

The Political Imagination of State Reform: Reflections on the Making of Political Community after Apartheid in South Africa

On a recent visit to a government agency – as a citizen, not a researcher – I began chatting with a friendly front desk consultant. After some general conversation about state of the world, she – of Afrikaner descent – confided to me that an Afrikaner savant has predicted the end of the universe in 2012. This savant also predicts that when Nelson Mandela dies, his body will lie in state in a glass coffin for seven days. On the eighth day, she whispered almost without sound, ‘*the blacks will kill all the whites...*’ Before I could wonder aloud why she was sharing this with me, someone who considers himself black, she elaborated, ‘*then all the Indians...*’ Suddenly I was transformed from potential perpetrator to fellow victim, and understood why she felt obligated to convey this humanitarian insight to me.

Despite this oddly revealing anecdote, I believe that twenty years after Nelson Mandela’s release, the pervasive allure of these genocidal visions have lost their grip. Talk about a racialized civil war in some circles, brought on again by the recent murder of the white supremacist far right wing Afrikaner leader Eugene Terreblanche, was unable to find traction in the wider society. The fear that once

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private moments of doubt are silenced and that the sinews of public displays of *kragdadigheid* are stiffened, force has given way to other more pressing misgivings – about jobs and crime. Terreblanche’s death is being understood as such by most people, rather than part of a systematic erasure of whites.

Gestures of reconciliation such as the disposition of Nelson Mandela and other liberation leaders, along with the nature of the political settlement and the acceptance of both African and South African political identities in post-apartheid society, played a vital role in ensuring that these kinds of fears struggle to take root on a mass scale today. Of course, the gestures of the leadership of the liberation movements also reflected a pragmatic political compromise with power: neither side, it was clear, could militarily defeat the other.

What I want to talk about today is the question of political imagination. If there was, in hindsight, an important element

that made possible the transition to a post apartheid South Africa, it was the fact that the contending political forces imagined the future of what South African citizenship might look like after apartheid, and that this imagination was shaped by the historical particularity of state formation in South Africa, by both its limits and its possibilities. We must note that there was a long history of violence -colonial violence and legalized violence- that was the sharp blade that came along with the dull compulsion of apartheid’s laws.

We must note, too, that by 1988, a turning point was reached in the Cold War, as it played out in Southern Africa. This turning point meant that a space for local initiative was possible, as both the Soviet Union and the United States were reversing their hot proxy war, played out with and through the blood of Africans seeking political independence and the right of peoples to govern themselves. An approach which the Cuban leadership best appreciated and supported in its active solidarity in Angola at the time. This turning point in the Cold War in Southern Africa also meant that the South African state -up until then emboldened to go to war ‘against terrorists’ by the tacit and active support of Western powers still

holding on the Monroe doctrine, began to see the liberation movements less as a foreign Communist orchestration, and more as a genuinely home-grown African political expression of a sovereign desire for self-determination.

It was in this context that the questions of peace and of justice were framed and answered, in ways that were heatedly debated then, and remain so. But they were debates which were always decided, as they are now, by the contending political forces in the country exercising their capacity to shape the outcome through argument, persuasion and mass mobilization. Today, the means through which this is expressed tends to be juridical, fought over in a constitutional discourse. We might disagree then with Clausewitz's dictum that war is politics by other means, and rather agree with Hannah Arendt who argues that violence marks in fact the end, the limit, the failure of politics. The South African transition out of apartheid has created a new national legal order, but that legal order was shaped by a political imagination that enjoyed and claimed its sovereignty and was shaped by that sovereignty. It was a transition that was made possible by the primacy of the political rather than the prescripts of the universal. It was also a peaceful transition made possible by prioritizing political justice over what it saw as the potential obstacle of relying on legal and specifically criminal justice. For the political leadership at the time, defining locally what political justice would look like was a right to be defended, because it allowed the possibility to imagine an inclusive future together, whilst legal criminal justice presented a future of victors and vanquished. They feared revenge.

Govan Mbeki, father to former President Mbeki, in his 1964 book gives an account of the peasant's revolt in the 1930s in the Eastern province of South Africa. The intellectual and ANC leader, and later Robben Island prisoner, set out the challenge for the South African state at the turn of the century in these terms:

The problem was plain: apartheid had to find a new way to administer Africans, because the pressure for more rights was growing too strong a challenge... The traditional system in South Africa had been one of direct rule: White government officials sat over Chiefs. Everyone knew that the Commissioner was the boss. Yet now,

the White government official has become too visible and accessible a target for anti-government action. The need was clearly to devise a system under which the Africans appeared to be managing their own affairs. This, too, of course, was nothing new. Indirect rule had been carefully evolved by Lord Lugard for the British colonies in Africa; Nigeria and the former Gold Coast had been governed this way, but the Nationalists had taught their followers to regard British policy as their constant and implacable enemy, so that the British system of indirect rule could not be directly copied¹... The Nationalists set to work to evolve a variation. It turned out to be a hybrid of direct and indirect rule. It was given the grand name of self-development'. The 'Native Commissioner' was now 'rechristened' a Bantu Commissioner, en vogue with the term 'Bantu', which the Nationalists insisted should replace the more compromising word 'Native'...²

Mbeki, therefore, notes two important points. Firstly, the formulation of apartheid was not peculiar to South Africa, but had a pedigree in colonial practice elsewhere in the colonial and African world. Secondly, apartheid had a specific ideological form which had to be reformulated in relation to the specific historical conditions, taking on the historical burdens and tensions peculiar to settler colonialism in South Africa.

In an article published in the newspaper *Liberation* in 1959, Nelson Mandela rehearsed his objection to the then draft *Promotion of Bantu Self Government Bill*. He argued: "It will be seen, that the African people are asked to pay a high price for this so-called 'self-government' in the Reserves. Urban Africans -the workers, businessmen, and professional men and women, who are the pride of our people in the stubborn and victorious march towards modernization and progress -are to be treated as outcasts, not even 'settlers' like Dr. Verwoed"³.

Mandela bannered his article with two epithets that set in stark contrast alternative visions of political community in South Africa. The first epithet was the opening resolution of the Freedom Charter, a document that had been adopted by the Congress of the People in 1955. This event organized by various nationalist, trade union and grassroots political movements that represented the diversity of South Africa. It stated that "South Africa

belongs to all who live in it, black and white". The second epithet was a quote from Dr. W. M Eiselen, an Afrikaner anthropologist, and the then Secretary of the Department of Bantu Administration and Development. Eiselen argued that "All the Bantu have their permanent homes in the Reserves and their entry into other areas and into the urban areas is merely of a temporary nature and for economic reasons. In other words, they are admitted as work-seekers, not as settlers".

In those contrasting epithets, between Eiselen's vision and that of the Freedom Charter, Mandela was not only pitting an increasingly powerful African nationalist political movement against one of the dominant ideologues of the Apartheid State at the time. He was also setting out the political trajectory of two starkly different visions of political community and citizenship in South Africa, and posing the question of who would 'belong' to the nation-state? Who had a 'right' to belong, and on what basis? Faced with the prospect of creeping pincers of the state's intention to implement indirect rule across the country, this was a foreboding question to pose.

Settler colonialism's historians argued at the time that European and Bantu settlement of the land south of the Limpopo River, the land of South Africa, occurred at the same time. Neither grouping could, based on this view, claim a right to the land based on first occupancy or indigeneity. Settler claims to having the right to the land could have the same status as native claims. And the fact that settlers now occupied land after a hundred years of wars of conquest meant that the right of might was now turned into what the Israeli state calls 'facts on the ground'³.

In his critique of the empty land thesis, Govan Mbeki, attempted to dispel this spurious and historically questionable claim by the historians of the apartheid state and by the state itself. "Historical arguments that justify the White claim to exclusive rights in 88 per cent of the country are' he argued, 'absurd'. The true record is that brown and black people were spread throughout the subcontinent long before the first Whites arrived. Van Riebeeck found the Nama at the Cape when he landed in Table Bay. Boers found and fought the KhoiKhoi and Batwa when they trekked to Namaqualand - an area which still bears the names of its original

inhabitants. Xhosa lived on the banks of the Buffalo River in 1686. Whites fought the Xhosas in the 1770s on the fringes of the Tsitsikama forest and drove them back from the Gamtoos to the Fish River in 1778. Zulu tribes once occupied the whole of Natal.' Like a lawyer moving towards his final victorious summing up, Govan Mbeki then concluded decisively, based on the recalling of the historical 'facts' I have just described, that "the White man's claim to rights of first occupancy are false". But he did something fairly remarkable at this point. Rather than claim a historical and a historiographical victory which turned historical knowledge into a triumphalist political argument for the primacy of African claims to the land, he subverted and set aside his own conclusion by ending with this crucial conclusion:

"But true or false, they are plainly irrelevant. It is the existing distribution of the population that should decide South Africa's future -and present." (1984 [1964], p17). I have found this to be an important illustration of a radical moment of the political imagination. Firstly, it seeks to set a historical injustice straight -let history get its 'facts' right. But then it sets aside a certain kind of political opportunity that arises from this knowledge -the right to claim the land based on first occupancy. Historical narrative was not to be left to others to do with as they please, to produce a useable past which suited them. But historical narrative for Mbeki was also not going to be the straight jacket of the future. That future would be decided by an assessment of what the conditions were, and what was going to be required to live together in a single political community in the future. And it was a future that was to be decided upon by the legitimate leaders of popular movement of the country. Mandela's contrasting of Eiselen with the proclamation of the Freedom Charter's declaration according to which South Africa would "Belong to all who live in it, Black and White" also reflected this argument.

The ANC eventually pursued a political programme which began with the idea that South Africa was a racially exclusive state, but the goal was not to re-racialize the state through demanding a black majoritarian future, but rather a de-racialized state with a non-racial future. That is to not replace a white minority with a black majority. This was not a view shared by all in the anti-apartheid nation-

alist movement. There were those who argued that South Africa belonged to the black majority and that white settlers in South Africa did not have a guaranteed future there. 'Black power' was their slogan. If there was a question that split the anti-apartheid movements in South Africa then, this was it: what would be the fate of the white settlers in a South Africa without apartheid? Where did they belong?

If South Africa represents a peaceful transition then, it is the answer to this question, perhaps more than any other, that swayed the forces of history in one direction rather than another. It was an answer that was enabled by this radical act of political imagination to some extent. And that imagination is radical because it defied a certain political common-sense of what form justice took at the time in the world. It transcended the limitations imposed upon it by the past. It also resisted the prescriptions of universal imperatives where those imperatives ran the risk of producing enemies rather than friends. After all, those who choose to live side by side will have to be friends rather than enemies. The process in South Africa was able to satisfy the fundamental challenge to peace at the time, and was able to stay on track through some very trying times because it was as inclusive as possible. It recognized that all belonged and that the creation of a single political community was the goal. Race, ethnicity and history defined the answer in the past, but will not define it in the future.

The result was later eloquently crystallized in the speech delivered by the then Deputy President, Thabo Mbeki at the adoption of the new constitution of the republic of South Africa in 1996. Some 40 years after the writing of the Freedom Charter, Mbeki noted that 'It is a firm assertion made by ourselves that South Africa belongs to all who live in it, black and white'. 'I am formed' he proclaimed, 'of the migrants who left Europe to find a new home on our native land. Whatever their actions, they remain a part of me'. He went on to say that 'I am the grandchild of the warrior men and women that Hintsa and Sekhukhune led, the patriots that Cetshwayo and Mphephu took to battle'... 'I am the grandchild who lays fresh flowers on the Boer graves at St Helena and the Bahamas... I come of those who were transported from India and China whose being resided in the fact, solely, that they were to provide physical

labour... being part of all these people, and in the knowledge that none dare contest that assertion, I shall claim that I am an African'... 'we refuse to accept that our Africaness shall be defined by race, colour, gender and historical origins'.

Besides the speech's recognition of diversity as unity to be lived in a single national identity, rather than many fragmented racial and ethnic identities, there was a statement about belonging at the core of this speech. A reassuring statement. A statement that spoke with equal measure to anxieties and fears, but also to hopes and dreams. A vision that confounds the historical universal laws of wrong, right and revenge that so often has turned 'victims into killers'. That makes perpetrators of wrongs scared to take their foot off the necks of their victims for fear that the victim will turn on them with the full vengeance of their might. It took a radical act of sovereign political imagination to grasp that so much turned on fear, and by offering and proving their commitment to overlook race, to transcend race, the political leadership of the liberation movement convinced the parties representing white South Africans that their future was safe.

This is not to say that we have solved our problems in South Africa. Every solution can create new and unintended consequences. Rising insecurity and anger about the slow pace of economic and social reforms are evident as we grapple with a state which seems unable to reverse the historical inequalities of apartheid at the pace we need, at least on the scale required to lift the poor out of poverty and insecurity in the medium to short term. The lesson of South Africa, if there is one, is not simply the one contained in the remarkable gesture of reconciliation made by the majority of victims to their oppressors, which enabled the creation of a single political community. The lessons of South Africa may still be unfolding. But I would suggest that it is in this unfolding, in the contested nature of the answers and questions that remain debated everywhere in the country, from parliament to street corner, that a vital sovereign political imagination displays itself and asserts its right to exist. In these moments, we are continuing to transform the 'victim' of apartheid into the active democratic citizen of a post apartheid South Africa still very much in the making.

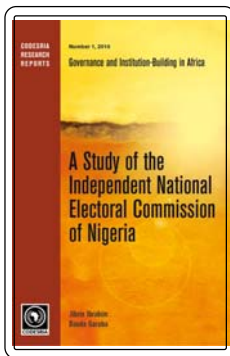
Notes

1. Mbeki [1964] (1984), pp. 37-38. Govan Mbeki was a founder member of the armed wing of the ANC, Umkhonto we Sizwe (MK), arrested and sentenced in 1964 along with Mandela, to life imprisonment. He was among the first of the senior ANC political leaders released, from the Robben Island penitentiary in 1989.
- 2.. Mandela, N (1990) *The Struggle is my Life*, New York: Pathfinder Press, p. 125, Eiselen quoted in Mandela (1990, p122).
3. The expansion of settlements in Palestinian territories, which have proliferated rapidly, establishes, according to some, the 'irreversibility' of Israel's occupation of land in the pre-1967 borders. A political settlement, some Israeli's argue, would thus have to accept these as 'facts on the ground'. These 'facts on the ground' also refer to the status of archaeological artifacts and the cultural and national identity given to these sites. See Nadia Abu El Haj (2001) *'Facts on the Ground: Archaeological Practice and Territorial Self-Fashioning in Israeli Society*, Chicago:University of Chicago Press.

A Study of the Independent National Electoral Commission of Nigeria

ISBN: 978-2-86978-316-4

This report on the Independent National Electoral Commission (INEC), Nigeria, is part of a broader project on Modelling Success: Governance and Institution-building in West Africa, being implemented by the Consortium for Development Partnerships (CDP), a community of institutions dedicated to collaborative policy-oriented research and capacity-building in North America, Europe and West Africa. The Consortium is jointly coordinated by the Council for the Development of Social Science Research in Africa (CODESRIA) and the Programme of African Studies (PAS), Northwestern University, USA. The project focuses on the identification of concrete strategies to advance institutional performance in Africa through an in-depth analysis of institutions which are key to ensuring that governments and public officials act in the public interest.

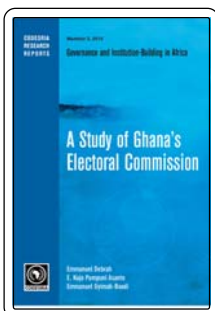


The report is based on a study of the process and challenges of institution-building for democratic governance in INEC, the body constitutionally empowered to organize, undertake and supervise all elections and electoral processes Nigeria, with a mandate to ensure transparency and accountability. This study is a valuable contribution to both knowledge and policy, as it critically examines the constitution, operations, performance, successes and challenges of the electoral body, taking into cognizance its centrality and strategic importance to the evolution of good governance, social cohesion and political stability in the country.

A Study of Ghana's Electoral Commission

ISBN: 978-2-86978-315-7

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Since the beginning of the post-1990 democratic reforms, studies that assessed governance institutions in Africa, and Ghana in particular, revealed poor performance due to weak systems and lack of credibility. In addition, the discourse on governance institutions revealed a multiplicity of non-performing and under-performing institutions, which created a deficit in knowledge about the abilities of several other national and regional institutions. The Electoral Commission (EC) of Ghana is one such institution, as it was not given any staid attention in the study of governance institutions in the country. Ironically however, the EC which evolved as part of the transfer of the superstructure of British colonial rule, with limited responsibility and jurisdiction, has grown over the years to enjoy the confidence and cooperation of the Ghanaian elite. Its high level of competence, efficiency and the ability to withstand negative influences and manipulations, have won it wide acknowledgement as an independent body with the capacity to hold free, fair and credible elections.

This report demonstrates that there are governance institutions in Africa that perform creditably well. It is therefore a very important report that all individuals and institutions committed to good governance, transparency, accountability, and credible elections and electoral processes in Africa will find very useful.