

Composers, conductors
and players:
Harmony and discord in
South African foreign
policy making

TIM HUGHES

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Foreword

The process of foreign policy making in South Africa during its decade of democracy has been subject to a complex interplay of competing forces. Policy shifts of the post-apartheid period not only necessitated new visions for the future but also new structures. The creation of a value-based new identity in foreign policy needed to be accompanied by a transformation of institutions relevant for the decision-making process in foreign policy.

Looking at foreign policy in the era of President Mbeki, however, it becomes obvious that Max Weber's observation that "in a modern state the actual ruler is necessarily and unavoidably the bureaucracy, since power is exercised neither through parliamentary speeches nor monarchical enumerations but through the routines of administration",* no longer holds in the South African context.

The Department of Foreign Affairs and the Parliamentary Portfolio Committee on Foreign Affairs neither set the agenda nor dominate the discussion; it is mainly the Presidency that drives the discourse.

Furthermore, the conflict that one encounters between the Executive and Legislative branches in the realm of foreign policy in consolidated democracies seems to be absent on the South African scene. So far, parliament and South African political parties have remained substantially calm in the discussion on foreign policy. With the exception of the stance on Robert Mugabe's regime, Parliament has not become polarised nor have the political parties faced deep divisions over other substantial issues of foreign policy.

For a political foundation such as the Konrad-Adenauer-Stiftung (KAS), which is dedicated to the promotion of democracy, the aforementioned situation raises questions about who controls, influences and balances government, and more specifically the Presidency, in its foreign policy decision-

making process. Pertinent questions to be asked are: Who formulates the national interest that transforms into foreign policy, and who holds the relevant institutions accountable in the implementation phase?

In general, the most appropriate instrument would be parliament - but parliament needs to be capacitated and informed to perform its role in the country's decision-making process. With this study, KAS attempts to contribute to this by shedding light on the actors and processes of South African foreign policy.

The office of KAS, South Africa is extremely grateful to the South African Institute of International Affairs and particularly to the author and researcher, Tim Hughes, who over a period of more than two years enthusiastically dedicated his time to this project and cooperated closely with KAS in Johannesburg.

Andrea E Ostheimer
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September 2004

ENDNOTE

- * Max Weber, *Economy and society: An outcome of interpretative analogy*, ed. by Günther Roth & Claus Wittich, Vol. 2, University of California Press, Berkeley, 1978, p 1383.

Preface

As the world joined South Africa in celebrating ten remarkable years of democracy in 2004, authors rushed to evaluate the country's considerable achievements. Along with a decade of democratic consolidation and national reconciliation, among the most noteworthy developments has been South Africa's rise to prominence in international relations. There is no comparable example of a country emerging from such deep isolation to one not just of acceptance, but also of global leadership. The South African Institute of International Affairs (SAIIA) in partnership with the Konrad-Adenauer-Stiftung (KAS) in South Africa has produced two studies examining recent South African foreign policy. The first, *Apartheid past, renaissance future*, is a collection of scholarly analyses of aspects of foreign policy over the past decade. By and large this study is evaluative and examines policy outcomes. This second study is more concerned with the formulation of foreign policy and examines the role and input of actors within four key areas, namely: conflict diamonds; the New Partnership for Africa's Development (NEPAD); Zimbabwe; and the Middle East. Each of the policy areas is of some significance in itself, but each also permits the examination of a range of actors from the Presidency, the Department of Foreign Affairs, political parties, business, trade unions and policy research institutes.

The study drew on the experience and input of these actors and foreign policy experts, as well as on the discussions, presentations, findings and outcomes of a series of workshops convened by SAIIA and funded by KAS in Johannesburg over a two-year period. The research also incorporated a number of international research field trips to the United States, the United Kingdom, southern, western and North Africa as well as the Middle East.

The study makes no pretence at being comprehensive, but is rather a set of

policy snapshots that seeks to illuminate how different actors make their respective inputs into policy, with varying degrees of efficacy. As a research deliverable, however, this publication is meant as an introductory study for the use of, among others, members of parliament and particularly those serving on the Parliamentary Portfolio Committee on Foreign Affairs. It is hoped that the study will contribute to a better understanding of South African foreign policy formulation and will serve to enhance the role of the committee and of parliament in the foreign policy debate.

Two sets of thanks need to be expressed. The first is to interviewees in South Africa and beyond. One of the privileges and rewards of research work is that of being granted an interview by people often pressed for time and to receive the benefit of their wisdom and insights. Despite the inaccessibility of the South African Presidency during this research programme, deputy ministers, trade union leaders, business leaders, diplomats, journalists and fellow researchers all gave their time freely and fulsomely. I thank them individually and collectively.

The second set of thanks goes to four colleagues who have sustained me during this research: the first, Acting Country Head of KAS in South Africa Andrea Ostheimer, who has throughout remained a source of remarkable support, patience and guidance. Her predecessor Dr Thomas Knirsch was responsible for the original approval of the research, and during his tenure in South Africa became both colleague and valued friend. Despite her impossible workload, SAIIA Director of Studies Elizabeth Sidiropoulos has always made time for advice, reflection and input into my work and has done so with devilishly good humour. Finally, to my friend and colleague SAIIA National Director Dr Greg Mills; I owe a considerable debt of gratitude for the trust and confidence shown in me during my years with the institute – such integrity and friendship are rare.

Tim Hughes
Cape Town
September 2004

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Introduction

Over the past decade, South Africa has developed a far higher role in international relations than countries with comparable economies, population sizes and levels of development. This has led commentators to adopt the over-used phrase that South Africa ‘punches above its weight’ in the international arena. The reasons for South Africa’s prominence in international relations are as a result of three key factors.

The first is a post-apartheid dividend. South Africa has emerged from the highly circumscribed status of pariah state prior to 1990 – during which time it had diplomatic relations with some 30 countries – to one in which multilateral agencies and fora in particular have sought to embrace South Africa as a full-fledged member. These institutions have both compensated and rewarded the newly born democracy with election to executive positions within the United Nations (UN) (Chair of UNCTAD – United Nations Conference on Trade and Development), the G77, the Commonwealth, the Non-Aligned Movement (NAM), the Southern African Development Community (SADC) and the African Union (AU).

The second element is in acknowledgement of the unique experience South Africa can impart to countries and multilateral fora, particularly in the areas of conflict resolution, national reconciliation and constitution making in divided societies.

The third element to South Africa’s prominence on the international stage is far more structural in nature and has to do with broad efforts to rethink fundamentally the pillars and principles of global engagement, globalisation itself and indeed the increasingly pressing questions of the so-called North–South divide. South Africa is seen as a key interlocutor in this thrust.

South Africa’s prominent yet sometimes uncomfortable role in

contemporary global affairs was captured by the 1996 Department of Foreign Affairs (DFA) Discussion Document when it stated:

“The International Community is expecting South Africa to assume an important role in some organisations and there is the perception that South Africa has the necessary power, capacity and prestige to fulfil this role. The country is expected to play a bridging role in ensuring that North–South relations are non-antagonistic and are more equitable.”¹

Despite, or perhaps because of, its foreign policy prominence at the multilateral level, the critiques of South African foreign policy in the post-1994 period have been fierce, strident and sometimes contradictory (as have its policies). These criticisms may, in part, reflect the transitional nature of foreign policy making in South Africa and the institutional flux that has beset the DFA for almost a decade. It is not the purpose of this paper to offer or engage in an evaluative discussion of the outcome, quality or consistency of South African foreign policy, but a number of the critiques have bearing for the study.

The most consistent criticism of South Africa’s foreign policy is that it has failed to identify and articulate clearly the country’s core interests and to align policy with their furtherance or achievement. While there may be some merit in these criticisms, they tend to be predicated on an assumption that the interests or beliefs of the broader spectrum of South African society can be identified and distilled as a singularity and thus advanced through the articulation of foreign policy. Given South Africa’s political history and the socio-economic legacy of acute division and inequality endowed by the legacy of apartheid, it is highly improbable in the short term that a coherent and consensual viewpoint on what constitutes the national interest in South Africa can be arrived at. Nevertheless, what can be argued more cogently is that South Africa’s foreign policy ought to be aligned with the advancement and achievement of its stated domestic objectives of reconstruction, development and those laid out in the Growth Employment and Redistribution (GEAR) policy, as well as the targets emerging from the June 2003 Growth and Employment Summit: that is, the growth of the economy by some six per cent, the halving of unemployment and the marked reduction in poverty and inequality. This would be a minimum that might be reasonably expected to be supported by the country’s foreign policy orientation. Following from this assertion, policy could be evaluated in terms of missions, personnel, diplomatic

thrust, trade agreements, protocols and treaties that advance such goals. In this regard criticism has been levelled that South Africa's foreign policy thrust has not been consistent with advancing core national interests, particularly of the majority of South Africans.

The second critique is at the institutional level and relates to the absence of role and institutional clarity not just within the DFA, but more particularly between the department and the Presidency. The institutional relationship between the Presidency and the DFA has been, and remains, opaque. As early as 1996, the then Chair of the Parliamentary Portfolio Committee on Foreign Affairs (PCFA) Raymond Suttner commented:

“It is not clear that the Presidency relates on a regular and coordinated basis with other foreign policy structures when it makes interventions on foreign policy questions. Nor is it clear that there is a structure that relates to the President on an advisory basis, as one finds with other presidencies in other parts of the world.”²

As will be demonstrated here, this situation no longer obtains to this degree, and indeed considerable restructuring has taken place within both the DFA and the Presidency. However, the ‘interdepartmental’ relationship is not always clear at the level of policy formulation. In his 1996 paper Suttner goes on to characterise the personnel in the DFA as being conservative and populated with diplomats and bureaucrats of the “previous order”, with a very narrow conceptualisation of the appropriate role of the department. For Suttner this is typified by an almost exclusive emphasis on ‘realism’, and for many in the DFA its role is ‘trade, trade, trade’. As will be discussed more fully in the paper, this is no longer the case.

This study is an introductory examination into the formulation of foreign policy: it is less concerned with outcomes and is not aimed at making evaluative judgements regarding particular areas of South African foreign policy. Rather it is an attempt to understand some of the important drivers, inputs and processes that go into foreign policy formulation. The importance of this research programme is re-enforced by a report released by the then Foundation for Global Dialogue in 1996, which reads, *inter alia*:

“Following South Africa’s transition, there is a wide recognition that its foreign policy making ought to be more open, democratic and

participative. Consequently, numerous calls were made by a variety of interested parties for the establishment of [an] Advisory Council on Foreign Affairs. Suggestions have been made by, amongst others, the former Transitional Executive Council (TEC) Sub-committee on Foreign Affairs, and more recently members of parliament as well as business. The government reacted to these calls via Foreign Affairs Deputy Minister Aziz Pahad, who stated in the department's 1995 budget vote that a policy advisory council should be established."³

To date this has not happened. One of the outcomes of the research programme is to sketch the reasons for this occlusion of input and to develop a number of recommendations about how to establish and improve channels of input into foreign policy formulation.

One of the key challenges of the research project was to identify the institutional inputs into foreign policy making in South Africa. There are at least three elements to this. First, the relationship between the Presidency, which is increasingly perceived as the originator and prioritiser of foreign policy, and the DFA, which is increasingly viewed as the implementer of foreign policy. Second, the relationship between the DFA and other government departments. The third element of enquiry is whether or not, and to what degree, non-governmental entities provide input into the foreign policy formulation process. In this regard three central elements of civil society require examination. The first is organised business, the second is trade unions and the third broad category is the 'foreign policy thinking' community: academics, policy research units and the media.

Furthermore, consideration is given to the *form* of input into foreign policy making. In the case of business the working hypothesis of the study was that input was likely to take the shape of formal and informal lobbying to protect and further its real, or perceived, economic, financial, social and political interests. Similarly, trade union input into foreign policy formulation is likely to be centred on protecting and advancing the interests of its membership and broad class and ideological interests. What may distinguish South Africa from other comparative cases, however, is the nature of the tripartite alliance and the sometimes vicarious role played by the Congress of South African Trade Unions (COSATU) within the alliance. Consideration was also given to the form of input provided by academics, policy institutes and the media. At the most general level one could consider the media as both reflecting and shaping the

international, regional and local agendas. It is difficult to assess the policy impact the media may have, but it is possible to trace the government's relationship with the media through, among others, press releases, official statements and responses to media articles. At a further level one can examine the content of face-to-face media briefing sessions – presidential and ministerial – on the questions under consideration as well as via a range of interviews conducted with both media and governmental officials.

The input that policy institutes (such as SAIIA, the Institute for Security Studies and the Institute for Global Dialogue) have in the policy formulation process is easier to identify as, by definition, research generated by think tanks is issue-specific and published. What is far more difficult to assess and measure is the impact such research has on the policy formulation or adjustment process. This role will be assessed in relation to a number of the policy initiatives examined in the paper, namely: conflict diamonds; the New Partnership for Africa's Development (NEPAD); Zimbabwe; and the Middle East.

ENDNOTES

- 1 Republic of South Africa, South African foreign policy discussion document, Department of Foreign Affairs, Pretoria, 1996.
- 2 Raymond Suttner, Foreign policy of the new South Africa: A brief review, in S Guimarães (ed), *South Africa and Brazil: Risks and opportunities in the turmoil of globalisation*, TPRI, International Relations Research Institute, 1996, p 193.
- 3 Garth le Pere, Anthoni van Nieuwkerk and Gary van Staden, Concluding report: Recommendations of the working group on a Foreign Affairs Advisory Council, Foundation for Global Dialogue, Johannesburg, January 1996, p 1.

Chapter 1

FOREIGN POLICY FORMULATION: THEORETICAL AND CONCEPTUAL TOOLS

Foreign policy may be defined as the range of actions taken by varying sections of the government of a state in its relations with other bodies similarly acting on the international stage, supposedly in order to advance the national interest.⁴ An alternative working definition holds that foreign policy is the system of activities evolved by communities for changing the behaviour of other states, and for adjusting their own activities to the international environment.⁵

1.1 ELEMENTS TO FOREIGN POLICY MAKING – THE BUREAUCRACY

The study will spend some time discussing the institutional structure of both the Department of Foreign Affairs (DFA) and the Presidency and how these impact on the formulation of foreign policy. The conceptual grounding for the importance of understanding bureaucracy in foreign policy making is therefore important.

There has been much useful scholarship conducted on the bureaucratic politics of foreign policy making. The seminal work in this regard is Graeme Allison's *Essence of Decision*, which meticulously analyses the processes, pressures, debates, discussions, inputs and interests that gave rise to the decision by then United States (US) President John F Kennedy to impose a naval blockade around Cuba in 1962 (against several other policy options) in response to the Soviet Union's deployment of ballistic missiles on the Caribbean island.⁶ The value of Allison's work lies less in its historical recordal, but rather in pointing out the dilemmas of contending interdepartmental and interpersonal options in foreign policy decision-making under conditions of extreme pressure and consequence. It also highlights the imperfect nature of information collection and the institutional or bureaucratic pressures to make,

or to avoid, certain policy decisions. Since Allison's work there has been a plethora of research on the bureaucratic or institutional dimension to foreign policy formulation. This has focused on an analysis of departmental interests and objectives that, although rational, logical and consistent within the objectives or mission statement of a given department, may clash or conflict with the interests or activities of other departments. Furthermore, such decisions may be inconsistent with the perceived 'national interest'. At times such institutional 'tensions' permeate the relationship between the DFA and the Presidency in a range of foreign policy areas.

1.2 VALUES AND BELIEFS IN POLICY FORMULATION

In addition to a bureaucratic interpretation of policy formulation, it is contended that beliefs, values and ideas play a guiding role in foreign policy orientation, formulation and prioritisation. This is not just the case for South African foreign policy, however, although it is a publicly avowed dimension of its foreign policy.

In 1997 the then United Kingdom (UK) Foreign Secretary Minister Robin Cook announced a New Mission Statement for the Foreign and Commonwealth Office that was underpinned by a commitment to a so-called ethical foreign policy:

“Our foreign policy must have an ethical dimension and must support the demands of other peoples for democratic rights on which we insist for ourselves. The Labour government will put human rights at the centre of our foreign policy and will publish an annual report on our work in promoting human rights abroad ... It [the New Mission Statement for the Foreign and Commonwealth Office] supplies an ethical content to foreign policy and recognises that the national interest cannot be defined only by narrow *realpolitik*.”⁷

It is therefore contended that foreign policy is formulated not only in the pursuit or advancement of perceived or real interests, but also in the pursuit or advancement of beliefs and core values. Though less tangible or measurable than, for example, trade linkages, belief systems and core values are by no means less significant in the arena of South African foreign policy making. Although the *practice* of South African foreign policy may be open to challenge

at the level of ethics,⁸ ideas have come to play an increasing, rather than decreasing, role in foreign policy formulation. This is most clearly the case in the conceptualisation of the vision of an African Renaissance that informs the overarching framework of South African foreign policy, namely, the New Partnership for Africa's Development (NEPAD).

As Goldstein and Keohane have observed, most systemic approaches to understanding the formulation of foreign policy (particularly realism and liberal institutionalism) adopt rationalist models in which self-interested actors maximise their utility, subject to constraints.⁹ Ideas are either regarded as given, or relegated to an epiphenomena of analysis. Far from being a policy excrement, however, Goldstein and Keohane argue persuasively that there are three types of beliefs that are significant in foreign policy formulation. The first and most powerful is that of a world view. This most obviously applies to religious beliefs, but is equally applicable at the level of secular ideology and may pertain to a country's position with respect to its neighbours, allies or enemies. The second level is that of principled beliefs. These are fundamentally normative in nature and serve to "mediate between world views and particular policy conclusions; they translate fundamental doctrines into guidance for contemporary human action". Perhaps the best exemplar of principled beliefs in international relations is that of notions of universal human rights. The third order is that of causal beliefs. These are beliefs about the cause-effect relationship which derive authority from the shared consensus of recognised elites. These beliefs provide guidelines for people on how to achieve their objectives.

Goldstein and Keohane go on to note that ideas have a lasting influence on politics through their incorporation into the terms of the political debate; but the impact of some sets of ideas may be mediated by the operation of institutions in which the ideas are embedded. Once ideas have influenced organisational design, their influence will be reflected in the incentives of those in the organisation and those whose interests are served by it. In general, when institutions intervene, the impact of ideas may be prolonged for decades or even generations. In this sense, ideas can have an impact even when no one genuinely believes in them as principled or causal statements.¹⁰

Thus it is a moot point whether or not ideas are reducible to, or merely reflect the interests of, given actors. As Weber has noted:

"Not ideas, but material and ideal interests, directly govern men's conduct. Yet very frequently the 'world images' that have been created by

ideas have, like switchmen, determined the tracks along which action has been pushed by the dynamic of interest.”¹¹

While it would be erroneous to impute a unilinear ideas/causality linkage, it is contended that ideas can and do provide a road map for policy formulation and implementation, and it would be conceptually myopic to underestimate the causative potential of ideas in South African foreign policy formulation. Ideas have and continue to play a central role in South African foreign policy formulation for a number of reasons. Certainly since 1948, ideology has been at the forefront of South African public policy in the form of apartheid, which in turn had an unintended yet determining effect on South Africa’s foreign policy, and more directly on its foreign policy options and instruments. In short, South African foreign policy has always been informed by ideas at the level of ‘world view’.

The force of ideas is no less powerful in contemporary South African foreign policy making, although these are now far more benign in design and objective. The guiding idea undergirding a major thrust of South African foreign policy is that of African Renaissance, first presented by former South African President Nelson Mandela at the Organisation of African Unity (OAU) Meeting of Heads of State and Government in Tunis in 1994. In outlining the newly democratic South Africa’s future role on the African continent, Mandela noted:

“Where South Africa appears again, let it be because we want to discuss what its contribution shall be to the making of the new African renaissance ... We know it is a matter of fact that we have it in ourselves as Africans to change all this. We must in action exert our will to do so. We must in action say that there is no obstacle big enough to stop us from bringing about a new African renaissance.”¹²

While the speech was delivered by Mandela, the intellectual authorship is clearly that of then Deputy President Thabo Mbeki. Of particular significance is that the speech represents not just a world view, but also a call to action; a precursor to the conceptualisation and implementation of policy.

The defining statement of post-apartheid foreign policy at the level of ideas, beliefs, norms and values was articulated by former President Mandela in a *Foreign Affairs* article of November/December 1993.¹³ In it Mandela now famously enunciated the guiding principles of South Africa’s future foreign policy:

- “• The issue of human rights is central to international relations and an understanding that they extend beyond the political, embracing the economic, social and environmental.
- That concerns and interests of the continent of Africa should be reflected in our foreign policy issues.
- That economic development depends on growing regional and international economic cooperation in an interdependent world.
- These convictions stand in stark contrast to how, for nearly five decades, apartheid South Africa disastrously conducted its international relations.”

In 1996 then Minister of Foreign Affairs Alfred Nzo reiterated the human rights orientation in South Africa’s foreign policy by stating that:

“Since South Africa itself has been the scene of grave ... abuses of human rights ... we have vowed to play a leading role in the promotion of human rights and democracy internationally.”¹⁴

Thus during the period of South African renaissance in the mid-1990s, the driving ideas and principles of ethics in international relations were at the forefront of the rhetoric and conceptualisation of policy formulation.

1.3 TRADITIONAL UNDERSTANDINGS OF FOREIGN POLICY FORMULATION

In addition to normative and ideological factors, a number of other key dimensions require examination as elements influencing the foreign policy-making process. The three foundations to foreign policy formulation are those of protecting and promoting domestic security, the promotion of domestic welfare or the welfare of the citizenry and the preservation and promotion of values and interests. These are exemplified in the ‘realist’ model of foreign policy formulation.

At its broadest, the realist paradigm of foreign policy formulation assumes a ‘rational actor’ model in which decision makers engage in value-maximising or interest-maximising behaviour. As such there is little to distinguish actors from each other, other than differentiated capacities. Decision makers are regarded as rational; that is to say, they are regarded as operating in an environment of perfect, or near perfect, knowledge and always make and take decisions that in

their outcome will advance the perceived or real interests of the nation state which they purport to represent.

Leading from Kegley and Wittkopf, within this model a number of steps to policy decision-making are discernable:¹⁵

1. **Problem recognition and definition.** This is the step in which the rational foreign policy decision-maker perceives a given problem requiring action. The underlying requirement here is for the decision maker to see the problem as it is, not as s/he perceives it to be.
2. **Goal selection.** Rational decision makers are then required to identify and delineate how they would best like the problem to be solved. This requires ordering or ranking of goals and priorities. Some goals may, however, be incompatible with others and thus choices have to be made.
3. **Identification of alternatives.** This requires the rational decision maker to have available an extensive list of policy options as well as the opportunities and costs accruing to each.
4. **Choice.** Finally, rational decision makers have to engage in a cost-benefit analysis within given constraints and opportunities and to be able to forecast the likely outcome and implications of their policy choices.

As Kegley and Wittkopf note, however, rational decision making is more of an idealised standard against which policy decision-making is made, rather than an accurate descriptor of behaviour in the real world.¹⁶ In reality, foreign policy making takes place in far from ideal circumstances. Intelligence is always limited and to some degree imperfect, actors are not neutral but value ridden, and decisions are always made within a given and limiting context. Even the most powerful nations operate within a limiting context and generally have to seek consensus and support in their foreign policy decision-making. This is even more so for a middle-ranking power, such as South Africa, whose capacity and freedom to take purely self-interested decisions without regard to its neighbours, the region, the African continent and indeed its major trading partners is severely circumscribed.

A further problem with the realist interpretation, or the realist-rational paradigm, is the assumption of the unitary actor model; that is, that nation

states have a unified or singular purpose in operating foreign policy. Evidentially, not just nation states but leaders themselves have differing and nuanced viewpoints on international affairs. Furthermore, insofar as foreign policy may represent the outcome of contending and competing leadership and interdepartmental priorities, this can often lead to a compromise policy formulation that fails to reflect fully the preferences of any one political leader or governmental department. For example, the intra- and interdepartmental policy tensions and dynamics in successive Washington administrations are legion. Friction between the White House, State Department and Defence Department over the formulation of US policy on Iraq was at times fratricidal. This contrast between the bureaucratic ideal and reality is schematically depicted below:

Foreign policy decision-making in theory and practice

The ideal process

Accurate, comprehensive information about the situation

Clear definition of national goals

Exhaustive analysis of all options

Selection of course of action by rational decision criteria

Instantaneous evaluation of policy consequences followed by correction of errors

The actual performance

Distorted, fragmentary information about the situation

Personal motivations and organisational interests bias national goals

Limited number of options considered, none thoroughly analysed

Selection of course of action by political bargaining and compromise

Superficial evaluation, imperfect detection of errors, and delayed correction

Source: Kegley and Wittkopf, p 41.

ENDNOTES

- 4 P A Reynolds, *An introduction to international relations*, Longman, London, 1994, p 36. The concept of 'national interest' is so heavily contested as to be rendered almost analytically meaningless. Nevertheless, in practice, political actors – and in particular those in the arena of foreign policy and international relations – continue to use the term

to both explain and justify (usually contested) actions, policies, decisions and orientations. In practice the notion of national interest is most frequently used to defend policy, but also to cast those who oppose such policy as being ill-informed or, at the extreme, unpatriotic and untrustworthy. In crude and reductionist terms the national interest is that which is in the perceived interest of the ruling elite. This ruling elite can and may pursue policies in the name of the national interest, which respond to or address the needs and interests of usually organised and powerful domestic and external constituencies.

- 5 George Modelski, *A theory of foreign policy*, Pall Mall Press, London, 1962 as quoted by Denis Venter in Gilbert M Khadiagala and Terence Lyons (eds), *African foreign policies*, Boulder, London, 2001, p 160.
- 6 Graeme Allison, *The essence of decision: Explaining the Cuban Missile Crisis*, Little Brown and Company, Boston, 1971.
- 7 Special report, Labour's ethical foreign policy, *Guardian Unlimited*, Monday 12 May 1997. Cooks's ethical foreign policy was subsequently severely challenged, particularly by those opposed to British international arms sales to countries engaged in civil and regional wars and to those countries with poor or questionable human rights records.
- 8 South African policy has been challenged on ethical grounds on at least four counts: its relations with Indonesia with respect to East Timor; the dropping of diplomatic relations with Taiwan and the recognition of the People's Republic of China; its arms sales; and its so-called quiet diplomacy on Zimbabwe.
- 9 J Goldstein and R O Keohane, *Ideas in foreign policy, an analytical framework*, Cornell University Press, Cornell, New York, 1993.
- 10 Ibid, p 20.
- 11 As quoted in Goldstein and Keohane, *ibid*.
- 12 Statement of the President of the Republic of South Africa, Nelson Mandela, at the OAU Meeting of the Heads of Government, Tunis, 13–15 June 1994.
- 13 Nelson Mandela, South Africa's future foreign policy, *Foreign Affairs* 72(5), November/December 1993, p 87.
- 14 Republic of South Africa, South African foreign policy discussion document, Department of Foreign Affairs, Pretoria, 1996.
- 15 Charles W Kegley Jr and Eugene Wittkopf, *World politics: Trends and transformation*, 8th edition, St Martin Press, New York, 2001, p 38.
- 16 Ibid, pp 40–41.

Chapter 2

ACTORS IN SOUTH AFRICAN FOREIGN POLICY MAKING

2.1 THE PRESIDENCY AND FOREIGN POLICY MAKING

Arguably the most difficult and challenging element to analysing foreign policy formulation is that of understanding the role of elites and political leadership. Post-apartheid South African foreign policy has been dominated by two presidents who, for markedly different reasons, may be regarded as ‘foreign policy’ presidents. By force of personality, history, reputation and the symbolism of his struggle, peace-making and nation-building achievements, Nelson Mandela was feted by the international community and *de facto* became South Africa’s foreign policy image.

Although Mandela failed to parlay his international prestige and standing institutionally, by force of personality and moral authority he nevertheless played a crucial role in a number of foreign policy interventions. South Africa’s condemnation of Sani Abacha’s military regime in Nigeria (and the subsequent suspension of Nigeria from the Commonwealth), mediation in the Burundi civil war, as well as that between Libya and the US in the Lockerbie bombing case stand out. It is also the case that Mandela sometimes took both his cabinet and other leaders by surprise with his unilateral foreign policy interventions; for example, the cancellation of Namibia’s debts to South Africa. While Mandela’s foreign policy sojourns may be regarded in certain respects as *ad hoc* and particularistic (if not opportunistic), his successor is root and branch a foreign policy president.

Where the Mandela and Mbeki presidencies differ most markedly is in the institutionalisation of Mbeki’s foreign policy vision. Here an understanding of South African foreign policy formulation under Mbeki requires a synthetic understanding of idealistic, bureaucratic and personality interpretations of policy formulation. One of the defining issues of the Mbeki presidency, and one

that is core to an understanding of the conduct of key areas of South Africa's foreign policy, is the strengthening of the Office of the State President. In personnel terms the Presidency has grown from a staff of under 27 at the time of transition from Mandela to a staff complement of some 337 currently. It should be pointed out that the Office of the President and that of the Deputy President (and the Ministry of the Presidency) were combined into a single office called the Presidency in September 1999. The Presidency's budget has grown by an annual 21.6% since 1999 and has doubled in absolute terms from R78.7 to R151 million for the year 2003/2004. The same fiscal year has seen an increase of 88% in management costs, aimed at strengthening top management within the Presidency.

Following the Presidential Review Commission (PRC) in 1996, plans were formulated to create an integrated presidency. In institutional terms the Presidency was restructured into a clustered system of governance that mirrored cabinet clusters and those of the directors general (DGs), and an integrated planning framework was introduced, including the Medium Term Strategic Framework and the Medium Term Expenditure Framework, in keeping with that of the other branches of government.

The degree of governmental and policy integration sought by the newly formed Presidency is considerable. In the case of the DG in the Presidency, the incumbent is not only responsible for the overall running, accounting and administration of the Presidency, but enjoys considerable authority with respect to interdepartmental coordination. The DG in the Presidency is also secretary of the cabinet, chairperson of the Forum of South African Directors General (FOSAD) and is responsible for the management of the directors general clusters to coordinate and integrate government policies and programmes. In addition, the DG assists the president with the deployment and redeployment of heads of departments. The DG is also a member of the National Intelligence Coordination Committee, the National Conventional Arms Control Committee and the International Scheduling Committee for the international programmes of the president and deputy president.

The Presidency has an Advisory Forum and a number of special advisors, namely: a legal advisor, economics advisor and a political advisor. The Presidency also employs two parliamentary counsellors to advise on matters pertaining to parliamentary responsibilities and duties.

Although the Presidency is divided into four branches – the Private Office of the President and Corporate Services, the Office of the Deputy President, the

Cabinet Office and the Policy Coordination and Advisory Service (PCAS) – for purposes of understanding the role of the Presidency as an institution in foreign policy formulation, it is the Cabinet Office, and more particularly the PCAS, that is of significance.

With respect to the role of the Cabinet Office, the Cabinet Secretariat supports the six clustered cabinet committees. The secretariat serves to ensure “optimal integration and coordinated policy development, policy implementation and actions”. The Cabinet Operations Chief Directorate “assesses the content of matters to be tabled with cabinet to ensure the necessary policy synergies and alignment”. It also ensures that implementation follows and that progress is monitored. Ultimately the system of integrated decision-making is designed to promote and ensure ‘cross-sectoral’ thinking on policy, contrasted with the previous department-specific pattern of policy thinking and formulation.

The most important branch of the Presidency for foreign policy formulation, however, is the PCAS. This branch is regarded as the ‘engine room’ of the Presidency’s drive for policy integration. It is this unit too that monitors transformation in all government departments, prepares *aides mémoire* to the principles in the Presidency, researches answers to questions tabled in parliament, and prepares briefing notes and research reports for the Presidency.

Significantly too for foreign policy formulation, the PCAS interacts with civil society on matters of policy formulation as well as with ‘international experts’ to ensure policy relevance and efficacy. Although this is an advisory branch to the president, deputy president and the minister in the Presidency, it also monitors both the debates and the implementation of policy on cross-cutting issues. The unit is led by a deputy DG, who is in turn served by five chief directors reflective of the cabinet and DG clusters.

The two most important chief directorates for foreign policy are the Chief Directorate on International Relations, Peace and Security and the Chief Directorate for the Economic Cluster. The former encompasses the areas of international relations, trade, international investments, marketing of South Africa, peace and security. The latter supports matters relating to economics and investment, but is also responsible for facilitating the special groups of business meetings as well as the International Investment Advisory Council.

The DG together with the heads of the four branches constitute a Top Management Committee, which meets fortnightly to provide overall strategic

leadership to all branches within the Presidency. The Top Management Committee together with the chief directors constitute a Senior Management Committee that meets monthly. The Advisory Forum comprises the special advisors and parliamentary counsellors as well as the DG and minister in the President's Office. It is usually chaired by the DG, advises on political and policy matters and meets once a month.

In order to further enhance and streamline governmental planning frameworks and cycles, the Management Committee of FOSAD has developed an integrated Planning Framework for Government. This gives rise to the Medium Term Strategic Framework which informs the Medium Term Expenditure Framework.

It is significant to note that the cabinet committees allow for "intensive and focused debates on difficult policy choices and resolution of these issues by the relevant Minister before issues are taken to the full cabinet". Furthermore, technical committees from the private and public sector are established from time to time in order to support the cabinet committees and clusters.

The Presidency has also established four consultative groups, namely: a Trade Union Working Group; a Black Business Working Group; a Big Business Working Group; and an Agriculture Working Group.

In addition to the consultative groups, a number of presidential advisory groups have been established that impact on the foreign policy arena. These include the International Investment Advisory Council and the International Advisory Council on Information Communication Technology. An International Marketing Council has been established more recently.

An innovative Presidential initiative in the foreign policy arena is the establishment of the International Marketing Council South Africa. The initiative came about as a result of the Presidential International Investment Council's observation that international perceptions of South Africa often did not square with the reality and desire of South Africa to be, and to be seen to be, a leading emerging country.

2.2 REENGINEERING OF THE DEPARTMENT OF FOREIGN AFFAIRS

Understanding the bureaucratic dimension to foreign policy in South Africa requires a brief overview of some of the issues and challenges that have confronted the DFA over the past decade. The first is that of the tension between the need and desirability for departmental transformation and skills

retention on the one hand, and that of institutional inertia, if not recalcitrance, on the other. If the early days of transition within the DFA were characterised by massively heightened and broadened activity, this was also accompanied by organisational flux which at times bordered on chaos and confusion. Successive ministers and DGs have perhaps exacerbated this tendency. After the transition from Director General Rusty Evans in 1997, Jackie Selebi undertook a wide-ranging reengineering programme within the department. This was driven in part by Selebi's own multilateral experience in exile, as well as his appointment as South Africa's ambassador to the UN in Geneva and the desire to shift the department to a more thematic rather than geographic mode of operation. The appointment in 1999 of Dr Siphon Pityana as Foreign Affairs DG from the Labour Ministry saw the introduction of extensive managerial and bureaucratic reforms, characterised by personal performance assessments and a concomitant increase in management reporting and paper work. Still, under Pityana the department was formally, and at the level of strategic vision, cobbled into a new shape.

Under Pityana in 2000 the DFA underwent a thoroughgoing strategic planning exercise in order to provide focus to its activities and to maximise the effectiveness of South African foreign policy. The objective was articulated in 'realist' terms as promoting South Africa's national interests internationally. This process distilled into four clusters (or calabashes) of focus and activity, with 18 constituent elements. The calabashes conform to the structure of the then OAU's Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) Kampala Document. The four calabashes are: security; stability; sustainable development (economic and social); and cooperation. The priorities within each calabash are as follows:

Security calabash

- Peace and security
- Conflict management
- Sovereignty and territorial integrity
- Arms control
- Disaster management

Stability calabash

- Crime and terrorist threats
- Extremism and terrorism

Sustainable development calabash

- Trade
- Investment
- Integration and cooperation
- Imaging and branding
- Tourism

Cooperation calabash

- Human resource development
- Health
- Poverty alleviation
- People-to-people cooperation
- Human rights
- Sustainable development
- Security cooperation

Leading from this emerged the DFA's Strategic Plan for 2000–2005. The vision of the DFA is given as to strive for peace, stability, democracy and development in an African continent that is non-sexist, prosperous and united, contributing towards a world that is just and equitable. The mission of the DFA is committed to promoting South Africa's national values, the African Renaissance and the creation of a better world for all. The values of the DFA are guided by the core values of loyalty, dedication, *ubuntu*, equity and professional integrity.

Significantly – and perhaps in answer to critics of the vagueness and obscurity of South Africa's foreign policy objectives – the Strategic Plan sets out the following objectives:

- Speeding up the delivery of basic needs and human resources;
- building the economy and creating jobs;
- combating crime and corruption;
- transforming the state; and
- building a better Africa and a better world.

The Strategic Plan argues that all of these elements are captured within the holistic vision of the African Renaissance. Despite the drafting of and buy-in to the Departmental Vision and Strategic Plan, the DFA continued to be beset by internal ructions, resulting in the early resignation of Pityana in January 2002

and the appointment of Deputy Director General Multilateral, Abdul Minty, in an acting DG capacity for over a year. Only in September 2003, the much delayed appointment was made of a new DG, Dr Ayanda Ntsaluba from the Department of Health.

Despite these challenges and discontinuities it would be inaccurate and misleading to depict the DFA as institutionally dysfunctional during this period of policy and managerial flux. The department is staffed and held together by a cohort of experienced and highly professional officials who not only effectively run the day-to-day operations, but make discreet input into policy formulation. Such DFA input into policy formulation is strongest when two conditions obtain: the first is where the sphere of operations is technical or requires issue-specific knowledge and where DFA expertise is consonant with the government's values, interests and objectives. A model of this form of DFA expertise parlaying into policy formulation is the DFA multilateral section dealing with disarmament and nuclear non-proliferation. This section developed a considerable corpus of knowledge and experience during the voluntary destruction of South Africa's nuclear weapons capacity. During the period of government transition the disarmament division was able to draft South African policy on the Nuclear Non-Proliferation Treaty (NPT) and related matters, and to present this to the new Executive. By and large the post-1994 foreign policy Executive embraced the NPT and related policy and has not substantially altered it subsequently. Indeed, as will be discussed later in the paper, the Executive has shown considerable faith in this particular division of the DFA, making use of it to carry out a high profile and politically sensitive mission to Iraq immediately prior to the overthrow of Saddam's regime in March and April 2003. The in-house skills developed by the Directorate Multilateral Commercial of the DFA resulting in its drafting of South Africa's (and indeed multilateral) policy on the curbing of trade in conflict diamonds will be discussed in more length in the next chapter.

The second and related area where DFA input into policy is tangible and critical is where certain officials have gleaned particular understanding of a country or region and write extensive and detailed submissions (proposals) for consideration to senior officials and thence the Executive. Such submissions would typically comprise a document outlining the purpose (rationale and motivation) for the submission. This would be accompanied by a background discussion document outlining the history and issues informing the submission. This is followed by a recommendation, or number of recommendations, including

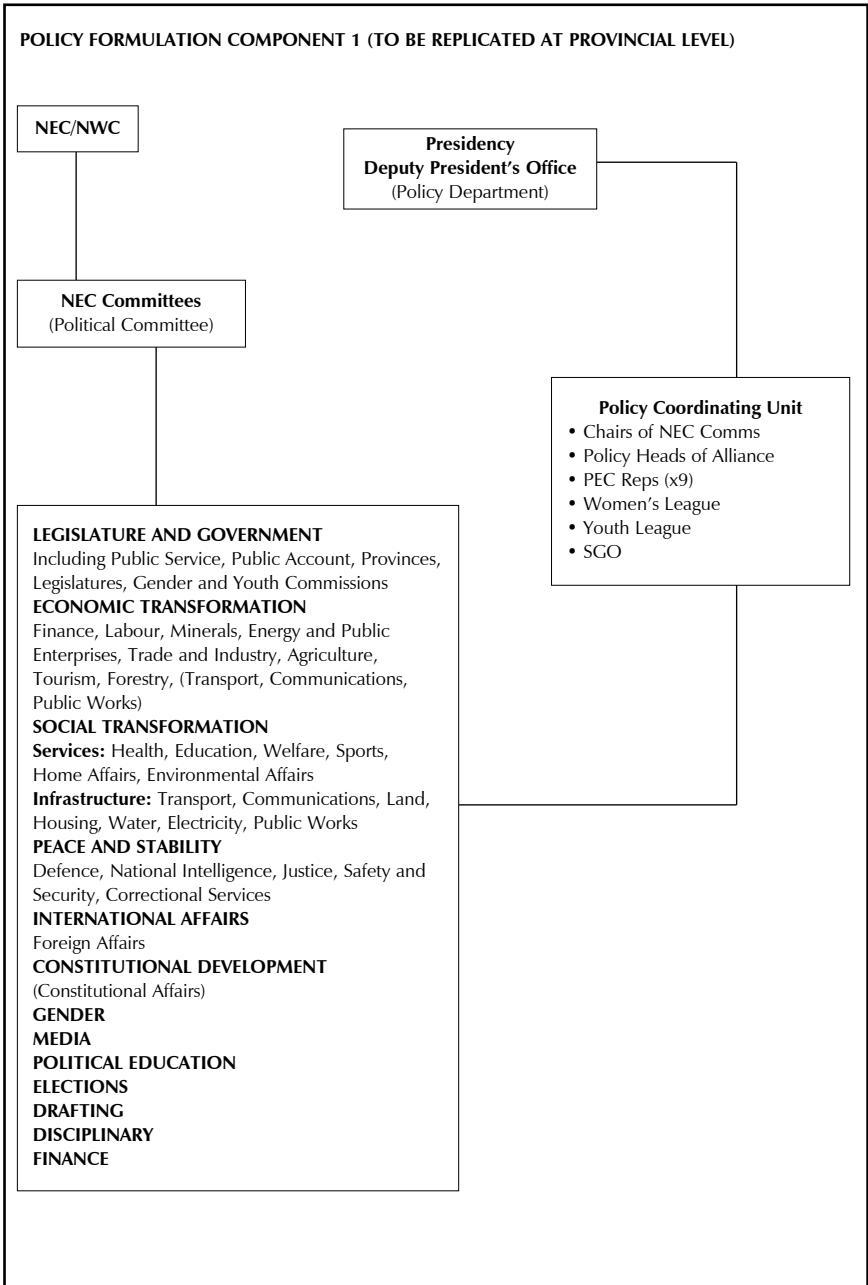
draft letters to be sent to ministers in cognate governmental departments (typically the Department of Trade and Industry). The senior DFA official making the submission will escalate the document to her/his superior. (If emanating from a chief director, the submission would include documentation for the deputy DG, DG, deputy minister and minister to comment, amend, approve, escalate or disapprove the submission.) If approved by the minister, the submission will then go before a cabinet committee and thence the cabinet for discussion and approval, amendment or rejection. For a submission to see the light of day as policy requires that it be well argued, well written, of merit, cost effective and aligned with the broad foreign policy interests of the country. For all these steps to be accomplished, requires in the first instance that the DFA official drafting the submission enjoys sufficient experience, skill and indeed respect from her/his superiors for the submission to be taken seriously or even to be read. Conversely, the lack of appropriate experience and skill of a number of senior DFA officials reportedly *de facto* results in submissions into policy formulation not being made, or often being rejected due to their poor formulation and drafting.

2.3 NON-GOVERNMENTAL ACTORS AND THE FOREIGN POLICY FORMULATION PROCESS

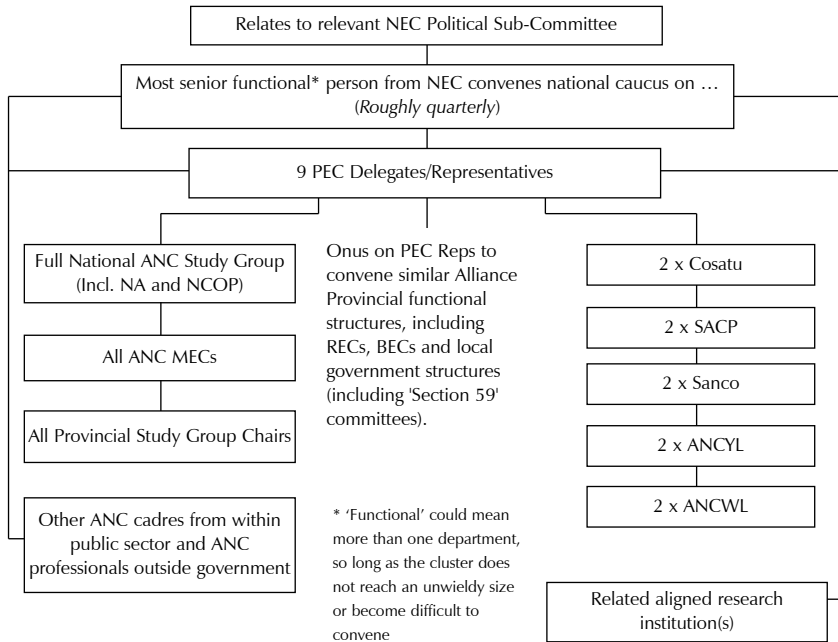
The relationship between the African National Congress (ANC), qua party, and the South African government is structured yet dynamic. So too the party's input into foreign policy formulation is reasonably well-structured, yet uneven. The formal party policy formulation process is graphically depicted opposite and over page.

The relationship between party and government has also undergone a series of undulations. The two key observable trends since 1994 have been, first, the drawing in, or away, of talent and skills from party leadership and structures into all tiers of government. The second is both the perception and, to some degree, reality of a growing 'distance' between party and its input into the governmental policy formulation process. The ANC's 50th National Conference of December 1997 laments this trend:

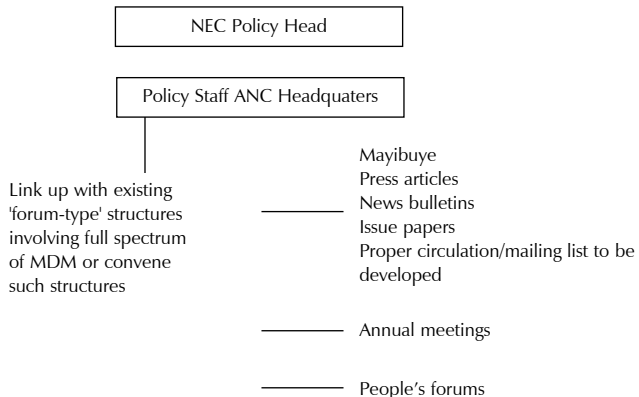
“Noting that the policy process within the ANC have [sic] been fundamentally affected by the ANC's ascension to office in 1994; that since 1994, the point of gravity as regards policy development appears to have shifted to government and away from ANC constitutional structures.”¹⁷



POLICY FORMULATION COMPONENT 2



POLICY FORMULATION COMPONENT 3



The congress went on to call for the clarification, deepening and formalisation of ANC constitutional structures, particularly with respect to the ANC Policy Department and, in turn, to ensure that the party continued to provide policy guidance (as opposed to involvement in detail) to governmental departments, initiatives and policies.

With respect to international relations and foreign policy formulation, the 1997 congress was significant in at least one respect as it identified the weaknesses attendant on the closure of the ANC's Department of International Affairs (DIA) and called for the reestablishment of the DIA. The party also noted that it had been dilatory in not promoting party-to-party relations locally and internationally as fully as it might have. It also recommended serious consideration be given to joining the Socialist International, to which it had enjoyed observer status for a number of years.

Instructive too was the order, sequencing and priority given to issues on the international relations agenda of the 1997 congress. These were: South African arms exports; the Palestinian–Israeli conflict; party-to-party relations; and the resolution of the conflict in the Western Sahara. These issues reflect respectively the ANC's commitment to, and concern with, a human rights–orientated foreign policy, fraternal ties with the Palestinian Liberation Organisation (PLO) and the struggle for self-determination of the Palestinian people, fraternal ties with the Polisario Front, and finally a concern with the need to establish 'independence', or self determination, for the Saharawi people. To some degree it must be recognised that these concerns are those that animated the ANC's own struggle in exile and its strategy of forging international alliances in support of its objectives.

Of most significance for this study is the emphasis placed in 1997 on the resolution of the Palestinian question. The resolutions passed at congress squarely place the responsibility and onus on the Israeli government to create the conditions to resolve the then impasse. Congress noted that:

- the Israeli government must create the conditions for the full implementation of the Hebron and Oslo Accords;
- the Israeli government must stop the expropriation of Palestinian lands;
- the Israeli government must stop new settlements;
- the Israeli government must stop the blockade of Palestinian territories;
- Israel must withdraw from all Palestinian territories; and
- arrangement is to be made for the safe passage of Palestinians between Gaza and the West Bank.

The resolution goes on to call on the incoming National Executive Committee (NEC) and the government to pursue the implementation of the above resolutions and to communicate the content of the resolutions to both the Israeli and Palestinian governments.

Given the fraternal ties between the ANC and the PLO, juxtaposed with the historical cooperation between the pre-1994 South African government and Israel, particularly in matters of military cooperation, it is understandable that there is a markedly sympathetic position adopted towards the PLO and a somewhat condemnatory position adopted towards the Israeli government (particularly of Binyamin Netanyahu at the time). However, such a skewed ANC position holds serious implications for the South African government's foreign policy attempts to play an 'honest broker' role in the Israeli–Palestinian conflict. Consistent with the positions adopted by the ANC, the South African government foreign policy towards the Middle East has been strongly informed by the party-to-party ties between the ANC and the PLO, as well as the commitment to a human rights–orientated foreign policy. It is impossible to assert or measure the direction of influence between the ANC position and that of the government on the Palestinian–Israeli question, as there is a clear confluence of interest and approach. A more detailed examination of South African foreign policy towards the Middle East later in the study will reveal a textured and nuanced policy formulation process, informed not merely by historical and fraternal ties, but also by domestic constituencies, multilateral imperatives and individual personality within the Presidency and Ministry of Foreign Affairs.

In terms of international relations agenda setting, the 1997 congress placed meeting the challenges of globalisation, multilateral institutional reform (specifically the UN Security Council, the International Monetary Fund [IMF] and the World Bank) and the development of Africa and sub-Saharan Africa, as priorities. Of particular significance, the congress noted that the vision of an 'African Renaissance', as outlined in the (ANC President Mbeki) President's Report, would form the "central platform for the development of the African continent". This then, as early as 1997, was the precursor of NEPAD.

By the time of the ANC's National General Council meeting in 2000, a number of significant developments had taken place with respect to the party and international relations. The first was the reestablishment of the ANC Department of International Relations, with highly respected NEC member Mavivi Manzini as its head. Although the department comprised one full-time

and one part-time official, the very fact of reestablishment was significant. The second issue of significance for the party was its formal admission to the Socialist International after enjoying observer status for many years. In terms of policy content, the National General Council Meeting discussed the issues of Palestine and the Western Sahara – driven, in part, by historical fraternal relations between the ANC and the PLO as well as the ANC and Polisario Front respectively. The ongoing transformation of the DFA continued to receive prominent attention. In keeping with the undertakings made at the 1997 congress, the party spent much time and effort between 1997 and 2000 furthering and deepening fraternal relations with so-called progressive parties in the Southern African region, namely: Namibia’s Swapo; Zimbabwe’s ZANU-PF; Angola’s MPLA; and Mozambique’s Frelimo. The party reiterated its interpretation of the need for reform of global institutional and trade relations, but no clear policy proposals were proffered in this regard. Moreover, with respect to the central theme of operationalising the African Renaissance, the party had not, by 2000, developed a coherent approach to this issue of cardinal policy importance. The National General Council noted:

“[T]he [ANC] organisation has not yet developed a comprehensive programme on our approach to Africa to underpin our perspective on the African Renaissance. Partly as a result of this, we have not been able to speak with a single, coherent voice on this matter – nor have we been able to develop a programme on Africa in which all our structures can engage. A draft Action Plan is currently being discussed, and should be finalised shortly.”¹⁸

The party went on to note:

“The call for an African Renaissance has had a powerful resonance among the people of South Africa, and more broadly across the continent. The challenge for the organisation is to ensure that this call is given content and that concrete tasks are identified around which people can be mobilised.”¹⁹

By the time of the 51st National Congress held in Stellenbosch in December 2002, two key and related developments had taken place at the level of ANC thinking on international relations. The first was a more detailed and

comprehensive analysis of and focus on Africa, and the second was the related centrality of NEPAD to the ANC's international relations orientation and focus.

Whereas the ANC continues to locate Africa (particularly its underdevelopment, maladies and pathologies) within the context of the differentiated impact of globalisation, the analysis had in the intervening period become more thoroughly analytically grounded and had shifted from one of pure critique, to that of mobilisation towards the implementation of the programme of NEPAD. Significantly too, the precursor to the ANC discussion on NEPAD and the new AU was an analysis of the concept of African Renaissance.

Of significance within the document's analysis of the dynamics and challenges of the early 21st century, the events of 11 September 2001 receive the following scant mention:

“Since the September 11 incident, the world has been entering an even more complex period.”²⁰

Perhaps prosaically, however, the document notes:

“[t]he crisis in global governance and the multilateralism as represented by the UN. The growing unilateralism of the US has created a dent in the credibility of the UN as a mechanism for regulating relations among states at the global level.”²¹

Of analytical and policy interest both in the 2000 General Council and the 2002 ANC Congress documents, the distinction between party and state – and indeed between party and parastatal operations – at the level of international relations is blurred. Both documents discuss the progress made in transforming the DFA and provide an account of the department's key activities. Furthermore, the party documents speak of ANC support for Eskom and Transnet activities in Ghana, Nigeria, Namibia and Uganda. It is, however, unclear exactly what the nature of this support, or level of activity, or involvement is, from either document. Both documents speak of the progress made in establishing transfrontier parks between South Africa, Botswana, Mozambique and Zimbabwe, but again this is presented as an indicator of progress on the ideals of NEPAD rather than signifying a particular ANC role in, or contribution to, the achievement of these developments.

2.3.1 ANC FOREIGN POLICY STRUCTURES

The most important instrument of ANC foreign policy interaction is the NEC sub-committee on International Relations. The composition of the committee is highly significant as it serves to coordinate ANC foreign policy interests and representation from the Presidency, the Ministry of Foreign Affairs, parliament, the tripartite alliance and other significant stakeholders.

The committee is headed by ANC Department of International Relations Chief Mavivi Manzini. The Presidency is represented by Director General Frank Chikane and Ebrahim Ebrahim (former Chair of the Parliamentary Portfolio Committee on Foreign Affairs). The DFA is represented by Minister Dr Nkosazana Dlamini-Zuma and Deputy Minister Aziz Pahad, as well as Chief Director Jessie Duarte. The Department of Trade and Industry (DTI) is represented by the minister and the Department of Mineral and Energy Affairs (DMEA) by its minister.

Parliament is represented by the chair of the Parliamentary Portfolio Committee on Foreign Affairs (PCFA), as well as by the chairs of the Trade and Industry, Mineral and Energy Affairs and Environmental Affairs and Tourism committees in the National Assembly. Other members include former Minister Kader Asmal, members of parliament (MPs) and senior ANC office bearers.

Representatives from the ANC Youth League, the ANC Women's League, COSATU and the South African Communist Party (SACP) are also invited to the committee. Other invitees to meetings of the committee include DGs, to discuss matters pertaining to their respective spheres of executive responsibility.

The committee meets at least once a month, and central to its structure and operations is to ensure consistency of ANC positions on all important matters of foreign policy. The committee plays an important, and perhaps central, role in ensuring close coordination of positions between the Presidency, the Ministry of Foreign Affairs, the ANC Parliamentary Study Group on Foreign Affairs and the ANC position within the PCFA. Up to two workshops a year are conducted by the committee on matters of foreign policy or international relations. For example, in June 2003 the committee held a workshop to consider the ANC international relations global policy positions and orientation, and indeed that of the South African government, in the post-Iraq war period.

Furthermore, the committee acts as the ANC's central foreign policy and international relations think tank and as such is the core instrument for feeding party positions into South African foreign policy.

Such tight coordination at the International Relations (IR) Committee level

has drawn criticism. One of the consistent criticisms is that the ANC NEC IR Committee delivers policy positions to ANC MPs and to the PCFA in particular, and that the latter tends to follow this lead relatively unquestioningly. This, critics assert, leads to the sometimes sterile nature of discussions within the PCFA and the closing of ranks or avoidance of controversial foreign policy issues such as, in particular, Zimbabwe. Critics further allege that party positions may be raised above public representative considerations, and as such *prima facie* contradictions sometimes emerge within the workings of the PCFA.²²

Individual sub-structures within the ANC also maintain or operate an international relations profile; such as the ANC Women's League which holds the Secretariat of the Pan African Women's Organisation. It also plays a role in the Socialist International Women and is a member of the Women's International Development Foundation. The ANC Youth League is Africa Coordinator of the International Union of Socialist Youth.

The input of the ANC into specific areas of foreign policy formulation is discussed later in the paper through the four case studies, but one function of the party that requires mention is that of the publicising and popularising (in contrast to that of policy formulation) of key foreign policy positions. The party has attempted, with little success, to replicate ANC IR Committee structures within the nine provincial legislatures. To date only Limpopo Province and KwaZulu-Natal have established such committees. Nevertheless, it has been a key task of ANC structures at the national, provincial and local level to inform and educate members of the party and indeed broader civil society about the ethos, structures, programmes and objectives of NEPAD. This has taken place via a series of workshops and briefings. Indeed, the IR Committee encouraged and received input and feedback from branch structures with respect to the party's position on NEPAD, which crystallised into the discussion document and resolutions of the 51st Congress.

This use of ANC party structures to promote and deepen engagement with NEPAD is significant, particularly given the criticism of the document and programme by such structures as COSATU and other civil society activists and think tanks. This was particularly the case in the run-up to the 51st Congress at Stellenbosch.

2.3.2 CIVIL SOCIETY ENGAGEMENT WITH SOUTH AFRICAN FOREIGN POLICY

As a consequence of and consistent with the process of transition in South

Africa in the 1990s, foreign policy thinking underwent a profound and refreshing renaissance. This operated at a number of levels and involved a host of initiatives. One of the most encouraging developments was the engagement of civil society in South Africa's new foreign policy thinking. This manifested in a raft of conferences, workshops, position papers and policy documents that saw existing DFA officials engaging with ANC international relations experts, as well as with local and international academics, to rethink fundamentally South Africa's role and positioning in the global environment, and also to commence the process of giving formal structure to post-1994 South African foreign policy.

Role, function and input of 'think tanks' in foreign policy formulation

Foreign policy research institutions – 'think tanks' – occupy an intellectual workspace somewhere between academia and government policy formulators. The relationship is fluid, however, with the closeness of the relationship dependent on a host of factors including the think tank's level of expertise, areas of specialisation, funding base, political bias and orientation (both of the institution and indeed the government of the day). It is usual for think tanks to vacillate from nominally 'insider' to 'outsider' positions in keeping with the political orientation of the government of the day. However, it is also the case that certain governments are more open to, encouraging of, or supportive of a more engaged role with think tanks.

In the US under the Clinton administration, for example, there was an open and deeply engaged relationship between particular Washington DC think tanks and the White House administration. This was as a result of Clinton's own intellectual approach to policy making, but also due to the fact that many Washington DC think tanks felt broadly supportive of, or inclined to work with, Clinton's Democratic Party administration. There is, however, no necessary correlation between political leaning and engagement with think tanks, with both Republicans and Democrats drawing in foreign policy analyst talent. For example, the Reagan administration drew on 150 individuals from conservative foreign policy think tanks.

The inauguration of the George W Bush administration in January 2001 has seen a retrenchment of many of the working relationships enjoyed under Clinton, but these have been replaced by others. Nevertheless, it is perceived that there is far less engagement between the Washington DC think tank

community and the Bush administration than was the case under his predecessor. In addition to a difference of approach between the Bush administration and many Washington DC think tanks, it may be reasonably assumed that the events of 11 September 2001 fundamentally altered the domestic and international agenda of the administration, resulting in a drawing in of defence, security, intelligence and strategic studies think tanks and specialists, perhaps at the expense of engagement with 'development policy' think tanks, broadly defined.²³

The point to be made, however, is that the degree and level of engagement between think tanks and governments is dependent on a host of factors including openness, personality of key political leaders, political need/imperative/threat and, perhaps most importantly, the nature of the foreign policy issues exercising the administration at the time. The foreign policy agenda of the Bush administration, for example, is one driven by domestic and international security concerns including the 'war on terror'; that of South Africa, by contrast, is a fundamentally 'developmental' policy agenda.

The nature of the relationship between governments and think tanks is often forged earlier on when parties and their leadership make use of think tanks to develop policy positions during election campaigns. The reward for a successful policy paper (and election to office) is a closer relationship and indeed patronage during the term of office.

Foreign policy think tanks and the government can, and do in countries such as the US, operate in a 'revolving door' environment by providing a pool of foreign policy talent to the government, and the latter feeding back retired senior government officials into research institutions. While the US may be the exception, the pattern here is for talented (and ambitious) policy analysts to be drawn into administrations during the term of office. Conversely, it is not uncommon for former senior governmental foreign policy officials to return to senior positions within think tanks.²⁴ Thus a process of constant engagement and fertilisation between think tanks and administrations is a characteristic of the American environment.

This is less the case in the South African think tank–governmental nexus. It is, however, the case that foreign policy analyst talent has been drawn into government, but that there has yet to be a flow back from the government into academia, or think tanks. This is in part due to the newness of the relationship and indeed the relatively poor salary package conditions paid in the South African think-tank community compared to those in the upper echelons of

government or the business sector. Indeed the flow of talent tends to run from the academic community, to the public sector, thence the private sector.

South African foreign policy non-governmental organisations (NGOs) can be delineated into a number of genres which serve the needs of different constituencies and follow different mandates. All the major foreign policy NGOs – SAIIA, the Institute for Global Dialogue (IGD) (formerly the Foundation for Global Dialogue), the Institute for Security Studies (ISS) (formerly the Institute for Defence Policy), the Centre for Policy Studies, the Centre for International Political Studies, the African Centre for the Constructive Resolution of Disputes and the Centre for International Political Studies – carry out funded/contract and academic research, public education activities such as seminars, conferences, workshops, television, radio and newspaper pieces, policy formulation and advisory roles, and training (particularly internships).

In the course of their mandated activities all foreign policy think tanks in South Africa play a role in policy formulation. This can be through formal government-sponsored research or through academic and public engagement with governmental policy makers. Founded in 1934, SAIIA assiduously avoided receiving funding from the apartheid government. Despite its corporate business and individual membership funding base, its mantra during the apartheid years was that it was ‘poor, but pure’. The transition to democracy has seen SAIIA retain its corporate and individual funding base, but it plays a far more policy research–orientated role, serving both the corporate and donor communities in Southern Africa. Relations with the government are constructive, engaged and on certain issues, such as foreign policy on Zimbabwe, critical. SAIIA played a central role in the founding of the NEPAD business group and is a leading think tank on NEPAD in Africa. It has conducted a number of research mandates for the South African government on both a public and confidential basis and is called upon to provide input on a host of South African foreign policy discussions including trade, regional integration and terrorism. It was also the first institute to establish a South African parliamentary liaison office.

The ISS has also played an important role in the formulation of South African government security policy and White Papers. The IGD was originally founded as an ANC think tank on foreign policy and today retains close links with the ruling party and enjoys preferred access to South African foreign policy formulators. The IGD has recently been engaged in the Ten Year Review process for the Government Communication and Information Service and

provided input into the government's response to the Middle East Road Map as well as the Burundi peace process. Lamentably, however – and following international example – input and access to South African foreign policy formulators is informed by political persuasion/ inclination as much as it is by knowledge-based skill and experience.

As American academic Richard Haass has noted, certain historical junctures present exceptional opportunities to inject new thinking into the foreign policy area. The ending of the Second World War and the Cold War are two such junctures. It is argued that the events of 11 September 2001 present the most recent such opportunity for think tanks globally to inject new thinking into the foreign policy debate. In the case of South Africa, the political liberalisation process from 2 February 1990 in particular presented a unique juncture for research institutes to make a significant input into new foreign policy thinking and orientation.

The renaissance in foreign policy debate and discussion in South Africa post 1990 drove distinctive changes in the role of existing think tanks, as well as giving rise to the establishment of a number of new foreign policy– and research-orientated institutions and NGOs. Never before, nor since, the 1990s has the intellectual and non-governmental community had the opportunity or played such a distinctive role in policy thinking. The apogee of this renewal of civil society engagement with foreign policy formulation was the 1996 proposal to establish an Advisory Council on Foreign Affairs (ACFA). Significantly, support for the establishment of the ACFA came not only from the NGO sector, but also from members of the Parliamentary PCFA and within the Executive branch from Deputy Foreign Affairs Minister Aziz Pahad. The then Foundation for Global Dialogue (now the IGD) took on the task of drawing together a working group to advance the proposal. The report made a number of key proposals:

- That the principle of negotiation must be recognised by all those involved in the foreign policy process.
- A formal state-funded statutory council on foreign affairs with limited representation is an inappropriate vehicle for consultative and advisory purposes.
- A Foreign Affairs Advisory Council should not be established until the nature of foreign policy decision-making processes, actors involved in it and relations between them have been clarified.
- In the light of the above recommendation the working group must meet

again in mid-1996 to revisit its brief and to study international models and practice elsewhere for guidance.

- In the absence of an advisory body, the Foundation for Global Dialogue must immediately develop a foreign affairs register containing information on relevant institutions and individuals as well as their areas of competence, for distribution to policy makers and interests in civil society.
- The DFA must immediately establish a channel of communication to enable a flow of information from the institutional actors to interests in civil society.

Lamentably, and despite the obvious merits of the proposal, it was never taken forward. Interviews during the course of this research suggest that there was little real appetite from the governmental sector for the establishment of the ACFA, but this is not to disguise or excuse the less than coherent approach adopted by the NGO sector to the proposal. This was a unique opportunity lost and it would seem unlikely that such a proposal will see the light of day under the current Executive. Deputy Minister Pahad remains open to, and constructively engaged with, foreign policy NGOs and is also supportive of the formation of some form of foreign policy advisory body. This supportive and constructive stance is contrasted with the reportedly cautious, if not hostile, sentiment towards foreign policy NGOs by the Minister of Foreign Affairs.

The period of 1993 to 1996 may be characterised by one of renaissance in the realm of South African foreign policy formulation. Apart from the guiding principles enunciated by Mandela and Nzo in particular, government and non-government foreign policy thinkers were presented with a historically unique window to thoroughly debate, rethink and make substantive input into an entirely new foreign policy canvas. While new thinking infused foreign policy formulation during this period, the subsequent challenge has been one of establishing and maintaining regular and formalised channels of interaction. Nevertheless the post-1994 period, more particularly 1993, has been marked by a far more open and inclusive approach to foreign policy engagement. This is examined in some detail through the prism of the four case studies undertaken here, namely: NEPAD, Zimbabwe, the Middle East, and conflict diamonds and the Kimberley Process.

2.3.3 NON-GOVERNMENTAL ACCESS, INPUT AND INFLUENCE IN THE FOREIGN POLICY FORMULATION PROCESS

It is conventionally held by foreign policy theorists from across the analytical

spectrum that foreign policy broadly reflects the predominant interests of the domestic polity. Furthermore, it is contended that the dominant interests in a liberal democracy or social democracy with a free market economy are those interests broadly representative of business and those of the political elite. This is a somewhat crude reductionist analysis, but it is difficult to conceptualise an instance where a country's foreign policy is destructive of the key economic interests. It was thus of some interest to the research programme to identify the input that dominant organised interests have into the foreign policy formulation process.

A broad range of business and trade union leaders, formations and spokespersons were interviewed for the study. While unions may not be regarded as an elite socio-economic stratum, in the case of COSATU it forms a highly significant element to the ruling tripartite alliance and represents a powerful domestic constituency. The study established that while enjoying institutional input into foreign policy formulation principally through ANC party structures, COSATU at times has held and holds foreign policy positions at variance with those of its alliance partner and the government.

2.3.3.1 Business

During the course of the study, a range of business leaders and organised business formations were interviewed and consulted about their input into foreign policy or foreign affairs in South Africa. These included companies engaged in mining, finance, banking, resources, retail and telecommunications. Two major business formations, the South African Chamber of Business (SACOB) and the South Africa Foundation were interviewed. SACOB represents business from the smallest to the largest conglomerates. It is the umbrella body representing over 60 regional chambers of commerce as well as industry-specific chambers. The South Africa Foundation represents 50 of the country's largest corporations and 10 multinationals. Only chief executive officers or their alternates are represented at the South Africa Foundation.

Both individual businesspeople and business associations were interviewed and asked a range of structured and unstructured questions – the latter informed by the responses to the structured questions. The structured questions were:

- Does your company or business association have any formal channels for input into foreign policy or foreign affairs in South Africa?

- If so, what is the nature of this input?
- Does your company or association have any informal channels for providing input into the formation of South African foreign policy?
- Are there any meetings between business leaders and government at an individual basis on South African foreign policy?
- Are there channels that are set up for general communication that are utilised for foreign policy matters?
- Has there been an instance where your company or association has made a formal input into foreign policy formation in South Africa?
- Does foreign policy constitute an important or ‘distant’ issue for your company or association?
- What foreign policy issues has your company felt to be important and why?
- How has your company or association expressed its viewpoint, opinion or interests on these matters?
- Is there any evidence that your inputs have had an impact on foreign policy formulation?
- How do you feel that your company or association can make a greater input into foreign policy formulation?

Business is a highly disparate entity with a wide spectrum of interests, opinions and capacities. It is thus inaccurate to speak of ‘business’ interests being represented in foreign policy. Indeed, different elements of business have contradictory and antagonistic interests at the level of national policy, including the contrasting interests of commodity exporters and manufactured goods importers. Furthermore, business engagement is in part determined by the industry in which the company operates or indeed its geographic sphere of operation. For example, by definition, mining interests are geographically specific, highly capital intensive and require a long-term view on investment and return. A mine may only become cash generative ten years after initial investment and may only become profitable 20 years after initial investment. Capital in this industry is fixed, thus the domestic political and economic requirements of investment are much more onerous. By contrast in the case of information technology (IT), the political jurisdiction of software development and application is hardly material to the success of operations. The requirements for success in the IT industry are global and transnational and less bounded to fixed capital investment and conventional notions of ‘security of tenure’. There would therefore appear to be a built-in bias and risk avoidance

incentive for fixed investment companies, particularly mining houses, that may propel them to become engaged in (foreign) policy input in order to better protect their investments. Conversely, IT companies appear to be largely disengaged with issues of national and indeed foreign policy. As South Africa Foundation Chief Executive Neil van Heerden commented during an interview:

“Business is changing with the times. There are very few Oppenheimer types any more. Very few business leaders ... really take an interest in directly political questions and fewer still [are] interested or involved in foreign affairs questions. When it comes to the new IT barons, well they just don't give a damn.”²⁵

One senior businesswoman commented:

“Business is much more timid than I think it has to be. But remember there is also a lack of leadership. There is no one person that stands out as a leader of business. There is no longer a Harry Oppenheimer who had financial power, presence of personality and was politically smart and frankly cared enough.”²⁶

Yet business is highly engaged with questions close to its competence and spheres of operation and interest. Thus organised business in the form of SACOB operates an International Affairs Office, which is directly engaged with matters of international trade policy, imports and exports, as well as building relationships with other chambers across the globe. The significant working relationship between SACOB and the government is with the DTI and not with the DFA. SACOB operates a Parliamentary Liaison Office and makes numerous presentations to both parliamentary committees and provincial governments. Such presentations, however, fall squarely in the category of lobbying, which includes articulating member interests as well as education and input into draft legislation and policy. To date we have found no record of SACOB or any other business formation lobbying or presenting to the Parliamentary PCFA.

Apart from the channel of communication to portfolio committees – which themselves do not formulate, but rather comment on and adjust policy and legislation – there is no formal channel for input from business into South African foreign policy thinking, or policy formulation. It is acknowledged by business that it is the government's prerogative to formulate policy but that

business has a legitimate interest in the prioritisation, content and execution of policy. No corporation or business association was encountered that had been consulted on any of the four key areas under investigation for this report, save for the role of De Beers in particular on the question of conflict diamonds.

Understandably, business does enjoy channels of communication with the DTI, and insofar as the DFA and DTI complement, overlap and compete in certain areas of foreign affairs business, it can be said to make an input into policy, or at least is consulted on policy, particularly with regard to trade matters. However, the working and policy relationship between the DTI and DFA is at best fluid and at worst unclear, or contradictory. While the DFA is struggling with questions of competence in a number of missions, particularly in Africa, the DTI has announced a proposed reduction in the number of its officials in foreign trade missions. This decision is largely budgetary driven, but the DFA's own budget is perennially under severe pressure and the department is being weighed down by the budgeting and reporting requirements placed on its activities by both the Treasury and the previous Director General Dr Siphon Pityana.

The one forum that does exist for business interests to be consulted and to express its viewpoint directly at the level of the Presidency is that provided by the South Africa Foundation.

The South Africa Foundation holds a twice-yearly meeting with the president known as the Big Business Working Group (BBWG). This serves as a consultation mechanism and is one of four such groups, the others being unions, organised agriculture and small black business. The BBWG comprises eight to ten captains of industry and seeks to formulate a common position on important matters, such as that of the management and direction of the economy. The principle rationale for the group is to understand the government's position and for the government to understand the position of business on key issues. It must be understood that foreign policy matters occupy a lower order of priority for business as they do for most people in South Africa.²⁷ However, the assumption is that foreign policy issues such as Zimbabwe occupy a particularly significant place for business given its investment in the region, the impact of the Zimbabwean contagion effect and the fact that business is itself constantly questioned about South Africa's policy towards Zimbabwe by their international counterparts. There are a number of ways in which foreign policy can occupy a higher level of priority. Yet when questioned about the South Africa Foundation's position with respect to South

African foreign policy on Zimbabwe, the foundation's Chief Executive Neil van Heerden explained that when business had raised the question with the president, this had resulted in them receiving a 90-minute response leaving little opportunity for reply. What makes this state of affairs even more perplexing is that most South African business interviewees, including SACOB, referred one to "Neil van Heerden at the South Africa Foundation, as they have those meetings at high level with the government". Thus an erroneous assumption or understanding has been developed that business' viewpoint is clearly articulated on matters of foreign policy by the South Africa Foundation, when in fact in the area of foreign policy the South Africa Foundation's relationship with the president is not entirely satisfactory, fruitful or productive. This finding was borne out by the South Africa Foundation issuing a press release timed to coincide with the holding of the Heads of State plenary session at the UN World Summit on Sustainable Development. The statement reads, *inter alia*:

"The South Africa Foundation calls for the unequivocal condemnation of the violent and destructive economic and political policies of the government of President Robert Mugabe in Zimbabwe ... As host of the UN Summit and co-founder of NEPAD, South Africa must dissociate itself clearly and unambiguously from the disastrous policies being applied in Zimbabwe and reaffirm the rights and values enshrined in our own constitution. It is now clear that no external engagement with the government of Zimbabwe has prevented the implementation of catastrophic policies under the guise of land reform. Following the appeal by UN Secretary-General, Kofi Annan, concerted action is now required, in the interests of the people of Zimbabwe, the region as a whole and in order to enhance the goals of NEPAD."

The statement is important in a number of respects. First, its timing is highly significant and designed to gain maximum exposure not only for the South Africa Foundation, but more importantly for the extensive interests it represents. Not surprisingly the press release made front-page headlines in the *Business Day*. The South Africa Foundation is clearly cognisant of the fact that by issuing the press release it was ratcheting pressure on Zimbabwe, but more importantly on the South African government and the president in particular to seize the moment, set a precedent and distance the country from the policies of the Zimbabwe African National Union Patriotic Front (ZANU-PF) government. The

press release would also suggest that the business viewpoint has not been positively responded to or that the response given by the president regarding South Africa's policy on Zimbabwe is fundamentally at odds with the views and interests of South African business. Furthermore, it is evident that such a statement from business would embarrass the president and possibly harden attitudes towards the South Africa Foundation. It can be assumed, however, that business took careful consideration regarding the timing, tone and message contained in the statement. In this instance it may be concluded that the forum for constructive engagement between the president and big business has failed.²⁸

Furthermore, it is also clear from the above that big business is mindful of its expected role in NEPAD and the potential leverage it has in the relationship. Given that NEPAD is predicated on partnerships with the private sector, business interests and the international community, the South Africa Foundation's statement clearly articulates the viewpoint that the credibility and implementation of NEPAD is at risk from South Africa's continued policy of quiet diplomacy. For some time, commentators have pointed to the contradiction inherent in South Africa's muted position on Zimbabwe and its lead role in promoting NEPAD. Business in South Africa has accepted this dichotomy and has begun to pressure the South African government to make a clear choice. It is increasingly apparent that for the South African business community, the two positions are incompatible. It can also be deduced that business is suggesting that its own commitment to NEPAD and perhaps that of international business will be influenced by the leadership of the South African government going forward. This development is significant in that it begins to shift the tenor of the debate from business being regarded as passive acceptors or receptors of policy to one of partner in policy implementation, if not formulation. The response of the Presidency to this development will be highly significant. What is clear is that international business sentiment towards NEPAD is likely to be strongly influenced by local sentiment and this is increasingly sceptical and hesitant.

More specifically the degree of engagement by business on issues of foreign affairs is driven by a host of factors. These include the size of the organisation, which in turn permits or necessitates the employment of corporate affairs managers who are responsible for liaising with the government. A further driver is the extent to which the company has export or import exposure. Relatedly, the company's foreign exposure risk is a key driver of its engagement. There are very few, if any, companies that are engaged in or animated by foreign policy

questions solely, as they feel it is in the national interest to do so; rather this is left to organisations such as SAIIA. Clearly, where companies' operations and profits are threatened by the activities of a rogue government or by the imposition of legislation or regulation, the company has a direct interest in articulating this viewpoint and engaging with authorities.

With the exception of conflict diamonds and trade negotiations, the question of Zimbabwe is the area of foreign policy that one might expect to animate big business and business associations in South Africa. The measure of the paucity of communication or engagement between business and the government on foreign policy questions is the lack of negotiation or progress on the Zimbabwe issue. South African business and agriculture has considerable exposure to the Zimbabwean economy. In addition, before the recent decay Zimbabwe was South Africa's largest trading partner in Southern Africa. This position is now occupied by Mozambique.

South Africa has mining, agriculture, financial, insurance, retail, construction, leisure and manufacturing interests in Zimbabwe. Beyond direct investment of this nature, many South African companies trade with Zimbabwe. Even with this clear and deepening risk to South African interests, there is no evidence emerging from our interviews that business has been able to penetrate the South African foreign policy formulation process. As one SACOB official noted, "it is not with access that we have a problem it is more with penetration". Furthermore, there is no evidence that big business has or seeks access to the foreign minister. At the level of DFA, contact this takes place at the level of the deputy foreign minister. This latter point raises questions about the lack of formal structures for engagement and interaction between business and the DFA. Most business people interviewed use their personal contacts with the Deputy Ministry of Foreign Affairs to express their viewpoints rather than any formal channel of communication.

While such informal channels of communication can be useful, particularly in sensitive matters, it is no substitute for structured formal channels of engagement and communication that move beyond that of personal relationships. Policy by definition requires certainty and continuity in its implementation; this principle is undermined by the reliance on personal affiliations, engagement and input. Organised business has a mandate from its constituency and it is the role of chambers and business associations to articulate and promote these interests.

There is a disturbing phenomenon afflicting business and government

relations: a considerable well of distrust exists between the two constituencies, which continues to hamper the development of a formal structured and productive relationship. From an earlier period when the distrust between business and government hinged on questions of ideology and support or opposition for apartheid, it was widely held that the ANC government had progressively ameliorated its nationalist prescriptions from the earliest days of Mandela's release when the belief was that the 'the commanding heights' of the South African economy would be nationalised, to the formulation of the GEAR policy.

Furthermore, the absence of formalised organised business–government foreign policy channels means that the impact of any *ad hoc* interventions or meetings cannot be measured. This has two important consequences: first, business cannot report back to its constituency that it has had any impact on policy; and second, the absence of formal structures of communication means that agreement cannot be 'signed off', and thus the government position cannot be held to account. The formal forum for government, business and labour interaction on policy – the National Economic Development and Labour Council (NEDLAC) – serves no productive role in relation to foreign policy. A proposal has, however, been tabled to establish a NEPAD sub-committee within NEDLAC that, by definition, will consider important foreign policy questions. This aspect requires further research. Given that foreign policy seldom requires legislation (there have been two pieces of legislation in the past 18 months) and that despite the formal brief of NEDLAC to consider all policy issues affecting business, labour and development questions, it is clear that on many issues deals have been struck between business and labour thereby excluding the input of other key constituencies. The exception to this situation appears to be the Millennium Labour Council; but again foreign affairs falls outside of the brief of this forum.

The exceptional case of business is that of De Beers in its role in formulating policy with respect to conflict diamonds.

Prior to the South Africa Foundation statement, the deteriorating situation in Zimbabwe was regarded as a cause of both concern and indeed financial loss for business. The issue had failed to animate a collective response from business. Indeed, there is no evidence that business has thoroughly engaged the Presidency or the DFA in any formalised manner.

Organised business' input into the policy formation is *ad hoc* and issue specific. At one extreme is the case of De Beers's input into South African policy

with regard to conflict diamonds. In this case the government and business interests coincide clearly and there is very little area for dispute. South African conflict diamonds policy is now in reality global policy and has been driven by De Beers from conception to the point of implementation of the Kimberley Process Certification Scheme in November 2002. A further reason for the closeness and effectiveness of policy cooperation is that the issue was threatening to the commercial interests of De Beers, and in turn to the diamond mining industry in South and Southern Africa. Second, the issue also resonated at the broadest level with the government's putative emphasis on human rights in its foreign policy. Third, the campaign was politically aligned to the South African government's opposition to *União Nacional de Libertação de Angola* (UNITA), if not full blown support for the *Movimento Popular de Libertação de Angola* (MPLA) government in Luanda. Fourth, the issue of conflict diamonds and indeed its resolution is by definition a multilateral issue, again in keeping with the government's preferred approach to conducting foreign affairs.

Institutionally, what is of further interest is the working relationship between the DMEA, under whose responsibility South Africa's participation in the Kimberley Process falls, and the role of the DFA, and in particular the role of John Davies and Rina Pretorius in the department. Thus although the Minister of Mineral and Energy Affairs is the nominal head or chair of the Kimberley Process, the minister, it is contended, is not as familiar with the issues and the process as the DFA officials.

Furthermore, while healthy and collaborative, the extent of input from the DMEA to the DFA has been minimal. The DMEA officials responsible for the Kimberley Process have lacked the relevant diplomatic and international legal skills and experience to coordinate and drive the process forward. The *de facto* secretariat of the Kimberley Process has resided within the DFA. This is borne out by the fact that the chairman of the Diamond Board, Abe Chikane, refers all queries to the DFA official rather than to DMEA officials. The DFA official is responsible for arranging and coordinating all protocol matters. Furthermore, the drafting of the Kimberley Process text – which has been ratified by over 50 countries – was drafted by DFA legal advisors and DFA officials, not those from the DMEA.

If the Kimberley Process exemplifies South Africa's lead role in the collaborative multisectoral approach to policy formulation, which may even give rise to a new form of international diplomacy, the formulation of NEPAD stands in marked contrast. NEPAD epitomises the new style of foreign policy

formulation under the Mbeki Presidency – grandiose, ambitious and technocratically formulated – the programme is criticised for being a politically driven and exclusory process that business has been called upon to support *ex-post facto*. The critical reason for this is that for it move off the page into concrete infrastructure projects will, by definition, require the support of the private sector. A crucial weakness of NEPAD – and one that may ultimately contribute to its failure to meet its objectives – is the absence of consultation with either the constituency it is purported to assist (the poor), or significantly the constituency it requires partnership from (business and the private sector). The absence of the former engagement has begun to manifest itself in a series of popular rejections of NEPAD by worker and populist formations, not just in South Africa but continent wide.

2.3.3.2 *Organised labour*

In terms of the foreign affairs orientation of COSATU, the congress is principally exercised by questions of trade. However, as COSATU International Relations Secretary Simon Boshielo commented:

“There are so many areas which impact on or could be regarded as having a foreign policy implication, that we cannot say that COSATU has a foreign policy position as such, but rather a range of positions on a range of issues.”³⁰

COSATU expresses the view that it has no real difficulty in ensuring that foreign policy issues of importance are placed on the agenda of decision makers. This is partially a function of the tripartite alliance within which there is co-authorship of policies and positions, but also due to the effective working relationship between COSATU and policy makers such as Deputy Minister Aziz Pahad and former Trade and Industry Minister Alec Erwin. Furthermore, COSATU claims that it has very satisfactory access to entities such as the NEPAD Secretariat.³¹

Satisfactory does not, however, mean agreement. Earlier statements implying COSATU’s rejection of NEPAD³² have been subsequently denied by COSATU General Secretary Zwelenzima Vavi. Vavi has pronounced these earlier declarations as simplistic, misleading and crude. Nevertheless, NEPAD is the single most important and vexatious foreign policy issue for COSATU. Such

is the importance given to NEPAD that President Mbeki was called to discuss the issue during the two-day COSATU congress on 1–2 July 2002. During the congress President Mbeki assured COSATU delegates as well as affiliated AU congresses that there would be space for discussion and intervention on the implementation of NEPAD.

COSATU's response to this assurance was an agreement to liaise with other union federations in Africa in order to formulate a coherent and reflective response to NEPAD. Congress was given some six months to develop this response and the position paper was expected to be tabled for publication in February 2003. To date this has not been done.

2.4 SUMMARY OF FINDINGS

Two recurrent themes emerge from this research: first, the preeminence of the Presidency in matters of foreign policy agenda setting. The reasons for this are numerous, but in summary include the following: first, the president's background in heading the ANC's international desk in exile has endowed him with considerable experience of international relations and in particular multilateral affairs. This form of international engagement was central to the ANC's operations in exile and was indeed one of the major instruments of leverage used by the movement. It is clear too that by disposition and ideological persuasion the president and the ANC are committed to approaching and tackling matters of policy along multilateral channels and structures. Second, it is clear that the president is cultivating a reputation of, and aspires to be seen as, a statesperson of global standing whose ontology is one of broad sweeps rather than one concerned with the details of domestic policy formulation. Third, the key ideological driver of the president is that of the vision of an African renaissance, which framework guides foreign policy prioritisation and resources. Simply put, the Presidency gets 'first pick' of foreign policy issues and establishes foreign policy priorities in consultation with the officials within the presidential cluster responsible for foreign affairs, defence and trade and industry. Full clarity on this process has been difficult and remains a problem not merely for researchers but also for key constituencies seeking to understand and make input into the foreign policy formulation process.

Yet President Mbeki appears riven by paradoxes and contradictions that filter through into the policy formulation arena. The rhetoric and practice

around NEPAD and Zimbabwe is just one key example of this, in which the Presidency has invested heavily in the formulation and promotion of NEPAD but has not set the required example (even with respect to core issues of a human rights foreign policy) with regard to regional and continental leadership on Zimbabwe. The converse of this broad trend in Executive foreign policy formulation is the questionable effectiveness of the DFA. The reasons for this are numerous, but key to this development is the following:

First, a markedly increased sphere of operations since 1994, which has intensified since 1999. This is particularly true of South Africa's multilateral engagement, commitments and obligations. Questions have to be asked about the merit and wisdom of South Africa becoming involved in such a broad and diverse range of multilateral issues resulting in a lack of crisp policy focus. This links to the second concern, that of capacity. It is a strategic error to become engaged in areas and sectors in which there is a lack of financial, infrastructure and personnel capacity within the DFA. South African foreign policy is still in some areas raw, and in others naïve. In addition to the acute lack of continuity at the DG level since 1994, the considerable number of resignations and retirements within the DFA compounds this phenomenon in which officials with relatively scarce skills and experience in the department are replaced by people sometimes lacking the requisite diplomatic, linguistic and professional skills.³³

While transformation is undoubtedly desirable, if this process is not carefully and strategically managed the country's foreign policy effectiveness will be, and has been, blunted. In this regard, political considerations have sometimes overridden questions of functionality. As has been previously mentioned, the change in foreign ministers, and in particular DGs, combined with personnel upheavals has left many in the DFA demotivated and working at less than optimal capacity. Lastly, where the Presidency has assumed ownership of foreign policy issues such as Zimbabwe, this has left the DFA as implementers of policy with little or no input into policy formulation. Interviews with a range of senior DFA officials confirm this pattern.

Finally, the exclusion of the Parliamentary PCFA from policy input and the absence of a clear and structured relationship between it and the Presidency on foreign policy matters is a cause of concern. In turn, the failure of the Parliamentary Committee to make full use of the resources of the South African foreign policy think tank community in order to strengthen its own role demands further examination.

ENDNOTES

- 17 African National Congress, 50th National Conference Report, December 1997, p 17.
- 18 African National Congress National General Council, Port Elizabeth, 12–15 July 2000.
- 19 Ibid.
- 20 African National Congress, *Umrabulo – Let's talk politics*, Special 51st National Conference Edition, No. 16, August 2002.
- 21 Ibid.
- 22 These concerns were raised repeatedly during the course of research interviews conducted with opposition MPs serving on the PCFA.
- 23 This impression was gained through a series of interviews held with directors of a number of research institutions in Washington DC in April 2003.
- 24 Strobe Talbott, head of the Brookings Institute, is but one recent notable example of this pattern. Former Assistance Secretary of State for Africa Dr Chester Crocker, a former Director of CSIS and now Professor at Georgetown University is an example of an academic policy analyst joining an administration and then returning to academic life.
- 25 Personal interview, August 2002.
- 26 Personal interview, September 2002.
- 27 A 1997 public opinion survey carried out by Professor Philip Nel and Anthoni van Nieuwkerk on behalf of the Foundation for Global Dialogue revealed that foreign affairs matters rank low on South African's sphere of priorities. Less than three per cent of those polled prioritised foreign affairs matters. South Africans are overwhelmingly preoccupied with domestic concerns of politics, economics and social welfare.
- 28 A senior businessperson informed the researcher that this statement had taken three months to formulate as no agreement could be reached within the membership of the South Africa Foundation on appropriate wording.
- 29 In April 2002 a conference held in Ghana in conjunction with Third World Network roundly condemned NEPAD for its elitist and neo-liberal prescriptions. A fuller account of these critiques is provided later in this paper.
- 30 Telephonic interview, September 2002.
- 31 Much of this analysis is based on interviews held with the secretary and deputy secretary of COSATU's International Relations Department, policy papers and press releases.
- 32 Some unionists had depicted NEPAD as a continental wide GEAR programme and that it would suffer from similar shortcomings and implications for the poor and working classes.
- 33 Personnel changes are reflected most fully in the DFA annual reports.

Chapter 3

SOUTH AFRICAN FOREIGN POLICY AND CONFLICT DIAMONDS

South African foreign policy towards the phenomenon of conflict diamonds is a singular success.³⁴ Although confronted with a challenge of unique complexity, South Africa's contribution to the formulation of global policy on conflict diamonds is increasingly held up as an exemplar and raised as a possible replicable model of policy formulation. At the very least the process giving rise to the global policy to halt the trade in conflict diamonds holds broader lessons for dealing with commodities (particularly lootable commodities) and conflict.

Policy on the curtailment of conflict diamonds has been characterised by perhaps unique collaboration and cooperation between multilateral institutions (in particular the UN), over 50 governments, the diamond industry and a range of NGOs.

Estimates of conflict diamond production range from three to four per cent of total global production.³⁵ The industry definition of conflict diamonds is those "which originate from areas controlled by forces fighting the legitimate and internationally recognised government of the relevant country". The NGO, Global Witness, uses a broader definition of conflict diamonds being those "that originate from areas under the control of forces that are in opposition to elected and internationally recognised governments or are in any way connected to those groups". The intergovernmental 'Kimberley Process' defines conflict diamonds as:

"rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments, as described in relevant UN Security Council resolutions insofar as they remain in effect, or in other similar UN Security Council resolutions which may be adopted in future, and as understood and recognised in UN General

Assembly Resolution 55/56, or in other similar UN General Assembly resolutions which may be adopted in future.”

The phenomenon of conflict diamonds was first brought into the public domain by the London-based NGO Global Witness in 1996, but more dramatically in 1998. During research into the use of crude oil in providing revenues to fuel the civil war in Angola, it emerged that the rebel movement UNITA controlled up to two-thirds of the Angolan diamond fields and that the sale of diamonds³⁶ had provided it with the means of exchange of currency to permit it to train and arm its combatants. Furthermore, after the disputed 1992 presidential elections, the continued control of the Angolan diamond fields provided UNITA with the option of a return to combat, rather than to pursue negotiations. The funding provided by the illicit sale of diamonds also permitted UNITA to ignore the Lusaka Protocol cease-fire agreement with the MPLA government. The magnitude of this catastrophe for Angola is borne out by the fact that an estimated 1.5 million people died in the civil war during 1974 and 2002,³⁷ with a further 2.8 million internally displaced people and some 450,000 people living in refugee camps outside of the country. The economic cost of war has also been devastating. Four in five Angolans survive on an income of less than US\$1 a day. The country's infrastructure has been decimated by war.³⁸ The war has also had a corrosive effect on governance in Angola: some US\$1 billion of US\$4 billion in annual government spending is unaccounted for.³⁹ Once self-sufficient for its food requirements,⁴⁰ today Angola has to import half of these needs and the manufacturing sector has largely ceased to exist.

Significantly the trade in conflict diamonds increased from the end of the Cold War and in particular when support from Western and South African sources for UNITA dried up. Diamonds, however, were not the only commodity traded by UNITA; gold, coffee and ivory have also been exploited to fund the civil war effort.

Thus the importance of tackling conflict diamonds was vital for Angola; but policy on conflict diamonds has a particular significance beyond the economic value of diamond production in South and Southern Africa, although this is significant, as the table opposite demonstrates.

The importance of the diamond industry is hard to overstate for SADC countries such as Botswana. Diamonds account for 65% of Botswana's government revenues, 80% of its foreign exchange and 40% of its gross domestic product (GDP). For a country such as Botswana, diamonds remain the

Mining annually of gem diamonds in Southern Africa⁴¹

<i>Country</i>	<i>Carats (million)</i>	<i>% global production at peak</i>	<i>Est. market value (US\$ million)</i>
Angola	10.6	11	1,110
Botswana	24.9	28	2,125
DR Congo	16.5	5	585
Namibia	1.52	7	420
South Africa	4.0	11	740
Tanzania	0.37	–	46
Lesotho	0.02	–	5
Southern Africa	58	63	5,000

single driver of the country's development and represent a far more crucial contributor to Botswana's GDP than to any other country. Furthermore, the Botswana government is a 45% stakeholder in the national diamond producer Debswana. In effect, Debswana acts as an invaluable cash cow for the fiscus in Gaborone.

More broadly, the diamond industry accounts for US\$5 billion and provides some 40,000 jobs in the SADC region. A total of some two million people are employed in the legitimate diamond industry across the globe.

Producer countries in the SADC region as well as De Beers have been at pains to highlight and assert the benefits of 'development diamonds' for individual countries and the region. Although South Africa has now been displaced from the third to the world's fourth largest diamond producer (behind Botswana, Russia and Canada), it remains a highly significant producer. Thus the tackling of the scourge of conflict diamonds for a number of reasons represents an important test case of South African foreign policy making.

Although dependent on global networks of sale and exchange, conflict diamonds are principally a phenomenon that impacts negatively on the African continent. The illicit trade in diamonds has fuelled conflicts in Angola, Sierra Leone, the Democratic Republic of Congo (DRC) and Liberia, as well as attracting 'external' forces from countries such as Zimbabwe on the pretext of peacekeeping. Countries such as Zambia have also been havens for the exchange and sale of conflict diamonds.⁴² In important respects, therefore, South African foreign policy towards conflict diamonds is a peace and security issue, as well as a developmental and commercial issue. The persistence of civil wars and regional conflicts undermine any efforts at continental renewal and

therefore efforts to halt the fuelling of such conflicts on the African continent have been given primacy in documents such as NEPAD. Although the founding of the Kimberley Process preceded the drafting of NEPAD by some 18 months, the Kimberley Process is entirely NEPAD consistent. It is also entirely consistent with, and supportive of, South Africa's avowed human rights-orientated foreign policy. South Africa's conflict diamond policy also exemplifies the country's preference for operating, wherever possible, in concert with other countries through multilateral fora. In the case of South Africa's conflict diamond policy, this includes SADC at the regional level and the UN at the international level.

In addition to these aspects of South Africa's conflict diamond policy, South Africa has played a central political, facilitative and coordinating role. Furthermore, it was a South African company, De Beers, that took the lead in responding to the challenge of conflict diamonds to the industry, in playing a central role in the founding of the World Diamond Council (WDC).

Policy aimed at curbing the trade in conflict diamonds, and the Kimberley Process itself, has involved four sets of actors:⁴³ these are the conflict monitoring and human rights NGOs, the diamond industry, national governments and the UN. A case could be argued for the inclusion of the international media as a significant actor. It is more accurate to regard the media as an important actor in providing a forum to highlight the issue of conflict diamonds, and most starkly the atrocities perpetrated by the (conflict diamond dealing) Sierra Leone-based Revolutionary United Front (RUF) in particular. More than this, however, the media has served the interests of the NGO community in particular, as being potentially the most powerful instrument in the armoury of those concerned not only to expose conflict diamond dealing rebel movements, but more particularly to place pressure on the diamond industry and governments.

Both diamonds and the diamond industry have unique characteristics that militate against and are conducive to policy leading to the Kimberley Process. Diamonds are a lootable commodity *par excellence* and present a particularly attractive commodity for rebels and a singular problem for governments and those seeking to curb their trade. They are small, easily transportable, easy to hide, difficult to detect, are an accepted and highly prized medium of wealth and exchange, and are practically unbreakable. Furthermore, in Africa the mining of alluvial (rather than kimberlitic) diamonds is difficult to formalise, regulate and control. All that is required for those mining alluvial diamonds is a bucket, a sieve and a spade. Very little capital is required and indeed

necessary, thus the vast majority of alluvial miners in Sierra Leone are ‘one-man’ operations. Despite this, these miners are often forced to deal with exploitative middle men, who effectively act as money lenders and brokers. The *modus operandi* is for these middle men to provide diggers with the most basic tools and then to force them to work long hours in unhealthy conditions and then to hand over any diamonds found in order to expunge the ‘debt’ of a spade and sieve. One of the ‘on the ground’ responses of the US State Department to curb this practice has been the supply of basic tools and funding capital to diggers in Sierra Leone.⁴⁴ The terrain (physical and political) in which diamonds, and in particular alluvial diamonds, are mined is therefore often hostile and does not easily lend itself to formal regulation.

At the other end of the diamond production and consumption process, diamonds are a prestigious, aspirational, elite fashion item with very little intrinsic value. In frank discussion, industry figures will confide that the diamond industry is based on marketing of a myth. Therefore, not only is the industry sensitive to supply and demand (although historically it has been a cornerstone of De Beers’s operations to attempt to control the global supply of diamonds and thus regulate prices), it is highly consumer sensitive. The threat posed to the industry by a consumer boycott brought about by the publicisation of the atrocities of wars fuelled by diamond sales was therefore profound.

A further problem bedeviling attempts to curb the flow of conflict diamonds has been the highly fractured, competitive and secretive nature of the industry. Although De Beers remains the preeminent industry company, its own market share has been steadily reducing from as high as 80% in the early 1990s to some 60% currently. In addition to De Beers and the other major industry players such as the Israeli Lev Leviev, there are thousands of small producers in continents as varied as Africa, Australia, Asia and North America, as well as cutters in Europe and polishers in India.

This tiered effect between producers and manufacturers in the diamond industry also presented policy makers with an early hurdle: that of persuading first world manufacturers (and not just African producers) that the supply of rough conflict diamonds was a problem for which they too had to take responsibility.

A further problem for governmental policy makers with respect to conflict diamonds was the technical and industry-specific knowledge required prior to the Kimberley Process, which was absent from both the DFA and the DMEA, in order to make meaningful policy input. This lacuna in government

knowledge perversely spurred greater involvement by the diamond industry in policy formulation.

3.1 THE SOUTH AFRICAN GOVERNMENT'S ROLE IN POLICY MAKING

South African government policy on curbing conflict diamonds presents an unusual and encouraging case of interdepartmental cooperation, principally between the DFA and the DMEA, which continues to the present.

The earliest involvement of the South African government arose from a communication made by De Beers Diamond Trading Company (DTC) in the UK to the South African High Commission in London. De Beers had become aware of the research conducted by London-based NGO Global Witness into conflict diamonds and particularly the criticisms levelled at De Beers in the 'A rough trade' report.⁴⁵ De Beers's concerns stemmed from its intrinsic commercial interests, but also from the broader concerns for South Africa and the region a consumer boycott would wreak. The South African High Commission in London in turn alerted the DFA, which then informed the DMEA in Pretoria. Both Foreign Minister Dr Nkosazana Dlamini-Zuma and Mineral and Energy Affairs Minister Ngcuka were reportedly highly concerned about the implications and impact of an international diamond boycott.⁴⁶ Thus the DFA through its mission in London acted as an early warning mechanism to protect the domestic and regional interests of the country. Even at this early stage the South African government recognised the fact that the phenomenon of conflict diamonds and the threatened boycott of diamonds could impact on countries beyond South Africa's borders and thus could only be tackled at the regional level through SADC. To this end Minister Ngcuka ensured that the issue of conflict diamonds was placed on the agenda of the SADC Ministerial meeting and also at the Mining Summit held in Cape Town in 1999.

South African policy towards conflict diamonds has been distinguished by an unprecedented level of cooperation between the governmental and business sector. Indeed, without the collective cooperation of the diamond industry the Kimberley Process could not have been launched, nor could it have achieved the successes it has in less than four years.

As the dominant player in the diamond industry, South African company De Beers, had most to lose from an international consumer boycott of diamonds, yet it was also its preeminent position that provided it with the leverage to galvanise the highly fractured, secretive and competitive industry. The desire to

protect its commercial interests through collective cooperation also coincided with De Beers's changing sales and marketing strategy from regulating the supply of diamonds, to that of placing an increased emphasis on boosting and driving demand. Consequently, De Beers had direct and material interests in being able to differentiate its clean (non-conflict) diamonds from those of unproven origin.

More than direct commercial interests, however, and its dominant position in the diamond industry, there are a number of corporate peculiarities to De Beers that have been significant for policy formulation on conflict diamonds, and the Kimberley Process in particular. Indeed, it is no coincidence that the first precursor to the Kimberley Process was held at a meeting in a church hall in Kimberley, renowned not only for its diamond mining legacy but also the town that still houses De Beers's corporate head office.

The two major peculiarities to De Beers are that it has remained essentially a family-owned and -run business and that its much-vaunted social responsibility ethos continues to pervade its operations to the present. There is abundant evidence of De Beers's extensive social responsibility and social investment programmes prior to its involvement with the Kimberley Process.⁴⁷

Tension and cooperation has characterised De Beers's operations with the NGO community. The company's activities have generated voluminous books and reports on its anti-competitive, collusive and secretive dealings. It also has a reputation as being ruthless with its commercial opponents. Moreover, De Beers is the principle target of the Global Witness report 'A rough trade' condemning its role in purchasing (mopping up) outside⁴⁸ diamonds on the open market mined under the control of UNITA forces. While De Beers can factually insist that it never purchased a single diamond from UNITA or rebel forces, its own annual reports during the 1990s amply demonstrate that in mopping up Angolan diamond production, it was indirectly the major purchaser of UNITA's conflict diamonds. Indeed, given De Beers's traditional role as purchaser of first and last resort in the industry, the relatively high quality of Angolan diamonds, and in the face of competition from other companies renowned for their 'sharp' practices, it is difficult to expect the company to have operated any differently in purely commercial terms. Nevertheless, the moral condemnation of De Beers by the NGOs investigating conflict diamonds and human rights issues rests on the fact that De Beers at no point expressed concern at the impact of illicit diamond mining in Angola before the issue was publicly exposed by Global Witness. It did, however,

lament the impact of the conflict in Angola, but again this was often couched in commercial rather than political and ethical terms.

De Beers and the diamond industry's collective action to halt the supply of conflict diamonds can be located within a broader phenomenon of, and debate over, global corporate social responsibility. One of the more publicised dimensions of globalisation is the rise and commercial, social and political influence of global corporations. Transnational corporations have become increasingly significant drivers of economic growth and consumer behaviour in particular, but concomitant with this has been an increase in popular social and political opposition to the pervasive power and influence of global companies.⁴⁹ One key response by global corporations to such popular political and social opposition has been an increased emphasis on corporate responsibility, corporate good governance and commitment to sustainable development.⁵⁰ Resource-based companies, such as petroleum and mining companies, have been the target of trenchant popular and NGO criticism due to the harmful environmental impact of their core extractive activities, and it is therefore unsurprising to find them now at the forefront of corporate social responsibility programmes seeking to promote 'sustainable development'. The diamond industry's central involvement in collaborative policy formulation moves beyond crude commercial self-interest, however, into the uncharted territory of new international diplomacy and policy formulation.

The South African DFA has played five key roles in conflict diamond policy formulation and within the Kimberley Process. It is of interest to note that unlike other areas of South African foreign policy formulation, the Presidency has played no role. Moreover, policy has been driven collaboratively between the DFA and DMEA. It is noteworthy too that in general the issue of conflict diamonds has been dealt with by non-African states as a 'foreign affairs' area of operation and policy. This contrasts with African states which, in the main, have tasked their respective departments of mineral and energy affairs or its mining/resources equivalent with driving and coordinating their involvement with the Kimberley Process. This bifurcation may in part be accounted for by the fact that 'northern' countries are polishers, cutters and manufacturers, marketers and consumers, whereas African countries are (with the exception of South Africa) almost exclusively producers of rough diamonds.

The first key role has been that of interlocutor with the UN. The DFA has been central in lobbying, liaising and coordinating with the UN. More specifically South Africa has sponsored and written a number of UN resolutions

on conflict diamonds and the Kimberley Process. The DFA has thus not only advanced South Africa's position and interests on the curbing of conflict diamonds, but has acted on behalf of African producer countries, particularly those in the SADC region.

The second dimension to the DFA's role has been that of strengthening Kimberley Process member participation. This has been no small task and has involved active lobbying of previously 'outsider' countries to become members. From relatively modest beginnings,⁵¹ there is now no diamond producing, cutting, polishing or manufacturing country not participating in the Kimberley Process Certification Scheme (KPCS). Furthermore, one of the notable successes of the DFA has been to ensure that the policy formulation process was not usurped by countries such as the UK and the US. During his tenure, former UK Minister of State Peter Hain was thought to have wanted Britain to play the leading role in international policy on curbing conflict diamonds.⁵² In the earliest days of the Kimberley Process the UK sought the passing of a UN mandated treaty that would be binding on all countries. This position raised suspicions and further hardened resistance from countries such as Russia in particular, that the UK and others were attempting to force or impose binding positions as solutions to the problem. Later, however, Hain was to congratulate South Africa on its pivotal role.

“I want to pay tribute to the leadership that South Africa has shown in bringing together the leading African and other producer states, and for seizing the initiative to ensure that diamonds bring prosperity, not war, to Africa's people. The Kimberley Process has achieved a great deal, and has been immensely valuable in generating ideas on how we might tackle the problem of 'conflict diamonds'. It has been a trailblazer.”⁵³

It is important to note too that while countries and rebel movements had, and still have, UN Charter Chapter Seven (i.e. binding) sanctions imposed on them and that the UN has passed resolutions in support of the Kimberley Process, it remains a voluntary and political agreement among countries and not a binding legal agreement. This is regarded as both a strength and weakness of the KPCS. It is regarded as a strength insofar as decisions are reached on broad-based consensus, driven by overarching and shared objectives. It is regarded as a weakness (particularly among the NGO community) due to the legal non-enforceability of the agreements reached. Thus the deft diplomatic skill

exercised by the DFA in ensuring the broadening of participation by strikingly disparate countries, sometimes with conflicting interests and levels of interest, has been a notable policy success.

More recently the DFA's diplomatic skills and knowledge of international and trade law was severely tested by the Republic of Taiwan's application for membership of the KPCS. Taiwan's application was in part driven by legitimate commercial, manufacturing and trading concerns, as Taiwan is a jewellery manufacturer. Its application was, however, emboldened by its then recent accession to the World Trade Organisation (WTO). Furthermore, it is a key tenet of Taiwan's foreign policy to seek admission to international multilateral fora such as the WTO and the World Health Organisation (WHO). Thus, admission to the KPCS represented for Taiwan a small but significant forum of recognition as it permitted it to rank *parri passu* with all other Kimberley Process member countries, including most significantly the People's Republic of China.

Indeed, the KPCS presented an unusual challenge for member countries as, given the nature and status of the KPCS, it is *prima facie* a trade restrictive practice and thus ostensibly at odds with WTO rules.⁵⁴ The second dilemma for KPCS member states is that there is an inherent logic, desire and imperative to include as many diamond-related states as possible in order to close any loopholes that could provide some countries with an unfair advantage and which could also provide a 'safe haven' for those trading in conflict diamonds. The converse of the dilemma with respect to admitting Taiwan was the desire by member states (and particularly the major trading countries) not to alienate the People's Republic of China by admitting Taiwan and thereby 'recognising' it as an independent state.

It was South Africa's DFA, and in particular the chief director Economic Development, deputy director and state legal advisor within the DFA's Multilateral Division, that were largely responsible for brokering the agreement which saw the People's Republic of China acceding to Taiwan's admission to the KPCS under the title of Chinese Taipei. This was achieved at the 5 November 2002 Interlaken meeting.

The third role conducted by the DFA was that of drafting all communiqués, letters and communications between governments and between governments and NGOs, as well as communications to Kimberley Process industry members. This was a small but significant manifestation of South African governmental cooperation in that communications were drafted by DFA personnel, but signed and promulgated by Mineral and Energy Affairs Minister Ngcuka.

The fourth critical role played by the DFA was that of *de facto* secretariat to the Kimberley Process. Although no specific funding was budgeted for the purpose from the DFA, the DMEA, or indeed from the Kimberley Process membership, the assistant director in the Commercial Section of the DFA acted as the secretary to the Kimberley Process until the chairmanship of the KPCS was taken over by Canada in October 2003. This role included all planning, logistical, political, protocol and communication issues relating to the Kimberley Process. Furthermore, the chief director and deputy director played an invaluable role in agenda setting, facilitation and minuting of the meetings and plenaries of the KPCS. The South African DFA thus developed a unique insight into, as well as knowledge and institutional memory of, the Kimberley Process. The role of the DFA became even more significant when the number of members⁵⁵ grew to over 45, with some 20 more applicants.

The fifth regular role played by the DFA was that of interpreting and dealing with international trade law as it affected the KPCS. Again, while nominally the governmental department 'responsible' for the Kimberley Process in South Africa was the DMEA, this department had no depth of experience in international trade law. This role did not fall to the South African DTI either, but rather remained within the Multilateral Division of the DFA and with its state legal advisor in particular.

3.2 THE UNIQUE ROLE OF NON-GOVERNMENTAL ORGANISATIONS

Policy on curtailing conflict diamonds is exceptional with regard to the role played by NGOs, not just in highlighting, publicising and agitating around the issue but most importantly as nominally 'equal' participants in policy formulation and indeed monitoring of policy implementation. It should be stated at the outset, however, that in contrast to the lead role played by the South African government and South African diamond mining houses, the South African NGO community has not played a prominent role in this process. While both SAIIA and the ISS have conducted secondary research into the phenomenon of conflict diamonds, they have done so as policy 'think tanks' rather than as activists or policy consultants.⁵⁶ No South African NGO, and in particular no human rights NGO, has played a leading role in publicising, agitating or engaging with the campaign to curb conflict diamonds.⁵⁷ Instead, the lead role has been taken by London-based NGO coalition Global Witness and the Ottawa-based Partnership Africa Canada.

The first and historically most valuable role played by the NGO community was in both the conducting of research into and publicisation of the role of diamonds in fuelling conflict, firstly in Angola, but subsequently in Sierra Leone, the DRC and Liberia. The most significant contribution made by Global Witness was the publication in December 1998 of its comprehensive report 'A rough trade – The role of companies and governments in the Angolan conflict'. Not only did the report set out in succinct form the devastating impact of the Angolan war on its civilian population in particular and how the conflict had set back development in the country, it detailed the role diamonds (and other commodities) played in stoking the civil war. More particularly it laid the responsibility for this phenomenon not only with the major combatants, but more significantly for later policy formulation at the door of De Beers and the diamond industry for mopping up these diamonds, as well as the UN and the European Union (EU) for failing to ensure the enforcement of the embargo on illicit diamond trade.

Subsequent to the release of 'A rough trade', Global Witness provided the UN Security Council with an 'unofficial briefing' in January 1999 during which time the findings of the Angolan report were largely accepted as valid. While Global Witness does not claim any causal relationship, subsequent to the release of the report and its informal briefing of the UN Security Council, a new chairman of the UN Angolan Sanctions Panel (Canadian diplomat Robert Fowler) was appointed to investigate the linkages between illicit diamonds, conflict and the breaking of sanctions in Africa. The final UN report⁵⁸ confirmed a number of Global Witness's key findings and documented in some detail the networks and channels used by UNITA to mine, market, sell for cash and exchange diamonds for supplies, and in particular weapons. Significantly in policy terms, however, the Fowler Report asserted that particularly through the actions of Southern African countries themselves would the war against conflict diamonds be won. This placed a special responsibility on South Africa – a challenge it met.

The NGO campaign to publicise the impact of conflict diamonds was given a further boost by the launching of the Fatal Transactions campaign in October 1999. The significance of the campaign in policy terms was three-fold: first, it marked the first time that NGOs had coalesced internationally around conflict diamonds.⁵⁹ Second, the campaign was at pains to stress that it was an anti-war campaign rather than an anti-diamonds campaign (explicitly acknowledging the positive developmental role the legitimate diamond industry played). This shift

in emphasis was indicative of the fact that the diamond industry, governments and NGOs had begun to engage constructively with each other to deal with conflict diamonds, rather than adopting antagonistic positions. It also portended the degree of dialogue, and in due course ‘partnership’, that the three major constituencies would adopt through the Kimberley Process. Third, the Fatal Transactions campaign began agitating for a system of certification of origin for diamonds as a means of distinguishing legitimate, from illicit and conflict diamonds. Despite considerable technical difficulties this latter thrust was a constructive step towards policy formulation, rather than agitation. It was also a proposal that accorded with that desired by the industry and eventually accepted by governments.

In a watershed breakthrough in October 1999, De Beers announced that it would no longer purchase Angolan diamonds through any of its buying offices globally. It is held by Global Witness that De Beers announced its curtailment of Angolan diamond purchases in response to the publicity garnered by ‘A rough trade’ and the Fatal Transactions campaign. De Beers’s position is that this decision was made by the company before the launch of the Fatal Transactions campaign.

The sequencing of De Beers’s decision making is important for reasons of causality rather than culpability, and while it is accepted that De Beers had never directly purchased a conflict diamond and that it was genuine in its desire to see the end of the Angolan civil war, it was clearly highly sensitive to the potential harm that the ‘A rough trade’ report and the Fatal Transactions campaign could cause the diamond industry in general and the company in particular. Thus the research and publicisation of NGO reports into conflict diamonds had a direct and highly significant impact on corporate practice, and consequently on governmental policy formulation.

Despite these tectonic shifts in practice and approach, NGO and diamond industry relations continued (and to some degree continue today) to be characterised by mutual and healthy suspicion. From the industry perspective the NGO community was viewed as well intentioned, yet naïve and potentially harmful to the development of the more prosperous countries of Southern Africa, in particular Botswana and South Africa. A number of Southern African governments held the same view. In 1999 then South African President Nelson Mandela argued:

“The diamond industry is vital to the Southern African economy. Rather

than boycotts being instituted, it is preferable that through our own initiative the industry takes a progressive stance on human rights issues.”

Six months later, President Festus Mogae of Botswana stated that:

“We must recognise that the very diamond trade we seek to regulate is also the life-blood of millions across the globe. Diamond revenues support essential programmes of national development in stable, democratic countries such as Botswana, South Africa and Namibia. In fact, the great majority of diamonds in world trade contribute positively to human welfare.”⁶⁰

De Beers was aggrieved by the factual errors contained in NGO reports such as those relating to its DRC operations, which were curtailed years before. Furthermore, it disputed the 20% figure used by NGOs as an estimate of conflict and illicit diamond trade. The figure of no more than four per cent was eventually accepted by both the UN and NGOs, although De Beers was later at pains to stress that a single conflict diamond was one too many for the industry to tolerate. Perhaps most significantly De Beers and the South African Oppenheimer family in particular found the depiction of the company as lacking corporate responsibility as galling and factually selective. From the NGO perspective, that De Beers in particular appeared to hide behind a veil of ignorance regarding the origin of many of its Angolan diamonds was viewed as both disingenuous and irresponsible.

The NGO anti-conflict diamonds campaign took a further significant direction in January 2000 with the publication of the Partnership Canada Africa ‘Diamonds and human security’ report into the role that illicit diamonds played in fuelling the particularly egregiously violent activities of the RUF in Sierra Leone.⁶¹

Perhaps the most alarming finding of this report – and one that further galvanised tripartite (government, industry and NGO) action – was the possibility that the war may have been an end in itself as it served as a ‘cover’, permitting rebel forces to conduct ongoing profitable criminal activities including diamond dealing. Partnership Africa Canada was also instrumental in the production of video material depicting the atrocities carried out by the (conflict diamond-funded) RUF in Sierra Leone.

In May 2000 NGOs including Global Witness together with the diamond

industry testified before the US Congress House Committee on International Relations Sub-committee on Africa hearings into conflict diamonds. In addition to its trenchant criticism of the diamond industry for its perceived abrogation of responsibility in curbing conflict diamonds, Global Witness made an urgent call for an investigation into and implementation of a system of certification of origin of diamonds as an important first step in curbing the supply of conflict diamonds onto the international market. The hearings were the immediate precursor to the first Kimberley Process meeting in the same month.

The most significant contribution to policy formulation from the NGO community came in the form of a document produced by Global Witness entitled, 'Conflict diamonds: Possibilities for the identification, certification and control of diamonds'.⁶² The document was presented at the Technical Forum meeting on 11–12 May 2000 in Kimberley, which was to be the precursor to the Kimberley Process. Comprehensive in its scope and constructive in its proposals, the 'Certification' document set the benchmark for NGO engagement on policy formulation going forward. The scope of the document covers: an analysis of the diamond industry; diamond identification methodologies; legislative overview; technologies and control systems in place in the diamond industry; certification for other products; and finally recommendations for a control system. The major recommendations of the 42-page report were as follows:

- Traders should be required to keep track of diamonds that they trade and to be able to provide verifiable information to a proposed International Diamond Committee (IDC) upon request within an agreed time frame.
- Diamonds should only be bought and sold through individuals and companies registered with the national governments and the IDC.
- All diamond dealing transactions would need to meet the requirements of the IDC but would require the full cooperation of national government import and export authorities.
- Polishers would be required to maintain a comprehensive paper trail of their stocks, including the expected yield of their polished diamonds. A linked computer software system was proposed in this regard.
- Manufacturers should undertake to purchase diamonds from polishers registered with the IDC and only diamonds that possess a verifiable audit trail.
- Retailers should only purchase diamonds that come with a supply chain paper trail certifying that they come from conflict-free sources.⁶³

While these proposals were in large part adopted by the industry and governments within the framework of the KPCS, a number of other NGO proposals were difficult or impossible to implement. These included identifying the source of diamonds mined in conflict or rebel zones purely by sight and thus excluding them from trade. The problem with this proposal is that while experts can generally identify the source of diamonds from a broad geographic area, this requires a representative sample of perhaps hundreds of stones, and thus conflict diamonds within a given parcel could still be secreted through the system. Second, the proposal that diamonds be ‘tagged’ by laser technology was rejected principally for aesthetic reasons. Furthermore, both the industry and governments rejected NGO proposals that were practically or financially too burdensome.

3.3 THE DIAMOND INDUSTRY’S ROLE IN POLICY FORMULATION

Prior to the NGO exposure of the atrocities perpetrated by diamond-funded rebels in Africa, the diamond industry was fissionary and secretive. There can be no doubt that the threat posed by a consumer boycott galvanised the industry into taking collective action to head-off damaging and potentially mortal publicity. Yet there were a number of other drivers that account for the policy response of the industry, beyond that of defensive strategy and tactics.

The first of these comes from the commercial imperative of mining houses, as these require a stable governance environment within the country of investment. Kimberlitic mines are a long-term investment, sometimes running to decades that perhaps only reach profitability in the second or third decade after the initial investment. War and civil conflict are therefore threats to stable legitimate mining house investment. De Beers Chairman Nicky Oppenheimer noted:

“It goes without saying that no investment can be considered safe – no matter how high the reward – in those countries where the rule of law is ignored, eroded or abrogated by political whim. And political whim can only be curtailed, controlled and held to account by the political will of the people operating in a transparent and open democracy.”

De Beers’s Achilles heel in this regard lay not on its legitimate fixed mining investment and social responsibility programmes, but rather in the activities of its London-based Diamond Trading Company (formerly the Central Selling

Organisation) which had mopped up the diamonds produced in conflict areas such as Angola in particular.⁶⁴ Oppenheimer was later to tacitly publicly accept the role that the industry had played in conflict diamonds:

“Some might think that the tentative peace in Sierra Leone, or recent developments in Angola mean that we can relax, slow the pace a little, or even go back to ‘how it always used to be’. They must think again, because there is no going back. There can be no going back to the days when we inadvertently allowed rebel movements, malicious criminal organisations or individuals to become parasites on our industry and, through the lack of simple but effective controls, allow them to fund their selfish and ruinous activities with impunity.”⁶⁵

The second imperative was to differentiate legitimate from illegitimate and unscrupulous individuals and companies within the industry. A system of certification, controls and an audit chain was therefore in principle attractive to the legitimate players in the industry.

The third and perhaps most difficult imperative was to forge a collective response to threats outside and inside the industry.

Given its preeminent position within the industry, its exposure to criticism, its vested interests in Africa and its avowed social responsibility ethos, it fell to De Beers to become the driving force behind the forging of a collective response to the threats posed to the industry by conflict diamonds. This found expression in the agreement to form the WDC at the World Diamond Congress in Antwerp in July 2000. This body now represents the entire diamond industry from mining houses to retail outlets. Significantly, delegates at the congress issued a joint resolution of a ‘zero tolerance’ position towards anybody or entity dealing in conflict diamonds.

The WDC was to include representation from the diamond industry and from among countries where diamonds play a major economic role, as well as from the international banking sector. The *raison d’être* for the WDC was:

“[T]he development, implementation and oversight of a tracking system for the export and import of rough diamonds to prevent the exploitation of diamonds for illicit purposes such as war and inhumane acts.”

The WDC ‘credo’ notes:

“The diamond industry does not condone the exploitation of diamonds for illicit or immoral purposes. Nor will it acquiesce to outside efforts to disrupt the importance that diamonds are to the established and emerging economies around the world. Rather it is the goal of the diamond industry, working through the World Diamond Council, to work openly and in partnership with the people of the world whenever and wherever such challenges occur.”

The seriousness with which the WDC took the threat of conflict diamonds is borne out by the activities of two of its key committees. The Technical Committee developed a System for International Rough Diamond Export and Import Controls, which was presented as the diamond industry’s proposal to the UN, the US Congress and other international governing bodies. The Legislative Committee, working with international trade law experts, prepared model legislation for presentation to, and consideration by, members of the US Senate and House of Representatives.

Even prior to the formation of the WDC, however, the diamond industry had provided written testimony to the UN hearings on conflict diamonds and had participated as ‘observers’ in the first Technical Forum meeting held in Kimberley in May 2000. The most practical early policy intervention came, however, from the Diamond High Council (DHC). The DHC first assisted Sierra Leone and then Angola in the formulation of a diamond certification scheme which was to become the forerunner of the KPCS.

3.4 THE KIMBERLEY PROCESS – FROM CONFLICT TO POLICY IMPLEMENTATION

The first meeting held to discuss the trade in conflict diamonds took place in Kimberley, South Africa, in May 2000 at the initiative of African producing countries. This technical experts’ meeting was followed by meetings in Luanda, London, Windhoek and a ministerial stocktaking session in Pretoria in September 2000. The UN General Assembly endorsed the work of the Kimberley Process in its Resolution 55/56, which was adopted on 1 December 2000. The resolution was co-sponsored by 48 states and was unanimously adopted. After the adoption of the resolution, more states worldwide joined the Process: it therefore became known as the ‘expanded’ Kimberley Process.

The first meeting to be convened under the expanded Kimberley Process mandated by the UN General Assembly was held in Windhoek, Namibia from

13–16 February 2001. The meeting was held in two parts: the officials' session on 13 February, followed by a technical workshop from 14–16 February. In all, 26 governments, the WDC and representatives from SADC, the European Community as well as civil society participated in the technical workshop.

Thereafter a 'road map' leading to the design, development and implementation of a certification scheme to halt the trade in conflict diamonds was laid out. Key meetings were then convened in Brussels in April 2001, in Moscow in July 2001, and then a plenary session in Twickenham, London interrupted by the September 11 attacks. A follow-up plenary session of the Kimberley Process was held in Luanda, Angola in October/November 2001 and a SADC Ministerial Summit was held in Gaborone at the end of November 2001. At the plenary session of the Kimberley Process held in Ottawa, Canada in March 2002, the draft document outlining the internationally agreed measures and standards for the implementation of the KPCS was presented and debated. Finally, a ministerial meeting was held in Interlaken, Switzerland at which the KPCS was formally accepted by national governments, the industry and indeed NGOs. Subsequent to the acceptance of the KPCS by national governments, the UN General Assembly (UNGA) passed UNGA Resolution 56/263 (2002) supporting and endorsing the scheme.

Although the KPCS was due to come into force and effect on 1 January 2003, it became clear at the April plenary held in Johannesburg that a number of hurdles still lay in the way of practical implementation. While the process was given a boost by the passage of the Clean Diamonds Act through Congress⁶⁶ and its prompt signature into law by President Bush before the April plenary, a number of countries had experienced great difficulty in passing domestic legislation and indeed presenting their membership and compliance credentials and documentation to the Secretariat. Members were therefore given an extension to fulfil their commitments by June 2003. At the final plenary held under the Chair of South Africa in October 2003 before handing over to Canada, three more countries including Brazil formalised their membership and participation in the KPCS.

The KPCS passed a critical test in July 2004 when the Republic of Congo (Congo-Brazzaville) was expelled as a member of the scheme pursuant to a Review Mission led by South Africa's Abe Chikane conducted in May 2004. The Review Mission found the Republic of Congo's controls to be inadequate, poorly enforced and thus unable to prevent conflict diamonds from entering the legitimate diamond trade.⁶⁷ The fact-finding mission established that Congo

was exporting diamonds at a rate approximately 100 times greater than its estimated production. The Congo authorities were unable to account for this gross anomaly. The multilateral support for the KPCS decision has delivered a much-needed credibility boost to the KPCS and has sent out the clearest signal to countries and rebels trading in illicit diamonds that their days of flouting international law and policy are ending.

3.5 CONCLUSION

The KPCS stands as a unique and singular success in tripartite policy collaboration between governments, industry and civil society. In less than six years the three former protagonists have forged a template for the regulation and control of diamonds to the practical exclusion of all other conflict diamonds from the international market. While it is impossible to ascribe a cessation of hostilities in Angola, Sierra Leone, the DRC and to a far lesser extent Liberia to the KPCS, there is little doubt that the measures taken and adopted in what was a sometimes tortuous process have had a positive impact in cutting off one of the lifelines that fuelled conflict in these respective countries.

The South African government through the DFA and DMEA has played the lead role in the KPCS and has been supported throughout by the South African mining giant De Beers. As such this case study stands out as the leading example of the convergence of meeting South Africa's core foreign policy objectives and modalities (peace and security, African Renaissance and development, and through multilateral cooperation); but in addition it sets an example to policy formulators regarding the constructive and collaborative engagement of industry and civil society in policy formulation. Lamentably, the South African parliament and more particularly the Mineral and Energy Affairs Committee and the Foreign Affairs Committee have not engaged in this process to any measurable degree.

ENDNOTES

- 34 The terms 'conflict diamonds' and 'blood diamonds' are often used interchangeably. Blood diamonds conjures up stark and powerful images of the injuries and loss of life in conflicts fuelled by illicit diamond dealing. The term explicitly and implicitly draws parallels with the highly successful campaign against the use of natural furs in the fashion industry. The term has been used far more frequently by the non-governmental community and lobbyists, but has steadily lost currency or usage as NGOs involved in

- the Kimberley Process have come to work collaboratively and constructively with both the diamond industry and national governments. The term conflict diamonds, rather than blood diamonds, is thus used throughout this chapter. For a fuller conceptual discussion see David J Francis, *Conflict diamonds and the analysis of African conflicts: A framework for conflict prevention*, Department of Peace Studies, University of Bradford, 2002.
- 35 One of the areas bedevilling policy on conflict diamonds has been the divergent views on the extent of trade in conflict diamonds. NGO claims are regarded by the industry as exaggerated, with De Beers arguing that its best estimate of no more than two per cent of total trade is the most likely.
- 36 The value of the historic trade in illicit Angolan diamonds is widely contested, but ranges from US\$650 million to US\$3.7 billion.
- 37 Angola Country Profile, *CIA World Fact Book*, 2004.
- 38 As one illustration, the 1,300 km Benguela railroad stretching from Lobito to Zambia, constructed between 1903 and 1929 and at its peak moving three million tons of freight in 1974, had been reduced to an operational strip of only 40 km by the end of the 1980s.
- 39 Totalling an alleged US\$4 billion over the past five years.
- 40 Agricultural production overall fell from 29% of GDP in 1991 to under 6% in 2000, with a requirement to import 725,000 tons of cereals in 2003. See, *Angola Country Report*, Economist Intelligence Unit, November 2002 cited in International Crisis Group (ICG), *Angola's choice: Reform or regress*, p 5, <<http://icg@crisisweb.org>>.
- 41 Others include: Russia (21%); Canada (7%); and Australia (4%). Of the total of 1.8 billion carats of industrial diamonds produced annually, South Africa manufactures between 400–450 million carats.
- 42 See the visual evidence provided by the Global Witness report, 'A rough trade', and further evidence provided by the UN-sponsored Fowler Report into sanctions busting in Angola.
- 43 For the purpose of policy formulation, rebel movements trading in conflict diamonds are excluded from this actor analysis. It is significant to note, however, that rebel movements in Africa have made earnest enquiries about becoming members of the Kimberley Process.
- 44 This was conveyed by Assistant Secretary of State for Africa Walter Kansteiner at a conference hosted by the Centre for Strategic and International Studies (CSIS) in Washington entitled, The Kimberley Process to curb illicit diamonds: Early achievements, congressional action, and next steps, held on 10 April 2003.
- 45 Global Witness, *A rough trade – The role of diamond companies and governments in the Angolan conflict*, London, 1998.
- 46 DFA official presentation at the KAS head office, Johannesburg, 10 October 2002.
- 47 Such evidence is not only to be found on the De Beers/DTC and Debswana websites, but the strong social responsibility track record of De Beers was also acknowledged by the NGO Partnership Africa Canada in published correspondence with De Beers Chairman Nicky Oppenheimer.
- 48 Outside diamonds are those purchased on the open market outside of De Beers's mines and site holders.
- 49 See in particular the critiques articulated by Noreena Hertz in *The silent takeover: Global capitalism and the death of democracy*, Cambridge University Press, Cambridge, 2002.

- 50 This trend in global corporate social responsibility was perhaps most publicly demonstrated by the collective positions and high profile adopted by many resource-based corporations and business leaders in preparation for the World Summit on Sustainable Development in 2002. Furthermore, corporate social responsibility, including social and political development, is a central theme of the annual World Economic Forum meetings in Davos, Switzerland.
- 51 A small but significant number of governments participated in the first Kimberley Process meeting, including South Africa, the UK, the US, Canada, Belgium, Japan, Israel, Russia and Angola. This number has now grown to some 54 at the 2003 Kimberley Process Certification Scheme Plenary meeting.
- 52 The UK Foreign and Commonwealth Office is also believed to enjoy close relations with the London-based NGO Global Witness, which perhaps reinforced the perception held by some other countries that the UK was in the earliest days seeking to 'own' the policy formulation process. No doubt such perceptions had an element of truth given the UK's commercial and traditional colonial interests in Africa.
- 53 Press release, South African Department of Mineral and Energy Affairs and British Foreign and Commonwealth Office, September 2001.
- 54 The WTO has subsequently found the KPCS not to be in contravention of its rules and there is therefore no conflict between KPCS and WTO membership.
- 55 Including countries, the EU as an economic entity, as well as industry members such as the World Diamond Council. NGOs occupied an ambivalent position as observers rather than as members.
- 56 See for example J Cilliers & C Dietrich (eds), *Angola's war economy: The role of oil and diamonds*, ISS, Pretoria, 2000.
- 57 A number of South African-based researchers/activists have, however, remained engaged with the issue.
- 58 Final Report of the UN Panel of Experts on Violations of Security Council Sanctions against UNITA S/2000/203, 10 March 2000. The 'Fowler Report'.
- 59 It is noteworthy that NGOs from a range of countries now began campaigning against conflict diamonds, including the Netherlands institute for Southern Africa (NiZA), yet they were still not joined by Southern African NGOs.
- 60 As quoted in Andrew Bone, *Business and security after September 11th 2001: Protecting the legitimate and blocking the illegitimate*, Stockholm International Peace Research Institute, Sweden, September 2003, p 3.
- 61 It was photographs printed in many international journals and newspapers of the brutal practice of cutting off the limbs of women, children and youths by the RUF that perhaps had the most shocking impact on Western consumers of diamond jewellery.
- 62 The research and publication of the document was funded by the British Foreign and Commonwealth Office.
- 63 Global Witness asserted that such certification by retailers would both prove the authenticity of the diamond and provide comfort to the consumer. The position of the industry remains that to advertise diamonds as 'conflict free' would in fact be too sensitive and potentially damage sales and marketing. Thus even at international diamond manufacturing fora the Kimberley Process is not profiled.
- 64 De Beers had ceased doing any business with or purchasing diamonds from Sierra Leone in 1985.

- 65 Nicky Oppenheimer address to WDC meeting, Milan, March 2002.
- 66 The urgency applied to the passage and signature of the legislation was in part driven by the US's concern to close a loophole allegedly exploited by the al-Qaeda network in using diamonds as an alternative currency to launder.
- 67 See press releases by the Kimberley Process Secretariat, No. 002, 19 May 2004, the World Diamond Council and Global Witness on 9 July 2004, available on the KPCS website, <<http://www.kimberleyprocess.com>>.

Chapter 4

SOUTH AFRICAN FOREIGN POLICY FORMULATION AND NEPAD

The New Partnership for Africa's Development (NEPAD) is the single most important developmental programme to be initiated on the African continent. South Africa has played the central role in its conception, development and marketing. It is at once the most detailed and ambitious programme that seeks not only to restructure inter-African state relations; it locates this process within a much broader paradigm of attempting to forge a 'new deal' on international trade and investment flows between Africa and the developed/industrialised world in particular. It is ambitious in its scale and grand in scope. By conjoining new voluntary governance commitments and practices on the African continent to the reward of a more equitable and advantageous trading regime between Africa and the developed world, NEPAD seeks to create important linkages involving the reduction of risk on the African continent in exchange for the reward of greater trade access and markedly stronger investment flow into Africa. In so doing NEPAD seeks to create a virtuous and sustainable paradigm with the ultimate aim of Africa claiming the 21st century.⁶⁸

4.1 NEPAD IN SUMMARY

The core objectives of NEPAD are to reduce and finally to eradicate poverty in Africa and to place the continent on a path of sustained development as an integral bloc within the global trade and investment community. The plan rests on eight founding principles:

1. That peace and security are absolute prerequisites for development in Africa, but that good governance, in turn, is the basis for establishing peace and security.

2. That Africa has to take primary responsibility for the terms of its own future development, but that this will require prescient leadership as well as a broadening and deepening of the involvement of all sectors of society towards the renewal of the continent.
3. Africa's development will hinge on the improved and optimal use and application of its natural and human resources.
4. The necessity of considerably enhanced cooperation between African states.
5. The imperative of accelerated and deeper regional integration on the continent.
6. The need to make Africa globally competitive.
7. The imperative of altering Africa's unequal and disadvantageous trade relations with the developed world towards that of partnership.
8. Linking all programmes to the achievement of the Millennium Development Goals (MDGs) on the continent.

First, Africa's development through NEPAD is to be achieved via a Programme of Action that will give priority to reaching a path of sustainable development through securing peace and security, good political and corporate governance, as well as driving regional and continental integration and building continental capacity.

Second, it enshrines a programme of policy reform and enhanced investment within the following priority sectors:

- agriculture;
- environment;
- human and skills development particularly in the health, education, science and technology sectors;
- building infrastructural capacity in information communication technology (ICT), energy, transport, water and sanitation;
- economic diversification where Africa can develop a competitive advantage, particularly with respect to agro-industry, manufacturing, mining, mineral beneficiation and tourism; and
- enhancing trade between African countries and achieving greater access to the markets of developed economies.

Third, NEPAD seeks to mobilise resources on the continent through increasing domestic savings and investment, improving the management of public

revenues and expenditure, expanding Africa's share of global trade, attracting fixed direct investment as well as reducing external debt and enhancing official development assistance.

4.2 MORE THAN OLD WINE IN A NEW BOTTLE?

Although groundbreaking in its range and scope, NEPAD has a number of significant progenitors. Its conceptual and theoretical foundation may, in part, be found in the 1976 Economic Community of Africa document, 'The revised framework for the implementation of the new international order in Africa', which formed the basis for the so-called Monrovia Strategy of 1979. The revised framework was significant for NEPAD in that it stressed four cardinal principles that are reincarnated in the 2001 recovery programme, namely: self reliance; self sustainability; the democratisation of the development process; and the progressive eradication of unemployment and poverty. The Monrovia Strategy was followed by the most important and comprehensive of these forerunners, the Lagos Plan of Action for the Economic Development of Africa 1980–2000, and the Final Act of Lagos 1980. Although adopted by the OAU in 1980, it was a full decade later before the Lagos Plan was adopted by African Heads of State to form the African Economic Community (AEC), and some four years later in 1994 before the protocol was ratified. Other significant initiatives include Africa's Priority Programme for Economic Recovery 1986–1990 (APER). This was later reconfigured as the UN Programme of Action for Africa's Recovery and Development (UN-PAAERD) (1986). The African Alternative Framework to Structural Adjustment Programme for Socio-Economic Recovery and Transformation (AAF-SAP) followed in 1989. Two more recent African development programmes were the African Charter for Popular Participation for Development (1990) and the UN New Agenda for the Development of Africa in the 1990s (UN-NADAF) (1991).⁶⁹

Conventional wisdom holds that all of these initiatives failed for two primary reasons: one exogenous and one more symptomatic of Africa at the time. The first holds that the international community, and more particularly the international financial community, was not ready for, committed to or sufficiently supportive of these successive African initiatives. This critique applies equally to the UN-supported plans. Critics take this argument one step further and argue that the Bretton Woods institutions actively opposed these indigenous African plans as their prescriptions ran contrary to the pervasive

'structural adjustment' paradigm externally modelled for debt-ridden African states during the decade of the 1980s in particular. The second explanation relates to the incapacity and undercapacity of African states to implement the programmes and policies enshrined in successive continental 'recovery' plans. Relatedly, and crucially, there is now a recognition and acknowledgement that African political leaders have often lacked the individual and collective political will to implement the programmes they had designed, approved and ratified.

These explanations alone are, however, too simplistic. In reality explaining the failure of successive African development plans – and conversely the greater receptiveness of African and developed countries to NEPAD – requires a far more textured analysis.

The first and most obvious question to be raised is whether or not macro-economic recovery and development plans, particularly those on a pan-African scale (as opposed to national and regional programmes), are appropriate and hold the conceptual potential for success on the continent. This question has particular resonance for Africa given the prevailing weakness of many African states (particularly their administrative structures) to deliver basic goods and services, or indeed to exercise political authority over national territory. Moreover, questions have to be raised about the functional capacity of Africa's regional economic communities (RECs), let alone the potential utility of pan-African political and economic formations. Indeed, perhaps the only notable historical successful examples of national and regional reconstruction on a grand scale were the post-Second World War Marshall Plan and Japanese economic recovery and reconstruction plans. Questions therefore remain about the conceptual and practical validity of continental recovery programmes that are, by definition, dependent on the capacity of weak African individual states to deliver on their commitments.

The second factor relates to the political and ideological divisions that characterised Africa between the post-colonial period and the cessation of the Cold War. The ideological problematic related to the lack of agreement on the appropriate social, political and economic models (from Marxist and Maoist, to African Socialist and neo-Capitalist) to be adopted in the post-colonial period. As importantly, prior to the ending of the Cold War, the politico-strategic map of Africa was characterised by patterns of patron–client relations often playing themselves out in brutal and persistent regional and civil wars that corroded any possibility of continental recovery. Ethiopia, Eritrea, Somalia, Sudan, Mozambique and Angola, among others, are cases in point.

By the end of the decade of the 1990s, however, not only had the Cold War been dramatically and decisively won by the ‘West’ – and consequently the strategic and ideological temperature considerably lowered on the continent – a ‘Third Wave’ of democratisation had begun to form, if not yet break uniformly, on the African continent. Democratic, if somewhat flawed, elections in Namibia, South Africa, Mozambique, Angola and Malawi had begun to transform the political climate on the sub-continent during the 1990s. What is more, a converging and shared discourse of democracy and good governance began to emerge among reformed, reforming and reform-minded political leadership. Two indigenous trends therefore obtained in Africa prior to the development of NEPAD: an increasing consensus surrounding appropriate development models; and a more robust stance on crucial areas of democracy and good governance among some African leadership. With the ‘demonstration effect’ of the negotiated solution to the seemingly intractable South African crisis resolved in favour of a full-fledged constitutional democracy, it also became increasingly untenable for autocratic and military regimes to justify and sustain their continued acceptance as members of the African community of nations.

Furthermore – particularly among reform-minded African political leadership – came the realisation that Africa itself urgently needed to address its relative and absolute decline and decay, particularly as it was becoming increasingly marginalised in an ever more globalised world. Concomitantly came the recognition that a solution to this condition of structural underdevelopment could not be sought and found through increased aid and dependency on developed countries. Thus emerged an imperative to conceptualise, promote and adopt an African recovery programme written by Africans, for Africans.

4.3 THE CENTRALITY OF SOUTH AFRICA TO NEPAD

In addition to these global and continental tectonic shifts, a critical yet seldom acknowledged factor in the relative failure of pre-NEPAD African recovery initiatives was the absence of South Africa from either the conceptualisation, but more particularly the implementation, of such plans. Regional developmental plans such as those conceived by the Southern African Development Coordination Conference (SADCC) were designed with the specific recognition and aim of entrenching South Africa’s separateness from the rest of the continent

in political, trade and economic terms. Many of the SADCC initiatives took their point of departure as that of attempting to strengthen regional blocs and trade networks to counter South Africa's economic, if not political, influence. Such initiatives may have achieved some degree of efficacy at the political and diplomatic levels insofar as they intensified the South African regime's economic trade and investment isolation, but it must also be acknowledged that, for example, the Southern African Customs Union, the oldest such union, continued to flourish despite Pretoria's continental political isolation. More particularly for Africa, all plans that sought to further isolate South Africa, while justified on political grounds, may have had deleterious consequences for the development of the continent. Simply put, South Africa is far too significant a factor in the political economy of the continent to be isolated. The low and negative growth rates of the sanctions-bound South African economy during the 1980s in particular, also contributed to the continued underdevelopment of the SADC region, if not sub-Saharan Africa. Beyond trade, however, South Africa's own industrial development path and programmes of import substitution towards self-sufficiency under sanctions built up a level of technical and scientific expertise that was not used for the development of Africa. Rather, such expertise was often abused by the South African defence and security establishment in the destabilisation of regional states, either directly or through political proxies. Thus prior to the political reforms of the early 1990s, South Africa and the bulk of the African continent had reached an untenable and mutually damaging stalemate that had the effect of undermining any plans at continental recovery.

South Africa's political transition and resulting readmission to the community of African states was consequently a fillip for the continent as a whole. Furthermore, the country's democratic transition brought political and diplomatic dividends that went beyond the continent, such as its election to the chair of the NAM, the Commonwealth and UNCTAD. This international elevation also enabled South Africa to leverage its position to profile and promote issues of Africa's development onto the global agenda. For example, it was South Africa's position as chair of the NAM at the time of the Sirte Summit in 1999 that provided the global 'institutional' basis for it to play an advanced role in the process that eventually led to the adoption of NEPAD.

4.3.1 MBEKI, IDEALISM AND NEPAD

NEPAD is predicated on, and consistent with, core philosophical tenets of South

African foreign policy, such as a commitment to multilateralism, human rights and global governance reform, but also represents the clearest case of idealism informing policy formulation. NEPAD is quintessentially a visionary idea in documentary form. While setting concrete targets for the achievement of the UN MDGs, it is propelled by a vision of a transformed African continent and a reconfigured pattern of African-global trade and investment relations. The ideological premise for NEPAD is squarely located within the concept of an 'African Renaissance'. The notion of renaissance suggests not just a rebirth, but a rediscovery, embracing and promotion of African precolonial values, culture identity and pride. This ethos is best captured in the speech 'I am an African', delivered by then Deputy President Thabo Mbeki on 8 May 1996 at the adoption of the South Africa Constitution Bill.⁷⁰ NEPAD presents a far more profound challenge, however, as it seeks to assert African self-identity and responsibility, but aims to achieve this in a manner that is conducive with the continent claiming the 21st century in an ever more competitive globalised political economy. Significantly, then Deputy President Mbeki reportedly first used the term 'African Renaissance' publicly in a 1997 speech not in Africa, but to the Corporate Council Summit in the US on attracting capital to Africa.

"But still, outside of our continent, the perception persists that Africa remains as of old, torn by interminable conflict, unable to solve its problems, condemned to the netherworld. Those who have eyes to see, let them see. The African Renaissance is upon us. As we peer through the looking glass darkly, this may not be obvious. But it is upon us."⁷¹

Thus a critical factor that must be taken into account when analysing the drivers of the formulation of NEPAD, is that of the personality, background and ontology of Thabo Mbeki. Unlike his presidential predecessor, Mbeki spent much of his adult life in exile, travelling in and between African countries and Europe. Mbeki left South Africa in 1962 and was educated in the UK, eventually graduating with a Master's degree in Economics from the University of Sussex in 1966. He later underwent military training in the former Soviet Union. Yet most of his years in exile were spent in Africa. Mbeki spent time as ANC representative in Swaziland and Nigeria and was active in Botswana and Tanzania. In addition to heading the ANC's information office, Mbeki played a crucial role in galvanising the international community against the apartheid government. In 1989 Mbeki became head of the ANC's International Affairs

Department. Thus by dint of personality, experience and qualification, Mbeki is an economist who is both an Africanist and internationalist.

While Mbeki has a predilection to ‘micro-manage’ issues, he is perhaps at his most comfortable and engaged on matters of international political economy. As a document of macro political economy in which the South African president played a significant part in its conceptualisation, NEPAD may be regarded as the defining document of the Mbeki Presidency.

Yet NEPAD also highlights South Africa’s Janus-faced African foreign policy. The greatest political and diplomatic challenge for South Africa’s role in NEPAD has been balancing the triple imperatives of: a) corraling support for the programme among African states; b) marketing the plan and galvanising support for it among the Group of Eight (G8)⁷² countries; and c) ensuring that South Africa was not perceived by other African countries as exerting hegemonic pressure on political leadership to accept NEPAD’s precepts, commitments and programmes. Furthermore, this perceived ‘ownership’ of NEPAD has brought a degree of unwanted international diplomatic pressure to bear on South Africa, particularly on the paradoxical question of Zimbabwe. Despite South Africa’s official protestations to the contrary, elements of the international community have questioned South Africa’s leading role in the development, marketing and implementation of NEPAD, with its failure to exercise leadership in helping to resolve the deepening crisis in Zimbabwe. This will be discussed in the following chapter. Suffice to say that the two issues are uncomfortably, but intrinsically, linked.

A further profound distinction between NEPAD and its predecessors is that the programme is predicated on the development of a new compact *between* Africa and its key trading partners. As former South African President Nelson Mandela noted:

“Africa is beyond bemoaning the past for its problems. The task of undoing that past is ours, with the support of those willing to join us in a continental renewal. We have a new generation of leaders who know that we must take responsibility for our own destiny, that we will uplift ourselves only by our own efforts in partnership with those who wish us well.”

Consistent with this ethos, NEPAD makes a number of important conceptual breakthroughs. First, while taking cognisance of Africa’s objective post-colonial

legacy, the drafters of the programme acknowledge that African recovery can only be advanced if indigenous leadership takes appropriate responsibility for the peace and security, developmental and governance failures (and successes) of the continent. Beyond taking responsibility for some of the past failures, African leadership is called on to subscribe to a number of pillars of good governance.

In so doing, the drafters of NEPAD have established a set of 'behavioural' benchmarks to which adherents must subscribe. Implicit in this is the potential for inter-state differentiation. The idea of a 'club' of member states has never been officially floated and the NEPAD leadership has been at pains to ensure the broadest based support, rather than exclusion; but the negative consequences of non-adherence to acceptable political and governance standards in Africa are implied in the document. While this conceptual breakthrough is vital it is also clear that in embracing, *inter alia*, standards of good governance, not only are African leaders sending out a clear message to their peers, but also a message of encouragement and assurance to countries of the developed world and the investment community.

The nature of the partnership is subject to negotiation, but the drafters of NEPAD make the case that Africa acknowledges that the continent is located within an increasingly globalised network of trade and communication and that in order to improve its objective circumstances, Africa must move beyond the condemnation of colonial injustices and unequal terms of trade towards a *modus vivendi* in which Africa creates conditions conducive to substantial and sustained increases of inward investment.

4.3.2 SOUTH AFRICA AND THE POLITICAL ORIGINS OF NEPAD

The critical political thrust proper for NEPAD is to be found in the Sirte Declaration at the conclusion of the extraordinary OAU Summit held in Libya in September 1999. The declaration approved in principle the establishment of the AU, the implementation of the treaty establishing the African Economic Community, the shortening of the implementation period of the Abuja Treaty, the establishment of key pan-African institutions such as the African Central Bank, the African Monetary Union, the African Court of Justice and the Pan-African Parliament (PAP).

In addition, the declaration sought ways of strengthening the RECs. More specifically, the OAU gave presidents Mbeki of South Africa (then chair of

NAM) and Bouteflika of Algeria (then head of the OAU)⁷³ the following mandate:

“[We] mandate our Current Chairman, President Abdelaziz Bouteflika of Algeria and President Thabo Mbeki of South Africa, in consultation with the OAU Contact Group on Africa’s External Debt, to engage African creditors on our behalf on the issue of Africa’s external indebtedness, with a view to securing the total cancellation of Africa’s debt, as a matter of urgency. Convene an African Ministerial Conference on Security, Stability, Development and Cooperation in the Continent, as soon as possible. Request the Secretary General of our organisation, as a matter of priority, to take all appropriate measures to follow up the implementation of these decisions.”⁷⁴

Significantly, the response of Mbeki and Bouteflika was a request to develop a programme that went far beyond the specific mandate given by the OAU to tackle the issue of Africa’s indebtedness, but rather to develop a more holistic and integrated approach to African recovery that located the continent’s indebtedness within a comprehensive framework that sought to renegotiate Africa’s relationship with its creditor nations. The second multilateral link in the development of NEPAD, and again one that centrally involved South Africa, was the mandate provided to president’s Mbeki and Obasanjo at the South Non-Aligned Movement Summit in Havana in 2000. Mbeki and Obasanjo were tasked with bringing the issues of concern to the NAM to the attention of the G8, World Bank and IMF. The OAU Summit in Togo saw the respective mandates rationalised and consolidated, with all three presidents charged with taking forward the African recovery agenda with the G8. This was first done at the G8 Summit held in Japan in July 2000.

Adding further impetus to what eventually emerged as NEPAD was the proposal made by Economic Community of Africa Executive Secretary K Y Amoako to develop a Compact for African Recovery (CAR). Essentially the CAR was conceptualised as a programme for the achievement of the UN September 2000 Summit giving rise to the establishment and acceptance of the MDGs.⁷⁵ Significantly, too, Amoako conceived of the programme as a ‘compact’ between Africa and the developed states of the ‘North’. Reduced to its essence the compact envisioned the developed states investing sufficient capital and development aid into Africa to provide it with the ‘jump start’ it

needed. For its part, Africa would embark on a programme of political and governance reforms to place domestic economies on a stable footing for their sustainable growth and development. Executive Secretary Amoako's proposals were accepted by African finance ministers and emerged as a document in support of the Millennium Partnership for Africa's Recovery (MAP) Programme in Addis Ababa in April 2001.⁷⁶

A further important element to the final production of NEPAD was the drafting of the Omega Plan under the aegis of President Wade of Senegal. The 25-page plan was first presented to the Franco-Africa Summit in Yaoundé in January 2001. It is widely held that Omega was produced as a competitor document to the South African-drafted and Nigerian-supported MAP document. Economic, social and political rivalry between French and British interests within Africa operates at many levels, and while the UK Department for International Development (DFID) was both supportive of and reportedly participated in the drafting of the MAP, France was not prepared to have its African role, or that of its African political and economic allies, 'sidelined'. President Wade too, by dint of personality, was not prepared to simply endorse an exogenous document of which he had no part in the conceptualisation or drafting. Moreover, Wade regards himself as a significant regional player in Africa, and in francophone Africa in particular. Furthermore, Wade has clear and developed views regarding the appropriate paths for national, regional and African development.

Indeed, the Omega Plan is quite distinctive from the MAP. Omega is a more focused, targeted and economic document than the comprehensive MAP. More modest than the MAP, Omega emphasises basic infrastructure, health and agricultural development as the keystones to African recovery. Moreover, Omega sets specific economic growth targets of seven per cent and strategies for their achievement. Very little is said in the Omega document regarding the crucial area of political reform and good governance, although this may be taken as implied.

In addition to the more focused thrust of the Omega Plan, the document notes that African recovery has to be achieved in a 'bottom-up', sequenced manner that builds on national, the five regional and continental development needs. In this regard Omega makes a number of other concrete suggestions. These include the need for the avoidance of regional duplication, the assessment of spill-over effects of national and regional plans (including the effect of wages and inflation), the submission of the actual dollar requirements

of the plan to funding agencies and donors, the identification of funding sources and the implementation of development plans with the management of an international authority with directors from debtor and creditor nations. When asked about the differences between MAP and the Omega Plan, Wade responded:

“The Omega Plan is a practical initiative for overcoming Africa’s economic difficulties. MAP is more of a manifesto, a historical declaration ... that draws attention to the gravity of the situation on the continent.”⁷⁷

Despite the difference in scope and emphasis, there was nothing incompatible between MAP and the Omega Plan; rather they were in many respects synergistic. What was potentially damaging, however, was that Africa was perceived in the international (G8/Organisation for Economic Cooperation and Development [OECD]) community as ‘hawking’ two ‘competing’ recovery programmes – a further sign of African disunity at a time when the emerging discourse sought to convey African unity and renaissance.⁷⁸ This twin policy track continued until the 5th Extraordinary Summit of the OAU held in Sirte, Libya in March 2001 at which the two West African presidents, Obasanjo and Wade, presented their respective plans. The summit endorsed the respective plans and indeed the CAR, but urged the drafters of the three documents to work together towards the integration of one consolidated plan that could be presented to Africa and the international community at large. Significantly, Egypt and Senegal were added to the MAP Steering Committee immediately after Sirte. Further impetus to this process of consolidation was provided at the Algiers Ministerial meeting in May 2001. At the follow-up meeting in Abuja, Nigeria, Tanzania, Mali, Mozambique and Tanzania were invited to attend, and further work was concluded on the MAP Programme of Action. Additionally, a section on the environment was included with the other eight MAP themes.

It was at the Abuja meeting that a so-called ‘integration team’ (the forerunner of the NEPAD Secretariat) was assembled at the Development Bank of Southern Africa. The integration team was tasked with producing a coherent and integrated document from the respective position papers, inputs and workshop outcomes.

After a series of high-level meetings in South Africa and Senegal at which representatives from all three plans were present, the Steering Committee

reached agreement on the final merged document going under the working title, ‘The New Africa Initiative: Merger of the Millennium Partnership for the Recovery of Africa Programme and The Omega Plan (NAI)’. The NAI was presented and unanimously adopted by the OAU Summit in Lusaka in July 2001. The working title NAI was replaced by the ‘New Partnership for Africa’s Development’ (NEPAD) when adopted by the inaugural meeting of the Heads of State and Government Implementation Committee in Abuja, Nigeria on 23 October 2001.

4.4 NEPAD’S ORGANISATIONAL STRUCTURE

Emerging from the Abuja meeting was the three-tiered governing and managerial structure that would guide the programme in future years. The apex of NEPAD is the Heads of State and Government Implementation Committee (HSGIC). Meeting three times a year and reporting to the Annual AU Summit, the HSGIC is responsible for setting policy and priorities with specific responsibility for the implementation of the NEPAD Programme of Action. Significantly, the committee is not chaired by President Thabo Mbeki but rather by Nigerian President Obasanjo. Nor is Mbeki an Implementation Committee deputy chair – these positions are occupied by presidents Wade and Bouteflika. The balance of the HSGIC comprises four Heads of State from each of Africa’s five geographic regions:⁷⁹

North Africa	Algeria	Egypt	Tunisia	Libya
East Africa	Ethiopia	Mauritius	Rwanda	Uganda
West Africa	Nigeria	Senegal	Mali	Ghana
Central Africa	Cameroon	São Tomé and Príncipe	Gabon	DRC
Southern Africa	South Africa	Botswana	Mozambique	Tanzania

The second tier NEPAD managerial structure is the Steering Committee, comprising the personal representatives of the five Initiating Heads of State. The Steering Committee is principally responsible for establishing the terms of reference of identified NEPAD projects and for the oversight of the NEPAD Secretariat. South Africa plays a somewhat more prominent role in the Steering Committee than the HSGIC in that President Mbeki’s then economics advisor, Professor Wiseman Nkuhlu, served as its founding chair.

Nkuhlu is also the head of the third tier of the NEPAD managerial structure, namely, the full-time NEPAD Secretariat housed in the offices of the

Development Bank of Southern Africa in Midrand.⁸⁰ The small Secretariat is not an implementing body but is responsible for liaising, coordinating and outsourcing technical work to lead agencies or continental experts.⁸¹

Thus while there is a widely held and somewhat superficial belief that President Mbeki was personally responsible for the drafting of NEPAD, as the above discussion demonstrates NEPAD is the outcome of the synthesis of detailed historic and contemporary documents that take cognisance of a markedly different set of global conditions, and rests on the commitment and will of a new cohort of African leaders to democracy and good governance. Mbeki, by virtue of his *de facto* leadership of Africa's most powerful country, his educational background and experience, but most importantly his unique pan-African vision for and commitment to continental renewal and development, may be more accurately regarded as the driving energy, principal and custodian of NEPAD.⁸²

Although Mbeki presented the first 'concept paper' and the forerunner to MAP in September 2000 outlining the broad roles and responsibilities of African leadership and the desired 'partnership' of the developed world, the detailed intellectual and programmatic drafting of the NEPAD document was conducted under the auspices of the five-member Initiating States (South Africa, Nigeria, Algeria, Senegal and Egypt) Steering Committee. A technical committee comprising academics and policy specialists (rather than government technocrats) was in turn responsible for writing the detail of the document. The drafting of the document was a collaborative process, however, with technical and other policy submissions and proposals being sought and considered from organisations as wide as the OAU, the African Development Bank, the World Bank and IMF, UNCTAD, the United Nations Development Programme (UNDP), the WHO, OECD, DFID, and importantly the UN Economic Commission for Africa. South African economists, development economists, policy academics and analysts all played a prominent, if not leading, role in the drafting of the MAP and NEPAD.

However, no elements of organised African civil society, from the business sector, trade unions, to gender and human rights groups and development NGOs were invited, involved or made an input into the document's drafting. The justification made for this method of policy formulation is given as the pressure of time on politicians to meet their mandate and to produce a document that could be placed before the OAU and later the AU. Given the failure of previous development and recovery plans to achieve consensus, or

even be ratified for years after their drafting (such as the Lagos Plan), the technocratic, elite-driven, top-down approach adopted by the Steering Committee is understandable, but has consequences for implementation.

While the political leadership of the Steering Committee had been given a series of clear and unambiguous mandates to address the questions of Africa's indebtedness, poverty and underdevelopment, the form of the policy response was still a matter for discussion, approval and ratification by the OAU. The Steering Committee took a calculated gamble that it could lobby, explain, persuade and win approval for the particular (and in some cases profound) precepts of NEPAD at the level of the political elite. Implicit in this assumption was the belief that the political leadership of Africa could in turn 'sell' NEPAD to the citizenry of their respective countries. A further unstated yet equally profound assumption in this approach was that of selective differentiation. For NEPAD to succeed, African political leadership would have to make clear and unambiguous commitments to cardinal principles of democracy, good governance, peace and security. These issues were not open for debate. Any leader not agreeing to these basic principles could not endorse NEPAD, but then by definition would exclude himself and his country from any potential benefits derived of the blueprint.

While Mbeki played a central role in guiding the drafting of the MAP, NAI and NEPAD documents, the final document reflects a broad consensus between the technocratic drafters and the initiating heads of state on the need for political and economic good governance and the imperative for 'investor friendly' policies across the continent. But while consensus was relatively easily achieved among policy analysts, the World Bank, IMF and the initiating heads, the more daunting and profound policy development challenge lay in 'selling' the document to African leadership and the global investment community. Mindful that the original mandates provided to president's Mbeki, Bouteflika and Obasanjo to develop proposals for the elimination of Africa's debt burden and to address the continent's underdevelopment came from the OAU, ultimately it was to the OAU that the initiating heads had to account and to seek support and endorsement. For NEPAD to make the critical leap from concept paper to policy proper, required the drafters to succeed in having the blueprint adopted as a programme of the OAU.⁸³

It was in this regard that South Africa, and more specifically Mbeki, played the most significant role. Prior to the unanimous adoption of the NAI as Declaration 1 (XXXVIIth) by the OAU Summit in Lusaka in July 2001,

President Mbeki, Head of Steering Committee Professor Wiseman Nkuhlu and South African Foreign Minister Dr Nkosazana Dlamini-Zuma embarked on an intensive process of consultation, negotiation and lobbying for support for the plan. This policy ‘road show’ took the South African NEPAD team⁸⁴ to Libya, Algeria, Nigeria, Egypt and finally Zambia in the days immediately preceding the OAU Summit.

Subsequent to the adoption of NEPAD at the Lusaka Summit, South Africa played a guiding role towards attempting to integrate the policies of the RECs and the NEPAD Action Plan at the Blantyre meeting of SADC Foreign and Finance Ministers held in September 2001. More specifically, South Africa sought the harmonisation of the SADC Regional Indicative Strategic Development Plan (RISDP) with that of the NEPAD Plan of Action.

Having played a central role in policy development and acceptance among African political leadership, South Africa’s role in the conversion of NEPAD from document to policy was greatly enhanced by its election as the first chair of the newly constituted African Union at the AU Summit in Durban in July 2002.

After the presentation to the AU by the Implementation Committee Chair Obasanjo of the first progress report entitled, ‘Towards the implementation of the New Partnership for Africa’s Development (NEPAD) – Summary Report and Initial Action Plan’, the AU provided the Implementation Committee with the strongest possible endorsement, including urging African leaders to:

- commit to principles of democracy, good political, economic and corporate governance;
- commit to apply all resources necessary to ensure the implementation of NEPAD;
- endorse and invite written feedback on the Summary Report and Initial Action Plan;
- call for detailed documents on the Report and Action Plan to be distributed to all member states of the AU;
- implement programmes within the priority areas, to provide assistance to give effect to the programmes and to continue to popularise NEPAD “amongst all sectors of society on the African continent”;
- adopt the Declaration on Democracy, Political, Economic and Corporate Good Governance and to accede to the African Peer Review Mechanism;
- mandate the HSGIC and Steering Committee to “continue the vital task” of

further elaborating the NEPAD Framework and ensuring the implementation of the NEPAD Initial Action Plan; and

- call on the international community to “provide continued and enhanced support” for efforts to regenerate the African continent.

Furthermore, once adopted by the AU Summit, South Africa seized the opportunity as the host nation for the World Summit on Sustainable Development held in Johannesburg in September 2002 to both promote NEPAD (then NAI) and to raise a number of its cross-cutting issues. South Africa has also been tasked with heading the Peace, Security, Democracy and Political Governance Initiative Task Team mandated to identify and formulate concrete programme recommendations.

4.5 SECURING INTERNATIONAL SUPPORT FOR NEPAD

The essence of NEPAD is not only partnership between African countries for the advancement of the continent, but also between Africa and its trading and investment partners. Indeed, in addition to South Africa’s stewardship of NEPAD, the concept of a ‘partnered engagement’ with the advanced nations of the OECD is the *sine qua non* of the blueprint. Having achieved success in securing the endorsement and adoption of NEPAD by the AU, a second yet parallel challenge facing South Africa’s stewardship of NEPAD was that of the need to market successfully the blueprint to the advanced countries of the North, and in particular to secure the political and material support of the G8. To achieve this South Africa and its initiating partners adopted a twin-track approach: the first was to secure the political support for NEPAD of the major trade and donor countries of the G8; the second was to popularise and mobilise engagement from international private capital, principally through the World Economic Forum (WEF). Mbeki and the initiating leaders developed an astute and effective strategy of sensitising business and G8 leaders to the programmatic agenda of the African Renaissance at the African Economic Summit of the WEF in Durban each year prior to the holding of the G8 Summits.

Mbeki’s strategy commenced in earnest at the 10th Southern African Summit of the WEF in Durban in June 2000, when he castigated the industrialised countries for the lack of commitment to Africa, more particularly for their tardiness in debt cancellation and assistance with tackling the HIV/AIDS pandemic. Taking his lead from the OAU mandate, Mbeki termed the World

Bank's Heavily Indebted Poor Countries initiative as "wholly inadequate". Frustrated at the lack of access granted to the initiating heads, Mbeki berated the G8 leaders' failure to grant African recovery issues space on the G8 agenda:

"Myself and the Presidents of Nigeria and Algeria are to travel to Japan to see how the issue can be moved forward ... but we will meet with the Japanese Prime Minister, who will then tell the G8 what we are saying ... it is an indication of the nature of the problem, of the need to deal with the matter more seriously when you have this problem of meeting the people involved."⁸⁵

Despite having nothing of programmatic substance to 'put on the table' at the G8 Summit in Okinawa, the African initiating heads, together with the Prime Minister of Thailand Chuan Leekpai, held a two-and-a-half hour meeting with G8 leaders that was later joined by representatives from the UNDP, WHO, World Bank and senior IT corporate business leaders for a round table discussion.⁸⁶ At the meeting Mbeki and the African leaders presented the case for greater and deeper debt reduction, assistance with fighting infectious diseases and for urgent progress to be made on the WTO talks. Significantly this was the first time that African leaders had presented their specific agenda to the leaders of the G8 and represented a critical breakthrough in the 'mainstreaming' of Africa's development challenges onto the agenda of the G8. The use and adopted discourse of "partnership" between the G8 and Africa in press releases was also a significant portent. At the conclusion of the Okinawa meeting African leaders expressed their desire that the discussion and agenda be continued at the next G8 Summit in Genoa, Italy in 2001.

The second step in the process of Mbeki garnering international support for NEPAD took place in January 2001 at the WEF Summit in Davos, Switzerland during which the MAP was presented by the South African and the other three African leaders and was widely welcomed by delegates. The particular significance of the meeting was that African recovery had now been developed in documentary form and mainstreamed onto the WEF agenda and not just that of the African Economic Summit. With the successful amalgamation of MAP and the Omega Plan at the OAU Lusaka Summit in July 2001, Mbeki and the initiating heads were now able to present a single, unified and detailed proposal to the G8 Summit in Genoa later that month. Although the Summit itself may be remembered for the violent protests and tragic death of an 'anti-

globalisation' protestor, such events served to heighten the sense of urgency of the G8 countries to address the pressing challenges of global inequality and underdevelopment symptomatic of Africa, as well as emphasising the need for a programmatic and partnered remedy.⁸⁷ Thus Mbeki and the initiating heads presentation of the NAI to the G8 was particularly timeous.

Moreover, the G8 was presented with a concrete plan devised by Africans, which invited partnership and mutual rewards rather than moral and political pressure. Pursuant to the presentation of Mbeki and his fellow leaders, the G8 endorsed the NAI and responded by announcing a formative Genoa Plan for Africa, to be guided by Canada as the next host of the G8 Summit in Kananaskis. Significantly, the Genoa declaration accepted a number of Mbeki's 2000 WEF criticisms regarding the inadequacy of the G8 approach to Africa and notes:

“We have decided today to forge a new partnership to address issues crucial to African development. We are committed to promoting this objective with our African partners and in multilateral fora – in the UN, the World Bank and the IMF, and in a new round of WTO negotiations. Our partnership will support the key themes of the New African Initiative, including:

- Democracy and political governance
- Prevention and reduction of conflict
- Human development, by investing in health and education, and tackling HIV/AIDS, TB and malaria, including through the Global AIDS and Health Fund
- Information and communications technologies
- Economic and corporate governance
- Action against corruption
- Stimulating private investment in Africa
- Increasing trade within Africa and between Africa and the world
- Combating hunger and increasing food security.

To take this process forward, each of us will designate a high level personal representative to liaise with committed African Leaders on the development of a concrete Action Plan to be approved at the G8 Summit next year under the leadership of Canada.”⁸⁸

The G8 response to NEPAD crystallised into the G8 Africa Action Plan (AAP)

launched at the Kananaskis Summit in July 2002. In summary the AAP outlines the following:

The G8 welcomed and endorsed NEPAD as an African-drafted initiative that provides a historic opportunity not only for African recovery and reconstruction, but also to forge a new and sustainable relationship between Africa and the developed world going forward. The G8 welcomed the language, principles and broad programmes outlined by NEPAD, but, as importantly, was encouraged by African leaders' commitment to principles of democracy, good governance and sound socio-economic policies. Nevertheless, the AAP is a selective and differentiated response. 'Partnership' will be entered into on a selective basis by individual members of the G8 on terms, through programmes and initiatives selected by individual members. Furthermore, the AAP is unequivocal in its differentiation between partnering countries that are NEPAD compliant and those that are recalcitrant. In this regard the AAP places great store on the African Peer Review Mechanism (APRM) as outlined in the 11 June 2002 African Heads of State and Government Implementation Committee Declaration on Political, Economic and Corporate Governance (later endorsed and adopted at Abuja). The AAP notes: "We will not work with governments which disregard the dignity and interests of their people."⁸⁹

The AAP sets out a list of programmes and initiatives to be undertaken by member states in response to NEPAD, ranging from governance support and training to debt relief, health, education and IT support. Critically, however, it falls short of committing to meeting NEPAD's required US\$64 billion a year, nor does it undertake to address the crucial issue of trade inequalities, subsidies and tariff barriers. In reality the AAP argues only that at least half of the US\$12 billion Monterrey commitment over five years should be allocated to Africa. The G8 response to NEPAD has been interpreted differently by divergent groups, but this is unsurprising on two counts. First, the G8 is a rather loose grouping with no real formal structures and with no standing organs or institutions, nor is it designed to be. Thus the expectation by African leaders of a formal programmatic response to NEPAD was ambitious. Nevertheless, this has been achieved.

The war in Iraq interceded between the Kananaskis and the 2003 G8 Summit held in Evian, France and was thus expected to preoccupy G8 leaders and detract from, if not derail, the momentum built up for NEPAD over the previous 18 months. This seemed even more likely given the deep antipathy that had developed between the French and US governments over their

opposing and antagonistic positions on the Iraq war. Ultimately these fears were unfounded. While it may have been tactically prudent for President Chirac to keep North–South, developmental, African and NEPAD ‘issues’ on the G8 agenda, Thabo Mbeki and the initiating leaders were successful in ensuring that NEPAD was again mainstreamed into the G8 agenda – this achievement against the odds represents a high watermark for South African foreign policy.

While the G8 committed support and funding for the implementation phase of NEPAD and for specific projects (including peacekeeping), Mbeki returned from Evian conveying a note of cautious realism from the summit. Reflecting the concerns of European Commission President Romano Prodi regarding the capacity of Africa to absorb the R3.7 billion voted by the EU for African development, Mbeki cautioned:

“I think we have bitten off as much as we can chew ... If we had taken a bigger bite we would not be able to process it and it would create disappointment.”⁹⁰

4.6 EXCLUSION FROM POLICY FORMULATION AND CRITIQUES

At this point an important distinction has to be made between policy document formulation, policy engagement, policy marketing and policy implementation. This study is principally concerned with the formulation of policy rather than implementation and evaluation.

In the case of South Africa’s role in the design of NEPAD policy it is important to note that its scope and nature is such that while a few key individuals were responsible for the formulation of policy, a much broader set of actors is responsible for policy coordination, roll out and implementation. Thus NEPAD must best be viewed as a framework, the detail of which requires considerable interpretation and fleshing out.

Despite its political achievements, the critiques of NEPAD require some consideration. They are three. The first is procedural and relates to the exclusive, technocratic, top-down approach adopted by its formulators. The second is substantive and focuses on the content, prescripts and emphases. The third is that NEPAD is too broad and inclusive as it fails to differentiate explicitly between reform-minded and autocratic African leadership. This critique implies that NEPAD ought rather to be a ‘club’ of nations and should set discreet benchmarks for admission, more along the lines of the EU. One

consequence of this failure to differentiate between reform-minded democratic and recalcitrant states has been scepticism among elements of the international and business communities.

4.6.1 EXCLUDED ACTORS?

As Deputy Foreign Minister Pahad has noted, NEPAD is the keystone of South African foreign policy and more particularly its Africa policy:

“During his State of the Nation Address, President Mbeki identified a number of issues to be pursued in the international arena during 2002/03. The President’s address underscored the fact that South Africa’s foreign policy is anchored on the theoretical framework of the African Renaissance, which finds concrete expression in the NEPAD document.”⁹¹

Yet, despite NEPAD being regarded as the framework through which South African foreign policy is to be focused particularly on the African continent, in formal terms it is a ‘Presidential Initiative’: that is, policy ownership resides within the Presidency not with the DFA or any other governmental department. There is little or no evidence of the DFA being involved in the conceptualisation or drafting of NEPAD as a discreet policy document.⁹²

The absence of significant input in NEPAD from the DFA is noteworthy. The lead for the role of the DFA in relation to NEPAD was provided by the cabinet *lekgotla* of January 2001, when the ‘Promoting of the New Partnership for Africa’s Development (NEPAD)’ was made a strategic priority for the International Relations Peace and Security Cluster.⁹³

It is instructive to note, however, that vast country, regional and international relations policy expertise within the DFA was not directly utilised in the drafting of the MAP/NAI/NEPAD. Rather, the Presidential Policy Unit and other technocratic experts were largely responsible for formulating the South African input. The department has largely played a facilitative rather than a policy role. Officials from the DFA (and the DTI) have been seconded to the NEPAD Secretariat and have played a pivotal role in political and policy coordination. In addition to this proxy role, the DFA has played a key role in political, diplomatic and protocol coordination on the continent and internationally. In addition, the DFA has been tasked with coordinating the

efforts to integrate the NEPAD Programme of Action with SADC development and infrastructural initiatives.

The department has also played a key role in the AU/NEPAD Outreach Programme internationally. Each of the South African missions abroad has been tasked with popularising and promoting NEPAD within their respective countries. This includes the supply and distribution of informational documentation, web-based information, the hosting of seminars and the coordination of NEPAD-related issues among other African missions. Missions have been tasked with identifying and soliciting support from the African diaspora in North America, Latin America and Europe in particular. Crucially, South African diplomatic missions have been tasked with identifying and encouraging potential business, trade and investment support for NEPAD within their respective countries.⁹⁴

Furthermore, the sometimes opaque relationship between the Presidency and the DFA was illustrated on the critical issue of the scope of the NEPAD African Peer Review Mechanism. One month before the meeting of the Implementation Committee to formalise the role and scope of the APRM, Deputy Foreign Affairs Minister Aziz Pahad stated that the purview of the APRM would be restricted to economic and social matters, rather than political. This was taken by critics as a watering down of the NEPAD leaders' commitment to good political governance as a *sine qua non* of democracy and sustainable development on the continent. Pahad's interpretation was contradicted by that of the NEPAD Secretariat Chair Professor Wiseman Nkuhlu, who argued:

“As far as I know the African peer review mechanism will deal with political and economic governance. It has to.”

In response to a question relating to Pahad's statement on the APRM, Deputy President Jacob Zuma informed parliament:

“The behaviour of the countries on the continent should be understood ... so that we can be in a position to deal with the matters that affect the continent, and that's what we have been saying ... I'm certain that the Deputy Foreign Minister must have been stating that, he must have been understood in a different way.”

Yet contradicting Zuma and Nkuhlu, President Mbeki argued that political

governance, including human rights questions, would be dealt with under the organs of the AU rather than as part of NEPAD:

“From the very beginning, because it arose out of the NEPAD process [the APRM] had to deal with those issues which are relevant to a socio-economic programme ... The Pan African Parliament (PAP) will have the possibility to discuss those matters. You have a number of institutions in the AU context with an oversight and enforcement mechanism ... there was never any suggestion that we have a NEPAD Peer Review process that would conduct the work of the commission on human rights.”

While it is true that the brief of the AU to the PAP includes a focus on the deepening of democracy, good governance and human rights, the PAP has merely consultative and advisory powers for the first five years of its existence. Furthermore, principles of good governance are central to NEPAD and cannot be disaggregated from matters of peace and security, socio-economic development and corporate governance.

Mbeki's position was itself trumped at the HSGIC meeting in Abuja in November 2002 when issues of political governance were confirmed as part of the APRM brief.

4.6.2 NON-GOVERNMENTAL ACTORS – FRIENDS OR FOES OF NEPAD?

While South Africa's stewardship of NEPAD and that of Thabo Mbeki in particular have produced a remarkable degree of consensus and nominal commitment from all African leaders, as well as those of the G8, the process has not been without criticism; nor is support for NEPAD uniform and consistent either on the African continent or internationally.

Two sets of African actors – broad-based NGOs and trade unions – have been particularly vocal in their criticism of the elitist, non-consultative, policy formulation process, and more particularly of the ideological and policy content of NEPAD. Although it is difficult to assess the representativeness of NGO critiques of NEPAD, they find resonance throughout the continent. In June 2002 Trevor Ngwane of the Anti-Privatisation Forum levelled nine central critiques of NEPAD and its formulation that require brief elucidation.⁹⁵

1. NEPAD and its previous incarnations emerged without consultation with a

- single parliament, trade union, political party, church or representative body of civil society.
2. The authors of NEPAD lack domestic credibility with popular movements such as trade unions and (in the case of Obasanjo and Bouteflika) have questionable human rights and governance records.
 3. NEPAD uses euphemistic language such as globalisation to mask Africa's 'true' relations of exploitation, neo-colonialism and capitalism, in order to curry favour with the G8 in particular.
 4. NEPAD does not challenge, or seek to fundamentally alter, global power relations between Africa and the capitalist countries.
 5. The historic and contemporary relationship between Africa and Europe is predatory and principally one of colonised and coloniser, thus the notion of 'partnership' is a false and misleading construct.
 6. NEPAD calls for greater integration of Africa with the international trading and investment community; this may not be in Africa's interests and in fact disengagement may offer a preferred development path.
 7. NEPAD advocates neo-liberal economic policies and market economies even though these have been demonstrated to produce higher levels of unemployment in African countries where they have been implemented (such as in South Africa).
 8. NEPAD invites and seeks to create the conditions to further exploit Africa's resources, at the expense of its indigenous people.
 9. NEPAD calls for more aid and does not take full cognisance of Africa's debt trap.⁹⁶

In responding to NGO criticisms Mbeki emphasised the conceptual lacuna between NEPAD's political leadership and elements of organised civil society. With unintended irony Mbeki termed NGOs "ill-informed" with respect to the underlying processes giving rise to NEPAD.

In replying to NGO criticisms at the G8 Kananaskis Summit Mbeki argued that Africans needed to be "educated" as the facts did not support their criticisms. Mbeki observed that international NGOs were "not complaining" and that very few South African NGOs had accessed the NEPAD website at that point. The basis of Mbeki's contention was that the electorate (and thus civil society formations) had provided a mandate to African political leadership to develop policy, including NEPAD.

Mbeki reinforced his argument by contending that his own party, the ANC,

had provided political leadership with a mandate to pursue policies of African renewal at its 1999 Congress.⁹⁷

Church leaders have also been vocal in their criticism of the formulation of NEPAD as a policy. The Southern African Catholic Bishops' Conference questioned a number of the proposals contained in NEPAD, but severely criticised the absence of consultation in the process of policy formulation.

“The process that gave rise to the current NEPAD document is seriously lacking because there has been no consultation with Africa’s citizenry, without whose active participation there can be no real partnership and no real development.”⁹⁸

Perhaps of greater concern for ruling tripartite alliance leader Mbeki than church and NGO critiques was that of COSATU, which contended that it was first ‘consulted’ on NEPAD by the South African government as late as April 2002. By this time, African unions had dismissed NEPAD at the African Trade Union Conference held in Dakar in February 2002.⁹⁹ While there is some dispute as to whether COSATU originally rejected NEPAD, it is clear that the congress was unhappy about being excluded from consultation in the policy formulation, as well as the ideology and programmatic thrust of the document. In May 2002 COSATU made the distinction between the need and support for an African recovery programme to tackle urgently questions of peace, security and underdevelopment, but was scathing in its condemnation of the method adopted by the drafters of NEPAD:

“We accept the need for a plan for the development of Africa to put an end to dictatorship, war, corruption and transform the conditions of the people. But we believe that such a plan must be driven by the people of Africa ... We therefore consider it essential that a process of civil society involvement takes place so that NEPAD reflects the wishes of the people of the continent, not just government and international financial organisations which we fear has been the case up until now with NEPAD.”

Regarding the ideological and programmatic thrust of NEPAD, COSATU noted:

“We are concerned that NEPAD continues with neo-liberal policies

which entrenches the dominance of international business over the economies of Africa. COSATU would only support a plan whose priority will be to tackle unemployment, diseases and the widening gap between rich and poor.”¹⁰⁰

Emerging from COSATU’s Central Executive Committee meeting held in April 2002 to discuss its concerns, at which NEPAD Secretariat Chair Professor Wiseman Nkuhlu, Government Communications Director Joel Netshitenze, Trade and Industry Minister Alec Erwin and Wits analyst Professor Patrick Bond addressed members, came a commitment from President Mbeki to address the proposed all Africa trade union congress to coincide with the AU Summit in Durban.¹⁰¹ Addressing the concerns of the congress, Mbeki assured unionists that there would be space for trade unions to make concrete input into NEPAD and that this would be formalised on a tripartite basis through the AU, of which Mbeki would be the founding chair. While the Organisation for African Trade Union Unity welcomed Mbeki’s address and commitment, it did little to assuage unionists’ concerns about the form and content of NEPAD and did not lessen the criticisms of union exclusion from policy formulation.¹⁰²

One year later Nkuhlu continued to reassure African trade unions that they would be fully included in NEPAD’s programmes and activities. Addressing a question raised by the International Confederation of Free Trade Unions-African Regional Organisation (ICFTU-ARO) as to why the NEPAD Steering Committee did not have a representative from the trade union movement, Nkuhlu assured the meeting that:

“I will personally ensure trade unions attend all our future activities, especially workshops, regardless of the topic.”¹⁰³

To date trade unions in Africa remain consistent in their commitment to and support for the need for African regeneration and the solution of its structural maladies, but there remains little appetite, less still support, for the neo-liberal thrust and prescription of NEPAD policies. Despite Mbeki and Nkuhlu’s assurances, African unions are fully aware that due to the exclusive and top-down process adopted by NEPAD’s drafters, there is very little they can do to change either NEPAD’s form or content. This holds considerable dangers for the implementation phase of NEPAD that have yet to play themselves out.

Although far less critical of the policy content of NEPAD, a third actor – the

business community – expressed its initial scepticism about the plan. Although international and local corporates had been kept informed about the development and progress of the MAP, NAI and NEPAD, business had no direct input into the formulation of policy. This study has found no evidence of any South African corporate being invited to make, or making, an input into the NEPAD document.¹⁰⁴ This is remarkable given the centrality of enhanced FDI into Africa for NEPAD to achieve its goals. It is even more remarkable given that the private sector has been called upon by the South African government to support and ‘play its part’ in the implementation of NEPAD. Representatives of big business were invited to attend President Mbeki’s address to parliament on NEPAD on 31 October 2001, but again this was an after-the-fact public briefing on a policy that had been formulated without business consultation. Little surprise then that while business welcomed the broad principles, ethos and intensions of NEPAD, it was both sceptical and hesitant about its potential to achieve its ambitious objectives, or to make a significant improvement to operations of African businesses. Addressing South Africa’s first international conference on NEPAD on 1 November 2001, business leader Michael Spicer noted the following five concerns and challenges:

- **Questions of agency:** [The] role of the business community, a critical agent for change and delivery of prosperity is ... unclear.
- **An absence of detail:** The mechanisms and programmes for translating NEPAD into concrete action currently remain vague.
- **All things to all Africans:** [The] inclusion of all African states in the initiative risks the diffusion both of focus and of benefits, and renders the initiative vulnerable to being reduced to the pace of the continent’s poorer performers.
- **Money is not enough:** [The] resource transfers called for in the NEPAD document ... will only occur on a sufficient scale to be of benefit if they are accompanied by the establishment of the right conditions in which business can prosper.
- **Top-down rather than bottom-up:** There has been very limited participation by business and civil society in the formulation process of NEPAD, both in South Africa and the other principal and organising states. Unless the debate around governance standards and project content is widened to include non-government participants, the project could start and end and fail with leadership.¹⁰⁵

Speaking at the Africa Economic Summit of the WEF held in Durban in July 2002, Eskom Chairman Ruel Khoza noted that business had felt “a little left out of the New Partnership for Africa’s Development, because it was hatched in the corridors of the OAU”. In September 2002, almost a year after addressing parliament on NEPAD, business consultants AT Kearney found in a survey of the CEOs of South Africa’s top 100 companies that some 70 were sceptical about the potential of NEPAD to deliver on its promises.¹⁰⁶ More particularly the South African CEOs adopted a wait-and-see attitude insisting on African political leaders first delivering on their promises of establishing conditions of peace and security as well as improved governance, before committing increased levels of investment to the continent.

Despite this early scepticism, knowledge and awareness of NEPAD may be deduced to have been relatively high among the business community. In a study conducted on behalf of the Konrad-Adenauer-Stiftung (KAS) in October and November 2002 into elite perspectives on the AU and NEPAD, 97.7% of the South African respondents claimed familiarity with NEPAD.¹⁰⁷ This was a far higher familiarity rating than the 14% of adult South Africans responding to a Markinor poll in April and May 2002.

Subsequent business support was demonstrated by the endorsement NEPAD received from some 67 companies and 120 individuals who signed a declaration of support at the conclusion of the plenary session of African Economic Summit of the WEF in Durban in July 2002.¹⁰⁸ Moreover, the endorsement was translated into practical action from the business community through the establishment of the NEPAD Business Group (Council) comprising 180 (now over 200) companies and entities that pledged their support for NEPAD at the WEF Summit.¹⁰⁹ Moreover members of the NEPAD Business Council (including members of the King Commission, the Industrial Development Council and auditing groups), drafted and endorsed a number of NEPAD business covenants, including those on corporate governance, corporate responsibility, the elimination of corruption and bribery, and auditing and accounting practices.¹¹⁰ What has still to be tested is the degree to which NEPAD has encouraged businesses to invest in Africa.

It was earlier noted that responding to NGO criticisms of the exclusive process of policy formation adopted by NEPAD’s drafters, President Mbeki asserted that he had received a specific mandate from the ruling ANC. At the ANC’s 50th Congress held in December 1997, Mbeki presented his vision for an African Renaissance which was endorsed by delegates, but this was not a

passive endorsement. African Renaissance did not rank as the highest priority for the party but was located in the broader context of the effects of globalisation and international patterns of inequality. Furthermore, the party noted that while Mbeki's vision for an African Renaissance could provide a platform for African recovery, this process should be led by the "most progressive forces" of African society, more particularly the working class and peasantry as well as progressive elements of the middle class and emerging black bourgeoisie.

In addition, congress asserted that particular attention should be paid to the immiserated condition of African women and the rural poor. Congress further resolved to develop:

"[A] theoretical framework and strategy to give content to our vision of an African Renaissance."¹¹¹

This study has established little evidence that ANC party structures, or indeed the NEC, played an identifiable role in the drafting of NEPAD. Moreover, in contrast to Mbeki's claim to have received a mandate from the party, popular critiques of NEPAD (specifically that it fails to pay sufficient attention to the needs of African women, peasantry and the working class), raise questions about Mbeki's adherence to the specific lead and mandate provided by congress. Indeed, by the time of the ANC's 51st Congress held in December 2002, the party claimed that the mandate to develop a theoretical framework for the African Renaissance had been achieved through the drafting of NEPAD. Rather than the party developing a theoretical framework, however, what was provided was a historical periodisation of the post-colonial period in Africa to the present, giving rise to the African Renaissance, NEPAD and the AU. While congress affirmed the leadership role of "the masses" and civil society in both the making of history and the AU, in the intervening five-year period the ANC had developed a far less sanguine perception regarding the capacity and ideological persuasion of specific 'progressive' formations. Congress noted that in Africa, trade unions, women's movements and peasant groupings were "generally ... organisationally and ideologically weak". Moreover, the potential role in NEPAD for African NGOs was regarded with considerable scepticism:

"However, in many respects, the African NGO sector is not an independent voice, but an extension of Western influence because of its

dependence on donor funding. It is partly for this reason that its relationship with the African political elite is an uncomfortable one.”¹¹²

The ANC did affirm, however, that it would seek to promote the vision of the African Renaissance, NEPAD and the AU through its party and social alliances across the continent and through the AU’s Economic, Social and Cultural Council (ECOSOCC). Although the ANC, qua party, played no identifiable role in the formulation of policy, it has identified for itself an important educational and popularisation role in the implementation of NEPAD. The party has committed to participating in the AU/NEPAD Presidential Outreach Programme and conducts seminars, workshops and provides feedback on NEPAD between rank-and-file party members and the leadership.¹¹³

With respect to the South African think tank/policy research community, this study could find no evidence that academics or analysts outside of the MAP task team made any significant input into policy formulation; this includes those aligned with, or sympathetic to, the ruling party. Rather, analysts were presented with a series of completed documents and have subsequently sought a role for themselves as policy interpreters, commentators, critics or quasi-implementers. Although excluded from any policy input, SAIIA, for example, has launched an extensive three-year research programme to examine and engage with NEPAD throughout the continent. In addition to policy analysis, public education and the production of regular publications, the SAIIA NEPAD programme has instituted a capacity-building programme that seeks to enhance the role of the media throughout Africa in order to strengthen popular understanding of and engagement with NEPAD. The second key policy-orientated focus has been that of making an input into the APRM, particularly with respect to civil society participation. The IGD, the Electoral Institute of Southern Africa (EISA) and the Centre for Policy Studies have all hosted and participated in a raft of seminars, workshops and conferences designed to better understand NEPAD, but also with an aim of making specific input into fleshing out policy and programme detail. The ISS has focused attention on specific NEPAD-related initiatives such as peace and security as well as the APRM. While NEPAD has produced a proliferation of publications, interventions and policy analysis from the South African think tank community, none seem able to claim direct policy influence. One of the issues that has hampered this process of policy interaction is the small size and lack of capacity of the NEPAD Secretariat. Although the Secretariat has grown in capacity since receiving

funding from the UNDP in particular, its policy and programme specialists have been stretched to breaking point over the past two years of its existence.¹¹⁴ This has resulted in (understandably) little concerted engagement between policy analysts and the Secretariat. This lack of engagement has been exacerbated by the exclusion of the DFA from policy formulation and the fact that the Presidency is a notoriously difficult government department to gain access to. Although no longer an NGO since its incorporation as a statutory body (equivalent to the science councils) into government, the Africa Institute of South Africa (AISA) remains in essence a foreign policy think tank operating with a set of discreet foci. In addition to policy analysis, publications and seminars, in June 2002 AISA convened a meeting of the Renaissance South Africa Outreach Programme aimed at facilitating civil society engagement with NEPAD and the AU. Addressed by, among others, President Thabo Mbeki and Foreign Affairs Minister Nkosazana Dlamini-Zuma, the meeting provided a forum for some 300 scholars from across the continent to express their viewpoints and concerns, to articulate critiques and to make suggestions as to how to enhance scholarly engagement with NEPAD and the AU.¹¹⁵

Finally, the role of the South African parliament in the formulation of NEPAD has been negligible. Formal parliamentary engagement with NEPAD was restricted to a Parliamentary Portfolio Committee on Foreign Affairs (PCFA) briefing and voting on the African Renaissance and International Cooperation Fund Bill in September/October 2000, a debate on African Unity in May 2001, a committee briefing on the Constitutive Act of the AU in February 2001 and two departmental briefings to the PCFA by the deputy minister and minister respectively. The record of parliamentary engagement with NEPAD since its adoption has been equally absent, although a formal parliamentary debate on NEPAD was held in the National Assembly in August 2002. This is in stark contrast to the leadership role played by the National Assembly Speaker Dr Frene Ginwala and her task team leading to the establishment of the PAP in 2004.

4.7 SUMMARY

South Africa's role in NEPAD has been paramount, yet it has been challenged by the need to balance the imperatives of effective policy formulation, coordination and implementation with concerns of South African dominance of the African continental political, social and economic agenda. As a Presidential

Foreign Policy Initiative, the process of formulating, marketing, coordinating and implementing NEPAD has been centred on the personae of Thabo Mbeki and his policy advisors. This tightly held process may have had the benefit of preventing NEPAD from being held captive by a host of vested interests within South Africa and across the continent. Furthermore, Mbeki has transformed the prevailing discourse of and around Africa (at least at the elite level) from one of pervasive pessimism, to one of cautious yet constructive engagement. Not only has NEPAD been adopted as a programme of the AU, the world's most powerful industrialised countries have embraced NEPAD and responded with their own Programme of Action for Africa. Perhaps Mbeki's greatest achievement was to keep Africa on the agenda of the G8 and developed countries despite the global 'distractions' of the war on terror and Iraq. Yet Mbeki's top-down, technocratic approach to policy formulation, if not implementation, has left broad and deep sectors of South African society excluded and even alienated from the process. This has made 'buy-in' more difficult; and this lack of popular buy-in and commitment may yet be seen to threaten fundamentally policy implementation and thus success across the continent. Yet as Deputy Foreign Affairs Minister Aziz noted:

"Whatever the case, the modern trend across the globe for foreign policy formulation, on important matters at least, is for the Presidency to make policy. It simply takes too long to involve all parties, even your own department and these days speed is essential if you want to get things done, if you want to compete effectively."¹¹⁶

ENDNOTES

- 68 This now commonly used phrase is derived from the World Bank's 2000 document, *Can Africa claim the 21st century?*
- 69 Adebayo Adedeji, *From the Lagos Plan of Action to the New Partnership for African [sic] Development and from the Final Act of Lagos to the Constitutive Act: Wither Africa?*, in P A Nyong'o, A Ghirmazion and D Lamba (eds), *New Partnership for Africa's Development, NEPAD: A new path?*, Heinrich Böll Foundation, Nairobi, 2002.
- 70 For this speech and others on the theme see, *The African Renaissance*, Occasional Papers, KAS, Johannesburg, May 1998.
- 71 Thabo Mbeki, *The Deputy President's Address to the Corporate Council Summit – Attracting Capital to Africa*, Chantilly, Virginia, US, April 1997, in KAS, *ibid*, p 9.
- 72 While the NEPAD Heads of State Implementation Committee has successfully brought

the G8 into partnership with NEPAD, it is clear that the expectation for support lies within the G7 rather than with Russia.

- 73 President Obasanjo of Nigeria was at the time also the Chair of the UN Group of 77.
- 74 Sirte Declaration, <http://www.au2002.gov.za/docs/key_oau/sirte.pdf>.
- 75 In summary these goals and targets are to:
- eradicate poverty and hunger with a target of halving those living on less than US\$1 a day;
 - achieve universal primary education with a target of ensuring all boys and girls complete primary education by 2015;
 - promote gender equality and to empower women with a target of eliminating gender disparities in primary and secondary education by 2015;
 - reduce child mortality with a target of reducing child mortality for under five-year-olds by two-thirds in 2015;
 - improve maternal health with a target of reducing the rate of women dying giving birth by three-quarters by 2015;
 - combat HIV/AIDS, malaria and other diseases with a target of reversing the spread of HIV/AIDS, malaria and other diseases by 2015;
 - ensure environmental sustainability, with a target of integrating the principles of sustainable development into country policies and programmes and to reverse the loss of environmental resources;
 - reduce by half the proportion of people without access to safe drinking water;
 - achieve significant improvement in the lives of at least 100 million slum dwellers by 2020;
 - develop a global partnership for development with a target of further developing an open trading and financial system that includes a commitment to good governance, development and poverty reduction – nationally and internationally;
 - address the least developed countries' special needs, and the special needs of landlocked and small island developing states;
 - deal comprehensively with developing countries' debt problems;
 - develop decent and productive work for youth;
 - in cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries; and
 - in cooperation with the private sector, make available the benefits of new technologies – especially information and communications technologies.
- 76 The Compact for Africa's Recovery is in itself a comprehensive document with some 250 clauses and should be regarded as a companion programme designed to facilitate the practical implementation of the MAP. It contains six core chapters: 1) Key strategic national actions; 2) Key areas for joint Africa–international community action; 3) Enhanced partnerships for development; 4) A transformed aid relationship; 5) An enhanced role for the private sector; and 6) The way ahead.
- 77 <<http://www.allafrica.com>>, 28 June 2001.
- 78 The potential for confusion in the eyes of the developed countries and investor community between the two plans was apparent at the World Economic Forum in Davos, Switzerland in January 2001, where both were presented by the respective presidential advocates.
- 79 Originally the HSGIC comprised three members from each region, but this was

- expanded to four (to include Ghana, Tanzania, the DRC, Uganda and Zambia) at the AU Summit in Durban in July 2002.
- 80 Nkuhlu announced his retirement from this position and re-entry into the private sector in March 2004.
- 81 As at the end of 2003 the full staff complement of the Secretariat (including secretaries and personal assistants) numbered 49. Professional staff include: managers, economists, legal advisors, agricultural advisors, water and sanitation advisors, health advisors, education advisor, science and technology advisors, ICT specialists, media, publications and marketing specialists and a translator. Although specialists from Egypt, Nigeria, Algeria and Senegal have been seconded to the Secretariat, South African personnel play a key role.
- 82 It is hard to quantify or assess the importance of an individual political leader's energy levels in such a study on policy formulation, but Mbeki's work ethic and energy levels are reported by advisors and cabinet ministers as being of Churchillian proportions.
- 83 It is a moot yet academic point as to whether NEPAD would have continued as a programme of the 'willing' reformist African states had the OAU rejected, or failed to unanimously endorse it. The more testing point will be to what degree African leaders implement and give substance to the precepts of NEPAD, or revert to the historic approach of the OAU – that of endorsement and failure to implement. Should the latter obtain then the challenge will be to what degree the 'NEPAD-compliant' states will forge ahead with alliances that *de facto* exclude the recalcitrant, or those lacking the capacity to implement.
- 84 It was at this juncture that the South African DFA played a crucial role in the organisation of protocols and logistics in preparation for these consultations, meetings and summits.
- 85 Emsie Ferreira, Africa-economy [sic]: Mbeki says world not serious about debt relief for Africa, Agence-France Presse, 23 June 2000.
- 86 As the round table took place before the G8 meeting proper, a number of G8 leaders including US President Clinton were absent.
- 87 It is significant that the Final Communiqué of the G8 Genoa Summit is dominated by themes of the need to address global social, political and economic inequality and development.
- 88 <<http://www.g8italia.it>>.
- 89 <<http://www.g8.gc.ca/2002Kananaskis/kananaskis/afraction-en.asp>>.
- 90 Ball is now firmly in Africa's court, says Mbeki, *Cape Times*, 4 June 2003.
- 91 NEPAD and South Africa's Foreign Policy: Progress Report, Aziz Pahad, Deputy Minister of Foreign Affairs progress report on issues raised during President Thabo Mbeki's State of the Nation address and follow-up on the decisions of the mid-year cabinet *lekgotla*, 14 August 2002.
- 92 During interviews conducted with senior officials of the DFA for this research, one experienced ambassador commented: "NEPAD is fine, but there is an assumption from up there that we have never thought of these issues before; NEPAD it is what we already do every day in our work."
- 93 *Report-back to the people*, Annual Report 2001/2002, Department of Foreign Affairs of South Africa, Pretoria, South Africa, p 48.
- 94 The broad lead for these initiatives is provided at the annual DFA Heads of Mission

conferences by the president and minister of Foreign Affairs, but the detail of the implementation of initiatives goes through a chain of command from the director general, deputy directors general and departmental chief directors.

- 95 Trevor Ngwane, Should African social movements support NEPAD?, notes from a speech to the African Social Forum's African Seminar, World Social Forum, Porto Alegre, Brazil, 2 February 2002.
- 96 This type of critique is echoed in the declaration adopted at the end of the joint CODESRIA-TWN-AFRICA conference, Africa's development challenges in the millennium, Accra, 23–26 April 2002. The most comprehensive (172-page) critique of NEPAD has been authored by University of the Witwatersrand Academic Professor Patrick Bond, *The New Partnership for Africa's Development: An annotated critique*, Alternative Information and Development Centre, Wits, 2002.
- 97 Mbeki denies NGOs not consulted over NEPAD, *Financial Times*, 1 July 2002.
- 98 Southern African Catholic Bishops' Conference – Justice and Peace Department, media release, Conference on New Partnership for African [sic] development [sic] (NEPAD), 1 March 2002.
- 99 The Dakar Declaration on the Role of African workers and trade unions in the New Partnership for Africa's Development, Dakar, Senegal, 20 February 2002.
- 100 COSATU vows to stop 'neo-liberal NEPAD', *The Mercury*, 22 May 2002.
- 101 COSATU media statement of the Central Executive Committee, 25 April 2002.
- 102 Statement issued at the conclusion of the OATUU-ICFTU/AFRO meeting held on 30 June–2 July 2002, Umhlanga, Durban, South Africa.
- 103 NEPAD official assures unions, *East African Standard*, Kenya, 23 August 2003.
- 104 Based on personal interviews during the course of this research study with 20 high-profile business leaders and business association heads, as well as consulting secondary research documents.
- 105 Michael Spicer, Business and NEPAD/NAI: Charting a new course together, in Gibb, Hughes, Mills and Vaahtoranta (eds), *Charting a new course: Globalisation, African recovery and the New Africa Initiative*, SAIIA, Johannesburg, 2002.
- 106 *Globalisation and the impact of NEPAD*, AT Kearney, September 2002, Johannesburg.
- 107 Hennie Kotzé and Carly Steyn, *African elite perspectives: AU and NEPAD – A comparative study across seven African countries*, Occasional Papers, KAS, Johannesburg, December 2003. In addition to members of the business elite, the samples comprised political, civil society, trade union and NGO elites.
- 108 Since this time a host of organised South African business formations such as the Black Management Forum, the South African Chamber of Commerce, the Black Business Council and the South Africa Foundation have become engaged with the formal structures and programmes of NEPAD.
- 109 Prior to the establishment of the SA NEPAD Business Council, SAIIA had facilitated a number of meetings between senior South African business leaders and government representatives to identify an optimal role for business in NEPAD.
- 110 A continental NEPAD Business Group was established in April 2002 comprising a range of organised international and African business organisations including, among others, the African Business Round Table, the International Chamber of Commerce, the Commonwealth Business Council, Forum Francophone Des Affaires and the Corporate Council on Africa.

- 111 African National Congress 50th National Conference Report, December 1997, p 41.
- 112 African National Congress, *Umrabulo – Let's Talk Politics*, Special 51st National Conference edition, No. 16, August 2002, p 100.
- 113 Personal interview with ANC International Relations Head Manzini Mavivi, Johannesburg, August 2002.
- 114 For example, a policy coordination specialist in the Secretariat had received some 26 invitations to address conferences and seminars in the month during which he participated in the SAIIA/KAS NEPAD Foreign Policy Seminar in 2003.
- 115 Final report prepared by the Renaissance South Africa Committee, June 2002.
- 116 Interview with Deputy Minister Pahad, 25 June 2003, Cape Town.

Chapter 5

SOUTH AFRICAN FOREIGN POLICY TOWARDS ZIMBABWE

“I stand here today as an elected representative of the people of South Africa thanks in good measure to the fact that the liberation movement of Zimbabwe acted practically to ensure that we too should gain our freedom. I am pleased to take this opportunity publicly to salute President Mugabe, the rest of the leadership and the people of Zimbabwe for what they did to ensure our liberation from apartheid tyranny.”
Thabo Mbeki¹¹⁷

It is hard to categorise South Africa’s stance on Zimbabwe as policy. At a minimum, policy suggests a set of conceptually coherent and consistent objectives underpinned by stated interests and principles. By contrast South Africa’s position on Zimbabwe has been reactive, sometimes inconsistent and contradictory of core interests and principles. South Africa’s position on Zimbabwe has been largely articulated by President Mbeki and has been characterised by a plethora of bilateral and multilateral shuttle engagements that have been characterised as ‘quiet diplomacy’.¹¹⁸

5.1 WHY IS ZIMBABWE SO IMPORTANT?

President Mbeki, the South African government and leaders of the ANC have questioned the reasons for members of the international and domestic community placing such an emphasis on South Africa’s policy towards Zimbabwe.

In his *ANC Today* newsletter Mbeki explained this emphasis in terms of the “kith and kin” relationship of members of the Commonwealth with whites of British heritage in Zimbabwe.

“In time, and in the interest of ‘kith and kin’, the core of the challenge facing the people of Zimbabwe, as identified by the Coolum CHOGM [Commonwealth Heads of Government Meeting], has disappeared from public view. Its place has been taken by the issue of human rights. Those who have achieved this miracle are not waiting passively for free institutions to evolve.”¹¹⁹

Decoded, Mbeki accused critics inside and outside South Africa of racist double standards pointedly arguing:

“You have these black governments in this region and therefore they will behave in the same way.”¹²⁰

It is reasonable to deduce that the extraordinary focus on Zimbabwe from Western countries has in part to do with questions of race and traditional affiliations. Western concern over human rights abuses in Zimbabwe stands in stark contrast to the dilatory behaviour of Western countries and the absence of public concern prior to and indeed during the outbreak of the Rwandan genocide in 1994. Similarly, the war and conflict in the DRC, which has cost the lives of some two to three million people, does not garner the same degree of coverage in Western, or indeed Southern African, media and opinion-making fora. Despite the credence of the South African government’s analysis of Western opinion on Zimbabwe and its protestations, in policy terms this is immaterial. Mbeki has been less critical of British intervention in Sierra Leone, French intervention in Côte d’Ivoire and MONUC’s engagement in the DRC. Despite the salience of Mbeki’s observation regarding the interest of the ‘West’ in the Zimbabwe question, Zimbabwe is *de facto* a crucial foreign policy issue for South Africa, irrespective of the ‘overemphasis’ placed on the crisis by Western powers. Yet Mbeki has publicly conceded that the crisis in South Africa’s northern neighbour was not an externally/colonially imposed condition. Addressing the Centre for Education in Economics and Finance in Africa, Mbeki noted:

“Part of the crisis in Zimbabwe today emanates from wrong economic policies that have been sustained for two decades.”¹²¹

Zimbabwe is important to South Africa for a host of material, strategic, political

and ideological reasons. As early as October 2000 President Mbeki acknowledged the dangers to South Africa of an implosion, or explosion, in Zimbabwe, noting that the government had been working “very hard” to avoid a collapse of Zimbabwe as this would have “very negative consequences for ourselves”.¹²² Zimbabwe and South Africa are contiguous states sharing a common border of 225 km. Until overtaken by Mozambique in 2001, Zimbabwe was South Africa’s largest African trading partner. In 2001 South African exports to Zimbabwe were valued at R5.38 billion, only slightly lower than the R5.72 billion to Mozambique, but markedly higher than the R4.89 billion with Zambia. Some 47% of Zimbabwe’s total imports are from South Africa, whereas Zimbabwe represents 1.7% of South Africa’s international trade. In 1997, South African portfolio investment in Zimbabwe stood at around US\$32 million. The pattern has, however, changed with the country registering net outflows in the US\$10–15 million range over the past two years.

The International Crisis Group (ICG) has estimated that the loss of potential investment to Southern Africa as a direct result of the Zimbabwe crisis is some US\$36 billion. In addition, South Africa’s parastatals and companies have paid a heavy price. Zimbabwe has defaulted on its debts to Eskom and Sasol and while both companies have absorbed losses domestically, they have been instructed to continue sales to Zimbabwe. As the ICG notes: “South African utilities are thus carrying Zimbabwe with longer and longer credit lines for electricity and fuel.”

The Zimbabwe Energy Supply Authority ran up unpaid arrears to South Africa’s Eskom of some US\$5 million in 2002 alone. Zimbabwe imports half of its electricity from the region and owes its suppliers in excess of US\$143 million.¹²³

The American Chamber of Commerce has estimated that for the year mid-2000 to mid-2001, South Africa had lost US\$3 billion in potential investment as a result of the Zimbabwean crisis. BusinessMap echoed this sentiment. During the period of the Zimbabwean crisis South Africa’s own investment risk rating has also declined slightly, making it a less attractive destination for scarce capital. SACOB has argued that the crisis in Zimbabwe may account for up to half of the drop in GDP growth in South Africa. The precipitous depreciation in the South African currency in 2002 was broadly interpreted as driven in part by international disappointment and concern over South Africa’s position on Zimbabwe.

A 2003 report produced by Tradek Economist Mike Schussler estimated that the Zimbabwe crisis had cost South Africa as much as R15 billion between

2000 and 2002. In the broader SADC region the impact of the crisis could be as much as R18 billion. The crisis has impacted on trade, tourism and fixed investment. FDI has lost as much as R270 million and tourism as much as R180 million. The total amount of debt owed to South African parastatals, the Reserve Bank and private companies was US\$458 million. Furthermore, the report estimated that absent the Zimbabwean crisis the rand would have been 3.3% stronger each year and inflation 1.2% lower.¹²⁴

The expected spill-over of the anticipated humanitarian crisis in Zimbabwe prompted the South African government to establish refugee camps in the Northern Province in April 2000.¹²⁵

5.2 SOUTH AFRICA'S POLICY OPTIONS

Much of the debate surrounding South Africa's policy towards Zimbabwe has been predicated on the belief that the regional power has the capacity to exert influence on its northern neighbour to bring about a desired change in policies. Leading from Holsti,¹²⁶ it is important to disaggregate the notion of political influence when applied to foreign policy. Power does not translate into influence in a unilinear manner. This is exemplified, for example, by the failure of the US to alter the form, nature and composition of Cuba's leadership since 1959. Holsti identifies different 'tactics' used by states in the exercise of power, namely: persuasion, the offer of rewards, the granting of rewards, the threat of punishment and infliction of non-violent punishment and force.

Persuasion generally denotes the use of reason and dialogue to argue the case for or against a specific set of actions. This is the primary tool of influence and one that characterises most diplomatic engagement. It is the means of influence that is used even while others are being employed, but is also predicated on the assumption that the party with whom one is dialoguing is open to, or receptive to, persuasion. Persuasion has been and continues to be South Africa's preferred channel of influence with respect to achieving a breakthrough with the Zimbabwean government. This form of engagement has been termed 'quiet diplomacy' when applied to South Africa's attempts to persuade the Zimbabwean government to ameliorate, alter or cease certain unacceptable policies and practices.

The *offer* of rewards by definition implies a power relationship. Country A has the capacity to reward country B for complying with or not carrying out a particular policy or set of actions. The study has found no evidence of an offer

of rewards made by South Africa to the ZANU-PF government for altering its policies or compliance with requests to enter into purposeful dialogue with the opposition Movement for Democratic Change (MDC). However, the study will highlight assistance provided by South Africa to Zimbabwe and efforts on its behalf to secure international financial credit facilities. There is no evidence, however, that Zimbabwe has altered or ameliorated its policies in response to South Africa's assistance with the extension of lines of credit or for the political protection it has brought to bear on behalf of the Mugabe regime.

The *granting* of rewards is the material manifestation of the prior offer of rewards. Oftentimes, however, the granter of the rewards requires a tangible demonstration of behaviour alteration or compliance before awards are conferred. Again, despite frequent premature announcements of political and diplomatic breakthroughs, there has been no positive alteration in the behaviour of the ZANU-PF government that would warrant the granting of rewards by South Africa had these been offered.

There are two types of threat of punishment: *positive threats* and *threats of deprivation*. The first, commonly referred to as sanctions, implies the threat of imposing trade embargoes, an increase in import tariffs or the use of force. The second implies the withdrawal of current support, aid or subsistence. Sanctions themselves are becoming a more frequently used instrument of influence by the international community leading to the 1990s being referred to as the 'sanctions decade'. Moreover sanctions, their formulation and imposition, are becoming ever more sophisticated giving rise to the practice of targeted or smart sanctions. These are designed to bring discriminatory and differential punishment on a regime, rather than the innocent broad citizenry of a country. While members of the international community have threatened punishment against the ZANU-PF government in both positive and negative guises, the South African government has specifically and repeatedly rejected such threats, at least publicly. DTI Chief Director of Trade Negotiations Tshediso Matona reaffirmed this position in 2001 when commenting:

"I do not foresee a decision on trade sanctions in the short term as such, particularly because sanctions are an extreme measure and they would need to be part of a multilateral decision."¹²⁷

The infliction of non-violent punishment is the step taken as a result of the threat of punishment failing to bring about the desired behaviour shift. Notably

this method of persuasion often requires the passage of legislation, or the issuance of executive order, to give effect to the sanctions. This represents an important shift from public rhetoric, no matter how bellicose, to the formulation and passage of domestic legislation and the adherence to this legislation from the country imposing sanctions. Powerful members of the international community, notably the US and the EU, have imposed positive and negative sanctions. Negative sanctions have been imposed by the closure of diplomatic missions in Harare and the withdrawal of aid. Positive sanctions have been imposed by the freezing of assets and the imposition of travel bans on members of the Zimbabwean government and the ZANU-PF party. The suspension of Zimbabwe from the Councils of the Commonwealth represents a further form of influence enacted by a global multilateral body.

Not only has South Africa rejected the approach of punishing the ZANU-PF government in order to bring about political reform, it has moreover criticised those countries that have imposed sanctions. It has also actively argued for the lifting of sanctions against Zimbabwe, specifically at the CHOGM held in Abuja, Nigeria in December 2003. More than this, Mbeki risked South Africa's good standing within the Commonwealth and the majority of its members by seeking the ouster of Commonwealth Secretary General Don McKinnon and his replacement by a Sri Lankan rival over the handling of the Zimbabwe crisis. South Africa was also responsible for mobilising (particularly African) support for Zimbabwe's readmission into the Commonwealth, but was heavily defeated by a 40-11 vote. Subsequently, Botswana distanced itself from the SADC bloc within the Commonwealth that had reportedly voted for Zimbabwe's readmission.

The final and most drastic form of political influence is the use of force. This is conventionally viewed as an instrument of last resort to be used only when all others have been exhausted. Again, South Africa has specifically rejected the use of force to bring about political change in Zimbabwe, although it should be noted that South Africa has used force to affect political change during its SADC-mandated invasion of Lesotho in September 1998. The two situations are not analogous, however, as the invasion of Lesotho was in direct response to a threatened coup d'état and was carried out with the specific objective of restoring 'law and order'. While no political or military coup has been conducted in Zimbabwe, a strong case can be made for arguing that the ZANU-PF government is neither legitimate nor duly elected. This is not the view of the South African government or the ruling ANC party, however, which regards the current regime as legitimate.

Despite South Africa's consistent defence of 'quiet diplomacy' as the only possible strategy available in its policy repertoire, Mbeki has admitted its failure as early as August 2001.¹²⁸ Furthermore, Deputy Minister of Foreign Affairs Aziz Pahad has also admitted in August 2002 that the government was bereft of policy ideas and initiatives in dealing with Zimbabwe.¹²⁹

Analysis of South African policy towards Zimbabwe is complicated by contending and contradictory interpretations of the cause and nature of the crisis. While President Mbeki has acknowledged that Zimbabwe's crisis stemmed in part from years of poor economic policy – more particularly unsustainable public expenditure underpinned by increasing budget deficits – South Africa's engagement with the crisis dates back to its attempts to act as a mediator and honest broker between the UK and Zimbabwe in particular during 1997–1998.

5.3 LAND AS INSTRUMENT, EXCUSE OR CAUSE?

There can be no denying that land is a vexatious and central question in the pre- and post-colonial history of Zimbabwe. There is more disagreement, however, as to whether land maldistribution and government's efforts to correct this legacy is the driver of the current crisis. It is thus necessary to sketch some of the key features of the land question in Zimbabwe in order to make sense of South Africa's response to the unfolding crisis.

The terms of the 1980 Lancaster House agreement prevented unilateral land seizures and expropriation for a period of ten years. During this time some 50,000 families were resettled on more than three million ha, representing 40% of the government's land redistribution target. Even after the expiry of the ten-year sunset clause, the principle of 'willing seller–willing buyer' held and that before acquiring land, a certificate of no present interest had to be given. Compensation payment for land acquired for redistribution was to be prompt and adequate. The 1992 Land Acquisition Act strengthened the government's ability to acquire land compulsorily, but again with fair compensation. Despite the strengthening of the government's legal position, the pace of land acquisition and redistribution slowed during the 1990s, with fewer than 20,000 more families settled, leaving a total of 71,000 families resettled out of a targeted 162,000. A mere 19% of the land acquired was prime, with the rest regarded as marginal or non-viable. At the end of the 1990s, the picture of land ownership remained among the most unequal in the world, with more than one

million Zimbabweans struggling to survive on 16 million ha of relatively unproductive land. This contrasted with the position of 4,500 white commercial farmers who continued to cultivate 11 million ha of the most fertile and productive land. By the early 1990s the Zimbabwean government was confronted by a further land-related challenge emerging from the civil war veterans. Only 20,000 of some 60,000 veterans were integrated into the Zimbabwean armed forces, leaving 40,000 to eke out a living on a small pension. Under pressure from the War Veterans' Association the government finally announced a one-off payment of Z\$50,000 and Z\$2,000 a month for life to each war veteran. This extraordinary step forced the government to propose the establishment of three new levies and taxes deeply unpopular with the poor and working class. This unbudgeted expenditure came against the backdrop of a number of deep structural problems within the Zimbabwean economy. During the 1980s the government had engaged in successive deficit spending and had borrowed heavily from the World Bank. Additionally, of the 94,000 loans provided to peasants, some 75,000 were in default. In 1991, however, Zimbabwe abandoned its neo-socialist policies and embarked on an Economic Structural Adjustment Programme that saw social expenditure and food subsidies reduced. Furthermore, a period of economic downturn during 1992–1996 saw manufacturing output drop by 40% and a concomitant increase in trade union protests from the Zimbabwe Congress of Trade Unions (ZCTU), culminating in two national strikes in 1998.

During this period the donor community (the UK in particular) had become increasingly dissatisfied with the lack of transparency and progress with the land reform programme in Zimbabwe, in particular the lack of pro-poor policies and concerns over unused land and the extent of land allocated to senior ZANU-PF officials. By 1997 the UK government had given £44 million for the land reform programme, but the election of a Labour Party government in 1997 and the establishment of a new DFID under Minister Clare Short heralded a further reassessment of the Zimbabwe land reform support programme. Concern over the direction of the land reform programme was fuelled by the announcement in November 1997 of the compulsory acquisition of a further 1,471 farms of some 3.9 million ha in extent. This precipitated the convening of a land reform international donors' conference in September 1998. Although a 'Phase 2' of the land reform programme was agreed to, financial support for the programme from the donor community was conditional on the Zimbabwe government meeting a set of good governance

conditions – that is, transparency, respect for the law, poverty reduction, affordability and consistency with Zimbabwe’s wider interests.¹³⁰ Despite some later progress, relations between the donor community and Zimbabwe over land reform broke down shortly after this. The nub of the dispute over land reform support between the donor community and the Zimbabwean government hinges on the country not meeting the conditions set out in the 1998 donor conference. The degree of dissonance between the donor community and the Zimbabwean government is illustrated by the declaration by the convenor of the conference, Zimbabwean Foreign Minister Stan Mudenge, that the conference was:

“[A] resounding success as it cleared all the misconceptions. Now the donors go back with a clear view that Mugabe is not a land grabber and that we are not confiscators of land.”¹³¹

Yet the only financial commitments to emerge from the conference were those of Kuwait and the Netherlands, with China pledging tractors and grinding mills. Far from the UK funding Phase 2 of the land reform process, the DFID argued that it was:

“Not convinced that the Zimbabwe government has a serious poverty strategy, nor that it is giving priority to land reform to help the poor of Zimbabwe ... Against this background we have decided that the best way to try and help the poor is to support land resettlement through non-governmental channels.”¹³²

The DFID continued to commit £15.5 million to its Zimbabwe rural livelihoods projects, but Minister Clare Short wrote to the Zimbabwe government in 1997 stating that the UK did not accept that it had a special responsibility to meet the costs of land purchase in Zimbabwe. It is important to note that the South African government has consistently disputed this position and has castigated Britain for its failure to “meet its obligations” towards Zimbabwe’s land reform programme. In December 2002 South African Foreign Minister Nkosazana Dlamini-Zuma asserted:

“We cannot run away from the fact that Britain has abdicated its responsibility for the purchase of land.”¹³³

Parallel with the looming land crisis was the emergence of a raft of civil society organisations increasingly dissatisfied with the poor state of political and economic governance in Zimbabwe. This crystallised into the formation of the civil society-based National Constitutional Assembly (NCA) in 1997. From May 1997, the NCA engaged in a continuous series of broad-based consultations on the need for constitutional reform in Zimbabwe. In December 1987 the PF-ZAPU (Zimbabwe African People's Union) and ZANU-PF parties signed a Unity Accord, which paved the way for a presidential amnesty for those guilty of committing human rights atrocities in Matabeleland in 1982. In 1988 the ZCTU held an extraordinary congress at which it severed its ties with the ruling ZANU-PF. From that point onwards the ZCTU reinvigorated its leadership, policies and programmes forging greater independence from both the state and political elite. This new-found independence also freed up the political space for it to support other civil society initiatives such as student protests that brought its leadership increasingly into conflict with the government. As early as 1988, President Mugabe had gone on record as stating that he did not want the ZCTU to become a political party, but some ten years later his fears were realised. Emboldened by the success of mass mobilisation forcing the scrapping of the introduction of taxes and levies to pay for the War Veterans' fund, the ZCTU initiated a Raw Data Report, the results of which exposed the failures of the ZANU-PF government to meet the basic needs of Zimbabweans. In February 1999 a 'Working People's Convention' was convened, from which a final decision was taken for the need for the establishment of a broad-based political opposition movement to be formed to contest the 2000 parliamentary and 2002 presidential elections. This opposition movement emerged in the form of the MDC in September 1999, led by the often detained ZCTU leader Morgan Tsvangirai.

In May 1999 President Mugabe established a 400-member commission to formulate proposals for constitutional reforms. The proposals included a greatly strengthened presidency and the establishment of the principle of land acquisition without compensation. These proposals were to be placed before Zimbabweans in a referendum; significantly the MDC campaigned for a 'No' vote. The proposals were presented to the Zimbabwean people during a referendum in February 2000 and were defeated by 53% of the 1.3 million votes cast. This was the first electoral setback for the ruling ZANU-PF and marked a turning point in the unfolding crisis in Zimbabwe.

Shortly after the narrow and highly contested victory of ZANU-PF in the

June 2000 parliamentary elections, the government announced the launch of its 'fast track' land resettlement programme. The programme set out to resettle some 3,000 farms, including white commercial farms. During 2000 alone some 1,600 farms were occupied. In October 2001 the government listed 4,558 farms for acquisition and by January 2002 some 6,481 farms had been listed for acquisition and resettlement.

5.4 PERCEPTIONS ABOUT ELECTIONS

The conduct of the Zimbabwean parliamentary and presidential elections is not central to this study, but South Africa's avowed human rights foreign policy and commitment to NEPAD is. What is significant in this regard is the dissonance between the South African electoral observer missions, that of the Commonwealth Observer Mission and that of the SADC Parliamentary Forum.¹³⁴ One interpretation of this is that the South African government mission simply saw and experienced matters differently to the other observer missions. More plausible, however, is the concern from the South African government that the conclusions drawn about the presidential elections would have far-reaching and perhaps undesirable consequences for its continued advocacy of 'quiet diplomacy'. Moreover, any conclusion of an international observer mission such as that of the Commonwealth, other than free and fair would hold dire consequences for Zimbabwe's continued membership of the organisation. In summary the respective election observer groups concluded as follows:

The Commonwealth Observer Group concluded that the conditions in Zimbabwe did not adequately allow for a free expression of will by the electorate in the 2002 presidential election. The SADC Parliamentary Forum report concluded that due to the climate of insecurity obtaining since 2000 in Zimbabwe, the 2002 presidential election did not comply with the Norms and Standards for elections in the SADC region. The Zimbabwe Election Support Network was unable to endorse the 2002 election as meeting basic democratic standards and could thus not declare the poll free and fair. The Norwegian Election Observation Mission concluded that the elections failed to meet broadly accepted key criteria for elections.

In contrast, the two South African observer missions – one governmental and one parliamentary – drew different conclusions. The 50-person South African Observer Mission was a multisector (government, unions, business,

NGOs, religious and agriculture) mission appointed by President Mbeki. In issuing his interim statement on the elections, leader of the Mission Dr Sam Motsuenyane noted that the participation of the opposition in the election “legitimised” its outcome. Furthermore he concluded that based on their observations, the South African Observer Mission viewed the outcome of the elections as “legitimate”.¹³⁵ The 20-person South African Parliamentary Observer Mission was established by the South African parliament and pronounced the elections as a credible expression of the will of the people. A minority report signed by the Democratic Alliance (DA), the Inkatha Freedom Party, the New National Party, the African Christian Democratic Party, the United Christian Democratic Party and the Pan Africanist Congress, however, declined to endorse the elections as free and fair. This left the South African Parliamentary Observer Mission as being effectively an ANC MP report endorsing the elections.¹³⁶

5.5 THE PRESIDENTIAL STANCE ON ZIMBABWE

Consistent with other important South African foreign policy initiatives, President Mbeki rather than the DFA or any other actor has established and maintained the lead on Zimbabwe. Nowhere was this clearer than during President Bush’s state visit to South Africa in July 2003 where he stated:

“The President [Mbeki] is the point man on this subject [Zimbabwe] ... I have no intention of second guessing his tactics ... He is working very hard. He believes he’s making good progress. I think Mr Mbeki can be an honest broker.”¹³⁷

Nevertheless, in keeping with his preference for a cautious multilateral approach to policy implementation, Mbeki has at strategic points in his engagement sought to corral the support and intercession of other African leaders and multilateral fora such as SADC and the Commonwealth. Moreover, the ANC, COSATU, the South African business community, foreign policy think tanks and the media have adopted increasingly public positions on Zimbabwe, emphasising the importance of the crisis to South African domestic concerns.

Mbeki has adopted a host of approaches, strategies and tactics in dealing with the Zimbabwe issue, yet at root the impasse is between two powerful

Southern African political leaders who reportedly lack the interpersonal chemistry that may have made face-to-face shuttle diplomacy more effective. This said, with the exception of Nigerian President Obasanjo who enjoys far less leverage than Mbeki, no other African leader has consistently attempted to mediate in the Zimbabwean crisis. Two parameters have been clear and consistent to Mbeki's engagement with Zimbabwe: the first is that outright condemnation of the policies of the Zimbabwean government and Robert Mugabe in particular is believed to be counter-productive. The other related parameter is the rejection of the threat of, or use of, sanctions against the Mugabe government as an instrument of persuasion. Rather, Mbeki's engagement has been cloaked in the mantra of 'quiet diplomacy'.

Despite the extensive personal, diplomatic and political capital invested in the Zimbabwe crisis and the risk to which he has put NEPAD and his international reputation with the G8, President Mbeki has nothing tangible to show for his endeavours save for failure, embarrassment and a diminished reputation in the West. Moreover, all the social and economic indices in Zimbabwe continue to deteriorate and the consequential impact on the region continues to radiate. Mbeki has progressively lost credibility as a potential honest broker with the Zimbabwean opposition and has even been obliquely attacked by Zimbabwe Information Minister Jonathan Moyo as being unfit to lead the African Renaissance.¹³⁸ Conversely, however, Mbeki's reputation may have been enhanced domestically and regionally through his defence of Mugabe and ZANU-PF.

Differences of approach between Mbeki and Obasanjo, if not outright disagreements, eventually appeared in the decision by the Nigerian government not to invite Mugabe to the Abuja CHOGM in December 2003. It is unlikely that Obasanjo and Mbeki differed on the desirability, in principle, of Mugabe attending the CHOGM, but rather the Nigerian leader made a prudential decision not to risk the CHOGM and thus his own international, regional and national standing by preempting a split over the matter. Prior to the decision, however, Presidential Spokesperson Bheki Khumalo (rather than DFA spokesperson Ronnie Mamoepa) noted:

"Our view is that the Commonwealth imposed the maximum penalty on Zimbabwe by suspending it for one year in March last year. There is no reason for the continued exclusion of Zimbabwe from the Commonwealth."¹³⁹

Khumalo's interpretation indicated that South Africa believed that a sanction had been imposed on Zimbabwe and that once served the country would be entitled to be readmitted to the group of 54. Remarkably, South Africa made no mention that Zimbabwe had not altered the policies that gave rise to its suspension, nor had it made any effort to meet the principles contained in the Harare Declaration of 1991¹⁴⁰ that would see it welcomed back into the Commonwealth. This interpretation of the Zimbabwe crisis as being fundamentally one of land maldistribution rather than of bad governance continued to inform South Africa's foreign policy towards Zimbabwe, but also brought it into acute disagreement with those Commonwealth countries such as Britain and Australia. Both countries conceived of the Zimbabwe crisis as rooted in the decimation of norms and standards of good political and economic governance. What South Africa failed to achieve was to persuade the 41 countries who voted against Zimbabwe's readmission of the salience either of its interpretation, or by extension of the efficacy of its quiet diplomatic engagement alone. Indeed, once again the international community indicated its dissatisfaction with South Africa's 'softly-softly' approach in favour of additional measures of positive sanction.

In a preemptive move, however, once it became clear that the Commonwealth would vote in favour of its continued suspension, Zimbabwe announced that it was withdrawing from the Commonwealth. Following Zimbabwe's withdrawal from the Commonwealth and after the highly contentious CHOGM, Mbeki travelled to Harare to meet with Mugabe, but significantly also with the leadership of the MDC. In keeping with his public support for Mugabe, Mbeki announced at the conclusion of the talks that:

"President Mugabe can assist us with the problems that we have in South Africa so that we can assist you to solve the problems that face Zimbabwe."¹⁴¹

Immediately prior to the 2000 constitutional referendum Mbeki travelled to Harare to cement economic and political ties with Mugabe. Although the scope of the talks included a rescheduling of the Zimbabwe Energy Supply Authority's electricity debt to Eskom as well as trade, rail, road and wildlife management issues, Zimbabwe's continued deployment of some 11,000 troops in support of Laurent Kabila's DRC government also came under the spotlight. This issue was germane for two reasons: first, that Zimbabwe's costly engagement in the war

was deeply criticised by important elements of the international community (including the IMF which suspended funding); and second it was also an important complicating factor in Mbeki's efforts to broker a peace accord in the vast country. Mugabe's cooperation in this regard was clearly important for Mbeki's regional peace initiatives and may have been achieved as part of a wider programme of support and cooperation between the two countries.

In April 2000, shortly after Mugabe's defeat in the referendum and two months after the land invasions began in earnest – and the same week that Mugabe labelled whites as “enemies of Zimbabwe” – Mbeki together with Mozambique's Joachim Chissano and Namibia's Sam Nujoma¹⁴² met with Mugabe at Victoria Falls. Here the pattern of concerned diplomatic engagement, contrasted with shrill public condemnation of the UK and the international community for not adhering to its agreements to support Zimbabwe's land resettlement programme, was established.

Mbeki and Mugabe met for face-to-face talks without their respective aids at the Johannesburg International Airport in November 2000 at which the war in the DRC and the Zimbabwe crisis were covered.

Even while conceding that Zimbabwe's ills were not solely about land resettlement, Mbeki's analysis of the crisis was rooted in the past. In 2001 Mbeki commented publicly that for two decades Zimbabwe had “very, very big” budget deficits to finance “good things” such as education, schools, rural and human resources development.

“Mugabe for all of these things borrowed money, borrowed inside Zimbabwe, borrowed outside from the rest of the world. It couldn't be sustained.”¹⁴³

It was only as late as March 2003, however, when Mbeki heralded a shift in conceptualisation of the Zimbabwean crisis and the government's approach to its solution. Replying to extensive questioning at parliament during President's question time, Mbeki resorted to a human and political rights discourse to explain government's engagement at the time. Mbeki explained that the South African government had expressed concerns about “actions which deny the right of people to protest peacefully”. Mbeki assured parliament of the government's support for dialogue between ZANU-PF and the “broad democratic forces”. At a parliamentary media briefing on the same day, Foreign Affairs Minister Nkosazana Dlamini-Zuma assured the media that the South

African government consistently raised concerns about human rights abuses in Zimbabwe and had “advised” the Zimbabweans to stop torturing their political opponents.¹⁴⁴

Racial identity defined the politics of Zimbabwe’s colonial history and remained a key variable in the Zimbabwean crisis. Mbeki was not insensitive to the racial dimension in the Zimbabwean crisis – domestically, regionally and internationally. Perceptions of implicit racial chauvinism have informed the South African leader’s dealings with and responses to Zimbabwe. His frustration with the implied racial prejudice of the approach to the Zimbabwe crisis of elements of the Western community emerged most vociferously when he was unable to hold sway with the Commonwealth. Although Zimbabwe was not suspended at the CHOGM held in Coolum, Australia in March 2002, a troika comprising South Africa, Australia and Nigeria (representing past, present and future Commonwealth chairs) was established to formulate a collective response to the forthcoming presidential elections. Mbeki’s sensitivity to and resentment towards perceived white racist approaches to Zimbabwe was most publicly revealed when he opined:

“There is a stubborn and arrogant mindset which insisted that at all times the white world must lead ... According to this view, the white world represents the best in human civilisation. The black world does not ... Whereas the white Rhodesian regime killed thousands of black people, it was less offensive and more acceptable than the elected Mugabe government, because all that it did, after all, was merely to kill black people ... If the decision-making in the Commonwealth is going to be informed by this kind of thinking, then obviously it is not worth maintaining the association. It cannot operate on the basis of the humiliation of, and inflicting of insult on, some members by others ... In the Commonwealth context [the white minority defeat] should never be ascribed to the vagaries of rational debate, but rather, it should be attributed to a primitive black and a generic African tendency towards dictatorship.”¹⁴⁵

Without questioning the salience of Mbeki’s analysis, this type of attack reportedly cooled relations between Mbeki and Prime Minister Blair – a key G8 ally in the NEPAD partnership. Indeed, the Presidency and the DFA have been forced to ‘defend’ NEPAD against Western scepticism in the light of South

Africa's defence of Mugabe against all the prevailing evidence of bad governance, maladministration, the abrogation of the rule of law and the abuse of human rights. For many in the international community the dissonance between the avowed values enshrined and adopted in NEPAD are at odds with the predominant political practice in Zimbabwe. South Africa's default position has become one of attempting to disaggregate Zimbabwe from the threat to NEPAD, or to question the international community's emphasis on Zimbabwe over other African crises or successes.

During a report-back on the progress of NEPAD, former Presidential Economics Advisor and NEPAD Secretariat Chair Professor Wiseman Nkuhlu commented:

“But Zimbabwe is not pertinent to the NEPAD process and NEPAD doesn't have anything to do with Zimbabwe.”¹⁴⁶

Furthermore, Mbeki has been prepared to risk the immense investment he has made into NEPAD (and his personal standing and credibility within the G8) for the sake of defending the Mugabe regime. In March 2003 Mbeki repeated his criticism of the Australian approach of attempting to tighten sanctions on Zimbabwe as *ultra vires* and beyond the mandate provided by the Commonwealth, accusing Australia and others of seeking regime change in Zimbabwe.

South Africa's engagement with Zimbabwe has been punctuated by periodic reports of “deals”, “agreements” and “breakthroughs” before, during and after face-to-face shuttle diplomacy by Mbeki and his political allies. The April 2000 Victoria Falls meeting between Mbeki, Chissano, Nujoma and Mugabe was reported to have been preceded by telephonic agreements achieved by Mbeki for Prime Minister Blair, US President Clinton and EU Commissioner Romano Prodi to ensure the funding of the Phase 2 land resettlement programme. Amidst implacable support for ZANU-PF and Mugabe, senior leaders of the MDC including Chairperson Welshman Ncube held a series of meetings with South African government leaders, senior officials of the DFA, ANC and COSATU leadership as early as June 2001. While the discussions produced no tangible results, that the South African government publicly acknowledged and facilitated the talks was politically significant.¹⁴⁷

In May 2002 the first South African-brokered talks between ZANU-PF and the MDC began, but broke down when the ruling party withdrew in response

to the MDC's legal challenge to the result of the March 2002 presidential elections. Yet with South Africa's condoning of the 2002 presidential elections as "legitimate" and Mugabe's refusal to enter into negotiations until the MDC recognised his legitimacy, the potential role of South Africa as honest broker was circumscribed.

Having provided unwavering support for Mugabe in the run-up to the presidential elections despite the evidence of wholesale irregularities, immediately after endorsing the outcome as "legitimate" Mbeki despatched Deputy President Jacob Zuma as an emissary allegedly to persuade ZANU-PF of the merits of a government of national unity. There is a *prima facie* paradox in this approach, however, in that given that the government, parliamentary and ANC observers deemed the election as legitimate and representative of the will of the Zimbabwean people, there can be no reasonable or substantive grounds for propounding a government of national unity in any sovereign state immediately after the announcement of the results of elections. Furthermore, the despatching of a deputy president to convey this reported stance sends out a contradictory, if not arrogant, foreign policy message; something Pretoria has been consistently at pains to avoid.

In May 2003 Mbeki and Obasanjo met with Mugabe in Harare, reportedly to exhort the septuagenarian leader to accept a negotiated settlement with the MDC and a possible 'exit strategy'. By mid-2003 Mbeki had either made a breakthrough in his policy of quiet diplomacy or had run out of international, if not regional, credibility as he twice publicly assured the international community of a pending breakthrough or solution to the Zimbabwe crisis. The first declaration was made at the Africa Economic Summit of the World Economic Forum where he predicted that, among others, the Zimbabwean crisis would have reached a solution within a year.¹⁴⁸ A sanguine Mbeki gave a similar commitment to President Bush during his state visit in July 2003. Furthermore, Mbeki's public assurances that the Zimbabwean government and the MDC were engaged in discussions regarding a government of national unity were immediately and vigorously denied by Morgan Tsvangirai. Indeed, a pattern has developed of South African declarations of on-going talks, discussions and negotiations between the Zimbabwean government and the MDC being met with immediate and categorical denials. In keeping with the pattern of Mbeki making high-profile declarations and assurances to the international community, during the official visit of German Chancellor Gerhard Schroeder, the South African leader announced:

“I’m happy to say that they have agreed now that they will go into formal negotiations ... I am saying that I’m quite certain that they will negotiate and reach a settlement.”¹⁴⁹

Remarkably, Mbeki again made another highly public ‘breakthrough’ announcement without the confirmation of either the Zimbabwean government or the MDC. Nevertheless Mbeki’s announcement was followed up by a series of bilateral discussions between the South African government, ZANU-PF and the MDC in March 2004.

5.6 THE ANC AND ITS RELATIONSHIP WITH ZIMBABWEAN ACTORS

The ANC has adopted a prominent, vocal, defensive, yet occasionally ambiguous position with respect to the crisis in Zimbabwe. The study has earlier noted the ANC congress resolution to galvanise and strengthen fraternal relations between itself and liberation movements within Southern Africa which underpins the broad thrust of its position on Zimbabwe. That the ANC enjoyed closer historical ties to Joshua Nkomo’s ZAPU than ZANU, became at best academic upon the merger of the two parties into ZANU-PF. Beyond party and ideological affiliation, President Mugabe has served as arguably the most highly respected role model for liberation movements and parties in the region. Furthermore, the Zimbabwe liberation struggle has far more resonance with the ANC than any other liberation experience due to the cognate nature of the pre-independence and apartheid South Africa conditions and circumstances. Mugabe’s victory over both a white settler state and co-opted ‘moderate’ black political leaders served as a unique inspiration and demonstration effect to the ANC.

More than the victory of liberation itself, however, Mugabe is respected for his defiant stance in relation not only to the South African apartheid state, but also to Western and ‘imperialist/colonial’ interests. For the first decade of independence Zimbabwe also served as an exemplar of the achievements of an African liberation government applying socialist-orientated policies while governing a stable country and economy. It is difficult to ascribe a value to the inspirational intellect of a liberation leader, but Mugabe’s acute mind and his oratory and tactical shrewdness are deeply respected and admired among both ANC leadership and rank-and-file.

Speaking at the ANC Congress in December 2002, South African Foreign

Minister Nkosazana Dlamini-Zuma reiterated that ZANU-PF was a “sister organisation” and was:

“[A progressive organisation] for obvious reasons ... We fought colonialism and oppression in our countries. We liberated our countries from the yoke of colonialism and we set to improve the lives of our people in our respective countries ... The direction they took to deal with the land issue is correct. In their implementing they may have made mistakes – and we can deal with that.”¹⁵⁰

Indeed, such is the depth of fraternal respect and admiration for Mugabe that South African leadership has sometimes exhibited a duality in articulating its viewpoints on Zimbabwe. The tone and tenor of support for Mugabe has often been more strident and defiant when addressing party congresses and platforms than has been the case in official governmental capacity. In some instances, however, the distinction between official governmental and party positions has been indistinct. For example on the third day of an official visit to Zimbabwe in 2002, Foreign Minister Nkosazana Dlamini-Zuma argued on state television that:

“People may have views about how you do it [land reform], the real thing is that the issue is about the redistribution of land to the Zimbabwean people and that cannot be wrong. It would be un-revolutionary to say it is wrong to give land.”¹⁵¹

While visiting resettled farmers in Zimbabwe during a tour in January 2003, South African Minister of Labour Membhatsi Mdladlana argued that South Africa could learn a lot from the Zimbabwean experience. Indeed, the ANC is acutely aware of the popularity of land reform domestically and the government’s lack of progress on this critical policy issue. For example, in a *Sunday Independent/Plus 94* Harris poll, some 54% of respondents approved of the Zimbabwe land grabs.¹⁵² Furthermore, ZANU’s preferred traditional ally the Pan Africanist Congress has consistently expressed fulsome support for the land resettlement programme.¹⁵³ ANC populists such as then ANC Women’s League Chairperson Winnie Madikizela-Mandela were early supporters of the Zimbabwe land invaders. While visiting three previously white-owned occupied farms under the guidance of the late Zimbabwe National Liberation War

Veterans' Association leader Chenjerai Hunzvi, the ANC leader maligned the fact that she was "under instructions" not to address the land or political issues, but only to address women's and soccer issues. Nevertheless Madikizela-Mandela noted:

"We are very sympathetic to what is happening in this country. Unfortunately I cannot express my opinions ... All I can tell you is that we have these similarities – the struggle was a struggle for the return of the continent and not what we have now ... We fought so ferociously for land and we have our own process in place at home, and we are the last people to point a finger at who is trying to resolve the land issue."¹⁵⁴

Both Madikizela-Mandela's high profile tour of the newly occupied farms and her public disclaimer provide valuable insights into the underlying tensions between the government and ANC positions on Zimbabwe. Madikizela-Mandela's visit was reported to have angered the government as it came shortly after President Mbeki had reached a delicate stage in his attempts to arrange international finance to assist Mugabe's fast-track land resettlement programme. Yet Madikizela-Mandela's position was consistent with that of the ANC. As early as April 2000 ANC Chief Whip in parliament Tony Yengeni introduced motions into parliament noting that the people of Zimbabwe had been dispossessed of land through trickery and war and that the UK had broken "solemn obligations" to assist the government of Zimbabwe with the problems of landlessness.¹⁵⁵ At the conclusion of talks between the ANC and ZANU-PF held in Johannesburg in May 2000 at which it was agreed that the land crisis in Zimbabwe needed to be solved urgently, ANC Secretary General Kgalema Motlanthe declared that Britain had deliberately compounded the crisis in Zimbabwe and called on it to meet its commitments. Motlanthe stated that the ANC did not accept any conditions made by the British government for the funding of land reform in Zimbabwe. The ZANU-PF chairperson urged South Africans to:

"Take your cue from Zimbabwe. Don't delay dealing with this [land reform] issue. If you do, you won't be in control of the process."¹⁵⁶

Although ANC rhetorical support for ZANU-PF and condemnation of the UK and the US intensified over time, the run-up to the 2002 presidential elections

heralded a significant tactical shift. Mbeki had despatched an ANC delegation to Zimbabwe in May 2000 to encourage the parties to conduct parliamentary elections in a free and fair manner without any success. In December 2001 Mbeki redoubled his efforts by sending the ANC's senior leadership for party-to-party talks reportedly in an effort to persuade ZANU-PF to create the conditions necessary for the holding of elections that would stand the test of regional and international scrutiny. The ANC delegation included Deputy President Jacob Zuma, Chairman Mosiuoa Lekota and General Secretary Motlanthe. Significantly, Foreign Minister Dlamini-Zuma was not among the ANC delegates. If indeed the ANC's senior leadership was despatched to persuade ZANU-PF to permit the holding of a free and fair presidential election, the mission was a failure. Despite political murders, widespread violence and human rights abuses in the run-up to the March 2002 presidential elections, the condemnation of Western countries and NGOs, as well as the rejection of the elections as neither free nor fair by the SADC Parliamentary Forum Election Monitoring Team, the ANC congratulated Mugabe on his victory.

“These elections have shown how the people of Zimbabwe value the democratic process ... As the ANC we further offer our warm congratulations to ZANU-PF and President Robert Mugabe on a convincing win. Indeed the people of Zimbabwe have spoken and left [sic] their will be respected by all.”¹⁵⁷

Moreover, prior to Mbeki's crucial meeting of Commonwealth leaders in London in March 2002 the ANC secretary general accused the UK and the US of destabilising Zimbabwe. He noted:

“If it is possible for Tony Blair to say elections can only be free and fair if one party wins, then they can do the same here.”¹⁵⁸

Yet while the ANC intensified its anti-UK and -US rhetoric, its discourse had shifted significantly away from slavish support for the ruling party to that of encouraging dialogue between ZANU-PF and the MDC. Motlanthe also intimated that it would be helpful for the criminal charges against Morgan Tsvangirai and MDC Chairman Welshman Ncube to be dropped. In addition to encouraging dialogue, the ANC's analysis of the Zimbabwe crisis had

broadened and deepened to include the need for constitutional negotiation and a plan for economic reconstruction. Speaking as ANC president at the party's 51st Congress in Stellenbosch in December 2002, Thabo Mbeki offered the assurance:

“We are convinced that it is necessary to bring to a close the controversial issues relating to our important neighbour Zimbabwe ... In this regard we are ready to engage both our ally and fellow liberation movement, ZANU-PF and all others concerned to help resolve the various issues in a constructive manner.”¹⁵⁹

Though implacable in its support for ZANU-PF at the party-to-party level and defensive of Mugabe at the governmental level, South Africa's position on Zimbabwe has, however, undergone significant shifts over the past four years. In marked contrast to the historical pattern of outright endorsement of ZANU-PF and in turn Mugabe, the undeniable political crisis brought on by the 2002 presidential elections necessitated a reevaluation of both the analysis of the Zimbabwean crisis, and consequently the preferred solution to the impasse. It has become a characteristic of South Africa's engagement with regional and international conflicts to share, apply, or attempt to apply, the lessons and successes of its own conflict resolution experiences. Once it became clear to the South African government that the MDC enjoyed considerable and growing legitimate (i.e. other than white and neo-imperialist) political support and that it was far from a single election ephemeral phenomenon, options other than the outright defeat of the MDC by ZANU-PF required consideration and formulation by South African policy formulators. Thus emerged South Africa's preferred option of the formation of a government of national unity, although perhaps not one in its own image and likeness.

This begs a number of questions regarding the projection of South Africa's domestic experience as a framework for its foreign policy. These would include whether or not the *sui generis* conditions that obtained in South Africa preclude the successful application of its conflict resolution experience to other situations, or whether the broad principles applied during the negotiation of the South African conflict and the transitional/constitutional modelling have general applicability internationally. In the case of Zimbabwe there is an irony to South Africa attempting to broker a government of national unity in a country that was a model of hope for the ANC 14 years before democracy was

finally achieved south of the Limpopo. While these questions must remain moot, it is a valid and legitimate exercise to share the South African experience and to proffer the country's success in conflict resolution as a possible way forward for resolving the ZANU-PF–MDC conflict in the absence of conditions necessary for free and fair elections. This acknowledged, South Africa has failed to persuade the ZANU-PF government to create the same conditions demanded by all parties to the South African settlement and required as an absolute minimum for a resolution of the Zimbabwe crisis.

5.7 ALLIANCE PARTNERS' TENSIONS

Mbeki's foreign policy leadership on Zimbabwe has been controversial with the international community, the South African domestic opposition, civil society and indeed the Zimbabwean opposition; it has also come under increasing scrutiny from ANC alliance partners, particularly COSATU. COSATU's disquiet with South Africa's official handling of the Zimbabwe crisis stems from at least two sources. First, given the strong fraternal relations between trade union movements in Southern Africa and the brutal treatment of ZCTU members due to their political affiliation with the MDC, COSATU has been duty-bound to express its opposition to these practices. Second, COSATU has spoken out about human rights abuse in general, the destruction of the rule of law and the curtailment of democracy. Thus in contrast to the ANC, COSATU has adopted a clearer, principled position regarding the condemnation of human rights abuses in Zimbabwe. The history and programmes of the ZCTU in forming a popular party in opposition to a ruling liberation party is sobering for a number of parties in the Southern African region. Given the tensions within the tripartite alliance over the government's economic (e.g. GEAR and privatisation) and social policies (e.g. the absence of a basic income grant), the 'demonstration effect' of the forging of an independent trade union- and civic-based opposition party is particularly worrisome for the government and ruling party. This provides a further insight into the government and ANC's antipathy towards dealing with the MDC. Remarkably, given the popular and populist nature of land claims and seizures, National Union of Mineworkers President James Motlatsi condemned land invasions in Zimbabwe as early as May 2000. Motlatsi accused Mugabe of creating conditions of 'anarchy' in Zimbabwe. Notably Motlatsi couched his condemnation in terms of the threat such practices held for the rule of law and international conventions on human

rights. More pointedly Motlatsi bemoaned the “silence of the heads of state” of SADC on the events in Zimbabwe.¹⁶⁰ In November 2003 COSATU was a signatory to the Southern Africa Trade Union Coordination Council’s condemnation of the Zimbabwean (and Swaziland) government’s “brutal” policies and called on all SADC governments to adhere to the Social Charter and to respect the rights of workers throughout the region.¹⁶¹

Some two weeks before Motlatsi’s condemnation, the SACP had expressed its misgivings about land invasions north of the South African border.

Differences and tensions within the ANC over Zimbabwe had emerged prior to the June 2000 parliamentary elections. This was most publicly manifest in the National Assembly in May 2000 when the ANC moved a motion that violence and intimidation had severely compromised the possibility of a free and fair parliamentary election in June that year. Read by leading ANC intellectual Dr Pallo Jordan, drafted at an ANC parliamentary strategy meeting and approved by then ANC Chief Whip Tony Yengeni, the motion condemned the loss of life, brutality and thuggery in the run-up to the Zimbabwean election. Although out of the country at the time of the motion, Mbeki rejected the viewpoint that conditions for a free and fair election did not exist at the time.¹⁶² The degree of internal tension within the ANC over Zimbabwe became clear when the drafter of the motion, ANC Parliamentary Media Head Pieter Venter resigned from his position and the party, under pressure to ‘explain’ his position at an ANC convened news conference.¹⁶³

5.8 SOUTH AFRICAN BUSINESS AND ZIMBABWE

The realist interpretation of foreign policy holds that a state will tend to, or attempt to, protect, promote and maximise the perceived core interests of its country in its dealings with other countries, the international community or other actors. South Africa’s economic and trade interests in Zimbabwe have been enumerated but the sector of South African society most directly affected by the Zimbabwean economic crisis is that of business. The working assumption is that business and organised business would organise, mobilise, lobby and publicise its concerns over Zimbabwe, yet the picture of business engagement is at best mixed. One scholarly analysis holds that South African foreign policy towards Zimbabwe is driven by neo-imperialist interests that seek to maximise the strategic and economic interests of South Africa’s bureaucratic and capitalist elite. On this analysis, South Africa’s political engagement in Zimbabwe has the

endgame of producing a new ZANU-PF government that has co-opted the opposition and thus protected the long-term interests of the South African ruling elite. The economic/economistic thrust of the argument is that by South African parastatals extending a credit 'lifeline' to the Zimbabwe government and thus deepening Zimbabwean indebtedness, under a new ZANU-PF regime this debt may be converted to equity positions in, for example, the Zimbabwe Energy Supply Authority.¹⁶⁴ The authority's indebtedness to Eskom is well documented, as is the South African electricity utility company's regional and pan-African activities and ambitions, and indeed a future debt/equity swap may make sense for both parties, particularly given the likelihood of Zimbabwe's foreign exchange scarcity continuing. But whether one can ascribe a *de facto* scheme of arrangement as an explanation of, or driver of, South African foreign policy is questionable. Indeed, South African mining, financial, retail and agricultural interests have all been adversely affected by the economic crisis in Zimbabwe. Equally hard hit have been South African trading companies. Yet it remains moot as to whether South African business or organised business has played any consistent, concerted or clearly identifiable role in foreign policy.

SACOB has been consistent in its condemnation of the Zimbabwe government's policies but has vacillated in its position towards Mbeki's quiet diplomacy. After visiting Zimbabwe in May 2000 former SACOB Chief Executive Kevin Wakeford lamented that quiet diplomacy had achieved nothing to halt the practices undermining democracy and the rule of law. Still in October 2000 Mbeki gave a landmark speech to SACOB in which he ruled out Zimbabwe-style land grabs in South Africa noting:

"It is quite obvious that we cannot allow a situation where we have that kind of conflict here. It will not happen here."¹⁶⁵

Mbeki's assurances ensured a more supportive stance and discourse on South Africa's Zimbabwe policy, but due to a lack of progress and the ever deteriorating crisis, by 2003 SACOB had adopted a more forthright approach to the government's policy failure. Not only did SACOB condemn the abuses in Zimbabwe, it pointed out the negative impact Zimbabwe was having on perceptions of NEPAD in the international business community. Furthermore, argued SACOB, African leaders' recalcitrance and 'soft' approach to Zimbabwe was undermining the role and utility of the APRM, which was being drawn into question by those NEPAD sought to attract to invest in Africa.¹⁶⁶ Nevertheless,

for all its protestations there is no evidence that the public protests of a body such as SACOB have had any impact on South Africa's policy towards Zimbabwe, despite the fact that the chamber represents the interests of some 20,000 businesses.

During interviews SACOB Chief Executive James Lennox and representative Marius Louw drew a distinction between 'access and penetration' on policy matters.

"We do get good access to policy makers and decision makers that is true, but access does not mean influence. We can put our case to government and that is about all we can do. We have to argue the merits of the case and back it up with research and hard evidence. But don't assume that we have an impact on, or input into, foreign policy. We may get access, but we sometimes fail to penetrate. We know that foreign policy in South Africa is made by a small number of tightly-knit people at the top and access there is limited. Maybe high-profile, connected, businessmen do get to the top on these issues, but that is a one-on-one relationship with the President."

A further important business formation is the South Africa Foundation, which represents 50 of South Africa's largest corporations and 10 other international corporations doing business in South Africa. The group represented by the chairman or chief executive of the corporation meets twice yearly with the president as the Big Business Working Group. The agenda for the meeting is set by the Presidency, with input from the South Africa Foundation. Although foreign policy matters seldom preoccupy the meeting, during the course of the 2002 meeting the chairs and chief executives of the South Africa Foundation raised Zimbabwe as a discussion item. According to interviews conducted with participants from the business community, the meeting was not conducted as a dialogue, but rather as an exposition of the government's position on Zimbabwe from the president. Moreover, at the conclusion of the meeting delegates expressed disappointment that they were no closer to understanding or agreement on the Zimbabwe crisis.

During the crisis years of apartheid, former South African business leader Tony Bloom observed that the South African business community was the only one in the world "to the left" of the government; perhaps ironically, the same business community has found itself in disagreement with a democratic

government on issues of human rights in Zimbabwe. On purely prudential grounds, however, business has warned of the dangers of South Africa's Zimbabwe policy.

Chairman of Sasol, Paul Kruger, has lamented the ineffectiveness of so-called quiet diplomacy pursued by the South African government, arguing that it had no material effect on preventing the deepening crisis in Zimbabwe. In his annual address to shareholders Kruger went on to warn of the impact of Zimbabwe on NEPAD: "The despotic conduct of that country's leadership and the anarchy and abuse of human rights appear to go unabated, thereby tarnishing the image of the whole continent."¹⁶⁷ Then with embarrassing but no doubt calculated timing, on the opening day of the plenary of the World Summit on Sustainable Development in September 2002, the South Africa Foundation released a press statement critical of South Africa's position on Zimbabwe, highlighting the potential negative impact on NEPAD.

Twelve months later and despite no substantive shift in government's Zimbabwe policy, a reported general improvement in business-government relations resulted in a closer agreement on the analysis and understanding of Zimbabwe's crisis. Both parties also agreed on the need for public and private collaboration in resolving and reconstructing the country during the Big Business Working Group meeting held in June 2003.¹⁶⁸

While there were encouraging assurances from the government that resolution was being reached in Zimbabwe, it is clear that the issue had been dropped down the order paper in government and big business engagement in favour of a preponderant focus on pressing domestic economic concerns. Organised business has nothing tangible to show for its structured engagement or for its occasional forays into the formal foreign policy arena on the question of Zimbabwe.

5.9 THE CHURCHES

The prominent involvement of the religious community in foreign policy matters in a secular country often portends a moral crisis or imperative. As the crisis in Zimbabwe deepened – but in particular as the extensive human rights abuses could no longer be ignored, excused or overlooked – the South African religious community entered the foreign policy debate more fully. In 2003 Nobel Peace Prize Laureate Archbishop Emeritus Desmond Tutu criticised South Africa's 'quiet diplomacy' noting:

“What has been reported as happening in Zimbabwe is totally unacceptable and reprehensible and we ought to say so.”¹⁶⁹

In December 2003 members of the South African religious community commented:

“We are confused by the constant call for moral regeneration within our own country by leaders who appear to defend or overlook moral corruption in neighbouring states.”¹⁷⁰

Notably, Director General in the Presidency, Reverend Frank Chikane, rejected the cleric’s criticism of government policy as based on “fabrications” with “elements of untruth” from people who had clubbed together with “political self-seekers.”¹⁷¹

In a statement by the South African Council of Churches (SACC) issued in February 2004, President Mbeki was urged to provide assurances that talks between the ruling party and the opposition were taking place. The intervention of the SACC was significant in that it came not only in response to the urgings of their clerical counterparts in Zimbabwe, but was animated by ethical concerns; the same order of concerns that placed the SACC in conflict with the pre-1994 South African government. The urgings of the SACC not only highlighted the inconsistencies of South Africa’s avowed human rights-orientated foreign policy with respect to Zimbabwe, but also the failings of ‘quiet diplomacy’. As the SACC letter noted:

“The people of Zimbabwe, especially the churches have repeatedly told us that they are counting on us to assist them in finding a resolution to their acute economic and political crisis. We would be failing in our moral obligation to be with them in their hour of need.”¹⁷²

5.10 OTHER POLICY ACTORS

South African policy towards Zimbabwe has also animated a number of other actors to become more fully engaged in ventilating issues, offering critiques and proffering policy alternatives. It has become the government’s default position that there is no viable alternative to ‘quiet diplomacy’ in dealing with the crisis north of the Limpopo. This is not to suggest, however, that the government has

not seriously considered other alternatives. Around the time of the 2002 presidential elections, a series of discussions were held between the Presidency, the DFA, the Ministry of Intelligence, the Ministry of Finance, the South African National Defence Force (SANDF) and invited NGO think tank analysts to consider responses to possible outcomes to the election and to evaluate policy alternatives. Some five policy alternatives were reportedly considered, ranging from military intervention to the continuation of 'quiet diplomacy'. While all options apart from quiet diplomacy were eventually rejected, that they were seriously considered is noteworthy.

The official opposition, the DA, has consistently articulated its disapproval of the government's position on Zimbabwe. This criticism has been articulated on matters of principle regarding the government's persistence with 'quiet diplomacy' as well as with ANC and government support of Mugabe and bias against the political opposition in Zimbabwe. Moreover, the DA has sought to exploit the government's 'bad press' with local and international opinion-makers over its handling of the crisis. More than just probing the government's perceived soft underbelly on Zimbabwe, in December 2003 the DA released its policy alternative for Zimbabwe entitled, 'Road map to democracy in Zimbabwe'.¹⁷³ Building on the language of the Middle East Road Map, the DA document sets out the following five stages for resolution of the Zimbabwean crisis:

- **Stage one:** *African Union consensus.* This initial step seeks the support of the AU for the Road Map and a commitment to impose sanctions on Zimbabwe should that country fail to comply with the timing, sequencing and provisions of the agreement.
- **Stage two:** *The departure of President Mugabe from office.* This phase envisages regional political leaders negotiating with and facilitating the voluntary departure of Mugabe from office, but without derailing the progress and sequencing of the Road Map.
- **Stage three:** *The formation of an interim government.* After the departure of Mugabe, multiparty negotiations are to commence, constitutional amendments are to be made and basic administrative functions handed over to the interim government. This should occur no later than six months after AU agreement on the Road Map. As the interim government assumes

control and progress is made with the restoration of democracy and the rule of law, sanctions should be progressively lifted.

- **Stage four:** *The approval of a new constitution.* The new constitution must be drafted on a multiparty basis and must enshrine the core principles of representative democracy and the rule of law. Civil society must be consulted with widely on the constitution and the constitution ratified within 18 months of the commencement of the Road Map. Draconian laws are to be repealed.
- **Stage five:** *The holding of new democratic elections.* Once the constitution has been ratified, elections are to be held within two years of the commencement of the Road Map. The elections are to be held under the auspices of the Independent Electoral Commission. Such elections are to be monitored by the international community in order to be deemed free, fair and legitimate.

While nothing in the Road Map is controversial and while it is consistent with South Africa's core foreign policy principles and modalities of multilateralism, it makes a number of assumptions that are unlikely to be embraced. The first stage assumes that the AU will take the lead on the Zimbabwe crisis and that there will be unanimity of purpose. Both assumptions are false. The critical second stage of the plan offers no prospect of implementation, as Southern African leaders have been palpably unable and unwilling to persuade Mugabe to leave office. Furthermore, the Zimbabwean president has indicated his desire to see through his term of office until 2007. Finally, there is insufficient pressure on Mugabe from ZANU-PF, the security forces and the political opposition to force his resignation.

While providing an alternative policy document, the DA's 'Road Map to democracy in Zimbabwe' has received little substantive coverage in the South African media; nor has the DA's Road Map been taken seriously by the government. This may in part be explained by the polarised nature of political engagement between the DA and government/ANC. The failure of a broader debate on possible policy options for South Africa in dealing with the Zimbabwean crisis highlights the paucity of substantive debate and engagement on critical areas of foreign policy. Furthermore, while the DA has consistently raised and kept the crisis in Zimbabwe on the national agenda of South African

foreign policy, it lacks any meaningful mechanism for influencing or making input into foreign policy. The DA's Portfolio Committee on Foreign Affairs member Colin Eglin has used his position in the National Assembly to challenge the government's position on Zimbabwe; this has generally been met with defensiveness from members of the ruling party and the minister of Foreign Affairs. It should be noted too that the New National Party spokesperson on Foreign Affairs Dr Boy Geldenhuys has also consistently spoken out not only against the policies of the ZANU-PF government, but has voiced criticism of the South African government's Zimbabwe policy. There is, however, no evidence to suggest that any South African opposition party has played any identifiable role in shaping or altering South Africa's Zimbabwe policy.

The importance of Zimbabwe to South Africa, the severity of its deepening crisis and confusion regarding 'quiet diplomacy' have preoccupied domestic foreign policy think tanks and cognate civil society organisations since 2000. Foreign policy think tank discourse and analysis of the Zimbabwean crisis and South Africa's stance has evoked a wide spectrum of interpretation. Furthermore, the nature of engagement with the crisis and South Africa's position has been widely divergent. Zimbabwe, more than any other foreign policy issue, has divided think tanks in recent years. Underlying these differences and divisions lie contending histories, ideologies, political and other support constituency affiliations. Race identity also appears to be an underlying sentiment informing interpretations of policy think tank responses.

Without propounding a reductionist interpretation of foreign policy think tank discourse over Zimbabwe and South Africa's stance, the degree and nature of engagement both with the Zimbabwean crisis and South Africa's position broadly reflect the interests of key constituencies. Thus AISA's relatively muted approach to the Zimbabwe question reflects its state council status as a government advisory body. The ANC-aligned IGD, while voicing scholarly criticism of Mugabe, ZANU-PF human rights abuses and governance failures has been cautiously supportive of the government's 'quiet diplomacy' policy. Yet the IGD has at times been called on to consult with the government on its Zimbabwe policy options and enjoys a degree of access perhaps not shared by other think tanks on this key area of policy. The independent ISS has approached the Zimbabwe crisis largely from the perspective of the broad security threats posed by the collapse of the rule of law and governance standards in that country.¹⁷⁴ The ISS has been responsible for hosting a number of useful fora and publishing on the Zimbabwe crisis, but has not adopted a

highly critical position with regard to South Africa's quiet diplomacy. Again, although providing a valuable forum for debate and analysis that has the potential to feed into policy formulation or adjustment, there is no evidence that the ISS's engagement has had any tangible impact on South Africa's Zimbabwe policy. Arguably the most critical foreign policy think tank on both Zimbabwe and South Africa's quiet diplomacy policy has been SAIIA. The institute has continuously engaged in public policy analysis on Zimbabwe and South African policy since the unfolding of the crisis in 2000. In addition to a raft of newspaper and journal articles, it has produced three detailed publications on the 2000 and 2002 elections as well as an analysis of the decline and decay of the Zimbabwean economy.¹⁷⁵ More than analysis, however, SAIIA has sought to facilitate discussions and fora between the ZANU-PF leadership and that of the MDC, culminating in a November 2001 conference at which then Finance Minister Simba Makoni and Morgan Tsvangirai spoke on the same platform.¹⁷⁶ This was the first time such a high-profile public meeting had taken place between the Zimbabwean political rivals. Of significance too, the conference was formally addressed by Deputy Minister of Foreign Affairs Aziz Pahad, Minister in the Presidency Dr Essop Pahad, as well as leaders of the business and diplomatic community in South Africa. Since that time SAIIA has convened one public high-profile conference, and three 'off-the-record' conferences among political, business and diplomatic leaders in South Africa in an attempt to improve understanding of contending interpretations of the Zimbabwe crisis and South African policy and to debate modalities for assisting with the resolution of the crisis. Despite the constructive nature of these interventions and communication between SAIIA, the DFA and the Presidency on Zimbabwe remaining open, it is impossible to gauge the response of government to such policy-orientated interventions, or their impact, if any.

The South African media has played a particularly significant role in highlighting the unfolding crisis in Zimbabwe and has given the issue extensive coverage. More than 850 articles on Zimbabwe have been produced by the largest print media company group in South Africa since 2000. All media in South Africa – radio, television and print – have provided detailed coverage of the erosion of democracy, destruction of the economy and abuse of human rights in Zimbabwe. Furthermore, they have engaged in investigative journalism which has exposed poor governance, torture and corruption. This coverage has been propelled by four considerations. First, as a question of core interest to South Africa, the Zimbabwe crisis is highly newsworthy. Second, the independent

media in Zimbabwe has been progressively decimated by acts of sabotage and increasingly draconian legislation, which given the highly restrictive media environment from which South Africa itself has emerged, has demanded coverage in South Africa. Third, journalists as individuals and colleagues have come under heavy attack in Zimbabwe with arrests, detentions, expulsion and intimidation being ever more commonplace. Fourth, the independent South African media has been alarmed at the quiescence of the South African authorities to state-sponsored acts of media curtailment in Zimbabwe. For example, at a parliamentary press briefing in 2004, Foreign Affairs Minister Nkosazana Dlamini-Zuma defended recently promulgated regulations forcing all media representatives to register with a state-operated media regulatory authority in Zimbabwe or face criminal charges. Whereas Zuma could see nothing wrong with this 'in principle' and that it was within the constitutional right of the Zimbabwean government, the South African media was alarmed not just by Dlamini-Zuma's condonation of this step; that she saw nothing remiss in the principle of state-initiated and controlled journalist registration and regulation was a cause of 'domestic' concern for South African journalists.

Yet whereas the South African media has given the Zimbabwean crisis prominence and has been overwhelmingly critical of Mugabe and the ZANU-PF government, it has been less consistent in its approach to South Africa's policy of 'quiet diplomacy'. Extensive and graphic exposure of the unfolding crisis in Zimbabwe by the South African media may add to the weight of opinion arguing for a more interventionist or critical stance from the South African government; this is most often by implication.

International affairs and foreign policy are areas that are arguably under-reported by South African journalists. Most of the major publishing groups in South Africa employ a single foreign affairs or international affairs journalist. The remainder of international reportage is largely dependent on international 'stringers'. This has had the effect of reducing the analytical dimension to reportage on the Zimbabwean crisis, but more particularly on South Africa's foreign policy towards Harare. The preponderance of analytical coverage on South African policy towards Zimbabwe has been provided by academics and policy analysts on the opinion and editorial pages of newspapers. In addition to the dearth of journalistic analysis, since the controversial establishment of the Presidential Press Corps, the question of 'embedded versus unembedded journalism' has been moot. The tension and trade off between privileged access to the Presidency and journalistic/editorial independence hinges on questions of

a deeper social contract and individual integrity, but it is particularly problematical in areas where policy is largely formulated and driven by the Presidency and where the policy is an acknowledged failure, but with no consequential shift in policy.

Finally, what has the role of the South African parliament been? Despite the importance of Zimbabwe to South Africa's foreign policy, the crisis has not received high prominence in parliament and even less in the Portfolio Committee on Foreign Affairs. Policy towards Zimbabwe has formed a minor element of the Foreign Affairs minister's budget speech since the crisis unfolded in 2000, and it has fallen to opposition foreign affairs spokespeople to raise concerns and parliamentary questions. The composition of the National Assembly chamber as well as the structure of budget 'debates' has meant that there is no formal or meaningful debate on Zimbabwe in the South African parliament between the ruling party and the opposition. Furthermore, there is no evidence of parliament carrying out its oversight role with respect to South Africa's foreign policy on Zimbabwe, particularly once the Executive branch publicly acknowledged the failure of its policy. More strikingly, however, is the fact that despite the depth of the Zimbabwean crisis, the first occasion that the PCFA formally discussed Zimbabwe was on 23 November 2003. At this meeting the MDC's MP Paul Themba Nyathi provided the committee with a briefing on the 'current situation' in Zimbabwe. The briefing was noteworthy in a number of respects: first, that the end of 2003 was the first time that the PCFA had met on this matter of critical importance. Second, that in its first meeting on Zimbabwe, the committee was addressed by a representative of the opposition MDC. Third, the level and degree of engagement from parliamentarians was in some instances poorly informed. Fourth, it is remarkable that no briefing document was provided by the MDC or demanded by the PCFA prior to the meeting to provide a grounding and framework to the engagement.

That the South African parliament has focused so little on the Zimbabwean crisis and South Africa's policy at a time when it has been supportive of NEPAD, the formation of the AU and the PAP is difficult to reconcile. The most plausible explanation for this paradox, however, goes to the heart of the relationship between South African foreign policy formulation, the Presidency, the ANC, the DFA and parliament. South Africa's policy on Zimbabwe provides perhaps the clearest example of the vertical integration from conceptualisation within the Presidency, endorsement from the party, implementation by the DFA and largely unquestioning and compliant support from parliament.

ENDNOTES

- 117 Speech delivered by President Thabo Mbeki to the Zimbabwe Trade Fair, Bulawayo, Zimbabwe, 5 May 2000.
- 118 The term ‘quiet diplomacy’ is a tautology that has served to cast a cloak of secrecy over South Africa’s engagement with the ZANU-PF government, but is also used as a defensive device by representatives of the South African government in an attempt to create a false dichotomy between the failed strategies adopted and more strident forms of engagement. An example of this false dichotomy was the acerbic rhetoric used by Finance Minister Trevor Manuel in a briefing in May 2002 when he asked rhetorically, “What do they expect us to do, use the Sharon option, go in there and kick butt?”, *Daily Dispatch*, 14 May 2002.
- 119 *ANC Today* 3(49), 12–18 December 2003.
- 120 Racism fuels SA panic over Zim – Mbeki, *Independent Online* (IOL), 5 April 2000.
- 121 Mbeki blames Mugabe for borrowing too much, *Pretoria Daily News*, 28 November 2001.
- 122 Mbeki slams abuse of power in Zimbabwe, *The Star*, 26 October, 2000.
- 123 Zimbabwe battles to renew contracts as it runs up power bills, *Business Day*, 23 February 2003.
- 124 Zimbabwe costs SA billions, Moneyweb, 20 May 2003.
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Chapter 6

SOUTH AFRICAN FOREIGN POLICY TOWARDS THE MIDDLE EAST

South African foreign policy towards the Middle East cannot be classified or understood as a singularity. It is a variegated set of policies that reflects ideological, political, historical, economic, ethnic and religious ties, affiliations and interests. While the country's dependence on crude oil supplies from the Arabian/Persian Gulf elevates it to one of strategic importance, South Africa's geographic and cultural distance from the Middle East leaves the region considerably outside of its immediate sphere of influence. Furthermore, as the region is one of vital strategic interest to the major global powers – enjoying 67% of the world's petroleum reserves and controlling two strategic waterways, the Red Sea and Arabian/Persian Gulf – South Africa is consequently relegated to a peripheral actor, at least in terms of *realpolitik*. Moreover, the region has taken on renewed security importance in the light of the al-Qaeda terror campaign and response from the US and its allies. Israel's nuclear capacity as well as the potential nuclear weapons capacity of Iran adds a further dimension to strategic concerns for the major powers. This asymmetry of importance has seen South Africa adopting a variety of strategies of engagement in the Middle East in order to elevate its role and status in the region above that of other geographically remote middle-ranking powers.

Recent official policy on the Middle East was formulated as an outcome of a cabinet *lekgotla* in 2002, from which was developed a business plan. Out of the business plan a number of high-level objectives for South African–Middle East relations were formulated. These were:

- the promotion of NEPAD;
- the promotion of trade and tourism;
- support for the Middle East Peace Process;

- engendering peace, security and stability;
- the strengthening of SADC–Middle East relations; and
- the enhancement of South African imaging and branding.

For South Africa the Middle East holds a number of important interests, but these should be understood in relation to a range of domestic interests and approaches.

At the political level South Africa's engagement with the region has been particularly focused on the Israeli–Palestinian conflict, although this engagement has undergone a number of incarnations. The importance attached to the conflict and its resolution has, however, elevated it to the status of a foreign policy Presidential Initiative in which Thabo Mbeki has personally taken the lead. Despite the geographic and cultural chasm between South Africa and Israel/Palestine, the conflict has particular resonance for South Africa and its foreign policy. Although far from a mirror image (and indeed the differences are perhaps more profound than the similarities), the campaign to achieve democracy in South Africa was prosecuted under a number of guises that have some salience for the Israeli–Palestinian conflict and South Africa's engagement with it. First, although the campaign was conducted against apartheid as a governmental policy, it was also the focal point for a broader international struggle against racism and discrimination. The Israeli–Palestinian history and conflict has been increasingly framed along a similar set of discourses to that of the South African struggle. Second, the South African campaign was one for the achievement of universal human rights. Similarly, the Palestinian claim is for the achievement of these rights and the case against Israeli is predicated on the denial of these rights to Palestinians. Third, the South African campaign was aimed at the achievement of national identity and liberation for the disenfranchised. These issues respectively lie at the heart of both the Israeli and Palestinian perspectives on their conflict. Moreover, South Africa was one of three divided societies, along with Northern Ireland and Israel/Palestine, that exercised politicians, analysts and the international community for decades. The solution of the South African political conflict has led the same groups to look to the country as an exemplar from which practical lessons in conflict resolution may be learnt and applied to other divided societies such as Israel/Palestine.

South Africa's engagement with the Middle East region more broadly has expanded with its reincorporation into the international community of nations, concomitant with the lifting of sanctions and other restrictions against the

country. A significant feature of post-1994 South African foreign policy has been the establishment and deepening of formal diplomatic relations with a number of states in the region (particularly the Gulf) and the marked expansion of economic, trade and investment ties.

The 11 September 2001 (9/11) attacks on the US resulting in the declaration of a 'War on Terror' and a consequent war in Iraq has seen South Africa assert its preference for, and strong commitment to, a multilateral approach to conflict resolution, which has brought it into direct rhetorical and policy conflict with the US over Iraq in particular. South Africa's occupancy of the chairs of the NAM and the AU also added foreign policy responsibilities on the country with respect to the war in Iraq. More than rhetorical disagreement, however, in the months preceding the invasion of Iraq by the US and its allies, South Africa actively attempted to conduct a programme of conflict mediation via a series of diplomacy shuttles between Foreign Minister Aziz Pahad and Former Iraqi Foreign Minister and Deputy Prime Minister Tariq Aziz and former President Saddam Hussein.

6.1 SOUTH AFRICA AND THE ISRAEL–PALESTINE CONFLICT

That South Africa has elevated the Israeli–Palestinian conflict and its resolution to the status of Presidential Initiative is significant. Yet in doing so, Pretoria plunged into the most contested foreign policy terrain, not merely domestically, but globally. The reasons it has done so bear examination. Prior to 1994 South Africa adopted an ambiguous position in its foreign policy relations with Israel. Both countries' respective international isolation confined them to the status of members of the so-called 'Fifth World' along with Chile and Taiwan. These countries were legally, politically, diplomatically, culturally and economically excluded from full membership of the international community of nations. One of the features of this 'Fifth World' status was the operation of sanctions, and in particular military sanctions, against these countries. This propelled closer cooperation between the four states and in the case of South African–Israeli relations, considerable military cooperation, including that of nuclear weaponry cooperation. During the 1980s South Africa provided enriched uranium to Israel in exchange for, among other things, military technology transfers. During this period the value of the arms trade between the two countries was estimated to be between US\$400 and US\$800 million annually. This close military cooperation has left a legacy of distrust and resentment between the

two countries under the new ANC administration, from which they have yet to escape or properly overcome. This resentment and suspicion is exacerbated from the Israeli perspective by the parallel support and cooperation between the ANC in exile and the PLO. Despite these strong historic ties between Israel and apartheid South Africa, in 1987, to comply with US and European practices and to a degree from conviction, Israel's Labour Party cabinet took two decisions in March and September to down-scale relations with South Africa. These included limiting military sales contracts, reducing cultural and tourism ties as well as appointing a committee to investigate sanctions against South Africa. Given its own diplomatic and political status, Israel has been hesitant to support the application of sanctions, but opposition to South Africa's racial policies presented a strong moral imperative for their imposition, as then Israeli Foreign Minister Shimon Peres condemned apartheid as, "a policy totally rejected by all human beings."¹⁷⁷ Israel then established educational programmes to assist black South Africans.

Formal diplomatic ties between South Africa and Israel were established in 1952 through an Israeli legation in Pretoria and upgraded to embassy status in 1974. South Africa established a consulate general in Tel Aviv in 1972 and upgraded this to embassy status in 1975. In September 1995, after the establishment of formal diplomatic relations with Palestine, former Minister of Foreign Affairs Nzo undertook an official visit to Israel signing an agreement establishing a Joint Commission of Cooperation between the two countries. The first meeting of the Joint Commission negotiated five agreements for cooperation in the fields of agriculture, tourism, culture, environment and science and nature conservation. In a further effort to smooth the reengineering of South African-Israeli relations, former Foreign Minister Nzo reassured the South African Jewish community in 1995 that:

"Jews in South Africa should be able to practice their Zionism, religion and culture without hindrance or questions being raised about their patriotism and love for South Africa. Jews are free to love South Africa, their homeland and also to love Israel, the Jewish State, and to manifest freely their support for the well-being of the peoples of South Africa and the Jewish people of Israel."¹⁷⁸

South Africa's engagement with the Israeli-Palestinian conflict has also in part been shaped by its commitment to multilateralism and more particularly its

membership and chairing of the NAM from 1998 to February 2003. While this is entirely consistent with South Africa's chosen modality of international engagement, it has also brought the country's foreign policy into tension with Israel on the Palestinian question. Tensions borne of South Africa's multilateral prominence also arose during its hosting of the World Conference against Racism, Xenophobia and Discrimination (WCAR) in Durban in 2001. While South Africa's selection as host for the conference was apposite and a reflection of the country's successful transition to a non-racial democracy, heated demonstrations at the conference detracted from the event and consequently tainted perceptions of South Africa among some elements of the international community. This legitimate form of protest, however, itself degenerated into racist discourse and in broad terms anti-Semitism, resulting in the Israeli delegation withdrawing from the conference. Similarly, the US sent only a low-level delegation. Whereas such protests bore no official South African sanction, approval or support, that they took place on South African soil (albeit under the auspices of the UN for the duration of the conference), did not contribute to an improvement of bilateral relations between Pretoria and Jerusalem. Indeed, South Africa has at times been forced to explain its foreign policy actions in relation to its multilateral obligations, as distinct from its bilateral engagement. One such case was during South Africa's chairing of the NAM when in June 2002 Foreign Minister Nkosazana Dlamini-Zuma led an international delegation to express solidarity in Ramallah with Palestinian President Arafat. While the minister did so under the aegis and authority of an NAM mandate, the signal received by Israel was one of less than even-handedness from South Africa.¹⁷⁹ Furthermore, consistent with the sentiment of many governments in the international community, relations between South Africa and Israel cooled under the Likud government led by Ariel Sharon and elected to power in February 2001. This is in part due to the legacy of Sharon as the person held ultimately responsible for not preventing the atrocities and massacres carried out by the Christian Phalange against Palestinians at the Lebanese Sabra and Shatila refugee camps in 1982. Additionally, in contrast to his Labour Party predecessors – prime ministers Rabin, Peres and Barak – Likud leader Sharon is a political conservative, securocratic by nature and experience, the strongest contemporary proponent of Jewish settlements and since coming to office in controversial circumstances, has adopted a more belligerent and unilateral set of policies towards Palestine. Although South Africa's engagement with Israel may be influenced in some degree by the political incumbent in Jerusalem,

direct and sometimes regular contact between Prime Minister Sharon and President Mbeki has been maintained throughout.

South Africa has been a consistent supporter of successive incarnations of the Middle East Peace Process. In addition to public support for UN Security Council resolutions 242, 338, 1397 and 1403, South Africa has endorsed the US-sponsored Mitchell Report and the Tenet Plan. South Africa welcomed the Saudi-sponsored Arab Peace Initiative of March 2002 as well as the Quartet (US, EU, Russia, UN) Middle East Road Map of May 2003. South Africa has also expressed its support for the civil society initiative which emerged as the Geneva Agreement in 2004, viewing it as complementary to the Road Map. South Africa has declared itself in favour of the deployment of an international monitoring force in the occupied Palestinian territories and as a High Contracting Party to the IVth Geneva Convention, South Africa has been a strong advocate of the full application of the conventions in the Palestinian territory.

In addition to its multilateral commitment and engagement, South Africa has pursued a number of bilateral and trilateral channels of dialogue. Its diplomatic interventions reached unprecedented levels in January 2002, when President Mbeki convened a three-day retreat at the Spier wine estate outside of Stellenbosch. Delegates from the Palestinian National Authority (PNA), Israel, the South African government, as well as key individuals involved in the successful South African negotiations attended and participated in the retreat. The discussions had three avowed objectives, namely to:

- support the ongoing initiatives towards the creation of a favourable environment to restart the peace negotiations;
- share South African experience in negotiations, peacemaking and transition to democracy; and
- support the strengthening of the peace camps in Palestine and Israel as well as the general dynamic towards peace in the region.

The Spier Three Party Communiqué issued at the conclusion of the retreat noted that:

- the conflict cannot be resolved through violence and military means;
- the only guarantee for stability and security is peace;
- the maintenance of effective channels of communication at all times and under all circumstances is imperative;

- there is a need to recognise the legitimacy of each side as a partner and a need to strengthen each other's 'peace camps';
- there is a need to recognise and deal with the fears and concerns of both sides and to engage seriously with them;
- negotiations cannot succeed if they are approached from a zero-sum, winner and loser perspective. Each party has to be satisfied with the agreement reached; and
- perhaps most importantly, the process should at no point be 'held hostage' to extremists or their actions.

Delegates noted too that it was vital to maintain a telephonic hotline between protagonists, particularly when official or public talks reach crisis or breakdown point. But perhaps the most profound yet difficult experience to apply from the South African negotiations process was the need to strengthen, rather than to destroy or weaken, one's opponent in order that both can deliver their constituencies and the outcomes agreed to. Given the decade of direct engagement between Israel and the PLO leading from the Oslo Peace Accord, it is not clear that Israeli and Palestinian moderates needed to be tutored on these matters, nor is it clear that 'lessons' can be learnt and applied from the South African experience to the Middle East, particularly as the fundamentals differ between the nature of the two conflicts. Not least of these differences are those of religion, history, culture, war, terrorism and the most existential question, namely, the recognition of the right of the other to exist. Furthermore, it is reflective of South Africa's relatively weak position on the Middle East crisis that no incumbent Israeli cabinet minister attended the talks. The Palestinian delegation included Chief Negotiator and Minister Saeb Erekat; the Israeli's included former Justice Minister Yossi Beilin¹⁸⁰ and Knesset Speaker Avraham Burg. Given its lack of leverage and influence within the Middle East as well as the pressurised atmosphere of the region it was, however, constructive for South Africa to host such talks, despite criticism from some quarters that 'serious' talks could only take place within the Middle East between the two protagonists. This criticism is to a degree invalidated by the fact that the only two sets of negotiations that have made concrete progress in the Middle East took place at Camp David in the US and in Oslo, Norway.

A second round of Spier talks was subsequently convened, this time involving senior Palestinian officials and former Israeli generals and senior intelligence officials. The inclusion of securocrats rather than leaders of Israel's

peace movement was a significant step in South Africa's affirmation of the key issue of national security for Israel. This also heralded a more engaged role for the South African Ministry of Intelligence and its personnel in dealing with Israel on the Palestinian question.

It is difficult to discern any measurable outcome of the Spier talks, but a crucial argument proffered by senior Israeli officials regarding the "inconsequential" Spier talks was that South Africa lacks a stake in the region and thus has no vested interest in seeing a process through to success. South Africa clearly does not see itself as a power broker in the Israeli–Palestinian conflict, but rather as a facilitator; yet it is difficult for the country to be taken seriously in this role as, due to the strategic importance of the Middle East, South Africa remains and will remain a peripheral player. South Africa and indeed Africa's only indirect representation on the crucial Middle East Quartet is through the UN. Furthermore, South Africa's discourse and engagement with the Israeli–Palestinian conflict has been strongly informed by its membership and lead role in the UN NAM bloc.¹⁸¹ Nevertheless, South Africa's willingness to assist the peace process proactively is a significant affirmation of its avowed foreign policy principles and objectives. More particularly the South African intervention is a clear manifestation of President Mbeki's desire to elevate the South's, Africa's, South Africa's and his own role in the resolution of issues of global significance. This shift in 'ownership' of policy also heralded a series of meetings in which differences of interpretation and approach to the Israeli–Palestinian crisis between the Ministry of Foreign Affairs and that of the Presidency were raised. In summary, the perception had been created within Jerusalem that the South African DFA had become increasingly the preserve of pro-Palestinian, pro-Arab and anti-Israeli sentiment. Israeli officials and academics point to the perceived bias in the strong condemnation of Israeli security actions in contrast with the less equitable condemnation of Palestinian attacks on Israeli citizens.¹⁸² This was partially ascribed to the removal of key personnel within the Middle East Directorate of the DFA, not least of whom was the former chief director and ambassador to Tel Aviv, who had developed considerable experience and respect, particularly among Israelis.¹⁸³ The major issue of concern for the Presidency, however, has been the dissonance between interpretations and intelligence on the Israeli–Palestinian conflict emanating from South African DFA officials in Pretoria and officials in Tel Aviv. The Presidency reportedly became frustrated, if not embarrassed, by the conflicting DFA reports emanating from the region (which were often countered or

contradicted by Israeli Foreign Ministry officials) resulting in the establishment of more direct intervention by Mbeki's office and the corralling of the intelligence services. In short, Mbeki's efforts at mediation were increasingly hampered by Israeli distrust and displeasure at the perceived pro-Palestinian bias within the DFA, thus threatening this key Presidential initiative. According to one highly-placed official, from the time of the Spier Initiative in January 2002, the DFA was effectively "playing catch up" with the Presidency in South Africa's Israeli-Palestinian engagement.

At this point a more textured observation regarding South Africa's foreign policy requires mention. It was noted at the beginning of this chapter that South Africa's foreign policy towards the region is multifaceted. One dimension to this is the role of individual ambassadors, their interaction with key constituencies and indeed their relationship with the DFA in Pretoria. Career diplomats, by definition, have a different background and institutional relationship with the DFA than is the case with political appointees. Career diplomats enjoy the advantage a history of professional experience brings, yet also carry the 'institutional baggage' of the department. This history, particularly as it applies to senior white officials within the department, can be a professional and institutional hindrance. Where the white career diplomat is posted to a region or country of particular policy interest or sensitivity for South Africa, such as Israel, the potential for professional and departmental disagreement is high. Furthermore, ambassadors have different styles of engagement, sometimes driven by the nature of the relationship between the countries, whether trade driven or more political in nature. The level and degree of engagement is also strongly influenced by the ambassador's work ethic, professional confidence and even desire to be posted to a particular country. Thus the locus of policy formulation is influenced to some degree by the role (experience, knowledge, work ethic, focus and style) of the resident ambassador. Increasingly, South African foreign policy towards Israel has shifted away from the Tel Aviv Mission to the Presidency, and the ministries of Foreign Affairs and Intelligence. Furthermore, senior Israeli officials are not insensitive or immune to the interdepartmental dynamics in South African foreign policy formulation. Thus, for some time Israeli officials have been privately keen to see the future appointment of a 'credible black' ambassador to Tel Aviv.

Yet recently, South African policy towards Israel has been a case of 'one step forward and two steps back'. The visit in 2003 of the Israeli Ministry of Foreign Affairs Director General Yoav Biran to Pretoria and the signing of a number of

outstanding protocols was a significant development. Yet this progress has to some degree been off-set by the resignation of the Israeli ambassador to South Africa and more significantly the announcement of the closure of the Israeli Trade Office in 2004. Clearly, South Africa's engagement with Israel has to be balanced with competing domestic, regional and multilateral interests; but while the formal signing of agreements and protocols with Israel denotes diplomatic and political progress, the announcement of the closure of the Israeli Trade Office in 2004 signifies the relatively low-level priority given to trade with South Africa. This is despite Israel being South Africa's largest trading partner in the region. Significantly too the planned trip to Israel in 2004 by Deputy Minister Pahad as part of a regional tour of Egypt, Kuwait and Palestine was postponed due to the "non-availability" of the Israeli foreign minister and director general of Foreign Affairs.¹⁸⁴ This latter non-availability coincided with South Africa's condemnation of the erection of the Israeli Security Barrier/Separation Wall, as well as its written and oral testimony to the International Court of Justice hearing on 23 February 2004. In summary, South Africa's relations with Israel remain immutably linked with its ties to the Palestinian cause, and thus any improvement (or deterioration) in bilateral linkages will be driven in large part by the progress or failure of the Middle East Peace Process.

The strong fraternal links between the ANC in exile and the PLO have been alluded to in the introduction. These ties remain strong and have strengthened considerably since 1994, commencing most publicly with Yasser Arafat attending the inauguration of President Mandela in May 1994. Full diplomatic relations with the State of Palestine followed on 15 February 1995, with accreditation of the first South African ambassador in August 1995, while a South African diplomatic satellite office was established in Gaza in June 1998. The first Palestinian ambassador to South Africa presented his credentials in April 1995. South Africa directly funds the Palestinian Embassy in Pretoria. The opening of the Palestinian Embassy was followed by a visit to Palestine by former Foreign Minister Alfred Nzo in September of the same year. A Joint Commission of Cooperation was signed during this visit. In 1998 President Arafat paid a state visit to South Africa and has conducted working visits on three other occasions in 1999, 2000 and 2001. President Arafat has since been confined to his compound in Ramallah by Israel. There have also been bilateral visits between the speaker of the South African National Assembly and that of the Palestinian Legislative Council. In addition to the Protocol of

Understanding between South Africa and the PLO (representing the State of Palestine) and the agreement to establish the joint commission, there are few other formal bilateral agreements. In 1998 two Declarations of Intent concerning cooperation in the fields of health and education were followed by the signature of agreements in these fields in 2000 and 2001. By 2002 South Africa had donated R4 million via the Palestinian Embassy to “assist civil society” and to deliver medical aid.¹⁸⁵

6.1.1 DOMESTIC PRESSURES ON POLICY FORMULATION

Domestic constituencies with competing interests, pressures and imperatives are exceptionally salient when examining South Africa’s policies towards the Israeli–Palestinian conflict. Just as the Israeli–Palestinian conflict proper is one overlaid with and complicated by historical, religious and ethnic disputes (in addition to the more conventional conundrums of land and resources), so too the South African interpretation of and engagement with the conflict is heavily influenced by domestic constituencies, not only religious (Jewish and Muslim) but also party political. These domestic influences are dynamic, however, and operate at once in a state of tension, peaceful coexistence and flux.

Both Jewish and Muslim population groups have deep roots in South Africa. The first wave of Muslims arrived in South Africa as slaves in the Cape during the 17th century and the second wave as indentured labour for the Natal sugar plantations in the late 19th century. South African Muslims now number over 800,000. Although stratified by class and ethnicity, Muslims in South Africa had until 1994 occupied a position of a political underclass.¹⁸⁶ Significantly, Muslims have occupied leadership positions within the ANC since its formation in 1912 to the present and have been strongly associated with the congress and trade union movements. The South African Jewish population is by far the largest (once 90%, now 80%) on the African continent and historically approximated that of Australia and New Zealand combined. At its height, the Jewish population in South Africa numbered 115,000; this has been steadily reducing to its present level of some 80,000. Moreover, the demographic profile of Jews in South Africa is aging and thus, barring a marked increase in the birth rate or inflow of immigrants from Israel or the diaspora, the Jewish population – and consequently influence – is set to decline even further. Notably, some 20,000 Jews of South African origin are now estimated to live in Israel. Prime Minister Sharon has singled out South African Jews as particularly

welcome to settle in Israel among the million Jews he argued Israel urgently needed to immigrate. By contrast, the Muslim population in South Africa is growing towards one million.

South African Jewry proper dates to 1841 with the first synagogue established in Cape Town in the same decade. Since that time, but particularly since the discovery of diamonds in Kimberley in 1866, the South African Jewish population has played a far more prominent and influential role in South Africa than its numbers would suggest.¹⁸⁷ South African Jews have and continue to play leading roles in the mining, financial, industrial, retail, legal, medical, academic and political sectors of South African society. The Jewish Board of Deputies (JBD) has been and remains a highly influential lobbying group. The JBD has held regular meetings with Deputy Minister Pahad, other cabinet ministers and on occasion with President Thabo Mbeki on matters relating to Israel. In the light of the anti-Semitic protests at the 2001 World Conference Against Racism, the JBD embarked on a comprehensive programme of international cooperation and local lobbying to ensure that the 2002 World Summit on Sustainable Development in Johannesburg did not deteriorate into an anti-Israeli and anti-Jewish forum. Although not directly engaged in government lobbying, the South African Zionist Federation (SAZF) is a highly active member of the World Zionist Federation and in April 2004 embarked on a national membership drive in South Africa for the first time in its history. The SAZF has effectively used the print media in particular to argue consistently the case for Israel and to oppose anti-Israeli positions in South Africa.

Both Jewish and Muslim populations in South Africa have strong conservative and orthodox elements, which can and do have an exacerbating effect on domestic inter-community engagement and pressure on foreign policy discourse, if not formulation. Nevertheless, South African Jewish support for Israel is not uniform. For example, in December 2001 former Deputy Minister of Defence, Minister of Water Affairs (and now Minister of Intelligence) Ronnie Kasrils, along with another high-profile Jewish ANC MPL Max Ozinsky, launched the 'Israel–Palestine conflict: Declaration of conscience'.¹⁸⁸ While condemning violence on both sides of the divide, the declaration was stridently critical of Israel's occupation of Palestinian territory and Prime Minister Sharon's handling of the Palestinian issue. The declaration quickly received the support of 220 other South African Jews, including Nobel Literature Laureate Nadine Gordimer, a number of Jewish MPs and lawyers, but was rejected by, among others, the Southern African Rabbinical Association.

A subsequent ‘counter’ document supportive of Israel was signed by some 12,000 South African Jews and presented to Prime Minister Ariel Sharon. In contrast to the contrarian South African Jewish opinion on Israel, there is no evidence of dissenting domestic Muslim voices regarding the Palestinian question. Nevertheless, prominent South African Muslims including political and religious leaders have repeatedly spoken out against terrorist attacks on Israelis and in particular against Palestinian suicide bombings. In contrast, newspaper photographs of South African Muslim children dressed in mock suicide bomber garb during anti-Israeli protests attest to the intensity of domestic feeling among some on the Israeli–Palestinian question.

South African domestic Jewish–Islamic tensions over Israel and Palestine are acute, as was vividly demonstrated in the run-up to the 2001 World Conference Against Racism. While South Africa could not be directly blamed for these anti-Israeli and anti-Semitic protests, the failure of the South African government immediately to condemn outright such racist behaviour in Durban left an indelible impression among local Jews and leading Israelis.¹⁸⁹ Subsequently, addressing the South African Zionist Conference Deputy Minister Pahad expressed regret at these events and went to lengths to explain to the Jewish community the South African government’s opposition to such behaviour and the role the foreign minister had played in ensuring that Israel was not singled out for criticism in the final World Conference Against Racism Communiqué.¹⁹⁰ In his address Pahad continued:

“Let me give you the assurance today that South Africa’s policy, in respect of its relations with Israel and its support for the achievement of a Palestinian State, are predicated upon the fundamental principle of unequivocal and unchanging support for the right of the State of Israel to exist with defined borders, in full peace and security with its neighbours. This fundamental position has been the long-standing policy of the ANC, both in exile and now in government. It has not changed and it will not change in the future.”¹⁹¹

Pahad noted that while South Africa disagreed with the Sharon administration’s military policies in respect of Palestine and specifically challenged Prime Minister Sharon’s view that “only after the Palestinians are beaten will we be able to hold talks”, political engagement between the two countries was as strong as it had ever been since 1994, including regular contact at the Head of State level.

6.1.2 DOMESTIC SUPPORT FOR PALESTINE

Popular South African support for the Palestinian cause is particularly strong among its Muslim population. In addition to religious and fraternal ties, the history of slavery, religious discrimination and political repression of Muslims in South Africa create a particular empathy for the Palestinian cause. Thus the conceptual equating of Zionism with apartheid also holds powerful domestic appeal. The occupation and balkanisation of pre-1967 Palestine by Israel and the restrictions placed on Palestinians by Israeli authorities evoke emotive and deeply offensive images to South African Muslims. The influential Muslim Judicial Council (MJC) has been particularly vocal and prominent in its support for the Palestinian cause. The MJC has engaged in considerable lobbying of the South African government in favour of Palestine in the Middle East conflict. It has also participated in demonstrations and marches in support of Palestine, and has expressed condemnation of Israel's "excessive and disproportionate use of force" in dealing with the Palestinian conflict. In 2001 the MJC led a march of between 15,000 and 20,000 anti-Israeli protestors in Cape Town and called specifically for the South African government to break off diplomatic and trade relations with Israel. Other South African organisations engaged in lobbying the government on behalf of Palestine include Jamiatul Ulema, the Sunni Ulema Council, Muslim Youth Movement, Al Aqsa Foundation of South Africa, the Muslim Students' Association and the Afro-Middle East Centre. The radical Qibla movement in South Africa has also been a vocal supporter of the Palestinian cause and vehemently anti-Israeli in its language and protests.¹⁹² The South African Palestinian Solidarity Committee (PSC) is a particularly vocal critic of Israel and an active lobbyist for Palestine. The PSC was formed in 1988 and comprises political and trade union leaders including former anti-apartheid activists. In addition to calling on boycotting South African companies doing business with or supportive of Israel, the PSC was responsible for the drafting of the 'Declaration by South Africans on Apartheid Israel'. The declaration notes, *inter alia*:

"Israel is an apartheid state founded on pillage and predicated on exclusivity ... [T]he Israeli state rests on overt repression, a system of structural violence and institutionalised discrimination that dehumanises one group to the advantage of another. Apartheid Israel has developed an elaborate system of racial discrimination; embedded in its legal system – even surpassing Apartheid South Africa's laws ... As South Africans we

understand these [Palestinian] struggles, visions and passions. We pledge ourselves to be part of a new International Anti-Apartheid movement against Israel and we support the demand for:

- Immediate and Urgent International Protection for the Palestinian people in the Gaza Strip and the West Bank
- Dismantling of all Jewish Settlements in the Occupied Territories
- Withdrawal of all Israeli Troops from the Gaza Strip and the West Bank
- The right of return and reparations for 4.5 million Palestinian refugees
- The establishment of a sovereign independent Palestinian state with Jerusalem as its capital
- The establishment of a Secular Democratic State in historic Palestine.”¹⁹³

It is not only religious domestic constituencies that have been seized with the Israeli–Palestinian conflict however. COSATU and the SACP have tended to act in unison with their tripartite alliance partner, the ANC, in terms of statements and campaigns relating to the Middle East crisis.¹⁹⁴ Both COSATU and the SACP have adopted a far higher degree of engagement with the Middle East conflict than, for example, with either Zimbabwe or NEPAD. This is in part explained by international solidarity derived of fraternal ties and networks developed during the struggle against apartheid, including links through the Socialist International. Concern over the Middle East crisis is also driven by a deep principled commitment to the achievement of universal human rights and national self-determination. There is, of course, also a class solidarity element to this concern in relation to support for the Palestinian people. In addition, both COSATU and the SACP have conceptually linked the Israeli–Palestinian crisis to perceived American imperialism and its role in the advancement of globalised capitalism, not least in the Middle East. In crude terms, the US’s historic opposition to both the ANC and the PLO and its support for South Africa and Israel has also framed the tenor of COSATU and SACP engagement on the Israeli–Palestinian crisis. More specifically, COSATU and the SACP define Zionism as a racist ethos, philosophy and policy that is perpetuated by the US’s financial and political support for Israel. This combination of factors has led to a strident, often crude and largely skewed, criticism against Israel by COSATU and the SACP. Conversely, while critical of Palestinian suicide bombers, often the analysis and critique of both the PNA and Palestinian

terrorists has been light and superficial. Furthermore, SACP and COSATU critique of Israel has markedly increased since the election to office of Ariel Sharon's Likud administration in February 2001. The 2002 Alliance Summit Resolution on Palestine serves as a useful exemplar.¹⁹⁵ The resolution notes that the rapidly deteriorating situation in the Middle East was brought about by Israeli aggression against the Palestinian people, including the maiming and killing of civilians. The resolution reiterates Israel's culpability due to its occupation of Palestinian land and repeated violations of UN resolutions. According to the alliance analysis, the actions of the Israeli government constitute a grave threat to world peace and security. Moreover, Israel is held responsible for the denial of the right of self-determination of Palestinians. Consequently the alliance expressed its outrage at the Israeli occupation of Palestine and condemned in the strongest possible terms the violence perpetrated by Israel. It further called on Israel to withdraw from Palestine, to adhere to UN resolutions, to resume peace talks and to lift the siege of President Arafat's Ramallah headquarters. The US is called on to promote the peace process and the UN is called on to take steps against Israel for its continued failure to comply with its resolutions. More particularly the alliance called on all South Africans to act in solidarity with the Palestinian people and resolved urgently to mobilise all components of the alliance at all levels in a programme of action in support of the resolution.¹⁹⁶ Beyond a call for the cessation of hostilities and attacks from all sides, the resolution fails to acknowledge any Palestinian culpability for the crisis or responsibility for its resolution.

The degree to which the alliance's position on the Israeli-Palestinian crisis informs government policy is impossible to measure; yet as has been earlier demonstrated, the alliance partners have direct ANC NEC representation and input into ANC policy through the NEC and the International Relations Committee in particular.

6.1.3 PARLIAMENTARY ENGAGEMENT WITH THE MIDDLE EAST

With the exception of election monitoring, South African parliamentary engagement with the Middle East has been far higher than any of the other areas covered in the study. Briefings on the region from the minister, department and deputy minister in particular have been frequent and fulsome. The Portfolio Committee on Foreign Affairs has been briefed ten times since

August 1999 on the Middle East. Furthermore, the Middle East has been the focus of parliamentary debate. Moreover, unlike the other areas of foreign policy analysed in the study, parliament has taken the initiative to conduct a fact-finding mission to Israel and Palestine.

On 28 February 2001, the National Assembly passed a motion noting the escalation in violence in Palestine and Israel and acknowledging a need for the international community to better understand the conflict as well as mandating a multiparty delegation of MPs to embark on a fact-finding mission to Palestine and Israel. The parliamentary delegation comprised five ANC members, including the chairs of the Foreign Affairs and Defence committees, one Inkatha Freedom Party member, one New National Party member and one DA member. The stated aims of the delegation were to:

- engage with public officials (government and parliament) and non-governmental and community organisations in Palestine and Israel to gain a better understanding of the conflict;
- observe issues on the ground in both Palestine and Israel;
- explore ways in which the South African parliament may be of assistance in encouraging peaceful settlement of the conflict; and
- present the South African parliament with a report of the findings of the fact-finding mission.

The delegation visited Palestine and Israel from 9–19 July 2001 and tabled its report on 25 September 2001.¹⁹⁷ The report presents a historical overview, a summary of the given reasons for the failure of successive peace initiatives, an analysis of the drivers of conflict between the two states, documentation of the breaches of international humanitarian law, evidence of human rights abuses, the role of women in the Intifada, an overview of the functioning of the Palestinian Legislative Council (PLC), the PNA and the Knesset. The report concludes with a number of recommendations. There is an attempt in the report to present both sides of the conflict, but the perfunctory and slanted interpretation of the history of the region and the nature of the conflict diminishes its credence. Furthermore, the perspectives provided are so deeply contested and replete with mutually exclusive interpretation that the report is of limited analytical value. For example, the report falls into the trap of attempting to explain the Al-Aqsa Intifada as a spontaneous event prompted by Ariel Sharon's infamous and very public visit to the Temple Mount in

September 2000. While there is no dispute that Sharon's actions were provocative in the extreme and designed to weaken the government of Ehud Barak and in consequence the peace process, there is ample evidence that the ongoing Palestinian violence sparked by Sharon's visit had a planned and coordinated dimension. This is not considered in the report. Moreover, there is a tendency in the report to provide greater analysis of Israeli abuses and atrocities than those committed by Palestinians. This may in part be explained by the greater availability of information and indeed public debate within Israel regarding such abuses, but this is not referenced within the report. A further weakness of the report is the tendency to report the viewpoints of Israeli moderates rather than those of the mainstream, or indeed extremists, which while they may have been unpalatable to the delegation are nevertheless politically and analytically significant. Similarly, the report fails to report or reflect adequately on the full spectrum of opinion among Palestinians including those critical of the PNA, and extremist/terrorist groups. It is axiomatic that it is not the moderates in either the Israeli or Palestinian camps that prevent peace, but rather the extremists. By focusing on the viewpoints of the moderates on both sides, the delegates missed an important opportunity to better understand the profound impediments to peace.

Nevertheless, the delegation's report makes a number of suggestions and recommendations particularly relating to tripartite parliamentary relations. These include:

- encouraging the PLC and the Knesset to play a more direct and active role in ensuring compliance to international humanitarian laws and conventions;
- developing closer relationships between parliament, NGOs and civil society to ensure compliance with international humanitarian laws and to strengthen the peace process on both sides;
- to pass budgets that would be targeted at strengthening the peace agreements;
- carrying out greater oversight with respect to the Executive implementation of international human rights law and convention;
- a greater role in ensuring the administration of justice relating to war crimes and human rights abuses;
- greater dialogue between the respective legislative assemblies;
- the encouragement of peace dialogue by parliamentarians' respective constituencies; and

- the development of greater confidence-building measures by the respective parliamentarians.

All of the suggestions are pragmatic, constructive and valid, yet it seems improbable that legislators from either Palestine or Israel will have learnt anything they were not already painfully aware of from the South African observations. Perhaps more appropriately and beyond the expressions of encouragement of peaceful dialogue and the immediate implementation of the peace proposals tabled to date, the report makes a series of discreet recommendations into policy formulation, including:

- the encouragement of governmental and civil society humanitarian aid to Palestine;
- the enhancement of people-to-people contact and dialogue on a tripartite basis;
- the encouragement of voluntary South African medical interns in the region;
- the encouragement of formal and structured engagement and dialogue between the speakers of the three parliamentary assemblies;
- the encouragement of the South African government to ensure an Africa-wide response to the Middle East crisis and peace process; and
- the support for the establishment of an international monitoring body and for the participation of the South African government in such a body.

Despite its notable shortcomings as an analytical document and the naïveté of a number of its comments and suggestions, the South African Parliamentary Report of the Fact-Finding Mission to Israel and Palestine establishes an important procedural precedent that can be utilised and improved upon for future parliamentary engagement in key foreign policy areas. A key lacuna in the process, however, is the absence of a formal linkage between the report, its tabling and direct input into the DFA or Presidency, or indeed civil society formations towards the achievement of parliament's recommendations.

6.2 ECONOMIC FOREIGN POLICY AND RELATIONS WITH THE ARAB AND PERSIAN GULF STATES

In contrast to the largely politically driven engagement with Israel and Palestine, South African foreign policy towards the Gulf states is substantially orientated

towards the projection, development and strengthening of the country's commercial and economic interests. To a considerable degree, South Africa's policy towards the region since 1994 must be viewed against the backdrop of expanded trade and investment opportunities and interests in the region.

The DFA distinguishes between two regions within the Chief Directorate Middle East, namely: Levant (Israel, Palestine, Jordan, Lebanon, Syria and Iraq) and the Arabian/Persian Gulf region comprising the Gulf Cooperation Council (Iran, Saudi Arabia, Kuwait, Oman, Qatar, the United Arab Emirates [UAE], Bahrain and Yemen). South Africa has considerably expanded its diplomatic presence in the Middle East beyond the pre-1994 position in which Pretoria was only represented in Tel Aviv. South Africa now enjoys diplomatic missions in Palestine, Iran, Saudi Arabia, Kuwait, Jordan and the UAE. The country has non-residential diplomatic accreditation with Syria, Oman, Bahrain, Yemen and Qatar. In turn, with the exception of Bahrain, all these countries have established diplomatic missions in Pretoria.

Trade between South Africa and the region exceeds R35 billion, accounting for some 7.5% of the country's total international trade. South Africa runs a vast trade deficit with the region, however, due to its petroleum imports. The South African arms manufacturer Denel (and previously Armscor) had successfully sold self-propelled howitzer guns to the Gulf states, even prior to 1994. Now a significant number of leading South African companies enjoy a significant presence in the region, with over 300 represented mainly in Dubai. Over 10,000 South African ex-patriots live and work in the region, mainly in the technical and medical fields. A summary of South Africa's major trade with the region is provided in the tables opposite.¹⁹⁸

With the important exception of Israel–Palestine, in which President Mbeki leads policy, Middle Eastern policy falls *de facto* within the functional ambit of the Deputy Minister of Foreign Affairs Aziz Pahad. Multilateral engagement on Israel–Palestine, particularly with respect to the NAM and the UN, however, falls under the aegis of the minister of Foreign Affairs. Yet historically, policy has been substantially devolved to the Middle Eastern Directorate of the DFA. In turn, within the DFA the development and implementation of policy detail has historically also been devolved to individual missions. This is a pragmatic approach for a number of reasons. The first is that given the commercial thrust of South Africa's engagement, this necessitates the development of personal linkages and relationships of trust. These cannot be developed in Pretoria, or by remote. Second, Middle Eastern business and commercial conditions differ

Country	SA exports (R 000)				Rank		
	2004 (Jan)	2003	2002	2001	2002	2003	% Total
Israel	247,40	3,823,738	5,504,842	4,344,822	1	1	40.6%
UAE	121,257	2,413,084	1,763,628	1,329,875	2	2	19.9%
Saudi Arabia	71,929	1,256,00	1,368,773	1,039,951	3	3	11.8%
Turkey	57,848	1,084,829	1,170,294	954,952	4	4	9.5%
Iran	55,243	310,412	372,022	471,164	5	5	9.1%
Kuwait	14,028	155,356	107,936	127,633	6	7	2.3%
Oman	13,514	110,269	192,801	50,628	7	9	2.2%
Jordan	9,760	256,819	168,817	113,124	8	6	1.6%
Bahrain	5,419	87,329	100,864	55,331	9	10	0.9%
Syria	5,202	113,161	59,989	31,076	10	8	0.9%
Qatar	3,736	61,158	52,745	70,066	11	11	0.6%
Lebanon	3,402	47,457	72,501	45,912	12	12	0.6%
Cyprus	967	41,475	39,709	39,428	13	13	0.2%
Yemen	253	25,064	38,383	42,829	14	15	0.0%
Iraq	103	27,496	10,592	26,981	15	14	0.0%

Country	SA imports (R 000)				Rank		
	2004	2003	2002	2001	2002	2003	% Total
Saudi Arabia	447,663	15,049,987	12,497,470	14,977,431	1	1	63.6%
Israel	101,899	1,384,500	1,507,795	1,119,933	2	3	14.5%
Turkey	69,718	979,798	806,999	513,345	3	4	9.9%
UA Emirates	44,958	558,354	710,479	857,850	4	6	6.4%
Qatar	22,548	344,503	429,808	192,216	5	7	3.2%
Bahrain	11,230	18,589	112,697	413,039	6	10	1.6%
Iran	3,474	9,286,363	9,667,271	8,841,717	7	2	0.5%
Oman	1,436	12,858	18,405	217,331	8	11	0.2%
Cyprus	660	11,130	19,831	5,519	9	12	0.1%
Kuwait	371	618,130	192,584	806,368	10	5	0.1%
Syria	109	5,148	6,475	5,189	11	13	0.0%
Jordan	107	37,715	80,728	2,780	12	9	0.0%
Lebanon	14	874	497	754	13	14	0.0%

widely and their successful exploitation requires great understanding and sensitivity to issues that facilitate or impede the conduct of business. Third, constructive engagement in the region requires a consistency and the application of time and patience. The local cultural and business conditions in the Middle East are often quite unlike those in Africa or with the country's

other major trading partners. Ignorance of and insensitivity to these conditions can be, and has been, extremely costly for a number of South African businesses. Thus DFA officials and ambassadors with Middle East experience are an invaluable asset to South African interests in the region. This specific diplomatic experience is also important given South Africa's relatively recent entry into the region and the continuing dominance of US and European commercial interests, which effectively crowd out would-be entrants to the market. The reverse applies however; a number of South African companies have developed a wealth of experience in the region in a number of sectors including energy, construction and banking. Given the competitive nature of business this experience is not readily shared but can be utilised through dialogue and cooperation between South African companies, their personnel and South African embassies in the region. The Middle East is also a region in which the DTI has been active and in which there has been productive cooperation between the DFA and DTI on issues ranging from the WTO talks at Doha, to the hosting of and participation in trade and investment fairs and expos. The closure of the DTI office in the Middle East in 2002 was a retrograde step in this regard and one that was announced to the DFA via letter. The closure of the DTI Middle East office raises the question of DFA skills and capacity to take up the slack left by DTI specialists. In the view of many interviewed during the research, many DFA personnel currently lack the skills, training, expertise and professional time to perform adequately the role left by the DTI.

BILATERAL RELATIONS

South Africa has forged close and strategic relations with a number of Middle Eastern countries since 1994. While South Africa's establishment and strengthening of relations with Arab states is not a zero-sum equation with respect to relations with Israel, the establishment of formal diplomatic relations with countries vehemently opposed to Israel, such as Iran and Saudi Arabia, complicate bilateral relations. A number of South Africa's bilateral relations with Middle Eastern countries hold particular significance.

Egypt

Egypt is a pivotal state in Afro-Asian relations. With a population of more than 65 million it is also the largest Arab state and the second largest African state by population. Since the Camp David Peace Agreements of 1978, Egypt has

become a strategic ally of the US receiving the second highest quantum of US financial aid after Israel. Since 1978 Egypt has also become a key political actor in the Middle East peace process. Not only is Egyptian support for peace proposals cardinal, Egypt has been an active interlocutor and has provided material facilities for both public and covert discussions between Israel and Palestine. Egypt has also been a prime mover of reform within the Arab League lobbying for tighter integration along EU lines, with a coordinated collective security mechanism, the establishment of a Pan-Arab Parliament and Judiciary. Egypt is an influential member of the AU, and the OAU before it, and is a member of the Common Market for Eastern and Southern Africa (COMESA) and the Community of Sahel-Saharan states (CEN-SAD). Crucially, Egypt is a member of the NEPAD Implementation Committee and is responsible for the Agriculture and Market Access portfolio. The Joint South Africa–Egypt Bilateral Commission meets at regular intervals and has facilitated closer cooperation between the two countries in various fora, including the WTO. Although trade between the two countries has been in decline since 2001, Egypt is South Africa's third largest trading partner in North Africa. Despite this decline in trade, the two countries are actively working towards the removal of trade barriers, and Egypt has proposed the establishment of a Free Trade Agreement between it and the Southern African Customs Union. Egyptian Minister of Trade Boutros Ghali paid a visit to South Africa in February 2004. The seventh meeting of the Bilateral Commission will be held in Egypt in 2004 and will include meetings with the Egyptian foreign minister, the head of Intelligence Services and with the secretary general of the Arab League.

Iran

Prior to the Iranian revolution in January 1979, the then government of South Africa maintained formal relations with the government of the Shah of Iran at the level of consulates general. In February 1979 the new Iranian government severed relations with South Africa and imposed a total trade boycott. In that month the late Alfred Nzo was received in Tehran by the new Iranian authorities as the first ANC representative to visit Iran. In January 1994 Iran lifted all its economic and trade sanctions against South Africa, and formal diplomatic relations between South Africa and the Islamic Republic of Iran were established on 10 May 1994.

Since 1995 a total of 18 major agreements have been signed between South

Africa and Iran. Included in these are a Trade Agreement, Reciprocal Promotion and Protection of Investments, Avoidance of Double Taxation, an Air Services Agreement as well as a Merchant Shipping Agreement. In that same period the Joint Bilateral Commission that was established in 1996 to promote relations has met seven times, the last time being July 2003 in Pretoria. Trade relations and the huge balance of payments in favour of Iran are the two main issues that have been addressed at the last three of these meetings. The imbalance comes from South Africa's vast oil purchases from Iran, contrasted with the fact that Iran purchases little else but sugar from South Africa. In 2003 Iran invested R75 million in a housing project at Atlantis in the Western Cape.

Since 1995 there have been many high level government visits to both countries. The South African minister of Foreign Affairs has visited Tehran four times and Deputy Foreign Minister Aziz Pahad three times. As part of the Iranian delegation to the Joint Bilateral Commission meeting in South Africa in July 2003 there were a number of Iranian business people (sponsored by the DTI) who travelled to South Africa to participate in the launch of the joint South African/Iranian Business Forum. The following is a list of South African companies currently doing or negotiating to do business in Iran:

Bateman	Mining zinc in the Zanjan province
Global Railway	Railway parts
Bayer SA Chemicals	Chemicals
Sasol	Gas to liquid plant
Hall & Longmore	Steel construction
Standard Bank	Financing
Ernst & Young	Consultants
SA Sugar Association	Sugar
Samtem	Ferro alloys
Petro SA	Gas to liquid – with STATOIL of Norway
Mintek	Manganese
Klein Karoo Co-op	Ostrich farming

Unlike the many thousands of South Africans working elsewhere in the Gulf region, there is only a handful of South Africans working in Iran outside the embassy. Some of the above listed companies have established offices in Tehran, including Standard Bank and Sasol. Sasol has a partnership with the government of Iran. Anglo American attempted to establish a mining operation in Iran but reportedly gave up due to bureaucratic and other obstacles. Plessey is another company that was reportedly unsuccessful in its attempts to establish a business

in Iran, despite much effort and considerable expense. South Africans sometimes find the local conditions of business difficult to understand or negotiate, particularly as the Iranian economy is not yet a Western, market-orientated economy. South Africa's signature of a Protection of Investments Agreement with Iran is, however, aiding the investment climate between the two countries.

Furthermore, conducting business for South Africans in Iran is becoming easier because of the positive political will on both sides and due to Iran's eagerness to attract and obtain South African technology.

The importance placed on strengthening South Africa's relationship with Iran was obliquely emphasised in 2002 when the then acting chief director for the Middle East was removed from his position and found guilty of misconduct by the DFA for informing the Parliamentary Portfolio Committee on Foreign Affairs of concerns over industrial espionage being conducted by Iranian officials and businesspeople in South Africa. In addition to the removal of the senior official, the deputy minister of Foreign Affairs issued an "unequivocal apology to the government and people of Iran for this alleged misrepresentation of South African policy towards Iran".¹⁹⁹

Saudi Arabia

Formal diplomatic relations between South Africa and Saudi Arabia were only finalised in November 1994 during an official visit to Saudi Arabia by then President Mandela. There had, however, been movement of South African Muslims to and from the Kingdom for decades before that: the lack of formal ties had not prevented South African Muslims from making their pilgrimages to Mecca. Formal economic links also only date from November 1994; prior to this, trade with Saudi Arabia was conducted through third countries by the South African Muslim population. Since 1994 South Africa's relations with Saudi Arabia have grown steadily with both former President Mandela and President Mbeki referring to Saudi Arabia as being a 'strategic partner' of South Africa. In his State of the Nation address to the opening of parliament in the year 2000, President Mbeki stated that Saudi Arabia was a partner in the African Renaissance vision and that efforts were being made to include Saudi Arabia in a new G20+ of the South.

Saudi Arabia is currently South Africa's second largest trading partner in the Middle East after Israel. During 2002 and 2003, South Africa bought more

crude oil from Saudi Arabia than from Iran, and in the last three years Saudi purchases of South African goods have more than doubled to the point where the value of these purchases exceeds R1 billion. During a visit to South Africa in May 1999 by the Saudi Crown Prince, a number of agreements were signed including an overall cooperation agreement that envisaged the establishment of some form of joint commission. Included in the list of agreements that have already been finalised between South Africa and Saudi Arabia is an Air Services Agreement, a Defence Cooperation Agreement, and an Agreement between the Centre for Scientific and Industrial Research (CSIR) and the King Abdulaziz City for Science and Technology. During 2004 the Saudi trade minister is due to visit South Africa, together with a business delegation – a Protection of Investments Agreement and a Double Taxation Agreement are due for final signature after a number of years of negotiation. Further agreements under negotiation include sport, and science and technology.

In addition to a visit by the Crown Prince in 1999, Prince Sultan, his half brother who is the Minister of Defence and number two in line for the throne, visited South Africa in September 1997. Both the Saudi Trade and Oil ministers have also visited South Africa. The Saudi Ambassador to Washington, Prince Bandar, who is the son of the Defence Minister, is a personal friend of President Mbeki. Prince Bandar also worked with former President Mandela to resolve the Lockerbie issue for Libya. The ANC as a political party has good links to the House of Saud, and Prince Bandar is one of their main links in this regard. These links extend to the direct funding of the ANC. President Mandela announced that he had received on behalf of the ANC donations of US\$10 million respectively from King Fahd of Saudi Arabia and Sheikh Zaid bin-Sultan Al-Nayhan of the UAE.²⁰⁰

More South African ministers have visited Saudi Arabia than the other way around. Former President Mandela has made a number of visits to the Kingdom, even since he ceased being president. Mandela receives treatment for his eyes at a hospital in Riyadh, sponsored by the Saudis. On a number of occasions he used his visits for party purposes (seeking financial support) and to support Denel in its efforts to sell G6s to the Saudis. President Mbeki has also visited Riyadh. Deputy Foreign Minister Aziz Pahad has made several visits, usually to do with the politics of the Middle East Peace Process between Palestine and Israel. In 2003 Deputy DTI Minister Lindiwe Hendricks led a trade delegation to the Kingdom. Owing to the Iraq invasion and Saudi preoccupation with events in that region, the number of visits has declined in

2003. Because of comparative cash flow constraints, Saudi support to the ANC has also dropped. Prior to the invasion of Iraq, South Africa's engagement with Saddam Hussein tainted relations with Saudi Arabia and was a negative factor in South Africa's relations with Kuwait, which is a state that enjoys considerable political support from Saudi Arabia.

Despite the trade in oil and commodities between South Africa and Saudi Arabia, the only significant Saudi investment in South Africa is mobile cellular phone service provider Cell C. A number of years ago one of Jeddah's major businessmen purchased a large fruit farm outside Cape Town so that he could import fruit directly, which he still does. South African fruit and fruit juices, such as Ceres, are popular in Saudi Arabia.

South Africans have learnt that doing business with Saudi Arabia requires a great deal of patience to overcome bureaucratic hurdles. Denel has been attempting for nearly ten years to sell G6s to Saudi Arabia. American companies were reportedly able to use their influence to block this, but now cash flows are the major impediment. Despite South Africa's success with arms sales elsewhere in the Gulf region it took eight years for Saudi Arabia to purchase any South African armaments. Saudi Arabia respects the high quality of South African technology and has in the past indicated a great interest in acquiring its technology, but this has been slow in materialising not only because the liberalising legislation has only recently been put in place, but also because international vested interests have been able to block South Africa.

A considerable number of South Africans work in Saudi Arabia mainly in the health sector as doctors and nurses, although due to the difficulty in obtaining work permits in Saudi Arabia these numbers cannot be compared to those working in the UAE. The communication links between South Africa and Saudi Arabia are reasonable. There are maritime links and Saudia Airlines flies twice a week between Jeddah and Johannesburg via Nairobi. South African Airways has stopped flying to Jeddah, but is considering restarting flights.

Relations with other gulf states

South Africa and Kuwait enjoy sound relations²⁰¹ and in July 2000 signed a Bilateral Consultation Agreement. This agreement commits the two countries to meet at least annually. An Avoidance of Double Taxation Agreement is under negotiation and a Reciprocal Promotion of Investments Agreement was signed in October 2001. A South African DTI delegation visited Kuwait in May 2002 with

the objective of concluding a Bilateral Trade Agreement. A Memorandum of Understanding on Defence Cooperation has also been concluded. Trade between the two countries heavily favours the Gulf state as Kuwait is a major supplier of liquid fuel products to South Africa. Kuwait has evinced a material commitment to Southern Africa through the Kuwait Fund for Arab Economic Development and offered South Africa a 'soft loan' of some R240 million for its development programmes. Kuwait has also reportedly funded the ANC.

South Africa maintains good links with the seven emirate federation known since 1971 as the United Arab Emirates. The UAE features in the top five of South Africa's trading partners in the region and some 30 South African companies operate there. South Africa enjoys sound but limited relations with the Sultanate of Oman. Oman maintains a resident Commercial Office in South Africa, while South Africa maintains an honorary consul to promote its interests in the Sultanate. Relations between South Africa and Yemen are sound but limited. Yemen has established a resident embassy in South Africa, but South Africa's interests are represented by an honorary consul. In 2000 the two countries signed a Civil Aviation Cooperation Agreement. The natural gas and oil rich State of Qatar holds substantial economic significance for South Africa. Sasol Synfuels has concluded an US\$800 million agreement with Qatar for the construction of a gas-to-liquids plant in which Sasol holds a 49% share. At the political level the Amir of Qatar conducted a state visit to South Africa in May 2002. During the visit a number of agreements were signed including one encompassing economic, commercial and technical matters. Additionally, an agreement on the reciprocal promotion and protection of investments was signed along with a Memorandum of Understanding on Diplomatic Cooperation. The relationship between the two countries was also strengthened by inter-organisation coordination during Qatar's three-year chairing of the Organisation of Islamic Conference from 2000 onwards and South Africa's chairing of the NAM until February 2003. Furthermore, Qatar's assumption of the chair of Gulf Cooperation Council (GCC) in November 2002 drew it into discussions to strengthen SADC-GCC cooperation.

South Africa's foreign policy with the Gulf states of the region has also operated through the prism of multilateral engagement. All countries of the Gulf are members of the NAM and South Africa has sought to strengthen region-to-region relations by negotiating agreements between SADC and the GCC. As chair of the NAM, South Africa took a keen interest in the efforts of King Abdullah II to mediate between Iraq and Kuwait. South Africa and Oman

are founding members of the Indian Ocean Rim (IOR) organisations and South Africa has been negotiating with membership of the Organisation of Islamic Conference.

6.3 SOUTH AFRICA AND THE IRAQ WAR

South Africa's foreign policy towards Iraq is complex and controversial. Despite its geographic distance and commercial insignificance to South Africa, the country's high-profile stance on the Iraq war underscored a number of key policy principles and challenges. Due to the sanctions imposed on Iraq and its international isolation after its invasion of Kuwait in 1990, South Africa's engagement with the country has been truncated. In contrast with other Gulf states, diplomatic links between Baghdad and Pretoria were only established in 1997. The UN oil embargo on Iraq meant that South Africa's only commercial oil trade with Iraq was the securing of a UN-endorsed oil-for-food quota. This was, however, a private commercial transaction secured by a South African, rather than oil for direct import.²⁰² A number of companies have attempted to exploit opportunities in Iraq, including those in the engineering and chemical sectors. South Africa had been involved in the clearing of 10 million square miles of landmines and unexploded ordnance from previous wars prior to the March 2003 invasion.²⁰³ Potentially, the most lucrative of these commercial ventures was the tender sought by Eskom for the rehabilitation of Iraq's electricity network. Worth in the order of billions of dollars and despite positive indications that Eskom would be favoured in the tendering process, the contract failed to materialise. This was despite the best efforts and intervention of Deputy Minister Pahad in Baghdad.

Politically, South Africa's approach to the Iraqi crisis has been strongly informed by its chairing of the NAM from 1998 until February 2003. This period was a critical one for Iraq as it coincided with the departure of UN weapons inspectors from the country in 1998 and the final decision to invade Iraq by US and allied forces in 2003.²⁰⁴ Furthermore, South Africa assumed the chair of the AU in July 2002, adding further responsibility to its multilateral commitments, particularly in relation to the strengthening of Afro-Arab relations.

In dealing with the case of Iraq, the NAM (of which Iraq is a member of the 116-strong movement), had adopted a position in strict conformity with UN Security Council resolutions and one that increasingly expressed concern over both the unmandated military activity in Iraq (such as the imposition of 'no fly

zones') and the humanitarian consequences of comprehensive sanctions.²⁰⁵ Thus as the NAM chair, South Africa carried a particular obligation to adhere to and implement decisions and resolutions taken by the organisation. Informing South Africa's principled position against the war in Iraq lay a concern that central planks of its foreign policy engagement, multilateralism and the reform of the UN, were under threat. South Africa's chairing of the NAM *ex-officio* elevated its profile and position within the UN on the Iraq crisis as it performed the coordinating role on the issues among the Group of 116. South Africa's position was encapsulated by Mbeki:

“We cannot accept that the powerful have a right to use their power either to marginalise the UN or disempower it to facilitate the pursuit of their war aims. Nor can we agree that the powerful have a right to use the authority of the UN and its prestige as a peace agency, to legitimise a pre-determined decision to wage war.”²⁰⁶

In castigating the US for its unilateralism, Mbeki noted that while it saw these as a pretext for invading Iraq, it remained muted about Israel's possession of weapons of mass destruction (WMD) in the form of nuclear weapons. In his weekly *ANC Today* letter, Mbeki noted that the US's position had nothing to do with principle and turned “solely on the question of power”. The seriousness with which South Africa viewed the threatened invasion of Iraq was further reinforced by Deputy Minister Pahad when he argued that an ‘unmandated’ invasion of Iraq would not only exacerbate the Israeli–Palestinian conflict, but would:

“Signal the absolute weakening if not the destruction of the United Nations system and its institutions.”²⁰⁷

Indeed, South Africa's policy on Iraq brought it into unprecedented diplomatic conflict with the US and the UK. Although South Africa had gone to lengths to differentiate between its agreement with the US on the need for the destruction of WMD, it has differed profoundly with it on the means of its achievement. Mbeki reiterated this dichotomy during the two-day debate on his State of the Nation address at the opening of parliament in 2003, noting that South Africa had neither the desire nor the intention of becoming enemies of the US. Mbeki asserted too that despite their differences, South Africa and the US maintained

very “good relations”. Freed of the constraints of diplomatic convention, however, former President Mandela expressed the most public and vociferous criticism of US policy on Iraq, obliquely accusing President Bush of racism and of being unable to “think right”. Mandela contended that in by-passing the UN and its attempts to make a grab for Iraq and its oil, the US was guilty of committing “diplomatic piracy” and had to be “exposed”. Prior to the ousting of Saddam from office the US had called on some 60 countries of the international community to close Iraqi missions and expel its diplomats. South Africa had refused this request, arguing that it would act in accordance with UN resolutions and as Iraq had not been expelled from the UN it saw no reason to adhere to the US’s request.

Another driver of South Africa’s policy on Iraq was well-founded concern over the negative impact a war would have on Africa and NEPAD as a programme in particular. Mbeki’s concerns saw him establish a ministerial committee comprising Foreign Affairs Minister Dlamini-Zuma, Finance Minister Manuel, Trade and Industry Minister Erwin and Mineral and Energy Minister Mlambo-Ngcuka. Mindful of the devastating long-term effects on African development caused by the 1973 global oil crisis, Mbeki argued that with a war in Iraq, “oil prices would shoot up to the extent that we would have to say good-bye to African development”.

South Africa has also couched its policy towards Iraq in humanitarian terms, nominally differentiating between the Saddam regime and the people of Iraq. It was the humanitarian thrust of the NAM which dovetailed with South Africa’s avowed ethical foreign policy that prompted a series of bilateral and trilateral visits to Iraq and the Gulf region undertaken by Deputy Minister Pahad in early 2001. The launching of this diplomatic thrust coincided with the sending of a humanitarian flight to Baghdad in February 2001 carrying medical and nutritional supplies organised by 34 South African NGOs.²⁰⁸ Yet paradoxically, South Africa remained remarkably mute on the gross human rights abuses (including the gassing of Kurdish Iraqi’s) carried out by Saddam, his security forces and his B’aath Party supporters over decades in Iraq. Indeed, to the contrary, in July 2002 South Africa hosted a delegation led by then Iraqi Deputy Prime Minister Tariq Aziz. At a banquet hosted during the Iraqi visit by Deputy President Jacob Zuma, he warmly welcomed Aziz and for “honouring’ South Africa by his presence. Castigating “bully states” as the cause of global divisions, Zuma reiterated South Africa’s position that the UN ought to lift sanctions on Iraq to allow it to comply with all UN structures, “in spite of recognising double

standards in this regard". Some nine months before the overthrow of Saddam's B'aath regime, Zuma predicted:

"There is no doubt, given the persevering spirit of both the African peoples [sic], that we will succeed in cementing mutually beneficial trade and diplomatic relations. Our tireless work is spurred on by the immense opportunities it holds for the citizens of our two countries."²⁰⁹

It is too early to tell whether South Africa's intensive courting of the Saddam regime has or will damage its long-term interests and engagement with Iraq, but its continued direct engagement with Saddam and Deputy Prime Minister Tariq Aziz left other Gulf states, particularly Kuwait and Saudi Arabia, uncomfortable.

South Africa's engagement with the Iraqi crisis markedly intensified and broadened to include a number of fronts and initiatives in the months preceding the invasion in March 2003. President Mbeki met with British Prime Minister Blair for "very frank" discussions on the crisis and the impact it may have on Africa and NEPAD.²¹⁰ Deputy Minister Pahad conducted a seven-nation European and Middle Eastern tour to brief countries on the position of the AU and the NAM on the crisis. In February 2003, a delegation of South African conflict resolution experts also flew to Baghdad to attempt to find a peaceful resolution to the crisis within the "multilateral global system of governance" holding meetings, *inter alia*, with Tariq Aziz. In addition to government-to-government initiatives, South African civil society protests against US, UK and even UN policy had increased in the months preceding the invasion. As far back as June 2001 the SACP had condemned the UN-authorized Iraqi oil-for-food programme, as well as the US and UK policy towards Iraq. For the SACP, UN sanctions were aimed at suffocating the Iraqi economy and extending the imperialist interests of the US and Britain in the Middle East.²¹¹

In February 2003 President Mbeki called on South Africans and civil society to mobilise in support of a peaceful resolution of the crisis. The call had been discussed at a three-day ANC workshop and was given material support by the party, COSATU and SACP, which were instrumental in organising nationwide peace marches and protests to coincide with others across the globe. In the same month the SACP signed the Cairo Declaration against US War in Iraq. Mbeki's call galvanised the formation of the 'Stop the war' campaign, which enjoyed the support of a range of political and civil society formations.²¹² It should also be noted that South Africans were overwhelmingly against the war in Iraq. Sixty-

three per cent of South Africans were against the war under any circumstances, with only 20% in favour under a UN mandate. A mere nine per cent were in favour of the US alone conducting a war against Iraq.²¹³ Added weight to South African civil society protests against the war was provided by Nobel Peace Laureate Archbishop Desmond Tutu who was “deeply saddened” and “shocked” by the US and the UK going to war with Iraq.

A GENUINE ROLE FOR THE DFA?

One aspect of South Africa’s intervention in the Iraqi crisis was particularly noteworthy. In 1991 South Africa had unilaterally destroyed its nuclear weapons capability. In 1993–1994 it had allowed full access to the UN International Atomic Energy Agency to inspect and confirm its destruction of WMD. In so doing South Africa, and in particular the multilateral disarmaments division of the DFA (and SANDF), had developed unique institutional capacity and knowledge that had elevated it to important international participants in questions of nuclear, biological and chemical disarmament. The crux of the passage of UN Security Council Resolution 1441 was Iraq’s non-compliance with weapons’ inspectors and the final justification for invasion being that “serious consequences would follow” from Iraq’s failure to comply fully with UN Security Council resolutions and to cooperate with Dr Hans Blix and his team of weapons’ inspectors. South Africa’s experience in the disarmament of WMD was potentially significant.

As a consequence of South Africa’s particular WMD experience, Deputy Minister Pahad’s direct diplomacy with Iraq and the credibility built up with Baghdad, a seven-member disarmament team was despatched to the Middle East in February 2003 to assist Iraq “on how to check for weapons of mass destruction and ... destroying these arms”.²¹⁴ Additionally, the South African team would attempt to help demonstrate that Iraq had destroyed its WMD and to verify the quantities destroyed. It is unclear how the South African team would help or did help Iraq on how to check for its own WMD. The argument proffered by the Iraqis was that whereas records had been kept of the country’s nuclear programme, there were few records of the chemical and biological weapons programme and its dismantling, thus making detection and measurement difficult.²¹⁵ In March 2003, the South African disarmament team’s report was submitted to UN Secretary-General Kofi Annan. But again, its experience and credibility notwithstanding, it is difficult to detect what the South

African team could, or did, achieve that UN weapons' inspectors with years of experience on the ground could not.²¹⁶ Furthermore, South Africa's interventions caused concern in Washington that they could be used as a further stalling tactic by the Saddam regime to avoid full compliance with successive UN resolutions.²¹⁷ As Secretary of State Powell argued, if the Iraqis really wanted to cooperate they would be queuing up to do so, "this is not brain surgery".

Yet, more than a year after the overthrow of Saddam Hussein's regime no evidence of WMD has come to light, and while the US and its allies have handed over power to the Iraqi Governing Council, more questions about US and British policy remain unanswered than about South Africa's opposition to it.

ENDNOTES

- 177 Despite his avowed anti-apartheid position, the intensity of anti-Israeli sentiment in South Africa was demonstrated in 2002 when the Nobel Peace Prize Laureate Peres was prevented from addressing a public meeting of the South African Institute of International Affairs by anti-Israeli protestors.
- 178 As quoted in Address by Aziz Pahad Deputy Minister of Foreign Affairs to the South African Zionist Conference, Sunday 10 March 2002.
- 179 The mandate was given at the Ministerial Meeting of the NAM Committee on Palestine in Durban on 27 April 2002. Prior to this, the NAM Committee on Palestine had met in Pretoria in May 2001 and had mandated the chair to enhance engagement with all forces in the Middle East conflict.
- 180 Beilin is a lead figure in the so-called peacenik camp, which has been devastated since the violence of September 2000. Despite this, Beilin has continued with his second track peacemaking efforts which eventually spawned the Geneva Accord Peace Proposals. These proposals – while far-ranging in their implications, particularly regarding settlers and the status of Jerusalem – were printed and distributed widely to individual households throughout Israel for consideration.
- 181 The most direct African engagement on the Middle East Peace Process is through the membership of North African countries in the Arab League.
- 182 It must be noted that since such concerns were raised by Jerusalem, the DFA has been quite scrupulous in its treatment and condemnation of atrocities as well as holding a consistent line with regard to the need for a negotiated settlement. This rhetorical adjustment heralds a maturation of South Africa's policy with regard to the Israeli–Palestinian conflict.
- 183 This official was not only highly regarded by Israeli's (which in the zero-sum environment of the Israeli–Palestinian issue may have been a handicap), but reportedly enjoyed a productive working relationship with former Minister of Foreign Affairs Alfred Nzo and with former President Mandela as well as with the current Deputy Minister of Foreign Affairs Aziz Pahad. It is difficult to document and convey off-the-record conversations and reports from officials and former officials within the ministry,

- but inter- and intra-ministerial rivalry is reportedly intense with respect to South Africa's Middle East policy, and has reportedly resulted in the posting of key individuals away from their field of experience and expertise into distant and unrelated areas. This may achieve short-term political objectives, but is a loss of institutional capacity to the DFA and indeed to South Africa's foreign policy in the region.
- 184 Deputy Minister Aziz Pahad's Speaking Notes at press briefing regarding visit to Egypt, Israel and Kuwait, 9–17 February 2004, Rainforest Room, 120 Plein Street, Cape Town.
- 185 South African Parliament Foreign Affairs Portfolio Committee: Briefing by the Department of Foreign Affairs, 31 July 2002.
- 186 A weak case could be argued that, via the discredited tri-cameral constitution of 1984 whereby Coloureds and Asians were granted a qualified vote, Muslims were *de facto* elevated to a political 'middle class'.
- 187 A succinct account of the contribution of the Jewish community in South Africa is provided by Robin McGregor, *Who made South Africa, Volume One – The Jewish and German contributions*, Purdey Publishers, Saxonwold, 2001.
- 188 In launching the declaration, Kasrils appeared on a platform with the Palestinian, Libyan and Egyptian ambassadors to South Africa, as well as with a number of South African Muslim leaders.
- 189 The anti-Semitic protests and South Africa's muted response at the WCAR were raised repeatedly by leading Israelis during interviews as a reason for Israel's doubting South Africa's bona fides in attempting to play the role of 'honest broker' between Israel and the PNA.
- 190 Address by Deputy Minister of Foreign Affairs Aziz Pahad to the South African Zionist Conference, Sunday 10 March 2002.
- 191 Ibid, p 2.
- 192 Qibla has a history of political violence in South Africa and is listed as a terrorist movement by the US State Department. A number of its operatives have been trained in the Middle East and in 1995/1996 the movement again rose to prominence when it effectively took over the leadership of the vigilante movement, People Against Gangsterism and Drugs (PAGAD), turning it, among other things, into an urban terrorist organisation.
- 193 See, <<http://www.psc.za.org>>.
- 194 COSATU has also quoted from and expressed support for the PSC.
- 195 In addition to the ANC, COSATU and SACP, the Alliance Summit included the South African National Civics Organisation.
- 196 The full resolution is reproduced in *COSATU Weekly*, April 5, 2002, see, <<http://www.cosatu.org.za/news/weekly/20020405>>.
- 197 Report of the Fact-Finding Mission to Israel and Palestine, 9–19 July, 2001, as tabled on 25 September 2001, Library of the South African Parliament.
- 198 All figures taken from the DTI website, <<http://www.dti.gov.za>>. Gratitude is expressed to John Sunde for this section of the report.
- 199 Pretoria apologises to save face with Tehran, *Mail & Guardian*, 2 August 2002.
- 200 The ANC was estimated to have spent between R100–R150 million on the 1999 election campaign. Middle Eastern funding for the ANC was reportedly far lower for the 2004 election campaign, in part due to weaker cash flows among a number of Middle Eastern economies.

- 201 Despite good bilateral relations, South Africa's close engagement with Saddam Hussein's regime in Iraq did, however, cause official concern in Kuwait.
- 202 One of the oil-for-food deals was cloaked in controversy as it was later alleged that party political interests between the ANC and the B'aath Party facilitated the transaction. This added to the perception held by some commentators that South Africa's active engagement and attempts at preventive diplomacy in the days preceding the invasion of Iraq in 2003 were animated by party funding considerations, if not party-to-party affiliations.
- 203 Iraq takeover could be bad news for SA deals, *Cape Argus*, 11 April 2003.
- 204 South Africa handed over the NAM Chair to Malaysia at the XIIIth Summit in February 2003.
- 205 Such concerns were expressed by the XIIth NAM Summit in Durban in 1998, the NAM Ministerial Conference in Colombia in 2000, and the statement issued by the NAM Chair in February 2001.
- 206 SA still in search of peaceful solution, *The Sunday Independent*, 16 March 2003.
- 207 Ibid.
- 208 South Africa was not alone in this endeavour. Other countries sending humanitarian flights included France, Russia, Jordan, Syria, Algeria, Switzerland, Italy, Egypt, Tunisia, Turkey, Morocco, India, Iceland and Yemen.
- 209 Address by Deputy President Zuma at a banquet in honour of Deputy Prime Minister Aziz of Iraq, issued by the Office of the Presidency, 5 July 2002.
- 210 Iraqi war will devastate Africa, says Mbeki, *The Daily News*, 3 February 2003.
- 211 Lift sanctions on Iraqi [sic] – condemn Israeli aggression, SACP, 4 June 2001, <<http://sacp.org.za/pr/2001/pr0604a>>.
- 212 These included: the ANC, COSATU, SACP, SANCO, the SACC, the Media Review Network and the Treatment Action Campaign. Over 50 parties, NGOs and civil society organisations signed the Declaration of South Africans United to Stop the War in Iraq in February 2003.
- 213 Results of an SABC/Markinor poll as part of a 40-country Gallup poll, February 2003.
- 214 Head of Iraqi National Monitoring Directorate General Hosam Mohamad Amin, as quoted in, SA team discusses disarmament with Iraq, IOL, 24 February 2003.
- 215 Iraq had earlier submitted a 12,000-page dossier on its WMD to the UN, which was dismissed, *inter alia*, by the US.
- 216 While the South African DFA report has not been released, it reportedly confirmed the viewpoint of the UN inspection team under Hans Blix and others that Iraq either lacked, had destroyed or was no longer capable of maintaining a WMD programme.
- 217 Sentiment within the DFA is also split between those who believed the inspection team to constitute a genuine effort to assist the UN team and others who felt that the South African specialists were being used as a tactic by political leadership as part of a broader anti-war and anti-US strategy. It should be noted that even with the full cooperation of the South African authorities in the early 1990s, the International Atomic Energy Agency inspectors took more than a year to verify South Africa's destruction of its WMD.

Chapter 7

BROAD RECOMMENDATIONS

7.1 ENGAGEMENT IN THE POLICY FORMULATION PROCESS

An intellectual small- to medium-sized enterprise has been built around interpreting South Africa's ten years of democracy. Indeed, a recent publication has comprehensively analysed ten years of South African foreign policy since 1994.²¹⁸ Less has been written about the role of the Parliamentary Portfolio Committee on Foreign Affairs (PCFA) in relation to foreign policy. Yet as early as 1995 the then Chair of the PCFA Raymond Suttner lamented the historically passive role of the Foreign Affairs Committee and encouraged it to perform a more engaged role with respect to foreign policy.²¹⁹ The rationale for such an enhanced engagement was compelling. Suttner contended that there was no reason why foreign affairs ought to be regarded as any different from other areas of public policy, such as housing and health, particularly with regard to democratic involvement. He furthermore argued that although foreign policy was carried out by members of the government, it was conducted in the name of all South African citizens and not just the elite. Critical areas of policy, such as South Africa's position on the nuclear Non-Proliferation Treaty, had been developed without broad consultation and indeed non-governmental experts had been excluded from effective input. The DFA was characterised by opaqueness and an institutional culture of public exclusion and indifference. Even access to information, if successful, was a vexed and frustrating process. Suttner is in principle correct, but the reality of a relatively low level of interest in foreign affairs and international relations among South Africans needs to be accounted for. There is, of course, a degree of circularity in this as the more citizens feel excluded from the policy formulation process, the more disinterested they become. Second, the physical and metaphysical distance of international relations from the day-to-day lives of people and the effort

required to become 'informed' about a foreign policy or international relations issue tends to leave policy input in the domain of professionals or academics.

Suttner notes that parliamentary involvement in foreign policy decision-making was entirely absent, but that the Legislative branch was not seeking to encroach on, or usurp, the constitutional role of the Executive branch with respect to policy making (and its flexibility in doing so). Rather what it sought was to:

“[M]ake a contribution to an overall pattern, an input within the decision-making process, to contribute to the framework of foreign policy decision [sic]. To do this means that information is needed and the committee needs to know in advance what issues can be foreseen as likely to require a decision. There then needs to be an opportunity for the committee to provide its views.”²²⁰

This has largely been achieved and facilitated by the establishment of an efficient and well-run Department of Foreign Affairs Liaison Office within the parliamentary precinct. Furthermore, the committee has developed a laudable track record of budgetary and departmental policy oversight (particularly with respect to transformation). Annual visits to the DFA in Pretoria have further galvanised the working relationship and understanding between the two institutions. Most importantly, with the exception of the infrequent attendance of the minister, departmental briefings to the committee have been regular and transparent. The deputy minister, directors general and deputy directors general have provided regular briefings on departmental activity, programmes and policies. Departmental specialists have also provided regular input into committee meetings.

However, as this study has alluded to, the historic pattern of engagement does not permit significant input *from* the PCFA. While the committee takes its role of oversight seriously, particularly with regard to monitoring transformation, it seldom deals with legislation (although it does consider all international protocols before ratification) and is too often a passive receptor of information from, for example, the DFA.

The PCFA operates in an unusual vacuum in that, unlike other portfolio committees such as labour, health, education, agriculture, safety and security and defence, it has no clearly defined domestic constituency, or set of constituencies, (outside of the ANC) informing its activities. This study has

established that there is little evidence of organised groupings such as business, labour and NGOs directly lobbying the committee. Unlike other committees too, there is no core, overarching, domestically-driven policy issue, such as poverty, unemployment, crime or HIV/AIDS, around which the PCFA orientates, or to which it responds.

Moreover, with a number of key foreign policy initiatives being located within the Presidency, there is an urgent need to forge a more regular and institutionalised relationship between the Presidency and the PCFA. There is also a need to establish a more collaborative mode of engagement with the upper echelons of the DFA: that is, with the deputy directors general upwards. A number of broad recommendations are made in this regard.

The PCFA chair and his deputy should be responsible for close and frequent liaison with the DFA director general. This relationship ought not to be one of the director general reporting to the PCFA chair, but rather one of sharing the strategic and programmatic timetable of the DFA. This would afford the PCFA chair the opportunity to alert the committee to the proposed programmes and activities of the DFA, such that the committee could engage at a much earlier stage in the policy process.

It is recommended to allocate sub-portfolio heads within the PCFA, linked to the respective sections within the DFA. These committee members can then be responsible for liaising on a more frequent and integrated basis with the respective deputy directors general for Africa and the Middle East, Europe and the Americas, Middle East and Asia, Corporate Services, Multilateral Development and Cooperation, Multilateral Security and Governance, and Protocol. Furthermore, the responsible sub-committee heads could be allocated part of the travel budget of the PCFA, which would be a more focused and cost-effective way of allocating scarce resources, rather than having the whole committee attend a DFA briefing once a year in Pretoria.

Linkages between the PCFA and the Executive branch require much tighter formalisation. Currently, the PCFA relationship appears to be mediated between the DFA and the ANC International Relations Committee of the NEC. It is important to broaden, deepen and democratise the policy formulation process such that a direct and discreet Parliamentary–Executive framework of engagement is established.

The PCFA ought to establish a direct and regulated framework with the Ministry of Foreign Affairs which engages the minister and deputy minister one-on-one. Currently, the minister of Foreign Affairs reports far too infrequently to

parliament in general and to the PCFA in particular. It is recommended that the minister reports to the PCFA on a quarterly basis: that is, once every session of parliament, emergencies notwithstanding. Only in exceptional circumstances should the deputy minister report on behalf of the minister.

Equally important, however, the PCFA ought to establish a formalised and regular mode of engagement with the Presidency, and in particular with those units responsible for foreign policy engagement. This is particularly pressing given that the Presidency has taken responsibility for a number of foreign policy Presidential Initiatives (NEPAD and the Middle East) and is also central to South Africa's Zimbabwe policy. In keeping with the above recommendations, the chair plus two other members of the PCFA ought to be tasked with ensuring close liaison with the Presidency on foreign policy issues. More than this, however, it is important that the Presidency regularly accounts to the PCFA. Again it is recommended that this is done on a quarterly basis. This briefing ought to provide an overview of the Presidency's foreign policy initiatives, but should also make briefings on key policy issues such as Zimbabwe, NEPAD and the Middle East. Importantly, however, such briefings should be submitted to the PCFA at last one week before the formal presentation, thus allowing committee members to interrogate thoroughly the material and to engage meaningfully with the member of the Executive presenting. Once the presentation has been complete, the sub-committee responsible should report back on policy adjustments made (or not) pursuant to the PCFA briefing. It is important that a feedback mechanism be established to measure the effectiveness of PCFA input into policy.

The most desirable shift in approach, however, ought to be one from reporting to consultation. Once the sub-committee structures have been established, it will be important for the responsible PCFA members to seek out relevant policy information at a much earlier stage of the policy formulation process. Under the current dispensation, the PCFA receives policy as a *fait accompli* with very little indication of how its comments may or have impacted on policy adjustment. Sub-committee heads ought to be responsible for gleaning a far better idea of the conceptualisation, drivers, interests and policy formulation process, such that this can be fed back into the committee, and the PCFA can then engage with the DFA or the Presidency in order to make meaningful policy input. Furthermore, with this deeper and earlier policy engagement the PCFA could invite input from think tanks and civil society on a public hearing basis. This would considerably democratise the foreign policy formulation process.

7.2 ENGAGEMENT WITH POLICY ANALYSTS, THINK TANKS AND ACADEMICS

As this paper has demonstrated South Africa has a number of internationally recognised and credible policy think tanks in the field of foreign policy, international relations, peace, security and conflict studies. Currently, the PCFA is not making use of these resources. It is recommended that each year the leading policy think tanks present a seminar of their activities, spheres of expertise, services rendered and research output to the PCFA. This will serve to enlighten the PCFA as to the resources available, as a constant complaint from parliament is the lack of research resources.

Second, it is desirable that each of the selected think tanks present a seminar to the PCFA on a key foreign policy issue. By way of example the Africa Institute may be requested to provide an overview and update of NEPAD; the ISS may be requested to provide an update on global terrorism; the IGD may be requested to deliver a seminar on multilateral engagement; and SAIIA may be requested to provide specific regional studies on the Americas, EU, Latin America and Asia.

Beyond think tanks dedicated to the study of international relations, however, the PCFA ought to engage with other sectors of civil society with regard to their perceptions and foreign policy interests. Currently there is no institutional relationship between the PCFA and significant elements of civil society, such as organised business and labour. It would be of considerable value, for example, to hear of the experiences of South African businesses in Africa or in other regions and the role that South African missions play or do not play in the facilitation of these activities. From the perspective of organised labour it would be significant for the PCFA to provide a platform for COSATU to discuss African trade union perspectives, concerns and inputs into NEPAD.

Furthermore, given the centrality of NEPAD to South African foreign policy it is important that both the NEPAD Secretariat and a representative of the incumbent G8 chair provide both a report back and prospective on NEPAD.

It is argued that the PCFA is not making enough use of the 'free' resources available through think tanks, and that on an annual basis South African think tanks ought to provide an overview of key developments in international relations with specific reference to African and South African issues.

Public engagement with South Africa's foreign policy can be enhanced through the committee holding a series of well-publicised public hearings throughout the year. This ought to be a reflexive process. The committee should convene public hearings on matters that are scheduled to come before it

– from policy to protocols – but it is equally important that the committee affords the South African public an opportunity to convey its agenda, interests and concerns to parliament. For this to be effective would require the committee establishing an electronic discussion forum that would allow open and free input from the public and the opportunity for feedback from the committee. While this would require careful planning, design and resources, it would represent a potentially important breakthrough in public–parliamentary engagement with South African foreign policy.

7.3 INTERNATIONAL ENGAGEMENT WITH PARLIAMENTARY PCFA

It is further recommended that the PCFA develops linkages with other cognate committees on a global/regional basis. Responsibility for establishing, developing and deepening these linkages could be linked to the sub-portfolio committee members (Africa, Middle East, Asia, multilateral, etc.). The development of these linkages has at least a two-fold benefit: first, it will serve to keep the PCFA abreast of international best practice; and second, it will allow the South African PCFA to share its modalities, experiences, successes and difficulties with colleagues in other parliaments. Closer collaboration with committees in other regions of the world will serve to strengthen the capacity and knowledge pool from which the PCFA can draw.

The South African PCFA should – in conjunction with the key foreign policy think tanks, the donor community and international foundations – establish an annual PCFA conference to share experiences, measure progress and to make practical suggestions regarding the strengthening of parliamentary input into the policy formulation process.

NOTES

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List of abbreviations

AAP	Africa Action Plan
ACFA	Advisory Council on Foreign Affairs
AEC	African Economic Community
AISA	Africa Institute of South Africa
ANC	African National Congress
APRM	African Peer Review Mechanism
AU	African Union
BBWG	Big Business Working Group
CAR	Compact for African Recovery
CEO	Chief executive officer
CHOGM	Commonwealth Heads of Government Meeting
COSATU	Congress of South African Trade Unions
CSIS	Centre for Strategic and International Studies
CSSDCA	Conference on Security, Stability, Development and Cooperation in Africa
DA	Democratic Alliance
DFA	Department of Foreign Affairs
DFID	Department for International Development
DG	Director general
DHC	Diamond High Council
DIA	Department of International Affairs
DMEA	Departments of Mineral and Energy Affairs
DRC	Democratic Republic of Congo
DTC	Diamond Trading Company
DTI	Department of Trade and Industry
ECOSOCC	Economic, Social and Cultural Council
EISA	Electoral Institute of Southern Africa
EU	European Union
FDI	Foreign direct investment
FOSAD	Forum of South African Directors General
Frelimo	<i>Frente de Libertação de Moçambique</i>
GCC	Gulf Cooperation Council

GDP	Gross domestic product
GEAR	Growth Employment and Redistribution
HSGIC	Heads of State and Government Implementation Committee
ICG	International Crisis Group
ICT	Information communication technology
IDC	International Diamond Committee
IGD	Institute for Global Dialogue
IMF	International Monetary Fund
IOR	Indian Ocean Rim
IR	International relations
ISS	Institute for Security Studies
IT	Information technology
JBD	Jewish Board of Deputies
KAS	Konrad-Adenauer-Stiftung
KPCS	Kimberley Process Certification Scheme
MAP	Millennium Partnership for Africa's Recovery
MDC	Movement for Democratic Change
MDGs	Millennium Development Goals
MJC	Muslim Judicial Council
MONUC	United Nations Mission in the Democratic Republic of Congo
MP	Member of parliament
MPL	Member of the provincial legislature
MPLA	<i>Movimento Popular de Libertação de Angola</i>
NAI	New Africa Initiative
NAM	Non-Aligned Movement
NCA	National Constitutional Assembly
NEC	National Executive Committee
NEDLAC	National Economic Development and Labour Council
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organisation
NPT	Nuclear Non-Proliferation Treaty
OAU	Organisation of African Unity
OECD	Organisation for Economic Cooperation and Development
PAP	Pan-African Parliament
PCAS	Policy Coordination and Advisory Service
PCFA	Portfolio Committee on Foreign Affairs
PLC	Palestinian Legislative Council

PLO	Palestinian Liberation Organisation
PNA	Palestinian National Authority
PRC	Presidential Review Commission
PSC	Palestinian Solidarity Committee
REC	Regional economic community
RISDP	Regional Indicative Strategic Development Plan
RUF	Revolutionary United Front
SACC	South African Council of Churches
SACOB	South African Chamber of Business
SACP	South African Communist Party
SADC	Southern African Development Community
SADCC	Southern African Development Coordination Conference
SAIIA	South African Institute of International Affairs
SANDF	South African National Defence Force
SAZF	South African Zionist Federation
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNGA	UN General Assembly
UNITA	<i>União Nacional de Libertação de Angola</i>
US	United States
WCAR	World Conference Against Racism, Xenophobia and Discrimination
WDC	World Diamond Council
WEF	World Economic Forum
WHO	World Health Organisation
WMD	Weapons of mass destruction
WTO	World Trade Organisation
ZANU-PF	Zimbabwe African National Union Patriotic Front.
ZAPU	Zimbabwe African People's Union
ZCTU	Zimbabwe Congress of Trade Unions

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