, as I do the Americans. (Brittain, The Meaning of Waiting p. 49)

Zinnira could not believe her husband wrote like this of wanting to die, it was so out of character with the man she knew. She had had so few letters from him over the years, it was hard to hold on to the man she once knew. Over and over she asked everyone, why was it only him who had not come back? Why did no one know? Why did no one help him?

Over the years many people tried to help him, lawyers in Britain, lawyers in the US, lawyers with permission to visit Guantanamo. There were attempts by distinguished UK delegations to meet US officials at the highest levels, private meetings at the Foreign Office, public meetings in the community and in the House of Commons, where Zinnira's father spoke. There were marches

and demonstrations of people dressed in orange suits and shackled. There were filmed appeals from the children on YouTube. There were women's deputations to Downing Street of politicians, actors, lawyers, which Zinnira's daughter joined, proud to be treated as an adult but, like other prisoners' children, disillusioned after a while when nothing happened as a result of the initiatives adults pressed her to take.

After years of waiting in limbo for rare letters, Zinnira and the children, with her father, were finally able to talk to her husband on a Skype call organised through the Red Cross. She was happy beyond words. The children were shy with their Dad at first, but then extremely happy too,

“Guantanamo Bay prison is the symbol of how more than a decade of torture and injustice by the US authorities have been normalised. The youngest prisoner held during these years was 13; the oldest was 89; 21 children were held.”

and believed it meant he would soon be home. But the calls were very rare, and sometimes he spoke instead to his family in Saudi. There was nothing certain for the family in London to hold onto. No one knew why he was not released, no one knew how to reach into the powers that held him, was it the US Secretary for Defense, was it the Secretary of State, was it Congressional leaders, was it the President of the United States?

Ten years after Shaker arrived in Guantanamo it was his youngest child's tenth birthday and Valentine's Day 2012. In a superhuman effort to keep her mind focused away from Guantanamo and images of her husband alone in his cell, Zinnira

wrote the first poem she had written for years - a touching, hopeful love poem. Months later she was back in her mother's care, persecuted by the voices and painful fantasies.

A Heart of Gold

*For my beloved Shaker Aamer
In 10 years of waiting*

*You cared for me and were ever,
On my side when I needed a favour,
I cannot forget you, no ... never ...
Time is new and your memories old
Cause you have a heart of gold*

*You made my dreams come true,
In my hardship helped me through,
Without you, what I would do?
Your insistence cannot be sold,
Cause you have a heart of gold.*

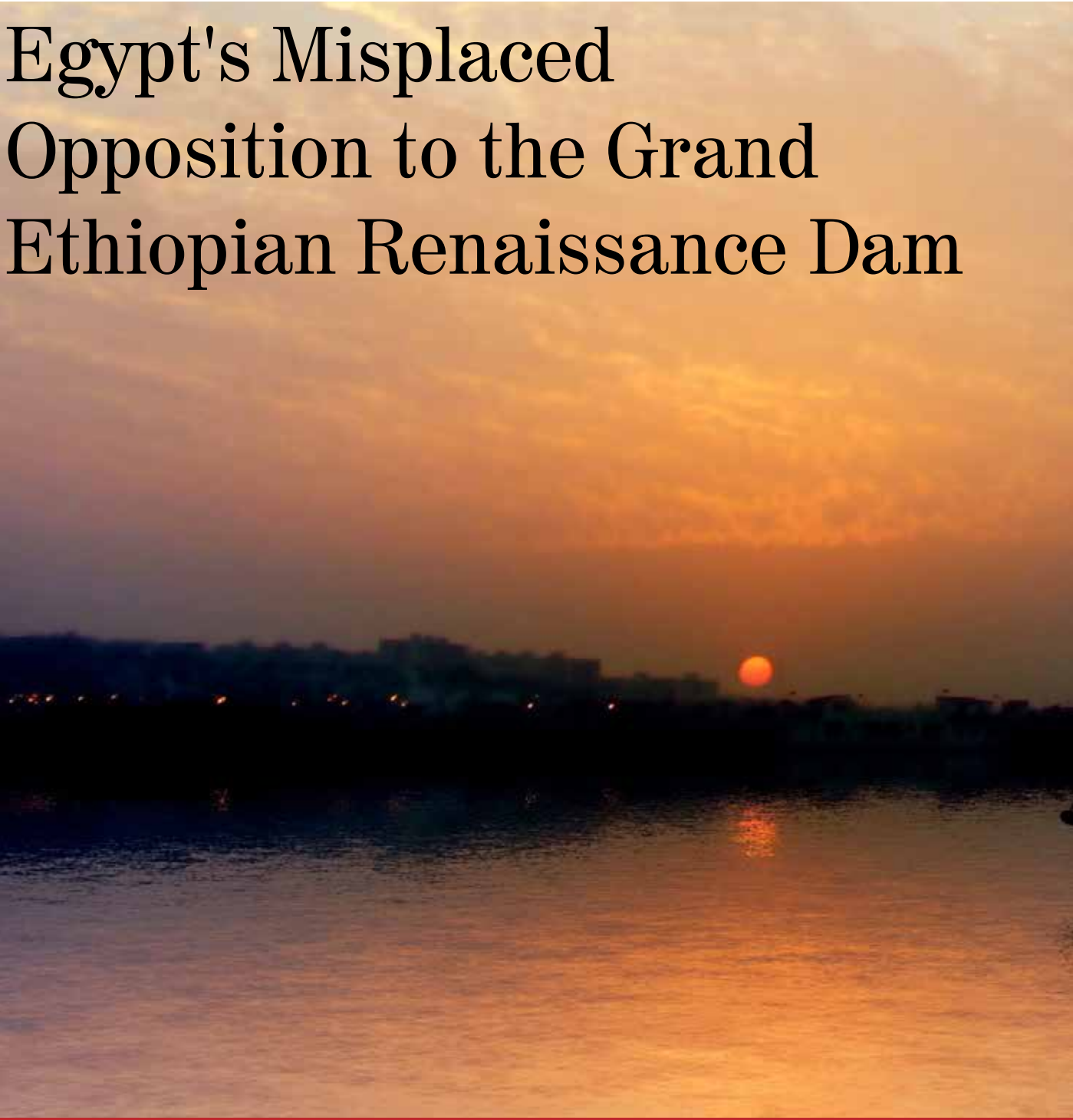
*You are the roof over my head,
You are the shadow that can't be lead,
You are my voice when the silence breaks,
Your hand I seek, your hand I hold,
Cause you have a heart of gold.*

*You show me light in the dark,
And you guide me when I am lost,
Your happiness is all I ask,
But your story remains untold,
Cause you have a heart of gold.*

Like Zinnira, the mothers, wives and children of these 154 prisoners in Guantanamo are poignant symbols of the war on terror's devastation of individual lives from Yemen, Afghanistan, and Pakistan to European countries like the UK, France and Germany, and to the US itself where many thousands of Muslims have been wrongfully imprisoned in the post 9/11 hysteria. The West's lost human values are reflected in every woman's story. Beyond the West these women's resilience and dignity is widely known and admired even though so few of them are known individually.

Shadow Lives, the forgotten women of the war on terror, was published by Pluto Press, London 2013, and distributed by Jacana in South Africa. ■

Egypt's Misplaced Opposition to the Grand Ethiopian Renaissance Dam



Ethiopia, along with the other upper Nile riparian countries, objects to the privileges that Egypt gave itself and considers the Egyptian monopoly over the Nile waters as a violation of their sovereignty.

By Minga Negash, Seid Hassan and Mammo Muchie



The 1929 Nile water allocation agreement that was signed by Egypt and the United Kingdom (which excluded Ethiopia and nearly all other upper basin countries) allocated 48 billion (65%) cubic meters of water per year to Egypt and 4 billion to the Sudan. The 1959 agreement between Egypt and the Sudan raised the share to 55.5 (75%) billion and 18.5 billion cubic meters to Egypt and the Sudan, respectively. This agreement also excluded all the other upper Nile riparian nations. Egypt wants to keep the colonial-era agreements and the 1959 accord. This unfair allocation of the Nile water enabled Egypt to construct the Aswan Dam and the two countries never cared to consult the upper riparian nations.

As argued by Badr Abdelatty, a spokesman for Egypt's Foreign Ministry¹, Egypt wants to keep the status quo because it needs all the "assigned 55 billion cubic meters a year for vital

“The recent political instability in Egypt must have made the trans-boundary water sharing problem a point of political opportunism.”

use such as drinking, washing and sanitation needs” by 2020. This clearly indicates Egypt's desire to secure its own Nile water-related benefits intact while at the same time denying other (Sub-Saharan) Nile riparian countries from using their own waters for alleviating poverty and enhancing sustainable development. Although Egypt was a party to the Nile Basin Initiative (NBI) that was formalised in 1999², it is now saying that any change to the colonial era agreement would be tantamount to affecting its strategic interests. Egypt now repeatedly threatens to use all means available to intervene if Ethiopia continues to build the Great Ethiopian Renaissance Dam (GERD). Egypt continues to escalate the confrontation despite Ethiopia's claim that the dam would have no appreciable negative impact on Egypt.

Ethiopia, along with the other upper Nile riparian countries, objects to the privileges that Egypt gave itself and considers the Egyptian monopoly over the Nile waters as a violation of their sovereignty. In accordance to the 2010 Entebbe Agreement by the upstream countries, which included Ethiopia, Kenya, Uganda, Rwanda and Tanzania, and now effectively Sudan and South Sudan, Ethiopia, insists on adhering to its plan and is forging ahead with the construction of the dam.

In what follows, we use an amalgam of economics, history, law, security and environment factors to examine the Egyptian opposition to the construction of the Grand Ethiopian Renaissance Dam (GERD). We try to triangulate these factors hoping to contribute to the debate and gain insight into the current tension between Egypt and Ethiopia. We attempt to make a dispassionate analysis of the water sharing problem between upstream and downstream countries. Consistent with theory and real life cases, we surmise that water has been and continues to be a major cause of conflict in a number of regions in the world³ and, unfortunately, water wars tend to be irrational, unsustainable and economically and socially destructive. Trans-boundary water sharing and pollution (environmental-ecological) problems are never resolved through hegemony, militarism and ultra-nationalism.

Dissenting voices against mega projects such as GERD are not new.⁴ The criticisms range from cost and scheduling overruns (as a recent study by Ansar, Flyvbjerg, Budzier and Lunn of Oxford University shows), to their impacts on population dislocation, corruption, transparency in awarding of contracts, the manner in which such projects are financed, social and environmental impacts in upstream and downstream countries and water security concerns. Hence, Ethiopians may legitimately ask questions and raise concerns about the manner in which the Government of Ethiopia is handling the project.

In this article, however, we focus on trans-boundary environmental problems, the fair use of the Nile water and address Egyptian concerns. This is important because the construction of

GERD has reignited the long-standing explosive issue of the equitable use of Nile waters. We also believe the recent Egyptian threats of war and various forms of diplomatic offensives require the attention of scholars and policy makers.

Egyptian worries and aspirations over the Nile River system go back to the days before the formation of the Egyptian state. The issue began to dominate the country's political landscape with the generation of militarism and ultra-nationalism, from Gamal Abdel Nasser to the late President Sadat's 1979 threat of war and to the current leaders of Egypt vowing not to lose a "drop of water."⁵ The recent political instability in Egypt must have made the trans-boundary water sharing problem a point of

“Egypt objected to the independence movement in South Sudan but promoted the separation of Eritrea and the creation of one of the most densely populated landlocked countries in the world.”

political opportunism. Reports indicate that Egypt may indeed be laying the groundwork to “destroy the dam before Ethiopia starts filling it with water or risk flooding Sudan’s flat eastern territories upon its destruction.”⁶ A WikiLeaks report is also known to have revealed that Egypt, in collaboration with Sudan, had plans “to build an airstrip for bombing a dam in the Blue Nile River Gorge in Ethiopia.”⁷ In its June 2013 analysis of Egypt’s military options, Straighter, a global intelligence organisation, indicated that the country does have military options against Ethiopia’s dam, but noted that distance will heavily constrain Egypt’s ability to demolish the work. The options, however, may include air attack from bases in the Sudan, Djibouti and

Eritrea⁸ and/or sponsoring present day local “militants” to frustrate the construction of the dam.

Obviously, Ethiopia is aware of the Egyptian options and its age-old aspiration to control the sources of the Nile River system. For example, on April 17, 2014, amid reports that Egypt was trying to woo South Sudan towards its dispute over Nile waters,⁹ the Voice of America reported that the President of South Sudan assured the Ethiopian authorities that the recently signed military and economic cooperation between Egypt and South Sudan would not allow Egypt to attack Ethiopia or allow subversive activities.

Egypt’s policy towards upstream countries is primarily driven by its interest in using the upstream water to thrive, at the expense and misery of other riparian countries, apparently without any form of substantive reciprocity. In contrast to the present day relationship between Egypt and Ethiopia, their ancestors, despite their limited knowledge of geography and hydrology, had a better understanding of the economics of water sharing. As the renowned historian Richard Pankhurst documented, the Turkish Sultan who ruled Egypt before the British, had “paid the ruler of Ethiopia an annual tax of 50,000 gold coins” lest the latter diverts the Nile.¹⁰ Nowadays, and not surprisingly, even the Egyptian Minister of Antiquities is against the GERD.¹¹ In fact, institutional memories and abundant documents covering the last sixty years indicate not only just the inconsistency, but also an immense level of damage that Egyptian foreign policy has done to Ethiopia and the Sudan.

Egyptian interference in the two countries’ internal affairs has been largely driven by the Ethiopian and the Sudanese¹² use of the Nile waters. For instance, Egypt objected to the independence movement in South Sudan but promoted the separation of Eritrea and the creation of one of the most densely populated landlocked countries in the world. The international community is not unaware of these facts but Egypt’s strategic location and its pivotal role in the politics of the Middle East did not allow the powers that be to call a spade

a spade. As of late, intergovernmental organisations like the African Union, which were once mute about the behaviour of successive military rulers of Egypt, who often controlled political and economic power under the cover of phony elections and revolutions, have started to recognise the problems of the Nile River system. Ethiopia's and the other upstream riparian countries' rights to equitably share the waters of Nile is now on the African agenda; though key members of the Arab League continue to support the position taken by Egypt.¹³

Ethiopia's right to use the water that originates within its own boundaries would have included (and, in our view, should include), in addition to power-generating purposes, irrigation, water recreation and navigational services, flood control as well as water storage and supply. It is obvious, therefore, that dams provide valuable economic benefits. Just like any mega project, dams also involve several side-effects, which could be summarised as environmental and ecological, social (forced relocation of locals), economic and even political. Other concerns may include evaluating and managing the risks associated with dam construction as well as asking questions about whether the product (GERD in our case) would provide the desired and needed benefits to stakeholders such as access to electricity. A reasonable framework of concern about dam construction, therefore, would include a thorough cost-benefit analysis, not just a one-sided focus on the costs. This is our major concern in regards to environmentalists and some of their Ethiopian supporters who campaign against the 6000 MW dam.

Environmentalists such as the International Rivers Network (IRN)¹⁴ therefore, need to quantify the magnitude of the side effects of the project and should not rely on "covert" and "secondary" data. More importantly, rather than being the butterflies of potential conflict in the Eastern Nile region, they need to:

1) acknowledge Ethiopia's sovereign rights to use its own resources in accordance to international law and without hurting downstream countries;

2) identify mitigation strategies so that genuine concerns are addressed before the construction is finalised; and

3) propose how the mitigation strategies are going to be financed.

In April 2014, the California based environmental pressure group which is against any form of large dam that is proposed to be built in Africa or Asia leaked the 48 page long confidential document that was prepared by the International Panel of Experts (IPE) on the Grand Ethiopian Renaissance Dam.¹⁵ Now that the confidential report is in the public domain, it allows everyone to put to test the concerns of both the friends and foes of the GERD.

The key features of the IPE's report could be summarised as follows:

“The irrational and increasingly thirsty nature of Egyptian water usage has failed to recognise the realities of our time: escalating shortages of water exacerbated by global warming, population pressure and life-style changes.”

1) unlike the options of smaller dams which would have included potential irrigation projects, GERD is an energy production project and any fear of large and permanent reduction in the flow of freshwater to downstream countries is unfounded;

2) the filling up of the dam is planned, to be done in stages by taking into account rainfall patterns and the catchment area;

3) both the financial and social cost-benefit preliminary analysis of the project on upstream and downstream countries are favourable and the expected damages on downstream countries are not insurmountable;

4) the preliminary findings about the project's side effects on Egypt is not sufficient and hence there is an information (hydrological) void, and much of the current allegations and threats are based on unfounded Egyptian fears;

5) work has progressed to the extent that, at the time of writing this article, the project has reached a degree of completion rate of 31% and the water diversion has been successfully carried out;

6) the expected loss of water due to evaporation for the new project is not worse than what Egypt is currently losing from its environmentally unfriendly projects and poor water management; (A number of analysts have indicated that Egypt has not been an efficient user of the available water. Not only is water not priced properly, but the Egyptian authorities also have allowed the expansion of the water devouring crops of rice and sugar cane - against the advice of experts and bilateral donors. The irrational and increasingly thirsty nature of Egyptian water usage has failed to recognise the realities of our time: escalating shortages of water exacerbated by global warming, population pressure and life-style changes.); and

7) recent geological and hydrological studies have documented an abundant level of ground water in the Nile basin countries¹⁶ and hence downstream countries will not be thirsty if upstream countries build dams that generate electricity. It is clear, therefore, that Egypt's no dam policy or stance against large energy producing dams in upstream countries is a misplaced opposition and therefore calls for a new thinking in Cairo.

As Professor Aaron Wolf of Oregon State University observes, there are about 261 trans-boundary rivers across the world and unless carefully handled a significant proportion of these rivers could be causes of conflict. Wolf documented that water has been the cause of political tensions between a number of countries, including but not limited to Arabs and Israelis; Indians and Bangladeshis; Americans

and Mexicans, the Chinese and other downstream countries, Brazilians and Paraguayans and all the ten riparian states of the Nile River system. He observes that “war over water seems neither strategically rational, nor hydrographically effective nor economically viable.”¹⁷ In other words, there is little reason for a “water war” between Egypt and Ethiopia.

The two countries can also learn from inter-basin development projects that are successful, such as the Colorado River Basin allocation between the US riparian states and Mexico, the Columbia River Agreement between the US and Canada and the numerous European collaborative projects and integrated river basin managements of the River Rhine. In particular, Egypt and Ethiopia could learn a lot from South Africa paying¹⁸ Lesotho to quench its increasing thirst from the Lesotho Highlands Waters Project. The framework for exploiting the Niger River Basin, the Zambezi River basin and the Nile Basin Initiative¹⁹ itself could serve as useful points of departure for cooperation.

Notwithstanding the above, Egyptian politicians often argue about “historical rights” and connect the water issue with the civilisations of the antiquities on the Nile delta and forget about the history of the formation of nations and states. Evidently this stance is self-serving in that it ignores historical tensions between black people in the region (present day Sudan, South Sudan, Niger, Eritrea and Ethiopia, among others) and the race controversy in the African origin of humanity and the history of the Nile Valley (see for example Martin Bernal’s *Black Antenna*, 1987; Anta Diop,²⁰ among others). The politics of the Nile River system thus has an Africa-Arab dimension and is hence sensitive to Pan African and Pan Arab agendas. Hence, if a conflict between Egypt and Ethiopia erupts, it is more than likely to have spill-over effects on the rest of Africa.

Like most of the postcolonial states of Africa, modern and independent Egypt was created out of the ashes of colonialism (see for example Achille Mbembe and Samir Amin). Britain’s colonial interest in the Nile dam at

Lake Tana (main source of Abay/Blue Nile) is the foundation of Egypt’s historical and legal claims to the water. Britain’s interest however was primarily driven by its desire to irrigate its large cotton plantations in the Anglo Egyptian colony of the Sudan and supply its factories which were located in the United Kingdom. Modern day cotton plantations in Egypt are entirely dependent on the soil that gets exported by the river primarily from Ethiopian highlands. In a series of short articles, Dr. Yosef Yacob²¹ documented the history of colonialism in the region and indicated how Emperor Menelik (1844-1913) and Emperor Haile Selassie (1892-1975) managed to escape Britain’s colonial ambitions over the Ethiopian highlands. He also revealed how Emperor Haile Selassie was visionary in that he successfully

“The dominant view is that trans-boundary assets belong to the post-colonial states and the new states have to agree how to share their jointly owned assets.”

resisted Britain’s encroachments on Lake Tana by hiring an American engineering company to construct the dam and trying to finance the project through the issuance of debt securities in the United States. In other words, if the Emperor’s wishes were realised, the GERD would have been built a long time ago. We have yet to see any reasonable criticism of Dr. Yosef Yacob’s treatise by those who oppose the construction of the dam.

The next leg of the Egyptian opposition is international law. Here too the argument collapses before it faces the scrutiny of legal scholars. Egyptian officials often refer to the 1929 colonial era agreement and the 1959 agreement signed between Egypt and the Sudan (both former British colonies), which Ethiopia never

consented to.

First, it is important to note that colonial treaties have no direct relevance for resolving Africa’s contemporary problems. The Nile basin countries have already rejected it. Thus, the dominant view is that trans-boundary assets belong to the post-colonial states and the new states have to agree how to share their jointly owned assets.

Second, Ethiopia was and is an independent state and it was not a party to the 1929 and 1959 agreements. Historical records also indicate that Britain, Egypt and the Sudan conspired and excluded Ethiopia from the negotiations. In this respect, Wuhibegezer Ferede and Sheferawu Abebe, writing on the Efficacy of Water Treaties in the Eastern Nile Basin, *Africa Spectrum* (2014) outline two approaches that evolve from the principles of international law.²² The authors show the fundamental differences between upstream and downstream countries in that upstream countries (Ethiopia, Uganda, Tanzania, Rwanda, Burundi, Kenya, Democratic Republic of Congo, Eritrea and South Sudan) appear to favour a clean slate policy while downstream countries (Sudan and Egypt) favour colonial treaties.²³ Notwithstanding the preference of one or another form of legal principle, Egypt’s insistence on colonial treaties collapses simply because Ethiopia was not a colony of Britain or indeed any other European power.

Now that we have seen Egypt’s historical and legal arguments falling apart, the next step is to examine the third foundation of the Egyptian stance - the environmental aspects of the dam. Previous literature indicated that carbon emissions and contaminations of rivers that cross national boundaries are examples of trans-boundary environmental problems. Hence, policy formation requires enforceable global treaties, sound national policy and the examination of advances in a number of disciplines.²⁴ Furthermore, investments in big national projects such as stadiums, mineral extraction, oil and gas, canals, big dams, highways, and big architectural projects add behavioural and political dimensions to the science, technology and the



economics of such undertakings. Most of the finest buildings and stadiums that host world cup games were and are being constructed in that national pride. And behavioural and emotional factors dominate financial arguments. In other words, national projects by their nature have behavioural dimensions and may not be captured by the paradigms of rationality and net present values. Time will tell whether the Ethiopian dam is different.

The mainstream literature on environmental economics focuses on welfare measurement, sustainability, technological change, externality and green accounting. The world commission on environment and development (aka the Brundtland Commission, 1987), for example, states that “sustainable development is meeting the needs of the present generation without compromising the ability of future generations to meet their own needs”. Consistent with this understanding, the Nile River system has both trans-boundary and non-trans-boundary features for the riparian states and hence Egypt, in theory, may have a cause for concern. This concern can nonetheless be resolved through international instruments and institutions and bilateral relations that are based on mutual respect and trust.

The international convention on the protection and use of trans-boundary and international lakes which was signed by nearly 40 countries does

not provide the base for resolving disputes, and worse, no country from Africa (including Egypt) has actually ratified it. It nonetheless can be another point of departure. The United Nations Environmental program could also be a facilitator. Furthermore, as noted earlier, Africa has frameworks for inter-basin development. The Nile Basin Initiative (NBI) has been a major institutional development which enables all riparian states to collaborate and act as equal members. Egypt’s effort to undermine²⁵ this agreement is a mistake.

Other features of the leaked report of the International Panel of Experts cover the main factors of the project. Among other things, it confirms that:

- 1) GERD is economically feasible;
- 2) the design meets international standards, subject to minor “corrections”;
- 3) the contractor is reliable and has extensive international expertise and reputation in building large dams;
- 4) the environmental impact study within Ethiopia is adequate and the trans-boundary effect on the Sudan is favourable and controls flood; and
- 5) the section on trans-boundary effect on Egypt requires additional study using complex models and actual data rather than reliance on desk work.

In short, the authors of the 48

pages-long confidential report did not say that they expect a catastrophe and the vanishing of the Egyptian nation if the project gets completed. Egypt is not in any imminent danger. This conclusion has ramifications for the multilateral institutions that refused to finance the project.

In summary, Egypt’s opposition to GERD is indeed misplaced. Its return to the negotiation table and the African Union and the ratification of the Nile River Basin Cooperative Framework and Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes are avenues for resolving the sticky problems of water sharing.²⁶ ■

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The neglected opportunities of African agriculture



Africa is at a cross-road. Indeed, if investments are made in the sector in a substantial manner, concrete progress can be made in a very short time.

By Stefan Schepers

(With thanks to Christoph Bausch and Agnes Leroux for their inputs)

At a time when the European Common Agricultural Policy for 2013-2020 is under implementation, and the tortuous Economic Partnership Agreements negotiations between the EU and the ACP countries (African, Caribbean and Pacific group of states) are nearing the end, the realisation of the vast opportunities of African agriculture remains even more

uncertain. Trade patterns between Africa and the European Union have not fundamentally changed since independence, in particular not in the agricultural sector, hindering adjustment to the global market as well as missing the vast opportunities for diversification, economic growth and employment.

In order to face the new challenges of the 21st century, providing food

security to a growing world population, confronting climate change, and ensuring enough inputs for feed, fibre and bio-fuels, Africa will need to pay far more attention to its agricultural development and trade. Whereas in Europe, China or America, agriculture is seen as a strategic sector because of the multiple inputs it provides in a resource efficient, bio based economy - nothing less than a new technological

revolution - Sub-Saharan Africa is still neglecting both its own research, technological innovation and agricultural strategy development. South Africa could develop a constructive leadership role in these important areas.

Post-colonial trade patterns

The European Union's Common Agricultural Policy (CAP) has had a detrimental effect on developing countries; for decades it encouraged overproduction and subsidised exports to developing countries. This has been corrected in recent years and export subsidies have now disappeared.

Europe remains Africa's main agricultural trading partner, because China, which has raised successfully its own agricultural productivity, trades primarily oil, gas, minerals and manufactured goods. Surprisingly, food remains an import requirement in Africa, a continent which could supply the world: its arable lands represent 40% of the global available surface, its share in global output however barely reaches 10%. Tax supported agricultural policies in a number of developed countries impeded developing countries from taking advantage of their competitively low production prices. The farm support policies of the rich countries have undermined the success of the family farming which is most common in Africa. But they did not prevent a 'green revolution' taking place in Asia or in Brazil, so there must be other causes too.

The partnership between the European Union and the ACP Group dates back to 1975, with the Lomé Conventions and their successor, the Cotonou Agreements signed in 2000. In practice, they maintained colonial trade patterns between Africa and the EU, noticeably in the agricultural sector, in exchange for financial support. In this context, some talk about "virtual land-grabbing" (Von Witzke and Noleppa, 2011), as the EU indirectly encourages the continued occupation of arable lands in Africa for its own imports, with little local beneficiation except poorly rewarded labour. The EU itself is perfectly able to produce nearly all agro-food commodities itself, but then it would have to shift its focus from agriculture

as a social and environmental policy to agricultural as an economic policy. This would be possible without reducing its essential focus on sustainability and health, thanks to new technologies.

These ACP Agreements responded to the European Union's needs in terms of imports, but did not enhance growth and restructuring in African developing countries. Though the EU is the largest provider of aid to sub-Saharan Africa, this is a questionable blessing because it has maintained economic patterns based on dependency. It remains an open question whether the forthcoming EPAs will set in motion a process of fundamental change.

Failed structural reforms

The long-awaited structural policies in Africa have been slow in coming. For instance, the investment in agriculture research and development in the ACP countries has not increased during the

is the main answer in many countries, often leads to irreversible environment degradation. Research showed that about 40% of the potential yield is lost to pests and diseases; and in addition, a significant portion of crops is lost post-harvest because of weak infrastructure for storage, transportation and handling. According to FAO data for 2008-9, another significant figure is that of use of fertilisers: whilst the world average is approximately of 107 kg/ha-1, the average use of fertilisers in Africa is at 21 kg/ha-1. This alone already illustrates the technological gap which persists between Africa and the rest of the world. The Cotonou Agreements have rather accentuated the economic tendencies already existing in ACP countries, i.e. "the stagnation of agriculture, the virtual disappearance of the manufacturing sector, and the continued dynamism of the services sector" (ECLAC 2005).

The lack of innovative policies in Africa is reflected in the structure of the agro-food chain. Indeed, although large agro-food companies have managed to establish and develop themselves in a very successful way, subsistence farmers and small-scale farms remain poorly integrated in the economically viable food chain (except it seems in the sugar sector). This also generates important social problems, as farmers are forced to migrate to cities, creating urban sprawl together with social, employment and health problems which were not foreseen.

There is a danger of repeating the mistake with the European Partnership Agreements, which liberalise trade, in itself a positive development provided that first the structural conditions are balanced. Equal trade between unequal partners produces unequal results, as Amartya Sen, the Nobel Prize winner for Economics in 1998, has rightly remarked. Europe, America and other economically successful countries today have built up their economies behind trade barriers, protecting in the first place their agriculture in order to facilitate the transition from traditional into modern farming and to build up manufacturing and services sectors. For Africa to agree to EU demands for more free trade without parallel and proportional aid

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last decades, and has even declined in some. Yet it is key to increasing sustainable productivity. This lack of coherent agricultural strategies is caused largely by governance failures in many countries, but the issue is accentuated by the trade patterns between Europe and Africa. In addition, the rising demand for food, due to the demographic explosion, is increasingly difficult to meet. The ever-increasing occupation of arable lands for low productivity agriculture, which

for structural adjustment to strengthen its own competitiveness would be a folly. Aid for structural adjustment is different from traditional development aid, which in fact maintains dependencies; it requires a shift from development workers to economists, lawyers and other professionals, from projects with a high media potential in the West to building and nurturing research institutes (focussed on own commodities and production problems), food safety agencies, productivity enhancing investments (fertilizer, crop protection, seed improvement), training facilities for farmers, first class education facilities for their children, and other structural improvements.

The future of African agriculture

Africa should take the ultimate responsibility for its development, and invest serious energy in the primary sector, which is employing more than 70% of the active population, against less than 5% in developed countries. That is why agro-processing and the development of the agriculture sector should be heading the agenda for governments and the private sector alike, at every Afro-Euro Summit.

Africa is at a cross-road. Indeed, if investments are made in the sector in a substantial manner, concrete progress can be made in a very short time. However, if extra farm employment prospects are not provided by appropriate policy and specific research targeting African crops and cattle, the extra workers will face downward pressures on employment and wages. In fact, the opportunity offered by the current population slowdown could be lost, as after 2030-2050 aging populations will pull the dependency ratio up (Lipton 2005). In parallel, governments should also improve their underperforming sectors in railways, roads and power: electricity and water supply must be key priorities, and investments in infrastructure will also contribute to the development and growth of the whole economy, starting with agriculture.

Can the EPAs help?

In order to make substantial progress, the agro-food industry would

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benefit from the creation of a regional market, or at least of a simplification of the inter-African bilateral and multilateral agreements. This would facilitate the understanding of the interests and comparative advantages of each country, in order to establish more profitable trade relations. In this sense, and in order for the EPAs to be beneficial for African agriculture, the continent needs to deepen its integration and increase intra-African trade. This should be done hand in hand with the strengthening of the competitiveness of African industries, in order to prepare in the most adequate manner for the end of the tariffs (ECLAC 2005).

In addition, Africa will have to take into account global market developments, mainly with high market prices essentially due to the rising food demand and the bio-fuel trend. This

“About 40% of the potential yield is lost to pests and diseases; and in addition, a significant portion of crops is lost post-harvest because of lacking infrastructure for storage, transportation and handling.”

calls for improving the productivity and sustainability of the sector. In this context, the work of the agro-industry is crucial in integrating small farmers in the production chain through private initiatives because they still contribute over 90% of Africa's agricultural current production.

In line with this argument is also the need for innovative governance in the African agro-food sector: African companies should be encouraged to develop and grow through fiscal incentives, and public-private partnerships and cooperatives should be further developed. The latter could be the solution to respond both to the more communal nature of African agriculture traditions and to the tenuous issue of land ownership in many countries. Without secure ownership of the land, no farmer, large or small, will invest in the long term.

Moreover, research and innovation must play a central role in the future of African agriculture to allow Africa to become a major player in this sector. It is essential that ACP countries implement the Maputo declaration, even more now that the EPAs are creating a new trade and investment framework. In it they committed to invest 10% of their GDP to agriculture and rural development, in order to reach 6% annual growth. Considering that the active population is young and mainly working in this sector, it is essential to concentrate resources on its development (Mwape 2009).

A progressive shift of paradigm is taking place and must be encouraged: countries should adopt “a strategy of agro-business development”, rather than centring their development strategy on agriculture (Roepstorff et al. 2011). This implies studying micro-economic patterns and not fixating on macro-economics alone; taking into account the dynamics of the value chain, which empowers actors from small-holding farms to multinational supermarkets; developing mutually beneficial long term cooperation with multinational corporations in the agro-food sector, with clearly determined inputs from them in training and education and other measures to integrate the vast majority of farmers in the global agro-food

chains; empowering rural women who traditionally have such an important role; and ensuring the stability of institutions, as they are pivotal to sustaining growth.

This also implies using to the full a European invention in Intellectual Property protection, the so-called Geographic Indicators (GI), now envisaged in the EPAs (also with SADC). GIs help farmers and firms to achieve the consumer recognition necessary for the creation of reputation based on geographical origin. The competitive advantages of GIs are associated with quality of production methods and therefore they strengthen the commercial value of a product and lead to a premium price.

The growing interest in “authentic”, “traceable”, etc. food is due to an increased awareness of food safety, as well as the socio-cultural status of consuming certain foods and renewed interest in culinary heritage, in particular in less price sensitive middle class consumer markets. Food markets are characterised by varying qualities, and only the producer is fully aware of the product’s quality in advance. Consumers, in contrast, face the risk of purchasing an inferior product due to the fact that his access to information on quality of the product is limited. Through relying on GIs, producers adopt a strategy for creating reputation for their products. GIs thus contribute to the improvement of the income of farmers and support rural development, both in the “developed” and “developing” world. They serve as a valuable marketing tool to improve market access into more lucrative niche markets and create new export opportunities.

In particular Chinese and Asian markets serving the new middle classes are reputation sensitive. In fact, GIs allow small and rural producers to create a competitive advantage similar to that of a trade mark. The FAO, and the WIPO stress the importance of GIs as a means to preserve local culture and traditions and to foster rural development. In Spain, a country whose agricultural economy is comparable to the potential of SA, 123 GI products generate some €3.5 billion of income (over €2 billion for wines and spirits alone).

The need for governance innovation

Innovation should also take place at the governance level, with the possible matching of innovative entrepreneurs with European mentors, support for innovation hubs and business ventures at universities or by creating and focussing on special economic zones or sectors (Aerni 2012).

Recent studies have shown that most African countries have succeeded in diversifying their economies. They will also have to start thinking now about improving governance structures in business and in public governance, since most governance systems are inherited from colonial times and insufficiently modernised to take account of changed contextual conditions.

The new global context, new technologies and related challenges

“In order to make substantial progress, the agro-food industry would benefit from the creation of a regional market, or at least of a simplification of the inter-African bilateral and multilateral agreements.”

and opportunities require a fundamentally different concept of governance, based not only on checks and balances between various political and bureaucratic powers, but on partnering with stakeholders in order to elaborate economically, socially and ecologically sustainable long term solutions, to implement them coherently, and to adapt them when necessary as a result of changed circumstances. This is often called collaborative government. The formalistic role of institutions has to be enlarged, both conceptually and procedurally, by means of partnering with stakeholder representatives who are not part of the traditional governance mechanisms, in order to achieve new forms of consensual

decision making. ICT technology makes this possible. (Schepers 2012)

Collaborative government and its implementation in the form of public-private partnerships can provide a framework for economic growth and for diversification of developing economies in agriculture, manufacturing and services in order to reduce dependency on extraction industries. It can also promote the much needed regionalisation of African markets: without exception, national markets inherited from colonial occupation are too small to become a fully developed and globally integrated economy.

Conclusion

Growth and innovation in the African agricultural sector has great potential, but one has to create the right framework conditions and positive societal externalities. In that sense, improving productivity in Africa would slow down the process of ever-expanding the arable land and thereby be a first step towards sustainable agricultural policies. The ultimate aim is indeed to guarantee food security for the populations, provide better living conditions for the millions of small farmers and their families and an even better future for their children, and for governments to earn more income from agro-food sector growth, which can be invested again in uplifting the economy. A virtuous circle of economic growth and innovation lies waiting in the fields. ■

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Ubuntu and the Africanisation of the Child Justice Act



The CJA aims to create a new procedural framework for dealing with children who come into conflict with the law. It represents a rights-based approach to children accused of crimes, but also seeks to ensure accountability and respect for the fundamental freedoms of others.

By Freddy Khunou

The new South Africa has made efforts to address issues around providing appropriate criminal justice for child offenders. This has not only been inspired by the new constitutional based rights of children in conflict with the law, but also international law and the general principles of ubuntu and the jurisprudence of African traditional justice.

In compliance with the precepts of international law and the 1996 Constitution, the national parliament promulgated the Child Justice Act 75 of 2008 (CJA) to establish a criminal justice system for children. The CJA also expands on and entrenches the principles of restorative justice. Previously in South Africa, the Children's Protection Act 25 of 1913 (CJ) was the embodiment of the trend towards child justice. This Act permitted the presiding officer to decline to continue with a criminal trial against a child and to then commit the child to a government industrial school.

This procedure, formerly in section 254 of the Criminal Procedure Act 51 of 1977, (CPA) continued to serve as the principal Act governing the way in which child offenders would be dealt with in South Africa. The CJA marked a paradigm shift from the CPA. The CJA also alters a number of common law positions that are currently in place and is an appropriate piece of legislation dealing with child offenders within the criminal justice system in South Africa. This article discusses the implication of ubuntu and traditional justice systems on the landscape of the CJA.

Background Perspectives

South Africa ratified the United Nations Convention on the Rights of the Child in 1995. This treaty enjoins the South African government to enact legislation that gives effect to Article 40 of the Convention. Article 40 (1) reads as follows:

State parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's

respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

Both the Interim Constitution and the 1996 Constitution of South Africa enshrined an elaboration of rights for children that included rights pertinent to children in conflict with the law. In 2008, the South African parliament promulgated the CJA to give effect to these commitments. The CJA came into force on 1 April 2010.

Ubuntu and the Constitutional Jurisprudence of the CJA

The CJA took its cue from the 1996 Constitution. Therefore, the CJA is mindful of the Constitution as the highest law of the country and aims

“Ubuntu says I am human only because you are human. If I undermine your humanity I dehumanise myself.”

to improve the quality of life of all our people and to free the potential of every person by all means possible.

The Constitution emphasises the “best interests” of children and guarantees their special protection within the ambit of the criminal justice system. The Constitution affords children in conflict with the law special safeguards; these include not to be detained if possible; but if necessary, for the shortest period of time possible; to be treated and kept in conditions taking account of the child's age; and to be kept separately from adults.

In *Centre for Child Law v Minister for Justice and Constitutional Development and Other* [2009] ZACC 18, the Constitutional Court stated that the constitutional injunction that a child's best interests are of paramount

importance in every matter concerning the child means that the child's interest are “more important than anything else, but not that everything else is unimportant”. The Constitutional Court further stated that the entire spectrum of considerations relating to the child offender, the offence and the interests of society may require incarceration as the last resort of punishment.

The Act also gives effect to the Constitution in particular sections, such as 28(d), which enjoins that every child has the right to be protected from maltreatment, neglect, abuse or degradation. Amongst other things, section 28 of the 1996 Constitution protects children against the undue exercise of authority. In *S v Makwanyane* 1995 (3) SA 391 (CC), Langa J stated *inter alia* that:

[Ubuntu] ...suggests a change in mental attitude from vengeance to an appreciation of the need of understanding; from retaliation to reparation and from victimisation to ubuntu.

It is in this context that the CJA diverts matters involving children who have committed offences away from the criminal justice system in appropriate circumstances while children whose matters are not diverted are dealt with in the criminal justice system in child justice courts. At the centre of the CJA, the spirit of ubuntu echoes the values which safeguard the dignity of a child offender.

Anatomy and Sections of the CJA

The CJA is divided into 14 Chapters. Chapter 1 deals with definitions, objects and guiding principles. Chapter 2 is divided into three parts. The main focus of Part one deals with the application of Act, manner dealing with children who are alleged to have committed offences and seriousness of offences. Part two deals with criminal capacity of children under the age of 14 years. Part three deals with age estimation, age determination and error regarding age. Chapter 3 deals with written notice, summons and arrest.

Chapter 4 is divided into three parts. Part one focuses on matters pertaining to release or detention of the child.

Part two deals with placement of child prior to sentencing and related matters. Part three deals with factors to be taken into account by the presiding officer regarding further detention and placement at preliminary inquiry or child justice court.

Chapter 5 deals with assessment of children. Chapter 6 deals with diversion by prosecutors in respect of minor offences. Chapter 7 places a special emphasis on the preliminary enquiry, including issues of confidentiality and the referral of children in need of care and protection to a children's court.

Chapter 8 is most important in broad terms for child justice. It explores the objectives and consequences of diversion and the various options available.

Chapter 9 deals with trials in the Child Justice Court. Chapter 10's main focus is sentencing. Chapter 11 deals with legal representation while Chapter 12 is central to appeals and the automatic review of certain convictions and sentences. Chapter 13 deals with records of conviction and sentence. Chapter 14 deals with general provisions of the CJA and is followed by 5 Schedules to the Act.

Goals and Purposes of the CJA

The CJA entrenches the notion of restorative justice in the criminal justice system in respect of children who are in conflict with the law. This legislation *inter alia* defines restorative justice as follows:

An approach to justice that aims to involve the child offender, the victim, the families concerned and the community members to collectively identify and address harms, needs and obligations through accepting responsibility, making restitution, taking measures to prevent a recurrence of the incident.

The CJA provides for several diversion options in an attempt to humanise the child justice system and protect the rights of children. The CJA facilitates diverting offenders under the age of 18 away from mainstream criminal justice. Diversion alternatives include family group conferencing and victim offender mediation. The objectives of diversion programmes are *inter alia* to impart useful skills and to include

“The CJA aims to ensure that children in conflict with the law turn their lives around and become productive members of society.”

a restorative element which aims at healing relationships. This involves the relationship with the victim, including an element which seeks to ensure that the child understands the impact of his or her behaviour on others, including the victims of the offence. This may include compensation or restitution.

The CJA makes special provision for young offenders showing remorse, by addressing the original crime in such a way that the offender does not enter a continuous cycle of crime and violence. The CJA provides for both community and restorative justice sentences. For example, children under the age of 10 years old committing an offence must be referred to a probation officer for assessment. The Act further enjoins that the preliminary inquiry must be held after assessment.

The CJA aims to create a new procedural framework for dealing with children who come into conflict with the law. It represents a rights-based approach to children accused of crimes, but also seeks to ensure accountability and respect for the fundamental freedoms of others. It also seeks to prevent crime and promote public safety through the use of diversion,

“This involves the relationship with the victim, including an element which seeks to ensure that the child understands the impact of his or her behaviour on others, including the victims of the offence.”

alternative sentencing and restorative justice.

Implications of Ubuntu and the Traditional Justice System

Section 2 of the CJA provides *inter alia* that the objects of this Act are to promote the spirit of ubuntu in the child justice system through (i) fostering children's sense of dignity and worth; (ii) reinforcing children's respect for human rights and the fundamental freedoms of others by holding children accountable for their actions and safe-guarding the interests of victims and the community; (iii) supporting reconciliation by means of restorative justice responses; and (iv) involving parents, families, victims and where appropriate other members of the community affected by crime in procedures in terms of this Act in order to encourage the reintegration of children.

Furthermore, the Preamble of the CJA recognises the fact that before 1994, South Africa did not give many of its children, particularly black children, the opportunity to live and act like children and also that some children as a result of circumstances in which they find themselves have come into conflict with the law. It is in this context that the CJA among many other pieces of legislation reflects the values underpinning not only the Constitution but also the spirit of ubuntu.

The thrust of the CJA is to keep together shattered relationships in the community and encourage child offenders across the board to respect the basic norms of human and social independence. The CJA permeates through traditional modes of dispute resolution often directed at facilitating peaceful resolution to problems which impact negatively on the harmonious co-existence of the community as a whole.

The CJA promotes a practical humanist disposition towards the world and denotes compassion, tolerance and fairness. In *S v Makwanyane and Another* 1995 (3) SA 391 (CC), the Constitutional Court stated *inter alia* that:

...Generally, ubuntu translates as humanness. In its most fundamental sense, it translates as 'personhood' and 'morality' ... while it envelopes

the key values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity, in its fundamental sense it denotes humanity and morality. **Its spirit emphasises respect for human dignity, marking a shift from confrontation to conciliation.**

Ubuntu places an important emphasis on restorative justice rather than retributive justice. This process involves, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs and obligations in order to heal and put things right as far as possible. The outcome of the CJA through restorative justice encourages reparation of the harm done, involves victims in resolution of criminal incidents which have led to breaches in relationship.

The expectations of restorative justice echoed by the CJA are important for the future judgments of South African Courts. According to Gibson in his book *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* (Russell Sage Foundation, USA, 2004:263), restorative justice is significant in the African context of ubuntu. Gibson stated that:

In traditional African thought; the emphasis is on restoring evil doers to the community rather than on punishing them. The term ubuntu, which derives from the Xhosa expression Umuntu ngumuntu ngabantu (people are people through other people) conveys the view that an environment of right relationships is one in which people are able to recognise that their humanity is inextricably bound in other humanity. Ubuntu emphasises the priority of 'restorative' as opposed to 'retributive' justice.

Gibson further quoted Desmond Tutu describing ubuntu as follows:

Ubuntu says I am human only because you are human. If I undermine your humanity I dehumanise myself. You must do what you can to maintain this great harmony, which is perpetually undermined by resentment, anger, desire for vengeance. That is why African jurisprudence is restorative rather than

“The CJA balances the rights and responsibilities of the child offender, victim, the family and the community.”

retributive.

The CJA emphasis on restorative justice is tantamount to processes such as restoring the dignity of the victims. One important form of restoration involves an apology. An apology can be influential, since an apology is a gesture through which an individual splits himself/herself into two parts, the part that is guilty of an offence and the part that dissociates itself from delict and affirms a belief in offended rule.

Ubuntu as the main fulcrum of the CJA perceives the role of the child justice system in the light of reconciliation. The jurisprudence of child justice as pronounced in the CJA is deeply rooted in the notion of responsibility and accountability. Therefore, the objectives of the CJA tied with the spirit of ubuntu are centred around the key principles of: (i) Rehabilitation of the offender; (ii) Promotion of peace within the community; (iii) Promotion of reconciliation and inquisitorial

“Ubuntu places an important emphasis on restorative justice rather than retributive justice. This process involves, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs and obligations in order to heal and put things right as far as possible.”

procedure; and (iv) Facilitation of medication and compromise.

The procedures articulated in the CJA follow the ones practiced in traditional courts, which were designed specifically to effect compromise and reconciliation. For example, the spirit of CJA promotes *inter alia* the Lobedu custom of Lu Khumelwa (to beg pardon of one another). According to Rakate in his article entitled “The Status of Traditional Courts Under the Final Constitution” (unpublished paper written as Part of Law Research in the Constitutional Court of South Africa 1996:8), under the custom of Lu Khumelwa reconciliation is reached by an emissary who intervenes between the two parties. This granting of pardon stops court procedure. The CJA is conciliatory and persuasive.

In this regard, CJA is tied into the inner chambers of custom and principles of ubuntu. The CJA sets out diversion programmes, which form part of the sentencing options. These diversion programmes provided for in Chapter 10 of the CJA are integral to the values embodied in the notion of ubuntu.

The CJA takes into account the impact of the offence on the victim, by means of a victim impact statement. The statement reflects the physical, psychological, social, financial or any other consequences of the offence for the victim. This provision of CJA allows for a healing and a conciliatory process to take place and further entrenches the notion of restorative justice.

Conclusion

It is evident from the above that the CJA aims to ensure that children in conflict with the law turn their lives around and become productive members of society. The new child justice dispensation attempts to deal with the peculiar challenges facing children, such as their inability to understand the consequences of their actions. The CJA balances the rights and responsibilities of the child offender, victim, the family and the community. Most importantly, it allows for the healing and a conciliatory process to take place on the basis of the values of ubuntu and the principle of indigenous African traditional justice system. ■



Rumours

Slowly like the rising sun, it is dawning on us, as we wriggle out of the past: we find the present most perilous, and the future daunting with its quiet and relentless refusal to completely reveal itself.

By Mongane Wally Serote

Not so long ago, the world was spinning around as if headless, scattering and splashing blood all over the show. It was a moment of rumours: Egypt. Syria. Tunisia. Lybia. Yemen. Afghanistan. Pakistan. Iran was being threatened, and in Iraq suicide bombs went off as if in a drill and

practice rather than in reality; in Mali there was a coup and the country was cut in half, and, predictably, as rumour would have it, French troops arrived, as if there were no troops in any country of Africa. They were spilling human blood and killing human beings for real.

Even closer to home, it felt as if regime change would soon be imposed upon Zimbabwe. It was a time of rumours. Rumours, which can mean there is no smoke without fire, or can be just a perception, or not only point to a truth but actually be manifested. In South Africa, we had, not so long before then, emerged out of Polokwane, a city with a name most ominous, meaning a place of burying each other. Rumours. Rumours. Rumours.

This condition of rumours is sugar to be licked fervently by media, even if the sugar acts as in a diabetic patient, as if acid, runs deep and destroys every fibre, every vessel in the body. 'Sugar, sugar and more sugar!', the destructive bacteria in the body demands; 'rumour, rumour and more rumour!', the media demands, no matter the damage! Both conditions depend on whether interests and needs can be put aside. It is only objective understanding and analysis which can unravel these complexities and lay bare the truth about the events which unfold before our very eyes.

The United States of America, the world power, had characteristically flexed its muscles, sounding the drums of war against other countries, justifying its position by claiming that it was under the threat of terrorism. Rumours abounded then, in the world; the issue here was not whether America would attack this or that country, but when it would attack and implement regime change in whichever country. America, France and Britain, together with other European countries, were committed to bullying any country which sought to protect its national interest against imperialism.

If an African creative person reads the world thus, and understands that the world is under a tight bully grip, how can this be portrayed? What genre must one use to objectively dramatise these events, these complexities, these at-the-time real and complicated matters, these issues which defy logic and threaten to threaten humanity in most unprecedented ways?

The best genre would have been film. However, the funds needed for a film of such magnitude would be immense. Only America can afford a film like that; and the money dictates

how the film will interpret the events; and also, the cowboy and Indians formula of past decades remains the point of reference. America gives reasons for throwing a corpse into the sea, or hiding the corpses of its victims. No one, except the Americans, not even the nationals from where the corpse was made, nor the world, will ever know what was done with the corpse nor where it was buried. What must we do then as creative people outside of America?

One of the other best genres to engage people is the novel. This is especially true if one decides right at the onset to allow oneself to break the rules for writing a novel where necessary. This way, the work carries the load of the content and context which do service to the issues at hand; so be it, as long as it is not breaking rules for the sake of breaking them.

What does one write for, about and why? I write for a non-racial and non-sexist audience. At best, what creative people can do is to contribute to a collective consciousness, at most to a national discourse. I write mainly about where I come from, which is from a black and African perspective, and I do so with an attitude which says I have to teach the English language to learn the African context. English must speak African languages, but also, it must speak English. It must give to the African context the Africanness of Africans, as also it must never ignore the global context from the perspective of a Pan African paradigm.

The characters of *Rumours* must emerge from this context. This context must be educated by the struggle for freedom of the oppressed. The oppressed gave their children to the struggle, knowing that they might never come back, but more important, hoping that their children would bring Africa back. Africa has come back, but it is under threat.

Do South Africans have a sense of the African continent?

Slowly like the rising sun, it is dawning on us, as we wriggle out of the past: we find the present most perilous, and the future daunting with its quiet and relentless refusal to completely reveal itself.

And so it was necessary to explore the possibilities for the African voice to walk the streets, alleys, footpaths and highways. Who are these who carry this voice, why are they the carriers of the voice? What is this place called Africa?

One of the very important institutions in any society is the family institution. Here I go an extra mile. Why did Africa create the African Primary Institution the way it is, with women and men in it given clear responsibilities and roles? Can these roles be interchangeable: personal and public? Can the institution be resuscitated and innovated given the distances we travel and given the various responsibilities we have: to build nations; to build the continent; to create a liveable world with others and to destroy poverty. Where are the children in all of this, how are they brought up and nurtured? What is a home in the 21st century, can it survive the tremendous demands on the people who must create it? The role of the elders and the elderly, are nursing homes their only sanctuary? Is the place for the nurturing of the little ones kindergartens and schools only?

I wrote *Rumours* seeking the answers to the unknowns. I wished to probe and probe the knowns with the hope that they can and must yield not only what we must know, but also say how we must engage with and use what we find. Through the past can we engage the present? I was looking for an African discourse with the deep wish and hope that that discourse can emancipate the African voice.

I wrote *Rumours* seeking to rebel against anything which would intend and seek to capture the African being in us, and enslave it. For in the 21st century western expansion and hegemony continues, and still creates possibilities to enslave, once more, the weak and the poor.

An African dialogue has begun. This is not just to be noted, but must be engaged. The African Union, AU, exists now. More and more the sons and daughters of the continent will be called to defend the right of the peoples to choose the destiny of this place and space. It will have to be through African



Mongane Wally Serote's latest novel, *Rumours*, takes a long and hard look at southern African society through the eyes of a veteran MK cadre. Having totally lost his way, he can only recover through reconnecting with his past. The cast of characters in this important novel explore the wide range of issues confronting Africans in today's world. Below, Serote explains to readers of *The Thinker* how this book was born.

Published by Jacana Media, (2013)

education, even through arms and African being and blood. What do we do with the soldiers who return after the wars which are to come? What of those who do not return, but also, what of those who betray? There is betrayal and betrayal and betrayal. How must Africa broaden and increase her health portals? Her citizens are threatened by disease, some of it chronic, and some of it incurable, but also where are the sanctuaries when even insanity grips some?

Is the ANC in trouble? What trouble? Have the leaders deviated from being the representatives of the poor, the have-nots? What path is the ANC following? Where is South Africa headed, if the ANC has deviated? Is the ANC really for sale? These are the questions and issues which were the midwives to *Rumours*. ■

The Youth Wage Subsidy and Unemployment in Africa



A youth wage subsidy does not make the system non-capitalist; it only masks the operation of capitalism's laws.

By Christopher D. Mlosy

KARL MARX observed in 1865 that wage levels can only be “settled by the continuous struggle between capital and labour, the capitalist constantly tending to reduce wages to their physical minimum, and to extend the working day to its physical maximum, while the working man constantly presses in the opposite direction.” Indeed, as Karl Marx and Frederick Engels wrote in the opening to the *Communist Manifesto*, “The history of all hitherto existing society is the history of class struggles”.

The main prize on the battlefield of the class struggle is the surplus product. What distinguishes one form of society from another is the way in which the ruling class exploits the producing class; that is, the way the surplus product is appropriated. In many areas government plays a central role in organising dispersed interests: meeting national goals and balancing

competing interests. Unlike the process which establishes social norms and values, government operates a rulemaking process by which rules can be changed more quickly, with vision and design, and still be forceful.

After the outbreak of the global financial crisis of 2007-8¹, labour markets remain deeply depressed. Unemployment has started to rise again as the economic outlook worsens. The global crisis has been accompanied by a deterioration in the quality of employment.

In 2014 around 205 million people in Africa will be unemployed. The number of jobseekers will continue to swell and is expected to reach 214 million by 2018. With a deceleration of growth projected for most of the African region, the number of unemployed is expected to rise by 5.4% in Sub-Saharan Africa and by 4.3 % in North Africa by 2015; while in the Middle East the number of unemployed is

expected to rise by 5.4%.²

Furthermore, the ILO, in its *Global Employment Trends for Youth*, indicates that the world is facing a worsening youth employment crisis.

Unemployment in Africa

Africa's situation is, however, not homogeneous, contrary to the generally held stereotypes, which reduce all African states and all state capacity to the lowest continental denominator. Africa's population growth is estimated at above 2% a year, but with projected increases in economic growth, per capita GDP is likely to rise over the medium term. Employment policies cannot focus only on the supply side of the labour market. Indeed, while labour market reforms and active labour market policies can make a contribution to solving the employment problem, the greatest traction is likely to come from policies and public actions designed to accelerate the growth of sectors with high value added per worker.

Africa has enjoyed fifteen years of sustained economic growth. Per capita income for the region as a whole is rising steadily, and regional growth has exceeded the global average. However, this growth turnaround has not resulted in robust growth of employment opportunities, especially for young people. Africa is not creating the number of jobs needed to absorb the millions of young people entering its labour markets each year. Because of the diversity of Africa's economies and labour markets, public actions need to be tailored to individual country circumstances.

Africa's external debt is the largest obstacle to the continent's economic development and a major obstacle to the development process. Africa needs to end unnecessary conflict and create the conditions of stability necessary for a virtuous circle of economic growth, social and political inclusion and prosperity as its priority. Governments need to pursue policies that reduce inequality, promote job creation and increase social protection in order to make growth more conducive to social development.

Today, youth represent a large proportion of Africa's human capital.

Some attend school, participate in social and cultural events, enjoy support from their families, and have plans and hopes for their future; while others do not. In many households the absence of the father or both parents, drug abuse, pressure for female adolescents to bear children, and domestic violence contribute to the challenges young people face on a daily basis.

African economies today are facing nothing less than the formidable challenge of creating more and better jobs, not just by sustaining the pace of growth, but by making it more inclusive. As populations grow, pressure is likely to stay on African governments to provide sustainable answers to economic and social grievances. Violence is part of everyday life in most parts of Africa. Aggressive behaviour is frequently linked to the inability to meet social expectations or provide for the family.³

Wages and Productivity

What has been witnessed in the twentieth century in Africa, however, is that labour markets have been diverted from economic and human resources development issues and have become a tool for protection and distribution of incomes. Job security measures in the countries' labour codes or legislation and employment guarantees in the public sector treat employment as an instrument of security of income. Some of the policies applied have enormous social consequences, including unemployment, inflation⁴ and declining living standards for the majority of people.

High wage policy should be based on the presumption that higher wages will lead to greater output per worker through increased worker effort. The argument has a splendid simplicity. With higher incomes workers will be better fed, clothed and housed, and so able to work harder. Individual effort outlays will increase and productivity will rise, thus offsetting the increase in wages. In terms of functional income distribution, which concerns how national income has been distributed between labour and capital, there is a long-term trend towards a falling share of wages and a rising share of profits.

The personal distribution of wages has also become more unequal, with a growing gap between the top and the bottom wage earners. These internal imbalances have tended to create or exacerbate external imbalances in many countries.

In the current global economic context, understanding the causal relationship between labour compensation and aggregate demand is of paramount importance. The macro-economic effects of changes in labour shares have so far received relatively less attention in the empirical literature, even though wages are widely perceived as having a major impact on the economy.

Wage subsidies have been used in both developed and developing countries with the promise of raising employment levels. Various advisers to the South African government have endorsed wage subsidies as a policy measure to deal with this country's

“Skills required for business activities are usually gained outside formal education.”

massive unemployment problem.⁵ To enhance the effectiveness of wage subsidies, they should preferably be linked to structured workplace training, be targeted to industries where employment will be responsive to changes in labour costs, and be focused on the youth. In the long run, addressing unemployment in South Africa requires policies that improve economic growth and the economy's employment absorption capacity, that raise the skills of new labour market entrants, that reduce labour market rigidities, and that promote effective job search, especially among young people.

The wage fund theory held that wages depended on the relative amounts of capital available for the payment of workers and the size of the labour force. Wages increase only with an increase in capital or a decrease in the number of workers. Although the

size of the wage fund could change over time, at any given moment it was fixed. Karl Marx, an advocate of the labour theory of value, believed that wages were held at the subsistence level by the existence of a large number of unemployed. Thus, legislation to raise wages would be unsuccessful, since there was only a fixed fund to draw on. To be job-intensive, growth must be accompanied by structural transformation; that is, the reallocation of economic resources from activities with low productivity – such as family farming, or petty informal trading – to more productive ones – such as small business enterprises.

Young People and the Labour Market

Africa's economic prospects depend on global and domestic factors, which are highly uncertain. As a result, African economies are not creating the number of jobs needed to absorb the 10-12 million young people entering its labour markets each year. In Africa today, young people constitute an exceptional resource for the renewal of society, but labour-market inefficiencies prevent them from being fully utilised. Significant gender differences emerge with a greater activity rate for males. There are also gender differences in the level of unemployment: for young males unemployment tends to grow for all age groups whilst for females it tends to decrease because they become less active on the labour market. In general, there is a positive relationship between young people's high education levels and their rate of employment.

The success of democracy in Africa depends on the outcome of this global challenge and on the opportunities which, in a new climate of security and faith in the future, the African social model will be capable of providing for future generations. Families and young people have to acquire a greater capacity for and freedom of choice in education, training and work pathways. The reform of the education and training systems should ensure the exercise of this freedom in the continent.

The most successful flexibility policies envisage the full involvement

of social partners. Collectively-agreed social risk-management policies should provide a new kind of security which could protect workers' rights and encourage young people to accept flexible contractual forms. Interventions that focus on labour supply instead of demand are important in dealing with the labour market for young people. Skills required for business activities are usually gained outside formal education; therefore training opportunities and access to informal networks are another advantage: working in the informal sector may be the only chance to accumulate experience, or even to access training or apprenticeship for the growing numbers of young people with a lower level skills base (often referred to as NEETS (not in employment, education or training)).

Interventions to support young people have been broadly applied in both developed and developing economies alike, as concerns about unemployment and inactivity rates drive public and private resources to invest in young people. However, very little is known about the determinants of success of such interventions. In particular, little is clear in relation to what type of interventions work best and what are the key features in implementation design and targeting that prompt positive impacts on employment and earnings under different economic and institutional conditions.

Why Young People are Unemployed

Private sector employment is dominated by small and micro-enterprises, whereas productivity is mainly found in large firms. Both segments need support to grow and create employment opportunities, but have different needs. The conditions for competing internationally are difficult in most African countries. Employment creation in small firms needs a two-pronged strategy: removing barriers to growth in small and micro enterprises; and supporting young people to be entrepreneurs and create their own employment. Very few small and micro enterprises manage to grow into large firms. A dynamic of high employment creation

at the point of market entry of new micro-enterprises can be observed, but also a high level of job destruction by failing enterprises. Governance is of more concern to larger firms, perhaps because of their visibility and need to make informal payments to ease the burden of regulation.

For many young people self-employment is the only viable alternative given a lack of opportunities for wage employment. These young people face specific challenges and need special support to develop their businesses. When designing the most appropriate policy response, such as a wage youth subsidy, it is necessary to understand what contributes to the problem in the first place. Weak economic growth, nepotism at work and 'comrades syndrome', for

“To provide young people with the right skills and to overcome skills mismatches, governments must focus on expanding education beyond primary schooling and improving its quality and relevance.”

example, certainly explain part of the unemployment problems in Africa.

Discussions of frictional unemployment (people seeking work they think is suitable rather than any job) focus on voluntary decisions to work based on each individual's valuation of their own work and how that compares to current wage rates plus the time and effort required to find a job. Causes and solutions for frictional unemployment often address job entry threshold and wage rates. Behavioural economists highlight individual biases in decision making, and often involve problems and solutions concerning sticky wages and efficiency wages.

Classical economics, new classical economics, and the Austrian School of economics argue that market

mechanisms are reliable means of resolving unemployment. These theories argue against interventions imposed on the labour market from the outside, such as unionisation, bureaucratic work rules, minimum wage laws, taxes, and other regulations which they claim discourage the hiring of workers. Keynesian economics emphasises the cyclical nature of unemployment and recommends government interventions in the economy designed to reduce unemployment. Keynes believed that the root cause of unemployment is the desire of investors to receive more money-profit rather than produce more products, which is not possible without public bodies producing new money.

Promoting Youth Employment

The youth employment challenge in Africa is primarily structural and therefore needs structural solutions. Specific initiatives aimed at bringing a select group of youth into employment might have a positive impact, but will not be sufficient to change the dynamics substantially. To tackle the challenges young people face in African labour markets, policy makers must address bottlenecks constraining the demand for labour, while at the same time helping young people to obtain the skills to succeed in a tough labour market.

To provide young people with the right skills and to overcome skills mismatches, governments must focus on expanding education beyond primary schooling and improving its quality and relevance. Young people can benefit from specific programmes that support their entrepreneurial activities, but these must be well targeted. Support for young entrepreneurs ranges from measures that provide employment seekers with financial and technical assistance in creating their own businesses, including micro credit and entrepreneurship training and mentoring, to measures that improve their chances to expand. Self-employment programmes are relatively cheap and can create permanent and value-added jobs, as long as projects are carefully selected and supported, and entrepreneurs

have access to credit and markets. Mentoring and business incubators can also be valuable tools to convey these skills.

However, where firms and young entrepreneurs are not chosen carefully, based on a sufficient level of basic education, and their skill, drive and business plans, providing credit can be wasteful and harmful.

South African Employment Trends

People increasingly need better skills and qualifications to compete in the labour market. A lack of basic skills, particularly literacy and numeracy, is a major barrier to obtaining work, to benefitting from occupational training and to advancing at work. Low-skilled workers are the least likely to be trained by their employer perhaps because firms consider they will receive a better return for their investment training those who already have some qualifications. Small and medium-sized enterprises are less likely to fund training.

Minimum wages, if properly designed, have proved an effective policy tool which can provide a decent wage floor and thus secure a minimum living standard for low-paid workers and their families. Employment guarantee schemes that pay minimum wages are ways to create incentives for private firms to comply with the minimum wage.

In South Africa there is a general reluctance among firms to employ young people. Within the context of structural shifts and skill-biased technical change, the high rate of youth unemployment is closely associated with educational attainment, skills, and work experience among young people. Both the quantity of education and the quality or appropriateness of qualifications are concerns. A supply-side factor is the effectiveness of job search strategies among young people.

South Africa faces a greater challenge as a large portion of its schooling system was held back and only started the process of catching up in 1994 when this country took its first step towards democracy. Poor educational outcomes also can partly be explained by major dysfunctions

largely inherited from the past. Notable among these is a lack of capacity in national and provincial administrations, schools and teaching and a neglect of early childhood education. Provincial administrations have on occasion had to be taken under national control. Poor teacher quality has been a particularly serious problem, especially in rural areas, where teachers are frequently absent, and where curriculum coverage is often incomplete. Teachers' own capacities and subject knowledge have been exposed as inadequate by the results of formal tests. In general, the failure on the part of teachers and principals to carry out required tasks has been made possible by a lack of accountability and support.

The high youth unemployment rate highlights the issue of skills deficiencies among those who fail to pass the matric examination. From that perspective,

“Where firms and young entrepreneurs are not chosen carefully, based on a sufficient level of basic education, and their skill, drive and business plans, providing credit can be wasteful and harmful.”

the vocational education and training system appears to be underdeveloped and not functioning as an alternative for high-school drop-outs; neither is it seen as a high quality, high status alternative to academic pathways, for the more technically oriented. A promising start to addressing this situation was made by the launch of the Quality Council for Trades and Occupations, but sadly progress in the implementation of its policies has been slow.

As a result South Africa's workforce has failed to adjust to the changing labour demand patterns in the labour market. Semi and unskilled workers remain in excess supply and do not have the skills necessary to compete

for the kinds of vacancies that exist in the labour market. But high level jobs are given to people not because they possess qualifications or experience but rather because they are our comrades. By nature, structural unemployment is unlikely to correct itself without some form of policy intervention.

It is also important that policy measures to address problems in the labour market do not hamper employment growth. Notably, the use of labour brokers for temporary employment has been associated with violations of labour law. A key to improving the functioning of the labour market is to find ways to ensure that collective bargaining reflects the interests of a wider range of workers than at present. One way of doing that would be to reduce the extent to which bargaining is determined at the sectoral level.

Youth Wage Subsidy

Today South Africa is advancing, but failing to fully achieve its considerable potential. Income inequality remains extremely high, educational outcomes are poor on average and hugely uneven, and frustration is growing with public service delivery failures and corruption. Output growth is sluggish compared to most other middle-income economies. The macro-economic policy mix has been insufficiently supportive of growth while allowing large budget deficits to persist. Much of the increase in spending came through large increases in the public sector wage bill, while public investment has fallen as a share of total expenditure.

The National Treasury has proposed a youth wage subsidy to encourage employers to hire unemployed young people. The advantage of the system, argues the Treasury, is that it is cheap and simple to implement as claims are made through the tax system. Are wage subsidies appropriate to address the unemployment consequences of weak growth in South Africa?

The temporary wage subsidy which the government introduced will not necessarily induce sustained growth in employment demand. A wage subsidy is not the best policy response to addressing inadequate employment demand associated with slow economic

growth, nepotism at work and corruption. But under capitalism the relations between people are hidden beneath objects and forms and appear to be between things – commodities. They serve not only to preserve social structures useful to capitalism but also to institutionalise divisions within the working class and thereby weaken its resistance to exploitation. A youth wage subsidy does not make the system non-capitalist; it only masks the operation of capitalism's laws.

Industrialisation can boost formal job creation through faster, more labour intensive growth. But major changes in labour markets and in the education system will also be needed to increase the employment intensity of growth in the formal economy. Investment, education, infrastructure, market power, and industry concentration and openness have all been found to be important determinants of growth process in any economic system. In the short run a number of interventions can be undertaken by government and the private sector to improve the employment prospects of new young labour market entrants. In the medium term improving the prospects for good jobs will depend on changing the existing institutional arrangements that raise the costs to formal sector employers of hiring workers and strengthening labour force skills.

In theory, wage subsidies will, through raising the attractiveness of low-skilled young jobseekers relative to others, lead to an increase in overall employment. However, such a policy still does not address the underlying problems of inadequate or irrelevant education, skills, and experience that lie at the heart of the structural unemployment problem. Whether the subsidisation of wages will provide enough of an incentive for firms to lower their expectations and employ young people without the right skills also remains a major problem in the economy. At best, a wage subsidy policy will ensure that young people just below the minimum skill threshold are absorbed into the workforce. The primary, long-term intervention must be in sustainable education and training. Capitalism in fact is a society of monstrous inequality. It causes

long-term decay and drives the system into the periodic crises which have shaped its turbulent history.

Trade Union Opposition

Unions are the workers' front line of defence against their employers under any system, either capitalism or socialism. Trade unions such as those belonging to the Congress of South African Trade Unions (COSATU) know that in the capitalist system business leaders unite around a strategy to restore their competitive edge on the back of the working class. In times of crisis, they embarked on a long-term campaign to shift the balance of class forces decisively in their own favour. Trade unions remain among the best institutions the continent can rely upon for the implementation of socio-economic policies which can benefit the majority.

“The vocational education and training system appears to be underdeveloped and not functioning as an alternative for high-school drop-outs; neither is it seen as a high quality, high status alternative to academic pathways.”

According to COSATU the youth wage subsidy will not increase employment; instead it will lead to job losses among older workers. But there are other problems. The main problem with the wage subsidy policy is that it is relatively blunt. The National Treasury accepts that many of the jobs subsidised would be created anyway. In other cases, the subsidy may not be enough to incentivise firms to employ the lower-skilled youth. However, it is a policy that directly targets the problem. Furthermore, quite apart from the problem of disjunctures between the supply of educated

workers and the creation of jobs for young workers, not everyone has the disposition or underlying cognitive talents for the high levels of academic training needed to become effective knowledge producers. If it is the case, because of technological change and global market processes, that the good jobs created by capitalist firms in the future will almost entirely go to highly educated knowledge workers, then a large number of people, perhaps the young, will simply not have access to good jobs.

Wage subsidies may be effective in allowing young people to access the labour market for the first time, because the subsidies compensate firms for the risk associated with being unable to identify the productive capacity of prospective employees. However, this alone may not be adequate. For example, firms may continue to be unwilling to employ new labour market entrants, even with the subsidy, if the costs associated with retrenchment are high. A relaxation of the labour legislation enabling firms to readily lay off workers may thus be required to enhance the subsidy's effectiveness. The fact that capitalist economy inevitably diverges from its rational pretences reflects what Marx called the contradictions of the form of value.

Alternative Logics for the Creation of Employment

The working people in the formal and informal sectors overthrew the hated Apartheid regime as a means of improving their living and working conditions and human dignity. Instead vast numbers of the working masses, despite some notable gains of democracy, have experienced over the past twenty years a decline of employment opportunities and income. This contradiction must be resolved and the only way is for the working people to take control of the economy. The profit motive is not just the result of greed on behalf of individual capitalists. The need to make a profit is imposed on capitalists as a condition for not losing their investments and their position as capitalists. What we require now is a new framework for the economy, grounded in a modern understanding

of how things should actually work in the twenty-first century. The youth demographic is growing across the country, increasingly unwilling to return to the limited horizons of an agrarian life. Rural youth in particular are often isolated from the social networks which could link them to job opportunities.

There is another form of employment generation, which is less familiar to most people in Africa. This is what we call the young people social economy (YPSE). This term is used in a variety of different ways to describe a range of economic activities that should be organised neither by capitalist firms nor by states. Non-profit organisations and NGOs are often included in this category. Certain kinds of worker and consumer cooperatives are also often included. Broadly the young people social economy is economic activity oriented towards the provision of needs, rather than profits, and organised though some kind of voluntary association rather than directly by the state (like, for example, national service). Again the objective is to enable young people to acquire skills and experience.

The young people social economy may be facilitated by a range of state policies and programmes. Youth employment could be addressed by the establishment of more vocational education and training as well as apprenticeships. It could be supported for instance by providing tax credits to firms hiring trainees to be trained on the job, to gain work experience and to complete internships and benefit from mentoring, by simplifying hiring administrative procedures and by building more public private partnerships.

The young people social economy is a particularly conducive context for the creation of meaningful and interesting work; it is much less effective in generating work with adequate earnings. An unconditional and adequate minimum wage would significantly reduce this problem.

Employment Growth and Stability

Economic growth generates higher incomes, which make people approve of the government. By generating

wealth, growth causes income distribution to become skewed; but generating employment growth equalises income distribution.

Rights to social welfare, to employment, to land etc. are increasingly denied to newcomers and immigrants. Xenophobia seems have been growing steadily, and this could have been prevented. Immigration policies could have been re-considered. But also the media railing against the alleged flood of illegal aliens reinforced attitudes against foreigners. Illegal and corrupt police behaviour created a context where illegal violent action against foreigners was not prevented; more probably, it was even condoned. Higher growth reduces unemployment. Thus a link between unemployment and number of protests enter into casual chain

“ At best, a wage subsidy policy will ensure that young people just below the minimum skill threshold are absorbed into the workforce.”

between growth and conflict/protest/xenophobia.

The protests have resulted in government property being vandalised and pupils being taken out of school. Africans from other African countries have been killed and their property vandalised. Innocent South African children are killed. Government's responsibility is to build a better future for all, including the young ones. This requires positive action to create employment opportunities for young people. Such action is not a priority for the private sector in a capitalist system.

Conclusion

Africa's employment record in relation to young people is untenable. It constitutes a significant loss in current output in the economy and political stability. Youth unemployment is further closely associated with various

socio-economic problems, in particular the high incidence of poverty. Reducing unemployment among young people is therefore of the utmost importance. International experience of implementing wage subsidies is that the longer term impact is negative; it is not going to work in South Africa. Wage subsidies do not overcome the various constraints to economic growth and job creation. These result from the capitalist system. What is required is a comprehensive overhaul of the country's education and the establishment of vocational training with the goal of broadening the overall skills of these young people.

Political stability in Africa is no doubt key to growth. Attitudes and policy towards Africa need to be rooted in an understanding that goes beyond the seductive simplicity of governance and growth. A key innovation for assisting young people and excluded groups is social protection, which enjoys a long history in many African countries.

Economically weak and powerless people feel the pinch the hardest, regardless of whether they live in the rich or the poor countries. Low-paid workers, women, the young and the old are the most exposed to unfavourable economic trends. They have little power against broader economic forces. They are the hardest hit by runaway inflation. Corruption and fraud can never be justified; it is vital to consider them in the context of history as well as in the current national economic climate. Corruption is generally defined as the abuse of public position for private or sectional gain. It usually flourishes most where politicians and officials exercise power without accountability. ■

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- ¹ This is considered by many economists the worst financial crisis since the Great Depression of the 1930s. The immediate cause or trigger of the crisis was the bursting of the United States housing bubble which peaked in approximately 2005–2006.
- ² ILO: World of Work Report 2012. Repairing the Economic and Social Fabric. Geneva 2012.
- ³ <http://mg.co.za/article/2013-09-19-where-murder-happens-in-south-africa>
- ⁴ Higher rates of inflation may undermine investor confidence and thus reduce the growth rate of the capital stock. Higher rates of inflation may cause appreciation of real effective exchange rate, reflecting higher unit labour costs, a reduction in international competitiveness, and hence decreased profitability and employment in export-oriented sectors. Higher rates of inflation reduce the living standards of the most vulnerable members of society whose incomes are typically not indexed to inflation.
- ⁵ Employment Tax Incentive Act No 26 of 2013.

Freedom of Expression and the Internet



A balance must be found between protecting free speech, and limiting the right in exceptional circumstances.

By Kayum Ahmed

Out of the 88 paragraphs in the UN Special Rapporteur's 2011 report on freedom of expression and the internet, approximately four paragraphs focus on the *challenges* posed by the internet. These challenges include child pornography, hate speech, defamation, incitement to commit genocide, and advocacy of hatred.

The remainder of the report is heavily slanted toward the *opportunities* that the internet presents for freedom of expression and proposes various recommendations to ensure greater internet access. The right to freedom of expression is considered as an 'enabler' of other rights including economic, social and cultural rights as well as civil and political rights.

Commentators such as McGoldrick (2013) and Smith (2013) have also suggested that the internet 'can present an uncontrolled danger' resulting in certain states considering the internet as 'being in a Hobbesian state of nature and, hence, needing control and regulation'.

Consequently, Toyama (2014) believes that the internet is a reflection of human intent and that this intent can be both positive and negative. The internet can therefore be used to promote or restrict freedom of expression raising critical questions about the opportunities and challenges that it poses.

Article 19 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) state that everyone has the right to freedom of opinion and expression, including the freedom to impart information and ideas of all kinds through any media and regardless of frontiers.

According to Special Rapporteur La Rue, '[b]y explicitly providing that everyone has the right to express him or herself through any media... article 19... was drafted with foresight to include and to accommodate future technological developments... Hence, the framework of international human rights law remains... applicable to... the Internet'.

Recognising that the internet can be 'misused to cause harm,' La Rue argues that restrictions on internet content

must be 'exceptional' and must pass a three part cumulative test: the restriction must firstly be predictable and transparent, and provided for by law; second, it must be legitimate and based on the limitations set out in Article 19 of the UDHR and the ICCPR; and third, it must be necessary and proportional and be the least restrictive means available.

China seems to ignore these recommendations and continues to prosecute individuals for posting dissident views on the internet. While China's curtailment of freedom of expression is deeply concerning, equally worrying is that the information used to convict these individuals was supplied by United States (US) internet service providers.

Murray (2009) cautions against 'a misguided response to a perceived threat' referring to the anti-terrorism

“While the internet may pose opportunities for promoting and protecting freedom of expression, these opportunities are not being fully utilised.”

laws that limit privacy on the internet. Consequently, a balance must be found between protecting free speech, and limiting the right in exceptional circumstances.

Opportunities

In Ghonim's book, *Revolution 2.0*, he describes how he started a Facebook page to draw attention to the murder of Khaled Said by Egyptian security police (2012). Angered by the death of Said and frustrated with the Egyptian government's cover up of his murder, Ghonim started a Facebook page entitled, 'We Are All Khaled Said'.

Various campaigns were coordinated through Ghonim's Facebook page culminating in demonstrations across Egypt. While Ghonim believes that the number of comments on his Facebook page translates into activism, Gladwell suggests that social media platforms

have been given too much credit for starting revolutions and that a degree of personal connection to a campaign is critical in ensuring its long-term sustainability (2010).

Gladwell does however recognise the limited value of social media campaigns that do not require too much of the user such as signing up for a bone marrow donor registry. 'But weak ties', according to Gladwell, 'seldom lead to high-risk activism'.

The Special Rapporteur's report on freedom of expression and the internet appear to dismiss Gladwell's scepticism, stating that: '[b]y vastly expanding the capacity of individuals to enjoy their right to freedom of opinion and expression, which is an "enabler" of other human rights, the Internet boosts economic, social and political development, and contributes to the progress of humankind as a whole'.

This view is supported by a subsequent Human Rights Council Resolution adopted in 2012 which confirms that the internet is an important driver of development.

While many commentators support the approach adopted by the Special Rapporteur, recent evidence compiled by Perez and Ben-David find that 'the Internet's potential for freedom enhancement... leaves much to be desired' (2012). In their study, most users of the internet in rural India spent time communicating with family and friends through e-mail (29.21%) and social networking sites (15.52%).

Only 4.26% of users accessed political content while less than 1% of users accessed education related websites. A United Kingdom study referred to by Murray illustrates a similar pattern with only 2% to 8% of internet users accessing political content.

Consequently, while the internet may pose opportunities for promoting and protecting freedom of expression, these opportunities are not being fully utilised. Even in instances where these opportunities are used, a high level of scepticism remains about the internet's effectiveness.

Challenges

According to Bangstad, '[t]he de-personalised anonymity that

the Internet provides may make it particularly useful for individuals who want to engage in various forms of systematic hate speech...(2014) The problem is further complicated by the fact that, '[i]t is not always simple to identify the authors of illegal or harmful content in an open digital environment...'

In addition to the more obvious challenges posed by the internet, commentators argue that the internet should also be understood as 'an expression of state power' (2013) and as a form of 'friendly imperialism' resulting in a level of dependency by developing countries on developed nations. Toyama supports these contentions suggesting that 'technology is a magnifier of human/institutional intent and capacity', adding that intent may be both positive and negative.

Morozov focuses on the negative intent, which he characterises as 'internet-centrism', arguing that the internet may restrict political freedom in instances where states use blogs for propaganda and monitor activists using Facebook (2013). His fears are reflected in a recent press release by human rights organisations stating that Edward Snowden, a former US intelligence contractor and whistleblower, alleged that human rights defenders 'have been the targets of mass surveillance by US and British spy agencies' (2014).

Consequently, Morozov advances a 'post-internet' approach to technology that includes shifting away from a 'highly emotional and polemical discussion' linking the internet to freedom of expression and overthrowing dictatorships. Instead, his approach 'will trace how these technologies are produced, [and] what voices and ideologies are silenced in their production...'

The challenges posed by the internet in relation to freedom of expression appear to extend beyond the posting of illegal or harmful content to include notions such as 'friendly imperialism' and 'internet-centrism'. As a result, the opportunities presented by the internet must be more carefully weighed against these significant challenges.

The Internet as a Human Right

Wang proposes a three part test using Beitz's theory of human rights, to determine whether there is a human right to the internet (2013). He concludes by finding that a human right to the internet 'could possibly pass the test'. Skepys on the other hand is more certain in his analysis, finding that there is no human right to the internet but that a denial of internet access is a threat to freedom of expression (2012).

Ketteman distinguishes between two dimensions of internet access, namely, physical access to the internet through an internet connection, and access to unfiltered online content (2014). Using this distinction, Wicker and Santoso believe that there is a human right to unfiltered online content but not to physical access to the internet (2013).

“The challenges posed by the internet in relation to freedom of expression appear to extend beyond the posting of illegal or harmful content to include notions such as ‘friendly imperialism’ and ‘internet-centrism’.”

While they go on to argue that 'the Internet advances freedom of expression in a manner and to an extent that dwarfs all other modes of communication,' there remains little basis in international human rights law to fully support the contention that there is a human right to the internet.

Conclusion

The internet can be a potentially powerful tool to advance the right to freedom of expression. Given the link between freedom of expression and other human rights, the internet provides users with the opportunity to access a broad range of rights. However, evidence suggests that

only a small percentage of internet users access political and educational content.

At the same time, the internet provides a level of anonymity that poses various challenges such as hate speech. In order to address these challenges, the Special Rapporteur proposes a three part test to limit freedom of expression in exceptional cases.

Lastly, various commentators argue that the internet has been used by states to restrict human rights. This has led to a critical re-evaluation of the link between the internet and freedom of expression, and a movement towards a post-internet approach to technology. ■

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UKRAINE

Another US imperialist intervention



What has transpired during this current crisis in Ukraine exposes the old pattern of the US and the West of seeking to demonise countries and leaders that do not agree with its imperialist agenda and creating and manufacturing enemies where none exist.

By Khetiwe Marais

For many weeks there has been a barrage of reports blaming and condemning Russia for the shenanigans in Ukraine from both our national media and Western international media and experts. These reports are one-dimensional as they only give the US and the European perspective. The titles listed below of a selection of articles published in the *Sunday Independent* during March 2014 give a flavour of the typical attitude expressed: 'Ukraine revolution over, but what does the future hold'; 'Ousted Ukrainian leader's assets linked to firms in UK'; 'Russia approves use of forces in Crimea'; 'Putin won't allow control to slip – Why Russia will do everything it can to prevent a 'normal' Ukraine'; 'Putin's military aggression fuels Ukrainian national unity'; and 'Time to expose Putin's weakness'.

The basic principle is that there are two sides to every story, but the readership is not allowed to hear the other side. The rules of justice require that the accused, in this case Russia, be allowed an opportunity to answer to the accusations, but not in this media tirade! This would carry the danger that if the readers get a balanced view they will decide the truth for themselves. In a free society, with our Bill of Rights and constitutionally guaranteed 'freedom of expression', 'freedom of the press and other media' and 'freedom to receive or impart information or ideas' how can this be explained? Why is the reporting on Ukraine skewed? The obvious answer is that there is no objective and independent media. The media serves the interests of those who finance it. In this case the media is serving the interest of the US and Europe's multinational corporations as well as their governments.

William Blum, formerly in the US State Department and now a leading critic of US foreign policy, gave an analysis of this pattern in his *Anti-Empire Report* published on the 7 March 2014. The introduction of his article reads as follows: "The United States strives for world domination, hegemony wherever possible, their main occupation for over a century, it's what they do for a living. The United

States, NATO and the European Union form The Holy Triumvirate. The Holy Triumvirate has subsidiaries, chiefly The International Monetary Fund [IMF], World Bank [WB], World Trade Organization [WTO], International Criminal Court [ICC]... all help to keep in line those governments lacking the Holy Triumvirate Seal Of Approval: the IMF, WB, and WTO impose market fundamentalism, while foreign leaders who act too independent are threatened with being handed over to the ICC for heavy punishment, as the United States imposes sanctions on governments and their leaders..."

The source of the crisis and the uprising in Ukraine has been about Ukraine joining the EU. The US and the EU want Ukraine to be part of the EU as well as NATO, and to achieve this end they have promised to bail out Ukraine. But as experience shows, these kinds of

“Ukraine is the latest victim in this US war game, but actually the ultimate goal is Russia.”

bailouts come with stringent neoliberal policies of privatisation, deregulation and the sale of all state assets to the oligarchs and big corporates of the Western world. Countries such as Portugal, Ireland, Greece and Spain can attest to the pains of the austerity measures that go with the EU bailout. These countries are going through financial crises accompanied by protests from those who feel the pinch of their government's deal with the EU.

The Ukraine crisis was engineered, supported and funded by the US to further the purpose of forcing it to join the EU. The Ukraine's president, Yanukovich, was legitimate to the US as long as he accepted the European's demands for the new "trade agreements" and stern economic "reforms" required by the IMF. When Yanukovich was negotiating those deals, he was acknowledged as the legitimate president of Ukraine by the US and the EU; but when he judged

the price too high for Ukraine and opted for a more generous deal from Russia, he immediately became a target for "regime change" by the US. The National Endowment for Democracy (NED) came in handy as a financial vehicle to stir up chaos to unseat him in Ukraine.

According to Blum, the NED, an agency created by the Reagan administration in 1983 to promote political action and psychological warfare against states which resist US foreign policy, is Washington's foremost non-military tool for effecting regime change. The NED website lists 65 projects that it has supported financially in recent years in Ukraine. In this situation, there is a need to ask why those projects were funded by the NED. Historically, the idea was that the NED would do somewhat overtly what the CIA had been doing covertly for decades, and thus, hopefully, eliminate the stigma associated with CIA covert activities. *Freeing the World to Death – essays on the American empire* (2005)

Allen Weinstein, who helped draft the legislation establishing the NED, declared in 1991: "A lot of what we do today was done covertly 25 years ago by the CIA." Carl Gershman, president of the NED, wrote last September that "Ukraine is the biggest prize". The US government has been known to use the CIA all over the world to topple governments it did not like and which were not serving the interests of the US imperialist agenda. It has done this since the end of World War II. The US did this in Greece in 1947 to 1953, Guatemala in 1953 to 1954, Vietnam in 1950 to 1973, Congo in 1960 to 1964, Chile in 1974, El Salvador from 1980 to 1994, Nicaragua 1978 to 1990. The list of these kinds of US destabilisations and interventions is endless.

Ukraine is the latest victim in this US war game, but actually the ultimate goal is Russia. Russia is being targeted by the US and EU with sanctions and all sorts of other threats because it has challenged the US intentions towards Ukraine. Not long ago the US wanted to declare war with Syria. Putin of Russia thwarted this US aggression, and Russia gave refuge to



Edward Snowden who revealed all the dirty spying the National Security Agency (NSA) has conducted all over the world. Over and above this, Russia has oil and gas that the US is eyeing in its insatiable appetite for the control of such resources in the world. That is the reason why Russia is systematically being surrounded with US missile sites. The US administration will use any means necessary to achieve its economic, political and military hegemonic objectives. The US administration does not shy away from working with even the worst right wing dictators and criminals to achieve these objectives.

Those behind the uprisings in Ukraine who staged a coup against an elected President, Victor Yanukovich, are thugs who were setting police on fire and sniper-shooting both the police and the demonstrators from the rooftops of buildings. They include the extreme ultra-right wing. A deputy of the ultra-right Svoboda Party, part of the new government, threatens to rebuild Ukraine's nuclear weapons in three to six months. And the irony is

that the US is always fighting to stop nuclear armament in other parts of the world, but here they say nothing about such nuclear threats from these right wingers who are its allies. Among these insurgents behind the protest in Kiev there are also neo-Nazis who have openly denounced Jews, desecrating their graves and institutions, hoisting a banner honouring Stepan Bandera, the infamous Ukrainian nationalist who collaborated with the German Nazis during World War II and whose militias participated in atrocities against Jews and Poles.

The Israeli newspaper *Haaretz* reported on February 24 that Ukrainian Rabbi Moshe Reuven Azman advised "Kiev's Jews to leave the city and

“The Ukraine crisis was engineered, supported and funded by the US to further the purpose of forcing it to join the EU.”

even the country.” Edward Dolinsky, head of an umbrella organisation of Ukrainian Jews, described the situation for Ukrainian Jews as “dire” and requested Israel's help. Where is the outrage and condemnation by the Western world against the neo-nazism and anti-semitism that accompanied these uprisings in Ukraine?

The US and the West wasted no time in recognising the self-installed government of Kiev. Ukraine's new interim prime minister Arseny Yatsenyuk had been paraded in the US by president Barak Obama as the new and legitimate leader of Ukraine. In his visit to Brussels on 7 March, Arseny Yatsenyuk, speaking to NATO's Secretary General Anders Fogh Rasmussen, invited the NATO Council to hold their meeting in Kiev as a way of strengthening Ukraine's cooperation with the West. It is not surprising that the Russian Foreign Minister Sergei Lavrov, in his response to the threats and implementation of sanctions from the West and the Obama administration, had this to say about the West's new-found interests in Ukraine, “The West wants — and this is how it all began — to seize control of Ukraine because of their own political ambitions, not in the interests of the Ukrainian people”.

Subsequent to the bloodbath and chaos in Kiev, the Crimean people feared a repeat of Kiev's right-wing inspired crisis. They mobilised to have a referendum to declare themselves independent from Ukraine and to rejoin the Russian federation. The majority of people in Crimea are Russian-speakers and it is not surprising that they voted in an overwhelming majority of 97% to be part of Russia. Russia accepted the request of the Crimean people to be incorporated into the Russian Federation. The US and European Union (EU) described this democratic exercise by the Crimean people as the annexation of Crimea by Russia. Fred Kaplan, in the *Washington Post-Bloomberg*, labelled it “the forcible annexation of Crimea by Russia” even though there was no force involved. The Crimean people happily and freely voted in the referendum.

On 2 March 2014 the US Secretary

of State John Kerry condemned Russia's "incredible act of aggression" in Ukraine (Crimea) and threatened economic sanctions which were subsequently imposed on Russia by both the US and the EU. US Vice President Joe Biden called it a 'land grab'. In their vociferous objection to Russia's action, the West has cited the violation of international law. The West is applying double standards because as recently as 2008, Kosovo was immediately recognised by the US and some countries in the West for declaring its independence and breaking away from Serbia. There was no threat of sanctions or even disapproval of this action by the US and the West.

What has transpired during this current crisis in Ukraine exposes the old pattern of the US and the West of seeking to demonise countries and leaders that do not agree with its imperialist agenda and creating and manufacturing enemies where none exist. In the US generations of people have all grown up with one or another 'enemy of the US'. In the 1940s, 50s, 60s, 70s and 80s the Americans and the whole world were indoctrinated to the 'International Communist Conspiracy' whose headquarters were in Moscow. Americans and indeed the whole world was mobilised to fear and fight communists wherever they were. But such an animal as an International Communist Conspiracy was never caught. However, there is no doubt that during this time, and till this day, people in Latin America, in the East, in Africa and the rest of the so called Third World have been fighting against brutal political oppression and economic exploitation and imperialism.

As the Soviet bloc collapsed in the 80s and 90s the new enemies invented were the international terrorist. These were manifested in the invasion of Iraq under the pretext that Iraq had weapons of mass destruction (WMD). By the way the WMD were never found and later on the story changed to getting rid of the dangerous dictator Saddam Hussein who was no longer playing ball with the US after his earlier collaboration in the 80s with US in the fight with Iran. In the 2000s, another

enemy was discovered in the name of Osama Bin Laden and Al Qaeda, the Taliban (which is a mutation of the Mujahadin that the US financed and supported in their fight against the Afghanistan government and the Soviet Union) and a war with Afghanistan ensued. Next came the demonisation of Muslims...and now the cycle has come back to Russia.

This is the new enemy that the US, CIA, NED, the whole American military industry and NATO is pinning its hopes on - for the fight to

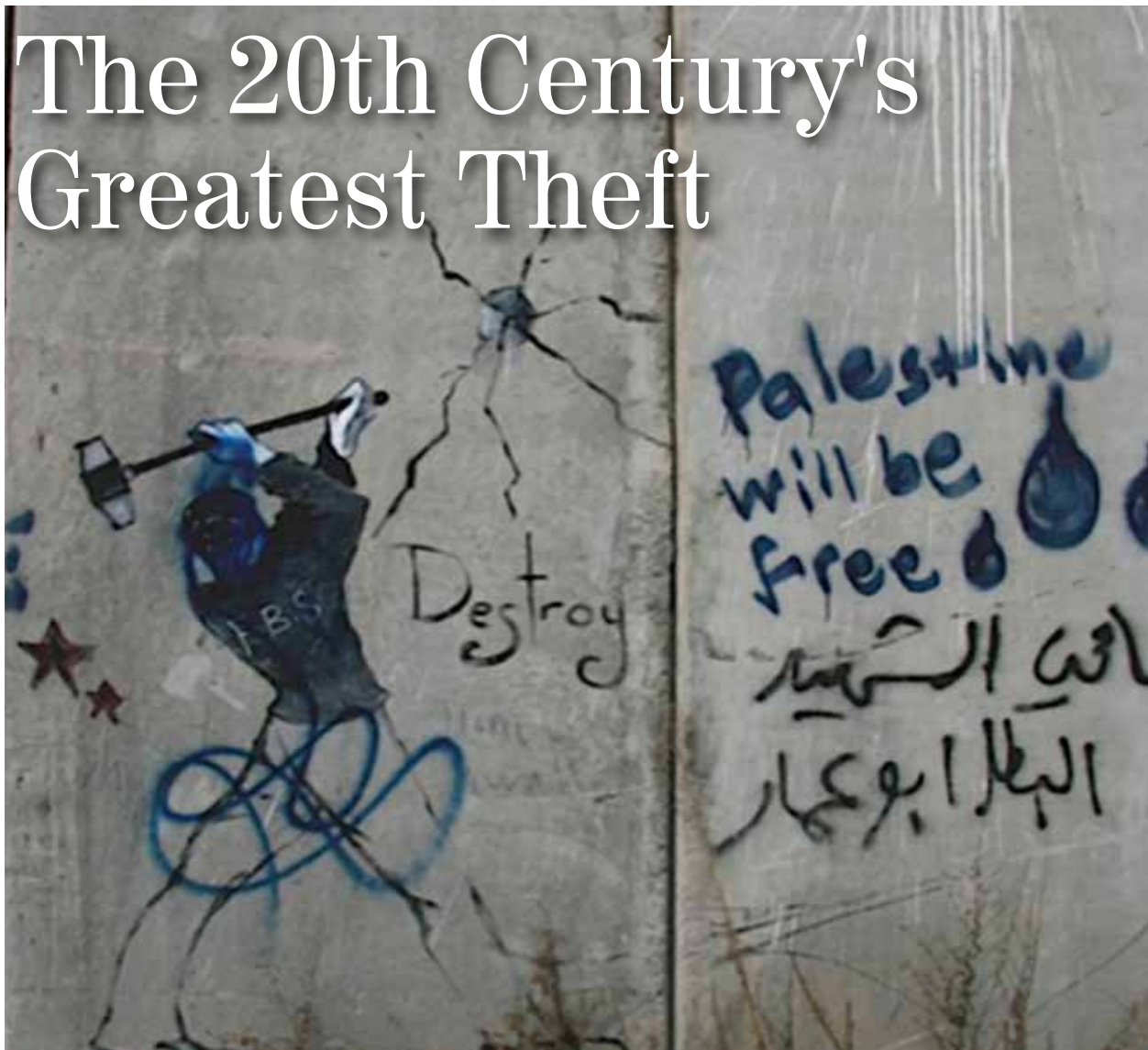
continue and for the imperialist US to expand its boundaries and implement its agenda.

In June 2014 Petro Poroshenko, a billionaire who amassed his wealth by dubious means, was elected President of Ukraine. He has declared war on the Donetsk and Luhansk regions, claims Crimea is "Ukraine soil", encourages militias led by pro-Nazi elements and is determined to pursue anti-working class austerity measures as well as strengthening political, economic and military ties with the EU and the US. ■



Petro Poroshenko

The 20th Century's Greatest Theft



It struck me then that occupation, colonialism or apartheid is not only about death, death, death but even more about constantly losing something small, day after day. Every day, something is lost.

By Mats Svensson

You come to Palestine as a diplomat, as a development worker. You come to create change. To make something better. Not for yourself but for people living on a small plot of land between the Jordan River and a wall. You are well educated, have a Master's degree or you might even have a PhD in political

sciences, economics or social sciences. You can also speak fairly good Arabic if not Hebrew. You have a lot of useful experiences and have been to many countries in Africa, Asia or Latin America. Palestine is normally not your first country. You are supposed to create change, a real change. That's your challenge.

When you leave two, three, four or five years from now, change has been created. Land has been stolen, houses have been demolished, people have been killed. Settlers have moved onto stolen land protected by the Israeli army. Change has taken place, it has become worse. You as a diplomat or development worker together with all

others can now just feel that you have become a total failure.

You have been listening to Obama's speech in Cairo, believing for a few moments that it is happening. You have seen Blair moving in and installing himself at the American Colony Hotel. He moved in but did not come out. You have been listening to the Quartet, to Merkel, to the Swedish Foreign Minister. While they have been talking, while you have been listening, another house has been demolished and another family has been displaced. It often happened outside the compound of the diplomatic missions. On the other side of the road. You just couldn't miss it.

You have known it the whole time. You have written about it in confidential reports back to headquarters. Often, early in the morning when you drink your morning coffee, you got a message from a UN office; a house will probably be demolished today in Silwan, or a family will be forced out, 412 steps from Blair's bedroom.

Everything became clear to me one morning when I was having breakfast with two older men. One Palestinian and one Israeli. They are childhood friends and have breakfast together every three months. The Israeli man is now retired, but was recently head of Shin Bet, the Israeli Security Agency. Suddenly he tells his Palestinian friend, "My friend, just make sure you have a good life." "What do you mean, I live under occupation, how am I supposed to have a good life?" says the Palestinian man. "I know, but it is the only thing you can strive for," says the former agent. "People forget and seem unable to read or understand what has been said. A long time ago, one of our leaders said, 'We just make sure that the world stays engaged in a constant peace process, but we never sign the peace agreement.' And today," he continues, "we are winning every day and there is not much more to take. We will never sign it."

In 2003, when I started to work on the book, *Crimes, victims and witnesses: Apartheid in Palestine*, I returned to Sweden at one point and began to talk about my experiences. That I thought there were similarities between what was happening in

Palestine and what had happened in South Africa before 1994. I was then always criticised for this stance, questioned as if I had no perspective, as if I was completely without history. At that point, you could still in Sweden officially discuss and debate whether what Israel was doing could be called occupation, that it was occupying. Going one step further and also using the word 'apartheid' was unthinkable.

Ten years have passed. Very much has changed. We have been influenced by Jimmy Carter's book where he writes about Apartheid, and Desmond Tutu's clear position. With President Mandela, there was never any doubt. Something that was unthinkable then has become commonplace today.

However, what has not changed are the actions of the international community, or lack thereof. There are certain exceptions, brief episodes, an

“Even the most brutal apartheid regime will not last forever; they are doomed to fall.”

event here and there, but in general, we continue to deepen our relationship with those undertaking the occupation, colonialism and which today has come to mean apartheid.

My book, which has been issued by South African publishers, Real African Publisher, is an attempt by a bureaucrat in pictures and text to describe the crimes that are currently being committed. My first real meeting with reality occurred in 2004 on the Gaza Strip. I met a little girl who had become homeless a few weeks earlier. Israel had destroyed her family's house. It had been a multi-apartment building that had been razed to the ground by some caterpillars. Now she was sitting in a small refugee room talking about all the terrible things that happened that day. But she also said that she longed for the little red and white bird that used to come and eat breakfast with her on the porch. It struck me then that occupation, colonialism or apartheid is not only about death,

death, death but even more about constantly losing something small, day after day. Every day, something is lost. But the little that is gradually and constantly lost is so small that no one writes about it.

You do not write about longing for a little bird. That decades of occupation are about many hours, days, nights of loss. In the end, you have nothing else to lose. Only longing remains.

While something is continuously being lost, the talks continue. Sometimes the session leader was called Kerry, sometimes Blair. He could also have been called Bildt. But this changes very little. The process continues. The strategy has already been established a very long time ago.

"We just want to make sure that the world stays engaged in a constant peace process, but we will never sign the peace agreement."

The Shin Bet man thought it was strange that the world could not read. That the message is clear. Clear both in writing and in action.

Kerry and Blair have also failed. They know it but do not really want to admit it. Failed when they experienced that the last part of Palestine was stolen. In what many call the 20th century's greatest theft.

At the same time, the world is starting to wake up. Action groups in South Africa, Australia, USA, Palestine, Israel, UK, France, Sweden and Germany under the name BDS: Boycott, Divestment and Sanctions, are formed and act on the basis of a common front. In the same way, churches are coming together under a common document, "A moment of Truth, Kairos Palestine." They are two movements which increasingly also collaborate. Nothing will stay forever, everything is constantly moving. As I wrote in the preface of my book:

"This is not a book about hope, for you'd have to be blind to live in Palestine today and feel hope for the future. Feelings are short-lived, though, and not constant. The history of the oppressed tells us that occupation is just a temporary disease. Even the most brutal apartheid regime will not last forever; they are doomed to fall. This is, therefore, a book about a short time in history. For this too will pass." ■



In Johannesburg, Gold is now Green

The Executive Mayor of the City of Johannesburg Clr Mpho Parks Tau is proud to announce **South Africa's first Green Bond** listed on the **Johannesburg Stock Exchange**.

This bond is the first ever by a **C40 Cities** member and will accelerate the implementation of Joburg's initiatives to minimise the impact of climate change. It will contribute to the sustainable management of resources such as environment, water and energy, through the following projects: **Biogas to Energy, Waste Minimisation, Climate Friendly Transport, Non Motorised Transport and New Energy Mixes** in the future.



Here's to a green Joburg!



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For the average Joburger the option to live close to work and use an efficient transport system will be life changing.

The Transit Oriented Development dubbed Corridors of Freedom will make this a reality. They will be characterised by: living areas close to office developments, shopping centres, schools, recreational facilities, have pedestrian friendly streets and cycling lanes.

Not only will we be creating a cleaner and healthier environment, but we will be lowering the cost of transport and transforming our city.

Corridors of Freedom

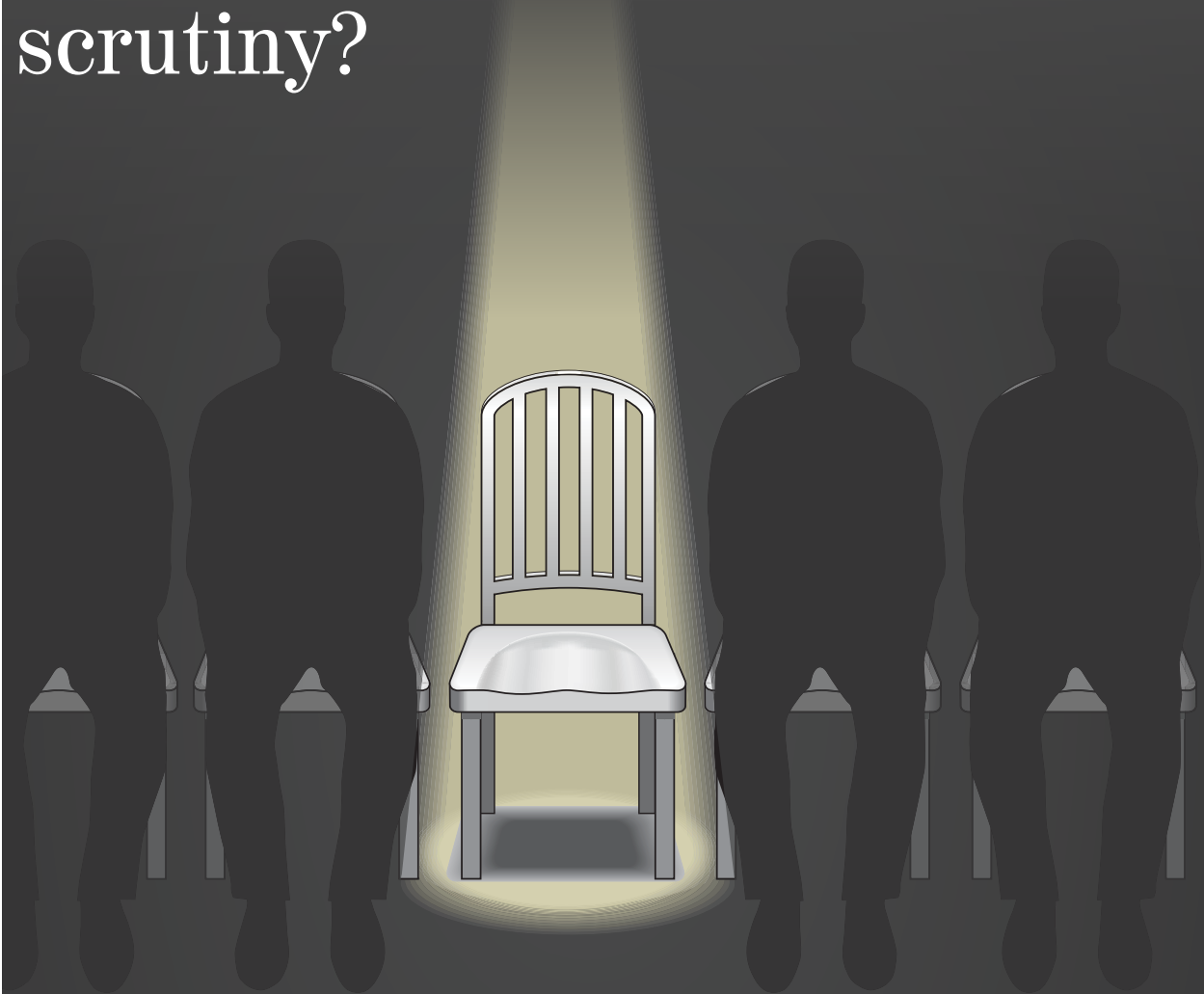
Restitching our City to create a new future



a world class African city



Will the automatic termination of employee contracts by employers survive judicial scrutiny?



Employees who are engaged in the public sector can be automatically dismissed without a disciplinary hearing being conducted to investigate the employees' alleged misconduct if they are absent for a period of one calendar month without permission.

By Bongani Khanyše

Section 23 (1) of the Constitution provides that “everyone has a right to fair labour practices.” In interpreting this right, the Constitutional Court in *SA National Defence Force & another Minister of Defence and Others 2003 (9) BCLR 1055 (T)* stated that “the right should provide protection against unfair practices relating to work security and employment opportunities as codified in the 1995 Labour Relations Act, both of a substantive and procedural nature.”

Ngcobo J, expounding further on this right in *NEHAWU v University of Cape Town & Others (2003) 24 ILJ 95 (CC)*, stated: “In giving content to that right, it is important to bear in mind the tension between the interests of the workers and the interests of the employers that is inherent in labour relations. Care must therefore be taken to accommodate, where possible, these interests so as to arrive at the balance required by the concept of fair labour practices. It is in this context that the Labour Relations Act must be construed.”

Until the early 1980s there was no protection against unfair dismissal in South Africa. If the employer gave the required notice of termination of employment, the employee generally had no recourse, however unfair the reason for dismissal might have been.

In our country, Schedule 8, item 4 of the Labour Relations Act 66 of 1995 provides the following guidelines for a dismissal to be fair: “the employer should conduct an investigation to determine whether there are grounds for dismissals. The employer should notify the employee of the allegations using a form and language that the employee can reasonably understand. The employee should be allowed the opportunity to state a case in response to the allegations. The employee should be entitled to a reasonable time to prepare the response and to the assistance of a trade union representative or a fellow employee. After the enquiry, the employer should communicate the decision taken, and preferably furnish the employee with written notification of that decision.”

Subsection 3 of item 4 further provides “if the employee is dismissed, the employee should be given the

reason for dismissal and reminded of any rights to refer the matter to a council with jurisdiction or to the Commission or to any dispute resolution procedures established in terms of a collective agreement.”

Section 17 (5) (a) of the Public Service Act 103 of 1994 provides that “an employee (officer) other than a member of the services or an educator or a member of the Agency or the Service who absents himself or herself from his or her official duties without permission of his or her head of department, office or institution for a period exceeding one calendar month, shall be deemed to have been discharged from the public service on account of misconduct with effect from the date immediately succeeding his or her last day of attendance at his or her place of duty.”

“The question then becomes, can an employer in the private sector use the same provisions of Section 17(5) to dismiss employees without a disciplinary enquiry and investigation?”

From this provision it is apparent that employees who are engaged in the public sector can be automatically dismissed without a disciplinary hearing being conducted to investigate the employees' alleged misconduct if, according to the section, they are absent for a period of one calendar month without permission.

This provision is clearly in contravention of the Code of Good Practice: Dismissal, cited *supra*. The code clearly provides for an investigation to be conducted in order to determine whether there are reasons for a dismissal.

Will this provision survive constitutional muster? In order for us to determine whether Section 17 (5) is constitutional or not, we must look

at the intention of the section. It is clear from *prima facie* reading of the section, that the legislature intended to save the employer from conducting an investigation into the reasons for the absence of the public servant and deem the employee to have been dismissed *ex lege*.

Clearly Section 17 (5) contradicts the Labour Relations Act. Section 210 of the Labour Relations Act provides a solution to this problem. The said section provides that “if any conflict, relating to the matters dealt with in this Act, arises between this Act and the provisions of any other law save the Constitution or any other Act expressly amending this Act, the provisions of this Act will prevail.” The author emphatically submits that the Labour Relations Act Schedule 8 provisions trump the Public Service Act Section 17 (5).

How has the Labour Appeal Court treated this provision? In a reportable case of *Grootboom v The National Prosecuting Authority and Others case number CA 7/11*, the facts were as follows: the appellant was employed by the first respondent as a Public Prosecutor during 2001. He was placed on precautionary suspension with full remuneration pending a disciplinary enquiry for alleged insubordination. The disciplinary hearing was ultimately held and the appellant was found guilty of misconduct and was dismissed from his employment on 21 November 2005. His internal appeal against his conviction was unsuccessful.

The appellant referred the dispute of unfair dismissal to the General Public Service Sectoral Bargaining Council (GPSSBC). An arbitration of this dispute was set down for 1 and 2 June 2006. On 1 June 2006 the parties entered into a settlement agreement in terms whereof (a) the disciplinary hearing process against the appellant and the outcome thereof was set aside; (b) the first respondent could apply for the disciplinary enquiry to be presided by GPSSBC *de novo* as a pre-dismissal arbitration; (c) the appellant withdrew his grievance against the first respondent that he had referred to the GPSSBC. The appellant continued to be placed on suspension.

On 18 January 2006 the appellant

forwarded an e-mail to the Corporate Manager stating that he had been short-listed for the finals in Johannesburg for the award of the scholarship by the Nelson Mandela Scholarship Fund which was for the MSc in Criminal Justice studies in the United Kingdom.

The appellant ultimately left for the United Kingdom whilst on suspension. He started his studies from 18 August 2006 and returned to South Africa on 30 July 2007. Two months later, on 31 October 2006, payment of his salary was discontinued. On 1 February 2007 the first respondent's acting CEO sent a letter to the appellant informing him that he had not been granted leave of absence to further his studies outside the Republic of South Africa and that no application for leave had been received or approved. Therefore, in terms of Section 17 (5) (a) of the Public Service Act 103 of 1994, by operation of law, the appellant was deemed to have been discharged from the public service with effect from 15 September 2006.

The Labour Appeal Court, in its judgment, discussed the *Phenithi v Minister of Education and Others (2006) 9 BLLR 821 (SCA)* decision where the Supreme Court of Appeal dealt with the similar provision of Section 14 (1) (a) of the Employment of Educators Act 76 of 1998 where the court stated that the Supreme Court of Appeal was not persuaded that the provisions of Section 14(1)(a) of the said Act are in conflict with Section 188 of the Labour Relations Act and held further that they do not offend against the Constitution.

The Labour Appeal Court found that the fact that the appellant was on precautionary suspension and was not required to report for duty was not a bar to the application of Section 17(5) (a) of the Public Service Act. The Court further held that the appellant remained an employee of the respondent in terms of the contract of employment. He remained subject to the authority of the respondents who were paying his salary and was therefore obliged to obtain authorisation from the first respondent before leaving.

Grootboom took the matter to the Constitutional Court, appealing against the judgment of the Labour Court and the Labour Appeal Court. The court's

“If a reasonable explanation is provided, the employer is allowed to take the employee back and reverse the automatic termination.”

view on this corroborates the author's views that this raises a constitutional issue. On a judgment handed down on the 21st of October 2013, Bosielo J stated that “Section 17 (5)(a)(1) effectively countenances the dismissal of a state employee without a hearing. That implicates the right to fair labour practice enshrined in Section 23 of the Constitution. A Constitutional issue is now at stake.”

The Constitutional Court set aside the finding of the Labour Court and the Labour Appeal Court and held that the Applicant did not absent himself as the Respondent knew where the Applicant was at all relevant times as it was communicating with him via e-mail. The Court further held that the Respondent made a conscious decision not to recall the Applicant but

“The decision by the Constitutional Court should be lauded as the Court correctly dealt with the issues raised by Section 17(5) of the Public Service Act. As argued by the author *supra*, the automatic termination of an employment contract in the public sector is not unconstitutional as the section allows the employee to, upon his or her return to work, bring his or her case and explain their absence.”

to discharge him. Finding that it would be impractical for the Applicant to resume work if he were called upon, the Court said, would be unfounded and speculative in the absence of any evidence that he was called to take up his duties and failed to do so.

It is clear from the Constitutional Court's decision that in interpreting the provisions of Section 17 (5)(a), the Court followed the constitutional imperative in terms of Section 39 (2) that requires the courts to interpret legislation to “promote the spirit, purport and objects of the Bill of Rights.” In so doing, the Court did not entertain the argument whether Section 17 (5) was unconstitutional or not. The Court simply provided that the requirements of Section 17 (5) were not met as the Applicant did not absent himself but was suspended by the Respondent.

From this judgment it is clear that the constitutionality of automatic dismissals was not decided upon by the Court and therefore similar provisions in other legislations such as Section 14 of the Employment of Educators Act as discussed above remain unaffected. The Court decided only whether the Section 17(5) requirements were correctly applied.

It can be deduced, therefore, from the Court's finding, that there is no unconstitutionality in Section 17(5) in the public sector and the provision in employment contracts as well as the automatic terminations shall continue in the public sector.

The question then becomes, can an employer in the private sector use the same provisions of Section 17(5) to dismiss employees without a disciplinary enquiry and investigation?

Employers have realised this and are taking advantage of this lacunae to avoid potential liability for unfair dismissal by inserting such a clause in their disciplinary codes. Fortunately the courts have had an opportunity to provide direction on this issue as far as private employers are concerned.

In *Janmin Retail (PTY) Ltd v Mokwane & Others (2010) 4 BLLR 404 (LC)*, the employee had been absent from work without informing her employer and returned to work only

after being ordered to do so by the employer.

Upon her return to work, she was dismissed immediately without a hearing. The matter went to arbitration and the arbitrator found that her dismissal was substantively fair because she had been absent from work without notifying her employer but held that it was procedurally unfair because there was no hearing conducted to allow her to state her side of the story. The matter was then referred to the Labour Court. The court confirmed the finding of the arbitrator and refused to set the dismissal order aside.

Of particular interest to us was the argument by the employer that the employee was not dismissed but had simply breached her contract and thus the contract was automatically terminated. The court rejected this argument and stated that “this approach is generally applicable in the public sector and does not apply in the private sector.”

The court did not make any finding on whether this type of provision in an employment contract was contrary to public policy or contrary to the Labour Relations Act 66 of 1995. It is highly likely that in future the courts will, in deciding similar cases, hold that such provisions contradict the Labour Relations Act as they in essence take away the rights of the employee.

Should then employers continue to insert such clauses of automatic termination in the employment contracts, so as to make it possible to summarily dismiss employees without conducting a disciplinary hearing? The answer should be in the negative. Underlying administrative law, which intertwines with labour law, is the principle of *audi alterum partem* (hear the other side). However, employers can take another route to achieve a similar effect by subjecting employees who have been absent for a number of days without reporting to a disciplinary hearing. Should they be found guilty, they can be dismissed. This will ensure that the dismissal is not only substantively fair but also procedurally fair.

Employers may want to shy away from holding disciplinary hearings because of costs involved in outsourcing

a third party to chair the hearings. They are advised however that such cost will be negligible compared to the costs relating to compensation of the employee as the result of procedural unfairness.

It is clear that the Courts do not see a problem with a clause that allows for automatic termination of employment in the public sector. The reason for this may be the recent protests against public servants as well as the public sector’s constitutional imperative to provide service delivery to the communities. The aim of this provision, according to the author, is necessary to ensure that service delivery is rendered to the community by immediately substituting that employee who has

“Employers can take another route to achieve a similar effect by subjecting employees who have been absent for a number of days without reporting to a disciplinary hearing. Should they be found guilty, they can be dismissed.”

been dismissed by operation of law with another employee so that there is no gap left by the *ex lege* dismissed employee.

The obvious anomaly with this provision is that an employee could be in a state of incapacity and therefore unable to inform his or her employer of his or her reasons not to report for work. Let’s say X, a public servant, while on her way to work, collides with another vehicle and is admitted to hospital. X is on a coma for two months. X is then deemed to have been dismissed in terms of Section 17(5). X returns to work after coming out of the coma and returns to work three months after the accident. What recourse does X have?

The author submits that in terms of Section 17(5), X has recourse. Section

17(5)(b) provides that “if an officer who is deemed to have been so discharged, reports for duty at any time after the expiry of the period referred to in paragraph (a), the relevant executing authority may, on good cause shown and notwithstanding anything to the contrary contained in any law, approve the reinstatement of that officer in the public service in his or her former or any other post or position, and in such a case the period of his or her absence from official duty shall be deemed to be absence on vacation leave without pay or leave on such other conditions as the said authority may determine.”

The author submits that such situations are easily resolved and are provided for should they happen. The author further asserts that the section meets any possible objections in that it provides for reinstatement as opposed to re-employment, which could cause problems as the employee could then be employed on different terms from those of the original job.

There is clearly nothing wrong with having such provisions in the public sector. Such provisions cannot, however, be acceptable in the private sector. Employers in the private sector must follow the provisions of Schedule 8 for dismissals to be fair. Furthermore, Section 186(1) (a) of the Labour Relations Act provides that a dismissal means that the employer has terminated a contract with or without notice. This provision places an onus on every employer who has terminated an employment contract to prove that the dismissal or termination was fair.

The decision by the Constitutional Court should be lauded as the Court correctly dealt with the issues raised by Section 17(5) of the Public Service Act. As argued by the author *supra*, the automatic termination of an employment contract in the public sector is not unconstitutional as the section allows the employee to, upon his or her return to work, bring his or her case and explain their absence. If a reasonable explanation is provided, the employer is allowed to take the employee back and reverse the automatic termination. The limitation of this application to the public sector only is justifiable and should not be extended to the private sector. ■

Strong performance in challenging conditions



By South African Breweries

The South African Breweries (SAB) delivered strong gains in revenue and operating profit for the year to end March 2014 as the continued focus on market facing investments and retail execution delivered positive results.

The performance was achieved in

the face of a challenging trading period, with sluggish economic growth, ongoing strong competition, rising costs due to the continued weakness of the rand and the timing of Easter. In addition, excise on beer increased by 8% this year, following on from the 7.5% increase in 2013 excise payments.

As a result, volume growth in both the beer and soft drinks portfolios was subdued. A strong focus on cost containment helped fund investment in market facing operations, and there were ongoing controls on working capital and capital expenditure.

SA Beverage's black economic

empowerment scheme, Zenzele, benefited from the stronger performance, with the company declaring an interim dividend of R129.7 million. This is the eighth dividend declared since the programme was launched in 2010, bringing the total dividends declared to date to R464.6 million.

SA Beverages is made up of the beer business, soft drinks division ABI, Appletiser and a 29% stake in Distell.

SA Beverages group net producer revenue grew to R40.5 billion from R38.1 billion previously (including 6% organic growth).

EBITA grew to R10.3 billion from R9.5 billion previously (including 7% organic growth) and the EBITA margin improved 40 basis points to 25.4%.

SAB Executive Chairman Norman Adami said: "Both our beer and soft drinks businesses have performed well in a highly volatile external environment where we have seen subdued consumer demand as well as a weakening rand. Our strategy has allowed us to manage these factors and established a clear foundation for future profitable growth."

SAB Beer business

Lager volumes were level for the full year at 27.2 million hectoliters (hl). Despite strong competition, there were good gains in beer market share, as well as growing the share of the overall alcohol market. Successful brand campaigns, pack and brand innovation supported by effective execution in trade helped deliver this performance.

Key achievements included:

- In the local premium segment, Castle Lite continued to grow volumes supported by packaging innovation centred on its "Extra Cold" positioning, while Castle Milk Stout also performed well;
- Among the mainstream power brands, Castle posted good gains while Carling Black Label stabilised as it continued its recovery path;
- The repositioning of SAB's three global brands – Grolsch, Miller Genuine Draft and Peroni – continued to gain traction;
- The introduction of a number of innovations, including Flying Fish

which is the first flavoured beer in the premium segment in South Africa;

- Brand innovation was a key focus area, with a number of new packaging formats, merchandising and promotional programmes introduced.

Customer service remained a targeted focus area to support strong retail execution, with the number of people servicing customers increasing and the continued enhancement of the customer interaction centre.

SAB's focus on tackling alcohol abuse remained in place, with key highlights including launching the next phase of the campaign to curb underage drinking under the You Decide programme with a 13 part reality TV show. In addition, Kickstart, the entrepreneurship programme which has created more than 27 000 jobs over the past two decades, was chosen as a best practice programme by Harvard Business School.

Soft drinks business

Soft drinks volumes were also level at 18.3 million hl. The continued implementation of the growth strategy resulted in improved market penetration and customer service levels in the face of growing competition.

Strong growth was achieved in the local and traditional channels in PET packs, where increased competition led to declines in returnable glass bottle sales. The stills drinks portfolio continued to show growth with strong contributions from the water brands and the Play brand.

In line with its strategy, our soft drinks division, ABI, continued to drive channel and market penetration particularly in the local and traditional trade through its increased direct store delivery approach. This resulted in the continued strong growth of the 2l PET pack in particular.

Other key highlights included:

- Main market penetration was a key focus, resulting in the growth of new outlets as well as the transformation of existing outlets;
- ABI invested in local entrepreneurs, called market logistics partners, to deliver its products, allowing for

greater flexibility and the ability to tailor make delivery services;

- The ongoing transformation of the supply chain, including the implementation of new technology and improved processes, resulted in elevated customer service, reliability, responsiveness and drove significant productivity as well as increased demand fulfilment;
- Targeted investment in coolers continued, ensuring a wider footprint of cold drink offerings for consumers.

Appletiser's brand premiumisation strategy continued to accelerate profit growth with operating margins improving despite a decline in volumes. Net price gains combined with an improved mix, supported by the launch of slender cans, grew gross margins while fixed cost reductions delivered sustainable improvements.

Other Beverage Business

Driven by increased volumes, our associate Distell reported double digit EBITA growth on an organic, constant currency basis, after adjusting for the one-off excise charge included in the prior year's results.

With a full year dividend of R129.7 million declared for Zenzele, empowerment deal SA Beverages' broad-based black economic empowerment transaction, SAB Zenzele, continued to deliver real, tangible benefits for shareholders with the payment of dividends from the first year.

Based on the full year performance, the SAB Board has paid a dividend of R129.7 million, a 4% increase from R124.6 million paid for the same period last year in respect of the shares held by the SAB Foundation, SAB Zenzele Employee Trust and SAB Zenzele Holdings Limited. The dividend means that a total of R464.6 million has been paid out to beneficiaries since the transaction was launched in 2010. ■



THROUGH A CREATIVE LENS

Afzal Moolla lives and works in Johannesburg. He sent us this poem, inspired by the poem 'Still I Rise' by Maya Angelou, the day after her death.

For Dr Maya Angelou (1928 – 2014)
By Afzal Moolla

Vanquished by the day one may be,
Beaten down by the barren night.
Faltering at times,
at times upright.
Still one stands.
One still fights.
For though one falls,
One must rise.

Prof. Keorapetse 'Bra Willie' Kgosisile was made South Africa's Poet Laureate in 2006. He was sent abroad by the ANC in 1961. Much of his exile was spent in the USA, where he became established as a leading African-American poet, deepened his love for jazz and theatre and achieved a Master's in Fine Arts. He has taught in several universities including Dar es Salaam, Nairobi, Botswana, Zambia and the University of California (LA). After returning to South Africa he has served as advisor to the last two ministers of Arts and Culture. He has given us permission to publish his two latest poems.

By Keorapetse Kgosisile

OF SHADOWS AND CHAMELEONS

Don't I say again the present remains a dangerous place to live and now at the risk of trampling on some sadistic toes who might want to hurl words at my face to sting like toxic waste I want even the young to see that the present is littered with the debris of our gangrened dreams

When we seek harmonious resolution when we want diversity even at our expense instead of the solidarity that informed our resolve to turn our dreams into life full of the laughter of a people who have somewhere to go

When we settle for the rigid compliance of the unimaginative bureaucrat where, then, oh where is the morally conscientious voice to cup the poisoned vein of the present that sags under the brutal weight of these insatiable appetites

Who will teach the young that our memories of struggle cannot be erased our memories of struggle refuse to die

WOUNDED DREAMS

Amongst the silences of restless nights My voice wants to break through the shell of words to name and sing the evidence of our resolve and will to live past the glib claims of noble intentions

If you have never walked through the restless shadows of wounded dreams

beware; the young ones of tomorrow might curse you by not wanting to remember anything about your ways because everything about you leaves a bitter taste in the mouth

Amongst the silences of these restless nights our dreams refuse the perfumed bandages that try to hide the depth of their wounds

Our voice yearns for the precision to name what we are most responsive to the way our lady of the mutton vindaloo of my desire said: Listen here, Shorty, this is hell's kitchen you'll walk out of here tall you hear

Though the present remains a dangerous place to live cynicism would be a reckless luxury a pile of toxic lies deodorized to sound like the most clear signage showing us the way forward from here

Not that I am dotard enough to think it could ever be easy or without pain to do anything of value. But when I am surrounded by the din of publicly proclaimed multiple promises I wonder if we can say with determined resolve like Fidel: *Never again will pain return to the hearts of mothers nor shame to the souls of all honest South Africans*

Though the present is a dangerous place to live possibility remains what moves us we are all involved indifference would simply be evidence of the will to die or trying to straddle some fence that no one has ever seen

together we can and must rehabilitate our wounded dreams to reclaim and nourish the song of the quality of our vibrant being as evidence of how it is to be alive past any need for even a single lie

Out of the silences of these restless nights my voice wants to break through the shell of words and fly to the rooftops to shout: when we have walked through the restless shadows of wounded dreams and come back from tomorrow together we shall know each other by the root and texture of our appetite

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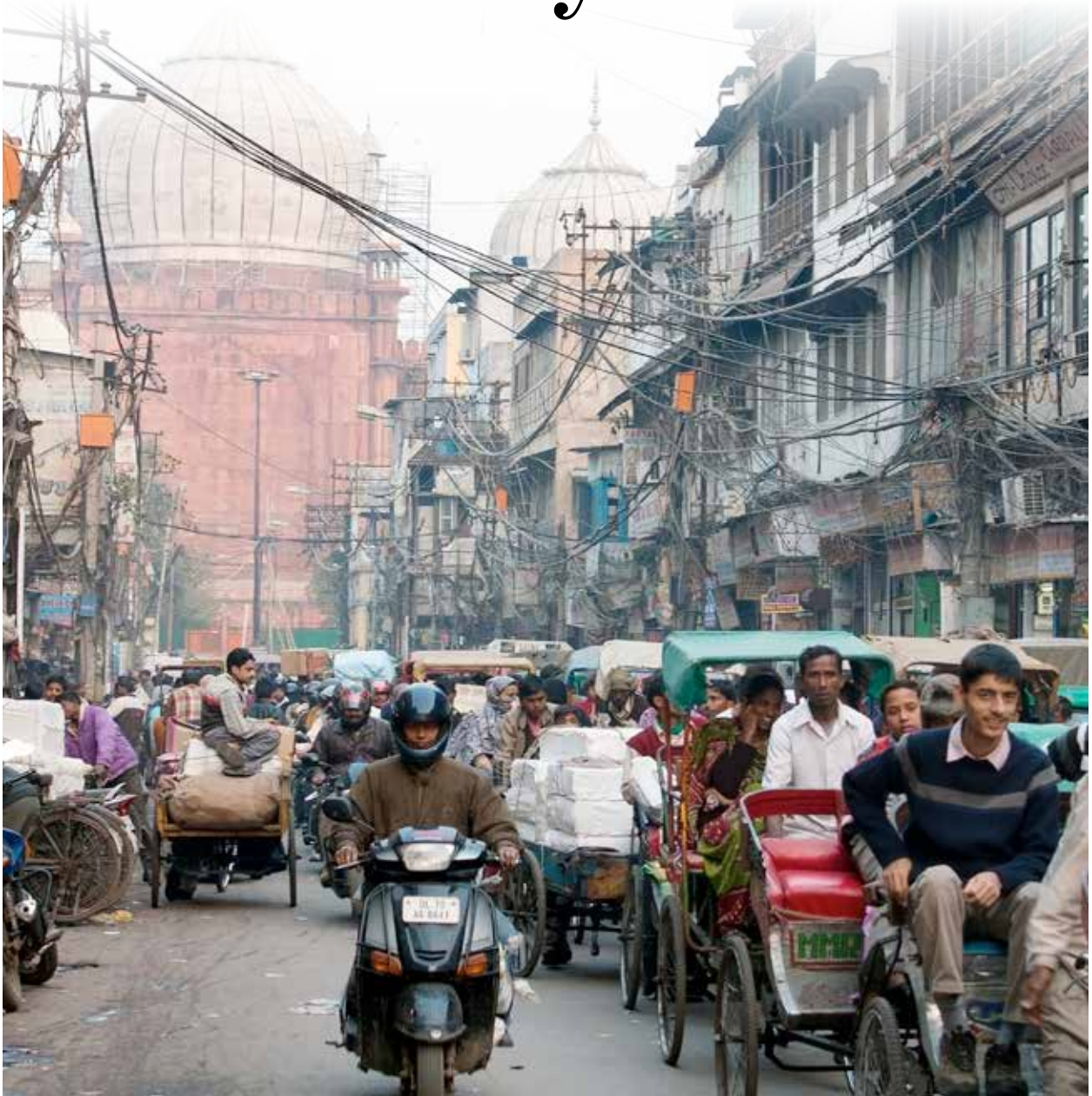
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CAPITAL AS EMETIC

A Case Study



By Ralph Duke

The traffic regulation system in Delhi is among the most effective in the world. It is also the most intricate, one of the deadliest, and - crucially - one of the loudest. Drivers do not demonstrate the same restraint

as a European road-user might be used to in their use of the horn. At any given moment on a Delhi city street, you might hear the distinct sounds emitted by the horns of upwards of six different classes of traffic: from auto-rickshaws

to scooters (the scooter horn is amongst the most grating) to buses, cars and trucks; each produces its own unique/identifying noise. To the average driver, this means that he has not only a visual but also an auditory

perception of the street - and most importantly the traffic - around him. This, in turn, results in the fact that in the absence of any other discernible rules - or rather, in view of the fact that nobody seems to care very much about the rules that theoretically do exist - each driver is nonetheless able to safe-guard his own safety by letting others know his position relative to theirs, while simultaneously being made aware, by others, of theirs to his.

Delhi's roads are not the most perfect illustration of the system described above in relation to the counter-intuitive reality which is that these roads happen to be the deadliest in the world. The ideal illustration of this aspect of this particular communal "accord" is to be found at an altogether higher elevation: in the foothills of the Himalayas. Here, the roads are incredibly steep, winding, and narrow; and are often bordered on one side by nothing other than the air and a drop of several hundred feet. The farers of these ways nevertheless drive at quite excessive speeds. The plentiful - abundant even - blind-corners are an obstacle transcended, once more, through this "accord". Drivers let off repeated blasts of sound as they approach each one, and, failing a response, plough straight on with reckless abandon. Should they receive a response, they would slow down immediately and begin the often very intricate - and therefore excessively slow - procedure of inching two large vehicles past each other on a road barely wide enough for one at a time and with a yawning crevasse on one side.

The emergence of this semi-discrete system of communication - embracing echolocation, new principles of traffic self-regulation, breathless speeds and an implicit mortal danger - is an aftereffect of global capitalism, the tremor of the economic imperative slowly reorganising everyday life. In order to satisfy the new national demands which arise from a country's conscription into global capitalism, inherited traditions are lost,

cultures adapt, new syntheses are produced, and distinct sociocultural systems - like the chaotically self-regulated laws of the Indian road - are created at a local level, cohering around the pressures of belonging to a global system. In this case, the need to maximise every minute for the pursuit of profit has led to the informal institutionalisation of a set of driving practices which prioritise efficiency and the sharpening of productive capacities, while forcing practitioners to engage in behaviour that is almost suicidal. The exact nature of the risks involved in the traversing of these

“In order to satisfy the new national demands which arise from a country's conscription into global capitalism, inherited traditions are lost, cultures adapt, new syntheses are produced, and distinct sociocultural systems - like the chaotically self-regulated laws of the Indian road - are created at a local level, cohering around the pressures of belonging to a global system.”

mountain roads is interesting given the fact that their precise definition is dependent on - and a product of - perspective.

The true cost of the negotiations, compromises and antagonisms played out on the global level, are visible once you've moved through all the layers which intervene between that macro-historical scale and the individual. There, you encounter the terrifying experiential horizons which come to be an untranscendable aspect of everyday life. This is the point at which the cost, in human terms, becomes discernable - though

never entirely quantifiable. From the overarching perspective of capital - the true "invisible hand" - the exact costs in economic terms are measurable to the last dollar. This includes all corollaries from, foreclosures to orphans to widows, all the things which typically result from untimely deaths and are processed as lost productivity. The human cost, though, must be counted in terms not only of grief, the fragmentation of families, forced relocations, acute pauperisation and but also in fear and loathing, the absolute and visceral dehumanisation inherent in the experience.

The public buses which travel these vertiginous heights are uniformly streaked with the vomit of their passengers. On festival days, the richer-and-more-plentiful-than-usual foods result in quite spectacular festoons of saffron stomach content. Here, passengers are made to physically vomit - and incorporate this indignity as a daily routine - in order to carry out the functions and responsibilities of life in the peripheries of the world-system. Worse still is the possibility that that passengers might become hardened to the experience over time, might cease to perceive the experience in terms of its true horror. This hardening, as both a result and a response, resembles closely the nature of the collective response described above in that both are attempts to cope with the effects of the global reordering of the even the most mundane aspects of our daily existence, both collectively and individually. The most horrific of these impacts are exported to the undersides of the capitalist system. Once again the true comprehension of this fact is only available in view of the fact that these "peripheries," these "undersides" are in actual fact not only the defining characteristic of the unimpeded operation of capital, but in reality constitute nothing less than its central and defining organs. ■

The Editor welcomes unsolicited submissions to the Readers' Forum and encourages those who would like to discuss or debate contentious issues to use this space. Please keep word count to no more than 800 words and note that some pieces might be edited for length. Send your contribution to: editor@thethinker.co.za.



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