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Background

South Africa, known as the “rainbow nation,” is fast transforming itself from the country that enacted a segregationist apartheid policy for much of the 20th century to one that embraces a developing multicultural diversity. However, this transformation cannot be fully successful without recognition of the country’s dark history of nation-building, conquest, divisions, racial classification, and bloodshed.

South Africa occupies the tip of the African continent, bordering the Atlantic and the Indian Oceans, Namibia, Botswana, Zimbabwe, Mozambique, and Swaziland. It coexists uniquely with Lesotho, an independent enclave it surrounds. Having the largest economy in Africa and the 24th largest in the world, it is undoubtedly the most socially and economically developed country on the African continent. Some cities in South Africa have a level of infrastructural development uncommon in the rest of Africa.

The political development of South Africa as a nation dates back to 1806, and is intertwined with the epic colonial struggles that dominated the 19th century. The British came into South Africa in the early 1800s and entered into a complex relationship with the Boers, the Afrikaans-speaking descendants of Dutch settlers from the 18th century. British expansionism led the Boers to migrate inwards from the



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coast, first towards the area of Natal and then to Transvaal. The discovery of diamonds in 1867 near the Vaal River triggered a “diamond rush,” after which, in 1877, the British immediately annexed West Griqualand and the Transvaal, leading to violent tension between the two groups of colonizers.

There was growing tension with a third force, too: the Zulu tribe, under King Cetshwayo, who resisted Boer and British expansion, incited other Africans against the Europeans, and blocked missionary activities in their territory. The British turned their focus onto the Zulu, leading to the First Anglo-Zulu War, in which the colonial power was thoroughly defeated. The British received reinforcements, however, and seven months later they crushed the Zulu nation. Once power was consolidated over the Zulu area, British and Boer/Afrikaaner dominance in the country was ensured.

A subsequent Boer rebellion against the British led to the First Anglo-Boer War in 1880-1881. The Boer elected Paul Kruger, future President of the Transvaal/South African Republic, to lead political negotiations with the British government, which led to the restoration of the Transvaal to Boer governance. After the discovery of gold in Transvaal, however, a Second Anglo-Boer War erupted in 1899. A settlement, called the Treaty of Vereeniging, was signed in 1902. The treaty made the two Boer lands (Transvaal/South African Republic and the Orange Free State) into self-governing colonies of the British Empire, after which the tension between the Boers and the British mainly subsided.

In 1910, general elections were held for the first time. The black majority was not allowed to vote, which caused major discontent. With the introduction of apartheid rule by the National Party (Afrikaaner) in 1948, the black majority was cut off from all forms of social, economic, and political development. Apartheid policies also prohibited inter-racial contact of any kind, including interaction in sports, transportation, housing, and marriage. Resettlement and forced removals to designated areas, called Bantustans, followed. The black population voiced its frustration by forming its own political parties, although they were unable to participate in any official political process. A long period of harsh suppression by the government and sometimes violent resistance by anti-apartheid movements such as the

African National Congress (ANC) ensued. In 1962, the United Nations passed a resolution condemning South Africa’s apartheid policies, and the following year the Security Council voted for a voluntary arms embargo against the country. Decades of isolation from the international community followed, and in the early 1990s, the government was finally forced to bow to external pressure and internal political violence. The National Party began negotiations to end apartheid, and in 1994 the African National Congress took power in elections, in which black South Africans were finally allowed to vote. They chose Nelson Mandela as the country’s first post-apartheid democratically elected president. The current South African President, Thabo Mbeki, is also a member of the ANC, which received 69.7% of the vote during the 2004 general election.¹

Current State of Coexistence

South Africa has more than 47 million people of diverse origins, cultures, languages, and beliefs. The country is composed of black Africans (79.6%), whites (9.1%), “coloured” (i.e. mixed-race) (8.9%), and Indian/Asians (2.5%).² Even within these categorizations there are sub-distinctions: within the black Africans there are many tribal groupings, and the whites and “coloured” also have sub-groups stemming from country of origin or by religious community. The “coloured” identity group has carried over from the apartheid era. During apartheid, this distinction carried a slightly higher status than “black.” In the post-apartheid era, there have been tensions with this identity group feeling marginalized by not being included in affirmative action policies, even though they too suffered under white minority rule. South Africa is predominantly Protestant Christian, although Catholics (7.1%), Muslims (1.5%), Hindus, and Jews (less than 1.4% total) live there as well.³ Some black South Africans are members of these denominations; others are members of independent churches that combine elements of Christianity and traditional African religions.

With dwindling economies and weakening governments in the Democratic Republic of Congo (DRC), Mozambique,

Zimbabwe, Malawi, and other nearby countries, South Africa has become a destination country for many immigrant workers and refugees, representing a large portion of the informal sector. But with high unemployment levels among poorer South Africans, there's a growing resentment of immigrants, who are seen as depriving native South Africans of jobs. This feeling has been given credibility by the fact that many employers have hired immigrants for lower pay.

The government of South Africa has put in place many mechanisms to ensure that the people of South Africa can become one after the turbulence of apartheid. The painful memories of this era, coupled with tensions around migrant workers and the existence of so many failed or failing states nearby, make coexistence issues in South Africa very important. The political and social embargo placed on South Africa during the apartheid period has been lifted, and the government is now ratifying many crucial international treaties.

Since the founding of the new government in South Africa, the country has placed an emphasis on traditional ubuntu ideology—the belief in a universal bond of sharing that connects all humanity. The inclusion of all categories of people in the process of governance is considered a priority, and a conscious effort has been made to develop the poorest parts of the country. A serious problem that needs to be addressed is the dramatic drop in the white population. The South African Institute of Race Relations found in 2005 that an estimated 20 percent of the white population has emigrated since 1990.⁴ Many who have left the country cite the high crime rate and the government's harsh affirmative-action policies, in particular the Black Economic Empowerment (BEE) Policy, which have been criticized for economically aiding blacks at the expense of the rest of the population.⁵ There is discontent among some black South Africans as well regarding economic and employment troubles and the failure of the post-apartheid governments to successfully address these concerns.

Policies and Initiatives

Governance Policy

When apartheid ended in 1994, the South African government had to integrate the formerly independent and semi-independent Bantustans⁶ into the political structure of South Africa. In restructuring, the government abolished the four former provinces of Cape Coast, Natal, Transvaal, and the Orange Free State, and replaced them with nine fully integrated provinces which are further subdivided into forty-six districts and six municipalities. This was done with an aim of bringing services closer to the people. The

apartheid regime had concentrated development in the cities - creating two worlds within one country. The very developed world in the cities also had the most advanced infrastructure and educated population, a complete contrast to the rural areas. The provinces and the districts, which act as administrative focal points with a budgetary allocation for development, were the best way of spreading the government services to the remote areas. This, alongside the affirmative action policy, has resulted in more and more resources moving to the provinces and some urban population decongestion.

Immigration Policy

Though implementation by the post-apartheid government has taken considerable time, some conscious policies have been put in place to foster coexistence among the immigrant population and between immigrants and South Africans. The apartheid regime did not allow black immigrants to apply for South African citizenship, yet their immigration policy encouraged cheap immigrant labor from neighboring countries. Many of these immigrants integrated into South African society with no resolve to return to their countries of origin. The post-apartheid immigration policy therefore addressed the plights of these immigrants by granting citizenship for those who had stayed for more than 10 years in South Africa. As noted by Jonathan Crush: "With regard to the regulatory framework of control, the first impulse of the ANC was to offer one-off compensation to the victims of apartheid immigration policies." It was clear that the post-apartheid government was not keen on repealing the apartheid immigration policy, but rather on addressing the already present immigrant situation. For this reason the cabinet and policy approvals were only geared to the plight of the current immigrants and none looked at the issues of new immigrants. In fact, unlike the apartheid immigration policy that encouraged cheap labor immigrants, the post-apartheid government does not encourage any immigration of cheap labor. The only legislation in the post-apartheid government that encouraged immigration was enacted in 2001: in response to a massive brain drain in South Africa, the ANC suddenly declared a new policy direction with an aggressive international hunt for skilled immigrants.⁸

The post-apartheid immigration policy has three distinct differences from the former. First, with regard to immigrant selection, the post-apartheid state has abandoned the racist immigration policies of its predecessors. But rather than replacing that policy with a more universal selection system, there has been little appetite for immigration at all.⁹ This has caused the decline of legal immigrants in the post-apartheid era and influx of illegal immigrants, who because of their illegal status are ready to offer very cheap labor. The second departure, as stated above, was allowing those who had stayed in South Africa for more than 10 years to

apply for permanent residency and to treat all those who had entered South Africa illegally before 1991 humanely. By choosing 1991 as the cutoff date, the Cabinet made it clear that those who had entered clandestinely after that date would be treated very differently. The third departure from its predecessor was a policy review of the law on the recognition of refugees, which was enacted in 1997 to cover the Mozambicans who had fled to South Africa on refugee status before 1992, allowing them to become citizens and ending the deportation squads that had pursued them for over a decade.

Apart from the limited amnesty, the post-apartheid government is strict on immigrants. Between 1994 and 2000, over 600,000 people were forcibly removed from the country by the police in a manner similar to apartheid police action. "Research shows a pervasively high and deepening level of hostility and intolerance toward outsiders, and particularly Africans from elsewhere."¹⁰ The xenophobic attacks against African immigrants around Johannesburg, in 2008, point at the dire need for the ANC to review its immigration policies. This review should take into account economic as well as regional factors such as rising food prices and violence in neighboring Zimbabwe.

Affirmative Action Policy

The post-apartheid government put in place an affirmative-action law that was designed to bring blacks into the mainstream of the economy, to open the way for black-owned businesses, and to make up for the wrongs of the apartheid era. President Nelson Mandela's government backed a plan in which black South Africans "would need to constitute 69 percent of the workforce at all levels from the top down."¹¹ While the government has defended affirmative action, some whites see the new reality from the other side. One unemployed white South African noted: "When you go for an interview and there are blacks as well, they'd rather take the blacks."¹²

The affirmative action policies, most notably Black Economic Empowerment (BEE), have contributed to white emigration out of the country. There have also been tensions on the Western Cape arising out of BEE, where groups identifying as "coloured" have felt increasingly marginalized and "resentful at what they perceive to be a preferential allocation of resources to Africans...when their needs are just as great."¹³ This has been most evident in competition for employment and housing.

Other criticisms have followed the affirmative action policies of the post-apartheid government. First, the policies have often promoted black industry without the accompanying education and skills training. Second, critics claim that BEE has overwhelmingly benefitted an elite with

ties to the governing ANC party. Third, one economist claims that BEE is not in fact benefitting the country: since its inception, GDP per capita has dropped and unemployment has doubled.¹⁴ While the intention of BEE was positive, the outcome needs to be analyzed and the policies reviewed.

The Constitution

The post-apartheid constitution is one of the youngest constitutions in the world. Constructed with knowledge and awareness of the injustices and inequities of the past, most of the articles were crafted in order to rectify and correct the historic segregation, as well as foster coexistence and a unified nation.

Prominence has been given to issues of equality, freedom of expression and association, political and property rights, housing, healthcare, education, access to information, and access to courts. One fundamental article of the Constitution against racism and sexism (Section 6 Article 9 Sub-section 3) states that "The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth." However, as stated above, many groups have felt discriminated against by affirmative action policies which attempt to correct historical imbalances.

The constitution has also recognized the importance of language and in Section 6 gives each and every person the right to use a language and participate in a culture of his/her choice as long as it is not inconsistent with any provision of the Bill of Rights. The constitution further recognizes eleven official languages in an attempt to celebrate the country's diversity. As noted by Nigel Crawhall: "The ANC did not enter the Kempton Park constitutional negotiations with a plan for eleven official languages. The original plan was to push for no official languages, thus attempting to skirt an emotive issue. The move did not work. The National Party and its allies were adamant that Afrikaans was not to be demoted. The ANC response was to call for all "South African" languages to be made official"¹⁵ In an attempt to include the minority, the constitution gives specific attention to the Khoi, Nama, and San tribal languages, and to sign language.

The Truth and Reconciliation Commission

The Truth and Reconciliation Commission (TRC), chaired by Archbishop Desmond Tutu, aimed to advance the reconciliation process and foster coexistence among South Africans in the post-apartheid era. Active from 1996 to 2001, the TRC was empowered to investigate apartheid-

era human rights abuses committed between 1960 and May 10, 1994 as mandated by the terms in the Promotion of National Unity and Reconciliation Act, No. 34 of 1995. The Commission, which was based in Cape Town, was meant to bear witness to and record crimes of that era. It was also empowered to grant amnesty to perpetrators as long as the crimes were committed during the 1960-1994 period and were politically motivated, proportionate, and there was full disclosure by the person seeking amnesty.¹⁶ Of the 7,112 cases heard, 849 were granted amnesty.

The TRC avoided administering victor's justice by considering applications from all sectors of society. Some of the black population felt that the TRC was a vehicle of political expediency that was used to rob them of the justice that should have been administered against apartheid proponents such as the former president P. W. Botha, who refused to attend to the Commission's summons, terming it a circus. Some have argued that the Commission mandate was not well articulated to the people and therefore the peoples' expectations of the Commission were quite different from its mandate.

The ability to forgive was sometimes astounding, as in the case of a disappeared activist's widow who found out through the TRC process that he had been kidnapped and killed, his body roasted over a fire for six hours, and his ashes dumped into a river. After the TRC hearing, she declared: "Don't we want peace for South Africa? How are we going to find peace if we don't forgive? My husband was fighting for peace for all of South Africa. How can you correct a wrong with a wrong?"¹⁷ On the other hand, the unsuccessful struggle for forgiveness was often equally evident at the TRC, such as in the case of one mother of an ANC comrade who was drugged by security police and pushed off a cliff in a van. She stated: "I will never forgive them. I want to see them dead like our children."¹⁸

Education

Under the apartheid system schools were segregated, and the quantity and quality of education varied significantly across racial groups. The long and arduous process of restructuring the country's educational system is ongoing. The Bill of Rights in post-apartheid South Africa provides that everyone has the right of education and, as a measure to include those who were unable to access education during the apartheid era, provides for adult literacy as a basic right too. The Education Policy of 1996 (Act 84 of 1996) provides for compulsory education for learners between the ages of seven and sixteen years of age and freedom for parents to choose where their children go to school. All government-run schools are officially integrated, but a lack of resources to provide adequate schools and teachers remains a challenge.¹⁹ The Department of

Education's language policy stipulates that pupils have the right to be taught in languages of their choice, though English and Afrikaans remain the primary language in schooling, and English-only instruction begins after fourth grade.

The Media

Since the end of the apartheid era, the deregulation and liberalization of broadcasting has led to the growth of many diverse media outlets. All eleven of South Africa's official languages get airtime on both the TV and the state radio stations, as do German, Hindi, Portuguese, and the San languages of !Xu and Khwe. South Africa has over 100 community stations, broadcasting in all of these different languages. Their scope and reach varies enormously; adherence to a media code of conduct is regulated by the Independent Communication Authority of South Africa (ICASA) which issues broadcast licenses, ensures universal service and access, monitors the industry, and enforces compliance with rules, regulations, and policies. Chapter 1 of the ICASA Act Section 2 Sub-section A states "the object of this Act is to establish an independent authority which is to regulate broadcasting in the public interest and to ensure fairness and a diversity of views broadly representing South African society, as required by the Constitution."²⁰ The free media in South Africa is among the youngest in the world; it has also grown to be the largest in Africa, one that is neither controlled nor used by the government for indoctrination or propaganda.

Complementary Approach

Post-apartheid South Africa has made many strides to consolidate the nation's peaceful transition to democracy. However, it is difficult to transform every aspect of society at once. The creation of equal access to universal education, social services, and employment has not been given enough attention. Transforming South Africa's society—and removing the legacy of apartheid—will take time and a lot of hard effort. In a post-crisis society, population groups tend to continue to distrust each other. It requires patience, time, and positive integration efforts to create sustainable coexistence in the country.

Populations from rural areas continue to migrate to the developed provinces. Crime rates in the cities have hit a startlingly high level. Despite conscious efforts by the government to address regional inequalities, the economic disparities between population groups are expected to persist for many years. These disparities need to remain an area of priority for the government as they will continue to affect inter-group relations.

Some members of the police commit abuses reminiscent of the apartheid era, and deaths in police custody as a result of excessive force remain a problem. Discrimination against those living with HIV/AIDS, as well as violence against women, is common. This however has attracted attention from the government, which has become a member of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), through its ratification of the convention on 15 December 1995, without entering any reservations.

The regional and international communities should further intervene in the countries neighboring South Africa to ensure that peace prevails and to contain large-scale immigration into South Africa. On its part, the South African government should ensure that its immigration rules are properly followed. This should include sensitizing the population on issues of immigration policy, employment, and coexistence. South Africans convinced that immigrants are taking over their jobs should be educated about the contribution of immigrants to the community and the economy. Many educated citizens are also leaving South Africa to work elsewhere, saying it is an unsafe place to work. The government needs to recognize the "brain drain" as a serious issue that will impact the country socially and economically, and put steps into place to counteract it. This means addressing both social and economic instability.

The inclusion of the black population into the systems of government and the economy should not be affected in a manner that excludes the rest of the population. If this issue is not properly addressed, coexistence-building in South Africa is bound to fail. The process should not be substitutive, but rather inclusive. The current policy not only affects the socio-economic development, but also creates the impression that the ANC government is reintroducing apartheid.

A constitutional review must also be put in place. The process of integration and reintegration continues to change and the constitution should take cognizance of this. The post-apartheid constitution was made at a time when the country just walked out of apartheid and the thinking and aspirations have since changed. This means a constant review needs to be made on the constitution to seal the gaps that were not foreseen then.

Conclusion

Though there is optimism in the government about reforming South Africa, much of the country's population has not completely healed from the wounds of apartheid. The money paid to victims through the Truth and Reconciliation Commission is but one aspect of the

process; a conscious effort should be put in place to help people move past the country's dark history by fostering real coexistence. South Africa has put many measures in place that have a far-reaching effect on issues of equity, diversity, and interdependence. But the government and other actors must address persistent tensions in the country between ethnic and socio-economic groups. Otherwise, the legacy of apartheid will continue to be felt in South Africa.

Endnotes

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About Coexistence International

Based at Brandeis University since 2005, Coexistence International (CI) is an initiative committed to strengthening the resources available to policymakers, practitioners, researchers, advocates, organizations, and networks promoting coexistence at local, national, and international levels. CI advocates a complementary approach to coexistence work through facilitating connections, learning, reflection, and strategic thinking between those in the coexistence field and those in related areas.

What is Coexistence?

Coexistence describes societies in which diversity is embraced for its positive potential, equality is actively pursued, interdependence between different groups is recognized, and the use of weapons to address conflicts is increasingly obsolete. Coexistence work covers the range of initiatives necessary to ensure that communities and societies can live more equitably and peacefully together.

About the Series

In 2006, more than ninety percent of countries have populations made up of multiple identity groups. This rich diversity, full of promise and possibilities, also presents some of the most common and difficult challenges facing states today. Governments continue to wrestle with coexistence issues such as the dimensions of citizenship, constitutional and political designs that reflect the diversity within state borders, language and minority rights, land management, equality and cultural issues, and democratic participation. Understanding how diverse communities get along peacefully and equitably within a State is critical. If we can understand how some societies address issues of difference in constructive ways, then we might develop a repertoire of policy and programmatic options for countries experiencing inter-group violence or growing tensions.

With this publication series, CI seeks to describe the state of coexistence within different countries, and compare diversity and coexistence policies from countries around the world. CI has made no attempt to assess the implementation or success of such processes, or to endorse any of the initiatives mentioned in the report. We believe, however, that the documentation of the existence and scope of such efforts can contribute to a wider understanding of the variety of approaches for addressing issues of coexistence and intergroup conflict.

Other CI Publications

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With this publication series, CI examines where and how certain fields intersect with coexistence work. What challenges and opportunities exist when disciplines work together toward the common goal of a more peaceful, just world? This series illustrates the possibilities of effecting positive coexistence through cooperation among related fields.

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