

Tough Choices for South Africa

David Saks

David Saks is the chief editor of the South African quarterly Jewish Affairs and the associate director of the South African Jewish Board of Deputies.

The April Elections

South Africa has just concluded its fourth national elections since its transition from white minority rule to multiracial democracy in April 1994. As expected, these were handily won by the African National Congress (ANC), but for the first time with a somewhat reduced majority. The elections took place against a backdrop of eighteen months of political turmoil that has significantly disrupted the governance of the country at the highest levels. The ANC, which held 70 percent of the 400 seats in Parliament and controlled eight of the country's nine provinces, experienced a degree of internal dissent virtually unprecedented in the movement's nearly century-old history.

The year 2008 saw the dramatic fall of the Thabo Mbeki administration, a process that had already been set in motion in December the previous year, when Mbeki was voted out as ANC leader at the party's national congress in favor of his bitter rival, Jacob Zuma. This, in turn, created a situation in which the president of the country and the leader of the majority party were two different people, a surefire recipe for political instability even if the two people in question were not at loggerheads with one another.

What complicated matters still further was the uncertainty over Zuma's political future because of the serious charges of corruption still hanging over him. On December 28, 2007, the Directorate of Special Operations (a unit within the National Prosecuting Authority) served Zuma an indictment to stand trial on various counts of racketeering, money laundering, corruption and fraud. The charges were linked to a \$5 billion arms procurement deal by the South African government in 1999.

It was widely believed that Zuma's trial would put an end to his political career, but instead, ironically, it precipitated Mbeki's own demise. In a shock ruling, Judge Chris Nicholson concluded that there had been improper interference by the government in the National Prosecuting Authority, including the Zuma

prosecution. This inevitably created the impression, whether true or not, that Mbeki had misused the judiciary to hobble his political opponents, and on September 20, 2008 he was forced to resign by the ANC National Executive Committee.

In yet another twist in the already convoluted tale, on January 12, 2009, the Supreme Court of Appeal unanimously overturned Nicholson's judgment (although Mbeki's resignation stood).¹ It was the first time in the country's history that a court ruling—an apparently incorrect one at that—had brought down the government. This raised the specter of Zuma being put on trial and quite possibly convicted once he had assumed the presidency. Shortly before the elections on April 22, however, the National Prosecuting Authority announced that it would not be proceeding with the charges against him.

Earlier still, Mbeki was replaced as president by ANC Deputy President Kgalema Motlanthe, who would hold the role until the ANC's expected victory in the 2009 elections. Also a veteran of the anti-apartheid struggle, he is regarded as "a highly skilled political operator and the brains behind the Zuma faction."²

Various members of government allied with the Mbeki camp subsequently resigned as well, officially as a pledge of solidarity to the ousted president, but perhaps also to forestall their imminent dismissals. They included then-vice president Phumzile Mlambo-Ngcuka and other senior cabinet ministers, including Ronnie Kasrils (a Jewish-born but virulently anti-Zionist veteran of the struggle against apartheid) and the brothers Aziz and Essop Pahad.

Mbeki's ouster was the major catalyst for the formation of a new political party by ANC dissidents. It took the name of Congress of the People (COPE), after a famous event of the same name in the history of the liberation movement that took place in 1955. Former ANC stalwarts within the party include Mosiuoa Lekota (president) and Mbhazima Shilowa (deputy president). Previously, Lekota was minister of defense and Shilowa premier of Gauteng province. On February 20, the COPE party announced that it had chosen Methodist Bishop Mvume Dandala as its presidential candidate for the April election.

COPE's stated vision for South Africa is for "a democratic, inclusive, prosperous country which shuns all racial, ethnic, gender, narrow chauvinistic stereotypes and prejudices in favor of a caring society, where shared national identity and pride are deeply rooted; and where the freedoms of the people are untrammelled by a selfish political leadership; and where as a country we are at peace with our neighbors and the world."³ As critics have pointed out, however, this differs little, if at all, from the platform of the ruling ANC. It is generally held that if it is to make significant headway and emerge as a credible alternative to the ANC, the

party will need to project itself as being more than an association of disgruntled former ANC members.

As was the case in previous elections in 1994, 1999 and 2004, it was not a question of whether the ANC would emerge victorious but only of by what margin it would do so. This time around, however, the indications were that for the first time, the ruling party would lose some ground, perhaps even dropping below the two-thirds majority threshold required to make changes to the constitution. What would transpire in the end would largely hang on how the new COPE party, still an unknown quantity, performed.

In the elections, the ANC did fail, albeit by a hair's breadth, to gain a two-thirds majority in 2009, gaining a whisker under 66 percent of the national vote and winning eight of the nine provinces. This was a 4 percent drop from 2004. The party was also soundly defeated by the Democratic Alliance (DA) in the Western Cape province. The DA again became Official Opposition in Parliament, with 16.6 percent, four percentage points up from 2004. COPE was the third-largest party, garnering 7.5 percent, while the mainly KwaZulu-Natal province-based Inkatha Freedom Party came in fourth with 4.5 percent, once against losing considerable ground. No other party managed more than 1 percent.

The DA's relatively impressive showing continued a story of steady resurgence and growth from 1994, when it polled less than 2 percent. However, it is still true that most of its support was drawn from the diminishing white minority and from the Asian and mixed-race communities and that it had made minimal inroads into the black electorate.

There was, nevertheless, an unquestionable groundswell of dissatisfaction with the ruling party—even among its traditional supporters—prior to the election. Lack of service delivery, spiraling crime rates, mounting instances of corruption at the highest levels and allegations of cronyism through which the politically connected were enriching themselves at the public's expense have all contributed to a lack of confidence in the country's leadership to an extent not felt since the democratic transition fifteen years ago.

On the positive side, fiscal discipline and sound economic policies have generally characterized the government's performance, as a result of which the country has experienced the most sustained period of economic growth in its history. It remains to be seen how well it will be able to weather the international financial crisis, the full impact of which has yet to make itself felt. Moreover, as left-wing ideologues within the ANC have pointed out, previous administrations have failed to ensure that the fruits of the growth period were more equitably shared, thereby

widening an already vast gap between the wealthy minority and the still largely impoverished majority.

Whatever Mbeki's failings on the domestic front, he can be credited with many genuine successes in resolving difficult issues on the African continent involving Burundi, Democratic Republic of Congo and the Ivory Coast. Against this backdrop, his much maligned "quiet diplomacy" approach towards Zimbabwe is widely believed to have assisted the tyrannical regime of Robert Mugabe to remain in power. Jacob Zuma, by contrast, is expected to focus a great deal more on domestic issues.

In 2007–08, South Africa occupied a non-permanent seat on the UN Security Council. During this period, it came under extensive criticism both locally and internationally for constantly voting against measures aimed at tackling some of the world's worst human rights violators, among them Zimbabwe, Sudan, Burma and Iran.⁴

South Africa–Israel Relations

In September 2008, a senior Jewish delegation led by the SA Jewish Board of Deputies (SAJBD) met with ANC President Zuma, primarily to discuss concerns over the ANC's policy on the Israeli–Palestinian conflict. This policy had always been that it supported Israel's right to exist within secure borders alongside a viable, independent Palestinian state. However, earlier in the year the party had been a signatory to a statement that described Israel as an apartheid state whose very coming into existence had been illegitimate. This raised the question of whether the ANC's traditional middle-of-the-road approach to the issue had changed.

Zuma told the delegation that within the ANC, there were individuals who favored taking a tougher line against Israel and who lobbied actively for such a policy. However, he confirmed that the ANC's policy remained in favor of a negotiated two-state solution and that there had been no change in this regard. As far as the peace process went, Zuma said that he believed that South Africa could make a contribution to resolving the conflict and felt that the local Jewish community, likewise, could play a constructive role.

At the request of the SAJBD, Zuma subsequently sent it a letter reaffirming his party's commitment to a negotiated two-state solution to the Middle East conflict. This was regarded as an exceptionally important statement coming at that time, and indeed was described as such by outgoing Israel Ambassador Ilan Baruch.⁵

Israel's Operation Cast Lead against Hamas in Gaza provided a major fillip for those campaigning for South Africa to sever all its ties with Israel, whether diplomatic, economic or cultural. Countrywide rallies calling for a boycott were held, which various members of government attended. At one such rally, held in the largely Muslim suburb of Lenasia in Johannesburg, Deputy Foreign Minister Fatima Hajaig told a cheering audience that America, as well as other Western countries, was in the grip of Jewish financial power, declaring, "They in fact control [America], no matter which government comes in to power, whether Republican or Democratic, whether Barack Obama or George Bush. The control of America, just like the control of most Western countries, is in the hands of Jewish money and if Jewish money controls their country then you cannot expect anything else."⁶

Hajaig, a veteran activist in the anti-apartheid struggle noted for her vitriolic anti-Israel views, was appointed deputy minister of foreign affairs in November 2007. Shortly before that, she had provoked an official complaint by Israel to the South African Embassy in Tel Aviv for effectively describing a senior member of the local Israel Embassy staff as being a token black whose appointment was due only to his race. This took place on December 29, 2008 at the conclusion of an acrimonious meeting demanded by Hajaig with newly appointed Israel Ambassador to South Africa, Dov Segev-Steinberg, during which she lambasted Israel for its actions in Gaza.

In addition to Hajaig's conspiracy theorizing, various other speakers at the Lenasia rally made threatening statements against the local Jewish community, inter alia that those with Zionist sympathies be expelled from the country, that "Israeli" (in fact, Jewish-owned) businesses be boycotted and that action be taken against South African Jews who served in the Israeli military.

Hajaig's behavior, together with the mounting incitement against the Jewish community resulting from the Gaza conflict, were among the urgent issues addressed by the SAJBD at its meeting with President Kgalema Motlanthe on January 16, 2009. President Motlanthe unequivocally affirmed that South Africa had no intention of cutting ties with Israel. It was also through Motlanthe and his cabinet that Fatima Hajaig was compelled to issue an unambiguous apology for, and retraction of, the antisemitic statements she had made.

Durban II

The South African elections coincided with the Durban Review Conference (DRC) of the World Conference against Racism, held in Geneva from April 20–24. South Africa, which hosted the 2001 conference, sets much store in international

initiatives of this nature and very much bought into the DRC process. Despite the fact that elections were underway, Foreign Minister Dr. Nkosazana Dlamini-Zuma attended the conference.

SAJBD National Director Wendy Kahn was an active member of the International Jewish Caucus at the DRC. She and Gauteng Council member Marc Pozniak were in Geneva for the conference, during which they met with the South African government delegation and were given a full briefing on many issues of relevance to the workings of the conference. They also met with Minister Dlamini-Zuma and Advocate Tsepiso Thepinyane, CEO of the Human Rights Commission, who was in Geneva to present the submission on behalf of Human Rights Commissions from around the world. Significantly, Dlamini-Zuma's address to the conference assembly made specific reference to the Holocaust. She also criticized by implication the opening address by Iranian President Mahmoud Ahmadinejad, pointedly praising the Norwegian foreign minister's speech slamming Ahmadinejad and saying that the event was "not a conference for racism or finger pointing."

Conclusion

Following the fourth successive free, fair and peacefully conducted national elections since 1994, it can be said that a mood of cautious optimism is taking root once more in South Africa. Questions remain as to the worthiness of incoming President Jacob Zuma, given his controversial past, but the dispersal of the legal clouds that had hung over his political career for so long, combined with a resounding endorsement by nearly two-thirds of the electorate, has largely muted dissenting voices for the time being. The encouraging progress made by the Official Opposition Democratic Alliance and the reasonable performance of the COPE party is an encouraging sign that a more robust, competitive political culture may take root following several years of relative stagnation.

Notes

¹ http://en.wikipedia.org/wiki/Thabo_Mbeki.

² Jenny Percival, <http://www.guardian.co.uk/world/2008/sep/22/southafrica4>; Kgalema Motlanthe, "Left-leaning intellectual force behind Zuma," *The Guardian* September 22, 2008.

³ <http://www.saelections.co.za/party-info/9/congress-of-the-people>.

⁴ See, for example, UN Watch Director Hillel Neuer's article, "South Africa at the UN: Your Freedom and Mine," <http://www.thetimes.co.za/PrintEdition/Insight/Article.aspx?id=653905>.

⁵ *SA Jewish Report*, December 12, 2008.

⁶ *Ibid.*, January 23, 2009.