Editorial: The Politics of Capital

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[T]he debate over the direction of development policy in Africa should be underscored by a historical understanding not only of the institutions that underpin the development of markets, but also of the evolution of the State itself in Africa. African countries should choose their development strategies against the background of the available institutional options and their specific historical circumstance (UNCTAD, 2007: 89).

With its references to historical context, institutional options and strategic choice, the opening quotation is a good example of the more progressive edge of international development orthodoxy. Indeed, UNCTAD is generally perceived by observers of the international development architecture as a less starkly neo-liberal institution, when compared to the World Bank and IMF. What the UNCTAD observation shares with those emanating from the latter institutions, however, is a failure to grasp a crucial aspect of Africa's current socio-economic malaise: that capital is rarely equal to the challenge of forging a process of economic growth which is both stable and equitable enough to lead to a general improvement in well-being. And yet, this is the task that it is constantly set by mainstream development economists and the institutions they work for. That this issue is rarely interrogated is revealing of the ideological forces that dominate our times. Instead, institutions, states, social capital, infrastructure, financial/credit systems, forms of regionalism, and so on, have been pathologised in order to explain – excuse – 'the market' for its failures to offer much hope to the world's poorest societies.

It is certainly the case that institutional form, state politics, the nature of sociability, etc., are all very important. But, so is capital. And, it is important to recognise capital itself as integral to the social relations of property, relations that can only exist economically and politically. It is in this sense that capital is as political as governments, institutions, forms of trust or anything else within the development economist's gaze. The related notion of the market – abstracted (as prices) and/or fetishised (in which 'the market' does things) – does not bring the politics of capital into sufficiently clear focus. In an age in which the entire edifice of development is ultimately premised on expansive, efficient and socially-beneficial 'business', it is vital to consider both the political practices of capital and the effects of such practices on other facets of society and state.

In the mid-1990s, orthodox analyses of South Africa fretted about the effects of labour strikes on the post-apartheid economy, arguing that they damaged the country's reputation, increased risk, and discouraged foreign direct investment. Simultaneously, it was reported that both 'big' capital and international and industrial capital engaged in a process coined 'capital strike' by some journalists, and which involved responding weakly to democratisation or actually moving assets out of the country. But, while mainstream analysts wanted labour disciplined to minimise strikes, capital was not subject to the same austere control. The freedom

of capital to withdraw from the South African economy was not an issue; rather, it was the disciplining of labour and the South African state that was mooted.

This vignette – and the apparent paradox of such inconsistent normative thinking – is suggestive. It draws our attention to the ways in which capital – or, less abstractly, the social classes that own property in a variety of socio-institutional contexts – works politically to assure the existence of conditions favourable for (expanded) reproduction. In short, the fetishisation of 'the market' – the staple of development technicians – obscures the dynamic and central political projects pursued by capitalists, whether within or against the state, or to the detriment of the labouring poor.

While the politics of capital cannot be read off deterministically, there are clearly patterns that can be discerned. Especially for Africa (owing to its general history of integration into the Atlantic slave system and late colonialism), the politics of capital is about dispossession. In a variety of contexts, capital struggles to assert its property rights in spaces where the social relations of property are not based in private ownership. The assertion of property rights necessarily requires state power, not only to establish a solid legislative framework, but also to remove people from land, to crush informal and artisanal modes of mining, to secure the evacuation of resources from land, and to suppress rebellions and resistance (see ROAPE 117, September 2008).

Another facet of the politics of capital in Africa is corruption. Here we find once again an exemplar of what might be called bourgeois double standards. Just as the mainstream media vented disapproval at militant labour and gushed sympathy for militant capital, so the World Bank and others have problematised states and ignored capital in analyses of corruption. While it is certainly the case that corruption is practised widely by state officials in Africa (much as it is to varying degrees in many other parts of the world), it is also the case that international firms routinely use unofficial payments to speed up and shore up investments, to assure extremely lucrative investment contracts, or to gain advantage over competitors.

Powerful and significant as these political practices might be, it is still the case that African political economies are not defined in their entirety by the dominant social relations of private property, an ascendant capitalist class, and a 'capitalist state' in the sense commonly understood in the West. This means that African politics is more fluid and variegated than a framework focused solely on capitalism in the continent would allow. There are spaces of opposition, the elaboration of different ways of life (or moral economies), innovative forms of hybrid livelihood, and – it has to be said – spaces of mass humanitarian disaster (akin to Mark Duffield's 'borderlands') in which the displaced, war-afflicted and near-starved live on the edge of extinction.

There is also a raft of political projects which have appeared in the wake of the neo-liberal drive to consolidate and expand capitalist property in Africa. That these projects are not directly connected to specific instrumentalities of accumulation should not surprise us. Over the long term, capital immanently shapes and, sometimes, directly engages ideologies and policies in the name of 'the people', 'the nation' or some other community in a bid to render societies in its image. For much of Africa – under the leadership of the World Bank, but with many other multi-lateral and bilateral donors, international NGOs, and think-tanks involved – the premise of policymaking (as well as the latter's perceived possibilities and strengths) is that

capitalism is the foundation of social progress. One can easily construct a list of major policy initiatives that have been devised and/or sponsored by this powerful international constellation of development ideologues: pro-poor growth, poverty reduction strategies, governance, decentralisation, land reform, privatisation, regional/continental integration, MDGs, NEPAD, etc. One could evaluate each reform aspect in itself and on its own terms, but one would miss something much more striking and considerably more significant. And this would be that each reform agenda contributes to the construction of a larger *project*: nothing less than the externally-sponsored social engineering of African societies into societies based on private property, competition, commodities, and monetised interactions.

In a sub-Saharan context in which a decline in the incidence of relative poverty is matched by a countervailing increase in the total number of poor people, UNCTAD's (2007) 'progressive' formulation of one particular reform agenda, poverty reduction as a Millennium Development Goal, illustrates the politics of capitalist convergence at work. The formulation aims, not only to increase 'the volume of foreign and [particularly] domestic resources devoted to promoting overall development in general, and poverty reduction programmes in particular' (p.1), but also to expand the 'policy space for African countries to design and implement policies that make optimal use of available resources in a way that leads to a virtuous circle of accumulation, investment, growth and poverty reduction drawing on the model of developmental States' (pp.4-5).

In targeting *all* African societies, however they might exist in the present-day, this agenda reflects the power and reach of the politics of capital. The latter resonates, too, in poverty reduction's self-representation as a project for constructing a continent with political economies which converge around the neo-liberal developmental state, the market economy and the individualised 'rational' citizen; in its intention to co-opt firms within the continent with sufficient levels of asset and mobility to its cause, even while enticing international capital investment; and in its determination that the state should *both* underpin the development of markets and other capitalist institutions *and* ensure their efficient functioning. Here, then, we have the politics of convergence, manifest both as social progress and as capital working to assure the conditions for expanded reproduction.

Yet, it is not just the state and its capital(ist)-friendly institutions which have to be created. The individualised and rational citizen is not natural; he or she must also be created. The processes of the creation of citizens have attained a global reach and display varying degrees of compulsion and incentive. In some parts of Africa, many aspects of governance policy – championed, sponsored, and monitored by the World Bank and its overseer allies – are based in the creation of individual utilitarians. An important example of this process is mapped out by Arrigo Pallotti who analyses local government reform in Tanzania to identify its designs and desire to forge *homo civicus* – a subject that might happily conform to the ongoing neo-liberal agenda, currently expressed through the second Poverty Reduction Strategy.

Equally nuanced examples of the politics of capital and convergence are offered separately by Melanie Samson and Carolyn Bassett, in both cases with reference to South Africa. Through an interrogation of the debate on (sub)imperialism, Samson critiques interpretations of the role of local and international capital based in South Africa in shaping the country's economic and political engagement with the rest of Africa. She usefully highlights the (neo)liberal communions at the heart of this engagement, and advocates the continuing interrogation of 'the differentiated ways

in which South African investment in other African social formations is affected by and contributes to a re-articulation of local gender, race and class relations'. This is the politics of convergence at work, something which is explored further by Bassett, who describes in some detail how large South African capital has shaped and forced the country's transition agenda. Employing Gramscian terms to explain how capital might establish a broader purchase throughout society, Bassett highlights the fragility of capital's politics, condemned in the current political economy to an exclusivist and unstable form of accumulation that has no space for the poor labouring masses. Nevertheless, what Bassett reveals is a powerful case study of large firms practising political advocacy – an important corrective to the familiar bland references to 'business' and 'the market' which render this class almost apolitical.

And, it is 'the poors' of South Africa that are the subject of Shannon Walsh's honest and incisive narrative. Partly personal, partly politics, Walsh argues that progressive politics in South Africa contains within it difficult contradictions both between the social components of any political coalition and also discursively concerning how the poor, marginalised and oppressed are represented. Her argument is not a cynical one (that there is no such thing as progressive politics, or that all politics tends towards oligarchy); rather, it is a call for a recognition of these 'uncomfortable collaborations' within political struggle. Ashwin Desai and Patrick Bond offer rejoinders to her intervention.

Remaining with South Africa, Roger Southall provides a fascinating and worrying investigation into the use of money politics within the South African state. As in many other states throughout the world, money politics is the product of opaque and covert interactions between ruling politicians, businesspeople, and high-ranking state officials. What throws South Africa's particular instantiation of this into bolder relief is its emergence on the backdrop of a popular nationalist struggle and the ongoing turbulence of its resistance politics, as well as the strong racial inflections that continue to plague a country whose transition essentially left property relations unchanged. Southall's money politics is in essence the politics of capital, expressed within South Africa's particular transition from apartheid to a populist neo-liberalism.

This issue also carries two fascinating articles that concern rural societies in north-eastern Africa. Wibke Crewett and Benedikt Korf describe the politics of land tenure reform in Ethiopia with particular reference to the Oromo. For Crewett and Korf, the implementation of land reform is infused with political judgement, filtered through Ethiopia's federalism and the norms that both regional governments and communities endow on land as a social relation. The equity-efficiency distinction plays itself out to produce a hybrid and perhaps unstable set of land tenure regulations.

A sense of instability and flux – characteristic of so many marginalised African communities, both urban and rural – is particularly prominent in Kennedy Mkutu's analysis of Karamoja in Uganda. Mkutu brings us fresh evidence of a turbulent mixture of violence, accumulation, and commoditisation, partly through a focus on the ways in which gender relations have shifted as a result of the growing economy of pillage and raiding. Rather than essentialising women as a single group of victims, Mkutu shows how women have both suffered and tried to establish new spaces of authority or autonomy; or, in some cases, engaged with the intensifying commercial militarism that is imposed on young men.

UNCTAD, with which this editorial opened, asks about the 'true meaning [of] the rhetoric of "ownership" in macroeconomic and resource management' (2007:4). Ownership is, of course, one of the mainstays of the post-Washington consensus, serving to produce sensibilities of a more measured and variegated framing of development from the 'bad old days' of structural adjustment and shock therapy. There are now a number of convincing critiques of the 'operationalisation' of ownership in terms of its proceduralism, its narrowness, and its ongoing attachment to neo-liberal fundamentals. But, beyond this, lies the question: ownership of *what*? If we recognise capital as a political entity, then we also open up the possibility – at least intellectually – of its ownership; or, more specifically, the subjection of capital to social agendas expressed through states or social groups which do not have profit as their ultimate objective, but which are driven by claims to justice and social well-being (however these might be 'embedded' within cultural languages and practices).

If capital is ultimately political, it can be both disciplined and contested. Much in this Issue therefore illustrates the politics of disciplining (Pallotti, Southall, Crewett and Korf). At the same time, when taken alongside recent and/or continuing events in Kenya, Cameroon, Chad, Comoros and the Niger Delta, other contributions (Mkutu, Bassett and Samson) remind us that there remain spaces of dissent, social counter culture, collectivist and cooperative economics. Furthermore, the value of exploring the politics of dissent in such spaces of theoretical and actual opposition to the holders of capital is manifest in the illuminating exchange between Walsh, Desai and Bond. Indeed, this exchange hints at two things: the role that a radical knowledge producer and disseminator like ROAPE can play in facilitating grassroots solidarity at the political and intellectual interface; and the need for a periodic reminder that not all forms of resistance represent progressive politics. The contributions making up this Issue seek, then, to highlight the continuing centrality of capital to imperialist action in Africa, while recognising that capital-friendly 'social engineering', however much it might be promoted as part of more devious agendas, can sometimes offer important progressive potential for debate and space for action.

Reference

United Nations Conference on Trade and Development (UNCTAD) (2007), *Economic Development in Africa. Reclaiming Policy Space, Domestic Resource Mobilisation and Developmental States*, New York and Geneva: UNCTAD/ALDC/AFRICA/2007/1.United Nations.

South Africa: Revisiting Capital's 'Formative Action'

Carolyn Bassett

This article revisits Saul and Gelb's 1981 analysis of South African capital's 'formative action', employing their framework to assess how capital has shaped the economic framework since 1990. I show that once prominent business leaders became committed to non-racial democracy, the private sector became enormously influential in shaping the economic programme. The policy changes permitted South African firms to restructure their operations largely on their own terms, becoming major investors elsewhere in Africa and around the world. Despite their ostensible success, the neo-liberal framework they cultivated may lack durability, simply because the 'historical bloc' underpinning it is so narrow that the programme has not offered many benefits to the majority. Despite measures taken by the government since 2000 to broaden the political coalition supporting the neo-liberal restructuring, the recent crisis over presidential succession reflects the failure to vest the economic changes in a hegemonic programme.

Introduction

In 1981, South Africa's corporations faced a political conundrum. Apartheid was becoming a serious impediment to their profits and perhaps even their survival, but they harboured deep suspicions that majority rule, unless 'managed' very carefully, could lead to the appropriation of their assets. John Saul and Stephen Gelb (1986) used a neo-Gramscian framework to analyse the 'organic crisis' facing South Africa's racial capitalism and employed the concept 'formative action' to interpret the efforts of business leaders to shape a political settlement that would reconsolidate corporate power. At the time, business leaders pulled back from supporting majority rule, perpetuating the political crisis and economic stasis. In this paper, I revisit Saul and Gelb's neo-Gramscian framework to analyse the role South Africa's largest corporations played in shaping the country's transition in the years since the 1980s. Capital's strategic intervention in support of majority rule, I argue, set the groundwork for a new economic framework that re-secured the conditions for capital accumulation, but also fostered a political crisis in the ANC that raised broader questions about the stability of the neo-liberal programme.

As much of the first half of the paper shows, despite their successful formative action, the 'historical bloc' of core social actors underpinning the new economic framework has been so narrow that it appears to be inherently unstable. As a result, the ANC has been forced to rely upon 'domination', more than 'hegemony', to consolidate the new economic order. The second half of the paper analyses efforts by the state to broaden the perceived beneficiaries of post-apartheid economic reform

enough to secure the active consent of the majority to the neo-liberal programme, while maintaining the essence of the programme intact. I suggest that South Africa's corporate advocates of neo-liberal restructuring may discover over the next decade that they were too successful for their own good, failing to make the concessions to other political and economic players needed to ensure the sustainability of the programme. I open, however, with a restatement of Saul and Gelb's neo-Gramscian 'formative action' framework.

Neo-Gramscian Framework

Gramsci's writings, and theorists drawing on his work, have been particularly helpful in analysing how mass democracy was utilised to consolidate capitalism in the twentieth century. One of Gramsci's central points was that capitalism can be constituted through a 'passive revolution', which imposed change from above designed to maintain the economic and political system, and anticipated only the passive consent of the masses (Sassoon, 1982). But he saw this type of consent as producing a distinctly more vulnerable form of capitalism than that produced by the active, expansive consent associated with hegemony, which incorporates the base in a genuine reform programme that provides benefits and political voice (Buci-Glucksmann, 1982). Under liberalism, Gramsci's concept of hegemony referred to the rule of capital consolidated through the state and society in a network of institutions and cultural practices that shape 'common sense' in such a way that most dissent can be incorporated within the system (as reforms that maintain its essence), while those which cannot be accommodated become marginalised as unfeasible. 'Force' underlies hegemony, but it is masked by active consent – the more force comes to the fore, the less we can say that the state rules through relations of hegemony. Hegemony conceals the power of capital and thus provides a more durable system. However, the policy compromises required to maintain hegemony may not suit the needs of capitalists at specific historical conjunctures, when they need to restructure.

The situation in South Africa in the 1980s, when Saul and Gelb published their analysis (originally in 1981, expanded and republished in 1986), was that the economy was in deep crisis, which the existing apartheid state proved unable to address. Yet, the situation did not appear to be conducive to liberal hegemony that would permit the reconstitution of capitalism. The state ruled on a non-hegemonic basis, increasingly resorting to force to maintain racial power, especially after 1984. The exiled ANC was fighting a 'war of movement', seeking to capture the state, while allies within South Africa effectively rendered the apartheid state unable to govern, thereby irrevocably undermining its legitimacy. Capitalism – dominated by firms owned and managed by whites – was closely associated with apartheid, and had benefited directly and indirectly from racist laws that kept wages low and restricted competition.

Yet, as Saul and Gelb argued, the situation was paradoxical for capital – the costs of maintaining white power simultaneously protected and undermined their interests so that they would be better off under liberal democracy – as long as the capacity of the state to redistribute assets was strictly limited. Thus, resolving the crisis, they argued, required 'formative action' that would set the tone for a new basis of capitalist rule. They quoted Stuart Hall, summarising Gramsci, to explain:

> a new balance of forces, the emergence of new elements, the attempt to put together a new 'historical bloc', new political configurations and philosophies, a profound restructuring of the

state and the ideological discourse that construct the crisis and represent it as it is 'lived' as a practical reality; new programs and policies, pointing to a new result, a new sort of 'settlement' – 'within certain limits' (Hall in Saul & Gelb, 1986).

Saul and Gelb noted that capital's preferred resolution to the crisis would be based on a new 'historical bloc' with traditional (white) and emerging (black) capital and the black professional and middle class serving as the basis for a new, non-racial, capitalist state, legitimised through full citizenship and elections. Yet the situation on the ground was such that the masses, led by the ANC, would not accept anything short of a fundamental redistribution of political and economic power, which meant capital could not risk majority rule for fear it would put their property too much at risk. Moreover, capital could not directly lead what Gramsci referred to as a 'war of position', the process of changing 'common sense' at the cultural level as the basis for a reconstituted state, because capitalists were too closely associated with apartheid – they lacked the moral authority to put forward the terms of compromise.

But the global balance of forces shifted during the 1980s, rendering a socialist alternative less feasible. This made a political compromise between the apartheid government and the ANC more plausible, one that would permit the kind of economic restructuring favoured by capital. During the 1980s and early 1990s, those leaders of the liberation movement who were convinced that capitalism could be reformed to offer a substantial improvement over the *status quo* rose to prominence, opening the door to a political rapprochement with business leaders. The favourable international climate made democratisation less risky for capital, although there was much to be done domestically to limit the options available to a majority government. So the changed political context permitted capital to pursue the kind of 'formative action' that had seemed too risky in the early 1980s. By 1990, African National Congress leaders and liberals from the National Party came together to negotiate non-racial terms for citizenship and democracy, with business leaders serving as trusted advisors to both (Marais, 2001). Economic policy compromises further entrenched the privileged position of business, to the detriment of the ANC's core supporters, and in a way that made it difficult for the state to consolidate hegemonic rule. The following section explains in more detail how capital went about obtaining this favourable economic dispensation.

Capital, Strategy & Post-apartheid Politics

There are two levels at which we can 'know' capital. One is through interventions made by the 'organic intellectuals' of the business sector, in speeches, news articles, company materials like web sites and annual reports, interviews, policy position papers and comments made at meetings. These business opinion leaders may be executives of major firms who regularly contribute to policy debates, commentators in important business periodicals, or policy analysts in universities or 'think tanks' who closely identify with business interests and attempt to think through specific policy changes that will improve the overall business climate. Their recorded statements may be a 'true' reflection of the reasons for the policy preferences of capital, but they may also be designed to mask intent by casting demands that are in the interest of particular business firms or sectors as in the general interest of society. This means that it is necessary to consider the statements of representatives of capital with a critical eye, since they are political interventions and not technical ones.

The second way we can know the will of capital is through its actions, particularly investment patterns. One important contribution of neo-Gramscian analysis is to uncover the relationship between capital's 'real' interests, as expressed in its investment decisions, and the way these desires are expressed in public discourse as reflecting the general interest of society. This is not intended to be a mechanical undertaking (to expose inconsistency or hypocrisy), but rather, an analytical exercise that seeks to understand how capitalist reform becomes politically possible in democratic situations. Capital's ability to convince the state of its policy preferences is only part of the story – capital's ability to convince society (through the state and through the organs of society) is equally important if the state is to be able to consolidate capitalist rule in a hegemonic (as opposed to authoritarian) fashion.

South Africa's major firms had a huge stake in the end of apartheid and the nature of its successor regime. Yet they had substantial difficulties presenting their demands as in the interests of society as a whole. Until the 1990s, capital, shaped by the restrictive laws of apartheid, was predominantly white – among blacks, there was a small professional class, a handful of large entrepreneurs based in the 'homelands', and some small competitive business people who served the black market in the townships. 'White' capital was highly concentrated, with six conglomerates, based in minerals, energy and finance, dominating the economy (Fine & Rustomjee, 1996). A few large firms also controlled key consumer sectors like food, beverage, automobile and retail, but smaller enterprises prevailed in competitive consumer goods sectors like clothing and agriculture. In this section, I explain how South African conglomerates in the monopoly sectors perceived the domestic economic and political crisis of the 1980s in terms of their overall accumulation strategies. The opportunities associated with global neo-liberal economic restructuring were especially appealing to internationally-oriented firms, which had been severely constrained by the apartheid government's efforts to keep capital investment within the country during the 1980s.

Once the apartheid state had shown it was unable to regain control over popular forces, either through limited reforms or renewed repression, major firms looked to political negotiations as the only way to resolve the economic crisis. Not, of course, political settlement at any cost, but rather, one that would permit control of the economy to remain largely unchanged, and thus open the way for economic policies conducive to renewed profitability. Three factors were vitally important to their success in achieving such a settlement. One was the opportunity to escape the seemingly intractable problems of the South African economy offered by global economic restructuring. Second, important constitutional guarantees ensured their assets would be protected. Third, business leaders became influential in economic policy debates, winning important concessions that permitted them to take further advantage of the opportunities presented by the global market. Each of these was an important element in capital's formative action.

The neo-liberal revolution of the 1980s reconfigured economic norms around the world. The new pattern of economic regulation became widespread through several processes, notably creditor-imposed structural adjustment programmes (Biersteker, 1990:477), and self-imposed policy changes, often reinforced by binding trading agreements (Panitch, 1984:64). The new economic framework, *inter alia*, removed restrictions on the mobility of capital to invest and market its products, which included the right to withdraw investments from certain countries, buy up companies on a worldwide scale and reduced the risks of foreign investments by

accessing new forms of state protection. Closely related to the rise of globalisation, the collapse of the former Soviet Union eliminated an alternative (and hostile) economic system and ended a potential source of military funding to the ANC. With the demise of the communist bloc in 1989, it appeared that Margaret Thatcher's dictum, 'there is no alternative,' had truly come to pass. By 1990, the rewards promised by a full 'normalisation' of domestic politics outweighed the risks of majority rule.

The new global marketplace offered attractive opportunities for South African firms to transcend the seemingly intractable domestic economic crisis and restructure their operations to take advantage of international (especially regional) opportunities. But political change would be a necessary first step. From the mid-1980s, the apartheid regime favoured neo-liberal policies, but it introduced changes only in monetary, taxation, fiscal and labour market policy. Faced with trade and investment sanctions, and the perception in global capital markets that South Africa was a high-risk investment location, the government actually strengthened import, export, currency and investment restrictions to stem capital flight. South Africa's global integration, it was clear, would not occur under apartheid.

Moreover, if majority rule was not established, the National Party might lose power to the more racist Conservative Party. Both economic liberalisation and political negotiations would become immensely more difficult, an outcome that was simply unacceptable to major business interests. Ronnie Bethlehem, an economist with a mining conglomerate, outlined these concerns:

> *A CP [Conservative Party] victory would return the country to a period of deep crisis because that party remains committed to a scheme of classical apartheid. There are no credible black leaders with whom a future CP government would be able to negotiate the partition of South Africa and the perpetuation of a broader white/Afrikaner hegemony.*

> *... [A]ny CP electoral victory – the consequence of a failure of the NP to negotiate a new constitution – could not go unchallenged by the ANC and the other now unbanned, black-led political organizations that the CP still rejects. The armed struggle would have to be resumed with greater intensity and international backing, and would almost certainly be accompanied by a reimposition of isolation and sanctions by the outside world. In a post-Gulf War scenario, the possibility then of direct United Nations military intervention could not be excluded. It would be, in the words of a former South African prime minister, B. J. Vorster, an outcome 'too ghastly to contemplate' (1992:525-526).*

Majority rule seemed a far lesser threat, especially after domestic and international capitalists began to engage ANC leaders like Thabo Mbeki and discovered he was sympathetic to their concerns (Saul, 2002:14).

It was important for business to promote a political settlement that would restrict the latitude of the incoming government to intervene in the economy, especially in the areas of nationalisation, re-regulation or asset redistribution. Business leaders worked with National Party and Democratic Party representatives to the constitutional negotiations to ensure their interests were protected. The mining conglomerates were particularly concerned about the possibility of asset redistribution or extensive reparations, since the ANC Freedom Charter had declared that

> *the national wealth of our country, the heritage of all South Africans, shall be restored to the people; the mineral wealth beneath the soil ... shall be transferred to the ownership of the people*

as a whole. ... Restrictions of land ownership on a racial basis shall be ended, and all the land redivided amongst those who work it (ANC, 1955).

For capital, private ownership rights needed to be protected in the constitution.

Early efforts to maintain the rights of whites framed explicitly in racial terms were a non-starter – such attempts simply deadlocked the negotiations (Saul, 1993:104-106). Property guarantees based on citizenship better served the needs of private capital than did an explicit white veto since they maintained the impression that such protections were in the interests of everyone (and indeed, resonated with blacks who had been dispossessed during the apartheid era). Under both the interim and final constitutions, every person had an absolute right to property (including any property they possessed at the time the constitution came into force) and could not be deprived of it except under strictly limited terms with market-value compensation (South Africa, 1993). With such provisions in place, future asset redistribution would be strictly limited.

Constitutional provisions also protected the independence of the central bank governor, subject only to regular (non-binding) consultations with the Finance Minister (South Africa, 1996a; South Africa, 1993). Guaranteeing central bank autonomy while tying it to 'protecting the internal and external value of the Rand' effectively safeguarded monetary policy from political intervention (Pillay, 1997).

To be sure, the black majority gained many new rights, most importantly, 'one person, one vote'. Nonetheless, the business sector was also a substantial beneficiary of the constitutional negotiations. Property rights, like the new political and civil rights but unlike social and economic rights, were absolute and legally enforceable. Moreover, the central bank and property provisions were among the 34 principles that could not be altered without a two-thirds Parliamentary majority. These constitutional gains were critical in putting a framework in place that would limit the kinds of policies that a future government would be legally permitted to introduce, and thus a key element in capital's post-1990 formative action.

Policy Influence of Business

The decision by some business leaders, especially from the mining and finance sectors, to abandon apartheid gave them some credibility in trying to mould the ANC's economic policies. Key business spokespersons consistently put forward the case for adopting a liberalising framework, saying it would spearhead investment, especially foreign investment, which would lead to growth, the only 'sustainable' way to create jobs. Growth would increase tax revenues, allowing the government to improve basic services. Their influence soon became apparent: the ANC's restructuring framework, *growth through redistribution,* became growth and redistribution … growth then redistribution … and finally simply growth.

Business leaders recognised they might be shut out of the process of economic policy-making unless they insisted their policy changes were the best way to meet ANC goals. Bethlehem (1992:533) explained the importance of re-framing the debates in technical terms:

Standing on the brink of a major political transformation, there is nowhere where [the] de-ideologizing of the market is more important than in South Africa. The economy, and the matter of what must be done to restore its growth, needs to be removed from political controversy as

much as possible ... If the gap separating the main power protagonists can be narrowed and the economy made to perform, it will generate its own beneficial consequences into the social dynamic.

One influential consultant recommended that: 'leaders of the private sector should move towards interweaving what they say and do with the broader forces working to raise the standards of living of all South Africans' (Frankel, 1993:401). Business leaders positioned themselves as experts in running the economy and offered to educate the liberation movement. In a high-profile labour journal (SALB), Anglo-American deputy chairman Leslie Boyd outlined a series of 'imperatives' he said would spur economic recovery.

Foreign investment is extremely important to create the jobs we need, to create the extra wealth, to get the economy going. In order to attract that investment, and indeed to encourage more investment by South African companies, you need an environment that is totally conducive to investment. … [T]he one thing that has to be established is that we are going forward on the basis of a free market economy. We have to have low inflation. We need a climate of low taxation. For the foreign investor, the principle interest is company tax. Company tax in this country is still not low enough – it is not competitive with other countries that are looking for foreign investment. At 35% we have made a lot of progress, but it has to come down to below 30%.

Personal tax also needs to be kept low. In South Africa we have the financial rand [Endnote 1] and we have exchange control. There will be no major investment in this country – I think I can say that with complete confidence – until we remove exchange control, certainly for foreigners. There are enormous opportunities to privatise in this country. Privatisation gives the message to the world that you are serious about a free market economy, so it is an absolute must. The proceeds from privatisation can be the basis for the RDP [the ANC's electoral platform] funding (SALB, 1994:22-24).

To create opportunities to influence the future government, corporations sponsored conferences, seminars and studies. Several initiated 'scenario planning' work-shops, ostensibly open-ended policy exercises that steered participants towards a pre-determined consensus based on the preferences of the sponsors (Bond, 1996a). Some firms offered practical assistance: Mobil Foundation employed Trevor Manuel during the early 1990s, even though he spent all his time on political activities (Hirsch, 2005). And the Consultative Business Movement, an association that included PG Bison, Premier, Southern Life, Upjohn and Shell, provided the institutional home for the National Economic Forum (CBM, 1994), which became a major economic policy institution of the early 1990s.

Corporate leaders also forged links with black entrepreneurs over their shared interest in property rights, deregulation, and low taxes, and cultivated a relation-ship with the ANC-aligned National African Federated Chamber of Commerce (NAFCOC). Black faces began to be seen in corporate boardrooms, and Sanlam, Anglo American and other major conglomerates sold a portion of their operations to black entrepreneurs. In addition to their public relations role, prominent black business leaders like Don Ncube, Nthatho Motlana and Cyril Ramaphosa provided a political conduit to the ANC and helped symbolically reconfigure 'black empowerment' from a class-based process to an individual aspiration.

These efforts to shape the policy debate were assisted by influential international actors, notably the IMF and the World Bank. The IMF started lobbying soon after it

became apparent the ANC would form the first post-apartheid government (Bond, 1991:19). The World Bank became a major advisor, producing discussion papers, sponsoring workshops, seminars, and 'intensive training programmes,' and in other ways making its expertise indispensable (Padayachee, 1997). They worked closely with the Development Bank of South Africa, which in turn became an important advisor to the ANC (Kentridge, 1993:8). Economists from the two international institutions, with counterparts from the Finance Ministry, the South African Reserve Bank and the Stellenbosch University Bureau of Economic Research, devised the neo-liberal economic strategy the government adopted in 1996 (Bond, 1996b).

These concerted efforts on the part of business leaders and their allies (including the outgoing government) to shape the ANC's views on economic policy while limiting the policy latitude of the new government soon paid dividends. In mid-1993, the ANC agreed to a GATT trade liberalisation deal. The trade agreement had not been a priority for the ANC, but other actors, including business and the outgoing government, recognised its power to tie the hands of the future government (Bell, 1997:78). The ANC also agreed to an $850 million loan from the IMF in 1993, with a Letter of Intent that committed the incoming government to reduce the budget deficit, maintain tight monetary policies, refrain from any new currency exchange control mechanism, swiftly terminate restrictions on the export of capital, cut tariffs and eliminate non-tariff barriers (Padayachee, 1994:588-589). These were all policies business leaders like Boyd had advocated. It should be underscored that there was no debt crisis – the only real urgency was to secure the ANC's commitment to neo-liberal restructuring before the election.

The influence of business leaders continued after 1994. The new government agreed to privatise some state corporations and 'commercialize' the rest, even those that delivered basic services. They cut corporate taxes while maintaining a regressive sales tax. Proposals for anti-trust legislation and affirmative action programmes were watered down. Providing free basic services took a back seat to fiscal probity; job creation was placed ever more firmly in the hands of the private sector. The biggest corporations continued to receive subsidies – but failed to create new jobs – while there was little direct support for industrial sectors hard-hit by high interest rates and tariff reductions. Currency and investment regulations were liberalised, and tariffs cut faster than agreed in 1993.

In this new political context, strategies adopted by business leaders began to change. During the negotiation period, they emphasised points of commonality with the moderate factions of the ANC and accepted the claims for some redistribution and redress as legitimate. But after the election, they abandoned their 'partnership' discourse and took a more oppositional stance, as seen in *Growth for All* (South Africa Foundation, 1996), which was a plea for more extensive and intensive neo-liberal 'reforms'. Parallel to their increasingly aggressive public opposition to government policy, key business leaders eventually dominated Mbeki's behind-the-scenes circle of trusted advisors (Gumede, 2002:202-203). Coupling public hostility to government policy with private cooperation meant business leaders could not play a role in efforts to legitimate neo-liberal restructuring programmes to the general public and instead decided to rely exclusively on the ANC to play this role.

Over the short term, the reliance on the ANC was successful. Their influence was most evident in the introduction of *Growth, Employment and Redistribution* (GEAR) in

June 1996 (South Africa, 1996b). GEAR declared that the key to growth was private direct investment, which required a 'supportive environment':

> *government consumption expenditure should be cut back, private and public sector wage increases kept in check, tariff reform accelerated to compensate for the depreciation and domestic savings performance improved. These measures will counteract the inflationary impact of the exchange rate adjustment, permit fiscal deficit targets to be reached, establish a climate for continued investor confidence and facilitate the financing of both private sector investment and accelerated development expenditure.*

With the announcement of GEAR, the ANC government indicated it would decide the parameters of economic policy without the participation of traditional political partners (Johnson, 2002). This approach mirrored the advice of Western leaders and international financial institutions, to employ 'shock treatment' rather than gradual reforms (Przeworski et al. 1995:113, fn 2). ANC-associated trade unionists, NGOs and even senior party members (including most of the Cabinet) were not informed in advance of GEAR. On its announcement, Finance Minister Trevor Manual said: 'there is no alternative.'

The ANC had little patience with criticism of GEAR. President Mbeki commented: 'Anyone who is *rational* can't come to any conclusion other than our (economic) policies' (Marais, 1997:7). Two months after its trade union ally helped the ANC win the 1999 election, Chairperson Terror Lekota chastised COSATU at their own congress for criticising GEAR:

> *The recent trend on the part of some highly-placed comrades, of ascending platforms or by other ways criticising or agitating against policies and actions of the movement, inside and outside Government, smacks of a lack of revolutionary discipline* (1999).

Although Lekota conceded that economic policy debate was healthy, he said such debates must take place 'primarily within the structures and discipline of our organisations' (behind closed doors) for fear of confusing supporters or strengthening opponents. But efforts to initiate such a discussion in 1996 and 1997 had been stage-managed into a non-debate (Bassett, 1999).

Because GEAR closely mirrored the vision for economic reform outlined by Leslie Boyd and the South Africa Foundation, its announcement suggested that the 'formative action' of capital had been successful, permitting capitalism to be renewed under the political leadership of the ANC. But the intolerance of criticism implied the ANC leadership was not confident it could hold sway over broader public opinion, especially its traditional constituency. This suggested that 'domination' (albeit without physical force), rather than 'hegemony,' maintained the economic programme. As the following section suggests, the failure of the ANC and business to successfully defend the programme to the broader public as in the general interests of all South Africans, and providing widely distributed benefits, meant that it was on shakier political ground than one might expect, given the electoral dominance of the ANC.

Corporate Restructuring

It has been widely suggested that the ANC government had no alternative but to liberalise because South Africa was a small country, peripheral to global economic concerns. While the impression was given that the pressures for such liberalisation

were foreign, it was in reality the largest domestic mining, banking and retail operations, which had the most at stake, that pushed hardest and put the most resources into the policy debates. The rationale put forward for liberalisation was to entice new investment *to* South Africa. But their real motivation was not to spark economic renewal, encourage investment, create jobs, broaden the tax base or any of the other laudable outcomes they said would result from their proposals. Their real objective was the freedom to restructure their enterprises to take advantage of the new international trade and investment regime. In other words, they wanted the freedom to move their capital *out*.

In 1994, the economy was dominated by six powerful (see below) interlocked conglomerates, Anglo-American, Rand Mines/SA, Mutual, Gencor/Sanlam, Anglo-Vaal, Standard/Liberty Life and Rembrandt/Gold Fields, which controlled more than 70 per cent of formal sector economic activities. Fine and Rustomjee (1996) called them the 'minerals-energy complex' (MEC), since their core activities were the productive and distributive activities associated with the mining and energy sectors and related manufacturing sub-sectors like smelting and mineral processing, as well as banks and insurance companies. These companies exerted structural power in the economy, with their interests well represented throughout the state.

Liberalisation and deregulation, coupled with opportunities created by global neo-liberalism, made it possible for these corporations to restructure (Makgetla, 2004:275). They began snapping up mining, natural resource and other companies around the globe and further expanding their banking and commercial operations (Kunnie, 2000:94). Soon, South Africans were the biggest foreign investors in Southern Africa (Daniel et al. 2004:379). Little of this was 'greenfield' investment in new businesses – most involved mergers, acquisitions and strategic partnerships. Local competitors were squeezed out, especially in retail and tourism.

A second trend in this process of internationalising South African capital was the 'de-nationalisation' of several prominent South African firms in the late 1990s, including Anglo American, South African Breweries, Liberty Life and Old Mutual, which moved their head offices and primary stock market listings to London (Bond, 2000:26). By 2006, according to *Fortune* magazine, BHP Billiton was the 195th largest company in the world and the largest mining firm – as well as the largest *Australian* company. Anglo American was the 196th largest company and the fifteenth largest *British* firm, followed closely by Old Mutual (all rankings from the 2006 *Fortune* International 500). SABMiller, the product of South African Breweries' purchase of the giant US brewer Miller and numerous beer firms, was also a British rather than South African firm. Each of these had been a major protagonist in the early-1990s economic policy debates.

In addition to internationalising their operations, the conglomerates began to unbundle their complex, multi-industry enterprises (characterised by horizontal integration) to create more focused corporations that were 'rebundled' through intra-sectoral consolidation (vertical integration) (Chubane et al. 2006:554-555). Anglo American sold most of its cross-holdings in other firms, as well as its financial and industrial businesses, while acquiring new natural resource assets. Barlow Rand unloaded its mining concerns to concentrate on developing, manufacturing, supporting and licensing industrial products. Investment holding company Rembrandt split into two. By 2000 the Johannesburg Stock Exchange (JSE) was no longer dominated by six firms – now, institutional fund managers were the main share-holders.

By the early 2000s, many of the former MEC firms were more profitable than ever, with the share of profits in national income rising from 29 per cent in 1999 to 34 per cent in 2003. However, they had not spearheaded a new cycle of investment, which, at 15 per cent of 2001 GDP, fell well short of the 20-25 per cent estimated to be necessary to spark economic growth (Makgetla, 2004:265-266). Between 1994 and 1999, the outflow of capital exceeded the inflow by $1.6 billion (*Economist*, 2001:11). Capital's organic intellectuals had convinced the ANC to adopt new policies, but it was largely irrelevant to these firms whether liberalisation induced the promised growth or not. Claims that liberalisation would induce new investment into the country and spark growth had been, at best, designed to sell the approach.

Though many firms reduced their exposure in the South African economy, their reliance on the state did not end. South Africa's post-2001 sponsorship of the New Partnership for Africa's Development (NEPAD) answered the need for an inter-state framework to facilitate and protect investments in the region (Lesufi, 2004:821). South African firms soon responded: banks and financial institutions took the lead in modernising banking systems throughout the continent, with investments in more than two dozen countries. State-owned corporations won contracts to create infrastructure, including ESKOM's ambitious continent-wide electrical grid. The state provided financing though its Industrial Development Corporation to firms investing in southern Africa and even shared the risk by taking equity stakes in large projects (Daniel et al. 2004:378-381). NEPAD extended the dominance of South African firms in the region by offering a new level of protection for substantial investments.

Judged by the restructuring that became possible over the past two decades, capital's 'formative action' appeared to be a rousing success. Under the protection of the new ANC government and post-apartheid state, firms were able to restructure their operations largely on their terms, re-establishing profitability while reducing exposure to the volatile South African economy. Thanks to their new investment horizons, many companies had less need to be concerned with the 'developmental' success of economic restructuring as measured in per capita incomes, literacy, infant mortality and morbidity in South Africa. But the weaknesses of the domestic economy mattered to the population in general, and the government's economic programme faced growing discontent from its own voting constituency by the late-1990s.

Legitimising the New Economic Framework

The adoption of the business sector's favoured economic programme created a political conundrum – if the framework was to reach hegemonic status, it would have to be relevant to a substantial portion of the population. If it was not, the highly politicised society, which had already demonstrated its capacity to paralyse the government and the economy, might insist on a fundamentally new approach. The government's – and business sector's – best hope was to demonstrate the advantages of the economic framework by fostering a black, especially African, middle class. White business leaders had a particularly strong stake in the stabilising influence of a black business and professional class.

This grouping would play both a political role (counterbalancing radicals in the ANC coalition) and a symbolic role (showing that capitalism was benefiting blacks). As Iheduru explained,

> *This black capitalist class would become not only custodians of black capital but also allies of the government against white power and mass black poverty, both of which threaten political stability* (2004:25).

Moreover, it was hoped that the new black middle class would invest domestically, in the types of enterprises that would create jobs and stimulate growth. The ANC had long emphasised the importance of a 'patriotic bourgeoisie' playing precisely this role (Southall, 2004). In neo-Gramscian terms, a rising black business class could be key to moving governance towards 'hegemony', promising enough to most people to gain their active consent. The new hegemonic bloc would be comprised of transnational 'big business', 'black business' fractions including owners of smaller independent firms and major shareholders in large conglomerates, plus state elites and professionals. Since many core ANC supporters, like working people and the urban and rural poor, would be excluded from the hegemonic bloc, they would have to be convinced that capitalism was reforming to better serve their interests, and a rising black middle class could be the key.

Yet the black middle class was small before 1994, especially in the private sector. Government-sponsored Black Economic Empowerment (BEE) programmes became critical to expand this new constituency. BEE programmes were designed to help black entrepreneurs access investment capital, and to improve the employment mobility of black professionals (Southall, 2007). BEE programmes that emphasised the purchase of equity stakes were the most helpful to business leaders, because they cemented common entrepreneurial interests and strengthened communication with the new government, with minimal disruption to ongoing business operations.

Recent research has shown the black middle class has grown (Iheduru, 2004; Southall, 2004), but it has remained fairly small and insecure. The black ownership share is less than fifteen per cent of the economy (blacks account for ninety per cent of the population and black Africans about 85 per cent). The small size and tenuous nature of the emerging black middle class limited its role. Moreover, although Iheduru suggests the new black elite has taken substantial steps to incorporate other societal groups like trade unions and poor communities into a broader capitalist programme, he also notes black business people have not created jobs (2004:18-20). Makgetla concluded that by emphasising equity participation in corporations, 'black economic empowerment has increasingly come to mean making the existing, concentrated structures of ownership more representative, rather than broadening the structure of capital overall' (2004:279). With little job growth or wealth redistribution, it has remained difficult to legitimise capitalist rule.

Indeed, the process of establishing a black middle class coincided with a widening income, wage and wealth gap among blacks, which itself threatened to be nearly as politically destabilizing as the previous class/race divide. Southall argued that

> *the most worrying aspect for black capitalism was the perception that black empowerment had worked mainly for the enrichment of a tiny black elite … when the ordinary mass of blacks continued to live in dire poverty, pride in the achievements of the few easily translated into outrage, especially given various highly publicised instances of greed …* (2004:320).

The issue was not only that the number benefiting from BEE has been small, but also that the process was not linked with rising prosperity for the majority. Because BEE failed to serve as a catalyst to broader economic development, the rising black middle class could not play its anticipated hegemonic role.

Thus, although the government's economic framework 'delivered the goods' to business, few in the ANC's political constituency benefited – a surprising number were worse off a decade after the end of apartheid. The impact was felt most acutely among the poor. Unemployment remained stubbornly high: 26 per cent in 2004 according to the narrow definition (actively searching for work) and 41 per cent by the broad definition (wanting work) (Kingdon & Knight, 2005). These numbers were slightly higher than in 1996, the year GEAR was introduced. Many who had jobs were impoverished: in 2004, more than forty per cent of the employed and half of the black population who were employed had incomes below R1,000 (just over $140), and nearly twenty per cent had incomes below R500 (about $70) (Valodia et al. 2006:91-92, 95). On average, employed blacks were responsible for five to six economic dependents.

Progress in service delivery was equally bleak. By 1999, the percentage with access to safe water near their homes increased from 70 to 80 per cent, but thousands of water connections were cut off every month because people could not pay their bills. By March 1999, housing subsidies helped build 630,000 homes, but these numbers included both built homes and the transfer of title deeds for tiny serviced plots of land (with a pit latrine and a yard tap) on which people were expected to build their own shacks. The housing minister declared many of the built houses to be substandard because they were poorly constructed or too small. Meanwhile, the housing backlog continued to grow (Marais, 2001:190-191). The impoverished were expected to pay full market costs for housing and basic services they could ill afford. Those who fell behind on rent or service payments faced armed evictions (Desai, 2002). New neighbourhood movements protested the evictions and electricity and water cut-offs, with some prominent leaders facing harsh state repression, arrest, and bail conditions that replicated the 'banning' of individuals from political activity during the apartheid era (Desai & Pithouse, 2004). The government joined business leaders in demonizing such communities as steeped in a culture of entitlement. This attitude did little to popularise neo-liberal measures.

South African capital should have anticipated that their remarkable success in shaping the post-apartheid economic programme might be short-lived, because the programme offered little to the ANC's main constituency. When private business – whether foreign or domestic, large or small – failed to invest, restructuring became associated with poverty and job loss. This was not just a problem for the ANC, but also for capital, since most major firms would be vulnerable if the economic programme changed direction drastically. Firms like Anglo American retained substantial investments in South Africa, and even BHP-Billiton, which moved most of its assets outside the country, remained heavily dependent on the state's sponsorship in the region. Yet capital's organic intellectuals seemed unable to recognise the paradox, and to moderate their demands to allow the government to broaden the benefits of economic reform. Thus, neo-liberal restructuring continued to be perceived as benefiting a minority, including a small number of wealthy blacks, but offering little or nothing to the majority. Little wonder, then, that the government was unwilling to tolerate much criticism of the programme, for fear it would open a floodgate that would destabilise the government.

'Post'-GEAR Politics

The government has continued to explore ways to legitimise neo-liberal restructur-ing. During the 1990s, the government explained GEAR as a necessary short-term

measure that would soon pay off, linking it with the participatory and basic-needs oriented *Reconstruction and Development Programme* (RDP). Trade unionists, township activists, community-, NGO- and church- leaders and sympathetic intellectuals had participated in formulating the RDP, which envisioned directly meeting basic needs for services such as housing, transportation, electricity, clean water, sanitation, education and health care while promoting growth and employment creation (ANC, 1994:4-7). The ANC called GEAR 'the initiative to give effect to the realisation of the RDP by the maintenance of macro balances' (ANC, 1997), although many ANC allies called for GEAR to be rejected and for a return to the RDP, indicating that the government's efforts to link the two programmes were unsuccessful.

Since 2000, the government has been exploring ways to *embed* the neo-liberal economic restructuring programme in a hegemonic politics through reforms that would preserve the essence of the programme but broaden the number of beneficiaries. The government made two major changes: in BEE and the fiscal programme. BEE charters were introduced in the mining, financial services, hospitality and other economic sectors. The mining charter, initiated in 2002, required all firms to be 15 per cent black-owned by 2007, rising to 26 per cent by 2012; as well as to make concerted efforts to increase black management to 40 per cent and to improve employment conditions for blacks (Southall, 2004:323-324). Although mining executives and business press commentators objected vociferously to the scale of the proposals, prominent firms like Harmony Gold, Gold Fields and Randgold quickly transferred assets. Six major energy sector firms signed a charter with government and empowerment groups agreeing to transfer 25 per cent ownership to blacks by 2014. Most already had strategic partnerships or joint venture 'empowerment businesses' with black business people (Iheduru, 2004:11). Other sectors soon followed suit, including financial services, the hospitality sector and advertising (Southall, 2007). The growth of a patriotic black bourgeoisie has continued to be seen by the government as central to legitimating its economic restructuring programme.

At the time, the government also began to boost public spending, focusing on economic infrastructure and direct transfers to the poor (PBC, 2006). Government programmes improved services to poor communities after 1994, but they were offered at a low level and high price, and service provision was not linked to employment creation or income generating opportunities (Makgetla, 2004:271-272). Government spending on pro-poor programmes became more generous after 2001, which was critical to broaden support for economic liberalisation. The People's Budget Campaign (PBC) noted a moderately expansionary budget in 2002 with increased deficit spending, reduced tax cuts, some free basic services including a commitment to free anti-retrovirals, and improved income support for the poor through the Child Support Grant (PBC, 2002). The PBC identified additional improvements in the government's 2006 budget, such as real expenditure increases in infrastructure, social development grants and basic services (PBC, 2006).

The emphasis on pro-poor spending was reinforced by the announcement of a new economic policy framework, *Accelerated and Shared Growth South Africa* (ASGISA), which sought to halve poverty and unemployment by 2014 through growth and higher public expenditure (South Africa, 2006). Unlike GEAR, ASGISA incorporated some of the demands of various 'popular' elements including the trade unions. Nonetheless, it was met with a good deal of ambivalence, due to the circumstances

surrounding the programme's development as well as its content. The government claimed to have consulted extensively, but COSATU General Secretary Zwelinzima Vavi countered that discussions with organised labour had been superficial and apparently aimed at securing support for the government's proposal (Brown et al. 2006). Critics insisted ASGISA incorporated the basic assumptions and aims of GEAR and promised merely to 'consolidate recent gains' with higher levels of infrastructure spending. In its draft response to Deputy President Phumzile Mlambo-Ngcuka, COSATU complained that the new strategy merely paid 'lip-service to the issues of redistribution and inequality' (Robinson, 2006:4). From the government's perspective, that was precisely the point: to reform policy enough to gain public support for liberalisation. Although the ANC was forced to incorporate some of the demands of labour and popular actors, the changes were intended to increase support for the existing neo-liberal framework rather than fundamentally reconsidering the basic economic policy direction.

Indeed, the government's post-2000 reforms may have been too little and too late, as evidenced by the political crisis that rocked the ANC after 2005, and which had its roots in widespread dissatisfaction over the economic programme. The drama began with the arrest of Jacob Zuma, Deputy President of the ANC and the government, on charges of corruption following his financial advisor's conviction for bribery. Zuma had been strongly favoured as Mbeki's successor by ANC 'left' elements because he appeared to support a pro-poor economic programme. These actors had not challenged Mbeki directly, but intended to ensure the next ANC leader would be more sympathetic to their interests. So their plans were dashed when Zuma was charged with corruption (and later charged with rape as well), and they had no obvious replacement for the 2007 leadership race. Zuma's acquittal on rape charges and the dismissal of the bribery case opened the way for him to resume his leadership quest, and his selection as the new ANC leader, despite looming new corruption charges that indeed were laid against him just weeks later, was a direct result of the inability of the government to legitimate the economic restructuring programme.

Zuma's selection, and the installation of his loyalists in key party positions, has sparked a histrionic reaction among some opinion-leaders in the business community. In an editorial titled 'The Enemy Within', *Financial Mail* editor Barney Mtombothi (2008) highlighted the growing influence of members of the SACP:

> *the real victors are the communists. They've succeeded beyond their wildest dreams in embedding themselves in the innards of the ANC. Gwede Mantashe, the SACP chairman, now runs the day-to-day affairs of the ANC as secretary-general. Blade Nzimande, SACP secretary-general, sits on the ANC's highest decision-making body and may be destined for even bigger things if Jacob Zuma becomes the country's president. And last week Mantashe was in parliament to install Ncumisa Nkondlo, a fellow communist, as chairman of the ANC caucus. The SACP is in the ascendancy. … Those who think it's going to be business as usual are deluding themselves.*

Though Zuma has been making the rounds to convince business leaders that any future economic programme will not be much different than that of his predecessor, the business community remains fearful that the next ANC government is to embark on a radically redistributive economic programme. Should this prove to be the case, the business sector would certainly share some of the responsibility for creating the conditions for such a shift in South Africa's economic policies.

Among the ANC's traditional constituency, the Zuma affair had come to represent more than the man: his prosecution opened a political space to publicly ask critical questions of Mbeki, who was accused of engaging in dirty, secretive politics to keep his political and ideological opponents at bay. Indeed, Zuma's trials became a conduit for criticisms of the nature of democracy under Mbeki, specifically the exclusion of those on the political left from any real policy influence. In May 2006, COSATU General Secretary Zwelinzima Vavi openly told reporters he feared South Africa was drifting towards a dictatorship, run by cabinet ministers and business people (Mde, 26 May 2006). This comment neatly summarised the weakness of business' formative action – capital did not seem to have recognised the importance of embedding their favoured economic reforms within a hegemonic programme.

Conclusion

This article has revisited Saul and Gelb's 1981 analysis of capital's formative action, using their neo-Gramscian framework to consider the period since the 1990s. I have argued that capital, as represented in the white-owned mining and financial conglomerates, was able to pursue a path in the 1990s that had been too risky in the 1980s – to advocate for non-racial democracy as a way to renew economic growth and restore profitability. I have shown that although structural conditions in the global economy were more favourable to capital in the 1990s, individual business leaders, sympathetic policy analysts and state officials played an active role, domestically, in advocating neo-liberal economic restructuring policies, while locking some aspects of the framework into place through international agreements and constitutional provisions. As a result, they were able to restructure their operations largely on their own terms, which meant internationalising, de-nationalising and unbundling their firms to compete better in the global market-place. However, as the 1990s and the 2000s proceeded, it became clear that capital had almost been too successful, winning so many concessions and giving up so little in terms of supporting reforms that would benefit the majority – who, after all, were the ANC's primary constituency – that the economic restructuring programme was inherently unstable. The legacy of anti-apartheid struggle made it difficult to de-mobilise society and instead sparked a political crisis in the ANC, opening the way for the selection of a populist leader who drew on left-wing and grassroots support. Whether Zuma (or his successor, if he is unable to run due to criminal proceedings) ultimately changes policy direction as much as his supporters would like to see, or is able to legitimate the existing framework more effectively, there is little doubt that corporate executives have reason to be nervous. One must conclude that to an extent, they were the authors of their own misfortune.

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Endnote

1. The financial rand was a parallel currency mechanism for foreign investors designed to prevent disinvestment from affecting South Africa's foreign exchange reserves. If an investor wanted to sell a South African asset, another foreign buyer had to be found. If the asset was sold to a South African, another investor wanting to invest in South Africa had to be found before the seller could exchange the proceeds into another currency. The financial rand rate was far less favourable than the commercial rate, which was used for ordinary transactions.

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Ethiopia: Reforming Land Tenure

Wibke Crewett & Benedikt Korf

Land policy in Ethiopia has been controversial since the fall of the military socialist derg regime in 1991. While the current Ethiopian government has implemented a land policy that is based on state ownership of land (where only usufruct rights are given to land holders), many agricultural economists and international donor agencies have propagated some form of privatised land ownership. This article traces the antagonistic arguments of the two schools of thought in the land reform debate and how their antagonistic principles – fairness vs. efficiency – are played out. It then goes on to explore how these different arguments have trickled down in the formulation of the federal and regional land policies with a particular view on the new Oromia regional land policy as it is considered the most progressive (with regards to tenure security). We provide some empirical material on ongoing practices of implementing the Rural Land Use and Administration Proclamation of Oromia Region. Our analysis suggests that while the laws are conceptual hybrids that accommodate both fairness and efficiency considerations, regional bureaucrats have selectively implemented those elements of the proclamation that are considered to strengthen the regime's political support in the countryside.

An Ideological Battlefield: Land Policy in Ethiopia

Ethiopia is one of several post-socialist countries undergoing an ambivalent transformation process towards some kind of capitalist economy. This applies in particular to land tenure regimes. After the fall of the *derg* (military socialist) regime of Mengistu in 1991, privatisation of farm collectives took place rapidly. Many international observers expected that in this process of 'post-socialist transition', a move towards privatisation and registration of land titles would follow, which was regarded as a means to increase productivity of Ethiopia's small-holder agriculture. However, these expectations were soon disappointed. The Transitional Government of Ethiopia, despite being committed to the liberalisation of the economy, decided not to question state ownership (Adal, 2001a; Belay and Manig, 2004; Jemma, 2001). In its declaration on economic policy in November 1991 (TGE, 1991), it announced the continuation of the land policy of the *derg* regime. A referendum that was promised to decide the future of the land tenure system never took place (Jemma, 2001). Instead, the new constitution of 1995 approved and confirmed the state ownership of land in Ethiopia (FDRE, 1995).

Land policy has remained controversial in Ethiopia since the fall of the *derg* regime in 1991. Observers note that the debate is influenced by ideological considerations rather than being based on substantive empirical data (Adal, 2001a; Jemma, 2001;

Hoben, 2000; Rahmato, 2004). Broadly speaking, we can distinguish two antagonistic political discourses on the land question: (1) the discourse of fairness and state protection that is arguing for state ownership, and (2) the discourse of privatisation and efficiency. The former is the position of the government that remains critical of privatising land holdings. The government expects privatisation to foster the concentration of land ownership in few hands by crowding out poor, destitute farm families from their land. Critics of the government's position, such as the Ethiopian Economic Association (EEA), argue that state ownership of land prevents the development of a land market and thereby holds down productivity (EEA/EPRI, 2002). In addition, international policy discourses on decentralisation and community empowerment have infiltrated the political debate and subsequently land policy documents.

This article explores the two opposing arguments and how the principles of fairness versus efficiency are played out against each other. We then demonstrate how these arguments have influenced the formulation of policy and legal texts, in particular the federal and regional land policies with a particular view on the new Oromia regional land policy, namely the 'Oromia Rural Land Use and Administration Proclamation No. 56/2002' (RGO, 2002). We complement this with an analysis of ongoing policy implementation practices in Oromia Region. It is arguable that the regulative provisions are conceptually hybrid, accommodating both fairness and efficiency considerations, while implementation focuses on selected elements of these policy texts that promise to be popular with the rural peasantry.

The Debate: The Future of Land Tenure after the *Derg*

The dismissal of the *derg* regime on 28 May 1991 created a period of uncertainty about the future of land rights in Ethiopia (Adal, 2001a; Jemma, 2001). In this political void, both the option of privatisation of land ownership and the continuation of some form of state ownership were discussed (EEA/EEPRI, 2002; Rahmato, 2004). However, already in its November 1991 declaration on economic policy, the Transitional Government of Ethiopia (TGE) announced the continuation of the land policy of the *derg* regime (TGE, 1991). In 1995, state ownership of land was instituted in Ethiopia's new constitution (FDRE, 1995), but despite the passing of the constitution, the debate over land ownership continued until the 2000 elections (Jemma, 2001; Adal, 2001a). However, the debate was partly suppressed thereafter with the Prime Minister publicly declaring land policy a 'dead issue' in meetings with donor agencies. After the 2005 elections (Hagmann, 2006), some of the proponents of privatisation have been jailed as members of opposition parties. The Ethiopian land policy debate focuses on the needs and economic pressures of the peasant economy of highland sedentary farming and is less concerned with the problems of pastoralist land tenure (e.g. Abdulahi, 2007) or the development of land markets in other parts of the country.

The Government's Position

The government's position builds on a social equity paradigm (Rahmato, 2004:10-12) and tenure security considerations, which can broadly be subsumed under the fairness as egalitarianism principle. In this, state ownership is regarded as the most appropriate means to protect the rural peasantry from the negative side effects of market forces. In particular, the government claims that state ownership prevents (Adal, 2001a, 2002; Jemma, 2001; Rahmato, 2004) the accumulation and concentra-

tion of land in the hands of a small number of urban and bourgeois land owners, who acquire large tracts of land through distress sales by poor peasants, which would lead to:

- Subsequent peasant eviction and poverty,

- The resurgence of exploitative tenancy institutions, and

- Undesirable rural-urban migration of the then landless peasantry.

The government maintains that its policy is tailored to equally distribute land to all who claim rights to ensure access for the needy, to provide them with the means to make a living as farmers in rural areas, and to protect them from selling or mortgaging their land, thereby safeguarding them from the grabbing hand of an urban bourgeoisie and rural elites. The government also explains that this land policy is aimed at preventing political unrest (MOIPAD, 2001).

The government's position is supported by arguments pertaining to principles of fairness as historical justice. Some argue that privatisation of land would lead to a 'total reversal of the 1975 agrarian reform measures' (Mersha, 1998, cited in Adal, 2001a:57) and would negate the positive effects of the *derg* reforms for the rural peasantry by giving way to the eviction of the poor and the re-emergence of feudal landlords (Bekele, 1997, cited in Jemma, 2001:48). This anti-imperial narrative can be detected in the following quotation that places imperial landlords and capitalist farmers on equal par:

> […] *the proposed agenda of privatisation of land will indeed open the floodgate for a massive eviction of peasants and the displacement of pastoralists.* […] *Moreover, the pre-reform period land lords, who battened on the meager 'surplus' produced by the peasants, mostly tenants, will now be replaced by 'capitalist' farmers who will alienate small peasants from their land'*(Mersha, 1998, cited in Jemma, 2001:49).

The argument exposes a historical narrative that links the imperial regime with oppression and exploitation of the rural peasantry (thereby indirectly saluting the land reforms of the *derg*). But in order to be effective and consistent, the argument also needs to make the implicit assumption that the rural peasants would immediately sell off their land and, in order to avoid this folly, would therefore need to be protected by the state (Rahmato, 1994; EEA/EEPRI, 2002). This illustrates a patrimonial attitude of the state towards its rural populace.

Overall, it could be argued, though, that the land tenure policy of the current regime should not come as a surprise. When the Tigray People's Liberation Front (TPLF), the backbone of the current ruling regime (Abbing, 1997), fought its armed struggle against the *derg* regime, the TPLF, following its Marxist-Leninist leanings (Gudina, 2003), implemented its own versions of land reform in the areas it controlled and conducted land redistribution schemes. There were hardly any *ideological* differences between the *derg* and TPLF regarding land policy (Beyene, 2004:60), since both gave only usufruct rights to land holders and created rural organisations – the *bailto* were established by the TPLF and peasant associations (PAs) by the *derg*. The number of redistribution schemes in Tigray and the specific length of redistribution have varied across Tigray depending on who controlled which territory – and redistributions normally were carried out when one party won over a specific locality from the other (Young, 1997). Hence, state control of land tenure and the policy of redistribution as a power instrument (as well as an expression of a

radically egalitarian ideology) have been deeply entrenched in the historical experience of the TPLF leadership that is currently ruling Ethiopia (Young, 1998).

The Critics of State Ownership

Those critical of the government's proposals on state ownership of land are most forcefully represented by some economists of the Ethiopian Economic Association (EEA/EEPRI 2002), donor agencies (e.g. IMF, 1998) and a number of Ethiopian and international researchers (Deininger et al. 2004; Rahmato, 1994, 2004). Most of those propagating privatisation of land ownership emphasise efficiency considerations (Deininger et al. 2004; EEA/EEPRI, 2002). Broadly speaking, it is argued that state ownership of land yields negative effects on land productivity and therefore produces lower efficiency levels than would be achievable with the working of a private land market. In particular, those in favor of private property rights assert that state ownership provides barriers to full-scale efficiency, because:

- It prevents the emergence of a dynamic rural land market that allows entrepreneurial agents to access credit and land,

- It discourages farmers on marginal land to out-migrate and ties the farmer to inefficient uses of his land, which subsequently leads to fragmentation of plot size, overpopulation in the rural areas and resource degradation, and

- It perpetuates the legacies of the *derg* regime's redistribution programmes that are creating tenure insecurity and discouraging land owners from investing in sustainable resource use.

These arguments build on neo-classical economic theories of property rights (Barzel, 1997; Demsetz, 1967; Posner, 1973) and suggest that privatisation raises the incentives for long-term investment on land both increasing productivity and sustainability of land use, and encouraging accumulation of land in the hands of entrepreneurial and economically successful farmers, thereby increasing productivity. In turn, this allows the out-migration of labour (economically less successful farmers) to other economic sectors in urban centres.

Rahmato (1994, 1999, 2004) has been a particularly forceful critic who does not employ the state ownership vs. privatisation dichotomy, but suggests a third way of community or 'associative' ownership of land (Rahmato, 1994:13-15). He argues that state ownership would have significant detrimental social and environmental effects, thereby creating the 'conditions for a Malthusian disaster' (Rahmato, 2004:13). He sees insufficient incentives to invest in sustainable land use practices and to adopt modern technologies due to tenure insecurity and small plot sizes coinciding with an increasing rural population and inter-generational struggles over access to land. However, these arguments are seldom based on comprehensive empirical evidence.[1]

In addition, some critics of state ownership have also brought forward fairness as historical justice considerations. Ethiopian land rights have traditionally been tightly linked with the exercise of power over the rural peasantry – in the imperial period where large parts of the peasantry were denied land ownership and lived in precarious tenancy relations as much as during the *derg* regime, where collectivization and the increasingly tight grip of the state on the local peasant associations meant increasing state control of farmers. Adal (2001a:58), therefore, argues that

privatisation of land holdings means the fulfillment of peasants' self-determination as part of the 'unrestricted economic rights' any farmer should enjoy. Several authors ascertain that since the *derg* reforms in 1975, peasants have become the 'tenants of the state' (Rahmato, 1992; Abebe, 1998) and therefore have been deprived of their (human) right to freely decide what to do with their farm land.[2]

Policy Texts: Federal & Regional Land Proclamations

This section outlines how the two discourses on fairness and efficiency have been translated into new legal texts and codes that were designed after the *derg* regime. We focus on provisions made in the 1995 Constitution and in the Federal Land Administration Proclamation of 1997 and then consider the legal implications from the regional land proclamation designed by the Oromia Regional Government in 2002. The 1995 Constitution approved state ownership of land as the statutory framework, while the 1997 Federal Land Policy provided space for some differentiation of constitutional and federal rules by giving each regional state the right to formulate a regional land policy. In the process of formulating these laws and regulations, however, the principles applied were not as clear-cut as the antagonistic policy debate seemed to imply. As a result, these legal texts have become conceptual hybrids: efficiency, fairness as egalitarianism, and fairness as historical justice principles are all reflected in various provisions of the federal and regional documents.

Federal Legislation & Policy

Article 40 of the 1995 Ethiopian constitution states that:

> the right to ownership of rural land and urban land, as well as of all natural resources is exclusively vested in the state and the peoples of Ethiopia. Land is a common property of the nations, nationalities and peoples of Ethiopia (FDRE, 1995, article 40).

The article further specifies a 'right to obtain land without payment' for 'Ethiopian peasants' for grazing and cultivation purposes as well as a right to be '[protected] against eviction from the possessions' (Ibid. sections 4 and 5). The article further stipulates that any transfer of land is prohibited and 'shall not be subject to sale or other means of exchange' (Ibid., section 3). These provisions in the constitution seem to have been subject to controversy in the Constituent Assembly, but due to the overriding majority of the ruling party and its allies, the Assembly finally passed it (Jemma, 2001:44).

Many scholars have questioned how far the 1995 constitution provided any change of land rights compared to the land reform proclamation of 1975 (Belay and Manig, 2004; Ege, 1997; Nega et al. 2003; Rahmato, 2004). There are, nevertheless, some notable differences between the formal legal rules of 1975 and 1995; namely the 1975 proclamation prohibited the lease of land and the hiring of labour and capped the maximum land holding per individual to 10 ha, which are absent in the 1995 document (Adal, 2001a:56). Furthermore, Article 40, section 7 of the 1995 Constitution specifies the rights to compensation payments for investment on land in case the 'right to use expires', which were new provisions:

> Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labor or capital. This shall include

> *the right to alienate, to bequeath, and where the right of use expires, to remove his property, transfer his title, or claim compensation for it* (FDRE, 1995, Article 40, 7).

According to this article, the constitution only provides broad guidelines that require further specifications (for example: who compensates, how much, and for which kind of assets). Article 51 called upon the Federal Government to enact more specific legislation on land use and resource conservation and Article 52, 2d asked for a transfer of authority to the regional governments provided their administrations act *in accordance with federal law*.

The subsequent 'Federal Rural Land Administration Proclamation' (Proclamation 89/1997) was enacted in July 1997 (FDRE, 1997). While the proclamation transfers the authority for land administration, including rights to distribute land, to the regional governments and vests them with the power over the 'assignment of holding rights and the execution of distribution of holdings' (Article 2, 6) it clearly limits the space for regional administrations to exercise those powers. The preamble of the proclamation confirms the constitutional claim that land ownership rights are vested in the state and it rules out the possibility of mortgaging and selling land. It also continues to hold the redistribution of land holdings by the regional governments to be legal. Article 6 authorises regional governments to implement periodic adjustments of individual farmers' land holdings and to demarcate land for communal use (grazing, residence, local forests, social services).

In marked difference to the *derg* rules, Proclamation 89 confirms some important provisions of the 1995 constitution, namely the right to receive compensation for labour and capital investments on land that is redistributed (Article 6, 7-12) and it clarifies the user rights of land holders, including inheritance and leasing (Article 2,3). The compensation right is an important change compared to the *derg* rule. At the same time, there are serious omissions that leave tenure security unclear, in particular the proclamation does not state the duration of usufruct rights for land holders. Broadly speaking, while the 1995 constitution and the Proclamation 89 largely confirm state ownership of land as a continuation of *derg* policies, they also provide some specifications that seek to take account of the necessity for a rural land and labour market to emerge. These rules therefore combine some form of efficiency considerations (allowing labour markets and leasing) with the fairness as historical justice principle (the right to obtain land without payment), the latter requiring that the state keeps overall control of distributing access to land (since the market does not necessarily ensure access *for all who need it*).[3]

Regional Land Policy Formulations

Several regional governments have made use of the powers vested in them in the 1995 constitution and Proclamation 89 to formulate their land policies, among them Tigray Region (1997, amended 2002), Amhara Region (2000), Oromia Region (2002) and Southern Nations, Nationalities and Peoples Region (2003). Since, according to the constitution, regional land policies need to be in accordance with federal law, all regional policies validate state ownership of land and farmers only receive usufruct rights to plots of land without transfer rights, such as sale or mortgage. All regional proclamations confirm the right to lease out land, although most regions restrict the period of lease. At the same time, there are also marked differences across the regional policies with regard to tenure security (Rahmato, 2004), lease and inheritance rights as well as the right of the regional government to redistribute land. These differences in regional legislation imply that tenure security will markedly

differ in the various regions of Ethiopia, in particular on the question of redistribution of land plots, on the definition of user rights and on certification.

Oromia Regional Land Policy

In this section, we discuss the land policy of Oromia region as its legislation has been considered to be the most 'progressive' (for neo-classical economists) in terms of incorporating efficiency considerations. The legislative text is a masterpiece of dialectical reasoning as it translates the federal imperative of state ownership with measures to improve 'subjective' tenure security of land cultivators, i.e. the perception of peasants that their use rights are secure. In this sense, the 'Oromia Rural Land Use and Administration Proclamation 56/2002' (RGO 2002) grants higher levels of tenure security than the other three regional policies (Rahmato, 2004), because it rules out redistribution of land plots (RGO, 2002, Article 14,1). In addition, the proclamation grants 'lifelong usufruct rights' (Article 6,1) to agricultural land 'free of payment' to all male and to female residents whose livelihoods depends on agriculture (Article 5,1) and determines payment of compensation in case land is used for major communal purposes. It grants lifelong use rights independent of marital status or locality of residence.

However, there are three important restrictions formulated in the proclamation that allow the state to expropriate land use rights from plot holders and therefore attenuate the lifelong usufruct rights: (1) Article 6,4 grants the right of expropriation if land is required for 'more important public uses', but the rights holder needs to be compensated and can remove investments thereon; (2) Article 14,4 specifies that 'irrigation land' is excluded from the prohibitions of land redistribution, which is allowed subject to the 'participation and consensus of the user community'; and (3) Land can be expropriated if needed for irrigation infrastructure. The 'Oromiyaa Rural Land Administration and Use Regulation No. 39/2003' (RGO, 2003, hereafter referred to as the regulation) further specifies that if land users fail to use their land in every production season (except in the case of restoring fertility), the land use rights can be terminated (Regulation, Article 3,5). According to the regulation, Article 22, 1, after a period of three years without cultivation, the land will be expropriated, in the case of irrigated land; this can be applied already after two years. The proclamation also imposes a number of obligations on land management practices (cultivation of erosion-prone areas, planting of specific tree species, and preservation of water conservation structures) as a condition for the usufruct rights.

The proclamation envisages legal provisions for a land titling or certification programme, which would grant lifelong certificates of holding rights (Article 15, 1). This titling is primarily aimed at increasing 'subjective' tenure security – it does not provide the plot holder with rights to mortgage or sell the land. Certification, however, becomes an issue when inheritance is concerned. Since land holders are restricted in whom they can bequeath their usufruct rights and in the minimum plot size, heirs of small plots may not receive individual certificates, but may need to cultivate the land in a way to maintain the integrity of the plot. There are also provisions for land leasing, which is a significant change compared to the *derg*'s land policy, but the leasing period is restricted: rights holders are only allowed to rent out up to half of their land and the leasing period may not exceed three years under non-mechanised production methods.

**Table 1: Influence of Different Arguments on the
Formulation of Oromia Regional Land Policy**

Efficiency (productivity per unit)	Fairness Egalitarianism	Historical justice*	Donor Influence
Titling & certification of holdings	Equal inheritance to all heirs.	Prohibition of sale to protect farmers from buyouts through capitalists.	Participation of user communities in land management & land use decisions, incl.consolidation of plots.
Prohibition of fragmentation below minimum size	Equal distribution of land in newly planned irrigation schemes.	Limitations of lease market, fixed minimum rent.	Consideration of customary land rights to govern the use of common pool resources.
Intensification of input use by constraints on lease period.	Restrictions on use of hired labour.	Restrictions on use of hired labour.	Women have equal access rights to land.
Obligations on management of gullies, irrigated areas, farm boundaries	Equal access rights to all citizens.	Access to land only for residents of *kebele*.	Definition of clear enforcement mechanisms of rights, stages of appeal in conflict resolution.
		Farmers willing to cultivate, enjoy access rights to land.	Customary authorities are integrated into conflict resolution mechanisms.

Source: Own representation; * Historical justice refers to avoiding the emergence of a landless rural peasantry that is dependent on wage labour and fragile tenancy arrangements.

The Oromia regional land policy integrates efficiency and fairness principles, although the latter are clearly more dominant (Table 1). Efficiency (understood as productivity per land unit) is expected to rise through measures that seek to increase 'subjective' tenure security (certification, lifelong tenure security, rights to compensation for investment on land, minimum plot size), although these are subsequently attenuated with further prohibitions. Fairness as egalitarianism is reflected in the requirements that farmers should enjoy *equal* access to land, that land redistributed in irrigation schemes should be allocated in equal shares and that heirs should receive equal shares of land. Fairness as historical justice figures prominently through regulations that prohibit the sale of land (to avoid buy out of destitute farmers), that grant everybody who needs agricultural land the principle right for a plot of land and that restrict access rights to residents of the *kebele* (to avoid urban elites to acquire property rights as absentee landlords).

According to the proclamation, the average male land rights holder in Oromia enjoys a larger bundle of rights than under the *derg* and can be regarded to be proprietor of the land (see Table 2 opposite), but this only applies to male farmers who hold non-irrigable land of a size larger than the minimum plot size. Some provisions in the proclamation and in the regulations further attenuate the bundles of rights and effectively undermine the granting of lifelong tenure (e.g. by defining management obligations). These prohibitions allow the land administration an enduring influence on land distribution and land rights.

Multiple Practices

In the following section we provide some insights into the early implementation phase of the Oromia Land Use and Administration Proclamation (RGO, 2002) in Alemaya district (*woreda*). We use qualitative data from interviews with farmers, bureaucrats and policy makers in the field of land administration at *kebele* (village), *woreda* (district), zonal and regional levels.[4]

By the end of 2004, the implementation process, which had started in 2003 was far from being completed. The regional government opted for an implementation in different phases and started with some selected provisions only. This early implementation phase was concerned with a rapid distribution of *temporary* use rights certificates, which bureaucrats thought to be popular among the peasantry.[5] It aimed at increasing 'subjective' tenure security, i.e. the perceptions of farmers about the security of their property rights to their land plots, and their satisfaction with the ruling regime's policies. Measures that were likely to attenuate use rights and thereby create dissatisfaction among the electorate (such as management obligations and prohibition of the use of particularly endangered areas for agricultural purposes) were postponed considering the upcoming elections in 2005. By 2006, it was expected that measurement of the agricultural area and the distribution of preliminary certificates to all farming households in Oromia region would be finalised. Regional policy makers justified this differentiated implementation practice of the provision (that was not foreseen in the provision itself) with two arguments. First, implementing those provisions aiming at nature conservation could result in the loss of agricultural areas – a measure that could be unbearable for a destitute rural peasantry facing high levels of food insecurity; second, the lack of accurate data on land holdings was considered to impede the distribution of permanent land use certificates.[6] The government, therefore, linked the implementation of the full set of provisions to two preconditions: A scientific cadastral survey to improve the database for permanent certification of land plot surveying and the exploration of 'alternatives' to farmers to allow them a more 'profitable' use of the remaining agricultural area in case of land loss due to conservation measures. The implementation process was also hampered by incomplete rules for implementation of a number of provisions, such as a lack of definition of enforcement mechanisms.[7]

By the end of 2004, the bureaucratic set up was largely in place. The Environmental Protection, Land Administration and Use Authority (EPLAU) responsible for measurement and registration as well as distribution of land holding certificates existed at regional, zonal, *woreda*, *kebele* and village level. However, insufficient allocation of financial means lead to understaffing of the *woreda* authority, and

Table 2: Bundles of Rights Under the Oromia Regional Land Proclamation

Type of right	Land use & land administration authority	Male members of community	Holders of irrigation land	Holders of shares of land smaller than minimum size
Access & withdrawal	No	Yes	Yes	Yes
Manage-ment	Has influence	Certain obligations	Certain obligations	Attenuated,due to forced coordination with other heirs
Exclusion	Yes, if cultivation is not continuous	Yes, except for public investments, but compensation rights	No, depends on community decision	Attenuated
Alienation	No	No	No	No

Source: Own representation; Categorisation adopted from Schlager & Ostrom (1992): *Access & withdrawal* rights refer to the authority of the rights holder to enter and harvest the products of the land resource respectively, *management* further includes the authority to define how, when and where harvesting is allowed and how changes in resources may be undertaken, *exclusion* incorporates the authority to define who may access the resource and *alienation* refers to the authority to transfer all constitutional rights to others – including the right to sell or lease out. Only a rights holder who has authority over all four types of rights is considered to be a full owner.

inadequate staff training made knowledge gaps about the regulative provisions pertinent at *woreda*, *kebele* and village levels.[8] At *kebele* level, Land Administration Committees were formed consisting of (unpaid) village representatives and *kebele* administrators. These committees are responsible for dissemination of information on the proclamation to the peasants. Although some committee members were trained,[9] bureaucrats and committee members we interviewed and who had participated in briefings were unable to outline the differences between the previous and current land rights and often had only rough ideas about the content of the new proclamation. Not surprisingly, many farmers were not aware of the forthcoming certification of their holdings and provided very different interpretations of the provisions they had heard of. None of the farmers or administrators was informed about the *temporary* character of the certificates to be issued, nor did they know about the management obligations implicit and explicit in the new provisions.

Peasant Perceptions: Subjective Tenure Security

In our study of Alemaya *woreda*, especially the area around Lake Alemaya, subjective tenure security (i.e. the perception of tenure security) among peasants has been high. This can be explained by looking at the process of agrarian policies during and after the *derg*. In the collectivisation process after 1975, the small number of the district's tenant cultivators had received use rights. It was the formation of Agricultural Producer Collectives (APCs) that brought about significant changes in land allocation.[10] After the fall of the *derg* these collective farms, where farmers in each of the *kebele* had pooled their land, were dissolved and the previously existing farm boundaries were re-established. In this process, previous ownership was re-established and all land was given back to previous owners or their heirs.[11] This resulted in numerous boundary disputes among neighbours who reclaimed their rights to particular segments of plots. Most of these boundary conflicts were solved by groups of elder men.[12]

At present, male farmers generally acquire use rights to land through inheritance from fathers, a practice which was only abandoned during the existence of the APCs until they were dissolved in 1991. Each son has the right to an equal share of the family land. Recent severe land scarcity (non of the respondents had use rights to more than 0,5 ha of land) and the inability of farmers to support a family by means of working their small plots of land did not change this practice. However, farmers were not (yet) informed about this provision. They, therefore, planned to pass on their land by sharing it among male children. Tenure insecurity was not a major concern among those peasants already in possession of land plots: all (male but also female) respondents expressed that they did not expect any redistribution that could threaten usufruct rights to their specific plots, neither had they heard of other farmers losing land through expropriation or redistribution.[13] At the same time, bitter competition over access to land was common among the younger generation that will inherit plots too small to support a family. According to village elders the majority of land disputes shifted from conflicts between neighbours after the dissolution of the APC, to previously rare land disputes between fathers and sons, after the fall of the *derg*. Therefore, land conflict between brothers, but also conflict between brothers and sisters, increased significantly.[14]

Senior bureaucrats and policy makers in the region tend to replicate neo-classical efficiency arguments linked with private property rights to land and often anticipate that an increase in 'subjective' tenure security among rural peasants (in a way

introducing something that feels like private ownership, but cannot be private ownership because of the constitutional provisions that are politically sacrosanct) would increase productivity in the agricultural areas.[15] In the case of Alemaya *woreda*, tenure security does not seem to be an issue at all. Peasants considered their use rights to be secure. For them, issuing certificates is primarily useful to reduce boundary conflicts among neighbours rather than increasing overall plot tenure security. Labour intensive agricultural production systems already prevail in Alemaya district and it is therefore very unlikely that farmers will intensify productivity after certification, but investment on boundary protections, e.g. planting of hedges, might increase. Rather, farmers considered the restricted access to adequate irrigation technology and chemical farm inputs such as fertiliser as impediments to increasing plot productivity.

Most farmers had little knowledge about the regulative provisions on inheritance and minimum plot size – the provision aimed at restricting subdivision of land to avoid plot fragmentation (the latter is considered to hamper land productivity). Neither were local bureaucrats aware about the details of the provisions and *how to implement them*. It is unlikely that farmers will comply with these practices, even when they are known. During current plot measurement exercises, many farmers did not inform authorities about the actual distribution of land *among* family members16 and land sharing among heirs is likely to continue in the foreseeable future.

Women's Rights in Effect

The proclamation explicitly emphasised women's rights to land. In Alemaya *woreda*, women are not generally excluded from rights to land, even though in times of land scarcity, their traditional rights had gradually been attenuated. Traditionally, women held the right to a share of land, approximately one-third of the plot size inherited by sons. However, such practices had been abandoned in the wake of increasing land scarcity and land transfers to daughters have become rare if non-existent. Only widows without mature sons could hold rights to land, but these rights are only considered temporary until the son has matured.[17]

Many farmers emphasised women's equal legal status, but a number of implement-ing practices of the regional proclamation foreclosed that this would come into effect. First, the distribution of one certificate per household (which is prescribed by regulative provisions); second, the abandoning of the provision which entitles each woman in polygamous marriages to her own certificate; and third, the prescription that made traditional authorities the first legal level for disputes over land. The role of traditional courts is ambivalent in this process. Many members of traditional local authorities know very little about the current regulative provisions with regard to land property rights and differences in traditional rules and norms and the provisions laid out in the proclamation continue to persist. In addition, bribery is common in courts hampering the neutrality of their rulings. This means that even though traditional norms may entitle some women to specific rights, this does not ensure that courts rule accordingly.[18] Furthermore, costs to access official courts at *woreda* level are often prohibitively high. This potentially excludes poor people from formal jurisdiction. A kind of legal pluralism has emerged where, depending on availability of financial means claimants have access to different sources of rights to enter into 'forum shopping' (Benda-Beckmann, 1981).

Populist Implementation Strategy

We consider the bureaucracy's implementation practices as populist, because the hasty distribution of temporary user right certificates based on an estimated size of holdings is unlikely to improve agricultural productivity, incentives for on-farm investment and sustainable land management, all aims mentioned in the regulative provisions. The certificates currently distributed only provide a rough estimate of the plot size. The size is usually measured with a rope and the position of plots is demarcated by the names of neighbouring landholders. Apparently, the preliminary certification procedure aims at collecting data on land use,[19] and is tailored towards safeguarding peasants' support to regional (land) policy. At the same time, implementation of restrictive obligations on land use rights and traditional inheritance rules have been postponed, because they were suspected to potentially cause distress and annoyance among the rural peasantry.

At the end of the day, this populist implementation strategy provided additional burdens on the local bureaucracy, in particular the distribution of 'preliminary' certificates, which are to be followed by permanent certificates and to be updated on a regular basis. Local administrators did not know how to correctly distribute certificates in case of polygamous marriages, nor were they clear about how to correctly handle the certification of plots of minimum size which were prohibited to be shared between heirs. Due to a lack in adequate legal provisions, the updating of use rights certificates is highly unlikely since practical advice how to certify land rights to parts of plots which fall below the minimum size is unavailable even though at the same time the largest part of land holdings in the research area is already too small for subdividing land plots upon inheritance as would be required according to the provisions in the proclamation.

Revisiting the Battlefield

The currently available *empirical* evidence of the impact of different tenure regimes on land use and on farmers' responses to different land policies and land tenure systems in Ethiopia is far from conclusive (Haile Gabriel, 2004; Adal, 2001b; Aredo, 1994; Beyene, 2004; Bogale et al. 2006; Bogale and Korf, 2007; Benin and Pender, 2002; Deininger et al. 2004; EEA/EEPRI, 2002; Gavian and Ehui, 1999; Gbremedhin et al. 2003; Holden and Yohannes, 2001; Nega et al. 2003; Omiti et al. 2000; Rahmato, 1994; Teklu, 2003). Hence, it is premature to develop universal policy prescriptions. Arguably, recent scholarship on land property rights (Bromley, 1991; De Janvry et al. 2001; Larson and Bromley, 1990; Schlager and Ostrom, 1992) acknowledges that privatisation and individualisation is not *a priori* the most efficient means of achieving tenure security. Several scholars writing on African land tenure systems have argued that land titling and individualisation of ownership rights was found to have little or no effect on investment and farm income (e.g. Carter and Wiebe, 1990; Gray and Kehane, 1999; Place and Otsuka, 2001).

This is not surprising in view of the contradictory bureaucratic practices that go hand in hand with the formulation of policy texts. Our observations from Alemaya *woreda* indicate how the populist implementation strategies of the Oromia Land Use and Administration Proclamation mainly followed the interest of the ruling regime in improving its reputation and support base among the rural peasantry, but may yield ambiguous impacts on pressing problems in the Ethiopian agricultural highlands, such as resource degradation, land scarcity and limited investment incentives. It appears that while the proclamation *document* – the policy texts –

provide a 'dialectical' solution to the efficiency-fairness dichotomy and thus pleases donor agencies, the local bureaucrats pick those aspects that promise to satisfy the fairness principle and ensure peasant support for the ruling regime in upcoming elections.

For the Ethiopian ruling elite, it is important to safeguard the narratives of the fairness principles that have been shaped by the experiences of the injustices of the imperial land tenure regime where land was concentrated in the hands of absentee landlords, tenure was highly insecure and arbitrary evictions posed serious threats to tenant farmers (Cohen and Weintraub, 1975; Hoben, 1973; Jemberre, 2000; Joireman, 2000; Pausewang, 1983; Rahmato, 1984). State ownership as principle institutes fairness as historical justice – to avoid those debilitating circumstances of the imperial era to come into being again. Fairness as egalitarianism is a further principle in continuity with the *derg* regime. This principle says that every farmer ought to have *equal* access to cultivation land without payment. At the same time, efficiency considerations cannot be completely discarded, because only through productivity enhancement can the rural peasantry in the highlands be expected to achieve food security on household level.

But it seems that the ruling elites are not willing to compromise the two fairness principles substantially, even though this may come at the expense of efficiency considerations. Arguably, in the dominant narrative, those fairness principles are to be secured by a benevolent state. The image of the benevolent and paternalistic state implicit in these fairness arguments – the state as the arbiter to ensure equity – is clearly a continuation of the *derg* regime's ideological commitment and its fairness as historical justice arguments. If there is no state control on land, then this paternalism is stripped of one of its most formidable power resources.

Agricultural economists have published numerous studies in which they set out to demonstrate the expected positive effects of higher tenure security on farmers' incentives to invest in land quality thereby increasing land productivity and sustainability of land use in rural Ethiopia (e.g.Nega et al. 2003). They may continue conducting even more studies to demonstrate the investment incentives of privatizing land. Their ambition to change Ethiopian government policy, however, is likely to fail. The Ethiopian government may respond to such pressures from international donors by implementing some kind of land certification as is currently under discussion and preparation at the federal level and is part of most of the regional land policy *documents* discussed in this article. But it is very unlikely that the Ethiopian government departs from the dependence path in rural *politics* and the practices to govern the rural populace and gives up its most precious power resource in the rural realm – the power to distribute land.

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Endnotes

1. Both sides often work with implicit assumptions on farmers' potential behavior in the discussion about distress sales of land by poor peasants. Rahmato, for example, a key opponent of the government's position (that peasants need to be protected against being able to sell their land) has argued that such distress sales were unlikely (e.g. Rahmato. 2004) and that there was no evidence for ill-considered sale of land by the peasantry within Ethiopia, because sales contradicted the Ethiopian tradition of communal ownership of land (Rahmato. 1992:53). But this refutation of the government's concern about the sell out of the rural peasantry is itself self-defeating when advanced by privatisation scholars: the occurrence of a significant number of land sales is a precondition in order for land commoditisation and efficient land markets to emerge, and thus the government's concern may have some validity, overall. Empirical research has demonstrated that land sales have taken place during the pre-revolutionary period (Joireman, 2000), extra-legal transfers of land have been undertaken under the *derg* and the current regime (Deininger et al. 2003) and informal land rental markets have emerged since the end of the *derg* (Haile Gabriel, 2004).

2. The critics of state ownership of land thereby make an implicit reference to the imperial tenure regimes, where tenants were subjected to high insecurity and exploitative rules vis-à-vis a ruling class of landlords, but this is certainly overstating the point here. Under the current legislation, farmers have usufruct rights to their allocated land plots and thus dispose of much more bundles of rights than a tenant towards a landlord – they are mainly denied selling and mortgaging their land.

3. In 2005, the federal government issued a revised proclamation, the Rural Land Administration and Land Use Proclamation No. 456/2005. The revised proclamation confirms the centrality of state ownership, but suggests measures to increase subjective tenure security, such as land measurement, certification etc. Abdulahi (2007) suggests that the revised proclamation is based on the regional land laws of Amhara and Tigray regions, those closest to the ruling regime's interests. As the current regional land proclamations have been based on the earlier Proclamation 89, we do not provide a detailed review of the revised national proclamation here.

4. We carried out a series of qualitative interviews with male and female farmers as well as elected village representatives and elders of three *kebele* in the vicinity of Lake Alemaya and Lake Finkile in Eastern Hararge Zone in Oromia. In addition, administrative officials (chairmen or vice chairmen) of the *kebele*, an officer at the Rural Land Administration Desk at Alemaya *woreda* in Alemaya and the head of the Land Administration and Land Use Department at the Zonal Bureau for Agriculture and Rural Development in Eastern Hararge Zone, Harar were interviewed. For deeper insights into the political governance of the implementation process we included interviews with the head of the Land Use and Land Administration Desk the Regional Bureau for Rural Development and Agriculture, Addis Ababa, as well as a team leader of the Land Administration Team at that Department. Our fieldwork refers to interviews held in November and December 2004, two years after the issuing of the Oromia Land Use and Administration Proclamation (RGO, 2002).

5. Interview with the Head of Regional Land Use and Land Administration Desk, 8 December 2004, Addis Ababa.

6. Interview with the Head of Regional Land Use and Land Administration Desk, 8 December 2004, Addis Ababa.

7. Policy makers could not explain enforcement mechanisms for particular provisions but stated that 'first comes awareness, then penalty'. Interview with the Head of the Land Use and Land Administration Desk, 8 December 2004, Addis Ababa.

8. Interview with the Officer of Natural Resource Section of the Bureau for Agricultural Development, 12 December 2004, Alemaya.

9. Interview with the Development Agent, 11 October 2004, Alemaya District.

10. Interviews and group discussion with male heads of households, 18th December 2004, *kebele* Damota. The *derg*'s 1975 land reform did not change the general pattern of land holding in the research area. The documents available indicate that prior to the land reform most farmers were owner operators of plots of inherited land (Gebre Michael, 1966:9).

11. The dissolution process was characterised by two types of land use conflict. First, a general conflict whether the APC should be dissolved or kept as an entity, and second, severe boundary disputes among the previous owners of plots emerged. Those who benefited from the dissolution of the collective farms were in favour of quick dissolution, while others, particularly those who did not bring in land during the formation of the state farm but had migrated to the area and worked on the collective farm, or those whose families had grown significantly during the existence of APC and who feared to receive a plot too small to feed the family, rejected the dissolution.

12. Conflict resolution authorities were groups of elder men. Fieldwork showed ambiguous results of this kind of conflict resolution. Even though all respondents claimed to have retrieved 'exactly the same' land back after the dissolution of the APC; (Interview, elder farmers, 23 November 2004), several resource persons expressed the view that the registration of measured farmland will contribute to a clarification of farm borders which is urgently needed.

13. This is certainly not representative for Ethiopia as a whole, because in other locations, in particular in Amhara and Tigray, land redistribution has occurred also after the *derg* and therefore perceptions on tenure security might differ in other locations of Ethiopia (Deininger et al. 2006).

14. In such cases traditional conflict resolution uses mediators, preferably elder men, each of the conflict party calls upon. If informal mediation fails an expert in conflict resolution is consulted (*ferdi chengo*) who tries to solve the dispute. In case none of these authorities is able to pronounce a sentence accepted by both parties the case is passed on to *kebele* administration and courts.

15. Interviews with the Team Leader of the Land Use and Land Administration Authority, 8 December 2004, Addis Ababa and with the Head of the Rural Development Desk/Zonal Bureau for Agriculture and Development, 13 December 2004, Harar.

16. Interview with an elderly farmer, 18 December 2004, Finkile.

17. Interview with the vice chairman of a peasant association (PA), 16 November 2004, Alemaya District.

18. Interview with a divorced female head of household, 19 December 2004, Damota.

19. This view was expressed by *kebele* chairmen whom we asked why the type of crops grown on the plot was registered on the certificate.

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Tanzania: Decentralising Power or Spreading Poverty?

Arrigo Pallotti

This essay investigates the complex relationships between the decentralisation reform and implementation of the 1999 land laws in the rural areas of Tanzania. After critically reviewing the aims, content and early outcomes of the Local Government Reform Programme (LGRP), the essay considers the political implications of the neo-liberal citizenship model the reform tries to promote at the local level, with a particular focus on its link with the implementation of the Village Land Act of 1999. Behind the rhetoric of poverty reduction and community development lies a government effort to promote a market model of citizenship in the rural areas. Indeed, the implementation of the LGRP and land tenure reform represent part of this broader effort. The paper concludes that these policies will have far-reaching effects on resource access and democracy at the local level.

From *Homo œconomicus* to *Homo Civicus*

After the election of President Ali Hassan Mwinyi in 1985, Tanzania abandoned *Ujamaa*, the socialist model of economic development it had pursued during the previous twenty years, and embarked on the path of a free market economy. Peter Gibbon (1995:14) has argued that the resulting reform strategy adopted by the Tanzanian government, notably its successive structural adjustment programmes, went through three main stages:

> *Whereas the first phase of Tanzanian adjustment had concentrated in practice on trade liberalisation and the second phase in practice on foreign investment deregulation, the third was to mainly address parastatal and civil service reform.*

Moreover, the country abandoned the one-party state model in 1992 and reintroduced multiparty politics. And, since the late-1990s, Tanzanian development strategies have emphasised institutional reforms, good governance, decentralisation and community development as the keys to poverty reduction (Mercer, 2003). This article analyses the local government reform process and the early implementation of the Village Land Act. It argues that these neo-liberal reforms, which try to reshape patterns of resource access in the rural areas of the country, will have a major impact on the nature of an emergent post-socialist citizenship at the local level.

Neo-liberal economic reforms implemented over twenty or so years have had deep effects on the social and economic rights of Tanzanian citizens. Official silence notwithstanding, the last fifteen years have seen both income inequality and

inequality in *access* to social services grow in the country (URT, 2005:5-6). As new paths to capital accumulation and financial wealth were opened up by neo-liberal economic policies, the abolition of farmer subsidies, the liberalisation of agricultural marketing, and the introduction of cost recovery measures within social sectors severely constrained the potential benefits of the reforms for the rural masses (Ponte, 2002). Moreover, the impact of the HIV/AIDS pandemic imposes a dramatic burden on family networks and health structures all over the country. Public welfare institutions in the countryside have to face growing economic and social hardships with inadequate financial resources and collapsing infrastructure.

Donor and government realisation of the negative effects of neo-liberal economic reforms on the welfare of the rural masses during the late-1990s led to a new official emphasis on good governance, decentralisation and poverty reduction within Tanzania's reform programmes. The Poverty Reduction Strategy Paper (PRSP) adopted by the government within the international Highly Indebted Poor Countries Initiative (HIPC) in October 2000, and its follow-up, the National Strategy for Growth and Reduction of Poverty (NSGRP) of April 2005, represent an apparent shift from the 'standard' structural adjustment package to the new social inclusion and empowerment agenda of the post-Washington Consensus era. In fact, both the PRSP and NSGRP maintain a strong neo-liberal focus on macroeconomic rigour and consider poverty reduction as the 'natural' result of economic growth.

Henry Bernstein's (2004) categories of *homo œconomicus* and *homo civicus* can be profitably applied to the analysis of recent institutional reforms in Tanzania, as they highlight the artificial nature and multiple contradictions of neo-liberal efforts aimed at 'transforming institutional structures and creating autonomy; inculcating certain habits such as calculation and reflexivity, and developing the capacities of the state so that it can itself undertake these tasks' (Williams, 1999:90). In his analysis of agrarian questions in Africa, Bernstein underlines the link between strategies of market liberalisation and the promotion of political participation within neo-liberal theories of rural development, arguing that current institutional reforms aim at promoting an encounter between two neo-liberal ideal types of individual agency:

> *Recognition that 'getting the prices right' is a necessary if not sufficient condition of restoring agricultural productivity growth generated subsequent complementary ambitions to build good governance, civil society and social capital. This acknowledgement of collective action, the necessity of basic public goods, and desirability of certain merit goods is informed by the 'new institutional economics', an extension of the neo-classical paradigm. With such (re-) inventions of* homo civicus, *the objective remains to support, rather than substitute for, the efforts of the African farmer as* homo economicus *to pursue efficiently those private gains from which social benefit derives* (Bernstein, 2004:120).

Both Tanzania's PRSP and NSGRP place a strong emphasis on the restructuring of local political and economic institutions; they both also consider decentralisation and the formalisation of individual land rights as the keys to economic growth and poverty reduction. This article thus analyses the problematic relationship between decentralisation and the implementation of the 1999 Village Land Act within the reform programmes. It argues that, official rhetoric of poverty reduction and community development notwithstanding, these policies aim at transforming production and reproduction strategies in the countryside according to dominant neo-liberal notions of individual agency. In so doing, the essay aims to critically question mainstream interpretations of contemporary local government reforms in

sub-Saharan Africa as promoting popular political participation, democratic accountability and social empowerment (Olowu & Wunsch, 2004). Mainstream analyses downplay the risk that neo-liberal institutional reforms aimed at fostering social inclusion and local participatory development may paradoxically deepen the economic and social marginalisation of individuals and groups and foster political apathy in the countryside. The paper therefore highlights the need to investigate the multiple, complex and often contradictory relations between reform policies and politics, and between institutional reforms and their effects on citizens' rights.

If, as Graham Harrison remarks, 'Embracing governance reform might in itself be a new strategy of extraversion' (Harrison, 2005a:254), there is a need to critically examine the 'politics of policy implementation' (Gould & Ojanen, 2005:52). Tensions and disagreements notwithstanding, donors and government share a common vision of the neo-liberal transformation of Tanzanian economic and social structures, to the point that the country has been considered a paradigm of the 'post-conditionality regime', in which 'the national-international boundary has been rendered so much more porous by a historically embedded "mutual assimilation" of donor and state power and ideas, consolidated within a context of economic growth' and financial dependency (Harrison, 2001:661). However, as an analysis of the implementation of Tanzania's LGRP shows, donor-government relations are only part of the institutional reform equation. The process of post-colonial nation-building left a complex legacy of top-down state-society relations which helps to explain both the *dirigiste* nature of the transition from socialism to liberal democracy, and the outcomes of particular institutional reforms.

Following a review of the political link the NSGRP establishes between decentralisation and formalisation of individual land rights as the key to private sector-led growth and individual empowerment, this article examines the aims, content and outcomes of Tanzanian local government reform and central government efforts to speed up the implementation of the 1999 Village Land Act. Drawing partly on information collected during a field research on local governance carried out during 2004 in five villages in Iringa Region and extensively discussed in other papers (Pallotti, 2006, 2007),[1] it focuses on a number of general issues raised by these reforms. I also draw on insights from a visit to the country during 2007 which was aimed at gathering up-to-date information on the local government reform process and the implementation of the Village Land Act, and at interviewing a number of strategic informants on the implementation of the two policies.

Poverty Reduction, Decentralisation & Land Reform: From Political Subjects to Economic Citizens?

As in the case of many other African countries (UNCTAD, 2002), Tanzania's PRSP is marked by an unresolved tension between government determination to pursue fiscal rigour and private sector-led economic development, and the growing need for policy measures aimed at improving people's access to social services and fighting poverty. This tension emerges over and over in the pages of the PRSP, as for example when, after stating that 'The Government will continue to maintain sound macroeconomic policies and intensify the implementation of reforms aimed at bolstering market efficiency', it hastens to add that 'special efforts will be made to channel limited Government resources toward the support of key programmes and social services under the poverty reduction strategy' (URT, 2000:18). Moreover, given that 'the poverty reduction programme will be constrained severely by

available resources', the PRSP insists on cost-effectiveness, cost-sharing and co-financing and the involvement of communities and local government authorities within social service provision (Ibid. p. 28).

The political dilemma of the PRSP finds a neo-liberal answer in the NSGRP, which argues that the tension between fiscal rigour and social spending can be solved only by 'creating opportunities for people to participate in the growth process' through 'efforts to promote private sector development' (URT, VPO, 2005:10). This development strategy is premised on the neo-liberal assumption of 'an immanent property in the poor to be able to escape their own undesirable conditions once properly facilitated to emerge as market actors' (Harrison, 2005b:1310). The success of the NSGRP neo-liberal growth strategy rests on two pillars: the implementation of the LGRP and the formalisation of individual land rights. The NSGRP insists that 'Regularisation and titling of land is expected to facilitate residents' use of their land and property thereon (dead capital) as collateral with which they may obtain credit from banks and building societies for socio-economic investment' (URT, VPO, 2005:7). The NSGRP considers local government institutions as providers of social services and not as spaces for democratic practice. In accordance with this apparently neutral model of institutional reforms, the NSGRP emphasises the need to improve the management of local government finances in order to check the expenditure and scale up '*private-public partnership* consultation mechanisms in support of the participation of the private sector not only in business but also in the provision of public services' (Ibid. p. 26).

Both the decentralisation process and the land reform try to inject a model of market citizenship into rural areas and will have a crucial bearing, not only on the production and reproduction strategies of the majority of citizens, but also on the nature of rights and democracy in the countryside. Villagers and peasants, long considered passive recipients of central government instructions and directives (Mamdani, 1996), are now seen as active and autonomous entrepreneurs, customers and consumers. The rational economic behaviour of Bernstein's *homo œconomicus* is supposed to spearhead economic growth and to arouse the political virtues of the *homo civicus* at the local level.

The Local Government Reform: Opening Democratic Space or Decentralising Poverty?

The promotion of good governance and political accountability are the main aims of the decentralisation reform the government has been implementing since 1996 through the LGRP. The reform, involving only Tanzania Mainland, should entail the restructuring of the bureaucratic organisation of the local councils, the redefinition of sector responsibilities among central government, regions and district and municipal councils, and the granting of greater decision-making and financial powers to the latter (URT, PMO, CSRP, 1996). The overall implementation of the LGRP has been much slower than expected and the programme is now supposed to end in 2008.

The LGRP represents the last stage of the complex post-colonial evolution of Tanzanian local government institutions. Between 1962 and 1963 the new independent government abolished the chiefs (Iliffe, 1979:318-341) and introduced district, urban and municipal councils (Mukandala, 2000:122). A system of Development Committees was established from the regional to the village level.

Under the political supervision of the ruling party, the Development Committees were to draw up and carry out development projects in their area of jurisdiction and 'mobilise the people in the implementation of projects on self-help basis' (Max, 1991:40). Central government dissatisfaction with the poor development attainments of local government authorities and, above all, the new resolve of the Tanganyika African National Union (TANU)[2] to transform society according to the socialist orientation of the Arusha Declaration and the policy of *Ujamaa*, brought about the abolition of district and urban councils in 1972 and 1973, respectively, and the implementation of the decentralisation policy (Ibid. p. 63). The newly created District Development Councils (DDCs) were conceived as executive branches of the central government and their activities were under the coordination and supervision of non-representative Regional Development Committees. DDCs were financially dependent on the central government and gradually lost all political representation (Ibid. p. 88). Mahmood Mamdani captured the nature and contradictions of this strategy of social transformation, arguing that:

> *The Tanzanian experience was first and foremost an attempt at a reform of the bifurcated state, at linking the rural and the urban, through the apparatus of the party. When this attempt to develop through persuasion (ujamaa) failed, persuasion gave way to coercion, and the link hitherto made through the party gave way to one effected through the state bureaucracy. The Tanzania decentralization of the mid-1970s was in effect a centralization* (Mamdani, 1996:177).

Given the failure of this top-down, 'revolutionary' strategy of state-building, opening – at least partially – the local political space became imperative for the *Chama cha Mapinduzi* (CCM) leadership during the 1980s. The economic crisis of the late 1970s and the inefficiency and gross corruption of DDCs were at the root of the policy reversal of the early 1980s, when the government re-established elected councils in urban and rural areas. The complex architecture of central-local government relations established since 1982 was instrumental in both maintaining a strong centralisation of political power in CCM hands and in shifting to the local government part of the financial burden of social service provision (Mukandala, 2000:132). Moreover, the close association between village institutions and party structures remained one of the defining elements of village governance (Ngware & Haule, 1992:30).

The analysis of the LGRP must consider both the policy and the politics of reform. The two are in a dialectical relationship. While the LGRP aims at translating the theoretical abstractions of the post-Washington consensus into concrete political institutions, its implementation was subject to central government resolve to maintain the reins of political power at both the national and local levels. The long-term vision of neo-liberal transformation for the country shared by both government and donors helped to overcome the contradictions which surfaced during the implementation of the LGRP.

At the level of policy, the LGRP tries to bring institutions of local governance in line with broader PRSP and NSGRP imperatives of economic liberalisation and good governance (Mercer, 2003). The introduction of the Local Government Reform Agenda 1996-2000 spells out the rationale behind the decentralisation process, stating that 'Local government reform is closely linked to the reform of the Civil Service. Both share a common fundamental goal: **to improve service delivery**. One of the strategies to achieve this goal is decentralisation' (URT, PMO, CSRP, 1996:1) (bold in the original).

The financial autonomy of local government authorities and the decentralisation of social service provision are presented in the official discourse as necessary tools to foster grassroots democratic participation. The 2001 Joint Government/Donor Review makes this point, arguing that 'A close relationship exists between paying taxes and getting acceptable levels of service, thus strengthening local demand for accountability by Local Government' (Joint Government/Donor Review, 2001:43). Like mainstream literature on decentralisation in sub-Saharan Africa, the LGRP considers taxation and user fees as the essential bridge between decentralisation and democratisation (URT, MRALG, 1998:5). The underlying logic is that the payment of user fees and the collection of local taxes make citizens politically active and promote accountability (World Bank, 2006:7), as if local political participation could be reduced to the 'rational-maximising self-seeking behaviour of individuals which is at the heart of both neo-classical economics and new institutionalism' (Stein, 1995:110). These are the economic doctrines which inspired structural adjustment packages during the 1980s and the 1990s, and now shape the poverty reduction strategy papers in sub-Saharan Africa (Cheru, 2006).

The implementation of the LGRP has had effects on both district and village authorities. To date sector ministries have proved reluctant to relinquish decision-making powers to district councils (URT, PO, RALG, 2004), while the financial (and political) dependence of the latter on central government was strengthened by the Minister of Finance's decision to abolish the development levy and a number of local fees in 2003 (Boex & Martinez-Vazquez, 2006:73), on the ground of their unpopularity among the population. The implementation of the LGRP highlights central government determination to maintain its political control over the activities implemented by local authorities. The 2006 Local Government Fiduciary Assessment remarks that

> *Following the rationalisation of local taxes in 2003 and 2004, own source revenues only represent between 4-5 per cent of overall revenues. Local government fiscal performance is therefore highly dependent on central government (...) and donor transfers* (PEFAR, 2006:12).

The abolition of local taxes not only impaired the fiscal autonomy of district councils (DC) and municipal councils (MC), making them more dependent on central government transfers (Fjeldstad, 2004:10), but also had negative effects on development activities at the local level, since 'remaining collections to a large extent are being absorbed by DC/MC to finance costs associated with the running of DC/MC Headquarters leaving nothing or only minor proportions for development let alone service delivery'. Moreover,

> *returns of funds remitted by the Wards/Villages have effectively come to a stand still since July 2003, implying that ongoing and planned development activities at Ward/Village level have been put on hold* (URT, PO, RALG & UNCDF/DFID, 2003:7).

LGRP implementation could not be further from the stated policy aims. With the reluctant backing of donors (Boex & Martinez-Vazquez, 2006:73), the central government implemented the local government reform so as to maintain its political grip on district and village authorities. The LGRP emphasis on the link between taxation and local political mobilisation was not abandoned, but its realisation has been premised on villagers being granted individual land title deeds under the new land policy. As the ministry explained:

> *In the Government's long run vision, the primary sources of local government revenue would be two such local taxes: first, a unified local tax on business activity, and second, a local tax on property ownership (imposed on land and buildings)* (URT, PMO, RALG & MF, 2006:8).

The real question the official discourse on the implementation of both the LGRP and the land policy leaves unanswered is who will benefit from the reform of local services which past neo-liberal policies had already rendered unaffordable for the majority of rural dwellers.

Turning to village level effects of the implementation of the LGRP, these have been almost completely neglected to date by the LGRP (Shivji & Peter, 1999). The lack of attention to village institutions reveals a serious contradiction between the LGRP's stated aim of strengthening local political participation and its actual political priorities. The emphasis on service delivery as the fundamental goal of the reform process was detrimental to any appropriate consideration of the role and sites of popular political participation and activism. Field research showed that the LGRP failed to address a number of institutional bottlenecks hampering villager political participation, and that the abolition of the main local taxes in 2003 was followed by a reduction of revenue transfers from the districts to the villages. So, the LGRP strengthened district council grip on village development initiatives, further adding to the political difficulties of village authorities (interviews with S. Tellun, August, 2004; A. Ngolo, August, 2004; and E. Kisava, June, 2007). It was only in 2006 that the government and donors decided to speed up the implementation of the 2002 Opportunities and Obstacles to Development Programme, in order to foster the involvement of village authorities in development planning (URT, PMO, RALG, JICA, 2006). While it is too early to judge the impact of this programme, it is unlikely to achieve its objectives within an institutional context of centre-periphery relations which are historically biased against the autonomy of village authorities in development planning.

The research findings underlined the ahistoricism inherent in the neo-liberal model of institutional reform and local political participation which inspired the LGRP, given the lack of any 'serious consideration of how a country's history might affect the "politics of the possible" in respect to reform' (Harrison, 2005a:254). Notwithstanding several deficiencies, local government authorities played in the past and still play today an important role as institutional channels of popular political participation. Even if the authorities of the villages visited (during the field research) were often accused of revenue misappropriation, the great majority of the households interviewed contacted them in case of a dispute over land rights, when taxes or the request of communal work increased, and in some cases of extreme financial need. However, rarely were village authorities able to provide villagers with material help (Pallotti, 2006). Reformers and scholars disregard the fact that while the policy of *Ujamaa* and the development activities of the 1960s and 1970s socialised rural people into national and local politics, the failure of socialist economic policies, widespread corruption, and structural adjustment plunged local authorities into a deep political crisis which current reform efforts could, paradoxically, worsen due to a lack of village authority financial and human resources. The implementation of neo-liberal institutional reforms is made more complex by the fact that multipartyism and economic liberalisation have in no way weakened the electoral strength of the ruling CCM, which controls not only the federal and Zanzibar governments, but also most of the district and village authorities in the country. Several factors account for this, including popular perception of the political and social stability CCM rule provided after independ-

ence; the long history of popular involvement within party structures; the weakness of opposition parties; and the ability of the CCM leadership to reconcile the political and economic interests of disparate social groups (Mukangara, 1999).

These political dynamics point to the need for a type of analysis which abandons the ideological framework of the good governance model and focuses on the restructuring of political and financial relations between national political institutions (party leaders, individual ministers, the cabinet, members of parliament) and regional and district peripheries in the framework of economic liberalisation and multiparty politics, on the one hand, and their effects on the citizenship rights of rural masses, on the other. This underlines the urgency of the need for combining the examination of the LGRP with that of the implementation of the land policy.

The Individualisation of Land Rights

In January 1999 Parliament passed the Land Act No. 4 and the Village Land Act No. 5. These two very complex and lengthy pieces of legislation sparked off a heated debate among scholars, policy-makers and civil society activists, as previously happened with both the Report of the Presidential Commission of Inquiry into Land Matters (chaired by Issa Shivji) of 1992, and the National Land Policy published by the Ministry of Lands and Human Settlements Development in 1995. This article does not venture into an in-depth review of the Land Act or the Village Land Act. Instead, it focuses attention mainly on those provisions of the Village Land Act which foreshadow a radical transformation of land rights and are likely to have a crucial impact on resource access in the rural areas of the country.

However, it must be stressed that the two Acts are inextricably interlinked from both a legal and political point of view. Given that 'All land in Tanzania is public land vested in the President as trustee on behalf of all citizens' (URT, 1999:3.1.b), the President has the power to transfer 'any area of village land to general and reserved land for public interest' (Ibid. p.4.1). This provision puts strong political (and economic) pressures on village authorities. Apart from the problem of the loose definition of 'public interest',[3] the Village Land Act requires the village assembly[4] to approve the transfer of parcels of village land 'less that 250 hectares in extent' but, in the case of a transfer of a land area 'greater than 250 hectares', the final decision is reserved for the Minister (Ibid. p.4.6.b). These provisions reflect the investor-friendly nature of the National Land Law of 1995 (Maoulidi, 2004:5-6), show central government determination to maintain its tight control on land allocation to big investors (Shivji, 1998:82), and add further pressure on village authorities to directly grant land to non-resident investors in the form of a customary right of occupancy (URT, 1999:24), or a derivative right (Ibid. p.34), since this remains their only chance to negotiate a premium and a rent on the land with the investor before the latter decides to address her/his request directly to the President (interview with Kisava, June 2007).

The crucial innovation introduced by the Village Land Law is the possibility for an individual (or family or association) to get a certificate of 'customary right of occupancy' (*Hakimiliki ya kimila*) within a village. The Land Commission had proposed that

> Customary ownership on village lands by the villagers will be registered in the Village Land
> Registry and the owner – whether an individual, family or clan as the case may be under the local
> customary law – issued with a simple certificate called Hati ya Ardhi ya Mila (URT, 1994:154).

Within a complex and dynamic context – one influenced by neo-liberal economic reforms; land alienation for investment purposes; land claims by pre-*Ujamaa* owners; the risk of eviction of *Ujamaa* farmers; and growing urbanisation (Shivji, 1998:26-40) – the granting of certificates of customary right of occupancy was aimed both at overcoming the historical dichotomy between 'granted rights of occupancy' and 'deemed rights of occupancy', and at providing villagers with security of tenure. The 'communitarian' character of the Land Commission proposals was reflected in its recommendation that 'The major form of land tenure in the village will be customarily governed by customary law' (URT, 1994:153) and that a ceiling of 200 acres be imposed on village land ownership (Ibid. p.156). Even if the Commission stated that it was 'aware that our proposals do not adequately address the subordinate role of the female gender in the ownership and control of land' (Ibid. p.158), according to its chairman, 'Such an evolution of Tanzanian 'common law' would be more organic and would have greater legitimacy than statutory law imposed from above' (Shivji, 1998:54).

Moreover, while the Land Commission seemed conscious of the fact that the issue of customary rights of occupancy would risk intensifying land conflicts and disputes within villages (URT, 1994:158), it believed this risk was to be avoided through an adjudicatory system 'not only efficient, but also accessible' by the villagers (Ibid. p.158). However, the risks connected with the titling process were not only legal, but also political. Within the context of the neo-liberal economic policies implemented by the government, how would the latter regulate the granting of certificates of customary right of occupancy? Moreover, would village authorities have the capacity to manage the land titling process? The Land Commission paid scant attention not only to the gender issue (Tsikata, 2003), but also to the problem of widespread corruption and other non-democratic practices of village governance (Pallotti, 2007).

Small wonder that the National Land Policy of 1995 retained the Commission proposal for issuing certificates of customary right of occupancy to villagers, but within a different institutional and political framework. Apart from the fact that the radical title – defined as 'ultimate ownership and control' of the land (Shivji, 1998: 72) – (also) on village land was to be vested in the President (and not in the village assembly as proposed by the Land Commission), the village council (and not the village assembly) was to be responsible for the administration of village land and the granting of the new certificate of customary right of occupancy (URT, MLHSD, 1995:4.2.7.ix). Moreover, the National Land Policy emphasised the need to recognise the commercial value of land and to facilitate the development of a land market.

The introduction of the new 'customary right of occupancy' in the Village Land Act and the procedures laid down in the latter for the granting of title deeds, sparked off a heated debate among scholars and activists. While Alden Wily talked of 'a community based land tenure management system' (Wily, 2003:1), other commentators highlighted the risk that, instead of strengthening tenure security, the new bureaucratic and costly titling system would spark off a process of land grabbing by wealthier villagers (National Land Forum, 1997), and national and *foreign investors* who, as reported in one of the villages visited during the field research, in some cases resorted to bribing the village councillors in order to get control of tracts of village land (Interview with Kisava, June 2007). According to peasants interviewed during May 2007 in the Iringa region, getting the certificate (*Hati ya haki miliki ya kimila*) would cost them around 10,000 Tanzanian Shillings per acre (interviews with Kindole and Kihongosi). Moreover, as one of my interviewees observed, paying for

the certificate made no sense, as his family had been farming that very same parcel of land for three generations. However, due to the uncertainty of the legal system, he felt compelled to apply for a land certificate in order to secure its property against investors coming from outside the village (interview with Kihongosi). It must also be noted that a customary right of occupancy may impose recurrent costs on the holder of the certificate, since the village council may subject the granting of the title deed to both the payment of an annual rent and some development conditions (URT, 1999:28 & 29).

If the provisions of the Village Land Act stirred activist fear that the Act would undermine rural land tenure security, the accelerated implementation of the Act, notably government adoption of a number of initiatives which emphasise the individualisation of land rights, further adds to these concerns. First, in February 2004, Parliament passed the Land (Amendment) Act which makes it easier for mortgagees to enter into possession of and sell mortgaged land (URT, 2004). The amendment was government's response to intense lobbying by banking and financial institutions lamenting the fact that the 1999 land laws 'tended to inhibit bankable projects especially mortgages from accessing finance' (Tanzania Bankers Association, 2005:4). The amendment attracted strong criticism from civil society activists. In response, Issa Shivji has remarked that the 2004 amendment allows the selling of bare land and radically transforms Tanzania's post-colonial land tenure system (Shivji, 2004). Moreover, there is now a higher risk that the 'formalisation of property (...) leads to the formalisation of [villagers'] dispossession' (Olenasha, 2005:25), even if it remains to be seen whether banking and financial institutions have any interest in lending money to poor farmers with only small plots of rural land to use as collateral.

Second, the Ministry of Land and Human Settlement Development commissioned the draft of a Strategic Plan for the Implementation of the Land Laws (SPILL), which was 'meant to streamline the land laws into the socio-economic life of Tanzania' (URT, MLHSD, 2005:3). Finalised in April 2005, SPILL aims at 'operationalising the land laws, which means that it will take on board all that needs to be done by the land administration machinery to frame and safeguard customary and granted land rights for land users. It will also facilitate, among other things, the alleviation of poverty, particularly in the rural areas' (Ibid. p. 4). The emphasis of SPILL, whose implementation would cost 300 billion Tanzanian shillings during a 10 year period, is on speeding up both the decentralisation of land delivery and land administration services to the districts and villages, and the involvement of the private sector in the implementation of the land laws (Ibid. p. 32). From a political point of view, SPILL redefines the nature of Tanzania's land tenure reform. The plan assumes that 'the operationalisation of the land markets would enhance the productivity of the land, where tenure security has been guaranteed. In this regard, temporarily handicapped users can rent out their lots and bankrupt ones can sell off to willing buyers to sustain production and land development' (Ibid. p.16). Therefore, it insists on the need for villagers to use the certificate of customary right of occupancy 'as collateral in mortgage loans' (Ibid. p. 9). Paying only lip service to the need to secure villager land rights, SPILL mirrors the neo-liberal economic development approach of the Land (Amendment) Act 2004, promotes the individualisation of land rights, and acknowledges the possibility that the modernisation of the agricultural sector could (or should?) create a class of landless people in the rural areas.

Third, the implementation of the Village Land Act has become one of the sector components of the Property and Business Formalisation Programme launched by

the government in 2004 and popularly known as MKURABITA (*Mpango wa kurasimisha rasilimali na biashara za wanyonge*). Drafted by the Institute for Liberty and Democracy under the auspices of former president, Benjamin Mkapa, this programme aims at promoting the formalisation of citizens' property rights, in accordance with the economic model developed by Hernando de Soto (de Soto, 2000) who, in February 2003, was invited by Mkapa to address Parliament (Mkurabita Programme Management Unit, 2007:2). While the Mkurabita programme is still officially in its planning phase, a land pilot project was implemented in some villages of Handeni District (Tanga Region) in late 2006, with the aim of 'test[ing] ways of making titling quicker and cheaper' (Ibid. p.3). Apart from several technical problems experienced in the implementation of the Handeni pilot project, the Legal and Human Rights Centre noted that 'Land grabbing became a normal habit during the titling project' and that, in spite of the Village Land Act provisions concerning the confirmation of land allocations made during the villagisation period (URT, 1999:15.1), land disputes and conflicts which had first emerged during villagisation were exacerbated by the granting of the new title deeds (Legal and Human Rights Centre, 2006:3 & 10).

The land component of MKURABITA introduces a sort of 'fast track' implementation of the Village Land Act, with a strong neo-liberal emphasis on the individualisation of land rights. If this is the approach the implementation of the Village Land Act is meant to follow in future, the decentralisation of 'the whole village land to the village authority' (Ibid. p.5) will become a fig leaf for a double process of 'consolidation of a middle peasantry and marginalisation of poor peasants unable to reproduce themselves' (Bernstein, 2003:131). The same institutions that should officially foster democratic participation and community development would become a vehicle for disempowerment and decentralisation of poverty.

In short, there are two main political weaknesses of the SPILL and MKURABITA neo-liberal approach to the formalisation of land rights. To begin with, both programmes idealise the democratic nature of village governance for the sake of cost-cutting and rapid implementation of the titling process. Giving village councils very extensive powers in the definition of land ownership and the granting of customary rights of occupancy, the programmes further marginalise the village assembly and downplay the risk that corruption and unequal power relations will bias the titling process, and disadvantage women and poor villagers who are most likely to be the ultimate losers of land reform. In addition, although a vibrant land market already exists in the rural areas of Tanzania (Daley, 2005), the government opted for the implementation of a development policy aimed at securing the rights of a minority of land owners in order to foster their capital accumulation strategies, instead of an agricultural policy that helped increase the productivity of smallholder farmers and provide them with farming inputs, services and infrastructure. This second option would require a rethink of the role that the state should play in the promotion of agricultural and (more generally) economic development in the country. It also runs contrary to the neo-liberal approach to the implementation of the Village Land Act which, while neglecting to consider the nature of off-farm employment opportunities open to people without access to land, cedes to market forces and, in particular to the transfer of land rights, the task of spearheading economic development in rural areas. Significantly, evidence collected during the field research showed that village off-farm activities were mostly limited to petty trade and crafts and that, except in a few cases, stiff competition within these sectors ensures that their income-generating potential was quite low (Pallotti, 2006).

Conclusions

The emphasis on democratic participation and social empowerment within Tanzania's PRSP and NSGRP should not hide the fact that these programmes are part of a broader process aimed at promoting a neo-liberal economic and political transformation of the countryside in a manner suggesting that local relations were a *tabula rasa* on which to build good governance and efficient markets. This article has analysed the crucial role local authorities are expected to play in the definition of the post-socialist practices of democratic participation and land access in the rural areas of the country and argued that there is an urgent need to question the effects of these reforms on the nature of Tanzanian citizenship and democracy. While it is doubtful that the neo-liberal and technocratic approach to local governance at the heart of the LGRP will foster rural political participation and accountability, the land titling process will put local government authorities under heavy pressure, as they will find themselves trapped in new local conflicts over resource access.

Based on neo-liberal ideal-types of *homo œconomicus* and *homo civicus*, both the LGRP and the implementation of the Village Land Act ignore the complex historical legacy of top-down nation-building in Tanzania (Mamdani, 1996), and neglect to consider political and economic differences between regions, groups and individuals. Under the banner of political accountability, empowerment and poverty reduction, these reforms try to foster new processes of capital accumulation that will have a crucial impact on the rights and welfare of Tanzanian citizens. Far from being a politically neutral actor within the neo-liberal reform process, the government continues to favour the *dirigiste* model of state-society relations of the socialist era, and is actively shaping the implementation of institutional and market reforms so as to secure the political allegiance of key social and political groups, regions and districts, even though this is likely to have negative effects on the citizenship rights of the rural masses.

The paper has shown that the implementation of both the LGRP and the Village Land Act risks weakening local government political legitimacy and worsening the socio-economic well-being of local communities. To date the reforms have given insufficient consideration to the economic and social effects on the production and reproduction strategies of the rural masses and the political repercussions on local authorities. Donor and central government emphasis on the need to foster efficiency and individual entrepreneurship at the local level has downplayed the problem of how Tanzanian local authorities, already stripped of financial resources and human capacities, would properly manage complex reform processes, even while helping to redress the latter's polarising effects and solve ensuing conflicts within rural communities. Moreover, no proper consideration has been given to the nature of the off-farm employment rural people would need to resort to if they were to lose access to land. Clearly, the impact of the reforms on rural livelihoods deserves further research, which should take as its starting point Bernstein's remarks that

> *investigation of the effects/outcomes of rural class differentiation cannot be restricted to the growth of agrarian capital and agricultural wage-labour, nor indeed to the countryside, but has to explore the linkages of spatially and socially wider terrains of commodification* (Bernstein, 2004:131).

As for the institutional setting of ongoing class transformations in rural Tanzania, it can be concluded that, contrary to donor and government expectations that the implementation of decentralisation and the formalisation of land rights would open

virtuous channels of democratic participation, political accountability and economic development, the reforms have in reality added further pressure on Tanzania's local authorities and risk undermining their political legitimacy. The result may, paradoxically, be an acceleration of processes of social and economic marginalisation, and a hindrance to emancipatory democracy at the grassroots level.

Endnotes

1. The selection of the Iringa Region as research site was driven by methodological and historical considerations, as it experienced instances of strong (sometimes violent) resistance to the implementation of the *Ujamaa* policy during the 1970s and is currently a middle-ranking region in terms of socio-economic indicators within Tanzania (URT, 2005). A total of 358 randomly selected households were interviewed: 217 in one village of the Mufindi District, and 141 households in four villages of the Iringa Rural District. The villages were selected because of their very disparate degrees of economic development, related to their different historical evolution and geographical location. Both districts were involved in the LGRP, though at different stages.

2. TANU was transformed into the Chama cha Mapinduzi (CCM) in 1976.

3. The Village Land Act just specifies that 'public interest shall include investments of national interest' (URT 1999: §4.2).

4. All village residents (above 18) are members of the village assembly, which is the supreme political authority within the village. The village assembly elects the members of the village council, which holds the executive power.

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Interviews

E. Kihongosi, Peasant, Igomutwa Village, Mufindi District, 31 May 2007.

M. Kindole, Peasant, Mgagao Village, Kilolo District, 31 May 2007**.**

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Uganda: Pastoral Conflict & Gender Relations

Kennedy Agade Mkutu

This article uses testimonials from women and men to ask how pastoral gender relations are configured, how they are being altered in the context of armed conflict, including violent cattle raiding, in the last four decades and how they are coping with their resulting pastoral livelihoods becoming increasingly unsustainable. In addition, the status of both men and women as defined by marriage is declining as marriage is dependent upon a diminishing cattle economy. It is here that women are being required to take on new roles for their survival and the survival of the family, including making decisions about acquiring guns and ammunition, and branching out into alternative livelihoods. Men are gaining power over women *in some respects* because they remain the owners of weapons, but conflict has also created space for women to gain independence and status. The article considers the benefits of this situation for women, but also notes the new risks to their physical and mental health. It then argues that in turn there are both positive and negative aspects for the whole family and the stability and sustainability of the Karimojong society as a whole.

Introduction

There are nearly 20 million *nomadic* people in the Horn of Africa (Ethiopia, Somalia, Eritrea, Djibouti) and Great Lakes (Burundi, CAR, Congo, DRC and Rwanda). For centuries, this arid/semi-arid climate has seen pastoralism and land management as the main form of livelihood.[1] However this way of life is now under threat by the increasing resource-based armed conflicts which have affected the entire ordering of pastoral societies, not least their gender relations. A pastoralist woman from Karamoja offers an illustration:

> *Last year… my husband had gone for a raid in Acholi and he was killed there. The brother then inherited me. On 25 August 2004, the Jie went to raid the Turkana from Morulem grazing areas within Jie. There were two casualties in the raid, my husband being one of them. His gun was not recovered. They were only two brothers in the family and only my mother in law is left. I am not ready to be inherited by another man again. I might get someone who will take me for granted.[2]*

Although unequal gender power relations have been noted in situations of conflict (Byrne, 1966:32), only rudimentary data exist on pastoral areas, partly due to the inherent insecurity. The Nairobi Declaration on Small Arms (2000) recognises that conflict has a devastating impact on women, but neglects to quantify this in any way. Adelman (2005) notes that 'One cross-cutting issue still inadequately dealt

with by the Intergovernmental Authority on Development's (IGAD) conflict early warning (CEWARN) is that of gender'. He argues that:

> CEWARN should ensure their information data system includes data on female assaults and rapes … illuminating the costs of conflict that might otherwise be overlooked.

Since 2000 when the Security Council adopted Resolution 1325 on Women, Peace and Security, the United Nations and its related agencies involved in Disarmament, Demobilization and Reintegration (DDR) moved to include gender analysis in their policies and programmes (UNIFEM, 2003). Cockburn (2001), El-Bushra (2003), and Jacobson (1999) argue that focusing on the 'impact of conflict on women' is not enough; the use of gender analysis is vital to investigate gendered identities and their dynamics. Baden (1997) and Byrne (1996) believe that conflicts change gender relations and might transform social patterns and promote gender equality.

Women are often identified for their capability to make peace as an organic by-product of their ability to mother and nurture.[3] At an extreme, some lines of discourse have tended to promote the simplistic 'women equals peace, men equals war' dichotomy (Kelly, 2000). However, several writers have noted the need to see women as participants in, and contributors to, armed conflict (Jacobs et al. 2000; Moser and Clark, 2001, Enloe, 1993) and may be part of the war machine in vital but hidden ways (De Pauw, 1998; Enloe, 1998). Women may also be guerilla fighters; in Sri Lanka, women are said to form 40 per cent of the Tamil Tigers.[4] Kelly (2000) notes that women, in a variety of contexts, 'take up arms' and collude with, or acquiesce in, the use of violence in civil unrest and international conflicts. Human Rights Watch Africa details the involvement of women in the violence of the Rwanda genocide of 1994 and their active involvement in conflicts as combatants or service providers in Angola, Eritrea, Kenya, Liberia, Mozambique, South Africa and Uganda (Bennett, et al. 1995).

Given this close interplay between women, conflict and peace, women's involvement in peace building exercises is essential; however, as De Pauw notes, once the conflict is over, the women's voices are gone, and their part in it all is forgotten (De Pauw, 1998:XIII). Women may continue to have no representation in economic and political life and tend to be excluded from formalised peace negotiations (Jacobs et al. 2000; Moser and Clark, 2001). From another angle, the programme officer of the Social Services Development in Moroto, Uganda, noted that the 'Women in Development' approach in Karamoja was felt to be culturally insensitive, and inflamed conflicts between men and their wives as it only focused on women,[5] such that men refused for their women to be involved in any programmes run under the guise of gender. Patriarchal power is still potent and should be noted in any discussions.

This article uses testimonials from women and men to ask how pastoral gender relations are configured, how they are being altered in the context of armed conflict in the last four decades and how they are coping with their resulting pastoral livelihoods becoming increasingly unsustainable. In addition, the status of both men and women as defined by marriage is declining as marriage is dependent upon a diminishing cattle economy. It is here that women are being required to take on new roles for their survival and the survival of the family, including making decisions about acquiring guns and ammunition, and branching out into alternative livelihoods. Men are gaining power over women *in some respects* because they remain the owners of weapons, but conflict has also created space for women to gain

independence and status. The article considers the benefits of this situation for women, but also notes the new risks to their physical and mental health. It then argues that in turn there are both positive and negative aspects for the whole family and the stability and sustainability of the Karimojong society as a whole.

This work stems from the author's involvement in peace building in Karamoja,[6] observing that women were active players in pastoral resource-based conflict, and that they and their families were undergoing great upheaval. Understanding these changes within the context of armed conflict is vital if any creative suggestions to conflict transformation are to be made. However, if members of this society are gaining from the conflict situation, then change will be difficult.

Introducing Karamoja

Karamoja is a geographical area of Northeast Uganda. Internationally, it borders Sudan in the North and Kenya in the East. The region consists of a plateau 1,000 metres high and 27,200 square kilometres, approximately equal to the size of Belgium which administratively is divided into four districts: Moroto, Kotido, Nakapirit and Kaabongo. In addition to Karimojong pastoralists, Jie, Dodos, Labwor and Pokot also live in the area. The total population of Karamoja is approximately 954,000 (UBOS, 2003).[7] Livestock are the only major form of production possible to sustain daily life in this harsh environment and are prized not only as an economic asset securing survival, but also have intrinsic value as the means on which the entire fabric of Karimojong society depends:

> *When born, a child's most distinctive name is drawn from cattle, he founds and feeds a family of his own with cattle. His adult life centres on defending the cattle he has, and fighting to acquire more. When he dies he is wrapped in cattle hide and laid in a grave beneath his cattle corral* (Dyson-Hudson, 1966:101-102).

The Karimojong are interesting among pastoral groups for three main reasons. First is the chronic problem of marginalisation and underdevelopment. The area has few police posts, hospitals, no courts and poor telephone communication. Karamoja region has the lowest rates of literacy in Uganda (only 12 per cent as compared to over 60 per cent national average)[8] and their contact with other Ugandans has become more regular mainly through visits by villagers to trading centres or towns, demonstrating a gradual turn from pastoral values.

Second, there is a problem of weak governance and inadequate security. There are no effective policies to address pastoral insecurity. Governments have often been slow, ineffective or overly forceful, with the police sometimes complicit in violence. The state formation of paramilitary forces to keep law and order, have often been counterproductive. Parallel governance systems exist, with elders wielding significant power over warriors. The Karimojong traditionally have resisted external government though under Museveni's government there has been an attempt to incorporate them into local administration, police, the army, and the teaching profession.

Third, there is the proliferation of small arms and light weapons in the region, exacerbating existing inter-communal resource-based conflict and creating a highly insecure environment.

The Proliferation of Small Arms & Light Weapons (SALW)[9]

Since the 1960s weapons have proliferated in the Greater Horn, being used in struggles for independence, rebellions in Congo, Rwanda, Sudan, Kenya, Ethiopia and Somalia and later, the cold war, in which the Horn of Africa was the battleground for the superpowers. These include the Ethiopia-Somalia Ogaden conflict, the collapse of Mengistu's regime in the war between Eritrea and Ethiopia in 1991, the collapse of the Said Barre regime in Somalia in 1991 and the Sudanese People's Liberation Movement/Army (SPLM/A) rebellion from 1983 to 2004 and the ensuing destabilisation of the region which continues today. Therefore it is no surprise that illegal arms and ammunition trafficking into Karamoja originates largely from Sudan, Ethiopia and the Somalia frontier today.[10]

Following the defeat of Idi Amin in 1979 the Karimojong broke into barracks and obtained over 60,000 small arms abandoned by fleeing soldiers. Using these arms they carried out many cattle raids between 1986 and 1989. The emergence of various rebel groups such as the Lord's Resistance Army (LRA) and other militia groups in the region have assisted in sustaining the supply of arms to various pastoralist groups. Other sources have included buying from arms traffickers by bartering for animals, stealing of guns after killing enemies, and more recently attacking the United Peoples Defence Force (UPDF). Arms are also sold by undisciplined soldiers and armed paramilitary forces. A major problem with these state-sanctioned paramilitary groups is that they are poorly paid and poorly controlled, leading some to desert with their guns and others to misuse their authority. Their arms are frequently found to have been used in raids or traded as above.

Armed Cattle Rustling

Pressure on pastoralists is further increased by marginalisation, land alienation and lack of policy by states to mitigate conflict or promote development. Since the 1980s, with the proliferation of SALW, cattle raids, insecurity and clashes with the state have escalated within Karamoja and across the international borders.[11]

The presence of arms has amplified the existing raiding tradition and exposed underlying lawlessness and weak governance. It has made traditional inter-ethnic conflicts (which were small scale, traditionally fought with spears, bows and arrows and managed by local elders) more lethal. Raids take various forms: re-distributive raiding, or *areom* (large scale collective raids) serve to rebuild herds of cattle depleted by drought, diseases, raids or serve the needs of marriage and rituals. However, nowadays, cattle raids do not simply wait for disaster to deplete stocks. Rapacious/predatory raiding occurs, driven chiefly by the desire to increase one's herd at the expense of neighbouring peoples, by cultural instinct for power, and more recently for commercial reasons. There are also small individual cattle thefts (*akoko*) committed by youth, which may escalate into collective revenge raids (*ajore*). An elder interviewed in Jie noted:

> Today there are many types of raids, where groups of five, ten and thirty go but also the *ajore community sanctioned raid where you have 100 people going. These days it's self-raids and they are commercialised. This is where the two or three or thirty can discuss and go raid without consulting the* emuron *(diviners).*

In the past, the three Karimojong clans, the Matheniko, Bokora and the Pian were united against a common raiding enemy, namely, the Kenya Pokot. Now, intra- and

inter-ethnic alliances may be created for individual economic gain, which can later be completely reversed. An elder noted, 'Once upon time *ngikaitotoi,* (brothers), but now they are *ngimoe* (enemies).'[12]

The market economy is penetrating into pastoral areas, and cattle are raided to obtain cash for food, medical treatment, school fees and modern goods, where for years the mode of trade has mainly been barter. In Namalu, it was observed that raided cattle are sold at parallel and hidden markets at a lower price and transported to Mbale. In Rupa, the Matheniko *karachunas* (young warriors) admitted that they were stealing animals from the Bokora because of hunger: 'If you have nothing to eat, you steal and then you sell on the market.' A cattle trader in Nabilatuku commented:

> Because you have people watching you, you buy cattle from them and they wait [for] you on the road and ambush you and take the cattle you bought from them again. The cattle stolen are reported to the Local Councils, but they can do nothing. In fact some of thieves are now kraal leaders and who knows, if they are connected with the warriors selling the stolen cattle.

SALW have allowed certain individuals to gain control of cattle wealth through building up networks of violence. Through links with influential businessmen, cattle are then sold out of the region, depleting already scarce wealth and further fuelling raids.

Arms are so common in Karamoja that they are being used also in brawls and banditry, impacting on the entire society and hampering attempts at development. They have also led to a new type of conflict, that between the community and state security. Disarmament by government has been attempted several times since the 1960s, with the most recent attempt from 2001 failing with many losses of lives of both state forces and Karimojong. Causes of failure include lack of understanding of local dynamics in raiding, lack of consideration of livelihood issues and inadequate provision of public security.

Currently there is a major toll on men with over 80 warriors killed in raiding and disarmament violence, in a clash between Karimojong and the UPDF in February 2007.[13] However, according to a report in January 2007, the Bokora and the Pian of Lorengedwat went to Nabilatuk for a raid as usual and when the raid failed they killed nine women, of whom three were in advanced pregnancy, and seriously injured another four women. Six UPDF soldiers were then killed by the warriors as they attempted to pursue them.[14]

Gender Relations & Pastoral Conflict

The Karimojong society is a patriarchal and polygamous society. Generally accepted customary roles are gender specific; women are occupied throughout the day with the household, care of the fields and management of daily life. Men handle security issues, herding and raiding and decision-making. Every newly married woman is allocated land and a cow to enable her to feed herself and her children.[15] New-born animals are the charge of women, and additional animals may be given as more children are born or more cattle are received in the homestead. Commonly, wives have rights of usufruct; technically however they still belong to the husbands. A Pian elder noted: 'Father owns the cattle. However, the father gives each wife cows for milking. The cows are hers, though she cannot sell them without the permission of the husband.' A widow in Loputuk revealed 'women have no say over the cow,

even when hunger is biting'. Worse still, women told me: 'If your husband wants to marry [again], he can take the cow and pay bridewealth with it!' In contrast to animals, a woman can cultivate as much land as she wants, and it is up to her how much she wants to cultivate in any year. The produce of the garden is hers to use as she wishes.

The formal decision-making process is mainly carried out by men in a forum known as the *akiriket* or meeting place often under a fig or tamarind tree. Meetings are called together in times of crisis and may be requested but not attended by senior women. Women have informal influences on decision-making through husbands, sons, prospective spouses (SNV, 2005:20; Mkutu, 2005a, 2007a; Novelli, 2001), and also through the *akiwor. Akiwor* refers in a general sense to the initiation of individuals in Karimoja society into an age-set group. However, the term has been used to describe initiation of women in particular into increasing levels of seniority. The *akiwor* gives women status, solidarity, defence of rights, and also the right to perform certain traditional ceremonies. Thus women are not given the same power in decision making as men, but are not without power.

Raids and counter raids are part of Karimojong tradition. Women benefit greatly from raided cattle for feeding and clothing the family, using the milk, meat, skins and blood. They also receive money from the sale of raided cattle depending on their seniority and position within the family; they may also benefit from bridewealth, thus women are involved in encouraging men to raid. An elder noted, 'In Jie custom women encourage the men to raid, but what shall I do? I found it like that for generations and generations.' Warriors in Panyangara said:

> The moment the women see cows, they ululate and the man shoots in the air … The women become very excited and prepare everything; bathing water, drinks, good food. They view you as very special.

Mzee Lokiru noted that

> If a husband does not go for raids while his age-mates go for raids and bring raided animals frequently, the woman nags the man continuously to provoke him to go for a raid. The woman may sing songs, indirectly telling the man he was a coward like a woman.

This was concurred several times. Senior women in Rupa noted that 'Women would tell the men who did not go raiding: you are not a man. Women encourage raids because all her peers are fully married, and they would tell the man why are you still sitting here? go for raids and marry me.' Mudong noted that 'The other women will start abusing their sons, [saying] 'so and so has gone raiding and they now have cows and you do not want to go.' A woman in Namalu noted:

> she takes soil from the footprints of her son, and puts it in a leather bag and sleeps on it all day. She believes no one will see her son, he will walk among the enemies, he will pass security [police] and he will be invisible.

Women are rewarded for their support in raiding in the form of cows or cash. 'It is often thought that if you return with cows it's because of the blessings from women, hence she is given a cow' said a woman from Kachire.

Bridewealth & Half Marriage (*Ekicul*)

Bridewealth is an important currency, for survival and the cost of marriage in Karamoja is high. The family giving away their daughter are able to create alliances by distributing cattle and are compensated for the loss of a hard worker. Ellen Longolok a Karamoja woman was married to a pastor who paid 70 cows and 20 goats. In the 1980s, Joyce Awasi was married to a teacher who paid 60 cows and 15 goats. Cheere, the parish chief of Rupa has five wives. For the youngest he paid 30 goats and 30 cows for 'half marriage' (see below). The price differs between communities and between clans and for other reasons, such as beauty, desirability, age, virginity and the size of the girl's family; 160 cows were given to one large family in Kanawat. Women are proud of their bridewealth. One woman in Namalu related, 'I was fully married and my husband paid 150 cows. I was very stubborn, so the people had to pay more cattle.' It is a matter of pride to be married. Even children will abuse unmarried women and call them names.

Customarily in Karamojong society, parents meet all the marriage obligations for their sons beginning from engagement to marriage. Nowadays, young men from poor families have to raise bridewealth by themselves, sometimes through armed cattle raids, sometimes hiring guns from friends, relatives and rich gun owners (the latter who insist on payment in cattle after a successful raid). Poor warriors may look after the cattle of the rich and are given animals either annually or after a set term, or they may be employed by rich men to raid on their behalf with promises to pay their marriage obligations (ADOL, 2002).

The pressure on young men is also related to a structural opposition between fathers and sons. The priority of the fathers has always been to get additional wives before he agrees to provide bridewealth for the first son of his first wife. His career is at its height when his young daughters are married away creating bridewealth that allows him to marry more wives. He tries to delay his son's marriages as long as possible because this will signal the beginning of the end (Bruch-Due, 1999:23). Senior men have an interest in high bridewealth from the marriages of their daughters.

One would have expected that with diminishing cattle and livestock rearing as a livelihood, the bride price would be going down. However this is not the case in Karamoja, where it remains as high as it has been in previous decades. In Pokot and Samburu in Kenya however, bride price has reduced with diminishing cattle due to drought and raiding.[16] The maintenance of the high price in Karamoja may be because of the continual dependence upon cattle for survival and alliances in a harsh climate, and the lack of viable economic alternatives at present. Also, as noted previously, with the increasing movement of the free market economy into Karamoja, cattle, cash and guns are becoming interchangeable. Lastly, there is the existence of an alternative 'half marriage' contract, which gives the bride's family a means of acquiring the large cattle wealth but more slowly over time. When a man has inadequate resources he may resort to 'half marriage', whereby some cows are given, and the rest are pending. It may be years before the full transaction is complete and the poor groom may pay the full bride price of his wife with the bridewealth of one of his daughters. As noted by an elder, this leaves many rights with the bride's family.

> *You can stay with my daughter, if you get the first child, you pay! You come and say 'I have sinned!' You compensate the blood of my daughter. You also say 'thanks'! You pay 30 goats or 3 oxen ... When you die the children come back to us. When it's time for initiation, the clan of the mother initiates the children.*

Senior women interviewed noted: 'The problems of half-marriage include not being respected that you are someone's wife, not recognised especially during ceremonies and even the man you live with does not respect you.' These women also reported that half married women are the servants when the initiated women meet and may not even eat at the meetings; it is a less secure marriage contract. Lochero, a man of 69, noted, 'Another man can take your wife and children if you do not marry in full.' Two raiders concurred, 'If you are not even able to provide the three animals, the father of the girl will give your wife to another man. But they will still follow you to pay the cows!' Father O'Halloran of Panyangara noted, 'The loss of wives to other men happens quite often.' Thus the depletion in cattle wealth due to armed raiding has undermined the customary provision for marriage. This is having a negative impact on marital stability, male and female identities, and self-esteem.

Custodians of Small Arms

The woman has customarily been the keeper of the man's weapon. As well as taking off the man's shoes she must take the gun and put it in a place of safety. 'If she leaves the gun she gets a whipping' said senior women in Rupa. A women's group in Nadiket had another interesting story:

> It is respect for a husband to carry his gun or spear and shoes and take them to the house. For some the man comes, leaves shoes, chair and gun in different places, then he calls you and goes inside. The woman would ask, 'Where are your things?' the man will say 'go and get them from outside.' This is at night. The woman has to search until she finds them. After searching and bringing these things, you feed him with a wooden spoon. All these things are done because he has given you cows and he is just testing you to see if you can abide by the rules.

Women insisted that they do not support such behaviour but these are customs inherited from long ago. Traditions are changing however. In Lokitelaebu, women said: 'The young generations refuse to remove the shoes or accept to take the spear and the shield to storage.' It was noted that such defiance may lead to violence in which parents and brothers might join in the beating of a woman. A former Moroto MP made the relationship between the gun, the woman and the cow clear saying:

> The first time you're buying the gun, you have to take the cows to pay for it from the mother. The gun is sought particularly for protection and livelihood ... At first it used to cost 20 cows. It came down to 15 then to 10 and it now costs about 1-3 cows depending on either it's the border area or the interior. The father owns the cattle but the woman has a say. Usually the father is more rigid than the mother and when a son comes to the mother she will respond quickly.

The woman in the introduction who had lost two husbands to raiding, refers to her request to know the whereabouts of the gun. She and others are now looking at their future. Many women are now securing weapons for their sons, which are essential for security, herding and economic survival. Thus, women have always handled weapons, but now they are more involved in *acquiring* them, giving them more power to determine their own welfare against aggressors. No examples were found of Karimojong women actually using weapons, but this is a possible future development if conflict and modernisation continue to change the way women see their role within families.

Women as Breadwinners

In focus group discussions, participants were asked, 'What are both women and men doing in light of diminishing cattle?' Many women revealed that they were moving into businesses of which the most common were cereal banking, brewing, and marble harvesting. With financial assistance from the NGO, the Karamoja Agro-pastoral Development Programme (KADEP), women have been encouraged to buy cereals, which are stored until times of drought and then sold on. However, women have been unable to access markets due to long distances and insecurity on roads. The exploitation of minerals is currently a growing commercial interest, especially in Moroto District, and this is a potential source of livelihood. Many of the people quarrying marble and breaking aggregates are women and *karachunas*. Interviews revealed that a 7-ton truck of marble gathered in five days went for 30,000 Uganda shillings (US$16, that is only $4 per ton). This is exploitative, given that women would carry marble on their heads around half a mile to the lorries for collection.

Brewing has been described as a relatively lucrative trade and has become commonplace in Karamoja in the past one to two decades. Two types of alcohol are brewed in Karamoja: *waragi* which is a spirit (very strong and expensive), and *ekwete*, local sorghum brew (mildly intoxicating). Interviews across Karamoja found that the people who brew were mainly women. This also links them into the trade in ammunition as interviews with warriors in Musasi reveal:

> When I do not have money and I am hungry I use bullets to purchase alcohol and the system of using bullets to buy alcohol is common in all rural areas except in Kotido Township where we have soldiers.

A bullet is now worth 300-1,200 Ugandan shillings depending on the area, which is equivalent to approximately three litres of *ekwete*.[17] The customers for the local brew are mostly warriors and sometimes security officers. Warriors from Nakapilimoru concurred: 'We each contribute a bullet and pay in exchange for the brew … In the villages, you can find women with as many as 20-30 bullets.' Lotirir Mothers' Group added 'The women then resell the bullets to other warriors, or they give their sons or husbands to use during raiding.' Sometimes, as noted by a Pian elder, women accumulate as many bullets as they can and barter the bullets for a goat or cow. A young brewer gave her experience:

> Sometimes people need bullets and they tell me, if some one offers you bullets, take them and keep for me. Interested warriors contact me in advance. If I get 10 or 20 I sell to the customer who has booked. If it's 10 I get 5,000 Uganda shillings.

Lochoro, a former *Ekwete* brewer stated her reservations: 'Several times when I made brew, people came with bullets but as a Catholic, I refused to take them.' This demonstrates women as active participants and beneficiaries from the trade of ammunition. One can understand why they choose this relatively lucrative business, particularly when they need to care for children, including orphans of the conflict and the elderly. Some women commented: 'It's the only income for women but also when they sell the beer the children can eat the residue.' A Catholic father noted that the eating of residue was common and is a sign of absolute poverty in pastoral areas.[18]

The advantage of these alternative livelihoods is that women are now able to secure money to feed their children and possibly attend school, without relying on a husband who may be absent for long periods of time, dead, or reluctant to sell his

livelihood. 'With the little profits you can buy food, books, pens and even beddings',[19] revealed some women. Thus the power balance has been altered as they have gained status and independence, although some women commented that the man still makes the decision on how the money is to be used. Women's entrepreneurship, which results in part from opportunities provided by development agencies and external investors into Karamoja, is also reducing the dependence of Karimojong society on cattle. However the risks to women's health and their increasing involvement in the ammunition trade are negative aspects of these alternative livelihoods.

Domestic Violence, Weapons & Alcohol

Domestic violence may be increasing due to small arms and alcohol. A Catholic father stated:

> We have not begun to record issues in domestic violence as such because we are becoming aware of it now. Very often domestic violence is related to drinking and money and the hiding of money that has not been utilized.

One woman said: 'In the case of singing you get tired, but the man wants you to continue and if you refuse he beats you.' Added to this scenario is the presence of small arms in the home, and there is evidence of their use in domestic incidents and accidents.[20] Tiako, a widow in Loputuk, noted 'When intoxicated with alcohol, the warriors just shoot. They can shoot mothers or even their sisters. A warrior shot his mother and sister and then took his own life.' Staff from different health facilities concurred, one doctor noting, 'Once they become drunk, it's when they plan for raids but also sometimes they beat their wives and accidentally use their guns.'[21] Another interviewee noted, 'Sometimes the gunshots were mainly caused by a small quarrel, which resulted in the warriors using their guns, especially when under the influence of alcohol.'

Very little research has been done on this subject, as noted in an interview with a former Moroto MP. 'Domestic violence with the use of guns is never reported. You kill. If you are rich you pay 60 cows. Even the government is not reporting the death rates due to domestic violence.' There are other factors in domestic violence such as half marriage – which has been previously discussed – and scarcity of food. Most domestic violence that has been described is male against male or male against female, thus in this context small arms have increased women's vulnerability, but occasionally women have been the perpetrators of violence.

Gendered Impact of SALW Violence

Hundreds of people are killed each year by small arms, while millions more survive their injuries but are left with permanent physical and mental trauma. Public health data extracted from St. Kizito Hospital in Matany from 2002-2004 is shown opposite. The hospital is a referral centre for approximately 60 per cent of the Karamoja district, however the figures underestimate the problem, as the perils and cost of travel are too much for most. Interviews and work done on reports of injuries at local dispensaries in Karamoja show figures over this period are much higher.[22] The figure shows that the ratio of men to women injured is 13 per cent; the ratio of men to women injured is 15-1. One trend is the shooting of young boys who are viewed as future raiders, and closer analysis of the data conforms this. The high death rate of

Table 1: St. Kizito Hospital, SALW Injuries by Gender
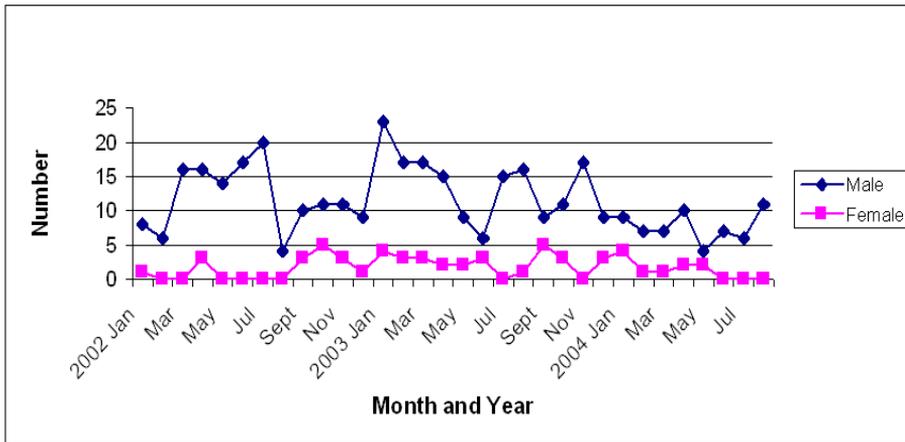
warriors will also affect women indirectly leaving many as widows. One woman noted that sometimes when a son or husband is killed a woman might commit suicide.

Increasing Vulnerability of Women

Although women are not involved in raiding, rapes or even shootings occur during raids when women leave the home to collect water or firewood. As reported by some Rupa women:

> Sometimes you just hear bullets, so women are learning how to dodge from bullets … Sometimes, if they do not want to kill you, they rape you … More and more women have to avoid sending their daughters or going to collect water in the evening, which traditionally is one of the best times as it is cool.

A young newly married woman from Kachire said:

> You cannot go in the evening anymore to fetch water. You face the risk of being killed by the enemies … In Kachire water is scarce, you have to go to another village with a borehole 15 km away. Sometimes we stay the whole day, as the locals must get water first. We have to travel at night hence the risk of being attacked by the Dodoth, our enemies.

A woman from Lotirir Mothers' group said, 'My sister was collecting sorghum in the garden. The raiders attacked her and undressed her, took all her beads and left her naked.' Another recalled,

> My neighbour went to collect firewood. The raiders found her. She was found undressed, raped several times. They went with her for a long distance and she was abandoned in a strange village she did not know.

A women's group from St. Mary's Nadiket told of a woman who had gone charcoal burning in the Tepes Mountain, who was shot in the thigh by warriors and raped. Everything was taken from her including her machete. Interviews revealed that

when they see danger, women ululate to 'raise the alarm' for the other villagers, therefore the attackers may try to silence them. Another insecurity women have to live with concerns the care of cattle. If women have a raided man's livestock, the law of revenge among the pastoralists means that the 'enemy' may retaliate at any time. The result of this insecurity is that women are being forced to get the warriors to escort them. Relating to insecurity outside of the village, the following story is undoubtedly one of the worst examples of how small arms violence is affecting non-combatants, and was told in Natarumurum, Rupa by Edison Achia.

> *Three young boys aged 14-16 were drinking with others and singing their songs of bulls (songs of giant warriors who have killed). However the young boys did not know how to kill and decided to go and try. They travelled to Nakajat and hid and waited. The first people that appeared were three girls from Leyia primary school. As they were going they asked them whose children they were. The three girls aged eight to twelve responded and the boys opened fire. Two of the girls died instantly and the other died later. The Tepeth community, from where the girls came, followed the footmarks of the killers. The army and the Rupa community from where the boys came also hunted for them. They caught the boys still drinking, smeared with red clay [a sign of cleansing]. The next day the community of Rupa handed them to the Tepeth. The army had intervened and wanted the boys to be prosecuted by the police. But the people grabbed the three boys and threatened to shoot the soldiers. Then the local people shot the boys, even the third boy who was innocent.*

The tragedy of this story is that the society has become so brutalised that even children can get their hands on a gun and take life before they understand what life is. One may also ask whether the boys targeted girls specifically, seeing them as weaker. It was previously considered unacceptable to kill women and children. In the context of rapes and shootings, small arms violence has increased the gender power imbalance in Karimojong society, though this is mainly *between* and not within ethnic groups.

Widow Inheritance

Part of the cultural provision for widows in many societies in Africa is wife inheritance: the transfer of women and their children to the husband's brother or lineage. Marriage is seen in terms of clans rather than individuals, so children and wife belong to the clan. As noted earlier, often 'If your brother dies, your relatives will force you even against your will to marry a relative'. It was noted by Nakiru a widow in Rupa, however, that sometimes one can refuse to be inherited 'if you are very old'. Another widow said, 'The person who inherits takes away all your husband's property. If you cry they beat you, torture you, you have to surrender everything or die, there is no negotiation.' Others mentioned that sometimes they are not provided for and co-wives would insult them telling them, 'You have killed your husband, now you have come to kill my husband.' Maria, a widow, noted, 'I have been inherited three times.' A former MP gave his opinion on the problems with inheritance in the current climate of conflict.

> *The one you are inheriting, you do not know if she is safe given the current risk of HIV. Some women have been inherited 5 to 10 times because of the gun and raiding. In addition, poverty is pushing the Karamoja girl to come to Moroto for prostitution. They come to Moroto, have sex and then return to the village to marry the warriors.*

Thus the culture of widow inheritance and polygamy in the context of armed conflict increases the susceptibility of women to abuse within marriage.

Women & Peace Building

This article has shown how women are actors in the dynamics of conflict. Other findings demonstrate their assets in peace building. In 2002, during disarmament, a misunderstanding arose between the army and the warriors over animals allegedly raided by Jie from Bokora. This led to a shootout in Panyangara lasting three days, which left several villages, shelters, and granaries burned, household items looted and widespread displacements of people and animals. Women reported, 'We lost everything … Enemies raped some of the women.' On the third day there was a peace meeting at Kongencha, between the Bokora and Jie. The women played a major part in the initiation of, and participation at, the meeting telling the warriors:

> With you, you are fighting the government because you are strong; you can run and go to any other place to settle. What about us women and children, old men and women, where shall we go?… The only cow you have will multiply in peace and also we shall enjoy it, do not go for more.

At the request of women, the warriors unilaterally declared a ceasefire and vanished from the battlefields. When Civil Military Operation Centres[23] (CMOCs) were established by civil society groups, donor organisations and the government to assist in disarmament in Karamoja in July 2001, they ignored women's potential by excluding them.[24] CMOCs were physical points of access to the community for arms collection, information, promotion of confidence and reporting of human rights abuses. However, they didn't cater for women, in that men ran them and they were not local enough for women to be able to access them. The entire disarmament programme did not recognise the role of women. Women interviewed noted: 'This was unfortunate as women were effective in convincing their men to deposit guns at collection points.' Incentives were only directed to men, hence women did not feel that they were part of the 'peace building'.[25] The potential of women in peace building cannot be ignored; they can mobilise society to come together to discuss peace.

Conclusion

Karimojong society is a patriarchal polygamous society, which until recent decades has been closed to outside influences and remains underdeveloped. Defined roles for women mainly focus around the home, in reproduction and production, whilst men are the main breadwinners through livestock production, as well as being security providers and formal decision makers. Women have lesser though considerable influence however, through their own hierarchy of seniority, and informal influence within families. This may be seen particularly in the way in which women encourage men to raid and in their role as custodians of weapons necessary in herding and raiding.

Much of this remains distinct, due to several factors including remoteness of the area, dependence upon cattle as the main viable form of livelihood in environmental variability, marginalisation by the colonial and post-colonial state, and strong resistance amongst the Karimojong to external control. However, the proliferation of small arms and light weapons in the region has exacerbated traditional cattle raiding to produce armed and criminal activity. This has depleted cattle resources, rendering the traditional economy unviable and therefore changing pastoral society's gender relations.

The institution of marriage has also been shown to be changing. Bridewealth is much harder to acquire through family or through raiding. Male and female status, which are both established through marriage are now less valued within the more shaky 'half marriage' institution and women feel undervalued if they have not been properly paid for. Women and children may be taken away from husbands and a secure marriage becomes a privilege for elite or older men. Men feel very insecure and constantly under pressure to raid, which puts them at great risk. Another change to family life is the increase in the number of widows who are still being inherited, according to the Karimojong tradition. This may not be the desire of either man or woman, and often leads to derision from husbands or fellow wives.

The gendered impact of small arms violence has been examined with men most directly affected. Women have also experienced enemy shootings and rapes. The gendered impact of HIV within this context and within the context of widow inheritance also deserves further work. With reference to the family unit, there are suggestions that domestic violence is becoming more deadly, which is related directly to small arms, and also to alcohol brewing, which is an alternative livelihood increasingly carried out by women. In this context, the gender power imbalance has been increased as women currently do not take up arms.

In many ways the presence of small arms has made women weaker. However there is much evidence that the conflict situation has created space for women to grow in independence and gain new identities, whilst men are losing their livelihoods, and identities in being able to provide food and security for the family. As Byrne 1996 and Baden 1997 point out, conflict situations may in some ways promote women's independence and empower them, but this article suggests it has also left them vulnerable to exploitation, for example, as prostitutes in urban centres or in other occupations detrimental to their health.

The question that must be asked is, what will be the overall effect of these changes in gender relations on pastoral society? If women and young girls are being removed from the home or facing insecurity as they find alternative livelihoods, what is the impact on the children? Some reports have noted that 80 per cent of the beggars in Kampala streets are Karimojong women and children.[26] Can pastoral families adjust to these changes? Also, the impact that pastoral conflict is having on men's health and identity is particularly negative and must have repercussions on the family and the education of future generations.

The structures of patriarchal society have to some extent been affected by the conflict, as there is tension between fathers and sons over the issues of bridewealth. Additionally, other research shows that the actual power of the elders has decreased with the elders having legitimate authority, but the muscle in the form of the guns belonging to the warriors.[27] Practically speaking this largely translates into unsanctioned uncontrolled raiding. A new generation of elders is soon to emerge, many of whom are elite and well educated. They are suggesting, along with others that patriarchal power could be strengthened, as a possible in-road for peace building. It would be interesting to see how this would interact with the women's increasing independence. Would this limit the space that has been created for them? Should peace building also take account of women's new responsibilities and use them as opportunities for transformation? Both could be strengthened in tandem and *akiwori* could be examined as mechanism for this.

Anderlini and Machanda (1999) noted how women's environment, individual situations and family loyalties may determine their response in conflict situations. They may desire peace until someone close to them is affected by conflict, or family and cultural ties may lead them to be loyal to one side of the conflict. Sometimes, when gun culture takes over and chaos prevails they may abandon the struggle and desire a way of peace. Thus their role in conflict may be variable, or may fluctuate. Widows in particular, may see cattle raiding conflict as having little benefit for them, and often have their own survival strategies, excluding men and cattle. Further work on these changes in gender relations, in the context of armed conflict, could reveal opportunities for mitigation. These may include promotion of viable alternative livelihoods, education of the community, particularly the youth in a manner appropriate to pastoralism.

Endnotes

1. Association for Strengthening Agricultural Research in East and Central Africa (ASARECA), 2000.

2. Interview Maria, Longolei, Lockochil, 6 October 2004.

3. CMOCs in Karamoja, Moroto/Nakapirit NGO Forum, 2001; See Anderlini and Machanda, 1999:9

4. Interview Rita Machanda and Sri Lanka senior government officials, Nepal 2005. This was also confirmed in an interview with several people from Sri Lanka at the International Conference on Sustainable Development in Conflict Environments: Challenges and Opportunities held from 16-18 January 2007.

5. At least the Gender and Development (GAD) approach integrates men's as well as women's viewpoint see Byrne and Baden et al. 1995.

6. The data comes from Ph.D research from 2001 to 2005 and research funded by the Netherlands Development Agency (SNV) Uganda in 2005. Interviewees included senior elders, senior women (who are important in decision making), NGOs in the region, religious leaders, Local councils, opinion leaders, Members of Parliament and senior civil servants. Participant observation provided opportunities for informal conversations. Some areas could not be accessed due to high insecurity, and data collection was also limited by pastoral mobility. Also the government disarmament programme 2001-2004 caused people to fear speaking about their role in the handling of arms. However despite these limitations the researcher's long experience and good relationships with the communities ensured good representation.

7. However, the enormous growth from 1991 figures of 350,000 (UBOS, 1991) is questionable, because pastoral mobility across local and international borders is common. Secondly, disarmament threats from 2000-2003 would likely have led to emigration to Kenya, or other Ugandan districts.

8. Moroto District Development Plan 2004-2006.

9. Small arms and light weapons (SALW) is often used to mean all type of firearms, including revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine-guns. However, the term refers to "any weapons that can be carried or transported and

managed by a single person" which includes hand grenades, land mines and small surface to air missile launchers. United Nations 1997:24.

10. For details on routes of arms into the North Rift see Mkutu 2008a.

11. Mkutu, 2003, 2007a, Gomes and Mkutu, 2003, SNV/Pax Christi, 2004, Belshaw, and Malinga, 1999; Mirezeler and Young (2000).

12. Mkutu 2007a.

13. The Daily Monitor 16 February 2007 '80 die in K'jong, army clashes' http://www.monitor.co.ug/news/news02168.php

14. Email communication former Member of Parliament for Karamoja, 27 January 2007.

15. See Gulliver 1955 who studied the neighbouring Jie women who also had no rights over livestock.

16. Mkutu, 2005a, 2008b.

17. Email communication with a Kotido elder, February 2007; see also Mkutu 2008b.

18. Interview Father Philip O'Halloran, St. Joseph Parish Panyangara, 8 November 2004.

19. Interview Longroch, brew seller and business woman since 1970s, 1 October 2004.

20. See SNV 2005, Mkutu 2007a, 2007b.

21. Mkutu 2007a.

22. SNV 2005, Mkutu 2007a.

23. The CMOCs were composed of UPDF, Uganda Human Rights Commission (UHRC), NGOs, CSOs, Resident District Commissioners, local councils system, *kraal* leaders, local leaders and faith-based organisations. For details see the Uganda Human Rights Commission, CMOCs Joint Lessons Learnt Draft report, November 2002 and Mkutu 2003.

24. Gomes and Mkutu, 2003.

25. Focus group discussion with Panyangara women, 8 November 2004.

26. *Daily Monitor,* 15 November 2006, '80% street families are Karimojong', http://www.monitor.co.ug/news/news01115.php.

27. Mkutu 2008b.

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'Uncomfortable Collaborations': Contesting Constructions of the 'Poor' in South Africa

Shannon Walsh

This article deconstructs the problematic way the 'Poor' are represented by the intellectual 'Left' as a fixed, virtuous subject. Even while this fixed identity is actively mobilised by people themselves to gain symbolic and real power, I argue that the philosopher's fixation on the singular subjectivity of the oppressed confines the 'Poor' to their very subjugation. Instead, I propose a more nuanced understanding of how agency and oppression occur within the 'uncomfortable collaborations' that are forged between various actors. My argument is grounded in experiences with the shack dwellers movement in Durban (*Abahlali baseMjondolo, ABM*), and young AIDS activists in Khayelitsha and Atlantis, South Africa.

> *Academics flourish out of the despondency of the destitute. … Even after letters of consultation and coverage in the media, not a single government official has come to tell us their position. There has been no water in our settlement for 40 years, no toilets. Before the 1994 elections they were promised to us but they have still not come … We have lost hope* (Sbu Xaba, community leader from Banana City shack settlement).[1]

Sbu Xaba's frustration and despair is understandable. After the end of apartheid there was genuine hope that the lives of poor South Africans would improve. This is what the incoming ANC government had promised. But after more than a decade has passed, hope has turned to frustration, despair and anger. Those most effected by these broken promises, the 'poors',[2] have not been silent. In 2005 alone there were 10,000 protests in South Africa. The mounting dissatisfaction was evident on 27 April 2006, as *Abahlali baseMjondolo* (the shack dweller's movement) along with community movements throughout Durban organised an 'UnFreedom Day' event in protest of the dire living conditions experienced by so many South Africans. Their cry resounded around the country: 'No Freedom for the Poor!'

As their voices grow in force and volume, many other actors clamber on board to decry the injustice of their situation and to explain, report, and comment on the struggle. Xaba stated that 'academics flourish out of the despondency of the destitute', and he should know, with the shacks of Banana City[3] sitting insecurely on the grounds of the University of Kwa-Zulu Natal. The university has been attempting to 'relocate' and evict residents of Banana City, some of whom have been living there for over 70 years.

While Xaba identifies academics both as a part of his own community and a part of the community against which he struggles, there is almost no reporting or investigation into this 'flourishing' intellectual class. How do the dynamics of

power work within the relations between these various actors within community movements? I have divided the paper into two parts, in which I argue for an unpacking of the construction of the Poor and a broader understanding of the ways agency and oppression occur within the 'uncomfortable collaborations' that are forged between various actors. In the first section, I unpack the identity of the 'oppressed' or the Poor as a singular subjectivity. I argue that those of us committed to an empancipatory politics need to find ethnographic ways of speaking truth to power (Said, 1993) while simultaneously speaking 'truth to, and with, the disempowered' (Desai, 2006). How can Left academics and activists[4] integrate understandings of their own power into research and praxis in order to contest stereotypes that increasingly bind us to a dialectical 'us *versus* them'? How also do we break apart 'the facile axiom that the poor somehow are an embodiment of the truth and, as long as they organise democratically, the line of march they take will advance the cause of freedom?' (2006:7).

To answer these questions, I will look at three interlinking elements. First, I will analyse the way the Poor subject is often created in Left political discourse through an evocation of a politics of compassion. This Poor subject has a fixed, essentialised identity which is represented as an 'embodiment of the truth' and which activates political agency through voicing concerns and demands. Second, I will unpack the way that oppressed people both adopt and challenge this construction. Third, I will suggest new ways of thinking about subjectivity in the context of oppression and poverty that account for the multiple frictions and desires at play within the social field.

Given this starting point, the second half of the paper will attempt to broaden an understanding of 'uncomfortable collaborations'. Once we move away from organising political meaning and mobilisation around identity-based politics, it may be possible to enter into new terrains of action. I'm interested in exploring how 'uncomfortable collaborations' can burst open geographic and identity-based alliances, de-territotialising groupings around commonalities of desire, struggle and event. These collaborations are not mini-utopias, but sites of friction in which diverse power struggles and contestation at the local and everyday level arise. I borrow from Anna Lowenhaupt Tsing's definition of *friction* as a state in which 'heterogeneous and unequal encounters can lead to new arrangements of culture and power' (Tsing, 2005:5). Frictions are always present *within* collaborations of struggle involving the presence of the Left, NGOs, academics and others with 'interventionist' goals who form a critical, though often invisible, element of many community movements. I am arguing for a departure from essentialised identities in order to reveal deeper alliances than *middle-class-activist* meets poor *black-revolutionary-subject* meets *Northern-feminist*, and instead signalling lines of flight, new ways of seeing, and collaborations towards a 'liberation of political desire' (Barchiesi, et al. 2006:5).

I reflect on my own fieldwork within social movements in South Africa to uncover how constructions of an essentialised identity of the Poor is maintained on one hand by elites, while on the other hand used pro-actively by those most directly oppressed to gain power and activate agency. At the same time, I am interested in how middle-class activists, academics, aid workers and, in this case, the Poor[5] engage in sometimes damaging interactions and patronages that ignore the maintenance of power within the Left, and glorify the Poor black subject to the point of a kind of reverse discrimination or *negrophilia*.[6]

I explore these two terrains – the construction of the Poor within elite spaces and the friction of 'uncomfortable collaborations' – to re-locate desire into the social field and how we struggle within it. I follow the urging of Deleuze and Guattari (1972) that desire is the location of socius innately linked to economic production, recording and consumption. How does desire propel movement within social struggles, and how does this operate within the *habitus* and *life strategies* of the everyday (Veriava, 2006; DeCerteau, 1994)? Through re-visioning social space, a truly anti-capitalist mode of inquiry and action might emerge. This is a project that is self-reflexive while remaining perceptive to historical processes and lived experience: it is an ethnography-in-motion.

Who are the Poor?

The historical construction of poverty is a relatively new phenomenon linked to the propagation of development discourse after World War Two. Development discourse used systems of thought and action to construct the world into a grid of developed or underdeveloped people and nations deeply bound to a capitalist, neo-liberal worldview. As Arturo Escobar (1995) has detailed, development discourse used industrialisation, free market economics and urbanisation as the primary vehicles for 'poor' countries to arrive at the modernisation and prosperity that is enjoyed by members of the First World. The living conditions of the First World are positioned as the ultimate ends of this development journey. The 'underdeveloped' world, in turn, has been constructed through the elaborate maintenance of discourse at political, economic and cultural levels (Escobar, 1995). In this, poverty as a discursive field became defined in political-economic terms. The more extensive construction of poverty itself as a category of analysis and intervention only became hegemonic in the 1970s after Robert McNamara's vociferous promotion of the concept in the World Bank.

> Prior to this poverty, viewed simply as the inevitable accompaniment of failure to develop economically, was rarely the explicit focus of development initiatives, or of academic study (Green, 2006:1110).

By 2001, the economic model of poverty had been revised by the Bank, in part through the assimilation of civil society and activist positions. Critical development debates made some in-roads towards challenging the concept of an economic solution for global inequality. Poverty, by the 2001 version of the Bank's analysis, is 'a state of relative powerlessness and exclusion from decision-making processes' (World Bank 2001:31). While this stretches notions of poverty out of the exclusively economic realm, the continued construction of poverty as an *object* served 'to homogenise attributes of poverty and the situation of those categorised as poor' (Green, 2006:1111). In the Bank's paradigm:[7]

> Not only is poverty ascribed agency to impact on the lives of people who 'fall into' it. It is represented as an evolving entity that must be 'attacked' rather than as a consequence of social relations (Green, 2006:1112).

Understanding the trajectory of development reveals how the Left has often ended up mimicking this discourse. In attempting to counter the Bank's style of engagement the Left has at times homogenized and decontextualized injustice and oppression through the maintenance of a virtuous Poor or grassroots subjectivity that is 'pure', close to the ground, and sacrosanct.[8] Problematic in different ways than development discourse, ultimately this view presents stagnant, tired binaries

that are blind to the emergence of new political subjectivities and possibilities. The concept of the 'pure and virtuous Poor' limits creativity and ingenuity, but also reinforces the very power differential the Left has ostensibly set out to destroy. Bertrand Russell (1984) traces the origins of the idea of a 'superior virtue of the oppressed' to a certain kind of paternalistic ideology developed by the Left during the French Revolution, and remaining there ever since. The adulation for the oppressed, he argues, usually arrives via a hegemonic actor, one who may well be part of the subjugation of the very 'oppressed' he so admires.

The fixing of the virtue of the oppressed becomes patronizing to the point of domination. If we truly hope to investigate, oppose, and create alternatives to the encroachment of neoliberalism, the Left must examine the ideologies and discourses operating within and around Leftist thought that limits those oppositional possibilities. Russell is scathing in his analysis, and argues that the idealization of the oppressed serves the interests of the hegemonic classes. It both assuages guilt, and denies the oppressed real power since it is their very subjection that makes them virtuous. Yet when power is finally equalized 'it becomes apparent to everybody that all the talk about superior virtue was nonsense, and that it was quite unnecessary as a basis for the claim to equality' (Russell, 1984).

Leaving Out the Messy Bits

In asking who the Poor are, we must also ask who are the elites, the middle-class activists and Left academics that are a primary audience for this paper. While the activists I reflect on here – and consider myself a part of – contribute significantly to the maintenance and sustenance of many community movements at various economic, political and social levels, we often escape internal or external scrutiny. This may be due to the fact that we are the same people who are narrating community movements to the public. This group tends to write the academic papers, books and news reports that define movements, yet it is rare that they situate themselves within its narratives or work with those movements on a daily basis.[9] While applauding the many contributions that City People bring to community struggles, Ashwin Desai laments how many also bring 'infectious political diseases' based on their particular histories and political desires which seep into social movements (Desai, 2006). I agree with Desai that it is disingenuous to exclude the interactions and interrelationships between these players that come to mark almost every social movement in South Africa.

It is this group of elites that should be seen as a counterfoil for my interrogations of Poor subjectivities. I take up Laura Nader's warning that 'everything you say against [the poor and powerless] will be used against them' to examine how this operates at the local level and how we might begin to unpack the ways we interact, write, work and think about poverty and the Poor (Farmer, 2003:26). Interrogating those relationships, with an eye to improving our ability to work together more productively and equitably, will likely entail an encounter with some messy bits that we often like to ignore. An example of narrating out the messy bits is illustrated in an experience I recount below. The discomfort and embarrassment of being lauded with unwanted status within disadvantaged communities based on class and racial hegemonies, while not uncommon, is often excluded from reports about community movements where class, gender and race differentials exist. How do we deal with these uncomfortable moments as sites of friction and struggle? These experiences, and the realities they reveal, are difficult to contend with, much less to write about.

> *After working for a number of months in Durban I was heading back to Canada. At the last minute I was invited to a farewell party, thrown for two other activists and myself who had all been working in the community. A beautiful spread was prepared for us in one of the shack settlements, a tent rented, chairs set up, a video projector organised, and food and drink procured. It was a beautiful gathering of around a hundred people. The City People were seated at a large table at the front of the tent. Each community leader came forward during the ceremony to speak illustriously on our behalf, praising each of us in turn. Gifts were given. It was pointed out that in Zulu culture praise is not normally bestowed on the living, and we should be duly honored to receive such praise in our lifetimes.*

> *During the ceremony a million thoughts ran through my head. Of course, it was deeply touching to be thanked in such a heartfelt way, to be given so much from those who have so little, and it could be said that there were few elites who had ventured into the jondolos (shacks) and who actively supported the struggles of the people there, but still, it was an uncomfortable encounter. Others in the community worked so hard, thanklessly. Why was I being honored? Of course in part it was because of the work I had done with them, but it was at least also in part garnered from my whiteness and foreignness. My discomfort was visceral, even though I was touched by the kindness and sincerity of my hosts. An uneven balance had been struck between us that this moment laid bare, and no matter what I might do, I would always be seen as an outsider in this way, always praised more than a black woman who came from the shacks who did more work under worse conditions. Not to mention the immeasurable things I was gaining from my interactions with these communities, not the least of which might be first-hand perspectives that would feed into my own academic writing, as they are right now. How could I challenge this praise, while also not offending my hosts? I tried to say something to this effect when asked to speak but it was ineffective.[10]*

The fact that I found it difficult to adequately challenge this moment is an important part of the story. It was only with those few individuals that a partial unveiling of these binaries could occur; with those whom I shared a similar trajectory of political desire. The friction in this encounter reveals why these collaborations are uncomfortable. Clearly elites or middle-class activists are often not seen as equals in poor communities where they work. Our farce of solidarity, if it does not factor in the power dynamics at play, suits our own desire to be seen as righteous, good, well-meaning, guiltless. Simultaneously, our silence around these tensions and inequalities factors out our own desires; the how and why we come to these spaces. I agree with Desai that to truly move forward we must recognise how we have been shaped and influenced by our interactions with each other, and 'to blink or fixate on our own supposed 'purity' right now will be tragic' (Desai, 2006:12). By recognising these interactions and frictions we can begin to unravel the 'uncomfortable collaborations' in action. These collaborations are not only theoretical, but arise because of the material conditions that dominate the realities of people's lives and which cannot be ideologically swept under the carpet. Theory is too often constructed out of the limbs and lives out of the most oppressed.[11]

'Uncomfortable Collaborations'

To give a cursory look at one site in which 'uncomfortable collaborations' are being created I turn to Kennedy Road, a shack settlement I've worked in (and briefly lived in) that is the centre of the *Abahlali baseMjondolo* (shack dweller's movement). Kennedy Road is a shack settlement comprising of approximately 7,000 residents situated in Clare Estate, Durban. The community movement *Abahlali baseMjondolo* formed there in November 2005 after a tyre-burning road blockade to protest 'the

sale, to a local industrialist, of a piece of nearby land long promised by the local municipal councillor to shack dwellers for housing' (Abahlali, 2006). This genesis narrative is the one primarily given by university-based academics that have been involved in the movement since early in its inception, weaned from community members through interviews and first-hand experience (Bryant, 2006; Pithouse, 2005).

Abahlali have been the source of a great deal of academic and activist writing since this beginning, cropping up in the *New York Times*, the *Mail and Guardian*, the *Economist*, *Isolezwe* (isiZulu paper), and almost all of the other South African papers including most radio and television stations in the country. The extensive writing on the movement has quickly turned it into a cause célèbre within the South African Left, gaining the movement significant notice by city officials.

I focus on this site in particular to draw attention to why an investigation into the specificities of friction and *uncomfortable collaboration* as encounters of power are so critical. A sweeping valorisation of the inherent truth in the isolated and fragmented identities of the Poor is not only misleading, but it is potentially damaging to community movements. A theoretical binary ignores forces of power and contestation, both within these sites and across them in their varied and contradictory forms, and instead creates a 'holy good' in opposition to a 'rotten evil', which infiltrates into the way struggles are waged and politics enacted.

Within the context of globalisation and the multiple forces, trajectories and power struggles operating at various scales, this kind of simplistic view of encounters has little hold. Further, as James Ferguson (2006) contends, the process of globalisation, for Africa at least, is not one of 'flows of capital' but one of disconnection and separation, of capital hopping, of enclaves, borders, divisions and alternative geographies. Africa may be presenting us with an example of what the future may look like: pockets of wealth, hierarchies of power, spatially linked through capital and often within volatile, unstable states set against tracts of poverty, where large NGOs, corporations and 'grassroots' actors overlap and assume functions of the state, horizontally creating new intersections of power. We must trash notions of what he calls *vertical topographies of power*, which juxtapose state, civil society and other players in a complex hierarchy, to look more closely at modes of operating within social movements and state structures that overlap, re-inscribe and reconfigure relationships of power and governance.

Through problematising these vertical topographies of power we can investigate and contribute to actualizing points of departure towards a radical politics, while also being able to better see what is actually happening within and across 'uncomfortable collaborations'. Within these intersections, the complexities make static, one-dimensional identity politics useless in understanding global and local convergences of power. As Anna Tsing points out, 'the effects of encounters across difference can be compromising or empowering. Friction is not a synonym for resistance. Hegemony is made as well as unmade with friction' (Tsing 2005:6).

Sites of Friction

> We have seen and we have noted that some of the academics, who can not be mentioned, have begun to play a major role. So comrades, we believe that the civil society academics, intellectuals, have a role to play within Abahlali. The very same people will make us very strong, because we may be strong in toyi-toying but not strong in strategizing, so our

cleverness is that; that we provide a platform for the clever people to utilize[12] (S'bu Zikode, elected president of *Abahlali baseMjondolo*, 2006).

An analysis into the sheer number of actors, spaces and events that come together in the creation and development of *Abahlali* gives significant insight into its often neglected complexity. Looking closely at the forces of different agents that intersect with the movement can provide glimpses into the frictions of power at play in social movement spaces.[13]

These frictions have a great deal to teach us about how gains are won and lost, how power is wielded and withheld. My point is not that we must always tell the whole story, but that it is important not to position ABM members as Poor subjects apart from the apparatus of power that surrounds them and within which they engage, challenge, contest and collaborate. To construct the singularity of experience for any one of its members without reference to the multiplicity of experiences of power on various scales and geographies – in short to create a 'pure' Poor subject out of this dynamic mix of forces – would be a massive oversight. While references to certain actors (the police, the City, the councillors, the Minister of Housing, the middle-class Indian neighbours, Moreland) make their way into the writing about the movement, others (the urban activists, academics, (most) NGOs, residents not part of the movement, rural families, and capitalists) are not mentioned. This is a certain kind of storytelling, to be sure.

Of course every story has a narrator and every story must leave some things out in lieu of others. Yet the frictions between what is told, and what remains in the shadows, often lays at the core of how politics are enacted and how movements define, defend and create themselves. For example, debate has once again grown vociferous around the role of middle-class activists in community movements. While the ABM has spoken out angrily about the loss of some academic activists and resources to their movement due to shuffling at a university institution (the Centre for Civil Society, CCS), others have decried what they see as 'the tragic manner in which the ABM has become a pawn in the hands of certain "academic activists" whose actions – in academic spaces – have resulted in isolation for them as individuals' (Naidoo, 2006) and who have hid behind the ABM to wage their own battles for institutional space.

This friction manifested concretely at the Social Movements Indaba (SMI) held in Durban in December 2006. The AMB, after having been part of the organising team leading up to the SMI for many months, boycotted the event and then disrupted it to voice their concerns and criticisms of the event. The SMI was a meeting of over 30 community movements, NGOs, middle-class activists and academics meant to build solidarity between movements at a national level in South Africa.

Friction here happened at multiple, almost mind-boggling, levels. Middle-class activists and NGOs were criticised by the ABM for writing about the movement without having a direct relationship with the ABM itself. They also criticised the CCS for what they saw as a wrongful dismissal of four academics who had been funnelling CCS resources into the movement. Sides were taken. Many members of community movements had tirelessly worked to put together the SMI and were deeply offended by the co-opting of their space by what they saw as a chauvinist flaunting of power by ABM. They were also dismayed by issues raised by the ABM regarding internal tiffs with an academic institution which was not directly linked

to the SMI meeting. Other activists smelled a rat, and opined that ABM was being 'used' by these same disgruntled academics to wage battles on their behalf.

At the same time as the SMI meeting was underway, ABM was participating in a weekend workshop on housing issues held by the NGO, COHRE (Centre on Housing Rights & Evictions). There was evidently confusion within ABM about what the SMI was, based on the fact that they made demands meant for government officials concerning land and housing to the SMI, while in fact the SMI was a collection of comrades and fellow community movements from across the country, not government officials. This embarrassing mistake further emphasised a sense that the demarcations between various roles, solidarities and antagonisms were not clear.

Activists quickly came out vocally around the SMI and began to articulate their own understandings of the frictions at work in community struggle. Prishani Naidoo, an activist who has worked extensively with the Anti-Privatisation Forum (APF) in Johannesburg, wrote the following on a national activist message board in relation to the SMI debate:

> I have never presumed to 'speak on behalf' of those who know the material conditions being fought better than I do, but I have not surrendered my own voice either (a voice that is itself a product of personal and collective struggle). While I have certainly listened and been directed in struggle by those directly affected, I have also shared with them my own ideas and experiences, and often disagreed with them about strategies and tactics. This I have done as an equal in a community of people in struggle, but recognising that I do not participate in this particular struggle from the same position.

Naidoo criticised other activists who valorise the 'authentic' voice of the Poor and who act as 'self-appointed guardians' of that voice. Internal fighting amongst the academic/activist left ensued, finding some vent in the most widely circulated weekly paper in South Africa, the *Mail & Guardian*.

While criticising NGOs and some academics they feel are not sympathetic, ABM are also deeply involved with other academics and NGOs that they have chosen to work with. Desire based alliances have been made which have more to do with favouring some institutions and academics over others, rather than with ideological fallouts. Some of the favoured academics[14] position themselves as 'support workers' for ABM rather than visible allies in the struggle. This curious positioning is an attempt, they say, to allow 'grassroots movements' to lead themselves, and therefore they 'perform a balancing act of sorts, offering their assistance without taking over the movement' (Harris, 2006:25). Yet, as I am arguing here, 'uncomfortable collaborations' and frictions are always at work, whether middle-class activists have the best intentions to remain at a distance from movements or not.

This can be evidenced at a discursive level. Early on in ABM's struggle the main issues were identified as land and housing. Recently, gaining 'voice' has become a larger preoccupation, due in part perhaps because the core cadre of activists have seen a fair amount of media coverage garnered in part by the influence of academics and middle-class activists using media savvy and connections.

As Harris (2006) writes, 'when asked what [*Abahlali's*] biggest accomplishment as a movement has been, most members did not hesitate to answer that it was winning the right to speak for themselves' (Harris, 2006:25). The genealogy of this conceptual

shift would be necessary to trace in detail, but even at a surface reading it can be seen as an example of how frictions between NGO/academic discourse and this particular social movement have played out. For example, Richard Pithouse, one of the most prominent commentators and an honorary member and organiser with Abahlali recently described

> Abahlali's founding protest not as a service delivery protest, but as a bid to be heard, to be given a voice … Abahlali don't want to be represented by elites. They want to have their own voice. They want a say in government (in Harris, 2006:25).

Yet in early accounts of *Abahlali's* mandates, the idea of 'voice' was rarely mentioned. In transcribed interviews land, housing and the frustration of waiting too long for service delivery were consistently given as the reason the communities had mobilised (Bryant, 2005; Purcell, 2006). There has been an evident evolution of how the movement is conceptualised internally which has in no small part been effected by the way ABM has intersected with other activists, the city, the law, and other factions.

It is interesting that while so much has been made of 'voice', a truly amazing amount of discourse has emerged in recent interviews and writing in which *Abahlali* members articulate their 'democratic' role to *speak for* those who have no voice (Harris, 2006:25). In one turn, ABM claim that the most central gain of their movement has been to be able to 'speak for themselves', while at the same time, several activists feel that though they do not have the resources to mobilise beyond Durban, '*Abahlali* is already a national movement' that speaks on behalf of all shack dwellers (Harris, 2006:40). While a key slogan is 'speak to us not for us', *Abahlali* has begun to articulate a right to speak on behalf of other poor people living in shacks. The contradiction between 'speaking for themselves' and 'speaking on behalf of other poor people', as long as it is done by poor people themselves, is uncritically accepted by the Left and those writing about the movement. The trickling in of the 'Speaking for Ourselves' discourse and its embrace to such a degree that now other 'Poors' are now being spoken *for* is a very curious example of friction at work.

This cursory synopsis of frictions at work in spaces of supposed solidarity points to the need to take seriously an analysis of struggle and of subjective positioning that includes how antagonisms 'and 'uncomfortable collaborations' operate. It also highlights how these 'uncomfortable collaborations' can disrupt the possibility of imagining new modes of struggle necessary to confront neo-liberalism.

Towards the Broken (or Unfitting the Fixed)

While the World Bank creates a homogenous 'Poor' subject, the Left at times also envisions an oppressed agent that is sacrosanct in its wretchedness. Ultimately this creates a politics of piety that relies on the benevolence of the big-hearted who hear the lamentful cries of the Poor and spring into action to 'help'. Miriam Ticktin (2006) has shown how dangerous, and binding, this style of politics can be. She traces how a *politics of compassion* abstracts political reality, reducing claims for justice to that of 'bare life'. A *politics of compassion*, while being usefully exploited for claims of residency and citizenship by migrants in France, is ultimately deeply problematic in the way it conflates social and economic well-being with biological illness or health. The move away from a discussion of rights and justice to humanitarianism as exception that relies on the compassion of individuals, NGOs, and the state creates an even more arbitrary, unfair system of power.

The Northern imposition of a therapeutic model of self-improvement through institutions, aid workers and humanitarian organisations, also feeds into a *politics of compassion* in which populations are encouraged to lower their expectations and aspirations (Pupavac, 2004). Material complaints are de-politicised as onus is placed on the individual and community to undergo emotional and psychological development in order to improve their lives. This politics of piety has no room within social movements that seek to address material grievances. The slogan 'Solidarity Not Charity!' mobilised frequently by the community-initiated Common Ground Collective is an apt reminder of the trouble with a charity model. [15]

Refiguring political understandings of justice and equality towards a therapeutic and compassion-based model loses sight of the concrete everyday economic and structural needs of the various groups under investigation. They disrupt and contest discourses of empowerment and intervention and ironically deny agency to those already lacking political power. At the same time they point out how these subjects still activate political action even within this degraded terrain. In addition, the valorisation of the Poor as the 'embodiment of Truth' creates a category of people (the oppressed) that are deemed unworthy of honest debate, discussion and engagement through placing them on a pedestal of wretchedness.

> *Can we learn to conceive, theoretically and politically, of a 'grassroots' that would be not local, communal, and authentic, but worldly, well connected, and opportunistic? Are we ready for social movements that fight not 'from below' but 'across', using their 'foreign policy' to fight struggles not against 'the state' but against that hydra-headed transnational apparatus of banks, international agencies, and market institutions through with contemporary capitalist domination functions?* (Ferguson, 2006:107).

By valorising the very condition of being 'Poor', the poor themselves are immobilised. Their fight against poverty conflicts with the only way they are mobilised to access power: through valorising their *bare life* (Agamben, 2005). The Poor are thrust between a rock and a hard place. To have legitimacy, gain power and voice within spaces of the Left, NGO programmes, workshops, and international programmes, means to stake a claim on an identity as the virtuous Poor, yet to be Poor means to have no power. Ultimately, this faulty, circular reasoning leads to a conclusion that 'if virtue is the greatest of goods, and if subjection makes people virtuous, it is kind to refuse them power, since it would destroy their virtue' (Russell, 1984). Rather than this colonial and patronising view of struggle and those who are fighting against subjugation, we should rather follow Ferguson's urgings to,

> *rethink our ideas of popular struggle and to prepare ourselves to learn from Third World transnational 'hackers' with a sense of media politics, as well as a sense of humor – and from movements that offer us no a pure and centred subject of resistance but, like the sub-commander [Marcos posing for a Benetton ad], a quite different figure: masked, ambivalent, impure, and canny* (Ferguson, 2006:108).

To insist upon a sacred space of oppression as the only one from which struggle can occur means that there is no genuine political will towards liberation. If our struggle is broader than winning small concessions here and there to improve material conditions within capitalism, we must jettison a mode of struggle that is so politically short-sighted.

Rethinking Subjectivity

To understand what we are leaving out in a static view of identity, we must explore more fully what new models of subjectivity might look like. This is perhaps what Heinrich Böhmke was recommending when he wrote that:

> the notion of 'subjectivity' is [a theoretical] tool … we must all start grappling with. Whatever the case, a radical rethinking of actually existing social-movements as the agent, vehicle, promise and pretence of revolutionary struggle in South Africa is called for (Böhmke, 2006:64).

In an attempt honestly to evaluate the potential of new subjectivities I want to draw on a few examples from my own fieldwork, as well as drawing on proposals for understandings agency advanced by contemporary anthropologists.

Over the past number of years I have been doing research with a group of young people around HIV prevention in Khayelitsha and Atlantis, South Africa. At the point that I describe, we had been working together for five years. I had watched these young people grow into adults, leave high school and enter the world of jobs, university, and for some, poverty. As my work with them deepened I began to notice how they had activated their involvement in our project over the years as well as their own status (as HIV+, as peer educators, and activists) to make gains and secure footing for their own social, economic and physical well-being. In a sense they mobilised a *therapeutic citizenship* as a part of their identities (Nguyen, 2005). There is a growing body of work in anthropology that examines *biological* and *therapeutic citizenship* as a site for political agency across global terrains (Petryna, 2002; Nguyen, 2005; Ong, 2006). Vinh-Kim Nguyen argues that the international AIDS industry functions in a dialectic with local political bargaining to create *therapeutic citizens,* who use their health status to mobilise resources and stake claims for treatment and care within global moral economies in which treatment is very inaccessible. He documents the irresponsibility of the global AIDS industry in adequately dealing with the pandemic, in fact even worsening the situation through ill-conceived projects, yet opening a space for *therapeutic citizenship*, in which what is at stake is life itself.

In our study, one participant used status gained from being a published author within the project as a means of activating status in her community as a 'go-to' person for advice, care and support; a young man used various elements of his participation within the project to find ways to travel abroad, speak on panels and at conferences and get paid work as an educator; another young woman publicised her HIV status, activating her potential to get treatment within health networks she might not otherwise have accessed; yet another young woman used her experiences to gain some notoriety in her community (speaking on the radio) which eventually helped her find a job as a social worker with young sex workers in her community. There are many other examples that show how collaborations with an HIV prevention project were transformed, utilised and mobilised to access material and psychological gains, however small. In this case, the association with the virus, not only their particular status, and their active engagement as young people became a means to find alternative strategies of the everyday, at least for a while. Five years after our first encounters, they told new, surprising narratives of how participation in the project influenced their practical lives in terms of trips, jobs, school opportunities and other social and economic benefits.

Some ways of naming AIDS in isiZulu and Xhosa, for example, can also denote a sense of agency within a biological claim. *Ufuna ukuba famous* (she wants to be famous), or *Ufuna imali kahulumeni* (he wants money from the government), can both be used to describe someone with HIV or AIDS (Dowling, 2006). While these expressions have negative connotations, they also indicate the *possibility* of status and economic gain. While I am not implying that people are abusing or misusing the system, I am trying to draw attention to the fact that people are negotiating a system that is for the most part not providing for them. They are active in this negotiation, finding loop-holes here, potential benefits there, in a context where very little opportunity is available to them. In this way, we can see subjectivities that are active, desiring and mobile. *Biological citizens*[16] and *therapeutic citizens* both challenge neo-liberalism through an agency that is continually shifting between identities, operating in and through joints the of power and state structures.

While biological status might be mobilised in the face of grim realities to gain some compensation or recognition from the state, it could also be the groundwork for new strategies of engaging with one another and with 'oppression', ultimately leading to ways out of the dangerous lifestyles that young people in disadvantaged communities can find themselves in. In this story written Thumb, a young man in our research group, describes how his life is transformed by his friend's HIV disclosure.

> *I grew up in the township called Gugulethu in the 1980s. That time was during the Apartheid era, and there was a lot of criminal activity in my life. We used to vandalise property, hit trucks, do highjackings. The police sometimes chased us. We used to carry tools to defend ourselves. I've done these things and played my role with gangsters. I didn't stop my criminal activities when we moved away from Gugs and went to Khayelitsha.*
>
> *Then something happened to change my life completely. My best friend told me that she was HIV positive. I didn't believe her at first, because we used to joke around a lot of time, doing crazy stuff together. We were both in school. We spent our time studying, having fun, sharing ideas. We always joked a lot and made up stories, so it took me a whole year to believe her. But it was difficult for her to cope, and even though at that time I knew nothing about HIV and AIDS the one thing I knew was to give her the support she needed.*
>
> *It was a time of change, and something changed about me. She made me understand life and about HIV and AIDS, and other issues. I quit a lot of things. I took a big step in my life and quit being in a gang. She and I started an Action Committee at school. The whole school supported us. We did a lot of campaigning at school and around using condoms, awareness about HIV and AIDS.*
>
> *Since that day I never looked back again. I'm still supporting her all the way through, giving her love, care, understanding, openness, acceptance. I dream of making this world a better place for all of us, one in which we have peace, respect, and openness about our health conditions so that we can save a lot of people living with HIV and AIDS by providing them with treatment and prevention earlier* (Schuster, 2003:63)

In Thembi's story his enacted agency fed into the HIV prevention programmes around him. His life experience and his desire motivated his engagement and his transformation. In this space he enacts various levels of agency, from becoming a peer educator, to a campaigner, and a support worker for his friend. From his own subject-position he interacted with systems of organisations, school and government around him through lines opened up through his care and desire for a friend.

At the same time as valuing the ways these lines open up, it should not be seen in the conservative and increasingly mainstream notion of a grassroots agency that presents activism as an interior transformation aimed at changing behaviours and lifestyles. Desire is not pure.

Conclusion

I've provided these examples as points of entry into alternative visions of identity, subjectivity and community. Ultimately, I suggest not a return to a universalising humanism where power relations are obscured, nor an identity politics on which stakes are claimed by subject positions in a vertical topography of power, but something beyond both where we can reconstruct agencies on various intersecting and conflicting scales, activating in some spaces what is oppressive in others, and finally, mobilising that which bursts forth from desire as much as from materiality.

Knowledge born out of 'uncomfortable collaborations' is situational and linked to a specific context in dialogue, where any number of subjectivities (such as the subaltern and the academic) exchange their partiality. In the end, knowledge will be produced by this exchange and transformed by the interaction, in ways that may be critical, enriching, invisible, or exploitative. Each subject will exit the exchange somehow transformed by it. Yet the recognition of how we are changed by these interactions is not, in itself, enough. Recognition of how these desiring subjectivities interact must prompt us to challenge the very assumption of an authentic position, understanding how both sides in any encounter emerge transformed, and how this process is constantly occurring. Rather than slipping into a sea of post-modern subjectivities, it should cause us to grapple more clearly with power and positioning by revealing more concretely the way our interactions support, collaborate and hinder us. It should also allow us to better identify unity and purpose within, against and beyond capital's rigid class contours.

It is critical to not get caught up in stagnant identity politics and dialectical constructions of 'us versus them'. If we do, we might overlook the agency working horizontally between and across more obvious forms of resistance. We must begin to recognise the desiring subjectivities that actively subvert, contest and collaborate with the system to stake claims for better lives.

It is through analyzing lines of flight and spaces of habitus that we might be able to creatively contest and invent together. The concept of *friction* enables us to look closely at the mutually affective elements of all human interaction. 'Uncomfortable collaborations' reveal power at work in the everyday. To transform our debilitating notions of the Poor we must destroy the thick discourse that has been spun around them, and simultaneously acknowledge that many people will choose to mobilise their 'poor' identities to stake claims for material, social and political gain from the state. Academics and those working as allies must also acknowledge our mutually-transforming relationships with oppressed groups. This is part of how the friction between various forces can open up the most unlikely spaces for change.

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Endnotes

1. My field notes from the Informal Settlements Management and Clearance briefing, July 2006, hosted by the Centre for Public Participation.

2. I use Ashwin Desai's term 'Poors' to designate a heterogeneous group of South Africans who are actively resisting and fighting for their rights to life, as well as being the most hard hit by neo-liberal state policies, subject to eviction, water cut-offs, electricity cut offs etc. Elsewhere I use the term the 'Poor' to indicate the fixed subjectivity of wretchedness that I am critiquing here.

3. Banana City has been part of the university community for over 50 years. UKZN's Vice-chancellor Prof. M.W. Makgoba has been trying to evict families off this land throughout the last year.

4. By 'activist' here I mean what is often referred to as *middle class activist* or *City People* within social movements in Durban. This group are involved in political struggle for their own diverse set of reasons, which deserves a paper in itself. I use the terms City People, urban activist, and middle-class activist interchangeably.

5. In other locations and moments the oppressed subjectivity might be organised around other dimensions, such as statelessness, HIV status or other health related groupings, indigenous identity, etc. For my purposes here, the category of the 'Poor' actually cuts across many of these other identities and has been unproblematically taken up as an identity both by Left activists and academics as well as by local community movements.

6. *Negrophilia* has been used to describe the obsessive fascination by whites with 'negro' culture, music and artistic production in America. I use it here to capture the neurotic exotification of the black subject, in this case the 'Poor' black subject, that is in itself a kind of racism. I think here of Said's ideas around Orientalism.

7. While I don't have the space here to adequately discuss how the World Bank and other so-called anti-poverty agencies construct technologies and discourses of poverty to the exclusion of the very bodies and realities of those they study, and the historic forces that create them, an understanding of how 'poverty' has been politically constructed is an important backdrop to this study of subjectivities.

8. The 'Left' are also not an essentialized group. This term should also be problematized and unpacked. At the same time, in attempting to reveal ways that these concepts fuel a problematic politics, I use the term willingly. The notion of the South African 'Left' is still widely used and accepted by those inside and outside that definition, expanding only enough at times to make space for the noxious 'ultra-Left'.

9. Of course this is a generalisation. Ashwin Desai, for one, situates himself at points during the Chatsworth struggles in *We are the Poors* (2003), and I'm sure there might be other examples.

10. Field notes.

11. This inability to speak freely has not always been the case, and most certainly was not in the history of South African Left. One wonders if it is the post-apartheid era, where the stakes are not as high (you may get tear gassed but are less likely to be shot) that has allowed the entrance of so many reformist political figures from the middle classes to stagnate real engagement? Perhaps we have not yet emerged from the climate in which Steve Biko found himself during the SASO days; a climate in which a multi-racialism that includes whites and elites cannot happen yet, unless it is duly acknowledged, exposed and continually challenged. Most certainly narratives that exclude the role of whites and elites in community struggles do not help advance the consciousness and causes of those they hope to support.

12. This quote was taken from the transcripts of the video recording of Zikode's speech.

13. Unfortunately I don't have room within this paper to tackle all the intricacies at play across the various sites and between and among the various actors in the story constructed around *Abahlali baseMjondolo* and within the specific site of Kennedy Road, to illustrate friction at work in a particular space. In a longer version of this article I set out the various players in detail: activists, NGOs, academics, the State (executive, judicial, legislative), community movements, petty

capitalists, land owners and big capital, local home owners, shack dwellers outside the movement, geographic spaces and IFIs. This overview still misses the historic forces of apartheid and class divisions within the movement itself, but begins to tease out the complexity of the forces and frictions at play.

14. Elsewhere these people might be called 'allies', but there is a tendency around Abahlali for the academic/activists to position themselves as 'support workers'. I have myself worked with Abahlali in this way, so this should be seen as an auto-critique.

15. The Common Ground Collective is a 'community-initiated volunteer organisation offering assistance, mutual aid and support' who work with communities to provide for 'their immediate needs'. They 'emphasises people working together to rebuild their lives in sustainable ways' and were largely responsible for aiding disenfranchised people in New Orleans after the hurricane.

16. In her study of how Ukrainians medicalise their lives in a post-Chernobyl context, Adriana Petryna (2002) also looks at how individuals enact agency even within grim social and biological realities. Here, being a *sufferer* is financially rewarded by the state, thus positioning health in a political terrain. In this case, the construction of collective and individual responses, contestations and interactions with the system is what Petryna calls *biological citizenship*. *Biological citizens* tool themselves with knowledge of medicine, science, technology, and bribery, to negotiate with the state for their very existence.

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Rejoinder: Collaborations, Co-optations & Contestations in Praxis-Based Knowledge Production

Patrick Bond

In her brave autocritique of how formal academics operate in South Africa's low-income activist settings, Shannon Walsh hopes that 'uncomfortable collaborations can burst open geographic and identity-based alliances, de-territorialising group-ings around commonalities of desire, struggle and event.' Walsh's points are valid. Yet I think context is missing and needed. We are, after all, only in the initial stage of reviving these collaborations in the face of 1990s co-optations and subsequent contestations of 'knowledge production' between proponents of the government-allied centre-left and the independent left-left. Until these are clarified we can consider the search for genuine accountability of researchers to their subjects, and the search for more honest representations of local politics.

It's not a new problem, and after 18 years of research on political economy, environment and social struggle in South African townships, I also worry that those of us committed to local/global democratic organisation, economic justice, non-racial and anti-patriarchal politics and radical ecological consciousness have not found more systematic ways of recognising mutual strengths and weaknesses across the community-intellectual, town-gown divide. During the 1990s, these concerns were raised in the civic movement by, amongst others, Mzwanele Mayekiso (1996, chapters 5 and 12), who critiqued external researchers' work in Soweto, Alexandra, and other hotspots of social struggle, largely on grounds of their relatively conservative assumptions and political agenda. (For example, one target of Mayekiso's, Oxford-trained Charles Carter, whose dissertation compared the 1986 Alex Six-Day War to the Paris Commune in scathing terms, is now an executive director for AngloGold Ashanti.)

Durban is a particularly vibrant site of study about – and in support of – social activism, not only since the 1999 rise of South Africa's 'new social movements' – partly emanating from Chatsworth's Indian and African residents (Desai, 2002). At least a quarter century earlier, traditions of radical intellectual engagements began at three of the main campuses that today comprise the University of KwaZulu-Natal: Howard College, Westville and the Mandela Medical School. In the 1970s and '80s, faculty and students like Steve Biko, Fatima Meer, Rick Turner, David Hemson, Blade Nzimande, Moss Ngoasheng, Ari Sitas, Alec Erwin, Francie Lund, Bill Freund, Ian Phillips, Mike Morris, Dhieru Soni, Brij Maharaj, Doug Hindson, Jeff McCarthy, Dan Smit, Vishnu Padayachee, Jennifer Robinson and Claudia Reintges, amongst others, generated innovative collaborative work with trade unions, communities, environmentalists, women and youth.

But a good many once committed academics then reverted to consultancy status (drawing on former leftist networks and knowledge as surprisingly valuable currency), and in the process moved far to the right during the 1990s. The most spectacular turn was by Erwin, who ranks amongst the main advocates of neo-liberalism and who, as a result, lost his seat on the African National Congress (ANC) executive in the Polokwane political massacre of December 2007 and faced subsequent ridicule for his pro-corporate role in the country's electricity crisis. The journal *debate* (1997) lamented the loss of these intellectuals in a 1997 editorial.

> *Here we refer to an extraordinary social phenomenon, based on what seems to be ceaseless individual meanderings, nearly all by white males in their 40s and 50s, from mid-1980s grassroots to early 1990s 'class roots' politics: the lead marxist critic of the Anglo American Corporation turned to advertising his consulting services (as a trade union insider) to Anglo and other firms; the two leading marxist critics of the Urban Foundation (Anglo American's social policy think-tank) became two of its key strategists; numerous academic marxists did top-secret consulting work for the Urban Foundation, such as regarding land invasions (contemporary and historical) at precisely the time the UF's land speculation strategy was most threatened by the invasion tactic; the two leading marxist critics of orthodox pension fund management became important exponents and practitioners of orthodox financial packaging through the big institutional investment firms; an energetic marxist-workerist educator led a high-profile post-apartheid labour commission that rejected a national minimum wage; the lead marxist critic of export-led growth strategy debuted in the* Financial Mail *by endorsing Taiwan as a model for post-apartheid SA and subsequently co-authored* GEAR; *the most influential marxist economist within the trade unions turned from advocating social democracy in the pages of the SACP's* African Communist *to fiscal discipline and free trade within the Finance and Trade/Industry Ministries; and last and possibly least, South Africa's lead marxist peasant scholar, who was jailed for his SACP ties during the 1960s and later (at the Sussex Institute for Development Studies during the 1970s) supervised the doctoral theses of leading South African neo-Poulantzians, eventually became the strategist of 'homegrown' African structural adjustment at the World Bank (and presently serves as the Bank's London representative).*

> *The demand upon intellectuals for accountability to the Movement was taken less seriously as every passing day revealed another profound compromise of principles and 'engagement' with the forces of reaction. Under the circumstances, the desire for that elusive ego-boosting quality, relevance, which always motivates political-intellectual work, became overwhelming ... The problem tended to be the older generation's diminishing rootedness in struggle, added to the self-flattery and opportunism associated with the corridors of power, which continually undermined more durable, and politically radical, analytical approaches to social problems.*

As another telling illustration, the former *Review of African Political Economy* contributor in South Africa, Billy Cobbett, moved to the World Bank in the late 1990s, having implemented its policy recommendations when he was the leading housing official during the mid-1990s. Cobbett, formerly director of the radical urban NGO Planact (and the man who invited me to South Africa in 1990, for which I'll remain forever grateful), introduced a market-driven housing policy in 1994, even at the risk of the inevitable declaration by the SA Constitutional Court, in its September 2000 Grootboom ruling, that the *White Paper* – fronted by housing minister (and SA Communist Party chair) Joe Slovo, on his death bed at the time – was unconstitutional due to its failure to serve the poor.

Co-optation was and is the most predictable danger associated with intellectual work for mass movements, as Ralph Miliband and Leo Panitch (1990), James Petras (1993) and Issa Shivji (2007) point out in relation to such ex-leftists and NGOs. More interesting at the moment, though, is the unpredictable detour South African community politics – and intellectual worker allegiances – took as the early 2000s rise of urban social movements in Durban, Johannesburg and Cape Town began to ebb. Ironically, without the benefit of formal organisational linkages (such as the Social Movements Indaba network), the pace of social protest intensified dramatically during the mid-2000s, soaring from 5,813 recorded protests in 2004-05 to more than 10,000/year (Nqakula, 2007). Like many other such grassroots movements in

history (Castells, 1983), the radical post-nationalist community groups – which were mostly rooted in formal urban proletarian settings – failed to expand their work into both lowest-income peri-urban shack settlements and rural areas, and also into the formal trade unions and other relevant movements such as the Treatment Action Campaign.

To illustrate, in mid-2007, Durban was exploding with protest: informal sector traders against municipal restrictions (with more than 500 arrests one day alone); fisherfolk tossed off docks by forces of gentrification; a myriad of community groups angry about slum conditions or pollution; students against financial exclusions; and public sector trade unions in the midst of an extraordinary month-long strike for decent wages. The tragedy of that moment and so many others was the failure to link up the activists and their causes.

Often it is the work of solidaristic intellectuals and progressive service organisations (sometimes misnamed 'NGOs') – whether we like it or not, and it would be dishonest to claim otherwise – to assist in strategising the terrain, connecting the dots, and liaising with others like-minded in potentially allied organisations. But this layer (myself included) failed to cohere across the SA left during the 2000s, in the way they had much more effectively during the 1980s, and it is here that a prior uncomfortable collaboration should be established.

One prerequisite is semi-psychological in nature, namely a fatally shaken confidence on the part of the progressive petit-bourgeoisie in the ANC's 'liberation' project. Every day, this state of mind draws nearer thanks to the ruling party's outright corruption (especially in arms trafficking), crony capitalism ('Black Economic Empowerment'), favouritism to big capital (so evident in ongoing aluminium smelter electricity supply during the 2008 load-sheds), further painful inroads of economic liberalisation, sustained (and extreme) poverty and unemployment, *still worsening* inequality statistics, *more rapid* environmental degradation, ongoing oppression of women, connivance with the great powers in foreign economic policy and diplomacy, and the like.

The rise, fall and rise of Jacob Zuma, opportunistically supported by trade unionists and communists, offers further pessimism about internal ruling party reform, given an adverse balance of forces. Any alternative movement to Mbeki's well-recognised authoritarian-neo-liberalism is too easily hijacked by the ANC's conservative populists, with all their patriarchy, ethnicism, militarism and corruption (e.g. a third of the new National Executive Committee members have a dodgy record, according to the *Mail & Guardian*). More than enough was revealed in Zuma's 2006 reaction to rape charges, in his dealings with sponsors such as jailed financial manager Shabir Shaik, and in his obsequious reactions to pressure from Citibank, Merrill Lynch and the Davos crowd in the days just before and after his ascent to ANC leadership at Polokwane.

Thus there is a period ahead of renewed contestation between the independent left and centre-left intellectuals and functionaries. A critical mass of the intelligentsia should, in the process, shed any remaining illusions about the ANC's 'social democratic' policies and the construction of an alleged 'developmental state' (on the basis of a very slight rise in the social wage as a percentage of GDP, from 14% in 1994 to 16% in 2007). At that point, real collaborations can begin, unhindered by co-option from the now-exhausted and delegitimised neo-liberal institutions.

The next wave of academic migrant workers into township sites of struggle will hopefully be welcomed as much as Walsh is in the Durban shacks. In the meantime, in preparation, accountability should be more vigorously demanded from below, particularly against intellectual workers' tendencies to self-glorification, careerism, exaggeration, vanguardism and gate-keeping. Also in the meantime, the networking function – i.e. the rather more comfortable collaborations between people of similar training and orientation – can assist a great deal, if properly conceived and channelled.

Regrettably, this is not yet happening, as we have witnessed across the South African independent left. The Treatment Action Campaign won't work with anti-privatisation activists in the water and electricity struggles – no matter that these are very obvious interlocks and overlaps with health – due to very different positions in relation to the ANC. Those strategising for labour and community rarely meet. Occasionally the socialist and autonomist/anarchist wings are in dispute. Personality conflicts and pernicious state intervention have divided other move-ments, including Jubilee and the Landless. Activists and allied intellectuals alike deserve blame for not taking advantage of the many openings since around 1999.

I agree with Walsh that research and political solidarity in, for example, Durban's highest-profile community of the mid-2000s – the Kennedy Road settlement that catalysed the *Abahlali baseMjondolo* (AbM) movement – has generated a great deal of dust in the air as a result of intellectual posturing. It may well be, as Desai puts it, that Kennedy Road highlights three kinds of exterior writers committed to the movement there: propagandists, research tourists, and 'uncomfortable collaborators'. The latter are far fewer than they need to be, in AbM and other movements.

If 'academics flourish out of the despondency of the destitute' – true insofar as social and especially class misery contributes to the kind of powerful anti-capitalist critique that travels well in these days of neo-liberal globalisation, particularly from such a symbolic site of national liberation – then what happens when despondency becomes anger? When will the demand for justice, and for intellectuals committed to justice, arising from 10,000 community protests a year, begin to generate genuine gains?

It is in making these inquiries that another kind of academic enterprise can flourish: the production of knowledge in *praxis*. Only when more intellectuals get to the starting point on Walsh's journey will we know if we can claim more insight and genuine understanding of society's possibilities – and also of repressive/co-optive or even concessionary behaviour by the state and capital – than at present, when too many South African (and other) readers of *ROAPE* set the journal back down on the table beside the comfortable armchair.

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Rejoinder: The Propagandists, the Professors & *their* 'Poors'[1]

Ashwin Desai

Shannon Walsh has spent a considerable amount of time in the shacklands of Durban. This has given her access to shackdwellers beyond the normal stratum of the leaders of the movement *Abahlali baseMjondolo.* Together with the fact that she has decided not simply to become a propagandist of a cause with which she identifies or simply ignore the tensions that emanate from her 'insider/outsider' status, makes her paper insightful.

She uses the occasion of her farewell – in which she is the recipient of lavish praise, together with two other academics from overseas – to reflect on the immense power she is accorded in her collaboration with the movement she worked in and researched. This is noteworthy because so many narrators of social movements, including those who are the staunchest defenders of 'the voices of the poor', have simply ignored the immense class, race, gender and locational privileges they are afforded. Instead of reluctantly embracing the power she is being offered, Walsh takes her anthropological torch and begins to shine it in the faces of herself and those who are like her.

In all the writing about *Abahlali* from middle-class academics, local or foreign, Walsh's is the first not only to properly acknowledge but also *explore* the problematics of the role of academic-activists. This role derives not so much from her position of material privilege but rather her position of power in the organisation. It seems that this power is at once taken and also, beguilingly, actively ceded. She recognises the concealed way in which this power is exercised through narratives of the movement, and neatly traces how *Abahlali's* original self-stated programme of protest around service delivery has now become one of a (again self-stated) struggle to obtain voice, speak for themselves and be included in government decision-making. She notices how this change coincides with the interests and writing of academics working as trusted collaborators of *Abahlali.*

Walsh's argument – that the sort of construction of the 'Poor' subject that has to some extent been imposed upon that movement via the veritable industry of academic-activists writing is both inaccurate and patronising – is particularly illuminating. I would add that it is also not particularly revealing of the processes at play in the exploitation and oppression of the Poor in post-apartheid South Africa and lends itself to theoretical and analytical dead-ends.

What is worth pursuing in Walsh's paper, simply because no one has shone the light on it for quite some time, are the power relations that lay at the heart of how the Poor come to be represented, and the questionable research methods adopted by those who have narrated social movements.

It seems to me there are three kinds of 'outsiders' who write about movements like the shackdwellers. First, there are the propagandists: those who have joined the movement but continue to live in middle-class neighbourhoods, doing little more than writing article-length flyers praising their coveted movement. Then there are the second breed, the parasites: those who live off the propagandists for 'facts' but through whose work we have the mushrooming of some evocative theory too. These academics make tourist-type visits to the shacklands, mainly writing articles relying on secondary information and passing this off as fieldwork. *Abahlali* are, for this second type, either near perfect exemplars of the 'wretched of the earth' or grassroots socialism. I think here of a recent article by Michael Neocosmos (2007). And there is the third kind, the 'interconnected intellectuals': those like Walsh who identify with the movement, struggle alongside the shackdwellers, do deeper ethnographic work but are also prepared to problematise the relationship they have inside and outside movements, even if it means being stranded in a precarious position themselves.

Why then do people in the second category get it wrong? It flows I think from both a methodological shortcoming and the way intellectual production takes place. The methodological issue arises from the research process. This research consists, at best, in a fleeting stopover with a 'minder' linked to the academy who has access to a community, and secondary material overwhelmingly penned by the very brace of academics who have joined the movement and are committed to being its propagandists.

Walsh urges us to look into the relationship between movements and the academy, where a certain type of ambition is telling. These are the 'messy bits' that Walsh asks us to take a closer look at. This does not have to be done in a salacious or self-righteous manner, but as evidence of the considerable intrusion of the desires, fantasies, ego and needs of many of the academics, herself and myself included, into social movement spaces – behaviour never subject to the same level of scrutiny as those of the 'Poor' themselves.

My gripe with Walsh is that she misses the ideological lineage and moorings that seem to trespass these movements. A clue to this lineage is cogently captured by James Wolfensohn in launching the World Bank's *Voices of the Poor: Can Anyone Hear Us?* series:

> *What is it that the poor reply when asked about what might make the greatest difference in their lives? They say organisations of their own so that they may negotiate with government, with traders, and with non-governmental organisations. Direct assistance through community-*

driven programmes so that they may shape their own destinies. Local ownership of funds, so they may put a stop to corruption. They want nongovernmental organisations and governments to be accountable to them … These are strong voices, voices of dignity (on flyleaf in Narayan, Patel et al. 2000).

What often transpires is that this 'politics' of voice becomes increasingly inward oriented, painstakingly creating a veneer of democratic decision-making but within spaces so disempowered that there is little or no room for manoeuvre. In order to challenge this creeping insularity and parochialism and to move beyond the Wolfensohnian model I would contend that we need to name the systemic enemy which is capitalism. By naming the enemy we engage in debates on strategy/tactics and identify the weapons and alliances we need to defeat the enemy. If we name the enemy, we also realise quickly that splitting organisations of the poor to fight petty academic battles – as has happened in Durban – consumes energy and resources, and does not challenge the system in any way. I am a little surprised that Walsh's critique stops where it does. It is one thing laying bare the intersections of power *within* the movement but what does this mean for a confrontation *with* power?

For example, *Abahlali baseMjondolo* has fought battles via the courts to prevent eviction from shacks. These are important defensive battles but one can see how they do not advance a broader anti-capitalist struggle. In the absence of this, Walsh does not advance any evidence from the shackdwellers *or* the academics thinking in this regard, even though the limited character of courtroom discourse is a well-known problem for community organisers who risk demobilising their street capacities by entering the legal system. It may be uncomfortable to point out that not only is the Emperor going about naked, but the Poor and their Professors do too, and naming this nakedness is exactly where Walsh's paper takes us. It is Walsh's undressing of the *realpolitik* of research on lowest-income African communities that allows an opening of debate about how knowledge is produced in these spaces, who produces it and to what end.

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Endnote

1. With acknowledgement to Ranciere, J (2003) *The Philosopher and His Poor*, trans. Drury, J., Oster, C and Parker, A., Duke University Press, Durham.

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A Response & An Update

Shannon Walsh

I appreciate both Ashwin Desai and Patrick Bond's responses, but would like to make a brief clarification and update. There is no holy grail of 'genuine accountability of researchers to their subjects' as Bond is hoping for. In contrast, I am arguing for unravelling how these divisions re-inscribe *grammars of power*, trapping 'subjects' in their own subjugation. It is precisely the re-enforcement of the 'community-intellectual, town-gown divide' which disables political possibility. Ranciere perhaps explains this better than I have when he argues that,

> *in Bordieu as much as Plato, the poor comprise in their very exclusion from the vocation of philosopher the condition of philosophical possibility. Present as objects rather than subject of knowledge, appearing only in the guise of philosophy's exempla, the poor enable the philosopher to constitute himself – as other than the poor* (Parker, 2005:xiii).

Bond assumes (wrongly) that I am making the (rather tired) argument that academics should get their hands dirty, or 'not sell out'. Quite contrary, I am interested in how we begin to refigure relationships that transgress the fixed identities that have brought us to this stalemate of political possibility.

I must also resist Ashwin Desai's call to describe the anti-capitalist tendencies (or not) found in the people with whom I've shared time and ideas, in order to resist the subtle forms of structural violence that occur through naming and coding people into categories, populations and segments. As Stevphen Shukaitis and David Graeber point out, even the most well-intended social movement research often becomes a part of 'organizing forms of knowledge that are necessary to the maintenance of alienating structures, from the most horrific to the most mundane'. They caution that,

> *Trying to put a name on the directions of tomorrow's revolutionary fervor is for that reason perhaps a bit suspicious, even if well-intended, because the process of tacking a name on something is often the first step in institutionalising it, in fixing it – it is the process that transforms the creativity of the constituent moment back upon itself into another constituted form and alienating structure* (2006:31).

These namings don't do much for movements or for constituent power, leaving little more than journal articles like this one to mark the spot of something that, if it existed in the first place, has long since disappeared or reconstituted itself. The neo-liberalism-enabling-machine of civil society, or 'social movement theory', quickly dampens subversive and enabling strategies that are being created everyday in people's (and movement's) lives by explaining and describing them, underlining the legitimacy around being visible to power, being public, using courts, waiting in line. Writing in this way suppresses as much as it includes. I agree that,

> *Constituent power is what emerges most fully and readily when these institutional structures are shattered, peeling back bursts of time for collective reshaping of social life. It is from these moments that archipelagos of rupture are connected through subterranean tunnels and hidden histories, from which one can draw materials, concepts, and tools that can help guide us today, wherever we might find ourselves* (Shukaitis & Graeber, 2006:31).

In believing our own propaganda we often miss the real constituent power of which we are also a part. Instead we become 'oppression tourists' chasing after the latest horrific injustice, engaged in what Doris Lessing called that favourite middle-class pastime, outbidding one another to see who 'had acquired more grace by being close to other people's sufferings' (1973:77). The question best asked, and often asked by movements who have rightfully shut out interlopers posed as allies who leech careers off the daily work of organisers, is: 'What use is this to us?'

The tensions I describe are at the core of 'how' and 'if' we can collaborate across these divides with each other as equals who criticise, desire, fight, love and dislike each other from time to time at this moment in South Africa. The dangerous romanticism towards 'the Poor' that I argue against here, is simultaneously an argument for being whole in the social relations we develop, first-and-foremost *with people*. We define, in ourselves and through these interactions, our collaborators. Sometimes they choose us. Sometimes they repel us too. This is part of how 'walking, we ask questions'.

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The ANC for Sale? Money, Morality & Business in South Africa

Roger Southall

The African National Congress (ANC) as a liberation movement drew much of its strength from its moral underpinnings as fighting for a just society. However, since its acquisition of political office in 1994, the ANC is widely perceived to have lost its moral compass. This demoralization needs to be located within the structural determinants of the South African transition. Against the background of the dilemmas faced by the ANC in its bid to promote its National Democratic Revolution (NDR), this paper explores how the party's need to secure funding has seen it complement official state funding by tapping corporate largesse, moving into business and accessing public monies. Meanwhile, the mutual interests of the new political power holders and established business have forged close connections across the public and private divide which at times have bordered on the criminal. Despite the ANC's declared intentions to address its moral rot by implementation of new ethical controls, the reciprocal needs of powerful business interests and party elites are likely to limit their effectiveness. Continued pressure for 'revolutionary morality' must therefore come from below and outside the ruling party.

The ANC was always more than just a movement for political liberation. It was also a popular force drawing strength from its moral underpinnings. Its turn to armed struggle after its suppression by the apartheid government in the 1950s and 1960s allowed it to wage what majority global opinion deemed to be a just war; it opposed legalised racism with a commitment to non-racialism and political equality for all; and drawing its inspiration as much from Christianity as Marxism, it could present itself as offering a home for all South Africans, of whatever race, colour or creed, so long as they were prepared to embrace democracy. Consequently, when it arrived in power in 1994, the ANC was widely regarded as a peculiarly moral agency. It is therefore with dismay that much commentary now refers to the ANC as having become corrupted by the holding of power. Indeed, while one interpretation of Jacob Zuma's having defeated Thabo Mbeki for the party presidency at the ANC's December 2007 National Conference at Polokwane is that it signifies a popular reproval of the party's moral degeneracy; another is contradictorily, that it signifies the capture of the party machinery by a collection of the politically disgruntled and their dubious business cronies who are eager to replace Mbeki's acolytes in feeding from the public trough. While there are important elements of truth in both interpretations, there is need to situate the challenges which have been posed to the ANC's morality within the structural determinants of the South African transition. The focus here is on how two factors, the need for the ANC as a party to secure its

funding and how it has chosen to promote what it terms the National Democratic Revolution (NDR), most notably through the instrumentation of Black Economic Empowerment (BEE), lie at the root of the ANC's dilemmas as an organisation.

The Moral Crisis of the ANC

What was supposed to have become a caring, nonracial society has become just another racially divided African kleptocracy …These days it's every man for himself and bugger the consequences.

This judgement by satirist David Bullard (*Sunday Times*, 4 March 2007) is a view that is widely shared by many who, while praising the ANC government's adoption of market friendly macro-economic policies, lament that it has been accompanied by a billowing of individualism which has eroded the nation's social fabric. This perspective has been expressed by Allister Sparks, as follows:

Under apartheid all black people were in the same boat. There was an equalitarianism about their oppression that made it natural to be united and idealistic about the struggle to end that common oppression and build a better society. But liberation has ended that commonality and opened the way for individual opportunism, which many are grasping with a greed born of long deprivation (The Star, 24 January 2007).

Such anxieties might be brushed aside as merely the inevitable post-colonial anguish of South Africa's historically privileged white minority were it not for the firm evidence that they are shared by many within the ANC itself. This received dramatic acknowledgement when in an interview with Carol Paton (2007) about the state of the ANC, then Secretary-General Kgalema Motlanthe, conceded that the extent of corruption within the organisation *'is far worse than anyone imagines'*:

This rot is across the board. It's not confined to any level or any area of the country. Almost every project is conceived because it offers opportunities for certain people to make money. A great deal of the ANC's problems are occasioned by this.

Although it is possible that in making such a statement Motlanthe was playing an obliquely anti-Mbeki political card, his words were only confirming what was already being admitted openly by the ANC in a discussion document, entitled 'Revolutionary Morality: The ANC and Business', which had been prepared for the party's July 2007 policy conference (ANC, 2007b). The underlying premise of this document was that the challenge of deepening the NDR and promoting transformation within a racially polarised capitalist economy was providing opportunities for 'careerism, personal enrichment and corruption'. *Inter alia*, there were concerns that: abuse of the new opportunities being opened up by economic policy was bringing the organisation into disrepute and hence 'jeopardising its historical mission' (p.5); the ANC had opened itself up to influence peddling by donors (p.2); the problems the party was facing were not merely a consequence of a lack of discipline but 'symptomatic of a breakdown in our political culture' (p.2); because the ANC existed within a society in which the 'culture of short-cuts' is 'endemic' and in which 'Too often entrepreneurship is confused with adventurism of the pillaging sort', it had become attractive to morally dubious elements (p.5); and the ANC had failed to act timeously in cases of corruption even when comrades had admitted their guilt (pp.1-2). Problems were thus often exacerbated rather than contained, the name of the organisation was 'dragged through the mud', and cadres had learnt to make 'creative use' of the concept of 'innocent until proven guilty' (p.7).

The paper outlined a series of proposals for promoting ethical behaviour, regulating members' engaging in business, and sanctioning misbehaviour. These will be considered below. Prior to that, however, it is necessary to illustrate the structural challenges of transformation that the ANC has faced, and how its own response to these has threatened an erosion of its 'revolutionary morality' (p.1).

The Challenges of the NDR

By the mid-1980s, South African capitalism had begun to lose faith in the capacity of the National Party (NP) government to stem the rising tide of revolution. It was worried not so much by the threat of a violent overthrow of the apartheid regime as in the long term prospect of economic decline that the political stalemate between the government and its opponents represented. Increasingly, therefore, it looked for an accommodation with the ANC, while for its part, the ANC leadership – recognising the unreality of strategy premised upon a revolutionary seizure of power – presented itself as a partner with which large scale capital could play. Thus, with power and authority slipping from the NP, a morally-charged and more worldly-wise ANC was enabled to return from exile, and secure a compromise which entrenched a constitutional regime centred around human rights and democracy.

While it was the political negotiation process which grabbed the attention, much was happening behind the scenes. Just as the ANC was unable to overthrow the political, so it was unable to overturn the economic order. For a start, the collapse of the Soviet Union, one of the ANC's principal supporters, fundamentally changed the international landscape. This played to the strengths of those leaders within the ANC whose experiences in Eastern Europe had left them less than enamoured with state socialism. Such factors, along with pressure from bodies like the International Monetary Foundation, underlay the leadership's shift away from the redistributionist Reconstruction and Development Programme (RDP), with which it fought the 1994 election, to the pro-market Growth, Employment and Redistribution (GEAR) policy in 1996.

Further momentum was provided by large scale capital. Prior to the Soweto uprising in 1976, large scale capital became increasingly engaged in initiatives to stabilise capitalism and to encourage a black middle class, not least by providing increased opportunities for blacks within corporate structures. No wonder, too, that during the early 1990s, large scale capital was to become heavily involved in courting the ANC. In this context, the balance of forces shifted dramatically against pursuit by the ANC of anything like socialism.

At base, the ANC was a nationalist movement whose principal focus was upon the capture of the state and the pursuit of democracy, and its programme was socialist only to the extent that its alliance with the South African Communist Party (SACP), and its associated dependence upon the Soviet Union for military aid, demanded it. Furthermore, the SACP had recognised since 1927 that the attainment of a 'black republic' was a necessary first step to socialism. Hence the ANC/SACP alliance came to be constructed around a two-stage theory of revolution: democracy first, socialism second.

Within this formula was embedded the commitment to the overthrow of 'internal colonialism' (the domination of whites over the majority black population). This phenomenon was so extreme that it had stunted the growth of both a black middle class and black capitalism. Consequently, bar the relative handful of homeland

rulers and urban councillors who collaborated with apartheid, the tiny black middle class was thrust into alliance with the working and popular classes behind the ANC. It followed that capture of the state and 'internal decolonisation' would require, both in terms of social justice and the needs of the economy, the rapid growth of the black middle class – and indeed, the expansion of a class of black capitalists. After all, democratisation could not stop with the state: it also demanded popular control of the 'commanding heights of the economy'. It was not a huge step for this to be translated by influential forces within the party after 1994 into a call for 'demographic representivity', or for the 'blackening' of the corporate sector, a demand to which large scale capital was happy to accede (albeit within limits, and over time).

In terms of the NDR, a black capitalist class is always suspect. Because its rise is dependent in part upon co-operation with established capital and upon opportunities provided by the state, it is likely to resort to corruption and to develop into a 'parasitic bureaucratic bourgeoisie'. To counter this, the NDR must cleave to the disciplines of 'patriotism'; that is, to remember its social obligations to the impoverished community from which it has come and remain guided by the ANC (ANC, 2007b). However, while the notion of a 'patriotic bourgeoisie' has always sat uneasily with Marxian theories of class exploitation, its effective dilution since 1994 into the demand for 'representivity' has allowed for the upward mobility of blacks as individuals within the corporate sector to be presented as commensurate with the furtherance of the NDR. While the ANC's partners, the Congress of South African Trade Unions (COSATU) and the SACP may cling to more radical, activist interpretations of the NDR, the ANC leadership under Mbeki was to become increasingly bold in asserting that the ANC has never been a socialist organisation, and by implication, that the blackening of capitalism through BEE will be the revolution's end point.

However, the problem facing an emergent black capitalist class was its lack of capital and capitalist expertise. The solutions were essentially twofold (Southall, 2006). First, from the moment it moved into office, the ANC viewed its control over the civil service and parastatals (which accounted for around 15 per cent of GDP) as the instrument for extending its control over 'the commanding heights of the economy'. This included the strategy of transferring state-owned enterprises on discounted terms to blacks via privatisation. In the event, this did not prove to be particularly successful simply because the amounts of capital required for the purchase of all but 'non-core' assets were too large for aspirant black capitalists to raise. In practice, therefore, the state sector served as the training ground in corporate management, knowledge and the expertise required by aspirant black capitalists for launching themselves into the private sector (Southall, 2007).

Second, the ANC's demand for 'representivity' drew a response from large scale capital that was simultaneously creative and defensive. On the one hand, conglomerates proved responsive to the ANC's 'deployment' of influential senior personnel to the corporate sector, recognising that whilst they had the financial capital to fund BEE, they also needed the 'political capital' that only ANC loyalists could provide. On the other, when from around 2000, the ANC's BEE strategy became more assertive, large capital responded by pre-emptively negotiating 'transformation charters' which established targets for black share ownership, management, employment, and skills training by 2014. Today, most individual industrial sector charters are in the process of being subordinated to a generic code introduced by the Broad Based Black Economic Empowerment Act of 2003. This may

result in a change in the face which corporates present over time. However, while this will be welcomed by the ANC, a possible accompaniment may be a weakening of the commitment of the black business class to the party as a force for transformation in favour of its reduction to a vehicle for promoting their material advance.

It is clear that the NDR prioritizes control of the state as the essential instrument for transformation. However, in the context of South Africa's new democracy, this has posed the awkward necessities of funding the party and thrust it into a maw of controversy.

Paying for the Party

The ANC's transition from a liberation movement into a political party meant the withdrawal of many of its international donors, notably the Swedish Government, and its having to devise new ways of raising its own funding. This meant covering its costs not only for fighting elections, but for its party headquarters and national organisation. These expenses have proved to be substantial. Sarakinsky (2007:113) reports that the ANC's budget for 1999 was R300 million. The overall trend will have been for the costs of running the party to rise. In 2007 – a year in which there were neither general nor local elections – the ANC had to cover not only a bill of up to R7 million a month to cover the salaries of its staff employed in 53 regions, nine provinces and its head office, but also costs for premises, supplies, benefits, transport and so on (Paton, 2007).

How successful, until recently, the ANC had been in covering these costs remained a source of speculation, for two reasons. The first is that, with the exception of the requirement to supply audited accounts of expenditure of monies officially received from the Independent Electoral Commission (IEC), there is no legal obligation upon parties to make audited financial reports of their overall funding public. Secondly, the ANC has stood shoulder to shoulder with other parties in a determined bid to block efforts by civil society organisations to reveal the sources of their funding. However, as will be described below, the ANC's financial situation has recently undergone a remarkable transformation.

Apart from raising funds from friendly (mostly Asian) governments,[1] the ANC has used four principal methods of varying sensitivity to democratic values to pay for itself.

State Funding

State funding is provided in terms of the Public Funding of Represented Political Parties Act of 1997. This prescribes that any party which is represented in the National Assembly or any provincial legislature is entitled to allocations of funding distributed by the IEC. Allocated funds may be used for party organisation, promoting democracy and voter education, with prohibitions preventing parties from expending official monies on direct or indirect remuneration to elected representatives or public officials, starting or participating in businesses, or engaging in unethical activities. Key to the way in which such funding works is that the Act empowers the President, acting upon recommendations from parliament, to proclaim regulations not directly prescribed by the Act. This means that it is parliament, controlled by the ANC, which has ultimate responsibility for deciding on the amount of funding which will be provided by the state, and which has

insisted that such money be distributed upon a basis which is strictly proportional to parties' representation in legislatures. During financial 2006-07, for instance, the ANC received R49.3 million of the R74.1 million administered by the Political Parties Fund (*Star*, 20 October 2006).

Opposition parties have argued that they have been systematically disadvantaged by the strict proportionality embodied in the state funding of political parties. In contrast, the ANC has displayed no inclination to strengthen its opponents at its own expense. From a moral perspective, it has an arguable case (centred around electoral fairness), even if its opponents can come up with equally convincing arguments (centred around the need for strong opposition) against strict proportionality. However, more morally complicated is the funding nexus which the ANC has established with business.

Tapping Corporate Largesse

The desire of big business to forge a collaborative relationship with the ANC has been underpinned by substantial corporate funding of political parties. Undoubtedly, considerable funding has been directed towards the opposition, notably the Democratic Alliance (DA). As noted above, the political parties have fought against compulsory disclosure of their funding from private sources, as the sources themselves have on the whole proved uneasy at such revelation (the principal fear being that the ruling party might somehow penalise them, notably by refusing them contracts). However, a number of leading corporations made known their funding activities prior to the 2004 election as follows:

Voluntary Disclosure of Private Donations before the 2004 Election (Rands)

Corporation	ANC	DA	IFP*	NNP**	Other
Kumba Resources	600,000	200,000	120,000	50,000	30,000
Anglo-Vaal Mining	1,380,000	200,000	180,000	140,000	100,000
Sanlam	700,000	350,000	200,000	200,000	50,000
AngloAmerican	3,000,000	1,500,000	480,000	240,000	240,000
Anglo Gold	960,000	960,000	640,000	640,000	--

Source: Sarakinsky, 2007:121; * Inkatha Freedom Party; ** New National Party

What is interesting about these about these figures is precisely their *disproportionality*. Whereas the ANC has received around 65 per cent of public funding since 1994 in accordance with its share of the vote in successive elections, the ANC received only 53.5 per cent of the total funding donated to parties listed by these five companies, all of which operate in the mining sector. Nonetheless, these and other available figures indicate that the ANC receives the majority of such funding, the voluntary disclosure of which by the five companies listed above possibly reflected their intent to pressure the government to re-think the draft of its mining charter for black empowerment, whose leak in 2003 had wiped millions of rands off the stock exchange (Sarakinsky, 2007:121). However, while the ANC has not been in a position to formally object to a corporate funding strategy under which it receives the lion's share of funding, it has been active in pursuing other means for tapping corporate finance.

The most creative, and open, of these has been its launch of 'The Network Lounge'. This was introduced at its 2002 National Conference, where 18 corporations and 11 parastatals and government departments paid a substantial sum to associate with the ANC elite. After the 2007 Conference, at Polokwane, the opposition DA complained that participation in the Network Lounge by public entities, each of which would have been required to pay R5 million, may have resulted in up to R40 million of taxpayers' money having been channelled to ANC coffers (van Onselen, 2007; *Citizen. co. za*, 23 January 2008). Although the ANC claims it is an independent private sector company, it is owned by a subsidiary of Ukwanda Investments, a vehicle whose directors are all ANC luminaries (*Mail & Guardian*, 14-19 March 2008). Meanwhile, in 2006, the ANC had also established a Progressive Business Forum, a scheme operating from party headquarters whereby small businesses are offered silver, gold or platinum memberships (for prices between R3,000 and R7,000) with large corporations being charged between R12,500 and R60,000 to enable businesspeople 'to network with ANC policymakers'. Whilst critics objected that the Forum trampled upon ethical concerns, the ANC insisted it was a legitimate scheme for fundraising and a platform for encouraging dialogue between business and the party (*Sunday Times*, 18 February 2007; *Sunday Independent*, 25 February 2007).

More obscure is the extent to which such networking can lead to influence peddling. By definition, such relationships are secretive, and it is only when details are leaked by those with axes to grind, or when they are laid bare by court proceedings, that they become public knowledge. Nonetheless, their potential for involving the ANC in highly questionable relationships can be illustrated by the party's connection to Brett Kebble, the mining magnate whose plundering of more than R2 billion from his companies, Johannesburg Consolidated Investments (JCI) and Randgold Exploration (R&E) and apparent involvement in drug-dealing prefaced his mafia-style murder in mid-2006. Kebble's corporate swindling defies easy summary (but see Sergeant 2006). Nonetheless, there is sufficient evidence to indicate that Kebble's activities bordered on the criminal and that he was systematically cultivating ties with the ruling party.

There had been reluctance by institutions to finance black empowerment in mining after the purchase in 1996 of JCI by Capital Alliance Holdings, chaired by one of the ANC's early breed of empowerment magnates, Mzi Khumalo, ended in a collapse in the share price.[2] JCI was thereafter unbundled into gold and non-gold divisions, with a new entity, JCI Gold, walking away with the most valuable assets. It soon emerged that JCI Gold was controlled by Consolidated African Mines (CAM), a largely paper vehicle floated by Kebble on the stock exchange in March 1997 whose value had been talked up disproportionately. When, inevitably, CAM's share value came under pressure, one of the ways in which Kebble rescued the situation was by the sale of one of its non-gold assets, Gem Diamonds, to Mvelaphanda, which was headed by another ANC icon, Tokyo Sexwale. Ironically, Kebble undervalued its shares, and Sexwale recalls that it was the Gem Diamonds' purchase that established Mvelaphanda as a genuine BEE entity (Sergeant, 2006:113). But the deal established Kebble's reputation as a backer of BEE, and subsequently he was to become involved in financing various empowerment deals. It was those which were associated with the ANC Youth League which proved the most controversial.

The first deal with the League was made in 2003 when Kebble helped eight empowerment groups, including the League's Lembede Investment Holdings, to buy a majority stake in stockbroking firm Tradek. Supposedly, Lembede was to

provide sustainable funding for the League, but League leaders, notably Lunga Ncwana, Songeza Mjongile and Andile Nkhulu were heavily involved in their personal capacities (*Business Day,* 29 September 2005). It later emerged that a number of these entities had been used as fronts by Kebble to drain money from R&E, from whose board Kebble (CEO), his father Roger and Ncwana were fired in August 2005. Prior to this, in December 2004, Kebble had announced the launch of Orlyfunt, which investors were told would acquire an extensive portfolio of BEE entities and various mineral rights for R1.4 billion from JCI. The BEE companies looked impressive, including Lembede Investment Holdings; Dyambu Holdings (led by Hilda Ndude of the ANC Women's League and Baleka Mbete, the Speaker of Parliament); Ituseng Investment Holdings (led by Ncwana and Nkuhlu); the Koketso Group (led by Dali Tambo, son of Oliver Tambo); Ikamva Investment Group (led by Sharif Pandor); and the Kovacs and Umoya Groups (both led by ANC Western Cape executive member Chris Nissen). JCI and R&E would hold 40 per cent of Orlyfunt, and the BEE entities 60 per cent.

The clear intent was for Orlyfunt to pay for its part of the deal by issuing junk shares in exchange for real assets from JCI and R&E, while getting institutional investors to chip in hundreds of millions for a venture with a brilliant line up of BEE names. However, while this would have solved Kebble's cash shortage, shareholders in R&E's major subsidiary smelled a rat. This led to investigations which resulted in Kebble's dismissal, plunging him into further crisis and, apparently, deeper into the arms of shady characters. Despite this chequered history, a range of ANC luminaries turned up to his funeral at St. George's Cathedral in Cape Town, where khaki-clad Youth Leaguers formed a guard of honour, and hailed him as a champion of BEE (Sergeant 2006:27-33; 199-202; *Business Day*, 5 September 2005).

The present indications are that Kebble funnelled more than R25 million stolen from his companies to the ANC and various of its members during 2002 and 2005. Trustees later demanded the return of R2.4 million from the ANC Western Cape, R750,000 from the ANC Eastern Cape, R6 million from the ANC Youth League, R14 million from Lunga Ncwana and R860,000 from Songezo Mjongile, both prominent members of the Youth League (*Sunday Times*, 11 March 2007). However, in June 2007, the ANC argued in court that a donation of R3.5 million from Kebble need not be returned as the latter's companies had received equivalent value in the 'indirect benefit' they had obtained from operating in the political climate created by the ANC (*Business Day*, 25 June 2007).[3]

Significantly, Kebble's ANC cronies were principally those who lined up with Zuma against Mbeki (although there is indication that he kept his lines open to President Mbeki) (*Mail & Guardian*, 26 May-1 June 2006). But there is strong indication that he may have been looking to a Zuma presidency to get himself out of trouble. Ultimately, the collapse of the Kebble empire has proved an embarrassment to the ANC. However, it has been much more brazen in its defence of its own forays into business, despite evidence that they have prospered principally because of their favourable alignment to state power.

The ANC's Move into Business

The ANC launched its first business in 1992 when Nelson Mandela, Walter Sisulu and Tokyo Sexwale, among others, founded the Batho Batho Trust. Its official mandate was to benefit 'the broader South African community, especially historically disadvantaged communities', but its unofficial purpose was to finance

the ANC. The trust established Thebe Investments, whose early business was obtained by virtue of its being viewed as the ANC's investment arm, and its promising to establish a line of communication to the new government (Randall, 1996:672). Over time, it was to acquire significant shareholdings in private health provision, finance and insurance, with an annual revenue of around R650 million. However, latterly, the relationship between the Batho Batho Trust/Thebe and the ANC has become more distant. In the late 1990s, Batho Batho diluted its stake in Thebe to 74 per cent, selling 26 per cent to Sanlam and Investec. Then, in 2006, it sold another 22 per cent to company management for around R100 million. Furthermore, in contrast to the demand by then party treasurer, Selby Msimang, that the proceeds of this sale should be used to pay off the ANC's debts of around R100 million, the trustees insisted that they had a fiduciary duty to respect Batho Batho's official mandate, and that the ANC's request for funding would be adjudicated like that of any other applicant (*Mail & Guardian Online*, 1 March 2007).

No such scruples have concerned the trustees of the Chancellor House Trust. Chaired by ANC historian-activist Ben Magubane, the Trust is listed as a charitable foundation whose principal purpose shall be to 'facilitate the participation and involvement in all economic and political sectors of South African persons and entities which have been historically disadvantaged'. However, as with Batho Batho, the intent is for the proceeds of the Trust to fund the ANC. In March 2003, the Trust launched Chancellor House Holdings.[4]

By 2006, when Chancellor's role as an ANC funding front came to light, it had significant holdings, notably in mining, energy, engineering and IT companies with BEE credentials, almost all of which were locked into contracts with government departments or parastatals. These included Chancellor's 25 per cent holding in Hitachi Power Africa which obtained a R38.5 billion contract from Eskom (which may be the single largest procurement in South Africa's history) to supply six giant boilers for new power stations (*Mail & Guardian*, 8-14 February 2006); an interest in Continental Africa Gold Resources which held a 23 per cent share in Wits Gold, and which had been granted 'new-order' gold prospecting rights by the Department of Minerals and Energy (DME) for six of the nine areas it had applied for in 2006; and a ten per cent holding in Bateman Africa, an empowerment venture in engineering whose CEO is Sivi Gounden, formerly Director-General (DG) of the Department of Public Enterprise (and a founding director of Chancellor Holdings), and whose focus is in natural resources and power generation, an area heavily dependent upon parastatal contracts. However, it is Chancellor's involvement in United Manganese of Kalahari (UMK) which has aroused the most controversy.

UMK was formed as a joint venture between Chancellor and Pitsa ya Setshaba Holdings which was awarded 'new order' prospecting rights to eight farm portions in the Kuruman district of the Kalahari.[5] It shares these rights (51 per cent) with Renova Manganese Investments (RMI). The latter is a Bahamas registered subsidiary of Renova, an investment group controlled by Viktor Vekselberg, a Russian oligarch with massive wealth accumulated through deals in metals and oil. UMK was reportedly funded by Renova to the tune of $20 million, this effectively gifting nearly half this sum to Chancellor and Pitsa as RMI's partners. However, with 80 per cent of the world's known commercially exploitable reserves of manganese located in the Kalahari, Renova is said to be confident that the value of the project will rocket to $1 billion.

The grant of prospecting rights to UMK aroused complaints of special treatment from two other ANC-related BEE entities, Kalahari Resources and Direleton Minerals & Energy, which protested that Pitsa ya Setshaba had been unduly favoured. If this was so, it may well have been because of Vekselberg's emergence as a key player in South African-Russian relations, accompanying Russian President Putin on a visit to South Africa in September 2005, with Mbeki having appointed him to his International Investment Council. However, diplomatic expediency seems to have been underpinned by Renova's relationship with Chancellor House as a funding front for the ANC.

Whatever the niceties, the ANC's investments through Chancellor House have paid off remarkably handsomely, for at the Polokwane Conference Mendi Msimang reported that the ANC's acquisition of a sound portfolio of investments had enabled the party to achieve a sound financial position (*Mail & Guardian*, 8-14 2008). He was understating his case: by the time of the Polokwane conference in December 2007, the ANC's assets amounted to more than R1.75 billion (*Sunday Independent* 2 March 2008). This probably now makes it one of the richest political parties in the world!

The Misappropriation of State Resources: Oilgate

Academic observation has supported opposition criticism that the ANC in government has trespassed upon the division between party and state through the use of state resources for campaigning, especially at election times. This is scarcely an unusual criticism directed at ruling parties. However, strong evidence that the ANC has been prepared to use state resources for party advantage was provided by the Oilgate scandal.

Media revelations (notably *Mail & Guardian,* 20-26 May 2005) uncovered how the state oil company, PetroSA, irregularly made an advance payment of R15 million to Imvume Management for the supply of oil condensate sourced from a Swiss company, Glencore. Imvume was headed by Sandi Majali, who was described as an 'economic advisor' to Kgalema Motlanthe. However, when Imvume diverted R11 million of this sum to the ANC ahead of the 2004 general elections, Glencore turned for direct payment of the R15 million, and another R3 million owing to it from Imvume, to PetroSA. The latter thereupon paid Glencore the R18 million for fear that its Mossel Bay gas-to-liquid fuel point would have to close down. Although PetroSA made efforts to recover the money, Imvume defaulted upon agreed installments which have yet to see the debt (plus interest payments) fully repaid.

A host of questions followed, notably the extent to which senior members of the ANC knew of the transaction. These included Motlanthe and party treasurer Msimang (with both of whom Majali claimed a close professional and business relationship), as well as then Minerals and Energy Minister, Pumzile Mlambo-Ngcuka, under whom PetroSA ultimately operated. It later emerged that Motlanthe, Msimang and the ANC's head of the presidency, Smuts Ngonyama, had traveled with Majali to Iraq in December 2000 in support of the latter's bid to negotiate an allocation of oil to the company by Saddam Hussein under the UN's oil-for-food programme (the Security Council having imposed sanctions upon Iraq following the latter's invasion of Kuwait in 1990).

The ANC's response to the exposé was that there was nothing wrong with a private company making a donation to a political party and tried to gag leading newspapers from exploring its relationship with Imvume. Meanwhile, DA leader

Tony Leon had referred the allegations to the Public Protector, Lawrence Mushwana, whose constitutional function is to report upon possible abuses of power by government. However, Mushwana cleared PetroSA of wrongdoing and stated that his mandate did not allow him to enquire about the R11 million payment once it was held by a private company. Nor were ANC parliamentarians keen to pursue the matter, using their majority on the minerals and energy portfolio committee to endorse Mushwana's report. Although the public accounts committee found that the payment made by PetroSA to Imvume was procedurally irregular, opposition attempts to secure crucial documentation relating to the R15 million payment were blocked (*Mail & Guardian*, 2-8 September 2005; 23-29 September 2005). However, after PetroSA initiated legal proceedings to obtain repayment of the money from Imvume, in defiance of a secret agreement between the companies that it would not do so, Majali admitted that PetroSA had transferred the R11 million to Imvume with the request that it be forwarded to the ANC, and that he had maintained his silence about this previously out of political loyalties (*Mail & Guardian*, 11-17 September 2007).

Politics, Patronage & Business

The NDR charged the ANC with using state power to deracialise the economy. This predisposed the ANC to regard the parastatals as 'sites of transformation' where the capacity of the existing order to resist rapid black upward mobility would be at its weakest. In contrast, the 'transformation' of the private sector presented more problems. For a start, private property was protected by the constitution and the close scrutiny of the government's economic policies by global markets. Yet even this was dwarfed by two other challenges.

First, ANC 'cadres' were desperately short of the skills required by modern business. This meant that there was an initial desperate rush for jobs in the state, access to whose resources was widely viewed by party members as the easiest route to employment and wealth. In any case, the ANC had little understanding of bureaucracy (Suttner, 2007), and 'transformation' rapidly assumed priority over efficiency and capacity.

Second, aspirant black capitalists lacked the capital to buy their way into the corporate sector. Consequently, there was minimal change in ownership patterns within business during the first five or six years of ANC rule. Nonetheless, the basis was being laid for a rush from within the ANC for private wealth. There have been a number of key processes at work which revolve around the nexus between politics and business.

Forging Business-ANC Linkages

The first process was the very simple one whereby individuals at the top of the corporate ladder struck up friendships with the incoming ANC leadership. Above all, this was exemplified by a focus upon Mandela, who after his release from jail came to enjoy 'the company of the very rich' and forged strong relationships with both Harry Oppenheimer, Chairman of Anglo-American, and Clive Menell, Vice-Chairman of the rival Anglo-Vaal mining group. Nor was Mandela fastidious in such friendships. The honeymoon of his daughter, Zindizi, was partly paid for by Sol Kerzner, who had made his pile by running casinos in the former homelands, and who was soon to be charged with bribery (Samson, 1999:501). When Mandela's

estranged wife, Winnie, was arraigned for the kidnapping of 'Stompie' Seipei and as an accessory to assault before his murder, an American company seeking to re-establish itself in South Africa provided the International Defence and Aid Fund with money to pay for her defence (Herbstein, 2004:321). Although Mandela reputedly remained distant from the values of the rich, he was convinced of the need of the ANC to establish friendly relations with business if it were to create a thriving economy. Inevitably, such bonding translated into more substantive relationships: for instance, the final version of the RDP was presented by Mandela and Mbeki to Oppenheimer for approval (Gumede, 2005:80). Meanwhile, big business could earn valuable kudos by providing support for Mandela's charities, which 'raised spectacular sums during his presidency' (Samson, 1999:570). Other similar connections were almost certainly established between the 'old guard' and the incoming political elite.

Building Political Capital

At a more formal level, the large conglomerates were desperate to ingratiate themselves with the new regime by making deals with the politically connected or appointing them to high position. This dovetailed with the ANC's wish to 'deploy' high ranking loyalists to the 'commanding heights of the economy' (the mining and financial sectors being its initial primary targets). This process consolidated into the making of a small but significant corps of 'black moguls'.

Although there are a number of significant black capitalists who cut their teeth in business under apartheid or by securing employment in established corporations in the 1980s and early 1990s, the more usual route into business has been through the exploitation of 'political connectivity'. To be sure, in seeking to establish alliances with politically influential players, large scale foreign and domestic corporations and banks have preferred to deal with individuals with an established track record of competence. Indeed, this is a major reason why 'the usual suspects' tend to turn up in one BEE deal after another. Nonetheless, their closeness to political power is fundamental. For instance:

- **Patrice Motsepe**, chairman of African Rainbow Minerals (ARM), fourth in the list of South Africa's super-rich ranked by the value of their shares (with 2006 holdings worth R7.94 billion),[6] is unusual because he has never been involved directly in ANC politics. However, having formed ARM in alliance with Harmony Gold in 1994 and enjoying close links to Afrikaner capital through a large shareholding in Sanlam, Motsepe has family connections to leading figures in the ANC.[7]

- **Saki Macozoma**, who has shareholdings worth R520 million, started his post-1994 career for the ANC in parliament before moving to Transnet as Deputy Managing Director (MD) and then as MD. Subsequently, he moved into the corporate sector and is today chairman of Standard Bank's asset management group Stanlib, although his major vehicle is Safika Investments, a BEE company heavily funded by Standard.

- **Tokyo Sexwale**, former Robben Islander who became Premier of Gauteng in 1994, is Chairman of Mvelaphanda Holdings, which he founded (with support from ABSA) in 1999 after leaving politics. He holds numerous other directorships, has the strong backing of Afrikaner capital, and has been listed as worth R979 million.

- **Cyril Ramaphosa**, the ANC's former General Secretary, crossed from politics to the corporate sector in 1997. Today he is executive chairman of the Shanduka Group (previously Millenium Consolidated Investments) which is heavily funded by Old Mutual. Worth R490 million, he has strong links with financial capital (Standard, First National Bank, Investec and Alexander Forbes), and mining (Anglo-American/De Beers) as well as serving on the boards of SAB Miller and Macsteel. Ramaphosa remains important on the ANC's NEC.

- **Mzi Khumalo**, another former Robben Islander, was backed (amongst others) by Rand Merchant Bank in forming Capital Alliance in 1994, at a time when he was regional ANC treasurer in KwaZulu-Natal. He now presides over extensive assets in finance and mining and has joint interests with Sexwale in the Pan-African Mining Group. Other examples of 'political connectivity' include:

Husband-wife partnerships which span politics and business: These are exemplified by Gauteng Premier Mbhazima Shilowa being married to Wendy Luhabe, a BEE luminary and Chair of the Industrial Development Corporation, Vodacom, Alliance Capital and Findveco; Social Development Minister Zola Skweyiya being married to Thuthukile Skweyiya, CEO of Fikiza Investment Holdings, Chair of Wesizwe Platinum and of Aflease Gold & Uranium Resources, and Director of Orlyfunt Holdings, Wescoal and Total South Africa; Education Minister Naledi Pandor being married to Ikamva Investment Holdings Chair, Sharif Pandor; and Transport Minister Jeff Radebe being married to Bridgette Radebe, CEO of Mmakau Mining.

Appointment of ANC politicians or former politicians to positions at the apex of the corporate structure: for instance, Manne Dipico, former Premier of the Northern Cape, serves as Chair of the Ponahalo Consortium and Deputy Chair of De Beers Consolidated Mines. Similarly, Popo Molefe, former Premier of North West province, is Chair of both PetroSA and Armscor.

Direct participation of ANC politicians and loyalists in business ventures in collaboration with established financial or industrial interests: Prominent amongst these have been Standard Bank's 2005 sale of 10 per cent of its shares to black partners (40 per cent of these going to a consortium led by Macozoma and Ramaphosa) and the purchase by Barclays (UK) of 50.1 per cent of the shares of ABSA in collaboration with the Batho Bonke consortium led by Sexwale and, indirectly, the Ubuntu-Batho consortium led by Motsepe.[8]

The incorporation by established business of the politically connected is simultaneously a strategy to avoid adverse political exposure and an acceptance of BEE as a necessity for doing business. Of course, in drawing talented blacks into business, corporations can claim, with justification, to be 'unlocking value'. Against that, small fortunes are being transferred to individuals in discounted shares in order to purchase political credibility. It is of no surprise that today 40 per cent of ANC MPs (including some cabinet ministers) are directors of companies, many owning companies outright. However, while politics has become the route to wealth for individuals, it appears that BEE has become a source of income for the ANC, for widespread rumours that pressure has been put on companies wanting to participate in empowerment deals to make contributions to the party has received apparent confirmation in revelations that the ANC received a donation of R9m

following a R1.5 billion empowerment deal involving Standard Bank, Liberty Life and asset management company Stanlib in which Saki Macozoma was a central player (*Sunday Times*, 9 March 2008).

Moving from the Public to the Private Sector

The third social process has been the movement of senior public servants and parastatal managers into the private sector via BEE deals. In 1994, the ANC 'deployed' personnel it could trust into senior public positions to bring about 'transformation'. As indicated, few ANC 'cadres' had either the background or predisposition to enter private business, and the government's BEE strategy was hitherto undeveloped. However, as senior figures grew in experience, increasing numbers of them moved across to the private sector where established corporations welcomed their 'political connectivity'. The examples of such movement are legion:

- **Former Directors-General of government departments who have crossed to the corporate sector** include Jakes Gerwel (the President's Office under Mandela), who is now chair of various corporations, including private health care company Afrox (as well as of South African Airways); Roger Jardine (Arts, Culture, Science & Technology), now a director of FirstRand, who before becoming Chief Operating Office of Kagiso Trust Investments was Chief Executive of Kagiso Media; Sipho Pityana (Foreign Affairs and Labour), who is Executive Chair of Izingwe Capital and Laetoli Investments; and Robinson Ramaite (Public Service and Administration), who is Chair of Simeka Investment Holdings and of Vusani Investments, as well as being a director of Kumama Platinum and Mvelaphanda Resources. Alistair Ruiters, former DG in Trade and Industry, who played a key role in developing the government's BEE strategy, was a considerable catch as an executive director for Samancor Chrome, (while also serving as co-owner of Ehlobo Holdings, Ehlobo Foods and Ehlobo Heavy Minerals).

- **Former Chief Executives of parastatals who have made a similar move** include, above all, Saki Macozoma. But he has trodden a path followed by others such as Bongani Khumalo (formerly CEO Transnet and Deputy Chief Executive of Eskom), who is now Chair of the Gidani (Lotto) Consortium, Managing Director of JHI Real Estate and a director of Anglo-Platinum; Mafika Mkwanazi (formerly CEO, Transnet) who is now Chair of Letseng Diamonds, CEO of Orlyfunt Holdings and Inkwenkwezi Gold Mining; and Dolly Mokgatle, (formerly CEO Spoornet), who is now Chair of Wiphold and an Executive Director of Peotona, as well as holding various non-executive directorships. Gloria Serobe, Executive Director of Wiphold, similarly rose to prominence through positions in the Transnet stable.

The controversial aspect of such moves has been the potential unfair advantage which a former public servant might bring to a company from knowledge of forthcoming policy decisions, as when the former DG of Communications, Andile Ngcaba, joined Information Technology company, Dimension Data. He soon became its Executive Chair after a BEE consortium he led acquired a 20 per cent stake in the firm, which operated in an area he had previously regulated and which was bent upon increasing its business with the public sector (*ThisDay*, 3 June 2004).

The solution mooted for such situations has been a 'cooling off' period during which a former public servant should not be able to seek employment in the private sector.

However, for all that such linkages are officially controlled by tender procedures, they can be difficult to prevent if officials are determined to circumvent them (*Business Day*, 8 May 2004).

The Scramble for Tenders

The fourth social process which can be isolated is the consequence of the ANC's control of the state machinery as a source of tenders. This aspect has lent itself to corruption, patronage, and the monetarisation of relationships within the ANC.

The extent of corruption in tendering is difficult to estimate. The ANC is appropriately anti-corruption in its official stance, and indeed has put in place important legislation and mechanisms to control malfeasance. Equally, however, it has proved reluctant to undertake enquiries which could prove embarrassing. There have also been two other activities at work. First, certain corporations have distributed financial largesse to secure contracts and favour from government (although their success in so doing is always hard to prove). Second, ANC politicians at all levels of government have sought to influence the tender process in their favour.

The arms deal of 1999 remains the single most controversial deal which the ANC government has concluded. A host of European companies started courting the ANC from the early 1990s in order to persuade them to rearm the defence force. In 1999, the government agreed to procure military equipment from BAE Systems, Saab, MAN Ferrostaal, ThyssenKrupp and Thales; R43.8 billion was regularly cited as the cost of the deal, but this rose considerably as the price of the rand fell internationally. It is almost certain that serious instances of bribery were at play. To be sure, the Joint Investigative Team appointed by Mbeki to pursue allegations of corruption and which reported in 2001 exonerated the government from all improper or unlawful conduct relating to the deal. However, this conclusion is highly unsatisfactory.[9]

For a start, it is has been established that the ANC's first Defence Minister, the late Joe Modise, received a payment of R10 million for signing a deal whereby South Africa agreed to buy German submarines. Then ANC chief whip Tony Yengeni was convicted in 2003 of defrauding parliament by failing to disclose a generous discount he had received on a four-wheeled drive Mercedes Benz from one of the companies vying for a piece of the arms deal. (Another 30 people also allegedly received such discounts). More consequentially, the ANC's Shabir Shaik was later to be dispatched to jail after being found guilty of paying Jacob Zuma R1.2 million to further their relationship and for soliciting a bribe for him from the French arms company Thomson-CSF (later Thales), with the consequence that Zuma was 'released' from his position as the country's Deputy President in August 2005. There are further allegations that Shaik also received a R12 million bribe from Germany's Thyssen-Krupp, and diverted subcontracts to his brother's company, Nkobi Holdings. Recent documentation obtained by the *Mail & Guardian* (14-19 March 2008) suggests that, all told, Thyssen, directed up to US$22 million to South African officials and cabinet ministers to facilitate the arms deal, and later followed up with a payment of R500,000 to the ANC in a bid to lobby the government into blocking a German probe into the scandal. Equally serious are suggestions that Mbeki himself had held seriously compromising meetings with Thales (*Noseweek,* July 2006) and the information that the Serious Fraud Office in the United Kingdom is investigating allegations that BAE paid over R1 billion in 'commissions' to secure the R30 billion deal with the South African government for Hawk jets and Gripen fighters (*Business Day*, 30 January 2007).

The arms deal may have been exceptional in its scope, yet there are indications that the incidence of corrupt practice in tendering is extensive. According to one report, 62 per cent of private companies surveyed agreed that bribery was becoming accepted business practice, and 39 per cent felt that bribery was becoming necessary for conducting business.[10] Given the combination of moral, political and legal imperatives to allocate contracts to firms with the requisite BEE credentials, it is likely that 'political connectivity' is vital to the making of numerous awards.

Other factors also come into play. For a start, membership of the ANC comes cheap, having remained at R12 since 1994. Second, the privatisation of numerous government services at provincial and local level has hugely increased the number and value of contracts allocated. Third, ANC provincial and local authorities are, on the whole, opposed to transparency with the result that the 'scramble for tenders' is largely conducted behind closed doors, and public scrutiny unwelcome. This explains the hysteria with which the local ANC reacted to the loss of control over the Cape Town City Council to a DA-led coalition following the local elections of April 2006. The ANC became furious when Helen Zille, the incoming Mayor, announced that her administration would conduct a forensic audit of all tenders, contracts and other financial dealings concluded under her ANC predecessor. When the ANC sought to destabilise the coalition, its antics eventually backfired when Patricia Lille's Independent Democrats threw their weight behind Zille and increased her fragile majority. The DA has further increased its unpopularity with the local ANC by opening up Cape Town's tender processes and abolishing a system of quotas which guaranteed a proportion of contracts for BEE enterprises.

Incidents elsewhere suggest that corruption in tendering is common. For example, following the election of 2004, the Scorpions, an investigating directorate of the National Prosecuting Authority, investigated claims that Ngoako Ramathlodi, who had just stood down as premier of Limpopo, and his finance minister had each received R5 million in kickbacks related to manage the province's R4 billion a year pension payouts by Cash Paymaster Services, a 100 per cent black owned company which had operated the system from December 2003 (*Mail & Guardian*, 14-20 May 2004 *Noseweek*, September 2004). Eastern Cape agricultural minister, Max Mamase, was forced to resign following allegations (later upheld) that payments on the bond for his house had been made by a property development company owned by a citrus farmer who landed a R16 million empowerment deal from his department (*Mail & Guardian*, 29 October-4 November 2004; 18-23 March 2005). A previously unheard of company, Numque20, 60 per cent owned by the daughter of parliament's Deputy Speaker, landed a multi-million rand municipal parking contract from the ANC-run Cape Town City Council in 2005, but subsequently faced challenges in court from outraged competitors (*Noseweek*, November 2005). Finally, Mangaung (Bloemfontein) Mayor, Papi Mokoena, and other senior officials were fired from office by the ANC in the run up to the 2006 local elections following investigations into tender irregularities amounting to R150 million (*Business Day*, 19 October 2005).

Mbeki complained in mid-2005 about a 'mercenary, acquisitive spirit' sweeping the ANC (Boyle, 2005). Yet many felt that it was the values which his own government had fostered which were responsible for promoting what the party itself acknowledged as patronage, arrogance, bureaucratic indifference and corruption within its ranks (ANC, 2007b). Such perceptions undoubtedly helped to swell the ranks of those who in December 2007 fell behind Zuma (despite the cloud of allegations which hung around him). However, whether the party's recommended solutions can successfully address such ills remains debatable.

The NDR, Money & Morality

The ANC's solution for the moral crisis in its midst has two broad thrusts. The first is the need for the building of a 'new political culture' centred around principles which seek to balance the right of all party members to earn a living and participate in business against legal and ethical behaviour, backed by recognition of the need for accountability. These would require the development of ethical guidelines respectively for (1) ANC national officer bearers, national and provincial executive committee members, regional and branch executive members, as well as for ordinary members; for (2) the ANC as an investor in business; and for (3) the ANC as a fundraiser. The second is the need for a new set of party controls, modelled upon those of the Central Control and Auditing Commission of the Communist Party of the Russian Federation, which would supplement the work of the party's Disciplinary Committee and which would pro-actively monitor party programmes, finances, and policy implementation. The ANC's document on 'Revolutionary Morality' (ANC, 2007a) does not explain why the party is recommending the Russian Communist Party model, although it presumably came about via the fraternal relations between the SACP and its Russian counterpart. New codes of conduct, it is acknowledged, 'will not make a difference if we do not create a new and effective way to enforce them timeously and decisively' (ANC, 2007a:7).

The full significance of Zuma's dislodging of Mbeki from the ANC presidency has yet to emerge. Nonetheless, it is clear that much of the motive force behind this dramatic turn of events has been the backing for him provided by COSATU and the SACP, both of which have long been vocal in their condemnation of the Mbeki government's economic policy as pro-capital, penalising the poor, doing little to effect redistribution, and as promoting a hugely rich, party connected, business elite at the expense of more broadly based black empowerment. However, even if, as these elements demand, this results in something of a shift to the left in the government's economic policy, serious challenges to a more vigorous assertion of 'revolutionary morality' will remain, and indeed may even be compounded by the present struggle taking place between contending factions within the party.

First and foremost, South African political economy continues to revolve around 'an odd combination of new (political) power without money and old money without power', with each needing the other to advance its interests (*Financial Mail*, 15 December 2006). This is structurally disposed to favour corruption, as is indicated by the incestuous relationship which has developed between Chancellor House and parastatals. Second, the need for party funding is more likely to increase than diminish. Although the case for public disclosure of private funding of political parties is by no means so strong as its supporters proclaim (Sarakinsky, 2007), it remains difficult to exclude influence peddling from this particular terrain. Third, as the ANC acknowledges, it is a multi-class movement composed of capitalists, middle class, workers and the poor, and as such is a host to class struggle within a society imbued with capitalist values and consumerist temptations. In such situations, it is usually the rich and powerful who win out. Fourth, despite the determination of COSATU and the SACP to shift policy to the left, their cause will run up against the opposition of market forces which are unlikely to shrink from using their influence and resources to protect their interests. Finally, while the advent of stricter ethical principles and controlling structures within the ANC will be welcomed, their effectiveness will depend upon the necessary political will to implement them. Thus although the new party treasurer, Mathews Phosa, has recently commissioned a forensic audit of all empowerment deals and tenders

acquired by Chancellor House, and has promised that heads will roll if malfeasance is revealed (*Sunday Times*, 24 February 2008), it remains unclear whether this is a genuine attempt to cleanse the party's Augean stables or an attempt to strike at empowerment figures linked to Mbeki. Furthermore, even though Phosa has suggested that it is improper for Chancellor House to be securing deals from government agencies, there is no further suggestion that the party would divest itself of its dubiously acquired wealth if this were now to become the company's official policy. Meanwhile, although now embarked upon this apparent moral crusade, the victorious Zuma faction remains determined to prevent their champion from having to appear in court to defend himself against allegations of corruption. Such developments are worrying, and indicate the need for democratic forces both within the party and without to assert themselves consistently if they are to halt the ANC's moral decline.

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Endnotes

1. The Asian connection is well known but poorly documented.

2. Which led to Khumalo's resignation as Chairman of Capital Alliance in December 1997.

3. It is not wholly clear whether this R3.5 million was inclusive of, or additional to, the sums presented to the two ANC regions.

4. What follows is drawn from the superb expose by Vicki Robinson and Stefaans Brummer in the *Mail & Guardian*, 10-16 November 2006.

5 Under the Mineral and Petroleum Resources Development Act of 2002 (in force from 1 May 2004) the state owns all mineral rights. Existing rights-holders are now required to convert their 'old order' rights to 'new order' rights over time, meeting progressive empowerment targets.

6 The ranking has been undertaken by the 27th edition of the important McGregor's *Who Owns Whom.* The values listed here do not take into account debt held against shareholdings.

7. One of his sisters is married to Cyril Ramaphosa, another to Transport Minister Jeff Radebe.

8. The information above has been culled from newspapers and other sources such as successive editions of the *Financial Mail's The Little Black Book.*

9. Amongst press coverage, see notably *Business Report* (8.10.06). Also, Crawford-Browne (2007).

10. South Africa Country Profile, http://www.business-anti-corruption.com/normal.asp? (accessed 15 March 2007).

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Egypt: The Anatomy of Succession

Joshua Stacher

This article examines how the procedural aspects of Egypt's first presidential elections permitted the ruling regime to persist without a serious challenge. By taking stock of how the procedural rules of the game were manipulated to favour the incumbent, and the creation of an administrative body with extra-judicial powers guaranteeing the known result, this article will argue that the character of Constitutional Amendment 76 set a precedent that will likely favour the succession in 2011 of Hosni Mubarak's son, Gamal.

Introduction & Background

On 7 September 2005, Egypt held its first direct multi-candidacy presidential election. Ten candidates from Egypt's existing 21 political parties competed but the ruling National Democratic Party's candidate and 24 year presidential incumbent, Hosni Mubarak, cruised to victory carrying 88.57 per cent of the valid votes cast during the one-day poll.[1]

The Egyptian government wanted the world to see the amendment of constitutional article 76, which facilitated the presidential election, as the central political reform of 2005. The election has since been overshadowed by the more competitive parliamentary elections and the regime-led security and legal backlash against the Kifaya movement, journalists, and judges. Similarly, the imprisonment of Ayman Nour, the two-year postponement of the municipal elections, continuing Muslim Brother arrests, and extension of the emergency laws indicate that the president's expansive campaign promises were empty.

Changing how the president is chosen[2] is arguably the most significant change to Egypt's political system since president Anwar Sadat introduced party pluralism in 1976. Yet, the constitutional amendment and the election had more to do with adapting Egypt's existing authoritarian system than engaging in system reform. As such, the presidential election was neither understood as a real contest nor was the result ever in question. Near unanimously, Egyptian citizens knew that Hosni Mubarak would win regardless of their vote, opposition, or non-participation.

This purpose of this article is to explain the political significance of Egypt's first presidential election by examining the Presidential Election Commission (PEC), the three main candidates' campaign approaches, and the outcomes for the country's key political forces. This analysis contributes theoretically by examining the adoption of non-competitive presidential elections as a means of rearranging a domestic political arena to ensure a ruling regime's dominance and pre-empt opposition challenges.

This article argues that the amendment, campaign, and election failed to enliven or level deep structural imbalances between the ruling party and the opposition forces. Secondly, the amendment, and electoral commission that oversaw the election legally ensured that the ruling party controlled the contest. Lastly, I argue that the amendment and election creates the legal and future legitimising vehicle to ensure that the next president neither comes from legal or illegal opposition forces nor hails from the military/security services complex. The election revealed its purpose was to create a precedent so that a senior NDP member is Egypt's next president. It is in this respect that Egypt's move to hold presidential elections spoke to resolving the succession issue rather than moving towards greater pluralism.

The Presidential Election Commission

The Prelude

The first direct multi-candidate elections occurred because of a constitutional amendment, which the president proposed in February 2005. In May, parliament passed the amendment of article 76, which was subsequently approved in a national referendum. The amendment creates a constitutionally enshrined vehicle for Egypt's future presidential transition. It explicitly notes that the next president must be a member of an active political party, which excludes military and security officers.

The opposition's concern quickly focused on the objectivity of the PEC.[3] The ten candidates that the PEC accepted comprised members of three active political parties and another seven individuals from insignificant parties. While the election victory for Mubarak was never in doubt, the presidential race quickly became a two-person contest between Al-Ghad's Ayman Nour, and Al-Wafd's No'man Goma'a for second place.

Many of the participating opposition campaigns cited that the PEC favoured the ruling party and government. The Al-Wafd party stated that the PEC was pro-government while acting as if it were neutral (Abdel-Latif, 2005). Others argued that the campaign period was too short for an opposition figure to penetrate the electorate. As Hisham Kassem, vice-president of Al-Ghad argued, the campaign period did not allow time to create Nour's 'image as a hopeful statesman' (2005). The boycotting opposition parties felt their decision to not participate was vindicated. As the Tugamm'u party's secretary-general said:

> We decided to boycott because we did not think the election would be fair or free. In a country that has been ruled by emergency law for 24 years, does not permit meetings outside of the party headquarters, refuses to allow the parties direct access to the people, and holds 20,000 political prisoners, are we supposed to be happy to pass out pamphlets for three weeks? The other parties are free to participate but our party decided against legitimising this affair (Abd al-Razik, H., 2005).

While these concerns related directly to the rules of the electoral process, the PEC's expansive powers and personalities underscored a larger legitimacy problem. The independent and opposition press quickly became disillusioned with the PEC's seeming bias. Particularly, the press targeted the PEC's president, Mamduh Mare'i,[4] who became the chief representative of the commission's pro-government leanings. The press argued his background, as an assistant justice minister, made him susceptible to state influence (*Destour*, 2005). Also, the press stated his appointment

to the Supreme Constitutional Court's Chief Justice from being an obscure judge in one of Egypt's 500 lower appellate courts suggested unwavering allegiance to Mubarak.

While the personality critiques had a limited effect, the PEC's absolute authority drew criticism from members of civil society. As one board member of the Egyptian Organization for Human Rights remarked, '[The PEC] is an administrative body with extra-judicial powers. Although it is enshrined in article 76 of the constitution, this body contradicts constitutional article 68' (Abd al-Razik, G., 2005). This legal concern, while valid, was moot when discussing the PEC's reach.

The ruling party brushed away criticism of the PEC by arguing that it was strongly legislated to prevent a political gridlock. As Ahmed Ezz, a senior figure in the NDP, argued:

> *The parties are not mature here. When we developed a parliamentary consensus over the PEC's authorities, we decided that it should not be able to be overruled because a candidate could contest an election in an irresponsible way. Al Gore faced election irregularities in Florida and did not take the nation through a contested election. We did not have the same guarantees because some candidates may not respect the system* (2005).

Other NDP leaders, such as Mohamed Kamal, argued that criticism of the PEC was a ploy for opposition candidates to attract attention. As he argued:

> *It's a good thing the PEC was strong. The opposition parties demanded a strong body so there would be no bureaucracy in the process. Besides, the Chief Justice of Egypt's highest court was the PEC's head* (2005).

The Campaigns

The candidate's campaigns illustrated the existing political imbalance between the ruling and opposition parties in Egypt. The candidates' campaigns and styles could not have been more different. Some, such as Ayman Nour, opted to tour the country to appeal directly to the people. Al-Wafd's candidate chose to conduct an expensive media campaign through advertisements in print and on TV. The NDP candidate, however, ran a balanced campaign that included a mixture of media advertising and touring the country.

Hosni Mubarak: The ruling NDP ran the most impressive campaign. With their headquarters based in the Center for National Studies in Cairo's Heliopolis district, the NDP headhunted and employed around 200 full-time people for the 19 days of campaigning. The campaign machine included legal, political, economic, advertising, party communication, research, and media sections to organise a campaign offensive unlike any ever undertaken by a candidate in the country's history.

Media experts, such as Lamis Hadidi, oversaw young staffers who contacted local and international media to keep them updated on Mubarak's campaign. They arranged interviews, e-mailed the president's speeches and press releases, answered questions, and arranged press conferences with prominent NDP members such as Minister of Investment Mahmud Mohy Al-Din. A website dedicated to the president's campaign was also available in Arabic and English with information and his platform. In a change from a previous era when the ruling party members were inaccessible, the campaign team changed the appearance of conducting electoral campaigns in Egypt.

The NDP campaign team went to extensive lengths to develop the image of Mubarak as an ordinary citizen and patriot. Rather than portray the presidency as above society, his campaign team crafted Mubarak's image as a servant reaching out for an electoral mandate; an example of this was the official campaign poster. With a dark green background with the phrase, 'Mubarak 2005: The Leader and Bridge to the Future' (*Al-Qa'id wa `Abor lil-mustaqbil*), Mubarak was pictured in a white shirt and checkered tie looking reflective and seeking to serve the nation. Yet, while the NDP succeeded in shedding light on a side of the president previously under-utilised, the campaign did little to alter the commonly held view that the Egyptian president is the unchallengeable source of authority.

Mubarak's campaign promises were the strength of his campaign. Yet, people ridiculed the promises by asking why Mubarak had failed to attend to these problems in his previous 24 years as president. In his candidacy speech, Mubarak made several promises that he repeated throughout the campaign. Some of the key reforms he pledged included:

- Constitutional amendments that enshrine individual liberties, reinvigorate political parties, develop the institutional framework for the decision making processes, and placing restrictions on executive authority;

- Enhance parliament's institutional role by allowing it to keep the government accountable;

- Enhance the quality of the state-owned newspapers;

- Create 4.5 million jobs in the next six-years;

- Initiate better micro-finance loan programmes;

- Provide nationwide health insurance for all citizens;

- Complete a new metro line and better transportation for residents in Upper and Lower Egypt;

- Raise wages of civil servants by 100 per cent;

- Create 3,500 schools in the next six-years;

- Legislate an anti-terrorism bill so emergency law can be repealed.

While his promises were unlike any previous policy offensive, critics noted that the pledges were not time-specific. As a leading intellectual argued:

> *The president did not commit himself to a timetable. We need to get him talking more [about his promises]. Once the president makes a statement, the other candidates should have engaged with his agenda rather than dismiss it* (Al-Sayid Said, 2005).

Mubarak's promises also provide insight into the priorities of reform. In the venues the NDP candidate visited during his campaign, a distinct pattern of emphasising political topics and reforms in major urban areas and economic issues in more rural governorates was apparent.[5] For example, in the Delta's coastal city of Dumeita, Mubarak's speech focused on economic reforms before barely mentioning political reforms. The significance of this is that in areas disconnected from the capital, the economy is a more substantial concern for citizens. Conversely, in major urban

centres such as Alexandria and Cairo, the political side of his campaign featured more prominently.

The Mubarak campaign machine developed its message through extensive opinion polling. Eight major opinion polls were conducted. The polling covered all substantial issues such as views about the economy, standard of living, and politics. No less than 21 of Egypt's 26 governorates were covered and the minimum sample of 5,500 individuals was selected in each individual survey (Ezz, 2005). Additionally, no pollster was sent to the same place twice. The campaign team even calculated a margin of error to include potential respondents that may have answered favourably but were not sincere (Ibid.). The significance of this is that the NDP had researched and knew its political promises would not be a major concern outside of Egypt's two largest cities. This is not as much a surprise as is the weak impulse for political reform throughout the country. Tailoring economic and political issues to suit rural and urban areas was also a tactic used by the other two top candidates in the presidential election campaign.

The election's real unknown was the race for second place between Ayman Nour and No'man Goma'a. The obvious differences between the two candidates were that Nour is younger and anti-establishment while Goma'a is 71 years old and is close to NDP's circle of power. Observers summed this up as 'Nour is a candidate without a party and Goma'a has a party but is not the suitable candidate' (Egyptian journalist). In a political system supposedly being managed to inspire opposition parties, the individual candidate with a nascent party proved to be the more formidable candidate. Yet, despite this caveat, the number two and three candidates' campaign styles and approaches differed vastly from that of the NDP's candidate.

Ayman Nour: Al-Ghad's Ayman Nour, 40, was the youngest of the presidential candidates.[6] Nour is known in political circles for his political timing. Organised group political activity is not Nour's strong suit as his individualism tends to overtake group political projects.

The lack of a party infrastructure affected Nour's campaign. For example, Nour faced an obstacle in fund raising. According to one of the party's vice-presidents, the budget for the campaign was 'less than 1 million LE; it was more like 800,000 LE' (Kassem, 2005). While Nour's wife and party spokesperson, Gamila Ismail, acknowledged that the donations had been limited, Kassem was more exacting in explaining the low donations collected by the party. As he noted, 'No serious businessman outside of the party donated towards Ayman's campaign. They were too afraid of offending the government and Mubarak' (2005). Funding was not the only problem for Nour's campaign.

The weakness of al-Ghad as a party forced Nour to tour the country to meet the electorate. Nour was the most active in the campaign rallies. As he told supporters in Cairo's Tahrir Square on 3 September, 'In 18 days, I did 22 rallies in 19 governorates' (Nour Rally, Cairo). Yet, the party's weak infrastructure hindered the flow of information to supporters and observers. For example, their press office consisted of one person with a mobile phone. If he was unavailable, Al-Ghad's message and campaign plans were impossible to ascertain. While the campaign's infrastructure was lacking, its strategy in selecting venues was tactical. The campaign team selected areas deemed to be against the president. For example, Nour went to Port Said twice, Al-Mahala, and Northern Sinai's Al-'Arish.[7] Despite the careful selection and frantic schedule for convening campaign rallies, the short 19 day

campaign period never afforded Nour's campaign team sufficient time to promote his candidacy. Nour was the lone candidate to put forth a platform with a detailed timetable. For example, during his campaign speech in Al-Minya, if elected, Nour pledged:

• To repeal emergency laws and release all political prisoners by October 2005;

• That parliamentary elections would be held in November as scheduled;

• To restructure the state media apparatus by January 2006;

• By March 2006, an elected committee would write a new constitution, which would be subject to national referendum;

• In September 2007, he promised new presidential elections in which he would stand down from the post.

This timetable was a positive element of the campaign, but Nour did not develop or use his timetable or platform effectively. Instead, Nour preferred to attack ruling party elites. Nour pursued expressive political attacks rather than engaging with Mubarak's platform during his campaign speeches. As Nour argued, 'We don't go to conferences in helicopters or covered in security. If you are afraid of the people then you don't deserve to be elected by the people' (Nour, Cairo). While this type of campaigning may have resonance among marginalised citizens in Egypt, it failed to provide constructive political alternatives to the status quo.

Nour also diverged away from his platform and timetable to focus on socio-economic problems such as corruption – a theme in each campaign rally providing continuous individual stories of government-linked rampant corruption. He attacked the minister of finance, Yosuf Butros-Ghali, over property he owns as well as the corruption within the public health and education systems (Nour, Cairo). This type of campaign strategy relies on agitating sentiment against the ruling political establishment without advancing alternatives and awarded Nour the protest vote but was unable, in drawing those who sceptically viewed the process, to participate by voting for him. By focusing on issues such as corruption and a lack of social services, Nour did not campaign on solutions. Opposition victories were structurally precluded from the outset. Although negative campaigning does work in attracting the disaffected and marginalised for a protest vote, the lack of structured alternatives did not serve as an incentive for participation for those that want continuity with reform. Relying on moralistic arguments to excite an electoral base was a doomed strategy for getting more of Mubarak's vote because it failed to mobilise support against the rule of a 24 year incumbent.

The emphasis on socio-economic issues such as corruption demonstrates Nour does understand it is economic rather than political issues (particularly outside of Cairo and Alexandria) that dictate responses from Egyptians. Hence, while Nour seems to understand the country's potential electorate, the style of the campaign could never gain the support of more than the margins of disaffected citizens seeking system change. Nour would never have won but he could have gnawed away more of Mubarak's votes. While there is nothing Nour could have done to win the election, his campaign demonstrated the lack of coordination or solution-based thinking within Egypt's secular opposition circles. Even if Nour had engaged more with Mubarak, it would not have made an impact on the election's result. But, it could have potentially set the foundation for future opposition.

No'man Goma'a: Al-Wafd's No'man Goma'a was the remaining significant candidate.[8] Goma'a maintained uncharismatic control over the historic Al-Wafd party between 2000-2006. In recent years, Al-Wafd's influence declined and the party leadership took a decision to run in the elections in hopes of raising the party's profile before the scheduled November 2005 legislative elections. As party vice-president explained, 'Because of the timing of the presidential and parliamentary elections, these two elections are actually one. If we don't participate we will suffer in parliament' (Abaza, 2005). With the impetus of participating in the legislative elections closely connected to its presidential election campaign, the party chose Goma'a as its candidate.

Al-Wafd's campaign style differed from Al-Ghad's approach. With a base of wealthy party members, Al-Wafd was able to collect finances from its members that met the 10 million LE campaign limit (Al-Kouly, 2005). The campaign team relied heavily on TV and newspaper advertisements rather than going out and meeting the electorate. What advantage Al-Wafd had in media strategy was sacrificed by their candidate's unwillingness to conduct an aggressive campaign rally schedule.

The Wafd candidate held only six election rallies during the 19 day campaign period.[9] The rallies excluded important urban centres such as Egypt's second largest city, Alexandria.[10] Hence, the party relied on campaigning where they were already established and have strong support. For example, the Bilbis rally had approximately 10,000 supporters under an expansive Ramadan-style tent.[11] Combined with his lack of charisma and half-hearted campaigning, the 71 year old Goma'a seemed to go through the motions with crowds rather than appear committed to the campaign. A prominent Al-Wafdist member remarked after the elections that:

> *There were several problems with our campaign. Unfortunately, one of the problems was our candidate. He is neither a charming figure nor did he act convinced of his candidacy* (Fakhry Abd al-Nour, 2005).

Yet, if the Wafd's media campaign was regarded as negative, the campaign speeches reflected a strategy of discussing socio-economic problems such as unemployment and corruption. For example, in Bilbis, he mentioned a corruption scandal allegedly involving the former editor-in-chief of *Al-Ahram* and linked it to national debt. As Goma'a stated, 'Ibrahim Nafa'a's salary was 3 million LE per month. No wonder the country is in debt' (2005). Goma'a pointed to the government's socialist oriented five-year plans and attempts to irrigate desert land into fertile agriculture land as another failed strategy. Similarly, he argued that an import-based economy had made Egypt industrially dependent. As he said, 'All *they* care about is importing expensive equipment and making a commission from their sales' (Ibid.). As with Nour's campaign style, Goma'a proved apt at exposing the government's shortcomings and inconsistencies without advancing alternative focused plans of action. His political platform was underdeveloped relying on calls for 'real democracy' without detailing a plan beyond cancelling emergency laws and getting rid of the 'military government'.

Goma'a had the advantages of an experienced party infrastructure. Yet, the lack of a platform, his lack of charisma, and short-temper with supporters[12] had an impact on his campaign. Given the Wafd's poor performance in legislative elections when they won only six seats in 2005, the media campaign was not enough to salvage Al-Wafd's viability as an opposition party.

The Outcome

While the brief 19 day campaign period was active, the election's result was predetermined in Mubarak's favour. With the perceived bias of the state media and the PEC, mobilising the vote was the key to electoral success. Arguably, the election's low 23.9 per cent turnout was more favourable to the opposition parties with their limited bases. Yet of those participating, only the NDP campaign team possessed the resource capacity to mobilise the vote throughout the country.

The National Democratic Party (NDP): It is not surprising that the NDP's candidate, Hosni Mubarak, won by a dominant margin. Besides ruling Egypt since Sadat was assassinated in 1981, Mubarak is widely viewed as a leader that maintains peace and stability. Similarly, given the weak state of the opposition parties, the NDP has enjoyed a political monopoly over Egypt since Sadat created the party in 1978.

Unsurprisingly, the NDP proved the best mobilised to get out the vote. According to a senior NDP figure, the NDP had organised '50,000 people throughout the country,' to help facilitate getting voters to the polling stations (*Financial Times*). Additionally, in the campaign's headquarters, 400 volunteers staffed telephones while 7,400 mobile phones were distributed to supporters in the field to report hourly on voter turnout levels at nearly 10,000 polling stations throughout the country (Ezz). The ruling party's research gave them prognosticated turnout figures for each hour. NDP members in some districts organised guidance booths where volunteers helped organise citizens' paperwork to speed up the voting for the president.

Getting Mubarak elected in Egypt's first presidential election happened in a controlled environment. The campaign period proved to be largely a training ground for the ruling party's campaign strategy for future parliamentary, Shura council, municipal, and presidential elections. The ruling party's experience in this presidential campaign could help perpetuate continued NDP dominance in such presidential elections. Even if a scenario resulted in which the next presidential elections are held within a fully democratic context, the NDP's experience of conducting a professional campaign will give it an advantage it over its competitors. While Mohamed Kamal agreed the party learned lessons from the campaign's style, he felt that regardless of this experience, the electoral process was not relegated to NDP dominance. As he explains, 'You can always buy talent. We were organised and it showed. Besides, there is no turning back. Egypt will never go back to a system where there is only one candidate' (Kamal).

Many observers anticipate that Gamal Mubarak will be Egypt's next president. With the amendment of article 76 and the legal precedent of his father having gone through the process, what type of leader is Egypt preparing for should Gamal succeed his father? His economic team has been expressly focused on neo-liberal economic reform. These types of policies – particularly cutting subsidies, selling Egypt's public sector industries, and reducing domestic protectionism – is producing high levels of inflation and increasing costs for basic food supplies. As salaries have not increased in relative terms, Egypt has seen waves of collective industrial action since 2004 in virtually every profession and industry connected to the state. Most recently, a nationwide strike on 6 April 2008 was aborted because of pressure from the security services. As a consequence, resistance erupted into intifada-like revolts by the population in places such as Mahala al-Kubra. While

some allies close to Gamal Mubarak, such as Yosif Botros-Ghali and Mahmud Mohy al-Din, have argued for more aggressive privatisation to continue undeterred, there are growing signs that Gamal is willing to resort to targeted populism to resolve economic demonstrations. Yet, rather than one side or the other winning, it results in a mixed system that advantages the state's neo-liberal bend.

Al-Ghad: For Al-Ghad, the electoral results showed Ayman Nour winning 7.57 per cent of the vote but also demonstrated the strength of Nour individually. Al-Ghad has a weak party infrastructure, limited campaign funds, and Nour's platform was not developed. Al-Ghad simply did not have the organisational ability to make sure its voters were mobilised and got to the polls. While some journalists reported that Al-Ghad representatives were not allowed into the polling stations, the party did not have the capacity to have a representative in all of the polling stations (Kassem). Therefore, in this context, Nour's vote count is an achievement.

Nour's convincing defeat of No'man Goma'a suggests that he is capable of drawing on the Wafd's liberal base. Although Nour left Al-Wafd in 2001, one senior party member noted, 'In my parliamentary district, many voters chose Nour because they still consider him a Wafdist' (Fakhry Abd al-Nour). Nour championed himself as the leader of the opposition because of the results. In *Al-Masry Al-Youm*, Egypt's most independent daily, Nour proclaimed that in the next presidential election in 2011, a showdown between him and Gamal Mubarak was inevitable (11 September 2005).

It is fair to argue that Nour and Goma'a probably had similar electoral bases. Yet, Nour's populist style and anti-establishment profile awarded him the protest vote. Hence, people who wished to participate and not intentionally spoil their ballots voted for Nour because he appealed to their negative views of the system. Yet, his strategy was always limited in terms of getting a bigger percentage of the voters because most voters will not vote for political change based on a platform of rejection of the accepted political framework, which the NDP unilaterally determines.

Since Ayman Nour's imprisonment, Al-Ghad's party activities remain grounded as internal fights between pro- and anti-government activists plague the group. The stalemated situation has led to the resignation of many of the group's pro-Nour leadership. Currently, Nour's wife, Gamila Ismail, is the president of the isolated party. With the departure of Nour, the party never recovered. This is but one by-product of Ayman Nour weaving the party into his own personality so tightly. It cannot be expected to be a future political participant – be it in elections or in a regular political atmosphere.

Al-Wafd: The Al-Wafd's electoral results were disastrous. While the Al-Wafd won the most seats of any opposition party in the 2000 parliamentary elections, the presidency of No'man Goma'a strained the historic party's national electoral base. By expelling popular MPs for personal reasons, keeping the party inactive as an opposition force, and running a campaign in a half-hearted manner, Al-Wafd now faces the challenge of rebuilding itself before it can seriously compete in future elections. There are internal problems with the party nationally. By only campaigning in areas that were perceived friendly to the Al-Wafd, the party failed to attract potential voters. Hence, the media campaign proved less effective than working the campaign trail.

Al-Wafd maintains a wealthy membership but its party status as a viable opposition force is being threatened in practice given Nour's second-place finish. Despite an

approach of positioning itself as the regime's most favoured opposition party, its electoral defeat showed that it was competitively ineffective in offsetting Nour. If the party is unable to attract non-members by reaching beyond traditional bases of support, the party will continue its slow decline towards irrelevance.

The Other Candidates: The remaining seven candidates in Egypt's presidential election won a mere 0.9 per cent of the national vote.[13] The candidates represent minor parties most Egyptians neither can name nor know exist. These candidates represent parties that have never won parliamentary seats nor will likely ever have a chance to compete for the presidency again. While their platforms served as comic relief for observers of Egypt's first presidential elections,[14] none of these individuals or parties deserved the national attention awarded to them in the 19 day campaign period.

The Muslim Brothers: The Society of Muslim Brothers is Egypt's largest opposition movement. Illegal but tolerated, the Brotherhood has uneasy relations with the government. It was clear that the government had no interest in permitting a Brotherhood candidate to compete as an independent presidential candidate. The president and NDP officials had stated publicly in the months leading to the presidential elections that the Brotherhood would not receive a party license (Mubarak, 2005). The elections, as a result, presented an opportunity and a test for the Muslim Brothers. If they chose to boycott, they could be blamed for a low turnout figure. Similarly, if they participated by mobilising for an opposition candidate, the strategy could have backfired ahead of the parliamentary elections while incurring the repressive wrath of the regime.

To combat the dilemma, the Brothers' General Guide, Mohamed Mahdi Akef, issued a statement calling on members to vote in the presidential elections (*Al-Masry Al-Youm*, 21 August 2005). He said, however, that the movement would not organisationally vote for a particular candidate and cautioned members against voting for 'a tyrant' in what could interpreted to be Mubarak.[15]

The Brothers remained on the safe side of the regime by publicly asking its members to participate by voting. Yet, despite its call to participate, it seems that most Brothers stayed away from the polls. There is no evidence to suggest that the Brothers mobilised in support of one candidate or another. While it is speculation to guess what the Brothers are capable of mustering in a national election, the low turnout that characterised these polls suggests their impact was minimal because they did not mobilise. In this respect, the Muslim Brothers merely reflected Egyptian society by not going the polls.

The aftermath of the election has been anything but calm for the Muslim Brotherhood. This has less to do with the group's stance during that election and more to do with their performance in subsequent national elections. In the 2005 parliamentary elections, 88 out of 150 Brotherhood candidates prevailed giving them twenty per cent. The group's parliamentary bloc has elevated the seriousness and institutional capacity of the People's Assembly despite not possessing the ability to pass or reject the government's legislation.[16]

The Brotherhood's parliamentary effectiveness has produced a repressive response by the ruling regime. Over 1,000 people were arrested and released over the course of 2006. Most notably was the arrest of Khariat al-Shater and other prominent Muslim Brothers in December 2006. Since then, the group has seen some arrested Brothers'

personal financial assets frozen as well as the resumption of military trials against civilians, which is a tactic that the Egyptian government had abandoned in 2000. Despite the increasing repression that the group has confronted since 2005, it has not wavered from contesting elections or attempting to revive legal and constitutional avenues of participation.

In addition to contesting repressive Shura Council elections in June 2007, the group announced that it would boycott the 2008 Local Council elections. While the group tried to run as many as 5,700 candidates, and despite acquiring over 2,000 judicial ruling to allow them to run, the regime ignored the ruling and only permitted 20 Brotherhood candidates to appear on ballots. Additionally, over 800 of its members were arrested in the two months prior to the local elections. Faced with such grotesque and pre-emptive electoral manipulation and rigging, the group announced a boycott two days before polling. The Brotherhood can expect the arrests of its members to ebb and flow depending on how the government perceives a political situation.

The Boycotters: Two operating and legalised opposition parties, Al-Tugamm'u and the Nasserist, boycotted the polls by arguing that their participation in the polls would legitimise the 'theatre' of elections (Al-Sinawi, 2005).

Al-Tugamm'u's secretary-general, Hussein Abd Al-Razik, said they did not consult with the other opposition parties over their decision. He said they provided a list of demands to the government which were ignored.[17] He said some of the party's general-secretariat voted to participate by arguing, 'We need to participate in the elections. The government will minimise our seats in the legislative elections' (2005). Yet, there is no evidence that the government contacted the party and threatened such exclusion. Indeed, 'The government does not have to contact you if the highest committee in the party thinks this is the case' (Ibid.). Al-Tugamm'u has a limited membership base nationally comprising only 30,000 people.[18] Had they participated in the presidential elections, this would not have changed the outcome. Rather than risk an embarrassing result, the party opted to take their chances in the more individually driven parliamentary elections.

Another movement that chose to boycott the presidential elections was the extra-parliamentary protest movements known as Kifaya. Kifaya representatives issued several statements prior to the election. For example, Kifaya leader and *Al-'Araby* journalist, Abd Al-Halim Qandil claimed that any parties participating in the presidential race were 'treasonous' (*Al-Masry Al-Youm*, 26 August 2005). The Kifaya movements held demonstration on the day of the election but this was of limited added value because of the group's obsession with personalised and rejectionist politics. While the movement mobilised and marched through the streets on election day, boycotting the election proved a wasted opportunity as it failed to transmit an alternative, realistic, or constructive message.

Kifaya argued they boycotted the elections because they did not believe the process would be fair (Ishaq, 2005). Yet, by remaining a protest movement founded on a programme that rejects ruling elite personalities, Kifaya ignores the more important structural deficiencies of the system and reinforces the lack of constructive political interaction between the opposition and the government.

Since the presidential elections in 2005, Kifaya has *not* evolved into a wider social movement. If anything, Kifaya have experienced more fragmentation among the

groups that comprise it such as the Popular Campaign, Revolutionary Socialists, and the various groups 'For Change'. Rift with internal disagreements and unable to produce documents that show any semblance of a political way forward, the movement has been forced to attach itself to the nationalist issue of the day rather than serving as an engine that places issues on the agenda. Examples of this can be seen in the movement's bandwagoning to be included in the judges' revolt in 2006 when they failed to persuade parliament to support a judicial independence bill.

Conclusions

Substantial modifications to a political system place as many constraints as opportunities for a polity. Such a modification needs to be formulated by consensus among all the country's political forces to ensure that citizens' feel fairness and competition mark the process. In this sense, it is an opportunity to redefine how an authoritarian regime operates. But if the process is heavily controlled, the experiment will be stillborn. Then, like multi-party parliamentary elections over the past 30 years in Egypt, further disillusionment will be encouraged in society where voting is already the least favoured option for political participation.

The legal opposition forces that may participate in the future presidential elections are not conditioned to engage or debate with the ruling party's imbalanced implementation of its political agenda. This will continue to exacerbate the government-opposition relations without even addressing Egypt's largest opposition (The Muslim Brothers), who are excluded because of legal technicalities as opposed to political reality. The constitutional amendment and the presidential election proved ineffective for enlivening political or opposition competition. Indeed, it continues to contribute to the vicious circle of opposition underdevelopment. Hence, the amendment and elections failed to achieve the objective of inspiring opposition participation. It is within this context that holding presidential elections is unlikely to change the ongoing legal opposition's political crisis.

The amendment and non-competitive presidential elections is a constitutionally enshrined empty formality rather than a legitimising mechanism for selecting a head of state. Instead, the election's purpose was to adapt the system's authoritarian character and facilitate Egypt's future presidential succession. Adaptation, in this sense, had two implicit aims. The amendment and election rearranges the domestic political arena to ensure the ruling regime's dominance while pre-emptively checking potential opposition challenges. While the amendment and the election was uninspiring for a demobilised electorate, it also establishes a legal and normative precedent that Egypt's next president will hail from the ruling party rather than another part of the regime apparatus. Given this is the emerging scenario, it is reasonable to speculate that Gamal Mubarak will succeed his father. As it stands now, a great deal of political capital and overt (and technically) illegal interference by the security apparatus will be required to *prevent* the inheritance of Egypt's presidency under the guise of an election.

The question that remains is, despite the NDP acting as if the election is a competitive and representative process, can it provide the necessary governing legitimacy to Egypt's next president? This is particularly pertinent considering that Gamal Mubarak and his neo-liberal economic team seemed poised to redesign the Egyptian economy. Taking over presidential power is the easy part, but the functional governance afterwards will prove to be the challenge for Egypt's first post-Hosni Mubarak president.

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Endnotes

1. According to the PEC's figures, the former air force general won 6,316,784 of the 7,131,851 valid votes cast. Runner-up, Ayman Nour, had 540,405 votes (7.57 per cent) while in third place, Noma'n Goma'a, won 208,891 votes (2.93 per cent). The remaining seven candidates won 0.9 per cent of the vote.

2. Prior to September's presidential election, Egypt's president was selected by a two-thirds endorsement by the People's Assembly and then subjected the single candidate to a national referendum.

3. The amendment of Article 76 details the PEC's various duties such as candidate selection, supervision of procedures, and announcing the results. Also, the PEC maintains 'full judicial competence to rule on any contestation or challenge submitted in relation to the presidential elections, and its decisions will be final and subject to no appeal.' A number of Arab countries such as Tunisia, Algeria, and Morocco have adopted election commissions.

4. The president appointed Mamduh Mare'i as the Supreme Constitutional Court's chief justice in August 2003.

5. The president made campaign speeches in Cairo's Al-Azhar Park, 10th Ramadan City, Beheria, Malaha Al-Kubra, Al-Minya, Mansourah, Assuit, Dumeita, Zagazig, Alexandria, and Cairo's Abdeen Square.

6. Nour's political star exploded when he was arrested for forging membership documents in the party application process. The case was highly politicised and drew disproportionate attention from the US government. Several editorials were penned in major US dailies, such as the *Washington Post*, during his 42 days of detention between 27 January and 13 March 2005. After he was released on bail, Nour's trial began on 28 June 2005 and on 24 December 2005, Nour was sentenced to 5 years for forgery. The Court of Cassation rejected his last possible legal appeal on 18 May 2006.

7. Port Said is unfriendly to Mubarak because the president withdrew its duty free status in January 2001. The Port Said business community interpreted this move, which hurt the economic viability of the city, as retribution for the assassination attempt on Mubarak in Port Said on 6 September 1999. Al-Mahala al-Kubra is the town that hosted textile companies that used to export to the US before the Egyptian-Israeli governments signed a Qualified Industrial Zone (QIZ) agreement excluding Al-Mahala's factories. Al-'Arish is a current place of tension since the Hilton Taba bombing on 7 October 2004 where 34 mostly Egyptian and Israeli citizens died. The Egyptian authorities believed that Al-'Arish was the mastermind and conducted a crackdown on the city arresting close to 2,500 people in November and December 2004.

8. Goma'a served as Al-Wafd deputy-chairman between 1989 and 2000. After longtime party president, Fouad Sarag Al-Din, died at the age of 90 in August 2000, Goma'a was elected as president in October 2000. Following the presidential election and the party's poor parliamentary election showing, an internal power struggle erupted. Reformers within the Wafd, such as Mahmud Abaza, Al-Sayid Al-Badawi, and Monir Fakhry Abd Al-Nour, ousted Goma'a as party president in January 2006. An ambivalent response from the NDP-chaired Political Parties Committee allowed the party's situation to deteriorate until 1 April when Goma'a and gun-wielding thugs invaded the party's headquarters and shot 6 people and wounded dozens others. Documents and portions of the Wafd villa were also burned. Goma'a was arrested but was released without charge.

9. Rallies were held in Qena, Port Said, Rod Al-Farag, Helwan, Bilbis, and Tanta.

10. When I asked why they chose not to hold an Alexandrian conference, vice-president Mahmud Abaza explained, 'The elite in Alexandria are snobs. They are very fickle and we did not think it would win us much support if we campaigned there' (2005).

11. Bilbis in the Delta's Sharqiya governorate is a particular Al-Wafd stronghold. In addition to Goma'a's distant relatives in the governorate, most of the steering committee members, such as Abaza, Mohamed Sarhan, and Al-Sayid Al-Badawi hail from Sharqiya.

12. As Goma'a spoke in Bilbis, supporters interrupted him frequently. This irritated Goma'a, who tried to stop people from whistling. When the crowd quieted, one person let out another whistle. Increasingly impatient, Goma'a shouted, 'Whoever just whistled is a child and a coward.'

13. The fourth place candidate won just over 29,000 votes while the last had about 4,100 votes.

14. Ahmad Al-Sabahy, Al-Umma's candidate, promised to reinstate the Fez as the national headdress of Egyptian males if elected. Al-Sabahy also famously said that 'God forbid, if I win, I will give the presidency to Mubarak.' During one of his press conferences he said that he was voting for Mubarak (*Al-Ahram*, 29 August 2005).

15. Ayman Nour courted the Muslim Brotherhood vote by promising to grant them a party license if they supported his bid. Some prominent Brotherhood members then publicly endorsed Nour.

16. See Samer Shehata & Joshua Stacher, 'The Brotherhood Goes to Parliament', *Middle East Report*, Fall 2006.

17. The demands included cancelling emergency law, abolishing the political parties committee, allowing parties to meet and demonstrate, cancelling the profession syndicate law, and providing access to state media.

18. Abd Al-Razik blamed the low membership on Sadat's crackdown after the January 1977 'bread riots' when many of its members were arrested or simply resigned.

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Briefings

Sierra Leone: Beyond Change & Continuity

Mohamed Juldeh Jalloh

The 2007 general elections marked a real test for the country's nascent democratic experiment since the installation of multi-party rule in 1996. The victory of the main opposition party, the All People's Congress (APC) in an election that was popularly considered as a ' well administered' exercise showed the progress the country has made in the area of democracy building over the years. Though the elections provided new opportunities for elite renewal, the popularity of the newly elected government relates not necessarily to its programmatic appeal but to the unpopularity of the previous government. The electoral victory can be explained as a response of the electorates to the inability of the Sierra Leone Peoples Party (SLPP) government to provide concrete responses to the deepening socio-economic malaise that plagued the country.

This briefing seeks to examine the nature of the electoral process and its democratic gains but argues that such gains cannot be fully understood without taking into consideration certain structural factors that precipitated the elections. The rest of the paper is divided into three parts. The first looks at the nature of the polls and its significance for democratic practices and elites renewal. The second part examines some of the socio-economic and political factors that characterised the nature of the electoral process. This involves the huge development challenges facing Sierra Leone at the time of the elections, the enabling political environment and the role of the international community in the country's governance. The final aspect highlights some of the broader challenges involved to get the newly elected government to deliver on the expectations of the citizens.

The Nature of the Elections

Since 1996, Sierra Leone had organised three parliamentary and presidential elections. The first was the transfer elections of 1996 envisaged as a *transition* from military to democratic rule and were won by the SLPP party. The second was the 2002 general elections popularly dubbed as an endorsement of the SLPP government. The 2007 general elections are landmark elections that can rightly be viewed as a referendum on the performance of the SLPP government since they came to power in 1996. The main opposition party won both the parliamentary and presidential elections. President Ernest Bai Koroma of the APC secured 54.6 % of the votes in a run off after initially failing to secure the 55% threshold in the first round.[1] The APC also won 53 out of the 112 seats thereby giving the party a comfortable majority in the national assembly.[2]

A total of seven political parties took part in both the parliamentary and presidential elections but SLPP, APC the People's Movement for Democratic Change (PMDC) were the three major contenders. The SLPP was the incumbent ruling party led by the former vice president Solomon Berewa. The APC was the main opposition party whose flag bearer was the opposition leader, Ernest Bai Koroma.

The PMDC is a newly created party led by Charles Margai, a prominent lawyer, and a son of a former Prime Minister, Albert Margai. He was also a former minister in the previous SLPP government but decided to establish the PMDC when he lost the leadership of the SLPP bid to Solomon Berewa. Unlike the PMDC, both the SLPP and the APC have ruled Sierra Leone in the past.

As Table 1 below shows, the APC won 59 seats while the SLPP got 43 seats and the PMDC had 10 seats. The results revealed once again the predominance of ethno-regional voting preferences, as was the case in the 1996 and 2002 elections.[3] The APC won 36 of the 39 seats in the Northern region, considered to be the party's stronghold, while the SLPP won only 3 seats in the North compared to 18 seats won in the 2002 general elections. Further, the APC made a breakthrough for the first time into the Southern and Eastern regions wining one seat in each region. By contrast, the SLPP garnered the bulk of the seats in the Southern and Eastern regions, which is traditionally understood to be its stronghold. The PMDC was able to secure substantial votes in the Southern and Eastern re-

gions and won 10 out of the 52 seats. The results showed that the PMDC support base was largely confined to the South-east. The APC equally won all the seats in the Western rural and urban areas.

There was also a marked difference in the electoral system that was used as compared to the earlier elections. In the 2007 general elections, a single member constituency system was used; unlike in the 1996 and 2002 where the proportional and semi-proportional representative system – the district block system – was used in the elections. The use of the PR system then was informed by the prevailing socio-political situation in the country at the time as it was perceived as the most suitable method to address the problems posed by the conflict and offers the best chance for broad based representation.[4]

With the single member constituency system (SMCS), the country was divided into 112 constituencies. This system favoured the election of younger candidates into parliament largely because the stake of the elections was shifted from the centre to the local, where their constituents directly elected candidates. Un-

Table 1: Distribution of Parliamentary Seats

Region/District	APC	CPP	NDA	PLP	PMDC	SLPP	UNPP	Total
Eastern Region								
Kailahun						8		8
Kenema						11		11
Kono	1					7		8
Northern Region								
Kambia	5					1		6
Koinadugu	4					2		6
Port Loko	10							10
Tonkolili	8							8
Bombali	9							9
Southern Region								
Bonthe					3			3
Moyamba	1				1	4		6
Pujehun				3	2	5		
Bo				3	8	11		
Western Region								
Western area rural	4							4
Western area urban	17							17
National	59	0	0	0	10	43		112

Source: National Electoral Commission

like the PR system where candidates are selected based on a party list system, as was the case in 2002, a system, which tends to favour the selection of older and so called experienced candidates, which had provoked serious outcry among the Youths in the past. Also, the SMCS dealt a serious blow to women's representation in parliament. As a result, only 16 female candidates were elected which is slightly below the number of seats secured by women in the 2002 general elections.[5] The figures represent 14% compared to 86% for male and it is far below the expected 30% quota demanded by civil society and women's groups.[6] This shortfall confirms the widely held view that 'proportional representative system tend to create greater representation of women than do single member district systems'.[7] Accordingly, as the case of the elections showed, the PR system offers a better chance for women representation in Sierra Leone. Voter turn outs in the elections were also impressive though the official national average of 68% in the run off polls was lower than the 76% recorded in the first round.[8] On the whole, these figures were far lower than the 81.2% turnout rate recorded in the 2002 general elections.[9]

The elections were largely considered by both local and international observers as 'relatively well administered.'[10] The National Electoral Commission (NEC) was praised for the fair and transparent manner in which the polls were conducted. Certain instances of fraud and irregularities were reported particularly in the run off polls. In certain polling stations, the number of votes counted far exceeds the number of registered voters.[11] As a result, 477 of the 6,156 polling stations across the country were invalidated by NEC.[12] Also, instances of ballot stuffing and double voting due to poor electoral materials such as the indelible ink and fake ballot stamps were equally mentioned.[13] Apart from some of these isolated incidents, the entire electoral process was considered credible and transparent. The elections were largely competitive and all the political parties who took part in the elections accepted the results. In contrast to the 1996 and 2002 general elections where donor involvement in the processes was relatively high, there was very limited international involvement in the 2007 elections particularly in the areas of funding and technical support. Much emphasis was placed on the use of local resources as a way to enable Sierra Leoneans to organise their own elections.[14] Furthermore, the peaceful manner in which the polls were conducted showed the level of political tolerance given the country's troubled history. The victory of the opposition paved the way for new and much younger political elites to take over the realms of power. The smooth and successful transfer of power to an opposition party is an indication of the huge progress the country has made in institutionalising certain democratic practices and norms. The nature and outcome of the elections clearly signalled a brighter prospect for the country's nascent democratic experiment.

Conditioning Factors

A clearer understanding of the socio-economic and political factors that precipitated the elections is necessary to fully appreciate the nature and wider implications of the electoral process. This will be discussed in view of the trajectory of the state and the democracy movement in Sierra Leone. At independence in 1961, Sierra Leone was one of the brightest stars in the galaxy of newly independent African states. With her lead in education, abundant natural resources and an effective public administration, the country was by no means a 'candidate for state collapse'.[15] Three decades of bad governance and a devastating conflict have wreaked serious havoc on a state that had all the potential to succeed as an independent African state.[16] With the election of Ahmed Tejan

Kabbah under the SLLP in 1996 and subsequently in 2002, the country took an important step towards democracy. For many political observers, the return to multi-party rule not only signified a major move towards political liberalisation but the clearest means of rebuilding legitimate governance institutions capable of providing citizens with goods and services. Nevertheless, recent political developments in the country are overshadowed by immense socio-economic challenges in spite of the modest gains the SLPP government had made as regards institution building. This background provides a deeper insight into understanding the conditioning factors that shaped the nature of the electoral process and its outcome. Such factors will be analysed under three broad headings. First are the deepening socioeconomic problems prevalent in the country at the time of the elections. Second, is the enabling socio-political environment against which the elections took place. Finally, is the nature of the international community involvement in the country's reconstruction process?

By the time Sierra Leoneans went to the polls, the country was faced with huge development problems. The country was rated as the second least developed country in the world, ranked 176 out of 177 in the United Nations Human Development index.[17] Seventy per cent of the five million Sierra Leoneans live below the poverty line while 26% live in extreme poverty.[18] Though the country experienced a 7% economic growth rate in 2004/2006, the GDP per capita remained at $200 while two-thirds of the population is unemployed particularly the youths.[19] Over the years, many low income earning families found it difficult to gain access to affordable health care facilities and basic education. In 2004 alone, 286 out of 1,000 children died before the age of five while 2,000 per 100,000 women died during child birth.[20] These figures are considered by UNICEF

as the highest in the world. A report on basic education made mentioned of how

> *poor parents are taking their children out of school because of the inability to shoulder their educational needs since the burden of educating their kids have been entirely transferred to them in spite of the on-going campaign for free compulsory primary education in the country.*[21]

Infrastructure is also a huge problem as a large percentage of the road network in the country remained inaccessible. There is no reliable source of energy, as electricity and water supply even in the capital city remains a pressing problem.[22] Added to this is the problem associated with public sector accountability which in most cases impeded the state's capacity to deliver effective goods and services. Comparatively, the SLPP government has claimed 'remarkable progress in post-war reconstruction' and has established institutions like the National Revenue Authority (NRA) and the National Insurance Social Security Trust (NASSIT) to improve the government's socio-economic profile.[23] Irrespective of the government's modest gains and credit for restoring peace to a war-torn country, most political observers were convinced that the SLPP 'is at odds with the public's demand for political change'.[24] The SLPP government's poor records on issues such as the deepening socioeconomic malaise in the country and weak commitment to fight corruption appeared to shape the contours of the campaign process as well as the nature of the polls. Therefore, it was these issues that constituted the 'enjeux' upon which the elections were fought. Similarly, these issues will no doubt constitute the benchmarks for assessing the performance of the newly elected APC government in the near future.

Since the return of the country to multiparty rule in 1996, Sierra Leone has made immense progress in the area of

democracy building. The organisation of two successive general elections in 1996 and 2002 respectively was accompanied by the establishment of a resourceful and independent electoral infrastructure. The role of civil society organisations and public involvement in these elections neatly signify a clear trajectory towards the institutionalisation of a viable electoral culture in the country.[25] The establishment of institutions such as the Anti-Corruption Commission, the office of the Ombudsman, the Intra-Political Party Commission, the National Commission for Human Rights (NCHR) and the National Commission on Democracy (NCD), provides new opportunities to address issues of transparency, justice and respect for human rights.[26]

In recent years, the government has initiated a host of reforms with the objective to improve the capacity of governance institutions in the country. This includes justice, security and public sectors and the ongoing decentralisation process. Furthermore, the third wave has given rise to a democracy movement in the country which is rooted in an alliance between global forces and domestic political activists.[27] This is evident in the significant number of civil society groups particularly NGOs that have sprung up over the years. These organisations have been at the forefront of the campaign for good governance, the protection of human rights and political participation and as such impacted on the evolution of certain democratic norms and practices in the country.

Today, Sierra Leone continues to enjoy a positive ranking in the Freedom House rating as a promising democracy where basic human rights and freedom of expression are widely respected.[28] Added to this, is the attendant impact linked to the liberalisation of the media landscape. A survey conducted in 2004 showed that:

Sierra Leone's media sector has diversified at a remarkable rate over the past ten years. There has been a proliferation of radio stations nationwide; television service has been established in some provinces; and a plethora of newspapers are published daily and weekly in Freetown. The increase in the number of channels has changed the structural conditions for information and knowledge sharing.[29]

The survey also indicated that there were over 23 independent FM radio stations in the country and that they were accessible to the general public.[30] These developments created an enabling political environment against which the 2007 general elections took place and, as a result, informed the remarkable role played by various actors such as policy makers, ordinary citizens and civil society groups to ensure that the elections were well administered.

Following the end of the conflict in 2002, the international community (spearheaded by Britain) assumed the huge responsibility of the state reconstruction process in Sierra Leone. At the core of this process is the 'constructing or reconstituting institutions of governance capable of providing citizens with physical and economic security'.[31] Represented by a multitude of agencies and organisations including the UN, European Union, World Bank, Department For International Development (DFID) and international NGOs, it has been very instrumental in the country's stabilisation process, providing security, through an 18,000 UN-led peacekeeping force and supporting the country's post-conflict recovery programme.[32] Further, the international community continues to take the lead role in the *re-composition* of the socio-political landscape and the country's development agenda as clearly articulated in the Poverty Reduction Strategy Paper (PRSP).[33] As a result, it has been able to shape the evolution of domestic governance structures and practices.

Sierra Leone is a typical case of a baby sitting approach to state reconstruction whereby the process is not only engineered from outside but also closely supervised and monitored through effective regulatory mechanisms.[34] Such approach can be likened to a form of international entrepreneurship wherein the elements of international involvement in the reconstruction process far overshadows local ownership. Therefore, questions of democratic legitimacy as evident in the organisation of free and fair elections, accountability and respect for fundamental human rights takes precedence over attempts at building effective state capacity.[35] As a result, a transparent and well administered election in a country like Sierra Leone is the minimum that is expected of the political leadership in particular where the bulk of the funds, the policy leadership as well as technical expertise for the organisation of state elections are provided by the international community.[36]

This is also the case in places like Kosovo, Bosnia whereby post-conflict reconstruction processes are driven from outside, unlike places like Congo-Brazzavile, Uganda and Eritrea where similar processes are driven from within.[37] In a similar way, the elections raised fundamental questions regarding the relationship between local political outcomes and the nature of international involvement in Sierra Leone. In that light, one is tempted to argue whether the electoral defeat of the incumbent SLPP government as a result of its failure to provide social services does exemplify some of the limits of international entrepreneurship in Sierra Leone. This is usually the case where in the 'international community attempt to evade responsibilities and accountability for the exercise of power' particularly in situations where it appears to play a leading role in development processes.[38] To an extent this explains part of the paradox of the 2007 general elections.

Broader Challenges

One critical challenge that is bound to face the newly elected APC government is to garner the political will to transform its electoral victory into tangible socio-economic benefits for the citizens. This will involve moving beyond crafting institutions to ensuring that those institutions function effectively. As Francis Fukuyama noted 'a good state institution is one that transparently and efficiently serves the needs of its clients-citizens of the state'.[39] This will involve attempts to ensure that the newly elected government delivers on its electoral promises of providing social services and dealing with corruption.[40] Nevertheless, such attempts will necessarily have to depend on a host of other factors such as a pro-active civil society, an effective parliament and continued donor pressure.

Since the transition to multi-party in 1996, civil society organisations have been very instrumental in the campaign to build a viable democratic polity in Sierra Leone. As a result of their various interventions, they have made remarkable gains in the area of human rights and civic education, the fight against corruption and institutional reforms. Irrespective of these gains, they have been very weak in the area of public policy analysis and as such, unable to force government to be more accountable to the people. This has to do with the programmatic orientation and expertise of most civil society organisations. While professional associations are in most cases interested in advancing their professional interests, NGOs are further crippled by a lack of expertise and their dependence on donors. NGOs, like the state, depend on foreign donors for finance and in most cases, donors also condition the evolution of these organisations and the nature of their interventions. Since public policy analysis has never been a priority in donor supported programmes, local organisations have

not been able to build the expertise necessary to engage the state in that area. As a result, civil society organisations have not been pro-active on public policy issues and also unable to build a strategic partnership with the state. This explains why they have not been instrumental in bridging the gap that exists between policy pronouncements and implementation which no doubt have bedevilled government performance over the years. However, these limitations points to the challenges that civil society will have to face if they are to play any meaningful role in ensuring that the newly elected government responds to the popular expectations generated by its electoral victory particularly at the grassroots levels.

'The wave of political liberalisation and democratisation that swept across Africa during the 1990s gave rise to an expansion of legislative authority in some countries, but not all'.[41] Sierra Leone appears to be one of those countries where the legislature remained very weak despite the return to multi-party rule and the holding of two successive and transparent parliamentary elections. Both the 1996 and 2002 general elections failed to produce an effective legislature largely because of capacity problems and the nature of governance. The legislature did not really serve as an oversight institution of the executive; rather, it served a representative function in a context of client politics. The case of Sierra Leone demonstrates that elections plays very little role in the expansion of legislative authority and that such expansion depends on other factors. A study conducted on legislatures in four African countries identified two sets of variables that determine legislative behaviour and effectiveness. The first include the nature of the society and political system, the legislative rules and institutional resources available to members of the legislature. The second relates to the characteristics of individual legislators such as their level of education,

occupational background and personal experience .[42] One noticeable feature of the 2007 parliamentary elections is that younger and well-educated candidates were elected into parliament.[43] Unlike the previous elections, a lot of emphasis was placed on youth and quality representation. Nevertheless, it remains to be seen whether such a trend will mark a decisive break from the past particularly as regards the capacity of parliament to hold governments more accountable and deliver services.

The donor community also constitutes another key player that is likely to influence the performance of the newly-elected government. Since the end of the conflict in 2002, the fate of Sierra Leone has been increasingly tied to the goodwill of the donor community which has been very instrumental in shaping the contours of the country's development landscape. This relationship has favoured the evolution of a multitude of mechanisms to closely monitor the development process in the country in what David Chandler calls the politics of state building.[44] In spite of this leverage, donors have not been able to influence local political outcomes. Therefore, the election of a new government thus provides the donor community with an added opportunity to play a more forceful role – particularly as it relates to the accountability of political elites. As such, the elections constitute a tool where donors will force the newly elected government to perform and deliver not only on its electoral promises but on a range of other pressing issues.

The 2007 general election points to a promising phase in the country's democratic process since the return to multiparty rule in 1996. It provided new opportunities for elite renewal and the deepening of certain democratic practices. Though the elections constitute a referendum on the records of the SLLP government to deliver social services, it also raises fundamental questions re-

garding the limits of international entrepreneurship. Beyond that, the newly-elected APC government will have to deal with the pressing problems of institutional capacity, ensuring that state institutions function effectively and transparently and reduce the country's dependence on the international community. Whether the government can transform its electoral victory into tangible socio-economic benefits for the masses remains exceedingly unpredictable particularly in a situation where the gap between political liberalisation and institutional capacity appears to be widening. However, Sierra Leoneans have demonstrated a huge appetite for democracy but getting the newly-elected government to deliver on the expectations generated by its electoral victory will depend on a host of other factors such as a pro-active civil society, a vibrant parliament and continued donor pressure. From all indications, it is apparent that the next five years will prove decisive in unravelling the elements of change and continuity in the country's political experiment to build a viable democratic state.

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Eritrea 2008: The Unfinished Business of Liberation

Lionel Cliffe

I first visited Asmara to see the ceremony to mark the actual liberation of the city from Ethiopian over-rule in 1991, and again to take part in the formal Independence celebrations in May 1993. Following several visits in the 1990s to observe some of the realisation of the *potential* after liberation, my last two were troubling occasions: one in late 1998 when the country was becoming more and more entrenched in a needless war with Ethiopia, then in 2001 when the tenth anniversary ceremony of liberation was already tinged with unease following publication of a statement by 15 members of the leadership criticising the direction of policy and political practice. This was followed a few months later by the detention without trial of

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those 11 of the 15 who were still in the country. There they remain, incommunicado, to this day.

I had known several of the 15 since the days of the liberation struggle during visits to the 'front' in the 1980s and had talks with some of them in 2001 about their statement. Their analysis of the crisis in leadership, which has been brought out in detail in Dan Connell's *Conversations with Eritrean Political Prisoners* (2005), was, I felt, an accurate and timely warning. So I had felt neither keen to visit Eritrea nor welcome to do so. Now after seven years I was travelling to Asmara, not without some trepidation about what I would find about the situation of friends, including detainees, and that of the society as a whole. A visit of only a few days, confined to the capital, was no thorough basis for any definitive assessment of overall conditions, but rather than offering some fleeting impressions, I prefer to share reflections my visit aroused into basic questions about where Eritrea is headed – some of which I realised had been in the back of my mind for some time. So this Briefing is more a reflection on the meaning of 'liberation' rather than a bit of reporting on things I saw or conversations I had.

The Limits of Liberation?

It is 17 years since Eritreans forcibly liberated themselves from Ethiopian overrule, and 15 since the consummating of its status as an independent – and internationally recognised – state in May 1993. Time enough perhaps to take stock of what that liberation, greeted with such high promise, has achieved. Yet what will be attempted here is but an quick, impressionistic assessment – not a definitive evaluation – after an absence of seven years. Seeing the capital for myself and talking to many people there with a range of opinions, and putting those glimpses alongside other news and commentary from the huge Eritrean diaspora,

the self-styled 'international community' of great powers and international organisations, and regional neighbours gives the distinct impression that the country has not yet succeeded in defining its own position in the world and in Africa, nor its own identity.

This unfinished business of identifying the nature of Eritrea can be seen first and dramatically, in the unresolved **territorial** issue of its border with Ethiopia. This 10 year-old dispute has just entered a new phase which has the potential for re-opening the war of 1998-2000. This immediate danger will be assessed below. But exploring the context for this potential crisis in turn raises the broader matter of defining its relations with its former colonial overlord – a matter that raises similar but also different questions from those facing the ex-colonies of Europe.

Another set of issues are those to do with defining the country's relations with its other neighbours and its role in the **region**: its links with oil-rich Sudan and its relation to the Islamist, military power that is still the main component of the new unity government. Eritrea has recently shown aspirations to be seen as a peace-maker in Eastern Sudan, in Darfur and in Sudan-Chad relations. But how then to see Eritrea's withdrawal from the one regional body that offers itself as a peace agency, the Inter Government Agency for Development (IGAD)? How is its fraught conflict with Ethiopia being played out vis-à-vis Somalia?

In the long run the regional links that are crucial for a small country, not self-sufficient agriculturally and seeking a service and niche industry profile, are **economic**. How is it pursuing regional economic co-operation? And are internal economic policies, and its political stance, consistent with this need for healthy and mutually beneficial trade and transport links to the rest of the region?

In each of these three crucial areas, the border issue and relations with Ethiopia, Eritrea's role in the region, and internal and regional economic plans, it is not evident whether Eritrea has worked out answers. Whether the regime has a clear-cut set of **strategies** that are consistent with each other is hardly likely to be clear to its own citizens or to outside observers, given that its policy processes are so opaque. The absence of policy statements on basic issues and the treatment of basic information as privileged offer no documentary basis to explain what lies behind policy calculations. The lack of press freedom and of association and the political atmosphere of detention and control do not encourage any popular participation in debates on such issues. This context in turn raises a further set of questions as to whether there is any clear strategy for the **political** future. Is the 1987 Second Congress commitment to multi-party democracy the eventual goal, or present single party rule, with no-party local elections? Will the constitution ever be implemented? What concept of citizenship informs the regime?

The Unresolved Border Issue & Prospects for War?

The formal status of the disputed border, which was the proximate trigger for war between 1998-2000, was advanced by one step in late 2007, but one that could make a renewal of conflict rather than its ultimate resolution more likely. The independent Eritrea-Ethiopia Boundary Commission (EEBC), set up under the terms of the Algiers Agreement, which ended the war in December 2000, issued its 'Decision relating to Delimitation' in February 2002. The demarcation that was supposed to follow this specifying of the boundary has never been conducted on the ground as Ethiopia refused to accept the Decision. After five years of stalemate and failed attempts to get the two parties together to discuss the matter, the EEBC wound up its existence

by utilising modern geographical positioning technology to make a 'virtual demarcation' as an alternative to knocking pillars along the designated line. Predictably Eritrea accepted this detailed satellite-traceable line on the map as the final settlement defining its territory. But Ethiopia again refused to accept the process.

As of early 2008 there is still an impasse to a mutually agreed resolution, albeit a new impasse. And one with its own immediate risks, even though both governments have recently made public statements that they do not aim to seek another round of war. The Eritreans see the virtual demarcation as a '**Decision**' not a proposal, and have a good case *in law*, as a pre-condition of the arbitration was that both sides signed up to an agreement that they would accept whatever the EEBC said. Thus they feel that they can go ahead to occupy not only the Temporary Security Zone, which extended 25km into their territory but those pockets along the boundary which were the subject of counter-claims that the EEBC have now clarified as theirs. However, some of these are still occupied by Ethiopian troops, and are still claimed by Ethiopia. It is in that light that one must read public commitments by Ethiopia that they will never start new hostilities, but only react to 'defend' their territory. In other words, it is conceivable that new confrontations could be sparked off by Ethiopian forces 'resisting' any efforts by Eritrea to take control of areas that it now sees as legally granted to it. Officials in Asmara admit that this is where the crunch would come in their seeking to reclaim what they reckon has been designated by *international law* as Eritrean territory.

There are two alternatives to another outbreak of what could be an escalating conflict: a continuation of the present 'no-war-no-peace' situation of massive mobilised forces staring across what will be a narrower separating zone, or some

political settlement of the outstanding issues between the two countries – the boundary for sure, but also Ethiopia's access to ports and Eritrea's access to markets, the matter of citizenship and movement of people and broader questions of regional economic cooperation. Which outcome actually emerges depends not on the legalities but on the realities of relative power and on the prospects of a political process.

Thus far Eritrea has eschewed any suggestion of political dialogue with Ethiopia, or even contact with any mediators. It has insisted that the EEBC Decision was accepted in advance as binding and thus not only Ethiopia but also *international* actors should enforce its implementation.[1]

Eritrea's insistence on the sanctity of this legal principle is not unlike their stance over liberation – essentially justified by an appeal to the international right of self-determination of ex-colonies and the presentation of their claim as inalienable right. However, their strategy (or lack of one?) has been not only to assert their right to territory but also to make this the *only* tactic used – to insist that the settling of this one issue must be the precondition to discussion of all other issues. This stance has been at the root of their relations with international actors such as UNMEE, would-be mediators from the US, EU and African Union, and IGAD. It is arguable that giving primacy to the border issue above all others is not even in the national interest. At least their own long struggle, which was based on inter-related and long-term strategic calculations, could have been expected to lead to consideration of a range of topics. But there doesn't seem to have been a Plan B.

One alternative to confrontation over the border now it has been 'demarcated', would be to set the boundary issue aside for the immediate future. After all, there are several other cases where disputed border areas have remained unsettled and not become a *causa belli.* The Elemi Triangle has remained in dispute between Ethiopia, Kenya and Sudan, and the Hemid area claimed by Egypt and Sudan for decades. And there is little intrinsic significance of the border areas that remain in dispute to the broader economy and society (although obviously to the people who live or want to live there (and even their rights to access could be guaranteed by appropriate cross-border movement agreements). But Eritrea taking such a stance would only make sense as part of a broader strategy of concentrating on what are, arguably, matters of more consequence to Eritrea, and the region.

Objectively, the distances between the two governments' positions on the various items that need to be resolved are narrow and certainly not unbridgeable. Even over the border, the areas at issue come down largely to the area around Badme which the latest Ethiopian statements seem to have conceded and that around Irob, further east, which is more populous and to which Eritrea arguably has arguably less of a historical and social claim. The latter could be the subject of a generous concessionary gesture or at least a bargaining chip in the right circumstances.

In the absence, for now, of any conciliatory moves towards broader dialogue, both sides pursue their military strategies – avowedly of 'defence'. Informed opinion in Addis Ababa seems to be clear as to what Ethiopia's is, indeed some of what they are prepared for has been made explicit: although they state they will 'never initiate another war', they have stated their readiness to respond with might and without restraint to what they see as any Eritrean aggression. This readiness seems to translate into a plan whereby they think they can sweep through southern Eritrea to take the port of Assab within days, and to the capital, Asmara, and then the northern

port of Massawa, shortly thereafter. If they were to pursue this kind of manoeuvre it would obviously imply 'regime change' in Asmara – and, unfortunately, that prospect holds out attractions to *opportunistic elements* in the exile opposition (reportedly meeting at an unification gathering in Addis Ababa as I write).

The Ethiopian regime seems to believe that the Eritrean regime is aware of this threat and will remain intimidated by the prospect. But the former also seems to be motivated not just by the possibility of an Eritrean threat over the border issue, but retains a belief that Eritrea is committed to a long-term strategy of destabilising Ethiopia, and claims intervention in support of insurgency in the Ogaden (Somali) Region, in Oromia and elsewhere, and backing of the forces in Somalia opposing the Ethiopian invasion there.

It would be surprising in the present context if Eritrean tactics in the region and in Ethiopia itself didn't take advantage of the stretched nature of Ethiopian security forces. However, to conclude that such activities are part of some long-term strategic plan is a jump in logic, and this represents another unknown in the broader calculations of the Eritrean regime. What is clear, however, is that if there were such goals they would run counter to the country's long-run national interests. This is evident in the international reactions to the prickly, ultimatum-ridden way Eritrea conducts its foreign relations: there is a 'diplomatic deficit'. For a small country that has the single central issue of its border (enforcement of the Boundary Decision), is seeking to get international backing, or at least reduce the advantage that Ethiopia has in this regard, its stance is so often counter-productive. The liberation legacy of 'self-reliance' becomes the justification of a diplomacy that rejects making allies, even tactical. But the major respect in which the political-military

stance is counter-productive has to do with economic strategy – an area of indeterminate strategy which now deserves attention.

Economic Strategy & Regional Co-operation

Understanding what is happening to the economy faces the same opaqueness as exploring the working of politics. The budget is classified and few economic statistics are available, other than the 'guestimates' made by the IMF and World Bank. They paint a picture of production in which total exports may be as low as $20 million (though this may not sufficiently reckon with livestock exports to the Gulf), and where even in the last two years of good rains, food self-sufficiency is below consumption needs. The growth sectors have been financial services and construction, the latter in the hands of companies spawned by the ruling party. Insofar as the circle is squared, it is entirely because of **remittances**, estimated at $400 million per year, about a third of total GDP, from the sizeable and expanding diaspora in Europe, US, the Gulf and Ethiopia. Unlike Zimbabwe where the whole effort of those who send money to kin is geared to avoiding an official rate of exchange which is at an absurd level of a tenth of the parallel, in Eritrea the strictness of controls means that almost all transfers go through financial services that are in practice parastatals. Hence, foreign exchange is available to the public authorities.

Given little potential of agricultural exports and the need to finance food imports, probably for the long run, and only limited potential of minerals (unless rumoured oil and gas prospects come quickly on line), it has been clear since liberation that Eritrea's only comparative advantage lies in being a trading link, adding value to re-exports, and niche production for outside markets – as well as charting its much vaunted self-sufficiency in supplying internal

markets with manufactured goods. Government statements have always recognised this need for access to markets, especially those in the region, and more particularly in Ethiopia. Indeed one recent initiative has been the creation of free economic zones, to attract foreign investment and foster trade, in the ports of Massawa and Assab, and the border town with Sudan, Tessenei.

It is too soon to evaluate progress in the zones, but the political preconditions – good relations with Sudan and Ethiopia and other more distant hinterland areas, like Southern Sudan (which might be a separate state after 2011!) – are not in place. Although clearly an effort has been made in relation to Sudan, with a shift from irritant and supporter of opposition movements from the SPLA to the Beja Congress and other Eastern parties in the 1990s, to being an active 'Partner for Peace' in relation to negotiations over Darfur and between Chad and Sudan, and in the SGNU process on the Eastern Front. Relations with the Government of South Sudan are also being separately fermented.

There is a National Development Campaign (NDC) but there seems to be no clear articulation of its content or logic, and it has not been made apparent to the people. Any economic strategy is apparently no longer based on the 'Singapore model' which was in vogue in government circles in the 1990s – inappropriate in several regards, notably the choice of one of the two East Asian tigers based on a 'city state' and thus with no significant agriculture or land question. Two basic issues for Eritrea's development remain the strategic choice of whether to build on or by-pass the existing peasant and pastoral systems of production, and the question of land reform. Emphasis has not been on improving peasant agriculture and livestock but on medium-scale concessions and projects. Land reform had been seen as a crucial area for liberation and democratic reform as an

instrument for political support of the liberation movement in the 1970s and 1980s, but that approach was ditched – with no explanation or justifying policy statements – in favour of wiping the existing systems away and parcelling out all land to individuals. The blueprint did set out an equitable formula for this, but specified a process that was not feasible and it remains seemingly unimplemented, although no reports are available. Meanwhile what is presumably occurring in practice is allocation of land on a local ad hoc basis that are varying amalgams of part market, part 'traditional' mechanisms but with primacy for appropriation for state and party-company use.

The few descriptions of agricultural programmes do emphasise efforts to encourage alienation of land for new enterprises, based often on irrigation, rather than far-reaching steps to promote peasant farming and livestock rearing. There are no detailed breakdowns of how much the last two years of good harvests owe to the new projects as opposed to smallholder and small-herder growth – and thus little indication of how sustainable this recent achievement of 70-80% self-sufficiency in major foods may be in years of drought. For the moment, the markets appeared well-stocked with grain, vegetables, fruit and meat – but were not busy, suggesting that people in town did not have incomes to spend (other than remittances). Bread is rationed and distributed through designated shops (but at least its availability is equitable). Even grain for beer is in short supply, making distribution of the renowned 80 year old 'Melotti' beer unpredictable.

The slogan of 'self-reliance' is not just rhetoric; reliance on own resources and technical capabilities as opposed to reliance on aid-organised 'projects' or inviting tenders by foreign corporations has been refreshingly present in programmes such as the restoration of the old Italian-built railway line from the port of

Massawa 2,500 metres up through stunningly beautiful mountains to Asmara. More broadly there is reliance on mobilising organised labour for infrastructure, but also for 'campaigns' for planting or harvesting in agriculture, and for state and party businesses. Much of this is organised through conscription into national service, now on a huge and seemingly permanent scale, with an estimated 400,000 young people in service at present (Mehreteab, 2007), plus an army reserve. How far this is a continuing precaution against a continuing Ethiopian threat, or a political expedient of controlling youth, as opposed to a long-term strategy of social engineering that some observers see as motivating the regime, is another opaque area. But certainly any vision of creating a new Eritrean citizenry among the youth who were too young to engage in the heroic period of national liberation seems – like Mao's cultural revolution – to be perceived by many of the youth as coercion, and they are marching with their feet. Estimates from inside the country and figures available in receiving countries in the region and in Europe and North America suggest several hundreds are leaving monthly. This, despite coercive measures to hold parents of 'draft dodgers' to account by fines (50,000 Nakfa) and even exclusion from access to land, although I heard one suggestion that these are being used more leniently today.

To be sure, there is a refreshing absence of masses of expensive, logo-ridden SUVs, of earnest young westerners in the streets and coffee bars of Asmara, and those other signs of the ubiquitous representatives of international NGOs elsewhere in Africa, and presumably no inflation of salaries as the best locals are seduced into such organisations. But even the virtual banning of INGOs has not been selective, sending packing even those with considerable local experience or some useful international influence where it might matter to an internationally friendless Eritrea, like Norwegian Church Aid, and thus in practice has been counter-productive.

The Unfinished Business of the Constitution & Citizenship

What then of **political strategy**? The historic Second and Unity Congress of the old EPLF in 1987 had laid out a vision of eventual multi-party democracy. That principle was among several democratic features of the Constitution, drafted as a result of a two-year popular consultation process and approved by the National Assembly in 1996 and then by a Constituent Assembly. But it was never promulgated, as expected, in 1998. Nor have elections provided in it been implemented. Clearly the war with Ethiopia disrupted the timing, but does the now indefinite postponement of promulgation and national elections signify a rejection of the model in favour of a 'guided democracy' or permanent single party rule? To be sure, another round of local elections and indirectly at regional level is going on, but there is no clear statement of where these initiatives will lead. Meanwhile, there is a perpetuation of a public stance on the part of government, reflected curiously enough by international governments when dealing with human rights and asylum matters to do with Eritrea, to pretend that the constitution is in fact in force, although it has never been formally implemented.

In addition to this impasse in the legislative architecture, other practices have been shaping other dimensions of the political system. In spite of rhetoric about the constitution, the judiciary is not independent; there is an absence of freedoms of association, of speech and media, only a couple of civil society organisations, and there is a lack of *due and transparent process* in treating a range of 'dissent' from religious bodies to political expression. At the same time, there are recent initiatives to restore the political education that was so effective

in the liberation struggle – now via national service and in a new cadres school. In understanding these initiatives it does not seem to be recognised that what was appropriate then may not suit the different context today. Moreover, it might repay historians of that struggle – of whom there are clearly many at work inside and outside the country – to consider the contrary influences in this regard that were at work inside the EPLF: the 'line' and the imposed discipline of the military intelligence (still very much in command today seemingly) and the more genuinely educational role of the Department of Political Education whose main architect in the 1970s and 1980s now languishes in detention.

The overall climate is one of secrecy that leads to all policy matters being kept under wraps, and of repression inhibiting any notion of public discussion about the strategic lacunae over peace, regional policy, development and political futures. *It is precisely the nature of the inter-related crises and strategic alternatives to the present impasse that need to be pursued with all the energy, creative commitment and urgency that characterised previous periods of struggle.*

In practice, the people are not being mobilised to play this role of engaged citizens with rights, and with opinions. Their incorporation is restricted to the mobilisation of their labour, courage and readiness for self-sacrifice and their 'loyalty'. An alternative notion of citizenship needs to be developed – a process for which the draft Constitution provides only a limited and not very detailed starting point. That process should also include clarification of the status of the several hundreds of thousands caught in an ambiguous position between the old, 'greater' Ethiopia and the new state of Eritrea – requiring a final negotiated settlement just as crucially as the boundary issue.

Endnote

1. It is often overlooked that the international community does have a stake in upholding a precedent in international law, and not only as an abstract legal principle. The Peace Agreements in Sudan, for instance, in the specific provisions that were agreed for the oil-rich Abyei area between North and South, as well as two other 'Special Areas', provided for an independent boundary commission to be set up to determine the borders of Abyei if the two main parties could not agree – and that that commission's findings should be binding. But the Government of Sudan has likewise rejected the commission's decision – creating what most observers see as the main stumbling block to the implementation of the Comprehensive Peace Agreement, which almost fell apart in late 2007.

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Editor's Note: Please have a look at our website, www.roape.org for background briefings on Eritrea beginning in 1984. If you would like to contribute to this debate, please do get in touch with us at editor@roape.org

A View from Eritrea: Any Chance of Change Without War?

Peter Martell

Eritrea is facing tough times. Ten years since Eritrea and Ethiopia began their devastating 1998-2000 border war, the standoff seems as far from a solution as ever. The enthusiastic mood of nation building seen in the post-independence period from 1991 after the 30-year liberation war with Ethiopia has long since faded.

Eritrea still suffers from the impact of the last war and the looming threat of a return to conflict. The peace deal has yet to be implemented fully, dominating daily life. Some quarter of million troops face each other across the trenches running along the 620-mile frontier. Economic life has stagnated, private enterprise has been choked and the youth are caught up in the giant programme of national service, making Eritrea one of the most militarised nations in the world. Conscription in sub-Saharan Africa's largest army stretches for decades and recruits are paid cripplingly low wages. Payment to raw recruits is enough to buy them merely a pack of cigarettes a month. Once hailed as the bright star and hope of a new Africa, Eritrea now collects a rogue's gallery of grim accolades. In 2007, Paris-based Reporters Without Borders (RSF) dropped Eritrea below North Korea on its annual ranking of press freedom, listing Asmara as the worst in the world. Critics have been silenced in the most brutal of methods, while thousands flee each month. It is regularly accused of the jailing of religious minorities, while military roundups for deserters have become common on Asmara's streets. Eritreans were the greatest single nationality to seek asylum in the United Kingdom in 2006, a situation mirrored in several countries elsewhere in Europe, as well as Israel.

Principle Over Pragmatism

War or no war, from Asmara, there seems little hope for better times in the near future. The tight rule of President Issaias Afeworki has retreated into ever greater secrecy and paranoia, with the 62-year old ex-guerilla squeezing his nation into a particularly unpleasant corner. With his liberation war era dictum of 'you are either with us, or against us' still a rigid pillar of Issaias' increasingly despotic rule, Eritrea has lost many potential useful allies. While legally correct on the bitter issue of the border with Ethiopia — with Addis Ababa continuing to fail to implement the United Nations backed border ruling made as part of the 2000 peace deal that ended the war — a blundering Asmara has been outplayed by Ethiopia's superior public relations skills. Eritrea's cutting of fuel to the UN peacekeeping mission in December 2007 was only the most recent example in a long list. The fuel blockade, forcing a pull out by the UN military observers in border zones in March 2008 to leave only a skeleton force in the capital, was seen by Asmara as a legitimate action to remove the presence of a force it said favours its enemy Ethiopia. It argued that the UN Security Council, as a guarantor of the 2000 peace deal, had failed to take action against Ethiopia for its continued occupation of land ruled to belong to Eritrea by a legally binding 2002 border commission decision. What was needed, Eritrea therefore argued, were not UN peacekeepers but the simple enforcement of that decision.

Yet sending UN peacekeepers home wins few friends, however correct on paper Eritrea is on the issue of the border. For Eritrea, never one to be seen to directly beg, it was a provocative stamping of the feet for attention. Its subsequent ama-

teurish back pedalling, claiming fuel supplies were limited across all the country while ignoring that it had rebuffed repeated UN requests to import fuel for themselves, did little to garner support. Some 100,000 died in bitter fighting the last time the enemies clashed, but the world has grown tired at what is, on the surface at least, a pointless squabble over a worthless patch of dusty desert. The border commission closed shop in September 2006, exasperated at finding a working solution. In his sign-off, the president of the Eritrea Ethiopia Boundary Commission (EEBC) Sir Elihu Lauterpacht called for co-operation between the two sides, with 'open boundaries' so that some of the 'manifest absurdities' where the line cuts a village or a road multiple times could be solved. Yet Eritrea has refused any further talks on the practical implementation of the border. However, by ignoring pragmatic politics for the bloody minded insistence of a principle that promises little success or reward, Issaias is testing the nation that 'never kneels down' to its breaking point. For larger Ethiopia, the border dispute makes far less of an impact to it as a nation than it does for its struggling neighbour. Addis Ababa can afford to wait as Asmara slowly weakens. Eritrea watches as Ethiopia, opting instead to call for dialogue it knows Asmara will reject again, wins another round.

Limited Choices

Issaias is better used to fighting a battle than leading a nation in peace and remains mentally, if not physically, hunkered down in the trenches. For Issaias to continue his hermitic rule, his options for survival seem limited to maintaining the border status quo and keeping the frontier sealed with Ethiopia. If the border opened, the current complete economic control by the government would not be able to be maintained, nor the people held under the repressive framework of national service. Solving the border and opening up

Eritrea to the outside would have massive implications. With the exchange rate so tightly fixed – with all official foreign exchange run by the government and heavy prison sentences handed out to black marketeers – Eritrea's Nakfa currency would likely be crippled by any exchange that would come with border relaxation, leading to potentially disastrous consequences for the feeble economy.

There seem therefore few options for Issaias. Having staked so much on the border issue – the thousands killed in the two-year war, the devastation of its infrastructure, the painful years of stalemate and removal of the most basic of freedoms – Issaias cannot now negotiate on the frontier without negating so much of the horrific suffering he has led his country into. Importantly however, nor does it seem as though he wants change. Perversely, the border standoff acts a major prop to his rule. Without an ever present fear of Ethiopian attack – whether that be perceived or real – the regime's iron grip rule would be impossible to justify. Much is blamed on the ongoing stalemate, titled officially as a state of 'no war, no peace'. The failure to implement the constitution and lack of elections are all explained away as a consequence of the standoff in the interests of 'national security'. So too are the continued detention without trial of critics, including some of Issaias' closest colleagues. Among many others, these include the 'G-15', the group of 15 top government officials and former liberation leaders who in 2001 wrote an open letter calling for 'peaceful and democratic dialogue' and for Issaias to be 'governed by the constitution'. Issaias last year was reported to have dismissed in fury the constitution as 'just a piece of paper' following repeated questioning by a foreign journalist as to the reason for its lack of implementation. How far Issaias wants to keep control for power's sake and how far he still genuinely believes he is working for the good of his nation he led

to independence is unclear. However, either way, it is the consequences of his actions and not his motive that decide the fate of Eritrea.

The Challenge for the Opposition

It is clearly grim news for ordinary Eritreans. Yet how long will they continue to put up with the situation? A lot longer, Issaias reckons. He certainly relies heavily on another guiding principle, that since Eritreans suffered and survived for 30 years in the liberation war, they can do the same again if needed now. It is true that with the internal opposition apparently crushed, the people exhausted, the university shut down and the young caught up in far flung defence and agricultural projects, there seems little likelihood of an effective internal challenge to the regime anytime soon. Those who would have already made a stand – the young, students, the G-15 and other voices for change – have apparently all already been arrested, fled or settled for a course of simple survival. The high costs suffered by so many seem likely to deter any further major protest. Issaias is still regarded as the only choice of leader, not least because of his removal of those who could have posed some challenge. With critical media unavailable and no other choice, he still is likely to enjoy strong rural support. Yet the thousands of young Eritreans fleeing to Sudan or Ethiopia to avoid conscription into decades of national service, despite the shoot-to-kill policy on the border, show that for many the breaking point has already come. Leaving the country is, however, a very different matter from challenging the regime. How long those left behind can continue to limp along in such a strait jacket is difficult to judge. State propaganda churns out rhetoric full of patriotic zeal, coupled with praise for cash donations from Eritreans abroad with the regime fearing drop offs of remittances. Yet the overbearing mood in Asmara is one of despondency and quiet hopelessness. Food costs are rising, and basic necessities are increasingly hard to find. Aid agencies have been expelled or their work strictly restricted, while UN aid agencies have been warned to expect a similar fate for many of their development operations. For the economy, the potentially lucrative fledgling mining industry provides some hope, but it is unlikely to progress far in such a climate if the major investors needed to upgrade it into large scale mining remain understandably wary. Massive efforts have been made to improve domestic food production since food aid was blocked in September 2005 but it's a slow process, and Eritrea's efforts to become entirely self-sufficient have had more to with Diaspora cash and good rains than agricultural policy success. Much of the effort has been undermined by the haemorrhaging of Eritrea's brightest and best youth fleeing the country. It is that group perhaps best capable of organising some form of opposition.

Yet external opposition groups, such as those in the umbrella Eritrean Democratic Alliance (EDA), remain largely ineffective. The inability for any opposition to operate inside the country and the largely effective block on any non-government media penetrating far in Eritrea, give them little platform on which to work. Their voice is barely heard inside Eritrea. With much of the opposition based or meeting in Ethiopia, many in Eritrea see the groups – however honest their real ambitions – as a thin smokescreen for Ethiopian attempts to win back its lost Red Sea access. Few in Asmara can imagine how such groups can challenge Issaias, short of receiving military backing by Ethiopia. Yet however much Eritreans may want change, far too much blood has been spilt for them to easily swap the current regime for a leadership seen as being backed by a deeply distrusted Ethiopia.

The regime is, however, not as strong as it looks. It has its own deep divisions. Issaias continues his rotating policy of bringing the upper echelons in and out of power to keep his influence strong. Yet the top leadership were badly shaken by the botched assassination in October 2006 on the powerful head of internal security, Colonel Simon Ghebredengel. That the shooting took place in a central Asmara side street was shocking in itself. Doubly so was the fact that General Gerezgheir 'Wuchu' Andemariam, one of four top military chiefs and commander of the central zone of Eritrea, was widely fingered as being behind the attack. The very public action rocked the leadership. Wuchu, said to be wanting to cover poorly laid tracks of financial corruption, initially fell out of favour. Yet he was soon seen back beside Issaias, and the promised 'investigation report' was never released. In short, Issaias could not afford to lose such a strong supporter as Wuchu. Few know clear details of what drives decisions by the PFDJ leadership, but even the most casual of observers can sense the regime is becoming increasingly edgy. Reacting so aggressively to any perceived threat, however apparently minor, they appear paranoid not only due to the border standoff but from internal concerns too.

Despite a labyrinthine meddling in regional politics Issaias is, after all, increasingly isolated. He has fallen out with Western nations he blames for the failure to pressure Ethiopia to implement the border ruling, topped by the United Sates. The US, with its close connections with Addis Ababa, angers Issaias especially. He sees Washington using Ethiopia as a proxy force against Islamist and nationalist fighters in Somalia battling the US-backed weak transitional government there. Eritrea's hosting of Somali leaders and allegations of arming their fighters have prompted Washington to threaten to add Asmara to its list of states sponsors of terror. Asmara is also accused of backing Ethiopian internal rebel forces such as the Oromo Liberation Front (OLF) and Ogaden National Liberation Front (ONLF). It all however carries with it a high cost. Such groups have been battling Addis Ababa for decades and their role will likely help Eritrea little beyond winning temporary favour from nations or individuals who find Asmara a useful tool by which to needle Ethiopia. Eritrea's role in Somalia is declining, and it has pulled open support for Sudanese Darfur rebels in a bid to reconcile differences with Khartoum, as well as chairing a weak peace deal with eastern rebels it once hosted. A lonely Eritrea seems desperate for the friends it can find. A bizarrely obsequious April 2008 Eritrean foreign ministry statement is perhaps indicative of Asmara's current concern at the consequences of its often hostile diplomacy. From a nation so proud of its liberation fighter history came praise for ally China's crackdown on pro-independence protestors in Tibet, calling it an 'inalienable part' of China. Issaias seems to have led Eritrea far from the days of its own independence struggle.

Routes Forward

Can war therefore be avoided? Nairobi-based analysts made dire predictions of imminent war but the status quo has held. Skirmishes along the border have flared up and died away without either side taking wider action. Nevertheless, it is worrying that liberation-era fighters in the leadership seemed convinced that having battled Ethiopia before, they will win again. Many are tired of waiting and seem itching for a fight to resolve the matter once and for all. They also seem dangerously out of touch with the ordinary people who realise that the military of Eritrea today, and the nature of the threat it faces, is vastly different from the victorious memories in the long guerilla battles for independence. Eritrean soldiers are no less brave, but their strength has been weakened by years of waiting in the trenches – following battles in

which Ethiopia drove them far back inside their own territory. Nor is the balance of a potential battle on their side, given Ethiopia's far greater resources of arms, cash and men. In battle, Eritrea can only expect to hold their lines and fight to a stalemate while Ethiopia can aim to topple the leadership. Ethiopia, currently bogged down fighting in Somalia as well as its own ethnic Somali region of Ogaden, can also pick the time that suits it best.

Many feared that the expulsion of UN peacekeepers raised the risks of conflict, yet their effectiveness was always limited and skirmishes have died down without their intervention before. Some even say the pull out will make commanders on the ground more careful about sparking a fight, since there is now no third force to calm the sides down. Ultimately any skirmish will, unless events spiral too far too soon out of control, be taken further only by a decision from either capital. The border stalemate could, and most likely will, remain in place for many years yet. Both nations have clearly good reasons not to fight again. Still, with Ethiopia having shown clear willingness to act against Somalia, fighting Eritrea remains a clear possibility. It would require little to justify, with a handy 'counter-terrorism motive' unlikely to face much complaint from Washington. Ethiopian Prime Minsiter Meles Zenawi has warned that were Ethiopia to fight then it would be the final time, warning of an all out war that suggests a push all the way to Asmara. The consequences of such a move are far from clear, but such considerations seem not to trouble Issaias. Eritrean fighters achieved their independence 'against all the odds', and Issaias believes he can lead them into doing it again. It's a dangerous gamble for a goal that will at best be but a Pyrrhic victory for a principle – at the bloody cost of a nation.

Peter Martell was the correspondent for the BBC and AFP in Eritrea from October 2006 until he was forced to leave in March 2008.

A New Generation of Heterodox Development Scholars

Peter Jacobs

This report evaluates the significance of a heterodox development economics conference held in Cape Town, South Africa in December 2007. To place this event in proper context, it gives a snapshot overview of heterodox economics, which is basically a plural movement against the monopoly of free-market fundamentalist thinking in economics. However, this anti-orthodox economics trend is defined more in terms of what it opposes instead of a positive alternative set of development proposals. Despite this weakness, there seems to have been a wider reach and deepening of heterodox scholarship among a new generation of African development thinkers. The Annual Conference on Development and Change (ACDC) is making two crucial contributions to this movement. It provides a space to exchange, critically debate and craft alternatives to mainstream theory, methodologies and policies. Secondly, it facilitates the networking between African scholars of the 21st century and their counterparts across the global South and North.

A dozen young African development scholars joined their counterparts mainly from Latin America and Asia in a conference promoting heterodox thinking in development. This conference took place from 9 to 12 December in Cape Town, South Africa. Three days of the conference were closed sessions, except for two

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fascinating and lively plenary debates which took place on separate evenings. The last day, hosted by the Economics Department at the University of the Western Cape, was attended by a cross section of lower tier state officials, academics, graduate students and other role players in South Africa's development policy debates.

Granted, a mere forty scholars at an international conference is a relatively small number when compared to an academic event of this stature. What needs to be kept in mind though is that this event was different from your traditional conference. In contrast to typical conferences, this event, under the rubric Annual Conference on Development and Change (ACDC),[1] was somewhat unique in terms of organisation and purpose. Participants in ACDC are normally members of 'heterodox economics networks' but in the early stages of establishing their scholarly influence in a discipline without space for alternative voices and insights which counter the mainstream orthodoxy. It is very hard for a resource-poor young scholar in the third world to establish a formidable presence, at the intellectual and policy levels, in such an exclusionary one-size-fits-all milieu. With its own meager resources, ACDC could therefore fully-fund only a limited number of participants based on a competitive model. Financial constraints simply ruled out inviting a bigger pool of participants from nearly 60 proposals received.

For the first time in its three years of existence, the ACDC steering committee (its chief decision-making body comprising 6 academic peers) was compelled to turn down more than a third of the proposals they had received, all rigorous and cutting-edge in terms of theory, methodology and policy relevance. Compared to the previous two conferences, the South African edition of ACDC undoubtedly attracted much wider interest which signifies the growing relevance of ACDC and heterodox development thinking in a broader sense. At the previous two conferences – India in 2005 and Brazil in 2006 – the due dates for proposal submissions had to be extended. The numbers of young scholars eager and bold enough to align themselves to alternatives to mainstream orthodox economics are evidently growing at a steady but impressive pace. This search for and willingness to embrace alternatives to the mainstream orthodoxy is in response to the credibility crisis of neo-liberal policies in practice. But the break with the hegemonic orthodoxy is more about scientific principles than raw bitterness and anger. It is a booming courageousness grounded in profoundly questioning and rethinking of modern socio-economic development in both the global South and North.

Heterodox Revolt in Economic Development Discourse

Arguably the most insightful indicator of the significance of the 2007 Annual Conference on Development and Change is the content of the papers and debates. Before casting the spotlight on this aspect, it will be appropriate at this moment to say a bit more about its larger context. The following contextual question deserves special attention: What is the research and policy agenda of heterodox (development) economics? One part of the answer points to the theoretical and methodological foundations of heterodox development scholarship. The other part of the answer is to give some credible evidence on the real-life strength of the heterodox movement in economics, a knowledge-gap which stretches far beyond this brief report.

Neo-classical thinkers have established a monopoly over the reproduction and dissemination of economic ideas. Their methods of reasoning dominate not only leading academic journals and textbooks but also development policies, policy making institutions and processes. Eco-

nomics training at every top university around the world remain firmly embedded within this narrow intellectual framework. Through this indoctrination of new generations of economics students it effectively assures its longevity far into the unforeseeable future. And universities across Africa like elsewhere in the developing world have been emulating this model despite the failure of neo-classical theory to chart a pathway out of underdevelopment and misery.[2] Moreover, neo-classical economics has invaded other social sciences, rapidly spreading its imperial reign over the conceptual and methodological tools that were once upon a time unique to these 'independent intellectual domains'.[3]

Heterodox economists are resisting and trying to roll-back the dominance of neo-classical thinking in economics. They have launched a three-pronged opposition to the monopoly of neo-classical thinking in economics. At the theoretical level, they are countering the hegemony of methodological individualism, market fundamentalism and deductive reasoning. At the empirical level, they oppose the exclusive use of a narrow set of econometric and rigid mathematical techniques to generate credible research findings. At the policy level, they reject the neo-liberal counter-reforms in which the state is gleefully promoting corporate welfare at the expense of pro-poor social policies. What is unmistakably shaping the agenda of this heterodox revolt in modern economics, its unifying axis, is opposing a set of ideas and practices rather than advancing a singular platform of alternatives. But as the emerging research on heterodox scholarship shows, its chief contribution lies in promoting pluralist and trans-disciplinary research on socio-economic policies instead of the there-is-no-alternative doctrine.[4]

With the accelerated spread in anti-mainstream thinking in economics since the early 1990s, a growing number of heterodox formations also emerged in different parts of the world. Some of these formations are formal academic associations, but the most frequent and common way of organizing within this activist-intellectual community is through fairly loose networks. And the networks usually embrace economists, other social scientists as well as grassroots anti-neo-liberal activists. Within the same network, some may identify themselves as post-Keynesians, feminists, Marxists and so forth. ACDC, for example, is itself a network of networks. Its participants come mainly but not exclusively from the Cambridge Programme for Rethinking Developing Economics (CAPORDE), the Gender and Macroeconomics International Working Group (GEM-IWG) and the International Development Economics Associates (IDEAs). Although these are all international networks, with members in a vast number of countries, it makes sense from a logistical view to base the nerve-centre in a specific country.

In Africa, for instance, CODESRIA which operates from Dakar in Senegal is perhaps the best-known, oldest and most active association at the frontier of promoting a heterodox orientation in the social sciences. How many companion associations exist alongside it across the continent, how sustainable are they and what influence do they exert in the policy arena? Based on the available information, it is basically impossible to answer these questions for the moment. In this context, it is probably not entirely wrong to conclude that the picture of the state of heterodox thinking across Africa is at best sketchy and incomplete. A fuller and more coherent picture of the actual state of country and continental formations involved in this rethinking of the twenty-first century development agenda is likely to emerge only after a lengthy period of painstaking research.

Development Policy as Thematic Thrust

It is against the background of this uneven and slow progress in heterodox development activities that the contribution and significance of ACDC need to be assessed. A reliable gauge of its contribution would be the big themes around which the debates pivoted. In my view, the numerous country-specific and cross-country comparative case studies all fitted well into the overarching theme and about three sub-themes. Looking at the ACDC in Cape Town as a whole, development policy was undoubtedly its overarching thematic thrust. At a micro-level, each paper fell into one or some combination of the following sub-themes: long-run structural and growth trends, globalization and developing countries, and the social and ecological dimensions of development.

All the papers and debates stressed the centrality of pro-poor development policies, a criterion for paper selection to which the steering committee gave top priority in the call for papers. With this heavy emphasis on development policy, it was rather unsurprising why the spotlight fell on the role of the state in socio-economic development. For relative to other institutions, the state continues to be the chief agency designing and implementing development policies (seen as 'good governance'). This is the case whether the policies entrench and protect the interests of powerful corporations or militant social movements of the poor. Speaker after speaker closely examined in whose interest states in poor countries and the policies they enact really work, particularly 'developmental states'. Given the astounding resurrection of the developmental state debate in South Africa's popular discourse, this discussion had an immediate and direct practical relevance. What was specifically underscored was the vital role of a 'developmental class' to spearhead such a state and the development process in

general. But it was never clarified which social grouping within poor countries in the modern era is best qualified to play this leading role.

Research under the sub-theme long run structural and growth trends presented cutting-edge work on growth models that are technically distinct from popular neo-classical models. This ground-breaking body of research seeks to extend the traditions of Nicolas Kaldor and post-Keynesian macroeconomics to understand the mechanics of the engines of growth. Facts and figures displayed contrasted sharply, for example, with optimistic neo-classical accounts that today's high growth rates in Africa, driven by the boom in natural resource prices, can be sustained. Neo-classical growth modelers are obsessed with averages and usually ignore the following critical questions: Who are the real beneficiaries of a surge in economic growth? How deeply is a growth cluster integrated into the wider local economy? How can the poor be fully integrated into a broad-based growth process and go beyond the worn trickle-down growth logic? Modern structural dynamics in African economies, like elsewhere in the developing world, consist of a mix of crisscrossing and puzzling trends. Whereas the observed de-agrarianisation tendency seems to be much slower than projected, de-industrialisation has definitely accelerated with enormous implications for the nature of urbanisation and rural development. According to fairly robust evidence, 'informal and survivalist' activities are expanding across all sectors, which contradicts neo-classical predictions.

The sub-theme on globalisation and developing nations covered the familiar topics of trade, capital flows and exchange rate dynamics. Neo-liberal globalisation, especially the logic of its comparative advantage foundations and export-oriented model, came in for some scathing critique. But the interrogation of the conceptual underpinnings of glo-

balization got a much smaller space than examining hard evidence on the place of poorer countries in the global economy. By any acceptable measure, developing countries are deeply integrated into the modern networks of trade and financial flows, perhaps with the international flows of labour limited to highly-skilled people. But the costs of this globalization of poor countries, such as heightened vulnerability to exchange rate and balance of payments of crises, seem to be grossly underestimated. This is what a few speakers taking stock of the outcomes of economic crises in poor countries after the East Asian crisis 10 years ago persuasively demonstrated. According to their findings, the devastating consequences of externally-induced recessions are resilient, very resource intensive to reverse and take an extraordinary long time to completely wipe out. Inadequate attention was however given to south-south integration, especially how cooperation among the powerhouse economies of the South (South Africa, Brazil, India and China) really promote higher living standards in the South.

A large number of papers under the subthemes mentioned above also addressed questions linked to the social and ecological consequences of development. For genuine indicators of socio-economic development can hardly overlook its social and ecological dimensions. Although it is hard to disconnect these concerns from the process of economic development, several papers focused exclusively on human development, living standards and the environment. In fact, presentations in the one plenary session provoked stormy debates on the persistence and main drivers of unemployment, poverty and inequality in post-apartheid South Africa. The thematic thrust in the second evening plenary was on gender and macroeconomics, with a *tour de force* input on radical feminism by Nilufer Cagatay, one of the leading heterodox development economists. There were fascinating exchanges of ideas on the sys-

temic drivers of asset inequality, such as the skewed distribution of land and knowledge-based assets, and the healthcare crisis in Zimbabwe. One paper illustrated that the ongoing ecological damages and new risks of China's stellar industrial growth are undercounted by neo-classical environmental models. But this is well known and it would have been much more interesting and useful to expose the ecological dangers accumulating behind China sucking in vast quantities of Africa's natural wealth.

Concluding Comment

The 2007 Cape Town edition of the ACDC was a small-scale event in terms of the typical international academic conference. But as this critical assessment of ACDC 3 has shown, if it is viewed in the context of the larger heterodox movement in development, its contribution was very significant. Heterodox development thinking is naturally tapping into the popular disillusionment and indignation with the hegemonic neo-classical development model. But more importantly, scholars working in this alternative framework are critically thinking through development proposal emerging from within its ranks.

The ACDC has been consolidating and pioneering high-level rethinking of development economics and set a policy-oriented research agenda for the 21st century. It has provided a space to exchange, critically debate and craft alternatives to mainstream theory, methodologies and policies. It has facilitated the networking between African scholars of the 21st century and their counterparts across the global South and North. The publication of its first volume of conference proceedings which was unveiled and celebrated at the Cape Town conference documents and displays the eminent scholarship emerging from this knowledge-community. This book, entitled *Globalization and Development – A Handbook of New Perspectives,* edited by

Ashwini Desphande, the head of the ACDC steering committee, consists of a collection papers presented in India in 2005. Volumes for the other two conferences are in the pipeline.[5]

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Endnotes

1. The six-person steering committee agreed on the name ACDC as a counter to the Annual Bank Conference on Development and Change (ABCDE) organised by the World Bank.

2. Topical concerns that African scholars are researching in the 21st century as well as how (theory and method) they examine their subject matter remain highly context specific. A recent CODESRIA volume, celebrating its 30th anniversary, edited by Thandika Mkandawire (2005) traced the contours of the intellectual spaces within which modern African thinkers operate and how this has altered over the last three decades.

3. This phenomenon Ben Fine (1999) has aptly termed as 'economic imperialism'.

4. See Lawson (2006) for a debate on heterodox economics as a movement currently defined in terms of its opposition to neo-classical thinking. Lee (2006) edited a special volume of the *Review of Radical Political Economics* which specifically illustrates its pluralist and trans-disciplinary essence.

5. Financial support for the first three years of ACDC was obtained through a Ford Foundation Grant and administered by the Carnegie Council on International Affairs and Ethics based in New York. A funding proposal to continue this project to expand the heterodox knowledge-community among younger scholars has been submitted to a several donors.

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The Annual Conference for Development and Change (2007) provides a forum for an emerging global network of young economists whose work challenges mainstream economic analysis of global development. Organized around the theme of promoting development in a globalised world, ACDC anchors policy analysis in empirical evidence and solid theoretical bases, and provides a platform for intellectual debate and exchange.

Kwame Akonor, Edsel L. Beja, Jr., Mario Biggeri, Tenkir Bonger, Aldo Caliari, Wen Chen, Esther Dweck, Paulo Gala, Fatma Gul Unal, Zahra Karimi, Julius Kiiza, Likani Lebani, Partha-pratim Pal, Codrina Rada von Arnim, Fiona Tregenna, Maureen Were

December 9–11, 2007, Cape Town, South Africa

UK High Court Reopens BAE-Saudi Corruption Investigation

The High Court today [London, 24 April 2008] formally quashed the Serious Fraud Office (SFO) decision to drop its corruption investigation into arms deals between BAE Systems and Saudi Arabia. This follows the Court's ruling on 10 April that the SFO, acting on government advice, acted unlawfully in stopping its investigation in December 2006 following a threat from Saudi Arabia. The decision to quash was made by Lord Justice Moses and Mr Justice Sullivan, who also gave the SFO permission to appeal to the House of Lords against their ruling of 10 April. The **Campaign Against Arms Trade** (CAAT) and **The Corner House**, recognising the public importance of the legal issues, did not oppose the SFO's application for permission to appeal.

The judges expressly thanked CAAT and The Corner House for bringing the judicial review of the SFO decision because important matters of public interest would not otherwise have seen the light of day, in particular, privileged access to 10 Downing Street and threats to an independent prosecutor. In granting the appeal, Lord Justice Moses said that this was

> 'a paradigm case' that concerns 'the way this country [the UK] is governed and a basic constitutional principle'.

Mr Justice Sullivan pointed out that the SFO had not identified any grounds for challenging the judgment in law in seeking to appeal. Lord Justice Moses noted that the SFO decision to stop the BAE-Saudi investigation will remain quashed, whatever the outcome of the appeal.

The judges ordered the SFO to pay the costs of the judicial review so far and, recognising the public service that CAAT and The Corner House are performing, also ordered the SFO to pay all the costs of the House of Lords appeal, regardless of the outcome. CAAT spokesperson Symon Hill said:

> *The High Court's quashing of the SFO decision has confirmed that neither BAE nor Saudi Arabia have the right to bully Britain. The Court today pointed out that the case had revealed vital issues about access to Downing Street. For the sake of British democracy, security and interest, arms companies' influence in the corridors of power must end. It is increasingly clear that the public will not be fooled by either weak assertions about national security or naive claims about jobs.*

Sarah Sexton of The Corner House said:

> *We remain confident of the strength of our case in the House of Lords. The principle that no one is above the law is fundamental to justice, as the High Court has clearly stated. It is now essential that the government abandons its draft legislation to give the attorney-general the power to cancel a criminal investigation or prosecution by claiming 'national security' with no meaningful parliamentary or judicial oversight.*

Notes

1. The Campaign Against Arms Trade (CAAT) works for the reduction and ultimate abolition of the international arms trade. The Corner House is an environmental and social justice NGO. Leigh Day & Co have represented them throughout the judicial review process, along with counsel from Blackstone Chambers.

2. The judgment of the High Court was handed down on 10 April 2008 by Lord Justice Moses and Mr Justice Sullivan, following a judicial review brought by The Corner House and CAAT. They ruled that the Serious Fraud Office (SFO), on the advice of the government, had acted unlawfully by terminating an investigation into BAE's Saudi arms deals on 14th December 2006,

following lobbying by BAE and Saudi representatives. The Saudi regime had threatened to cancel an arms deal and withdraw diplomatic and intelligence co-operation. This was described by the judges as a 'successful attempt by a foreign government to pervert the course of justice in the United Kingdom'.

3. A time line of the judicial review and the arguments and evidence presented are also available.

4. The costs of the judicial review were capped and agreed at a Directions Hearing in January 2008.

Campaign Against Arms Trade, 11 Goodwin St, Finsbury Park, London N4 3HQ; www.caat.org.uk

The Corner House

Since its founding in 1997, The Corner House has aimed to support democratic and community movements for environmental and social justice. It is motivated by the concerns of such movements, whether they be locally-based struggles for land or water rights or better health care; campaigns against destructive mining, dam or forestry projects; or struggles against racial discrimination. We aim to pay constant attention to issues of social, economic and political power and practical strategy. We try to take a 'bottom-up' approach, filled with examples, to issues of global significance which are often handled in a more abstract way.

As part of our solidarity work, *The Corner House* carries out analyses, research and advocacy with the aim of linking issues, of stimulating informed discussion and strategic thought on critical environmental and social concerns, and of encouraging broad alliances to tackle them.

Editor's Note: Amongst the excellent resources via the Corner House website see particularly the following briefings: 'Underwriting Bribery: Export Credit Agencies and Corruption' by Dr Susan Hawley; 'How Northern Donors Promote Corruption: Tales From the New Mozambique' by Joseph Hanlon and 'Who Owns the Knowledge Economy?

Political Organising Behind TRIPS' by Peter Drahos with John Braithwaite. www.thecornerhouse.org.uk

Also see 'The Arms Deal Scandal' by Terry Crawford-Browne, *ROAPE*, Vol.31 No.100, June 2004, pp.329-342.

> To people in South Africa and millions around the world who supported the struggle against apartheid, it is incomprehensible that the ANC government's first major decision was to buy warships and warplanes when there is no conceivable foreign military threat and when the real threat to the consolidation of democracy is poverty. Instead of houses, schools and clinics being built, instead of money to tackle AIDS, South Africa bought submarines

ROAPE will have an update from Crawford-Browne in the September 2008 issue.

> The way to make money in the arms business is to sell weapons to both sides, and then to cause conflict between them. That, reputedly, was Sir Basil Zaharoff's philosophy a century ago. He was the godfather to BAE and the British arms industry, who instigated the arms race that culminated in Europe's First World War. Bribery of politicians was an inherent part of Zaharoff's modus operandi, and the 20th century became the bloodiest in history. The five permanent members of the United Nations Security Council, the very governments ostensibly responsible for the maintenance of peace are, instead, the source of 90% of the world's proliferation of armaments. This diabolical trade in killing people for profit is estimated by Transparency International to account for about 45% of world corruption. Post-apartheid South Africa became one of the first targets ...

Book Reviews

Augustin Cyiza: Un homme libre au Rwanda, by Thierry Cruvellier et al. Paris: Éditions Karthala, 2004; pp. 217. ISBN 2845 86552X (pb); *Exilés, réfugiés, déplacés en Afrique central et orientale,* by André Guichaoua (ed). Paris: Éditions Karthala, 2004; pp.1066. ISBN 2845865236 (pb); *Rwanda 1994: Les politiques du genocide à Butare,* by André Guichaoua. Paris: Éditions Karthala, 2005; pp.497. ISBN 2845866690 (pb). Reviewed by Helen Hintjens, Institute of Social Studies, The Hague; © Helen Hintjens 2008.

At the back of the study on Augustin Cyiza, a photocopy of a letter sent to Western diplomatic services from the Ministry of Foreign Affairs in August 2003, reads as follows:

> *Many Rwandans and other Africans who claim to be Rwandans, regularly claim asylum in different foreign countries. On this score, and in the interest of helping the National Rwandan Police with their enquiries, the Ministry [of Foreign Affairs] would be grateful to the said institutions to request the relevant responsible agencies in their countries to kindly communicate the monthly or quarterly lists of Rwandan asylum seekers* (translated from the French, p. 195).

This text struck me as significant since I have worked with, and on behalf of, Rwandan asylum seekers in the West who fear being deported back to their country. The same is true of Congolese, the UK ambassador to that country having recently been reported on Radio Okapi as having said that 4,000 Congolese from DRC would soon be deported from Britain in spite of a huge campaign to prevent this, including a legal country

hearing for September 2007. The criminalisation of the opposition is endemic in Rwanda, DRC and throughout the Great Lakes region, as all three volumes here make clear. The restoration of 'democratic' elections in the region since 2000 or so has done little to improve the situation. It is not democracy that does not 'suit' this region or its people; it is the governments whose rule is based on political terror rather than seeking legitimacy, and instilling fear instead of encouraging a sense of widespread trust or allegiance. Fear and courage are the major forces battling it out in Rwanda today, and the study about Augustin Cyiza is expressive of this. A former army major, ministerial advisor, magistrate in the High Court and university lecturer, Cyiza also worked in civil society for human rights.

In 2003 he disappeared, and witnesses say he was seized in Kigali by unknown men. The Government story is that he fled to join rebel FAR (Forces armees rwandaises, the former genocide army) forces in DRC. Devoted to his memory as a well-known victim of the current Rwandan regime, the twenty one chapters in this book show how divided Cyiza's compatriots have become. He was widely respected as a man of strong convictions, humour and immense personal integrity. However in 1998, Cyiza was abruptly 'demobilised' from the army (i.e. sacked). According to Guichaoua, he never found work again, except in early 2003 when he was reinstated and paid his salary for just one month, only to be demobilised right away, on the occasion of a visit by James Wolfensohn, World Bank President, to Rwanda. The 'cunning state' was at

work here. A few months after losing his job in 1998, Cyiza had converted to Pentecostalism, and soon found himself constantly followed by the Intelligence Service. But his persecution had started much earlier, before the genocide, when he advocated political dialogue and supported the Arusha Accords. His status as a survivor, his position for peace and his efforts to help Tutsi civilians during the genocide did nothing to endear him to the Rwanda Patriotic Front (RPF). They in turn persecuted him after 1998 for 'divisionism'. He was identified as among the 'negative forces' besetting Rwanda.

When he disappeared on 23 April 2003, the Government claimed Cyiza fled across the Ugandan border. His disappearance was just one week after a stormy meeting with Kagame, and he disappeared along with a manya-mulenge (Tutsi) student companion (a strange choice of travel companion for a divisionist heading off to complete the genocide)! Cyiza is presumed to have been killed on Kagame's orders; several accounts in this book confirm that Cyiza consistently refused to flee Rwanda, even though he was advised to do so, and knew of the plot to kill him. In March 2003, Kagame gave a speech (extracts pp. 185-9) 'deploring' that certain people 'wanted to be hit' (i.e. killed). Cyiza was taken to be one of those being referred to by the President.

The contributors to this volume include a former Minister of Defence, James Gasana, a former Prime Minister, Faustin Twagiramungu, now both in exile, as well as a survivor who was saved by Cyiza towards the end of the genocide, former military generals and one or two personal friends, many in exile. The last contribution is from Claudine Vidal, a well-known scholar of pre-colonial Rwanda. The volume also includes annexes, which reproduce official letters concerning Cyiza's case, newspaper reports, and a police official report on his disappearance. The conclusion of the police investigation is that Cyiza joined 'his friends' among the FAR in Congo (DRC), and that his Tutsi companion joined the DRC army (p. 204). These findings would be laughable were they not so preposterous. The denial of criminal responsibility by the Rwandan state explains why a book like this is more than a sentimental journey; it needed to set the record straight.

In the space of a short review piece, it is hard to do justice to each of these texts. Reading the 1,700 pages, I was awed by the painstaking work involved in the two larger studies, respectively written and edited by Andre Guichaoua. It is in the shorter Cyiza volume, that Guichaoua recognises his own intellectual debt to the man, remembering how Cyiza instructed him in the workings of the Rwandan military, among other things. Cyiza was reputed to be 'too open to be a Rwandan' (p. 91). The study on Butare during the genocide especially is quite a different story, and should become a resource for future researchers on the genocide. It would be good to see it translated into English, at least. Guichaoua's research displays a thoroughness one rarely seen in studies on Africa – and this was true of his approach well before 1994. But it concerns me that he accepts, elsewhere, the 'French' thesis that the RPA shot down the plane of Habyarimana in April 1994 (Guichaoua (ed.) 2004:165).

Whatever the case, in this study of Butare during the genocide, Guichaoua is at his best, describing in minute, hair-curling detail how genocide was resisted in Butare for almost two weeks and then finally unfurled and was enforced across all Rwanda. The study is constructed 'for the record' rather than to argue any clever social science line. Like Scott Straus's recent study on *The Order of Genocide* (2006), this study on Butare similarly concludes that fear and authority structures determined the daily ac-

tions and inactions of Rwandans during the genocide, rather than culture, animosity or even unquestioning obedience. Books published in France tend not to have an index – the volumes on Cyiza and on exiles and refugees in the Great Lakes region are two cases in point – but fortunately this study on Butare has a full index of names which is very useful. The recording of people's identities by ethnic 'labels' (i.e. by Hutu, Tutsi or Twa paternity) throughout the study was a minor, but perhaps unavoidable, irritant. Butare was an area of high intermarriage, so overlapping identities were more or less the norm, not the exception. Guichaoua notes that the choice of Butare was also partly dictated by practical considerations, since it was one of the only places where administrative records and archives were not pillaged at the start of the genocide (p. 9ff). This study is the best and most carefully documented study of what happened in *a particular locality* prior to, during and immediately after the genocide, that I have read.

Guichaoua uses all sorts of archival material, as well as his own interviews, detective work and reproduces some original documents in their entirety (all three studies do this). Among the most important in the Butare study is an extraordinarily banal, but very revealing diary kept by a Minister of the interim government, Pauline Nyiramasuhuko, from 6 April until she fled to Zaire on 18 July (pp. 369-430). The lists and notes it presents are given in full, with a running commentary by Guichaoua. The overall effect is of a detailed painting surrounding you on all side, a 'panorama', which has no start and no end. At times the effect of so much detail is dizzying. What is clear is that chance as well as planning and order played a role, and that no one, not even Tutsis, were spared the job of killing once genocide started. What comes across is how, from the start, a priority was to eliminate all those who 'knew', and might later bear witness that this genocide was planned. People could,

and did, make a difference, but only at the very margins. The civil, political and economic crimes of genocide are reconstructed, day by day, and issue by issue, a sort of record for posterity. Who went where, with whom, to do what, who phoned whom, who wrote what, ordered what, what decisions were made, actions carried out. All this is described in detail that can only be described as loving. To my mind, it is an amazing achievement.

The study edited by Guichaoua on exiles, refugees and displaced people in the Great Lakes region is another very impressive study, and twice the length of the Butare study, with many very long chapters, as well as a full chronology by country by the editor and a very substantial editor's chapter providing an overview on migrants, refugees and displaced people in central and East Africa (pp. 105-209). There is a concise summary of each chapter at the start of the book, in French and English. All but three of the eleven contributors are Congolese, Rwandan or Burundian. Most are based in the region, in Bukavu, Bujumbura, Kinshasa and Butare.

The highly critical and sophisticated chapters by Remy Bazenguissa-Ganga on Congo-Brazza-ville (pp. 247-67 and pp. 379-423) question the categories and assumptions typical of most studies on refugees. Charles Ntampaka's relatively brief chapter on Rwandan refugees in Belgium (pp. 529-65) explains the categories of people who have fled Rwanda, including unacknowledged victims who find themselves squeezed between the identities of genocide suspects and old caseload returnees in the new Rwanda. Very few have any intention of returning, and prefer to go underground and become illegals rather than face deportation (p. 539). There are also two very long chapters by Arnaud Royer, who like Bassangui-Ganga is at the University of Lille. The first is on internal displacement in Burundi (pp. 269-376), also dealt

with in a chapter by Julien Nimubona (pp. 213-45). The second is a very much less quantitative and ultimately much better piece on Rwandan refugees in Kivu from 1994-96, a critical time and place for understanding what came later. Royer brings home the twin role of brutal massacres of refugees in flight and UNHCR facilitation of continued returns to Rwanda (pp. 425-528). The missing were estimated in 1996 at between 300,000 and 500,000, showing the scale of the human loss – so many people were never accounted for (p. 523). Horrendous abuses carried out with impunity involve most of the displaced populations in the region, but especially in DRC. Here there have been mass *refoulements*, refugee massacres, forced returns, pursuits and hunt and kill operations against 'infiltrators'. The sheer vulnerability of the displaced increases the tendency for armed groups to target them, as they are mostly without defence or defenders. The editors points to the relative indifference of Western countries, stating diplomatically that:

> the pacification of this region of Africa exceeds the willingness of external actors in terms of their desired level of engagement and the means they wish to deploy … neither passive or intervening, [these external actors] … have opted for a strategy of accompanying local actors through incentives (p. 151).

This is putting things too politely. As long as mineral and material interests are protected, Western powers could not seem to care less what happens to displaced and refugee populations in DRC, Burundi, Rwanda or elsewhere in the African Great Lakes region. Legal instruments used by Rwanda and DRC to classify and control displaced populations are explored in a chapter by Severin Muganga (pp. 633-93); repatriated people returned to Butare are the focus of a chapter by Jean Rugagi Nizurugero, and Christian Thibon concludes by looking at return, reconstruction and reconcilia-

tion among Burundian refugees in Western Tanzania (pp. 731-65). That Burundi's politics is much more complex than Rwanda's seems as true today, if these studies are anything to go by, as forty years ago when Rene Lemarchand made this observation. Totalitarian control by the Rwandan government over its population is clear from disappearances, arrests and the flight into exile of prominent survivors, human rights activists, military people and other senior figures. Most are branded traitors, divisionists and criminals by the regime in Kigali (p. 151). The list of enemies of the state is long and depressing and includes Cyiza, of course, who was guilty of sharing what he knew about Rwanda with outsiders (p. 166). More complex even than Burundi, where reconstruction is making little headway, is the DRC, with its partial and painful political reconstruction combined with a continued and steady economic deconstruction of the country among political entrepreneurs and private companies. By the end of this study there are laid out before us the gargantuan range of possibilities for the future of the region, as well as a dense panoply of understandings of who people are, their motives and how reconstruction can be achieved.

What for me eventually distinguishes these studies from many others recently published on Rwanda is an intense focus on the hopes, fears, characters and ideas of people themselves. There are relatively few amalgam groups like 'Rwandan peasantry', 'refugees', 'Burundian youth' or 'Congolese democrats'. Instead, those about whom scholars are prone to generalise are examined in detail, from close range, as it were. A marvellous eye for detail emerges especially in the Butare study, but also in some of the chapters in the edited volume on exiles, refugees and the displaced. The intertwining of people's lives as they are thrown together and torn apart again is carefully analysed and described. Forced to shift habits, skills and ideas by

intransigent, greedy and exclusionary econo-military leaderships with *global allies lurking in the background*, most poor people always and everywhere come off badly, yet are capable of demanding peace and making alliances with other victims. Guichaoua more than most scholars working on this region, appreciates that Rwandans, Burundians or Congolese are not there so that various theories can be tested out on their societies and interpretations made according to this or that predilection of their actions and ideas. Instead, these studies stand or fall on the basis of whether they get us beyond banal understandings of conflict as naturalised and timeless, impersonal and immutable. The genocide, and its poisonous regional aftermath are central to each of the studies, and the quality of all three volumes is their uncompromising focus on Rwandans and Great Lakes people themselves and their priorities and views on their situation, and how things have come to be as they are. All three studies, especially the two longer ones, are important for scholars of the region to take on board, and could be selectively used in teaching as well.

The Congo: Plunder and Resistance, by David Renton, David Seddon and Leo Zeilig. London & New York: Zed Books, 2007; pp. 243. £16.99 (pb). ISBN 9781842774854. Reviewed by Theodore Trefon, Royal Museum for Central Africa, Brussels; © Theodore Trefon 2008.

Rich country – poor people. The Democratic Republic of Congo epitomizes the 'paradox of plenty' and 'resource curse' more so than any other nation in the world. The private domain of Leopold II … paternalistic, but vicious, colonisation by Belgium … and more recently, involvement of nine African countries and numerous multinational companies

vying for Congo's resources and territory in what was described as 'Africa's first world war'. The International Rescue Committee reports over three million casualties.

Ransacked and exploited, the wealth of the continent's second largest country has been systematically denied to its people. Human development indicators such as nutrition, literacy, life expectancy at birth and availability of clean drinking water reveal that the Congolese are amongst the poorest of the poor. Natural resources have begot greed, brutality, violence and under-development. Mining and logging revenues are divvied up between a small number of foreign businesses and government elites within the presidential entourage. Today, the entire national budget (approximately $2.4 billion), half of which comes from the international community, amounts to little more than the annual budget of a mid-sized American university.

This is the tragic setting of *The Congo: Plunder & Resistance* whose subject is the historic relationship between Congo/ Zaire and the West. The authors explain the longstanding and ongoing plunder of the country by its integration in the global capitalist economy, going back to 15th century contact with Portuguese explorers. The strength of this book is its political economy approach: the Congo is indeed a rich case study to discuss *plunder*. Like Nzongola-Ntalaja (2002) before them, the authors succeed in making explicit the links between real and perceived interests of foreign actors and the political manipulation and economic exploitation of ordinary Congolese. They argue that:

> *the Congo can be seen most accurately as prefigurative of an essential element of late capitalism, shorn of any of the normal pretence of modernisation and development* (p. 210).

The authors fall short, however, with respect to their second objective. They are much less convincing with respect to *resistance*. We are familiar with the names of numerous resistance figures (Msiri, Lumumba, Kimbangu, Mulele, Tshisekedi) and events such as the January 1959 riots in Leopoldville, the Kwilu rebellions, the Lubumbashi student 'massacre' and looting sprees in Kinshasa in 1991 and 1993. While the history of the Congo is very much a story of resistance, this book unfortunately fails to tackle the fundamental – but still unresolved – question of why the Congolese have never been able to successfully transform resistance, whether it be in the form of nationalism, popular uprising, political mobilisation, civil society actions or informal economic creativity, into positive social change. Addressing this question would have been a major contribution to our understanding of the social history of the Congo.

Although lacking in originality, conceptually, this book makes sense and thus provides a readable overview. It is structured chronologically and based on a selective use of the wide body of literature on Congo/Zaire available in English and French. The chapters, however, are uneven in quality: one wonders if the book was written collectively by the three authors or, inversely, if it is a compilation of texts written individually.

Starting with a presentation of the Leopold period, the first chapter adds little to the abundant literature on the subject. Chapter two examines the colonial period (starting in 1908) up until the end of World War Two. Chapter three looks at the pre-independence years when the Congolese started thinking about de-colonisation and state-building, presenting an overly sympathetic view of the role played by Patrice Lumumba before and after the 1960 transition. Chapter four is a superficial account of the rise and decline of the Mobutu dictatorship. One of the more nuanced parts of the book, chapter five, focuses on the transition years, describing how the protest movement was unable to replace Mobutu.

> *Instead, the enduring poverty of the country, in a context of declining trade and production, served fatally to undermine the opposition, making it a movement of people with anger but no confidence in their own ability to affect change* (p. 5).

The final chapter describes how private capitalism has replaced military state capitalism, concluding that 'the collapse of the DRC can only be explained by the combined effects of economic crisis, neo-liberal programmes of structural adjustment, and the consequent loss of state power' (p. 204). The attractive ring of this conclusion is, nonetheless, inadequately developed throughout the book to make it fully convincing. Many other factors clearly need to be integrated into the explanation of state collapse.

The credibility of this volume suffers from a plethora of factual mistakes, typographical errors and inconsistencies resulting from both lack of field experience and maturity with the literature on Congo and from a, less excusable, poor job of proofreading. Too numerous to indicate here, a few annoying examples include: it was in Elizabethville (Lubumbashi) that the Union Minière set up the first schools and hospitals for Congolese workers, not Stanleyville (Kisangani) as indicated (p.58); Lovanium was the name of a university (today University of Kinshasa), not the name of a university town (p. 103); Mobutu's mother's name was Marie Madeleine Yemo, not 'Yerno' (p. 112); 'Kitwit' should read Kikwit (p. 162); the author of the brilliant *River of Wealth, River of Sorrow* … (note 16, p. 214 and again note 14, p. 218) is Harms not 'Harris'; T. K. 'Biaga' (note 50, p. 224) should read Biaya. Another problem is the misuse of Congolese names. Admittedly confusing, the authors frequently use the Con-

golese *post-nom* where they should use the *nom*. For example, the Tshondo entry in the index (p. 241) should be under Omasombo, Omasombo being the 'family' name and Tshondo being the particular Congolese post-name. Name change was instituted by Mobutu during the 'recourse to authenticity' period in the 1970s. One can also deplore the masking of ethnic explanations where the authors limit their analysis to economic determinants: Congolese migration to South Africa from Katanga in the early 1990s resulted largely from the Katangese-Kasian ethnic conflict which is surprisingly overlooked (pp. 150-151).

Western capitalist interests have been the big winners on the Congolese chess board, as appropriately argued by the authors of this book (but Chinese interests are present too, a situation which should have been addressed in the final chapter). Yet, their analysis fails to integrate other Congolese realities. While a handful of local elites do indeed benefit from the system and contribute to its reproduction, Congo's failed institutions are kept alive because they serve the interests and agendas of individuals at all levels of society. Elites and ordinary people alike all derive some form of benefit from the state. For many at the bottom of the social hierarchy, the state offers a minimum level of predictability about public life and the opportunity to form relatively stable expectations about power and resources. The Congolese have adjusted to the ambiguities of their state and have learned to survive in what appears as a context of chaos.

Reference: Georges Nzongola-Ntalaga (2002), *The Congo from Leopold to Kabila: A People's History*, London: Zed Books.

Never be Silent: Publishing & Imperialism in Kenya, 1884-1963, by Shiraz Durrani. London: Vita Books, 2006: pp.271. £21.99 (pb). ISBN 9781869886059. Reviewed by Daniel Branch, University of Exeter; © Daniel Branch 2008.

Lenin but not Lonsdale; thus can *Never Be Silent* be summarised in both content and tone. In presenting his history of publishing in colonial Kenya, Durrani has jettisoned the subtlety and ambiguity that characterise so much of the scholarship produced in the field over the past few decades. Instead, Durrani prefers the more fixed analytical categories of race and class that give little room for contradiction or flexibility. The end result stands in stark contrast to the regrettably under-appreciated work of Pugilese and others, who have sought to demonstrate the broad and complex range of views represented in the newspapers and other printed matter produced by Kenya's colonial subjects and citizens.

Following a rigidly nationalist chronology, Durrani outlines chapter by chapter the major newspapers and publishers operating amongst the African, South Asian and European communities. Within those racial categories, little attempt is made to consider the spectrum of political and social positions represented by the different newspapers. Instead, Durrani prefers to present each in homogenous terms informed by his Marxist approach. In so doing, *Never Be Silent* contains a great mass of primary source material assembled by Durrani from collections in Britain and Kenya. Durrani has thereby highlighted a number of important sources which will prove invaluable for future research in the areas of African and South Asian publishing in colonial Kenya. It is somewhat a pity then that Durrani has largely chosen not to analyse this material himself, preferring instead to simply identity which newspapers were being produced, where, when and with what overarching edito-

rial message. This contributes to a very strange feel to the prose as a whole, which at times reads more like an annotated bibliography rather than a substantive study. Too much space is given over to lengthy quotes from other existing and well-known studies that could have been easily paraphrased. Similarly, the use of bullet points and a disjointed chapter structure do not aid the progressive construction of a coherent argument.

The coherence of argument in relation to the colonial period is further complicated by the fact that Durrani's dissatisfaction with post-colonial political developments is never too far from the surface. This perspective informs much of the work, lending it the feel of an extended, historically informed polemic. Indeed, given the tone of the book it is perhaps a little unfair to review it as a scholarly piece when its audience is so obviously not primarily meant to be found amongst academics. Durrani's commitment to his political beliefs and his insistence that knowledge should be as widely disseminated as possible is supported by his praiseworthy decision to distribute this book as an Open Access publication. It is available at no cost via the internet. However, Durrani would be better served presenting their work in terms that their subjects and their audience would themselves recognise. While trade unionists and the labour movement as whole played important historical roles, it seems a stretch, for example, to characterise the period of 1922-1948 as the 'Consolidation of the Working Class.' To do so is to simply retrospectively impose an abstraction.

By virtue of his courageous, vocal and ultimately costly criticism of authoritarianism in Kenya, Durrani the activist is fully deserving of the praise bestowed upon him in the preface by Ngugi wa Thiong'o. In insisting the dissent to which he claims ancestry be adequately historicised, Durrani cannot be faulted.

He has the scars to prove its significance as a subject of historical enquiry. And Durrani's particular focus upon the role of South Asians, a still much overlooked component within Kenyan society, is laudable. As a guide for future research and indeed as a primary source itself for those interested in late 20th century political history, *Never Be Silent* is not without merit. With more time, greater critical engagement with existing secondary material, a more nuanced, analytical approach to its sources and a rigorous editorial process, *Never Be Silent* may have ended up as an important book. Ultimately, however, as a scholarly historical study, Durrani's work suffers from too many significant flaws to be considered a major contribution to the field.

History Making and Present Day Politics: The Meaning of Collective Memory in South Africa, by Hans Erik Stolten (ed.). Uppsala: The Nordic Africa Institute, 2007; pp. 376. £25 (pb). ISBN: 9789 171065810. Reviewed by Steffen Jensen, Rehabilitation and Research Centre for Torture Victims, Denmark; © 2008 Steffen Jensen.

For all who are interested in South African history and historiography, this book should be a must. It features some of the most prominent stalwarts of South African history writing like Chris Saunders, Colin Bundy, Merle Lipton, Martin Legassick, Bernhard Magubane, Thiven Reddy and Saul Dubow, along with a number of interesting contributions from newer or less prominent scholars.

The book concerns the role of history in post-apartheid South Africa, and editor Hans Erik Stolten makes a powerful argument for its importance, as he states

that 'History writing is an important part of a nation state's collective memory and history is not simply a product of the past, but often an answer to demands of the present' (pp. 6-7).

Having established the importance of the subject, Stolten goes on to outline the historiographic development of progressive history writing. Together with the chapter by Dubow, the introduction serves as a competent state of the art of South African historiography. The second purpose of the introduction is to outline the ways in which history has been and is being put to use and abuse in contemporary South Africa. Most important is the multiple history making processes with the memorialisation projects and the Truth Commission as high points. A number of the contribution speaks directly, and interestingly, to these subjects, from Chris Saunders' and Martin Legassick's quite personal accounts to more analytical contributions from Elaine Unterhalter, Anna Bohlin and Gary Baines.

Apart from these obvious (in the good sense) contributions on history and history making, a number of the chapters also opened up new territory for me at least. Merle Lipton's account of business' role in apartheid is succinct and well-balanced. But maybe the most interesting part of it – and we can only guess to the politics of this – is the appendix where Lipton appears to have been asked to answer a number of questions about method and theory. This probably indicates how sore her points still are. Also Wessel Visser's contribution opens up new territory, and although it is hardly surprising that the Nationalists were somewhat negative towards communism, Visser's analysis provides a good and entertaining read. I was also enlightened by Anna Bohlin and Elaine Unterhalter's accounts of land and gender.

All in all, the volume stands as a competent and thorough state of the art contribution to South African historiography. However, this is also its biggest problem. It is so 'state of the art' and so heavy on historiographic stalwarts that it becomes somewhat stale. Particularly two elements annoyed me. First, there is a 'once-we-were-important-now-we-are-not' feel to it. Clearly, progressive South African history writing had an almost disproportional political importance and it did turn the tables on a number of issues, like bringing in new, especially African voices and Afro-centric accounts – both by African and white scholars. But to lament the present insignificance extensively as it is done here is somewhat excessive for my taste. Second, the book is organised along, and speaks to, the long-rehearsed debate between liberals and Marxists, that is, it reproduces the race-class debate with a few add-ons from feminism and African scholarship. It is fair to say that this debate more than anything else has organised what is relevant to discuss in South African history, to the exclusion of most other approaches. It is a typical example of how a disagreement can determine relevance.

It seems to me that there is a larger point to be made here about methodology. Most of the contributions are quite traditional in approach to the study of history. Apart from Bernhard Magubane – who does question the salience of the liberal-Marxist debate – there is no attempt, in the words of Jean and John Comaroff, to read against the archive. Although Van Onselen's book *The Seed Is Mine* is quoted, no chapter attempts to write history from a subaltern perspective to any great degree. Although one should not judge the value of a book from what is not in it, it is a pity that perspectives like Isak Niehaus' fascinating study of witchcraft and politics or Jeff Peires' analysis of the cattle-killing movement are absent. The consequence is that politics is reduced to high politics – or

indeed white politics. Clifton Crais' analysis of Eastern Cape politics is a good example that an analysis, reading against the archive to elucidate African politics, is possible. Crais' work also points to another omission of a more theoretical nature, that is, the absence of inspirations from Michel Foucault's work on governmentality. By focusing only on the race-class structures, the productive sides of apartheid and colonialism seem to disappear from view. History writing is reduced to accounts of structural oppression and not accounts of how subjects were produced and how they in turn took up the task of challenging the regime from these very subject positions. Hence, post-colonial studies à la Mahmood Mamdani, Clifton Crais, Achille Mbembe and the Comaroff's could have added additional insights to an otherwise competent and interesting volume on South African historiography.

Everyday Corruption and the State. Citizens and Public Officials in Africa, by Giorgio Blundo and Jean-Pierre Olivier de Sardan with N.B. Arifari and M.T. Alou. London: Zed Books, 2006; pp. 298. £18.99 (pb). ISBN 1842775634. Reviewed by Laura Routley, University of Aberystwyth; © Laura Routley 2008.

Corruption in Africa is a subject which has received a lot of attention, has it not? Denouncements of corruption and protestations that 'good governance' offers an answer abound in the discourses of NGOs and wars on corruption have been announced by numerous African governments. Yet there has been little empirical research done on corruption at the 'everyday' level. *Everyday Corruption and the State: Citizens and Public Officials in Africa* is therefore original, timely and significant for all who research in this area. The book addresses this yawning empirical gap in the literature through

detailed examinations of the interactions of users with various state bodies: law courts, health systems, police road blocks. For Blundo and Olivier de Sardan these 'everyday' interactions open up questions about the informal privatisation of public services and, indeed, about the nature of these states. This, 'everyday-ness', also demonstrates that in the countries examined 'corruption has become rooted in the daily lives of their citizens' (p.106).

Blundo and Olivier de Sardan's book is the result of research undertaken in three West African francophone states: Benin, Niger, and Senegal. The breadth and depth of the research is obvious and the geographical spread of the undertaking allows for more general trends to be drawn out. The examination of similarities of corrupt practices between African states is something which other contributions based on local anthropological empirical research such as Daniel Jordan Smith's (2007) excellently observed work on Eastern Nigeria does not allow. Blundo and Olivier de Sardan analyse the examples of corruption and from this identify and define types of practices of corruption. These observations are then systematised as practices are categorised and examined not only as a type of corrupt activity, but by their degree of legitimacy within local discourses. Discussion of these practices also sites them within 'socio-cultural logics', which operate more broadly but 'communicate' with corruption (p.96).

The empirical research focuses particularly on the legal system, public procurement, and transport and customs, all of which have their own chapters in the second part of the book. These chapters offer much corroboration of the points made in the first part of the book, as well as being new work in their own right for, as the authors point out, there is a lack of study on specific sectors. Nassirou Bako Arifari's descriptions of some of the customs 'scams' read almost like com-

plex film plots as smugglers make use of different customs laws and mis-register goods and their destinations, in one memorable case the destinations of second-hand cars, in order to make money. These chapters, however, play a much more significant role than just unravelling the ingenuity of these practices. The sectoral studies serve to substantiate the systematic, pervasive nature of 'everyday' corruption, asserted in the first part of the book, through their sheer weight of examples and testimonies of the 'normal' nature of these practices.

The significance of this work for scholars who study corruption cannot be denied. As a scholar interested in politics rather than an anthropologist (which of course Blundo and Olivier de Sardan are), and especially given the title of the book, there is a feeling that the questions raised in the book about the nature of the state could have been further interrogated. The authors realise that their 'bottom up' approach, which examines the state at the public service delivery end offers many insights. Yet they shy away from exploring further the implications of these insights, whilst acknowledging that the widespread nature of corruption means 'that the states in question are no longer the same type' (p.107). The authors see this further analysis of the state as outside of their expertise. Despite the invocation of this disciplinary boundary the focus of the research on the everyday interactions of the state is in itself important for those who are interested in the African state, as it highlights the ways in which the 'real' functioning of the state is removed from its 'official' functioning, and that the state is experienced by most at this everyday interface.

The book trains its analytical eye on to the state's 'real' functioning in everyday interactions and argues persuasively that corruption cannot be understood outside of broader forms of everyday sociability within which it is embedded and with which it communicates. Its exploration of corruption through its focus on public service provision and its enviable accumulation of a sizable amount of empirical information is a challenge to both those working on issues of corruption to empirically embed their research, and to those theorising the state not to neglect its everyday functioning.

References: Smith, D. J. (2007), *A Culture of Corruption: Everyday Deception and Popular Discontent in Nigeria*, Oxford: Princeton University Press.

The Shock Doctrine. The Rise of Disaster Capitalism, by Naomi Klein. London: Penguin Books, 2007; pp. 576. £25.00 (hb) ISBN 9780713998993. Reviewed by Graham Harrison, University of Sheffield; © Graham Harrison 2008.

Naomi Klein's *The Shock Doctrine* is – from an academic point of view – a more substantial book than *No Logo*. Klein develops an argument that neo-liberal social engineering has a strong tendency to traumatise societies, the better to establish a form of corporate capitalism upon the debris of whatever nationalist or developmentalist institutions might have existed before.

This concept of 'shock' is not just a way to conceptualise the nature of neo-liberalism; it is also a set of concrete practices, borne from an unholy alliance between techniques of torture/psychological manipulation and massive drastic state roll-back. This traumatising-remaking continuum is constantly undone by the fact that, to borrow from Hannah Arendt, 'violence can destroy power; it is utterly incapable of creating it'. Far less so creating legitimate state authority, which is why post-trauma democracies hardly merit the adjective 'democratic'. Instead of remaking societies, the shock doctrine's advocates and scientists (based in a now-transnational Chicago School, the

corporate-political elite based around Dick Cheney, and the rump of staff in the International Financial Institutions) endlessly follow the frontier of neo-liberal reform in search of their view of perfection which is 'hollow governance', that is, a complete privatisation of the state.

This is not the state's rolling back into a 'nightwatchman' but the privatisation of its core competencies. In the present day, this is manifest in the privatisation of security, information generation/management, surveys/audits, and disaster management, those last bastions of the public in the US. Like the 'double dipping' in which landmine manufacturers were contracted to remove the products they sold to South Africa after the end of apartheid, key Bush officials can 'profit from the disasters they help unleash' (311).

This is powerful stuff. There are many conclusions and new directions that can be drawn from the book. It is fantastically well-written and its scope of ambition means that it would be churlish to point out that there is a certain amount of licence taken in respect to the country cases. Klein is clearly on to something, and I am sure that this will become a secular contribution to the activist/intellectual left.

For readers of *ROAPE*, it is striking that the case of South Africa is perhaps the least convincing in the book. Here, Klein goes through the ways in which South Africa's transition has proven to be limited and riven with tensions largely because of the locking in of liberal economic rostrums. But, if there is a narrative of large-scale systemic trauma or shock to be derived from South Africa's history, it surely begins earlier than 2004. One might wish to begin in the sixteenth century and catalogue the various acts of dispossession that characterised Dutch settlement; or one might begin in, say, 1913 with the establishment of the Land Act which ushers in the

barrage of apartheid legislation which dispossessed, humiliated, exploited, and brutalised all non-white people; or one might wish to recall South Africa's traumatisation of the region through destabilisation and 'Total War' from the mid-1970s.

Perhaps what the South African case suggests is that – for some parts of Africa at least – 'shock' was already all too familiar to peoples before the age of neoliberalism. There is enough suggestive evidence to associate shock/trauma and torture with the development of colonial capitalism throughout the continent. Indeed, systemic trauma/torture seem to emerge in exactly those spaces of accumulation: cotton and rubber production in central and east Africa, the development of commercial 'white' farming in the Kenyan highlands, or the development of diamond and gold mines in southern Africa. Within these spaces of accumulation we see colonial practices of beating, forced labour, amputation, concentration camps, the stripping naked of black bodies in public, executions, and a range of more specific forms of torture.

And, in a broad historical sweep, it does not stop there. The winning of independence brought with it its own traumas: authoritarian rule, brutal militaries, topdown social engineering in the name of 'development' or 'socialism' and a substantial continuity in the linkages between African states and the global economy. Some evidence of economic growth and slender threads of progressive politics were all but extinguished by the coming of the first oil price hike in 1973 – the year in which Klein's story begins in the besieged presidential palace in Santiago.

Although Klein mentions structural adjustment frequently, it is largely in passing. The South African transition which commenced in the early 1990s was itself part of a broader regional reconfiguration

based in the defeat of nationalist projects or at least the imposition of structural adjustment from the mid 1980s. In this sense, South Africa's transition constituted the last act in the preparation for a regional convergence towards 'open regionalism', that is, integration led by economic liberalisation. What makes South Africa different is not its policies as much as its relative economic power.

Structural adjustment is too important an instrument in the neo-liberal 'toolbox' not to merit more attention. Universally, SAP has caused job losses, massive uncertainty in prices, continuing or exacerbated mass poverty, and an economic openness characterised by both a weak response from international companies and an extremely limited capture of benefits within the host country. SAP provoked social unrest in many places. In some countries, such was the political-economic stress associated with SAP that a range of extremely brutal civil wars broke out in the 1990s which – in cases where conflict was protracted – led to forms of warlordism and violent forms of accumulation. The complex but inter-related nexus of liberalisation and conflict rendered sub-Saharan Africa a world region particularly prone to unstable and febrile economic growth, armed violence against peoples, and mass dislocation. This is a context within which the human immunodeficiency virus has flourished.

These brief notes suggest that South Africa's transition might be one instance in a layering of traumatic impositions on African societies in all their diversity. This is not to challenge Klein's arguments as much as to ask broader questions about the relation of violence to capitalism as a social project, whether articulated through colonial 'civilisation', national 'development', the Washington Consensus, the post-Washington Consensus, or neo-conservatism. Might it be that, in a continent historically so badly damaged by the emergence of global capitalism, Klein's shock doctrine constitutes the latest layering of shock on repeatedly traumatised peoples?

If we need more evidence, we might go back to what Marx calls capitalism's 'original sin', primitive accumulation which – as Marx notes in one of his few references to Africa – manifested itself through the Atlantic slave trade. A more drastic and massive social trauma is difficult to imagine than the forced transportation of millions, not to the torture rooms of Freidmanite generalissimos in Latin America, but to the labour gulags of the sugar plantations of the Americas, dedicated to the working to death of the labour force, new corporal punishments and tortures such as the *escalera*, the splitting up of families, the imposition of new proprietorial names on slaves by their owners, and of course for many – death in the middle passage.

This might all sound like a victimology of Africa, and of course in all of these moments one can discern agencies, resistance, forms of escape, and weapons of the weak. But, following Kline's concluding chapters, to what extent can the resiliences and social imaginations of African peoples lead us to entertain the possibility of a 'people's reconstruction'?

Perhaps one way of thinking about this question is to consider its definitions: what do we mean by 'people' and 'reconstruction'? Both of these terms are commonly premised on the existence of some form of a nation-state. Such has been Africa's experience with this political form that it is extremely difficult to identify countries in which the couplet nation-state can be easily assumed. This is not to deny any form of national identity or state structure but to recognise that these identities and structures do not currently make internally sovereign states in many cases. This is not just to highlight *in extremis* cases of state absence as in Chad, Somalia or parts of

the DRC; it is also to note the more mundane lack of taxation, census, and national infrastructure that persists in a wider number of cases. It is also to recognise the persistence of 'shadow politics' in which political largesse, authority, and legitimacy are distributed privately in order to shore up a form of state power. In this context, what is the meaning of a people's reconstruction?

And what are the prospects for reconstruction amongst peoples who have been repeatedly traumatised by external projects of capitalist imposition? Here, we might return to South Africa for more positive answers to these questions where the struggles of 'the poors' are becoming increasingly salient. In this sense, Klein's focus is apposite.

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