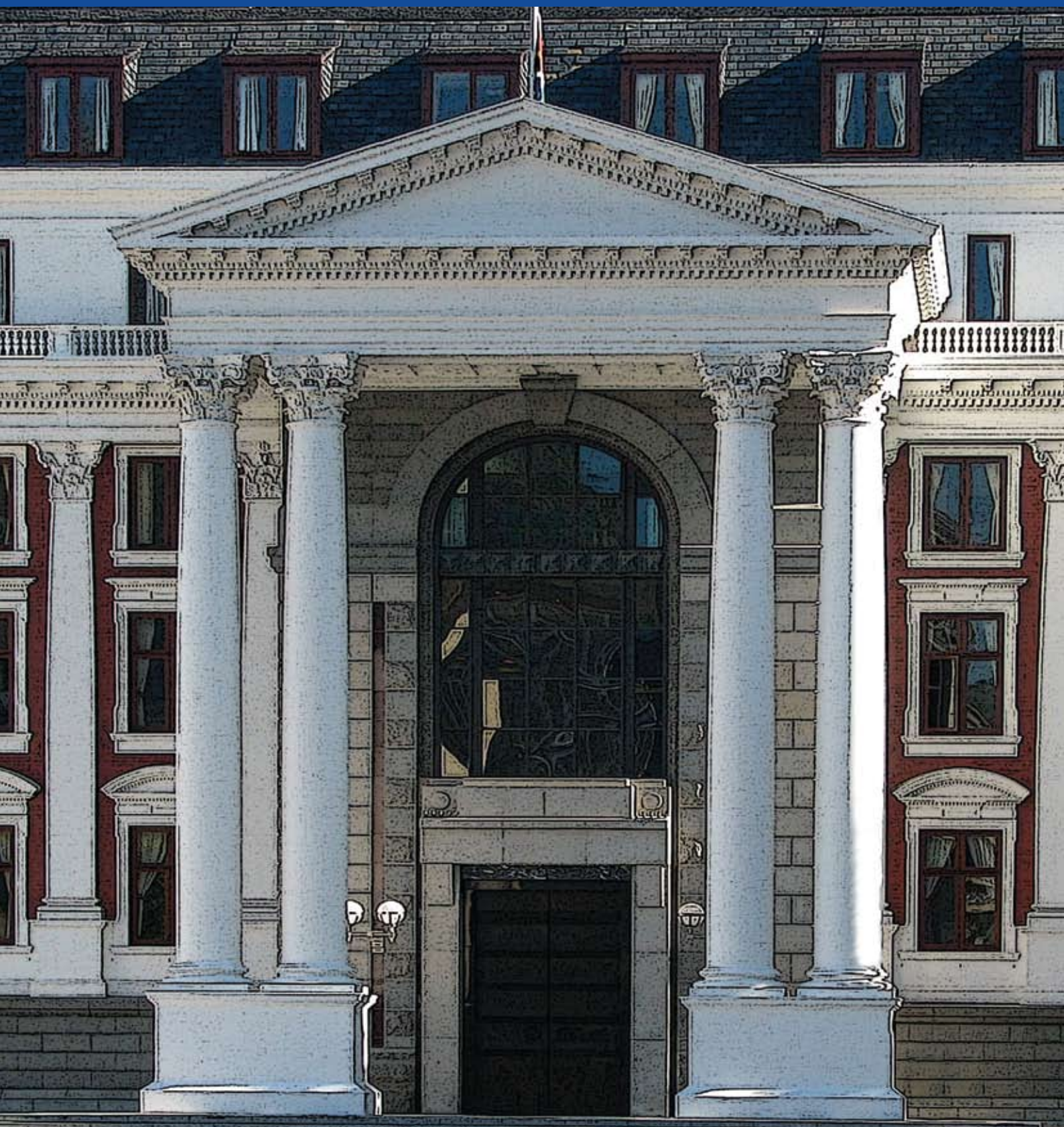
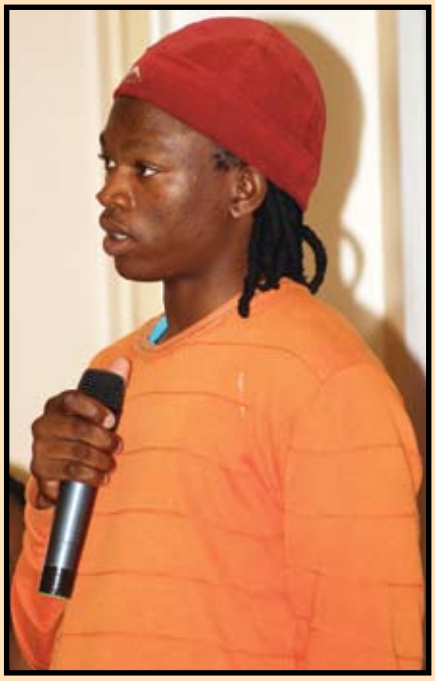
ASPECTS OF POLITICAL LEADERSHIP IN SOUTH AFRICA

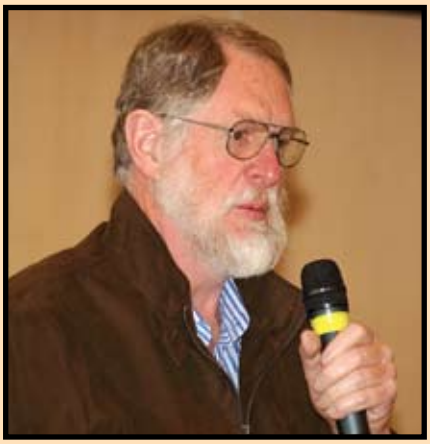


Hanns Seidel Foundation

CATHOLIC PARLIAMENTARY LIAISON OFFICE

THE GOEDGEDACHT FORUM for Social Reflection





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Introduction

It is widely acknowledged that, as we battle to overcome poverty, crime, corruption and a backlog of service-provision, South Africa needs strong and visionary political leadership. However, there is certainly no consensus that we are getting the kind of leadership that we need. A number of developments indicate that elements of the country's current leadership have either lost their sense of direction or – worse – have chosen a self-serving agenda, rather than one which focuses on the long-term interests of our people.

At the same time, some crucial state institutions are failing in their duties to hold the political leadership to account. Some Ministers regularly treat Parliament with contempt, while the presiding officers sometimes appear to regard it as their job to protect the executive from oversight and criticism. Recent events indicate that independent bodies such as the Public Protector, and even the courts, are regarded as threats to the incumbent leadership.

Against this background, the Catholic Parliamentary Liaison Office, with generous backing from the Hanns Seidel Foundation, and in collaboration with the Goedgedacht Forum for Social Reflection, convened a series of roundtable discussions on the theme 'Aspects of Political Leadership in South Africa'. The series, which ran from March to September 2013, focused on five key issues: Leadership and Vision; Accountability and Corruption; Institutional Leadership; Leadership of Service; and Civil Society Leadership.

Speakers included academics, journalists, a retired judge, a cabinet minister, a prominent opposition MP, leaders of civil society, and a number of people whose careers have covered more than one of these fields. All of them contributed original ideas and insights; all of them prompted much discussion and debate among the audiences. Indeed, the first speaker in the series even went so far as to question how important leadership really is!

What follows in this publication are edited versions of their presentations. Although some have been considerably shortened, we have tried to capture the essence of what they had to say. As we move towards the general election in 2014, many of the questions raised by the speakers will be at the forefront of public debate. We hope that this publication will help in a modest way to fulfil the need for balanced, critical analysis of the state of South Africa's political leadership.

Mike Pothier
Research Co-ordinator
CPLO

1. Leadership and Vision

Prof. Steven Friedman

DEMOCRACY IS based on the idea that every adult individual has an equal right to an equal say in all decisions that affect them. In principle, this means that we shouldn't have leaders at all. The community that first practiced this model was ancient Greece, where public officials were designated by lot. This is not to say that political representation is not important – it is – but the interesting idea here is that these positions were not seen as an honour or an exultation, but as a responsibility that should be distributed randomly across society. Individuals chosen by lot have a tough time arguing that they are superior in any way. This reinforces that notion that public officials are meant to be people who serve us; a point that is central to the democratic idea.

In Joseph Schumpeter's formulation of democracy, people get together sometimes to decide on who in the elite will lead, and the only role for citizens is participating in the election. This view of democracy flows out of a focus on leadership. But complex societies must go beyond merely electing leaders to finding ways to ensure that decision-making happens from generation to generation, and that democratic principles endure. This leads us to institutions such as the judiciary and Parliament, amongst others. Thus, the quality and health of a democracy depends on healthy institutions rather than simply on its leaders. It has been said that "all democracies are started by visionaries and implemented by mediocrities". This is as it should be – once institutions and regulations are in place, the question of who is in charge becomes less important. The more we talk about leaders, the less we focus on building effective institutions.

This is true not only of political organisations and governments. As the head of a university department I do not have followers; I have colleagues. In my own experience the benefits of treating those with whom I work as colleagues rather than followers is real. One of our most important projects was developed in my absence and this probably would not have happened had I been the 'leader'. In my engagement with students and the public I am also not a leader, but rather someone engaged in conversations which I contribute to and learn from.

Focusing on leadership is a way of ducking problems rather than confronting them. At one stage it was an entirely predictable lament that 'Africa's curse is bad leaders'. Is the assumption that Africans suffer some genetic problem that produces bad leaders? What we should be asking instead is, if it is the case that African leaders don't serve their citizens, why is that? The simple cry for 'leadership' is a cry for help; it indicates a problem, but does not lead to a solution because the problem is misdiagnosed.

Thus, I argue that in Africa we have an historical and structural context that must be taken into account. In principle, a democratic society starts to emerge when people demand accountability; however, during colonial times the colonisers were accountable to European governments, and after liberation they were replaced by unaccountable local leaders. But more recently, in key societies on the continent, two things have been happening. One, a significant increase in associational life, and two, more pressure for accountability. The two go together – growth in citizen's organisations has led to growth of pressure for accountability. If this analysis is right, the issue in Africa now is not how to find better leaders, but how we empower citizens and strengthen institutions to hold leaders to account.

Locally, we tend to confuse leadership problems with those which are actually structural. For example, corruption: the impression of lousy leaders who are a bunch of grubby pirates is a fundamental misunderstanding. Corruption is deeply embedded in our society in the context of the relationship between the private and public sectors, the role of inequalities, and patterns of behaviour due to our apartheid past. These things must be understood, acknowledged and used to strategize.

Our preoccupation with leadership is an obstacle to progress, leading South Africans away from democratic values and an understanding of democracy.

More broadly, what can this preoccupation with leadership possibly achieve? How does gathering in meetings like this change anything? Our problem is not lack of leadership, or the poor quality of leadership, but a range of difficulties in our society, such as our inherited focus on race instead of quality of character.

To conclude, I'm not suggesting that we pretend we live in ancient Greece, or that the question of people taking responsibility is irrelevant. But I am questioning why it is seen as important to have a conversation around political leadership? Shouldn't we be asking instead, 'What do we do about building a stronger democracy, where we have inherited inequality, without destroying the economic base?' 'How do we overcome the centuries of racial division that still affect us?' Our preoccupation with leadership leads us away from these discussions.

Fr Smangaliso Mkhatshwa

THE REALITY in Africa is the 'big man/ big woman' syndrome. Office-bearers occupy positions in society which are out of all proportion to what they were elected for, and they engage in actions that are not always in best interests of society. Corruption is rampant, and many leaders are interested in enriching themselves rather than serving.

South Africa is unique in that our Constitution and the way we handled governance set a high standard. But recently a friend asked, "What is wrong with you South Africans now? You were a shining example of what it meant to serve, of sharing, tolerance, and real democracy. But now there are stories of corruption and dishonesty, and you seem to be following the path that some of us have experienced. For example, in Nigeria, if presidents, mayors, etc, are unable to accumulate more than a million dollars a year, they're regarded as a failure. We loot the state; that's how we do it."

We do not want single leaders, but a collective leadership at all levels which upholds accountability and respect for people.

On the positive side, it is important to bear in mind that we are beginning to see good leadership in Africa. I was in Ghana in 2008 for the general elections, and it was a marvel to see democracy in action. Now in Kenya, Botswana and a few other countries we see the same happening. The point is that you can't talk about leadership outside the context of the social and political situation. A leader only exercises his or her powers in line with the needs of a particular community or nation.

When we talk about leadership in South Africa we would expect to identify those people who are best qualified to deal with the priority challenges effectively. Hitler and Mussolini were leaders, but they were not good leaders; when we talk of leadership, we are looking for someone, or a collective, who will prioritise the interests of the people.

In 1983 the United Democratic Front (UDF) came into existence. It was unique, that kind of coming together. It involved a whole range of people: religious leaders, students, business people and more. We identified the priorities and the basic values that bound us. It was very democratic and accountable and had a culture of robust debate. Comrades were real comrades; there was respect, trust and dedication, a sense of responsibility for one another's well-being and respect for decisions taken by leadership. It was taken for granted that you had to be a hard worker; there was a spirit of sacrifice and sharing, protection and solidarity. That was how we ran our struggle. Leaders were elected and regular meetings were held to share information and enhance the struggle for freedom. That was what gave that movement the power to make the country ungovernable.

When 1994 came, active people were elected to Parliament to represent the masses, not because we were extraordinary but because we came from a culture of active participation in struggle on the ground. But since 1994 we have seen a wide gap develop between the political leadership and the people.

After 1994 we used to speak about the values of the struggle. We became an example to the world because of those values. This was not just a narrow political matter, but a question of thinking and expressing and doing what was in the best interests of country as a whole. Our Constitution remains one of the best in the world, but we need leaders that will make sure that everything we do is in accordance with

the Constitution. In addition, all our people should understand the contents and implication of that wonderful Constitution. We do not want single leaders, but a collective leadership at all levels which upholds accountability and respect for people.

Where is South Africa right now and where do we want to go? The National Development Plan has been published; the developmental state project is being worked on; and the government has identified the critical problem areas that we are facing. In choosing leadership and evaluating performance we must be guided by the question of who – both individually and collectively – is best qualified to take the country forward.

Good leadership means paying attention to priority questions like education, employment and health-provision. But it is also about the context in which people lead: the shared vision and values that underpin our society must guide our leaders and inform our actions. We must not lose sight of the values which brought us our freedom.

The work of the organisations that have brought us together today is very important – we need to dialogue and agonise together. A vibrant civil society means identifying the ideal leaders were all looking for.

Dr Alex Boraine

LET ME start by reminding us that the Bible says 'without vision the people perish'. There have been moments in our recent history where people have indeed produced vision.

Kliptown, 26 June 1955, saw the adoption of the Freedom Charter[1]. The preamble goes as follows:

We, the People of South Africa, declare for all our country and the world to know:

> *that South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people; […];*
>
> *that our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;*
>
> *that only a democratic state, based on the will of all the people, can secure to all their birthright without distinction of colour, race, sex or belief;*
>
> *And therefore, we, the people of South Africa, black and white together as equals, countrymen and brothers adopt this Freedom Charter;*
>
> *And we pledge ourselves to strive together, sparing neither strength nor courage, until the democratic changes here set out have been won.*

The question today is: where do we stand now? The 'seizure of power' or 'striving together'?

The Charter set out a remarkable vision. Within five years of this vision being made known, many organisations were banned, and then came Sharpeville and later, Rivonia. In very a short space of time that vision was smashed to the ground.

By 1979, the ANC was in exile; it was a different time, with a different mood. A quote from the authoritative source, The Green Book, written in that year[2], is illustrative:

> *"The strategic objective of our struggle is the seizure of power by the people as the first step in the struggle for the victory of our national democratic revolution. Seizure of power by the people means and presupposes the all-round defeat of the fascist regime by the revolutionary forces of our country. It means the dismantling by the popular power of all the political, economic, cultural and other formations of racist rule and also necessitates the smashing of the state machinery of fascism and racism and the construction of a new one committed to the defence and advancement of the people's cause".*

The question today is: where do we stand now? The 'seizure of power' or 'striving together'?

Cyril Ramaphosa has been known to say that the Constitution should be our bible. I wish indeed that all South Africans would read it, that it was accessed at schools and universities[3]. It too contains a remarkable vision for South Africa.

[1] See http://www.anc.org.za/show.php?id=72 for the Freedom Charter in its entirety.
[2] See http://www.anc.org.za/show.php?id=79 for The Green Book

The Preamble of the Constitution says:

> *WE, the people of South Africa:*
> *Recognise the injustices of our past;*
> *Honour those who suffered for justice and freedom in our land;*
> *Respect those who have worked to build and develop our country; and*
> *Believe that South Africa belongs to all who live in it, united in our diversity.*
>
> *We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to*
>
> - *Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;*
> - *Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;*
> - *Improve the quality of life of all citizens and free the potential of each person; and*
> - *Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.*

Sound political leadership that is compassionate, skilful and powerful is critical if we are to change this country.

Recently, the *National Development Plan*[4] has been produced. It visualises what the country would look like in 2030 if this plan is followed. It is set out in almost poetic language, as visions are; but when we have a vision we must go beyond it to actualising, not merely mouthing the words, but moving into practical areas. The Development Plan begins with a vision statement –

> *We began to tell a new story then. We have lived and renewed that story along the way. We, the people of South Africa, have journeyed far since the long lines of our first democratic election on 27 April 1994, when we elected a government for us all.*
>
> *We are proud to be a community that cares. We have received the mixed legacy of inequalities in opportunity and in where we have lived, but we have agreed to change our narrative of conquest, oppression, resistance.*

Despite the poetic language of the Plan, the Diagnostic Report of 2011 puts our feet firmly on the ground, acknowledging the weaknesses that need to be overcome to make the vision true. Nine priority challenges are laid out, including unemployment, education, infrastructure, public health, corruption, and social divisions.

The real test will be implementation; we have enough visions and dreams, so how do we get beyond vision and make it real? There is responsibility on both leaders and citizens; everyone has a place and a part to play. Citizenship and leadership are not incompatible, not contradictory; institutions and leadership belong together. We do need good, positive, caring, skilful institutions but it is not an either/or situation. But we must also face up to the power equation: there will no doubt be brilliant ideas flowing from this series of discussions, but at the end of day we don't have the authority or power to put them into practice. There are, however, people who have that power, and we must recognise this and reckon with the question of power.

The leadership question is important; leaders can make a difference. There are ministers with capacity and power and responsibility who can transform South Africa; the fact that they don't always use that capacity is a different matter. The kind of president and cabinet ministers we have matters enormously. For example, how can we deal with corruption if we have leaders that have themselves been charged with corruption? It is not enough merely to emphasise our institutions, vital though they are, we must examine leadership at every level. Sound political leadership that is compassionate, skilful and powerful is critical if we are to change this country.

[3] Access the South African Constitution at http://www.info.gov.za/documents/constitution/index.htm
[4] The National Development Plan can be found at http://www.info.gov.za/issues/national-development-plan/index.html

2. Accountability & Corruption

Mr Mondli Makhanya

I WILL deal primarily with accountability, but I will start by giving a few short anecdotes about corruption.

The first one concerns my former personal assistant who, during a short spell in hospital, became good friends with another patient, both of them being born-again Christians. About a month later they met for lunch and this person, who happened to work for a provincial department in procurement, said to my PA, "You know, lots of people come to me who tender from me and want services. I sort them out and they get business from my department that runs into hundreds of thousands of rands, but all I ever get is R5 000 to R10 000. I'm tired of this; I see them driving fancy cars and I just get this little pocket money. So why don't the two of us start our own company; you will be the public face and I will channel business to this company." Obviously my PA was shocked at the brazenness of it; they had been sharing Bible verses in the ward and suddenly she is being brought into this – she told her to go jump off a cliff and nothing ever came of it.

We still have public outrage; South Africans are disgusted by corruption and we should take comfort in that and make sure we build on it.

The second story relates to an attempt by Avusa media to set up NuMetro cinemas in Nigeria. All the approvals were done and very specialised equipment was shipped there. When it got to port the usual rigmarole started – one official wants this and another wants that, and it is clear that these people just wanted to be paid off. So the equipment stayed in port for months, even after President Mbeki intervened in the name of NEPAD and asked President Obasanjo to ensure that the equipment got in. Obasanjo sent a message, but it got lost somewhere and the equipment remained in port. At some point, wanting to treat his wife to a cinema experience at this new NuMetro cinema for their anniversary, he tells his officials to organise it; only to discover that the cinema does not exist! He flips, and within days the equipment was in and the cinema was built in record time, and Obasanjo got to go to the movies on his anniversary day with his wife.

The last little anecdote is about 'Oilgate', where, you will recall, money was siphoned from Petro SA and given to a company called Mvume, which was owned by a funder of the governing party. That money then found its way into the coffers of the governing party just before the election. The media exposed it, but the then Public Protector produced a very wishy-washy report that effectively exonerated everybody. The ANC did hand the money back eventually, but an act of criminality had happened, money had been stolen from a public entity, and there were no consequences.

Now why do I tell these three anecdotes? Because they are about the normalisation of corruption. In South Africa we are fortunate in that people have not thrown their hands up in the air and said "this is the way things are done". We still have public outrage; South Africans are disgusted by corruption and we should take comfort in that and make sure we build on it.

However, we could easily end up with a diminished sense of outrage and a resigned acceptance that bribery and corruption is just how things are. We have to work to stop ourselves from going down that road; it is not something that happens mechanically or automatically. In order to do it we must create a culture of holding power to account, not just political power but also corporate power, the state, religious bodies, everybody.

The good thing about South Africa on paper and in practice is that we have very strong institutions of governance. Some work better than others and some do not work at all. Sadly, in recent years Parliament has been turned into a mere rubber stamp for decisions that have been taken at a certain building in the centre of Johannesburg. But the present Public Protector has teeth and has created a strong institution. Other institutions, such as the Competition Commission, do a lot of good work in terms of protecting people from corporate corruption. We all remember, for instance, the bread-price investigation, and currently there is an investigation into collusion in the building industry.

Society must take the lead in keeping society honest. It is up to ourselves.

These institutions of governance and accountability are there for the public to use. They are weapons that our Constitution and our democratic order has given us. However, it is not in the interests of the powerful to make sure that people know about these institutions; the governing party doesn't want people to know that they can use these institutions to hold them to account. It therefore becomes the responsibility of civil society leadership, NGOs and religious organisations to make sure that the public is informed about these resources. By doing that we make the citizenry accountable for the state of affairs of the country; we make them accountable for holding leadership to account.

One of the things that we need to be doing along those lines is to build a 'cadreship' of people who are able to use these institutions across the country. There is a very irritating man, called Theo Botha, who is a shareholder activist; he buys one share in every company just so he can go to the AGM of that company and ask difficult questions. He is every CEO's nightmare because, just when you think your AGM is going smoothly, Theo Botha will be there, asking. He is an extreme case, but we need to create Theo Bothas in different sectors of society: people who will be able to know what to do when the Auditor General has released a report into the affairs of a municipality; people who are able to analyse council reports and reports that come out of government; people who can use community policing forums not just as a means of complaining about lack of cars on their streets, but to monitor the state of corruption in the police force, one of our greatest cancers.

Securing accountability in SA is made more difficult by the fact that we have a very powerful governing party which controls almost two thirds of national power, and all but one of the provinces. Such excessive power always breeds contempt for the public, impunity, and lack of accountability. It also breeds a culture of doling out patronage: in order to get anywhere your path is through the ANC branch, and the ANC branch becomes a corrupt enterprise in the hands of various people. How do we then make sure that such corruption, which is deeply entrenched in the governing party, does not go on to infect the rest of society? Only by taking leadership back into the hands of the citizenry, by teaching people how to use our Constitution and its institutions. In the end it will be about society taking the lead in keeping society honest. It is up to ourselves.

Mr David Lewis

THE STANDARD definition of corruption is that it is an abuse of public resources and public power for private gain. But this does not mean that we are not interested in the private sector. A lot of corruption involves a collusive relationship between the private sector and the public sector and indeed between private citizens and public officials, particularly in the area of petty corruption – traffic-cop bribery, bribery to get into housing allocation queues, etc. The truth remains however, that it is not very often possible to abuse public resources and public power without the participation of members of the public sector.

There is growing public concern at corruption, and one of the first insights of the Corruption Watch project has been to establish that this is not a concern expressed by any means exclusively at dinner parties in the leafy suburbs. The overwhelming majority of reports we receive come from small towns. In the suburbs it is very difficult to distinguish how your next door neighbour behind their high wall achieved their wealth and their success. It is much easier to discern and understand when the beneficiaries of corruption stand out as they do in a small town or impoverished community.

We are not by any stretch of the imagination the most corrupt country in the world, nor by any stretch of the imagination are we the least corrupt; but we are trending downwards, according to most of the scales, and in terms of the perception of South African citizens. On the positive side, compared to many other countries, here things are being done about corruption. I am sure there are corrupt police commissioners in many countries in the world, but there are not many in which one has been jailed for corruption and one has been dismissed for what looked like corruption.

Nevertheless, there is a real fear that we are reaching a tipping point, beyond which it is going to be very difficult to combat corruption. When you have not merely corruption in the system, but you have a corrupt system it becomes difficult. There is an unspoken rule among both those who are victims and the apparent perpetrators that there is an interest in maintaining a corrupt system. It's better to know that the punishment for driving drunk is a R200 bribe to the traffic-cop, rather than the loss of one's license and a possible criminal record. So there is an extraordinary conspiracy between the victims and the perpetrators in maintaining corruption; and this is a sobering thought, because combating corruption when it becomes the norm is extremely difficult.

Corruption requires a public response. No matter who your government is, the lesson of the last 20 years is that if citizens relax their guard relative to government they will get the public and private sector leadership that they deserve.

The criminal justice system on its own can never combat corruption. It is not a crime committed by one individual against another, like murder or robbery; rather, it is a crime against the public. I think of it in the same light as crime directed against foreigners or against women or children, an entire category of society, which reflects a deep social pathology. Corruption constitutes a set of activities or conduct that is similarly directed at the public and the only way in which it can be combated is for the public to respond.

The public also have to be involved in defining where the lines are to be drawn. Where you have the proverbial brown envelope exchanging hands to secure a tender, everyone is pretty clear that that constitutes corruption. But questions like conflicts of interest, for example, are not so easily understood. When is a gift a gift and when is a gift a bribe? When is lobbying a process of providing decision makers in the public sector with the information they need in order to make effective decisions, and when does it become the exercise of undue influence and undue pressure that may come to constitute corruption? When does networking shade into nepotism? These are unbelievably difficult lines to draw and they can only be drawn through active public debate and understanding.

Another reason for public involvement in combating corruption is because it is those who rely on public transport, public security, public health, public education, etc, who are most severely disadvantaged when public resources are abused and diverted to private gain. Those members of the community who are most vulnerable to the exercise of public power – such as the informal street trader or the immigrant – face far more difficult choices about whether to participate in acts of corruption than do leaders of large corporations or members of a powerful community, for example.

The public also bears the greatest cost of corruption: the massive erosion of trust in the leadership of both the public and private sectors. This is a very serious and sorely underestimated cost of corruption. It has become extremely difficult to have a public discussion about anything, even actions by government that are well-intentioned, when the first question any member of the public asks when government proposes some large initiative is, "What is in it for the people who are directly involved?"

So for all those reasons, no matter how good or bad our law enforcement system is, corruption requires a public response. No matter who your government is, the lesson of the last 20 years is that if citizens relax their guard relative to government they will get the public and private sector leadership that they deserve.

It is always a difficult and delicate matter to talk about the causes of corruption, but we can point to at least four factors in our country that play a causative role to some degree.

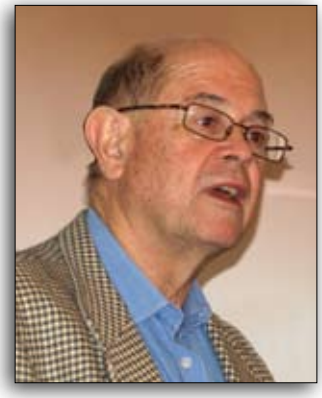
Firstly, the state of our criminal justice system. We can go on about corruption in health, in education, in the management of municipal finances, until we are blue in the face, but if we do not deal with corruption in the criminal justice system, none of the efforts in other sectors will bear much fruit and be sustainable.

Secondly, we have a weak, fragmented state administration. In a very short period of time we had to extend the state from one that served a tiny fraction of the population to one that served a population ten times larger. We were previously run by an administration that was enormously centralised in its activity. For example, we had one tender committee that sat in Pretoria and awarded tenders for anything from pencils, to large IT systems, to arms procurement. It is different now; we de-

centralised and fragmented that system. There are apparently some 9000 points at which procurement decisions are taken in the Eastern Cape alone, and around these fragmented systems interests have coalesced and developed. Not only is this a fundamental cause of corruption, but it makes it difficult to combat it.

I have absolutely no doubt that the huge inequalities that characterise South Africa have something to do with corruption. A fraction of the middle class in South Africa enjoys living standards that few other middle classes in the rest of the world enjoy. But another large and growing section of the middle class does not enjoy anything like the living standards of South Africa's traditional white middle class. The only way in which this new middle class can catch up in a single generation is by looking to the state to support its living standards. I am uncomfortable with identifying this as a cause of corruption, but indeed I think it is so, and interestingly one that has been advanced by the Public Service Commission quite often.

Finally, there is the extremely vexed question of black economic empowerment. It was absolutely essential to de-racialise the private sector in South Africa, but the fact is that the private sector, in drawing the new elite into business, effectively rewarded political connectivity in many instances. This has promoted a relationship between private wealth and public power and access that is extremely unhealthy.



Mr Jeremy Routledge

CORRUPTION, TOGETHER WITH violence, are two of the most important issues we need to face in our society. They are connected. Corruption is violence against the state, and violence against the poor in particular. Colonialism was corruption and violence on a grand scale, but we should not use that to say that now it is our turn. The liberation struggle really was an opportunity for liberation. And for a while we held the moral high ground. The opportunity is still there, but it will not be there for much longer unless we start doing something about it.

The press increasingly reports on corruption and lack of accountability, and that is actually a positive aspect: without the reports we'd have a more serious problem. However, on its own the press cannot tackle the task of transforming the culture of corruption and apathy into one of integrity and accountability through active citizenship. This must be the task especially of educational planners and teachers, and of the faith communities.

What tools do we have? Where are the examples of good practice? If we focus on corruption, we could use the few successful prosecutions, such as those of Tony Yengeni (who was carried into prison on the shoulders of Members of Parliament), and of Schabir Shaik (who was released from prison on a dubious medical parole). But if we use these, the lessons we learn are that you should not be caught, and that if you are, you need friends in high places. Where are the others who received Mercedes Benzes, or the ones who gave them? Where is the 'other half' of the Schabir deal? These are the questions we need to learn to ask.

What we need is a massive focus on the other side of the coin of corruption – on integrity and honesty in public service. The faith communities, parents, and the education system have a very important role to play in this. The faith communities in particular have a responsibility to unleash the country's unlimited natural human resources, such as honesty, integrity, courage and co-operation. What we need is a change in culture, brought about by a massive focus on education for integrity and non-violence.

Andrew Feinstein's new book, *The Shadow World,* is a mine of information on the corruption that is a feature of arms deals. It opens with a youthful quote from the industrialist Henry Ford, "Show me who makes profit from war and I will show you how to stop war". Africa has been the shadow world's most fertile ground. The continent's colonial history and independence struggles, weak state formation and 'big men' rulers willing to plunder their nations to retain power and enrich themselves, have ensured continued violence and poverty. This is done in partnership with people in the developed world. It continues today and draws South Africa in, as the unfolding story in the Central African Republic shows us. How do we change the situation? Massive integrity education is important.

What we need is a massive focus on the other side of the coin of corruption – on integrity and honesty in public service.

Another way might be to make a fresh start. Professor George Ellis has raised the idea of a 'corruption amnesty':

> *"This country has serious problems as far as corruption goes. It is destroying service delivery as well as casting a shadow over the president and close colleagues, which in turn are causing major problems in our legal system. To propose a way forward one might ask why the anti-corruption drive that has so often been proclaimed by government is in fact not taking place. The answer is simple; so many people in government are likely to end up in jail, including the president, not to mention thousands of low ranking people. Put yourself in his shoes. He does not want that to happen, he has the levers of power in his hands, therefore it is not going to happen. The arms deal inquiry will eventually bog down, private property will be declared a national security key point to prevent questions being asked, secrecy legislation will be passed to prevent what has happened in the past from coming into the open. In short, justice will be compromised to protect those in power.*
>
> *What is the solution? Decide to let bygones be bygones. The money has been spent and is gone. What is gained by keeping on pursuing it? Let us face reality and set in place a policy that will make the future work at the cost of setting aside justice for what has happened in the past in this regard. There is of course a precedent of this kind, the Truth and Reconciliation Commission, so why not set up a corruption and reconciliation commission? Condone what has happened in the past and let bygones be bygones in return for a cast-iron guarantee that whatever corruption happens in the future will be severely dealt with. The subversion of the legal system will cease and the secrecy bill will be rephrased so that it cannot prevent the coming into the open and prosecution of any future corruption. Yes, of course it is not ideal, but it is the only way to move that has the hope of clearing the decks so that the practice will cease in the immediate future and stop in its tracks the subversion of the legal system that is taking place at present to prevent perpetrators of past corruption being bought to book."*

One initiative that faith communities might take is to look at integrity rather than corruption. If you focus on corruption you tend to set people thinking about how to make it more successful. But if you focus on integrity, particularly over a sustained period, you will start coming up with ideas for increasing it, for finding people who have integrity and supporting them. During the apartheid era some faith communities chose to take a certain time each week, the Quakers on Fridays at 9pm, to just stop, hold silence for five minutes, and reflect on what could happen in a future world without apartheid. Perhaps we could do the same with integrity; at a certain time each week stop and focus on that. What would start happening is that citizens would start having ideas, perhaps bringing reports to Corruption Watch, and mobilising the goodwill that is amongst the faith communities to take things forward. This could just be one of the ground-breaking things we need to try in order to make a difference.

3. Institutional Leadership

Prof. Richard Calland

WHAT SHOULD 'institutional leadership' look like? The question can be framed by considering control of the executive by three key constitutional institutions: Parliament; the Judiciary; and the Chapter Nine Institutions. And, from a civil society point of view, we need to answer the question: Where should we be trying to exert an influence?

It is abundantly clear that the real teeth of Parliament lie in the day-to-day operations of the portfolio committees. However, there are certain structural issues that affect the way the committees perform, and which cannot be ignored: Firstly, our electoral system imposes constraints on backbench MPs, especially those of the ruling party. Since they are beholden to their party leadership, rather than to a constituency of voters, they may be inclined not to question the decisions and performance of the executive too much. Secondly, there are questions around 'capacity' – the skills, aptitude and appetite of MPs. These are uneven, and some MPs lack the capacity to effectively interrogate the executive.

The judiciary is "the last frontier". The integrity of the rule of law is essential for our constitutional future.

So, should we give up on Parliament? No, for the following reasons: Firstly, it is wrong in principle to do so. Secondly, pressure can work. This is amply demonstrated by the way in which the child support grant has been extended over the years, thanks to concerted pressure from NGOs. Similarly, the Right 2 Know campaign has secured major improvements in the notorious 'Secrecy Bill'. Thirdly, Committee Chairs have considerable power, as do opposition MPs; we need to support them in their oversight function. Fourthly, the role and size of the Democratic Alliance (DA) is another cause for optimism.

What needs to be done to promote good leadership in Parliament? Certainly, pressure of effective campaigning has an effect, and in this regard partnerships among civil society groups are vital. A different relationship with the Opposition is another possible way to promote good leadership in Parliament. Finally, electoral reform could have a positive effect. However, the 2019 election is the earliest that anything can happen in terms of electoral reform. The Electoral Task Team, appointed by the Department of Home Affairs in 2002, and chaired by Van Zyl Slabbert, proposed a redesign of the electoral system towards a hybrid that would combine broad proportional representation with some form of constituency representation. But Cabinet rejected their proposals and said it would look at it again after the 2004 elections; this has never been done.

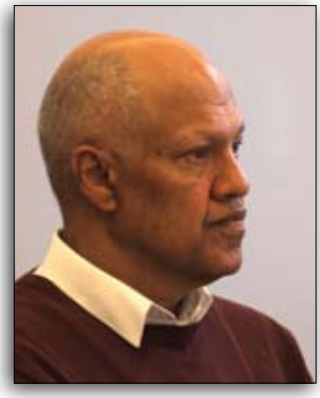
With regard to Chapter Nine Institutions, it is all about striking the balance between independence and accountability. On the one hand there is institutional independence – the 'rules of the game' must be clear and the institutions must be free of undue interference. At the same time, the Chapter Nines are accountable to Parliament; their independence is not absolute. It would be dangerous for any of them to start believing that they were above any accountability to Parliament. But in future it is going to be imperative that we defend the principle of independence of these bodies.

On the other hand, there is individual independence – the manner in which people are appointed to these bodies, and the calibre of who is appointed, is crucial. Whatever process may be followed, there is a particular need for public participation that provides ample opportunity for the public to give submissions and input. The process for appointments to the South African Human Rights Commission (SAHRC) was disappointing, partly because it was clearly part of a general process of the ANC redeploying people, and partly because the amount of public scrutiny was meagre. These are important positions, and civil society needs to do more to ensure that the institutions are properly constituted. Cadre deployment is a big problem, and serious confirmation hearings, held in public and which ask very tough questions, are a good thing and are needed for the leaders of the various Chapter Nines.

The judiciary is "the last frontier". The integrity of the rule of law is essential for our constitutional future. We are seeing a shifting balance of power on the Constitutional Court, as evidenced by the appointment of Chief Justice Mogoeng Mogoeng, and a separation of ideologies and outlooks on the bench. The ANC wants judges who will either let government rule and who won't overturn executive decisions, or who will not question them in the first place. This was the message when Dikgang Moseneke was overlooked for Chief Justice – do not criticize the ANC!

The appointments process is, once again, crucial. Currently, the Judicial Services Commission (JSC) is in trouble as there is an unholy alliance between 'legal nationalists' and 'ANC conservatives'. Not enough attention or pressure is put on the JSC in this process by civil society and legal academics. Civil society seems to have lost the art of knowing what is important, the ability to prioritize and recognize important things, such as the judicial appointment process. Going forward, it is essential to pay more attention to the JSC process, and to nominate suitable judges and support their candidature.

But the single most important ingredient lacking in the institutional independence of the judiciary is administrative, including logistics, infrastructure and personnel. Former Chief Justice Sandile Ngcobo made a very good start in addressing this through developing a relationship with the Minister of Justice – quietly and effectively. He persuaded the Minister to reverse the Polokwane decisions that would have reduced the independence of the judiciary, thereby demonstrating excellent leadership. Currently, Ngcobo's 'great reform' project is stalled. The game may not be over, though: the question is whether the current Chief Justice can carry through on it.



Dr Wilmot James

THERE IS a Constitutionally-ordained division of labour in South Africa: Parliament makes laws, the Courts rule on them, and the Executive administers them. But presently, Parliament is not carrying out its role properly.

In order to 'fix' Parliament, MPs must be empowered to assert their responsibilities in an authentic manner; and they must be held accountable by the public. However, the nature of the current electoral system is a constraint, since there is no direct link between MPs and voters. A mixed system of elected seats and proportional system is the answer.

There are certain long-standing problems in Parliament. The institution's internal policies and procedures are key to delivering in a deliberative system, but many committees do not fulfill their roles. The Rules Committee, for example, has met only once a year since 1997. The Chief Whips' Forum does not understand its mandate and instead prefers to talk about cellphone usage and security policy. The Office of Speaker is essential, and should abolish all committees and rebuild them into a 'fit for purpose' machine that delivers Parliament's mandate. Currently, however, it runs as a Post Office. The parties must also accept some of the blame: their MPs often attend committee meetings unprepared or without a mandate; this paralyzes the committees and leaves them unable to vote.

Currently, there is a misunderstanding and conflation of roles in Parliament. The Speaker should put the institution first and take an 'inside-out' approach – not one focused on events and representing Parliament to the outside world, as is the current situation. Reform of Parliament's administration is also necessary. Committees are not adequately serviced and supported, minutes are inaccurate, notices absent and meetings tardy. Another area in need of reform is financial management. However, the Public Finance and Management Act (PFMA) puts money decisions in the hands of leadership, which makes it difficult for MPs to question them.

For the rest, the rules of Parliament enable it to do everything it needs to do; they are an excellent set of rules. The issue is with MPs not knowing these rules, and not applying them in correct ways.

The culture of Parliament is another area that needs changing. By nature, discourse in Parliament should be adversarial – this is part of holding the Executive to account. A vital aspect of this is the oral

We need to summon daring and boldness as we head into the future, and we need to apply that spirit to the way we deal with our democratic institutions.

reply session, in which a Minister has to reply on his or her feet. This process legitimizes Parliament to the public, through showing what happens when MPs expose scandals or government failures. But the process has been undermined by 'sweetheart' questions, where governing-party MPs ask non-threatening questions that allow the speaker to reply solely in positive terms. This cuts into the question time available to the opposition, does not feed public debate, and is not reciprocal.

Private members motions are currently the only mechanism for the opposition to initiate debate on key national issues, but there has been a decline in the number of motions considered for tabling, and those that do make it onto the agenda are turned into a kind of congratulatory pontification. There is no longer any debate as to why it is necessary to introduce a bill. Moreover, debate tends to be stifled by a rigidly proportional system of time allocation – the higher a party's number of seats, the more time it gets to speak in debates. This disadvantages the smaller parties, who sometimes lack sufficient time to make a proper contribution. Such a mechanical application of the rules, without thought as to debate and argument, reduces Parliament's effectiveness.

The office of Parliamentary Speaker is supposed to protect the institution's procedural independence and to build a non-biased, non-partisan culture in the institution. However, these standards are often breached by some chairs of committees, and by some of the presiding officers at plenary sessions: they do not understand the rules and sessions descend into chaos.

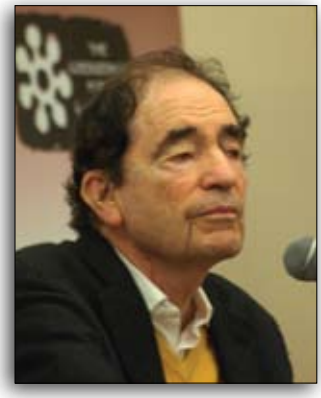
Improvements can be made. For example, we could follow the United Kingdom's Parliament, which has a weekly prime minister's question period. Secondly, individuals who occupy seats must be people who are devoted to public service; it's not just another job or source of income. An MP must be consistently devoted to public service, and this is a mindset, a culture that must come from both one's party and oneself.

Parliament is an institution that is central to our democracy; we must treat is as such. It is up to civil society to raise pressure, to be more activist. The more pressure put on parliament through civil bodies, and not just by funded NGOs, the better. There is a lot of money spent on Parliament and it must be held accountable to the people. Perhaps the money spent on 'Taking Parliament to People' could be better spent on funding NGOs to engage more with the institution.

Improving Parliament requires a demanding citizenship that never lowers its guard. In this connection, we need improvements in the media, especially in its coverage of legislative issues. There are too few specialist parliamentary reporters.

To end on a positive note: South Africans are known for being bold – we need to summon daring and boldness as we head into the future, and we need to apply that spirit to the way we deal with our democratic institutions.

4. Leadership of Service



Justice Albie Sachs

IN 1967 in London, at Peace House, a few hundred of us were quite excited and a bit puzzled. I had been told to be there for a very important meeting: Oliver Tambo was speaking. He announced that "a detachment of MK crossed over into [then] Rhodesia to make their way to SA to build the armed struggle. Eventually they were discovered and a fierce fight ensued. The enemy retreated with three deaths; none to ourselves."

We cheered: "At last, we are fighting back!" An English voice from behind shouted, "That's murder!" We thought: "Doesn't he understand our situation? We are being repressed." But OR said, "Yes, we have become killers. One of the worst things apartheid has done is to make a generation that wanted to be engineers and teachers become murderers, soldiers, killers."

I was absolutely stunned. OR had the greatest influence on my life, and was a shining example of leadership, but today – besides having an airport named after him – is virtually unknown to the world. Some years later, while working in Mozambique, I got a call from OR, asking if it was possible for me to come to Lusaka to assist with a problem. A week later I was there – I still remember that he was swatting flies! Eventually he says, "We've captured a number of agents sent by Pretoria to cause mayhem and we don't know how they should be treated. There's nothing in the ANC constitution about dealing with captured persons." I said that there are international constitutions that deal with torture, etc. He said, "We can't use torture!"

The assignment was to help the ANC draft an internal document of norms on how to treat captured people. Of all the work I have done, including on the Constitutional Court, I see the codes of conduct for people in exile as probably the most important. OR felt that this was a deep issue that went to the core of the organization, and that the whole organization should take it up and debate it – instead of only the president or the NEC deciding the issue. In 1985 the code was put on the agenda for a full day conference. We were discussing the question of internal regulatory control, the discipline of an organisation fighting for freedom.

One issue had to be put to delegates: Should extreme methods of interrogation be allowed in certain circumstances? The first person who stood up was a young MK delegate. He said: "We cannot allow the smallest opening for torture because it will never stop." The next said: "Comrades, we are fighting for life; how can we take life?" I was so proud. The conference decided unanimously not to allow torture, whatever the reasons. It was that deep morality – that you are fighting for freedom, fighting for life – that was key to the organization. The instances of abuse were cut down dramatically after this conference.

This story shows the manner in which OR functioned as a leader – putting the issue on the table for people to debate and discuss after careful consideration. I'm not sure he even spoke at all during that debate. The story also helps to dispel any myths about OR. The first is that Mandela came on the scene and with his extraordinary charisma got us to walk on a democratic path. Mandela has been an incredible leader but he didn't create the values of the struggle; he articulated them. And all the qualities that people love in Madiba were present in Albert Luthuli. When it's three – Luthuli, OR, Mandela – it's not a coincidence anymore; it's a culture.

A second myth that I find very distressing is that in the late 1980s the leadership in Lusaka was centralised, didn't allow any debates, and simply issued instructions; and in contrast, South Africa was the place of creativity and debate, epitomised by the UDF. This is not true. OR maintained a high level of debate, and an open style all the way through exile. He frequently said, "the ANC is the parliament of the people". By that he meant that everyone had a voice, and the freedom to debate.

A third myth is that the CODESA negotiations represented a pact between elite

Mandela has been an incredible leader but he didn't create the values of the struggle; he articulated them. And all the qualities that people love in Madiba were present in Albert Luthuli. When it's three – Luthuli, OR, Mandela – it's not a coincidence anymore; it's a culture.

leaders of both sides, sharing the spoils. Negotiations were tough! We fought, and during that time there were breakdowns, massacres; it was very hard. We were fighting for self-determination, but we were making a Constitution for the people, not for political parties. We were very idealistic at that time but we also felt that the most lasting contribution we could make was to design a Constitution that would last, that would serve the people.

One of the paradoxes of our lives is that we fought with all our passion to create a boring society. We knew the risks of joining the struggle, but the values were very profound and deep. We have got what we were fighting for. The Constitution doesn't solve the problems of inequality and unemployment, but it gives us the openness and the tools to find the answers. Things have changed totally: we are a free nation. We are not a secure or moral nation, but we have won our freedom, and we need to use that freedom to create the country we want.

Minister Trevor Manuel

WE NEED to start by asking the question "What is it that we're looking for?" It is important to draw a distinction between leadership and authority of office. We often conflate the two. Leadership is behavioural. It may happen whether we occupy office or not.

We are asking a series of questions of ethics and morals in office:

- What is the intention and coherence of action in leadership?
- What is it that we're looking for from public representatives?

The key issue is whether there is an inner core of values. Some aspects of this are set out in Nelson Mandela's 1975 letter to Winnie Mandela:

"Some things are easier when sitting in prison," he writes to her (she is in Kroonstad Prison) as to how to use her time in prison. "In judging ourselves as individuals we tend to concentrate on external factors such as one's social position, influence and popularity, wealth and standard of education. These are, of course, important in measuring one's success in material matters and it is perfectly understandable if many people exert themselves mainly to achieve all these. But internal factors may be even more crucial in assessing one's development as a human being. Honesty, sincerity, simplicity, humility, pure generosity, absence of vanity, readiness to serve others – qualities which are within the reach of every soul – are the foundations of one's spiritual life."

It is important to draw a distinction between leadership and authority of office. Leadership is behavioural. It may happen whether we occupy office or not.

Being in office has certain trappings, and appears to be an easy life, so how does one preserve the things Madiba mentions – honesty, sincerity, humility, etc? There is not always a continuity of issues in my life as an activist and as a minister. One of these issues is access. An activist is always available, but a minister has houses in different cities, moving as government does, and a myriad of meetings and other responsibilities. There is a fundamental problem of expectations if people think an activist should still be as available once he or she becomes a minister.

Policy continuity is another important issue. The core issues that developed in the Bill of Rights were taken forward in the Constitutional Court. There were very difficult judgments in the First Court: for example, Mr Soobramoney's case, who argued that the State had to provide dialysis as part of his right to life; and the Grootboom matter, around the right to housing, was another case in point. These are fundamental to show that there are no absolutes in government. The Constitutional Court has to be trusted as the arbiter when asked to do so, and has shown its readiness to apply its collective mind in some very tough circumstances.

I am sure that the transition from being a movement outside of government to the responsibility of actually governing would have been easier where continuity was facilitated, such as in established democracies. But our own context was different; in terms of economic policy, for instance, we got by with a few slogans before we got into government in 1994. Policy was still at a general level where the responsibilities of government were concerned. Because of the commitments of our interim constitution to non-racialism and non-sexism, we had a huge task of 'equalizing'. For example, a female teacher in Transkei

earned 45% of a white male teacher in the city. Pensions, too, had to be equalized in the context of constructing a state that was demonstrably non-racial.

In addition, we were sitting with deep economic problems. We inherited a fiscal deficit that was 9.3% in 1993. By 1997, debt service costs would be the highest item of expenditure. Madiba said: "Isn't this money already spent? Shouldn't we have education as highest expenditure item in our budget?" And we had to take tough decisions. We took them in good faith. That is where Growth, Employment and Distribution (GEAR) came from. And the first time that trust was broken. The intention of government was not to invoke hardship or force poverty on people, but we were confronted with tough issues for the first time.

All this goes to show that the challenge of leadership in an organisation is not in dealing with the fair weather issues, but about whether we can deal with the challenges that are outside of the script; a script, moreover, that you haven't written because you don't write history. And many of the issues that arose from this issue have never been healed.

Part of being government – of being in leadership – is having to take decisions, and part of doing that successfully is about being able to influence people. But you can't do that if the people you're trying to persuade simply stonewall and say: "No, you may not!" Somehow, one has to take a decision. As an example, it was clear that the Gauteng Freeway Improvement Project was going to be very costly and somebody has to pay for it. There were two approaches: tax everybody, including poor people in rural areas; or take pay per use approach and tax those that actually use it. In the context of the Gauteng Freeway Improvement Project, all public transport, including taxis, are excluded from paying: so this is not a pox on the working class. Everybody who uses private cars will be paying for it. So the question to answer is not whether one likes to pay tolls or not, but rather, "Have steps been taken to align decisions with values and ethics?"

Another question to answer is, "Do you carry on debating such an issue indefinitely, or should government, having engaged in public process, take a decision?" These are fundamental issues in the context of leadership that is accountable. We have to take seriously the responsibility of office, where we say "We've consulted, no agreement was possible, and we have to proceed." If we don't do this, if we end up refusing to take any potentially unpopular decisions, we will effectively undermine the very democracy enshrined in our Constitution.

Ms Zubeida Jaffer

ENDLESS NUMBERS of our people have lived lives of service to this country. I am presently researching the life of Charlotte Maxeke. She was born into a life of service in 1871. When she died in 1939, she had established a school in Evaton and was a founding member of the AME Church in South Africa. Her focus was her faith and education.

We have a history of service. It is virtually in our blood. My father and his friends created a school in Wynberg, a Muslim school which I attended. And eventually we were all part of building a madressah that combined all the little home teachers. I remember as a child going to the building every Sunday and helping to carry bricks.

Both these institutions are still functioning. In Wynberg, my family (through my dad) was part of a network of men and women who believed in education both Islamic education and secular education. I was the beneficiary of both and it gave me a very strong sense of what was right and what was wrong.

Why, then, when we have it in our blood, are we seeing so many people straying off the path?

They are straying because they see that this is the way of the world – take as much as you can for yourself and bugger everyone else. In 1994 when we attained our freedom, we set out to change ourselves, to follow the way of the world. We did not affirm our right to our South Africanness.

We flung open the doors to the world and many of our people had to step aside and abandon their own way of doing things. Let's take the small business sector. We

had a reasonably solid small business network, but instead of allowing the people who had experience to share it with those who did not, we changed the rules of the game. The Seven-Elevens arrived, and the food franchises from America, and very quickly we became the 51st State of the United States. Business had to be done in a particular way, and we became beholden to the big companies. We call this modernity. We call this progress.

We missed an opportunity in 1994 to consolidate our own approach. That approach gave ordinary people agency. They could do the little bit they were able to do. The leadership through most of the 1980s tapped into that knowledge and were able to mobilise thousands, if not millions, for justice. Unfortunately, we got stuck because we did not transition from struggle times to peace times on our own terms. We dismantled the UDF. We took on wholesale the systems of the old order.

If we are serious about wanting to transform our country, we each have to transform ourselves.

Imagine if our leaders back then had asked each community to work out a plan for itself, and then helped to support that plan. Imagine if we had said that all political leaders must live in the communities they were from – Dullah Omar did just that. Imagine if we had set limits on the banquets and the fancy cars and the lavish lifestyles of political office-holders.

Well, we didn't do that, and I am not saying this because I wish to blame others; we are all to blame in a sense because we went along with it. We agreed to dismantle the UDF. We agreed to take over the old government and all its trappings. It's done. It's no use crying over spilled milk.

At the heart of this however lies the dislocation that we all experience. Being a person of faith, I strongly believe that we are in the middle of a spiritual disconnect.

What can be done now? Before I speak about this, I am amazed how people believe that they are leaders but bring little hope. They paint a picture of bleakness. Unfortunately, this is built into the party political system. Each party has to set out to rubbish the other. I wish we could place a moratorium on this – only allow this behaviour for six months every five years. For the rest of the time our parties should have to find common ground and get things done. And there is nothing stopping the faith communities from defining the agenda.

I want to share with you my experience in Parkwood, a community near Wynberg where I live. For the past two years I have been helping a school there. I have an uncle who is an educationalist, and who is now 80. He says that all through the years, most schools had only a handful of dedicated teachers. The rest just did the bare minimum. It was that little team that pulled the school through to different heights. The problem today, he says, is that many schools don't have that little team. Those teachers have left the poorer schools and taken up better offers elsewhere, or they have retired.

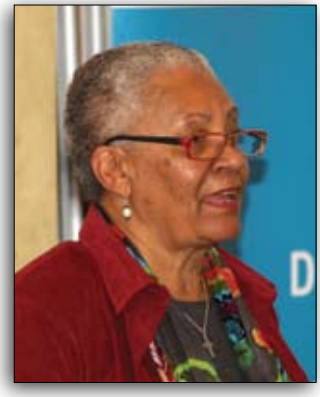
Our challenge is to make sure that each school has that little team, and to support that team. We found the team at Fairmount High in Parkwood, and have been working with them; and we're changing the mindset of the pupils. Last year, the RCL decided they were going into Parkwood to clean up the area for Mandela Day. When the principal heard about this, he said all classes should go with their teachers, and that was what they did. The teachers say that the motivational course we presented has made a huge difference.

There is a major problem, though, with the primary school. In Parkwood, high school is referred to as 'doing your PhD'. So the teachers at the high school, and the leading learners, are now thinking about how they can help at the primary school. I am just touching on our approach, but I'm sure you get the idea: the school, supported by the faith institutions, has to become the centre of a community.

The Rwandese have taken a tribal custom called Umuganda and turned it into something that works for them. Their country comes to a standstill for two hours, once a month from 7a.m to 9a.m. All citizens, including the president, are expected to go into their local area and clean up. After cleaning up, they spend a short time discussing what has to be done in their area.

If we had an Umuganda day every month, perhaps each person could be asked to spend five minutes quietly assessing their own behaviour and then talking about what is good for the community. If we are serious about wanting to transform our country, we each have to transform ourselves.

5. Civil Society Leadership



Ms Amelia Jones

I WILL share what I know from a practical perspective. A director of a smallish NGO (a shelter for abused and homeless women in Cape Town) recently said: "What I know for sure is that, in spite of economic challenges, if our hearts are connected, we can overcome all adversities. Corporates, patrons and individuals all find creative ways to support our organisation." Another leader of an NGO told me: "Stressful is an understatement. The main cause of our organization facing closure is that we have had no significant funding for two years. For an organisation that has been operating since the early 1980s this is a major blow." This paints a picture of the state of NGOs – it is a situation of extremes.

I have been asked to share some thoughts regarding lessons learnt, experiences, challenges and a little bit of vision – based on the fact that I have spent 45 years in the social development sector. The last Community Chest Board Chairman I worked with, Prof. Brian O'Connell, was passionate about reminding us that "those of us who were here in 1994 are the first true, new South Africans and therefore carry immense responsibilities." These include making our country a better place.

We must re-define what is possible now that we have a democracy, we must see a vision of a new world and be willing to undertake, step by step, what is necessary in concrete terms to achieve it.

He also reminded us that we had "many revolutions happening at the same time" – economy, climate, environment, resources, food-security, poverty, health, education and more. What he was saying is that civil society today is no less turbulent, challenging and complex than it was in the apartheid era.

That said, the context has changed. We are fortunate to have an active civil society. There are 112 904 registered non-profits, and the number is growing. Just a few years ago there were only 50 000 registered. It now takes just 22 days to register an NGO in South Africa.

But are we making full use of this new context of democracy, or what I call the "Context of Possibility"? In my time, if we did the things that many NGOs do today, we would have been arrested; and we would not have got out the same day!

The success of civil society organizations lies in how we are able to mobilize every sector of society – government, business, the public sector and the civil society sector as a whole. No one of these can solve all the issues or address all the needs. The sooner we all acknowledge that we are inter-connected, the sooner we can work in a quicker and more efficient manner.

It is always important to know that we are rendering a good service, but it is no longer enough to be only good service providers. Systemic change cannot be achieved through service delivery alone; we have to add advocacy, because through advocacy we are able to access more resources, influence legislation, and change the nature of relationships with government and communities.

For example, the first workshop of the SA NGO Coalition (SANGOCO) was on how to lobby and how to do advocacy. There is still a need for this education, since civil society has not built its own capacity to the maximum in terms of advocacy and lobbying.

One day two learners in uniform, very confident, walked into my office. They said they were not here to ask for money, but to ask whether the organisation would support their cause – for a protest march. This was in support of Equal Education. I was so impressed; I was learning from these 18-year-olds about advocacy and lobbying!

All of the women's shelters have realised that they have to add advocacy to what they do. They have just formed a national coalition and are speaking to government about what 'shelter' means. It surprised them that by coming together as an organised collective they were able to achieve so much so quickly.

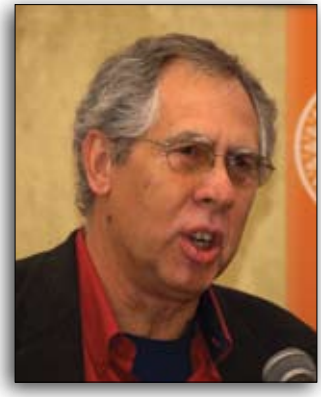
We tend to be very inward-looking as civil society, but one can achieve much more by nurturing large networks. We should not be afraid of collaboration.

Building movements, as opposed to individual NGOs, is far more effective, and will help to get the ear of government and change the way companies do business.

The whole relationship of civil society with the business sector is a weak partnership. Corporates, through BEE legislation, allow for lots of money to be made available, but often the business sector tends to ignore the wisdom and first-hand knowledge that civil society brings. Perhaps we are not doing enough to say that we are equal partners with one goal – a better world.

Finally, we must never forget the roots of civil society – where we come from. Civil society came about because small groups of individuals came together to fight injustice. In all cases, they were empowered by hope. Today, it is still civil society organisations that are listening and carrying forward that hope. It is the biggest intangible of all. We must also never lose the values of civil society – compassion and caring for your neighbours unconditionally. Historically, our faith-based organisations took responsibility for taking care of many of our most vulnerable needs, and I know that the churches are getting ready to take forward the challenges, as they did many years ago.

We speak of 'engagement' and 'inclusion' in terms of diversity. So, what are we doing to include people in civil society? We must redefine what is possible now that we have a democracy, we must see a vision of a new world and be willing to undertake, step by step, what is necessary in concrete terms to achieve it – the sooner the better. Ultimately, we all make up the community.



Mr Paul Graham

EVERY PERSON is born to lead and has an obligation to exercise leadership where they find themselves in society, and to the best of their ability. As one of the good books says, "To whom much has been given, much will be required." I believe in this – that all people can and should exercise leadership, and that everyone has a personal obligation to lead.

Any leader's actions have to be tempered by an understanding of the need for transformation and the importance of becoming part of a transformative project.

So the question is this: How does a white, English speaking, South African man, who has benefited from privilege (even if that privilege was not sought or welcomed) and who has, through that privilege and the construction of society, acquired power of a variety of sorts, exercise his personal obligation to lead to the best of his ability?

This is not a theoretical question, obviously, but I hope it is also not an entirely subjective question, applying only to a particular contextual minority. Many people are given positions of power and privilege in an unequal world, and my reflections may have some consequence for them as well.

Firstly, it is not enough to abdicate. Too many people have done this, and are doing it today. I can think of occasions when abdication may be the only course to take – I know that it has recently been suggested quite vociferously; but then please abdicate in silence rather than sitting on the side-lines kibitzing. However, if everyone has both an obligation and a right to exercise leadership, then withdrawal and isolation are selfish and self-interested acts which undermine the society into which one is born, and to which one must contribute for the maintenance of that society and the progress of humanity.

Secondly, it is not enough to pretend that all are equal, that your privilege has been wiped away by Mandela's reconciliation, the TRC and the new Constitution. Leadership exercised without consciousness or concern for the disparities of power merely oppresses. If leadership is about providing direction, creating power and distributing that power, the unconsciously privileged leader is far more likely to be limited in vision about direction, absorbing of what power exists, and capable of distributing it only to those who are most like him and who have not wilted in his presence.

So, if abdication is not an option except in specific circumstances, and if a pretence that the world is normal is dysfunctional, are there options open to someone who understands that they have a responsibility to exercise leadership functions according to their ability?

Good leadership involves creative and im-

plementable decisions in which a group, or community, defines a task and works to achieve it. Good groups and effective communities get this right more times than not by having at their disposal individuals or sets of individuals who provide information, establish direction, keep people energised, clarify what has to be done and how, and communicate well, extend participation, solve problems and maintain good morale. In other words, leadership can be and is regularly learned by individuals within groups. Leadership is actually a communal activity in which individual agency and community consent interact with one another for the public good.

What social movements and unions understand, is that without legitimacy and authenticity, we are merely chattering fools – well meaning, intelligent, even far-seeing fools, but still as useful as court jesters.

Two principles seem to me equally important – firstly, no-one, and especially a person in my position, can or should take a leadership role for granted; and secondly, one's identity and position in society do, and should, inhibit one from accepting certain roles and adopting certain modes of behaviour, even if these appear to be natural or inevitable. Having been brought up to 'take the lead' does not mean that one should automatically and without reflection do so. Any leader's actions have to be tempered by an understanding of the need for transformation and the importance of becoming part of a transformative project.

It is not surprising to me that early on in the Zuma presidency a group of CSO leaders was almost entirely pessimistic about their role and influence. The outliers were the people present from Solidarity and AfriForum, both of which had met the President and were at that time confident about his attention to their issues. Both they and the President recognised that they were representing a constituency and speaking out of that constituency.

What these new civil society formations had understood, and what social movements and unions understand, is that without legitimacy and authenticity, we are merely chattering fools – well meaning, intelligent, even far-seeing fools, but still as useful as court jesters.

Unless one is able to carve out a role in a group or community where the shape and colour of one's skin is not a signifier of unfair power – and I can think of some such groups – it is difficult in practice to accept a leadership role. In my own case, I am loathe to step forward even if encouraged to do so by election or acclamation. There must be alternatives, based on a better understanding of the context and the criteria necessary for effective leadership.

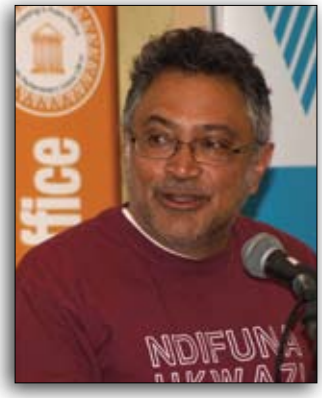
One of these could be collective leadership. However, some forms of collective leadership do seem to me to have become merely fronts to obscure white dominance or male dominance. I am pretty sure that fronts will be exposed, either because of the resistance of those being used or because of the dissonance that is built up inside the group, but they subvert true transformation. I am also sure that if a white male has to perform certain more public functions of leadership, then they should do these to the best of their ability – if I have to make a media statement, or make a presentation which requires me, I will do it, even if my race and gender stick out awkwardly. I don't think that I can hide under a bush; but I hope that I also will not rush to perform those tasks which are self-aggrandising at the expense of transformation.

White men can exercise leadership and, indeed, have an obligation as humans to do so. But the manner in which they do it must be constrained in order to ensure legitimacy, authenticity, collective action and transformation.

I do not see what difference there is between answering this particular dilemma and answering the questions posed by this round table. Civil society organisations are obviously very diverse, but for those at the male (structurally and inherently powerful because of the privileges granted by a particular societal milieu) and white (because of a particular history, attitude and distance from the sweat of struggle) part of the spectrum, legitimacy, authenticity, collective action and transformation are things that they will have to consider quite carefully.

I must now point out, as others have done, that civil society leaders and organisations in South Africa have to figure out how to create and wield power. In many, if not most, cases this comes from acting autonomously rather than as a suppliant or hand-servant of government. But there is no God-given right that civil society organisations have to be

heard in the political debate – the only rights South Africa provides are those given to citizens: to speak freely, to associate with one another, to seek knowledge, to organise. And, ultimately, those with power will deal with those who have figured out how to build their own power and who have distributed it in such a way that legitimate, authentic, collaborative leadership (in which even a middle-aged, middle-class, white male has a place) can make a difference in the world .



Mr Zackie Achmat

CORPORATE LAWLESSNESS, which affects the environment as much as it affects labour issues, is the most important issue facing South Africa today. The two most extreme examples recently were the killings at Marikana and the collapse of Fidentia. In both cases the victims were mineworkers, locals and people from all over sub-Saharan Africa. The money lost through Fidentia came from mineworkers, many of whom have HIV and TB. Here we have stealing from widows and orphans, but no-one has gone to jail for it. But that's not all: building and cement cartels have also stolen from the state – which means stealing from community. All this tells us that it is our duty to understand and study systems; it is not enough to denounce them.

Corporate lawlessness, which affects the environment as much as it affects labour issues, is the most important issue facing South Africa today.

The second issue – and the biggest tragedy to face the ANC – is the condition of the state. Yes, there is civil society, but most of us have lost the memory, history and hard work that went into the struggle. After 1994 some of the most important leaders from unions, churches and opposition were drawn into the state; and the state was a monster of colonialism and apartheid. All that happened was that our comrades cemented the apartheid state.

In Khayelitsha police tell us – after pressure from the Treatment Action Campaign and the Social Justice Coalition (SJC) – that most detainees are detained for more than 48 hours and are released without being charged. Most are detained for possessing pocket knives. In the meantime, crime rises and dockets get lost. The task team that recently looked into police issues showed that there were more disciplinary offences than there are police.

Black police management is another issue; getting the racial demography right is not enough. Richard Mdluli, who was head of Crime Intelligence, was up for murder, corruption and kidnapping, but had charges dropped. Part of the problem is that, in the years following liberation, homeland policemen and generals were advanced in the SAPS simply because they were black. That means that today, part of the pre-1994 criminal apartheid apparatus is in charge of our police force. It's no coincidence that between 8,000 and 12,000 police officers have been suspended for rape, murder, corruption and various other forms of misconduct – equal to 5% of the entire force.

The state that the ANC took over – irrespective of the actual people who took over – was made bad because they cemented a state that was against the people. (Of course, we must concede that there are many people in government who are good and who are doing good work; for example, the current Minister of Health.) In the Western Cape, we largely took over the old apartheid civil service. They have exactly the same attitude towards poor, working class and African people as those who served under apartheid. The SJC started its campaign against bucket toilets because in informal settlements the greatest danger people have is to walk to a toilet. Walking can take 5-10 minutes; anything can happen during that time. And then, some of them are closed between 7pm and 5am, and people have to go to the bush.

The Democratic Alliance (DA) has not developed a plan for all the 220 informal settlements in the Western Cape. They have employed janitors only at the insistence of the SJC, but many do not have gloves, and are not vaccinated against TB and other diseases. For six months, they were given only a rake as equipment! Now compare this to the level of street-cleaning where I live – a man from Khayelitsha is there every day for eight hours; he has gloves, yellow overalls, and all the necessary equipment, and there are surveillance cameras, CCID, police and Metro Police and a walkie-talkie for security and to report problems.

Our job is simple: we need to transfer skills.

What I have learned from many leaders:

First, our struggle is about the rights of people, and about principles. This means that leadership must be located in values and principles.

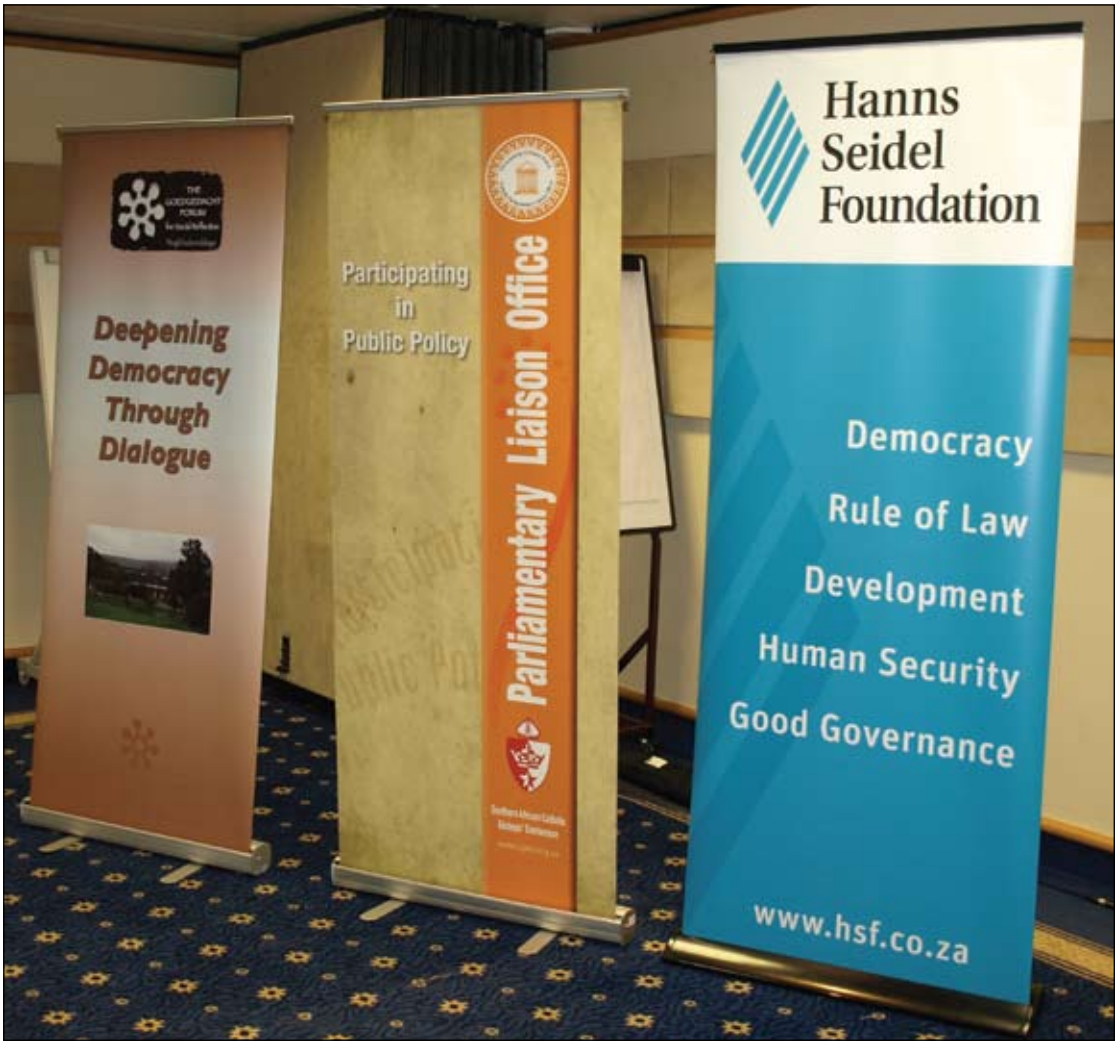
Second, we must create at community level a democratic apparatus that is both ethical and democratic, and which has a research capacity to understand how government and corporate life works.

Third, self-education is vital. The groups of leaders that we educate, and the way we educate our communities, are crucial. The Treatment Action Campaign's greatest achievement, I think, was that it helped the poorest people – women living with HIV in townships – to understand science.

Fourth, building a movement based on education is not the task of one day. Alliance and network building is indispensable; nothing can succeed without coalitions. When we went to Manenberg recently to listen to people's grievances, we realised that the biggest problem is the divisions of race in the province. Alliance-building is about connecting people, and it seeks to overcome such divisions. And in doing this, the most vulnerable must be given leadership and a voice.

Fifth, flexibility in strategy and tactics is important. Do not shout when you can write or speak. Do not picket when you can write. Do not march when your picket has been unsuccessful – go to court when your picket has been unsuccessful.

Patient building by leaders with evidence, education, democratic apparatus, strategy and tactics, and alliances are all essential to rebuild and re-energise. But we also need the youth. Everyone over the age of 40 must take a step back. Our job is simple: we need to transfer skills. SA's median age is 26, but we are ruled by old people. Our job – as the experienced ones – is to pass on skills. We need a second revolution – one that is peaceful as far as possible – that transforms our state and that deals with some of the key problems of the day: corporate lawlessness, patriarchy, corruption, the cementing of the apartheid state.



Thanks

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These events were co-hosted with the Goedgedacht Forum for Social Reflection, and it was a pleasure, once again, to work with Felicity Harrison and Desiré Jackson. Stuart Rothgiesser and Haidee Swanby carried out the task of rapporteur with great efficiency.

We sincerely thank the 14 speakers, most of them busy people, who took the time to prepare insightful and thought-provoking presentations, and who willingly engaged with the audience.

The lion's share of the organising was carried out by CPLO's research interns – Amarone Nomdo, Angelique Thomas, and Peggy-Sue Mhone, all Master's students in political science at the University of the Western Cape; and Lucy Dunderdale, from the University of Notre Dame, Indiana, USA. Maria Beaunoir and Mandisa Dyantyi, CPLO administrators, provided logistical support.

Finally, we thank the staff of the Townhouse Hotel, Corporation St, Cape Town, for providing an excellent venue and for ensuring that the various roundtable discussions ran smoothly and professionally.

Speakers

Mr Zackie Achmat is co-director of Ndifuna Ukwazi, and the former chairperson of the Treatment Action Campaign.
Dr Alex Boraine was an opposition MP from 1974 – 1986; a founding Director of the Institute for Democratic Alternative in South Africa (IDASA); and Vice-chairperson of the Truth and Reconciliation Commission, 1996 – 1998.
Assoc. Prof. Richard Calland teaches in the Dept of Public Law at UCT, and directs the Democracy & Governance Unit in the Faculty of Law.
Prof. Steven Friedman is Director of the Centre for the Study of Democracy at the University of Johannesburg and at Rhodes University.
Mr Paul Graham is a former National Director of IDASA.
Ms Zubeida Jaffer is a journalist and author.
Dr Wilmot James MP is shadow minister of Trade and Industry for the DA, and the party's federal chairperson.
Ms Amelia Jones recently retired after 17 years as CEO of the Western Cape Community Chest.
Mr David Lewis is the director of Corruption Watch.
Mr Mondli Makhanya is a former editor of the Sunday Times, chief editor of Avusa Media, and is currently a columnist and commentator.
Mr Trevor Manuel is Minister in the Presidency and Chairperson of the National Planning Commission.
Fr Smangaliso Mkhatshwa, a former Secretary-General of the SA Catholic Bishops' Conference, was Deputy-Minister of Education in the Mandela government, and Mayor of Tshwane from 2000 – 2005.
Mr Jeremy Routledge is a former director of the Quaker Peace Centre and is a co-founder of the organisation Embracing Dignity.
Judge Albie Sachs is a retired Justice of the Constitutional Court.

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