White-led Opposition Parties and White Minorities under South Africa’s ‘liberal’ Dominant Party System

Hermann Giliomee

University of Stellenbosch

(Paper prepared for Workshop on "Dominant Parties and Democracy", European Consortium of Political Science, to be held in Granada, Spain, from 14 to 19 April 2005)

“If your constituency has the good fortune to contain a demographic majority, racism can easily be disguised as democracy. The ideological sleight of hand, of course is an ascriptive, racially-defined majority is a far cry of a majority made up of shifting coalitions of individuals on the basis of a commonality of beliefs and interests”

–Pierre Vandenberghe

Introduction

The story of South African party politics over the past fifty years is largely a tale of the sway of two dominant parties, the National Party (NP) and the African National Congress (ANC). In the new dominant system party system, established by the ANC, two of Dahl’s milestones in the establishment of opposition politics have been reached. The right of the entire population to vote and to be represented are securely established, but the third milestone, namely the right of organized opposition, still eludes the country, particularly where it concerns organized opposition to the ANC hegemonic project of ‘demographic representivity’. This article explains how the ANC has sidelined the opposition and has denounced resistance to its hegemonic project as counter-revolutionary. These tactics were most successful in the period between Nelson Mandela’s Mafikeng speech of 1997 and the Human Rights Commission hearings on white racism in 2000. While ANC has steadily pushed up its vote in successive elections, opposition forces have begun to contest its ability to define the national agenda on its own.

A dominant minority facing democracy

In the previous dominant party system that lasted until 1990 Afrikaners staffed almost all the top levels of the central state apparatus and the public corporations. A very close tie existed between the Afrikaner community and the state. Almost all Afrikaners went to

2 Robert Dahl, Political Oppositions in Western Democracies xxx 1960, preface.
single-medium Afrikaans public schools and universities. The state acted as watchdog over Afrikaans as public language and Afrikaner and larger white interests.

Whites sought a settlement with blacks not because they lost their will in the insurrection of the 1980 or because they believed that sanctions were crippling but because they realized that numbers would soon become decisive. Between 1946 and the present day the proportion of blacks rose from 69 to 80 per cent. The proportion of whites declined from 19 per cent in 1946 to the present 10 per cent (and that of the Afrikaner minority from 12 per cent to 6 per cent). Only 42 per cent of the Afrikaans-speaking population presently is white Afrikaans-speakers.

During the early 1990s the white community no longer constituted a compact bloc in resisting conventional majority rule. The one-third of whites that belonged to the right wing considered themselves as a national minority in the European sense of the term with. Yet they could not point to any part of the country that could be designated as a ‘homeland’. Other Afrikaners formed less an ethnic group than a language community with a strong commitmen to Afrikaans both as a medium of instruction and a means of communicating a particular cultural heritage.

Approximately a quarter of the white electorate supported the Democratic Party, successor of the liberal Progressive Federal Party. Its leader, Zach de Beer, declared boldly: ‘We believe in Western democracy [he meant the Westminster variant]. That democracy cannot succeed in divided societies is a myth.’

The DP spurned the attempts of the ruling NP to work for a consociational system that would promote consensual decision-making. De Beer rejected an offer by President F.W.de Klerk to join his cabinet. The DP was confident that that with apartheid removed its time had come with an electorate that would vote along class rather than racial lines.

The NP government often talked of building a ‘coalition of minorities’ to counterbalance the majority party, yet in the negotiating chamber it did not pursue a package of minority rights. Apartheid, with its emphasis on special protection for whites and ‘separate development’ for the various statutory racial groups, imposed severe limits on any attempt to secure post-apartheid minority rights. White voters’ rolls or reserved seats for whites would smack of apartheid and would enrage the ANC and world opinion. It also would offer little effective protection, as the experience in Zimbabwe showed.

In a referendum in 1992, in which only the white electorate participated, De Klerk asked for an endorsement of negotiations for a non-racial constitution. The government chose this option above that of imposing an authoritarian form of multiracial government. It had become convinced that an open democracy with a good constitution would safeguard minority interests adequately. De Klerk and other NP argued that it was the last opportunity for whites to negotiate an orderly transition to democracy and that total surrender awaited them should they wait another ten or twenty years.

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4 Communication by De Klerk, 14 December 2004.
De Klerk staked everything on the NP managing to attract a respectable share of the vote. He believed that it would strengthen the NP’s hand in its attempt to persuade the ANC to accept a system in which the interests of majority and minority were balanced. But the type of arrangement that De Klerk envisaged obtained only where, in the words of Shain and Linz, ‘the incumbents, though their authority is severely weakened, remain strong enough to exercise control.’\(^5\) Because De Klerk did not wish to use the security forces to check or destabilize the ANC, the government soon lost control over the negotiations process.

In the constitutional negotiations the NP attached special importance to the idea of a Regestaat or Constitutional State of which a Bill of Rights was a vital part. It wanted to enshrine both individual and group rights (most notably the use of Afrikaans as a public language and the right to mother tongue education). The NP’s hand was weakened by a South African Law Commission report, issued before the transition began, which argued that group rights were justiciable only as individual rights and that the latter provided sufficient protection for legitimate group interests. It made no specific recommendation on Afrikaans, incorrectly assuming that the NP would enjoy enough power in any future government to prevent Afrikaans from being seriously undermined and whites from being subjected to extensive affirmative action. The commission simply could not conceive of the possibility that the white community would soon be powerless.\(^6\) With the ANC also rejecting group rights the debate lapsed. The government now took the view that the political system that would be negotiated would contain the necessary safeguards. It also put its faith in a Constitutional Court with a bench that would stand above the political divisions.\(^7\)

Between 1993 and 1994 the negotiating parties entered into several agreements, but there was no clarity about what was meant by negotiations or agreement. The NP thought it was a mutually beneficial and stable settlement, one that the main parties would change only by mutual agreement. The ANC, by contrast, fought a classic ‘war of position’ in which each concession it extracted became the platform for its next thrust as the balance of forces shifted in its favour. It pursues what it still calls the ‘national democratic revolution’.\(^8\)

All this was couched in the classic terminology of individual liberalism. What neither the NP nor the ANC’s liberal supporters fully realised was that the ANC is a national liberation movement, like the earlier anti-colonial movements in Africa, rather than a democratisation movement. When such a movement demands democracy it does not seek to transplant modern British or French institutions but the permanent transfer of power from a privileged aristocracy to the ‘people’, or rather the party exercising power on its

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\(^6\) Interview with a leading member of the Law Commission, 21 December 2001.
\(^8\) ANC, ‘Strategic Perspective on Negotiations’. See also Pierre du Toit, ‘Dis tyd vir ’n opvolgskikking’, Die Burger, 1 October 2000; for an extended treatment see his inaugural address published by the University of Stellenbosch, 2002.
behalf. The idea of a majority that is not permanent is unthinkable where a national liberation movement is the founder of the democracy.9

Whites thought that the interim constitution negotiated between 1992 and 1993 at a time when the NP still wielded considerable power would, for all practical purposes, also be the final constitution. The ANC had a very different view on it. In 1995 Thabo Mbeki, Deputy-President of South Africa, would tell an ANC conference that the negotiations for an interim constitution were ‘contrived elements of a transition’ necessary to end white domination. At no time did the ANC consider them ‘as elements of permanence’.10

Whites nevertheless entered the new system inaugurated by the founding election of 1994 expecting their representatives to exercise considerable leverage. They paid more than 75 per cent of the personal taxes and almost all companies were owned and managed by whites. There were more white graduates than the graduates from all the other communities combined. What whites totally misunderstood was that near total control would pass to the ANC on account of the patronage available to the new government, and the authority that massive victories in successive elections would impart.

The institutional design

The question that lies at the heart of the debate on divided societies is this: Are ethnic antagonisms between the majority and a minority produced by a flawed institutional design or are they inherently so strong that they would sweep aside any design that does not satisfy the demographic majority?11 At present the comparative evidence still favors August Comte’s dictum that ‘demography is destiny’. That seems to be particularly true of ex-colonial societies where an indigenous majority had freed itself from the control of a ‘market-dominant minority’.12 It is nevertheless indisputable that proper institutional design can considerably meliorate the tension between the majority and minorities.

It is generally agreed that it is ill advised to allow the rise of a majoritarian system in a divided society. Kedourie wrote after visiting South Africa that the principle of majority decision is ‘workable only on condition that majorities are variable, not permanent … The worst effects of the tyranny of the majority are seen when the unalloyed Western model is introduced in countries divided by religion or language or race.’13 Diamond observed: ‘Where cleavage groups are sharply defined and group identities (and intergroup insecurities and suspicions) deeply felt, the overriding imperative is to avoid

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broad and indefinite exclusion from power of any significant group. Horowitz warned that unless precautions are taken, democratic arrangements tend to unravel fairly predictably in ethnically divided societies. Without an electoral system that broke up the racial majority the only result would be the replacement of white domination by black domination. (He proposed the Alternative Vote, but even with this vote the ANC would probably receive a majority.)

Bogdanor writes in similar vein: “I am not aware of any divided society that has been able to achieve stability without power-sharing.” To him the best protection for minorities lays not to be found in a constitution’s provisions but in the institutional instruments that assist in the sharing of power. This can occur on three different levels: at the electoral level, through incentives and rewards for cross-racial voting; at the executive level of government, where a government of national unity is the prime example; and at the territorial level through federalism or other forms of devolution.

None of these instruments have been used in South Africa, with the exception of a government of national unity. The ANC leadership accepted this as a temporary device to ease the fears of the non-African minorities, but it considered any form of institutionalised power-sharing as a negation of democracy.

As Boucek points out in a general context the dominance of a party begins with electoral dominance. To all accounts the respective leaders of the NP and ANC spent very little time in a discussion of this crucial aspect of constitutional engineering. Neither the NP nor ANC showed any interest in an electoral system that would break up the majority bloc and would foster racial reconciliation. Both accepted a PR electoral system based on fixed lists drawn up by the leadership. The main consideration on both sides was that of moving the negotiations forward and of maintaining strict control over elements just below the leadership level that could cause trouble during the negotiations.

The NP leadership could tell its parliamentary caucus that under a PR closed list that members were all assured of a seat in the first post-apartheid parliament. With polls predicting a 19-23 per cent share of the vote for the NP, such a promise was credible. Any system that allowed voters to choose between candidates rather than party lists would introduce a major element of uncertainty. The choice of the PR closed list system ruled out any revolts against the NP leadership once it had lost control of the negotiations.

The ANC accepted this electoral system since it was assured of winning if it consolidated the black constituency behind it. It had no need to act accommodatively on ethnic issues.

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As Reilly and Reynolds notes: ‘In fact, the incentives work the other way.’ The ANC has used the PR system to blunt ethnic divisions in the black population, and keep strict control over its elected representatives. Over the past ten years there has been a steady increase of power of the party bosses and a decrease of the voters’ power. They have shown little interest in electoral reform or local plebiscites or a direct election of the president that would bring greater power to the voters.

As predicted by almost all writers outside the ranks of the ANC and its sympathisers, the voting was a racial census. In the first three elections more than 90 per cent of the votes of both the black and white population groups went to black-led and white-led parties respectively. South Africa, one of the most deeply divided societies in the world, became an inclusive democracy in 1994 with an electoral system best equipped to entrench and elaborate the divisions.

The election results, together with the constitution, have produced a system that leaves the opposition parties weak and divided against an all-powerful dominant party. When this came to be perceived as a democratic weakness, analysts sympathetic to the ANC tried to argue that the internal pluralism of the Triple Alliance (ANC, the trade union federation called Cosatu and the South African Communist Party) would compensate for the absence of competitive party system. It was even suggested that the alliance amounted to a form of consociationalism, with Cosatu acting virtually as a senior partner of the ruling party. Soon, however, Cosatu began to express bitter disappointment about the lack of consultation.

The negotiators spurned federalism as a device to dilute the power of the majority. At the outset of the negotiations the US government advised the NP government that federalism offered a better safeguard for minorities than enforced power-sharing. This advice ignored the fact that the political history and the demographic features of South Africa militate against federalism. When the negotiations started South Africa had a nearly a century of unitary, centrist government behind it. With the small Witwatersrand area (today the Gauteng province) producing close to half of the GDP the debate has always about sharing the revenue rather than financial autonomy for the various provinces. Moreover, the Afrikaners and the larger white community do not form a majority in a single district or province. Afrikaners are spread out throughout the country with roughly a third concentrated in the present Western Cape, another third in the present Gauteng and the final third dispersed throughout the rest of South Africa.

The ANC insisted on a unitary form of government to overcome the divisions created or elaborated by apartheid, and to emphasize the equal citizenship of all. It wanted strong central and strong local government. The NP government was lukewarm about federalism.

20 Cape Times, 7 March 2005.
given its experience with the financially profligate and corrupt administrations of apartheid’s black ‘homelands. Senior civil servants opposed federalism and also the decision to create five more provinces to add to the existing four. They argued, correctly as it turned out, that the country lacks the capacity to administer nine provinces. The NP leadership was far more interested in mandatory, prolonged power-sharing on the national level than federalism.22 A respected liberal analyst dismissed the kind of federalism that was negotiated as ‘a unitary state with federal fig leaves.’23

The ANC accepted a degree of federalism but only as a way to placate minorities during the brief period in which it established itself as the dominant party. In the negotiations the Western Cape was carved out as a province in which only a fifth of the population was African, giving NP the chance to capture it. The province of KwaZulu-Natal was the prize that the Inkatha Freedom Party (IFP) under Chief Mangosuthu Buthelezi could grasp. The Northern Cape, an arid region with a predominantly white and coloured population, seemed to offer the moderate white right an opportunity to win power. On the part of the ANC there never was any sense that minority parties controlling one or two provinces would help to increase minority identification with the system. When it lost in the Western Cape and KwaZulu-Natal it depicted these provinces as still not ‘liberated’ from the old order. The ANC leader of the Western Cape called the province a place where anti-democratic forces still held sway and where the road to ‘non-racialism’ is blocked.24

In 2004 the ANC captured all nine provinces. The constitution provides for each provincial assembly to choose its premier, but the practice is quite different. The ANC national leadership designates the candidate for each ANC-controlled province and the choices are rubberstamped by the provincial assemblies. The provinces enjoy severely limited autonomy and serve as hardly more than conveyer-belts for the implementation of policies determined by the national government.25

To bring the white right wing under General Constand Viljoen into the system the drafters of the constitution established a Volkstaatraad (Ethnic State Council). Here the white rightwing could deliberate on ways of bringing about a volkstaat in which it could exercise a constitutionally entrenched ‘right to self-determination’. But Viljoen’s Freedom Front won only 2.4 per cent of the votes in the first election, which represented just over a quarter of the Afrikaner vote. The ANC never intended to implement the proposals and closed down the council after five years. Despite this setback the Freedom Front has struggled on as an Afrikaner ethnic party propagating minority rights.

The system in operation
Halfway between the 1994 and the 1999 election the ANC’s hegemonic project of transformation on the basis of ‘demographic representivity’ crystallized. This aims at

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23 Die Burger, 30 September 1996.

conferring the ownership, management and control of South Africa’s financial and economic resources to the majority of its citizens, i.e. the people who are not white. The guiding objective is ‘representivity’, which requires that all South Africa’s communities should be represented ‘at all levels of ownership, control, management and employment in the public and private sectors in accordance with the proportions of the population that they represent in the population as a whole.’ Representivity also extends to the judiciary, professional associations and the provincial and national sports teams. Only once that has been achieved would society, according to the ANC, be non-racial. Until then, discrimination against whites would be considered fair.

To achieve representivity in the private sector of the economy the policy of black economic empowerment was introduced. Companies have to promote ‘black economic empowerment by selling off a minority share to black companies, changing the racial profile of its managerial echelons to reflect the demographic composition, and introducing a procurement policy to give black suppliers a certain share of their business.

Since 1994 the National Assembly as the main house of Parliament has steadily lost its oversight role in any matter that could embarrass the ANC, for instance a highly controversial arms deal. Parliament seems more interested in exercising oversight for the executive than of the executive. The scope for opposition parties to ask questions of members of the executive is strictly limited and only one private member’s motion has been debated since 1994. In 2002 the ANC forced through a system whereby parliamentary questions are allocated on the basis of party size. ANC questions tend to be sweetheart questions to a member of the executive.

The second house of Parliament, the National Council of Provinces, is designed to represent the interests of the provinces, not minorities, in the political system. The majoritarian principle also applies in determining party participation. ANC-controlled, the council has been singularly ineffectual in establishing any independence or enterprise in overseeing the activities of the executive. The feint hopes of 1994 of a federal system evolving soon evaporated.

The opposition parties play no real role in appointed people to the Chapter 9 institutions of the constitution, which include offices such as the Auditor General and Public Protector, and bodies like the Human Rights Commission, as a proper check on the executive. These institutions are in terms of the constitution supposed to be impartial and must perform their functions ‘without fear, favour or prejudice.’ The composition of these institutions is in a fact a clear demonstration of one-party dominance. In each case persons are nominated by a committee of the Assembly ‘proportionally composed of all parties represented in the assembly.’ Judges are appointed by the Judicial Services Commission, which consists mainly of politicians and judges. Here, too, the ANC

26 Speech by F.W de Klerk, 27 January 2005, issued by the F.W. de Klerk Foundation.
29 Raymond Suttner,
supporting members are in a majority, although not in such a simple way as in the chapter nine bodies. ANC members or sympathisers also dominate statutory bodies like the South African Broadcasting Corporation Council that oversees the state radio and television.

In pursuing its goals the ANC has rapidly blurred the distinction between ruling party, the bureaucracy and the state. It deploys key members to head up the civil service, public corporations, and the security forces to ensure no opposition to its policies develops. There is in fact a carefully crafted policy of ‘redeployment’ of loyal ‘cadres’ to these supposedly independent watchdog institutions and strategically important non-statutory bodies.

With exception of the Independent Electoral Commission, there is no pretence of independence, impartiality or inclusiveness. Indeed the ANC’s constitution states that all members and public representatives are without exception subject to party discipline. The party insists on total political control and does not hesitate to block candidates nominated by other parties in parliament. 30 It is hardly surprising that these watchdog bodies make little effort to put pressure on government by for instance, forcing poorly performing provinces to report on the provision of services. Instead the Human Rights Commission in its first high profile inquiry went for what it described as ‘subliminal racism in the white-controlled press.’ 31

The public protector, who is charged with investigating improper conduct in state affairs, has hardly made any waves. The head of the national prosecuting authority, in charge of a FBI-type of body, did not resign as an ANC member when he left Parliament to take up his post. He soon became embroiled in several untenable situations where he refused to prosecute leading ANC members or gave them leave to appeal. He reportedly resigned to salvage the office. Yet another ANC stalwart replaced him. 32

By the year 2000 individual rights and the independence of the courts remained as the main shield of the minorities against an overbearing dominant party. The composition of the bench of the Supreme Court in the various provincial divisions are still predominantly white. At the pinnacle stands the Constitutional Court. The head of the court, Arthur Chaskalson, denies that he was a card-carrying member of the Communist Party, but he was closely associated with the party and he headed the ANC’s constitutional committee in the negotiations. 33 At the latest count more than three-quarters of the judges on this bench are either open or tacit ANC supporters. 34 This means that the difficult

30 Anthony Johnson, xxxx Cape Times, 7 June 2004; David Welsh, “Democratic Challenges and Opportunities for South Africa, Focus, xxxx.
31 See the column by Rob Amato in Sunday Independent, 6 June 2004.
33 In Hermann Giliomee and Charles Simkins (eds,) The Awkward Embrace: One-party domination and democracy (Amsterdam: Harwood Academic Publishers, 1999) it is stated that Chaskalson was a member of the Communist Party. At the request of Chaskalson the publishers retracted the statement. Legal advice was that if he had been described as a fellow traveller of the party or closely aligned with it no retraction would have been necessary.
34
compromises made in the negotiations are now being interpreted by a bench perceived by
the minorities to be biased in favour of the dominant party.

The majority of the judges in the provincial divisions of the Supreme Court are still
white. In 2004 the government stepped up its demand that the judiciary had to be
transformed to reflect the population composition. The pressure soon had practical effect
in the Judicial Services Commission. It turned down the application of a highly regarded,
pro-ANC white lawyer for a position on the bench of the Western Cape division of the
Supreme Court because that bench was deemed to be too white.

In January 2005 the ANC attacked the country’s judges of ‘popular antagonism’ towards
the judiciary and the courts. It charged them of being not in line with the ‘vision and
aspirations of the millions who engaged in the struggle to liberate the country from white
minority domination.’ It acknowledged that some progress had been made to change the
racial and gender profile of the bench; however, the reality was that many judges and
magistrates ‘do not see themselves as part of the masses.’ This ‘would no longer be
allowed to continue.’

The ANC has allowed considerable liberty in some other spheres. There are no dissidents
in jail or banned. Individual cabinet members exert constant pressure on the management
of press companies to push ahead with racial transformation, and on editors and
journalists to mute their criticism. However, the press is still free and black journalists are
among the strongest critics of government.

Some analysts have suggested that the Constitutional Court, the Chapter Nine
institutions, vigorous organisations in civil society and the free press compensate for the
weakness of the opposition parties and ‘may even provide a far sounder base for
monitoring abuse and ensuring accountable government than an opposition with some
potential to become a ruling party.’

Such a statement cannot be taken seriously. The bodies operate with a very limited
mandate and most members of all these bodies are paid-up ANC members or ANC-
aligned. The government also has considerable latitude to ignore critical findings. There
was, for instance, much talk of the vibrancy of civil society when five years ago the
government lost the Grootboom case (on the provision of basic services to shack-
dwellers). Three years later the government lost when the Treatment Action Campaign
took government to court on its lack of provision of anti-retroviral medicines to
HIV/Aids sufferers. However, the court orders they generated have not yet been
implemented.

Even the Constitutional Court cannot enforce its judgments. As its Chief Justice Arthur
Chaskalson once remarked, the court has no army. Once it is, in its own language, "no
longer seized of a matter" it has nothing to say on what happens to its orders down the

36 Raymond Suttner. “Democratic transition and consolidation in South Africa: The advice of the “experts”,
line. There is simply no alternative to a vigorous opposition to keep government on its toes. Ultimately it is the threat of a ruling party losing an election that deters governmental abuse.

To this near full control the dimension of the higher moral ground has been added. Not a member of the ANC, Archbishop Desmond Tutu spoke in the classic ANC idiom when he commented on the NNP’s decision in late 2004 to join the ANC. ‘It is perhaps the best evidence that we live in a moral universe where good prevails over evil. That is why we are kind towards them now that they have joined the winning side.’ Even the Democratic Party, the party of Helen Suzman, who stood in the forefront of the parliamentary battle against apartheid, found that its opposition to apartheid counted for little or nothing. The DP, like its predecessors, is a democratising party; the ANC is a liberation movement.

One is surprised by the initial optimism about a constitution that does so little to constrain untrammeled majority rule. There were, however, also larger forces at work. As Horowitz remarked: ‘Those polities that most need institutions to reduce interethnic conflict are those most unlikely to adopt them. The very conflicts that make compromise essential preclude arrangements to facilitate compromise.’ Minorities are ultimately dependent on the ANC’s goodwill, which believes that what they have achieved was due to white privilege rather than initiative and hard work.

The white parliamentary opposition

In 1994 Mandela emerged as the symbol of the new democracy. He led as a wise statesman, a dignified peacemaker, a consummate politician and an imaginative unifier of people across racial lines, even up to the point of having tea with Betsie Verwoerd and other widows of NP leaders. The NP periodically patted itself on the back and told people that it was the co-liberator of the country. This euphoria of self-congratulation could not last. The Afrikaners had lost power, but were behaving like King Lear, who had renounced power but expected everyone to continue treating him as a king. Lear did not see that if he surrendered power—and for this the Fool mocked him—others would take advantage of his weakness. Those who had flattered most grossly—in De Klerk’s case the liberal press — turned against him and poured scorn on his head.

The NP fell from its position of temporary grace when the government in December 1995 established a Truth and Reconciliation Commission to investigate human rights violations that occurred after 1960. The proceedings, which were extensively covered on state radio and television and in all newspapers, did much to discredit the NP in the eyes not only of blacks but also of the minorities. On 18 February 1998 Tutu called on ‘all whites,
especially the Afrikaners’, to acknowledge that ‘dastardly things’ had happened in the past. ‘You white people—if you reject the TRC you will carry the burden of guilt to your graves’, he said. \textit{Die Burger} retorted that Tutu had meted out collective guilt, ‘one of the most dangerous doctrines in history’.\textsuperscript{42} After an outcry Tutu qualified his statement to exempt those Afrikaners who had opposed apartheid or who had confessed to the TRC.\textsuperscript{43}

The members of the old Afrikaner nationalist alliance responded in different ways to the call for sectors of society to express remorse. Organized Afrikaner business confessed that apartheid was wrong, morally and economically. The leadership of the largest Afrikaans church appeared before the TRC to state that the church had renounced apartheid at successive synods but found itself divided over the TRC. On behalf of the NP and the previous government De Klerk made a sweeping and eloquent apology for apartheid.

De Klerk’s apology failed to satisfy the TRC. What it also wanted to hear was that the State Security Council of the old regime, of which De Klerk was a member, had authorized or condoned the murder and torture of state enemies. De Klerk denied that the SSC had ever given such instructions. Tutu rejected De Klerk’s claim that he did not know of atrocities and other crimes, and maintained that the NP government’s policy gave the security forces ‘a licence’ to commit murder. ‘De Klerk knew’, he said with reference to a major massacre at Boipatong, although the courts found no evidence that the security forces were involved. Accusing the TRC of bias, the NP sought a court injunction against Tutu, who retracted his claim.\textsuperscript{44}

In a parliamentary debate on the report of the Truth and Reconciliation Commission the ANC focused not on the report or the recent history but on the entire history of white oppression and black subjugation. ANC speakers equated apartheid with the Holocaust, and the role of white South Africans under apartheid and colonialism with that of Germans under Nazism.\textsuperscript{45}

In the first two years the NP, playing the dual role of ‘responsible opposition’ and partner of the ruling party in the GNU did much to ease the transition to an inclusive democracy. In cabinet it played a part in getting the ANC to accept fiscal responsibility in implementing its populist Reconstruction and Development Policy. It claims that it also pushed the ANC towards moderating other policies. The ANC was happy with the government national unity. Provided it was understood that it had the final say, the ANC initially put strong emphasis on inclusiveness and reconciliation. It tried to persuade several of the smaller parties to serve in the cabinet.

South Africa’s industrialised state and its polarised politics made it impossible to construct the façade of an all-party government. The DP and the parties out of which it developed had a long tradition of opposition. The NP’s white supporters quickly became

\textsuperscript{43} Piet Meiring, \textit{Kroniek van die Waarheidskommissie} (Vanderbijlpark: Carpe Diem, 1999), pp.336-37.  
\textsuperscript{44} Meiring, \textit{Kroniek}, pp. 141-44.  
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disillusioned. A gulf of violent crime, corruption, nepotism, maladministration seemed to be sweeping the country. Whites feared that the ANC policy of introducing affirmative action in a stagnant, jobs-shedding economy would steadily diminish white chances. The NP ministers, with the exception of De Klerk, were ineffectual and lacking in any conviction. With the NP ministers observing the Westminster convention of not speaking out of cabinet, the NP’s followers were kept in the dark about the compromises the NP were forced to make in cabinet.

De Klerk found that had no levers of power left to use in cabinet. It had been thought that the NP as gatekeeper to three important constituencies—big business, the senior level of the civil service and the officer corps of the security forces—would wield considerable influence. Big business quickly made its peace with the ANC after it had abandoned its socialist inclinations and accepted the market. The security forces were by the De Klerk government’s refusal to make use of them to check the ANC in the early 1990s and the failure to arrange for a general amnesty, which the ANC at one stage favoured.

The white civil servants also felt that they had been left in the lurch. The great majority of white civil servants wanted to continue in their jobs to help build the democratic system. Mbeki conceded that ‘by and large [they have all] co-operated with government.’ The problem with the incumbents was not that they resisted change but that they were white and not ANC members. The ANC soon embarked on a large-scale purge, partly to dispense patronage and partly to establish ANC control. Since the position of incumbent civil servants were guaranteed for five years the government embarked on a policy of offering voluntary severance packages. By the end of 1998 some 60 000 civil servants, almost all whites, had left, and subsequently a further 60 000 departed.

The ANC ‘cadres’ who were deployed to top civil service positions retained their membership of the party and remained subject to its discipline. To compensate for lost white skills a virtual army of consultants was appointed. Most of the white civil servants that remained had scant prospects of promotion. A senior advocate in the Attorney-General’s office remarked: “The result is that whites are too demoralized to perform…and there is no incentive for people of colour to perform because promotion is not dependent on performance.”

In 1996, when the final constitution was drafted, the NP failed to secure the principle of a mandatory government of national unity in the final constitution. As a last resort De Klerk proposed a consultative chamber on which all parties with more than 5 per cent of the vote would serve. It would consider all questions that affected the interests of minority communities with a view to building consensus. The ANC rejected it out of hand. At the end of 1996 the NP left the government of national unity. De Klerk resigned as NP leader in August 1997.

Politics quickly polarised. At the ANC’s 50th conference, held in December 1997 in a speech made by Mandela, but to all accounts written by Mbeki, a warning was issued

46 Business Day, 22 August 1994
about a counter-revolutionary offensive against the government that sought to maintain the privileges of the white minority.’ It attacked the ‘mainly white’ opposition parties for defending ‘white privilege’. The white-led parties had decided ‘against the pursuit of a national agenda; there were propagating a ‘reactionary, dangerous and opportunist position.’ The DP and the NP were ‘engaged in a desperate struggle to out-compete each other in a race which they believe would be won by whoever convinces the white minority that they are the most reliable and best defenders of white privilege.’48 The speech rejected the view that the ‘legitimate responsibility’ of opposition was to oppose the ruling party and seek to gain power through the ballot box.

Articles in the mainstream press also took up the theme. An editorial in the Mail and Guardian stated that there was the ‘germ of a good idea’ in the suggestion that the franchise be taken away from whites’ to remove ‘the bogey of race’ in politics. Vincent Maphai, a leading black intellectual, argued that opposition parties could in fact become an obstacle to democracy. The Sunday Independent made the survival of South African liberalism dependent on a black leader and black-led opposition party replacing Leon and the DP.49

Although this criticism used a liberal idiom, both liberalism and liberal democracy were under attack. The ANC saw its stand on the principle of merit and limited government as an attempt to deny Africans the possibility of using its collective strength to move into positions they were entitled to. These developments prompted some analysts at an academic conference held in 2000 on the opposition to argue against robust opposition and its forceful insistence on accountability.50 Whites, the argument ran, have to settle for other democratic values, like stability, tolerance and peaceful regulation of the conflict. 51 In effect the advice to the white-led parties was not to press for jobs and other interests of their constituency consisting primarily of members of the minorities, but to make it their priority to help blacks overcome the injustices of the past—an issue that the ANC articulated far better than they could ever do.

With the 1999 election approaching, the NP could no longer avoid the key question about opposition in South Africa: Should it present itself as a ‘responsible’ opposition, one that hopes to curb the ruling party’s excesses through reasoned debate, obeisance, and muted criticism, or should it challenge the dominant party’s hegemonic project squarely at the risk of government turning against minorities and perhaps even dispossessing and ultimately expelling them? The NP, now calling itself the New National Party (NNP), came up with what an analyst described as ‘the most subtle platform’ among the opposition parties.52 Promising to work for ‘co-operative opposition’, it refrained from attacking the ANC robustly. It was clearly available as junior partner in government should the ANC approach it. Minority voters, however, decided that NP’s idea of power-

51 Schrire, “Realities of Opposition”, p.146.  
sharing died when the De Klerk led the party out of the cabinet, while blacks had no inclination to support a white-led party in the ruling coalition rather than the ANC itself.

In a typical outflanking manoeuvre the DP, reinvigorated under the leadership of Tony Leon, a Jewish South African, opted for the latter. It attacked the NP as a discard of history and cornered the market for tough, principled opposition to the ANC and the development of a whole set of alternative policy proposals, stressing individual merit and the market. It told the white minority that it can ‘fight back’ by overcoming their feelings of helplessness, embarrassment and guilt. In the DP they had a party that would fearlessly expose the defects and inefficiencies of government.

Accused by both the ANC and NP of becoming a ‘racist’ white party, the DP dismissed the NP as having been ‘co-opted’ by the ANC, which had become an arrogant black nationalist movement intent on marginalizing and denigrating the minorities. In the final rally of the DP’s campaign for the 1999 election Helen Suzman, with her impeccable record as an enemy of apartheid and racism, stood next to Leon and endorsed his ‘fight back’ campaign.

The ANC won the election, pushing up its share of the vote to 66.5 per cent. The DP came second, having jumped from 1.7 per cent in 1994 to 9.5 per cent. The NP slumped from 20.5 per cent to 7.0 per cent. Support for the Freedom Front, still campaigning for an Afrikaner homeland, dropped from 2.3 per cent in 1994 to 0.8 per cent. The election marked the destruction of the Afrikaner ethnic vote. More than half of the Afrikaners supported the DP, a party largely led and represented by English-speakers. At the same time the political divisions in black society had become much less sharp and intolerant. The election result signalled a loosening of ethnic bonds, but a reaffirmation of racial (black/white) politics.

Under constant moral barrage and bereft of leadership the NNP wilted. In June 2000 the DP and the NNP formed a coalition under the name of the Democratic Alliance (DA) as a first step towards becoming a single party. In the Western Cape the coalition formed the provincial government. In the 2000 municipal elections the DA won 22 per cent of the national vote and it became the majority party in Cape Town and several other large city councils in the province. The alliance captured more than half the votes in the province. In Kwazulu-Natal the DA lined up with the IFP to form the government.

With Thabo Mbeki’s inauguration as president in 1999 black/white polarization intensified. The ANC’s demonization of the opposition reached a culmination in the ANC testimony to hearings on racism initiated and sponsored by the Human Rights Commission early in 2000. Personal difference played a role in the gulf between Leon and Mbeki, but the DA with its liberal record and principle opposition clearly represented more of a threat than the NP or NNP with its apartheid baggage. At times, particularly after Leon had attacked the ANC policy on HIV/AIDS, Mbeki was unable to call him by name or to refer to him as a leader of a party but referred to him as ‘the white politician.’

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An ominous warning was sounded to the ANC by developments in Zimbabwe where its counterpart Zanu-PF was defeated in a referendum. An opposition, the Movement for Democratic Change, had emerged which was an alliance that could also over time emerge in South Africa. It was a predominantly urban-based black party with strong trade union and church backing, enjoying white financial and logistical support. To counter the MDC, Mugabe confiscated white farms on a large scale and intimidated white business.

During Mbeki first presidency the ANC constantly warned that unless whites did not assist transformation they could suffer a similar fate as whites in Zimbabwe. For Mbeki the reality was that South Africa was ‘two nations’: one white and rich; another poor and black. Little remained of the non-racialism the ANC had propounded between the mid-1980s and mid-1990s. He attacked the DA’s attempt to defend the interests of its primarily white constituency as an illegitimate effort to thwart the ANC’s policy of affirmative action and transformation. In much starker terms than Mandela Mbeki presents the ANC as a movement that is synonymous with the black population. Under him the ANC rejects white criticism as criticism of blacks and as a clinging to old privileges.

The ANC immediately targeted the DA as a far more serious threat than either the NP or DP. ANC spokesmen depicted it as disloyal to the country, even treacherous. At the end of 2000 Ntshitenzhe, who works in close association with Mbeki and is the government’s chief communications officer, asked whether the DA, in criticizing some government policies, is not ‘setting itself up as a state apart, a guardian of an alternative sovereignty’. It saw Leon’s criticism as directed at the ‘core of South Africa’s statehood’ because its intention was to ‘generate a similar response within the white community’. Leon hit back by pointing out that ‘in no other democracy is the opposition treated with such contempt and accused of subverting the state.’

The opposition was also up against the government’s willingness to use the purse to retain support. Between 2001 and 2005 social security spending increased by an average annual rate of almost 26 per cent. Spending grew dramatically from a sum equal to 2 per cent of GDP to a projected 3.4 per cent in 2006. The recipients of all types of social grants jumped from just under three million in 2000 to just under eight million by the time of the 2004 election. By 2004 as many as 56 per cent of households in the lowest living standard category received grants and pensions. A financial journal notes: ‘With 12 million people, or around a quarter of the population, receiving a direct cash transfer from the state “South Africa easily has the largest welfare system in the developing world. Mexico and Brazil pale in comparison.”’

The government’s power of patronage also put the DA under increasing strain. The DA struggled to fuse the NNP and DP as component parts. The NNP was a party of mainly lower middle and working class Afrikaner and colored people, each displaying a

pronounced community character and a particular attachment to Afrikaans as a language. The DP, by contrast, tended to be based on a middle class that subscribed to liberal individualism. Most of its party representatives were English-speaking.

Nevertheless the DA showed signs of being able over the medium term to weld the non-African minorities together in a stable bloc, using that as a base from which to attract Africans disaffected about the lack of delivery and a pattern of black economic empowerment that befitted only a few. From its Western Cape power base the DA hoped to develop an accountable and efficient system of government that could be held up as a positive example for the rest of the county. The DA began to project itself not simply as an opposition party but as an alternative government with a full set of alternatives policies to those of the ANC.

The ANC started fishing in the DA’s troubled waters when serious personal differences developed between, Marthinus van Schalkwyk, the previous NNP leader and now Deputy Leader, and Leon, the DA leader. The plan entailed the break up of the DA with the NP defecting and then realigning itself with the ANC. There was one obstacle: In 1996 the Constitutional Court ruled against members of a party crossing the floor to join another party at a time when the ANC was against it. Now the ANC government adopted new legislation to make floor-crossing possible.

In 2002 and 2003 the Constitutional Court found that floor crossing was not unconstitutional and that the finding applied to all levels of government. Some NNP members crossed over to the ANC, but most first rejoined the NNP, which had been dormant as a party. It almost immediately aligned itself with the ANC. No member of the ANC on national or provincial level of government went over to the opposition. The legislation decreed that after the initial defection periods a ten percent threshold applies to any party, which means that at least 27 ANC MP’s have to defect as a bloc. It is difficult to conceive of legislation better designed to strengthen the ruling party and weaken the opposition. The DA’s support for the principle is incomprehensible, given the fact that dominant parties invariably do best with floor crossing.\footnote{James Mybugh, “Floor crossing adds new muscle to the ANC”, \textit{Focus}, 30, 2003.}

The ruling was a devastating blow to the opposition. The ANC took control in Western Cape provincial government where the DA had won 53 per cent of the vote in the election of 2000. In KwaZulu-Natal a stand-off occurred after the ANC had tried to take power with the support of floor-crossers from small parties. On local level it wrested power from the DA in Cape Town and several other large municipalities in the Western Cape. The United Democratic Front, an Eastern Cape black-based party, suffered a loss of nine seats.

An account of the way in which the ANC took power in Cape Town demonstrates the enormous role patronage. Of the NNP floor-crossers in Cape Town 87 per cent were rewarded with top posts, earning significantly more than the ordinary councillor’s annual package. Had they remained with the DA they would not have retained any of the executive posts they previously held. The ANC-NNP coalition even went as far as
creating special sub-councils, which added no value to the administration of the city but could be as a means to entice more floor-crossers. The main prize on a national level would be a cabinet post for Van Schalkwyk and a secure career in parliament for the representatives of the party.

The DA entered the 2004 election with high hopes of maintaining its existing base among the minorities and securing a strong beachhead within the black electorate, perhaps capturing as much as 20 per cent of the overall vote. It experienced bitter disappointment. The DA was weakened by the turmoil and split in the party. It faced attacks not only from the ANC but also from the NNP, which, in serving the ANC, its new master, accused the DA of being motivated by racism in opposing the ANC.

With the 2004 election South Africa became a ‘low intensity democracy’. There was a sharp decrease in voter participation with a less than 60 per cent turnout, which was lowest in provinces where the opposition was expected to do well. Although the ANC won close to 70 per cent of the votes cast, only 40 per cent of the possible voters pulled its cross behind the ruling party. As many as a quarter of the Afrikaners are now self-acknowledged non-voters. Some rough estimates put the proportion of possible white voters who stayed away at 40 per cent. A similar proportion of the possible coloured and Indian voters probably abstained. The disappointing performance of the opposition parties was to an important extent due to this stay-away.

The main factor contributing to apathy is disillusionment among voters about the system. The opportunistic floor crossing has discredited almost the entire system in the eyes of minorities: the ANC, NNP and the DA, which all voted for it, and the Constitutional Court, which endorsed it.. Voter apathy also stems from a lack of competition while there is such a large margin between the largest and the second largest party (69 per cent of the vote against 12 per cent). The margin is probably the largest in the world.

The DA nevertheless retained its white support and pushed up its share of the overall vote to 12 per cent. The DA’s gains were made at the expense of the NNP whose support had slumped to 1,7 per cent. The ANC captured nearly 69 per cent of the overall vote and most of the votes in the colored and Indian communities. The Independent Democrats, a new party attracted 1,7 per cent of the votes. It is a maverick party built on a brittle alliance of colored voters, who felt abandoned by the NNP, and English upper middle class, who are mostly unhappy about the DA’ collaboration with the NNP.

Because of the electoral system there have been very few cross-racial alliances. In 2004 an informal alliance took shape between the white-led Democratic Alliance (DA) and the black-led Inkatha Freedom Party (IFP). The Democratic Alliance had strong hopes that this alliance would enable it to attract black support, but this did not materialise. The DA leadership, however, points out that its partnership with the IFP as a mass black party

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60 Lawrence Schlemmer, “Whatever happened to the opposition?” Focus, 34, Second Quarter 2004, pp. 5.9.
helps it to defeat small white-led parties on its flank in predominantly white wards in local government elections (There is a rough 50-50 split of members chosen on a PR list and in ward elections on this level).}

Several explanations have been offered for the DA’s failure to capture any significant black support. Critics on the leftwing argue that one of the main reasons is black dislike of criticism of ANC rule. While this is true of the black elite, polls show that the black masses welcome the strong opposition the DA offers. Another argument is that the DA has not learnt how to come up with policies that appeal to the interests of the black middle class, which in the last decade has grown from three to eight per cent of the black population, as effectively as the ANC does.

This can be conceded, but only if one accepts that the ANC success is largely due to the fact that it advances sectional racial demands in coded language. As Schlemmer formulates it: ‘It starts off from the position of non-racism and it then qualifies this with a commitment to closing racial gaps in order to achieve a legitimate basis for non-racism, and from there it proposes a range of race-based affirmative action affirmative action and empowerment policies to give effect to this.’

At this stage the DA cannot compete with the ANC for the black vote, which at the one end of the spectrum promises the middle class blacks the benefits of a whole array of black empowerment and affirmative action policies, and, at the other end, provide poor blacks an income through extensive social welfare benefits. To rebut criticism that it does not care for the poor, the DA proposes a Basic Income Grant (BIC), which grants a basic sum to every person, with the state clawing back the sum through the revenue service from all except the needy. A Director-General of Finance reportedly said that with the government using the existing system to expand welfare the people know that it is due to the ANC, but with BIC they would not.

The DA eschews the advice of those who want it to advocate the advancement of the black middle class with the same vigour as the ANC. It would simply turn it into a pale version of the ANC and thus sacrifice the aspirations and interests of its white constituency. Its vision of an achievement society that advances all sections is of necessity a long term one. Elsewhere the opposition parties that survived under dominant party rule tended to be ideologically very cohesive. The DA, however, would have to develop a flexible mix that stresses both individual rights and the community concerns of minorities.

While small parties like the Freedom Front, Inkatha and perhaps even the Independent Democrats appear to have reached their ceiling, the DA is a party that has growth potential. Its goal is to establish an effective two-party system, instead of the one desired by the ANC where it towers over an array of small, ineffectual and internally divided

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61 Interview Tony Leon, 22 February 2005.
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The DA’s obstacles are twofold. First, it will not attract apathetic whites back into voting until it has significant black support or a black alliance partner capable of making headway. The second obstacle is funding. State funding is based on a party’s proportional share of the vote, and big business is still reluctant to commit funds to help build the DA up as a force that attracts the best talents as parliamentary representatives and as public spokesmen with one foot in parliament and another in the public domain. It is not inconceivable that over the medium term an opposition alliance can develop, along similar lines as in Zimbabwe, in which the DA would be important part.

Both the DP and its successor, the DA, have performed an important function as bell-wether or warning device. It has proposed comprehensive alternative policies. When the government introduced voluntary severance packages for teachers in 1996, the DP strongly opposed the system, warning that the exodus of experience and skills would prove devastating to the education system. It was proved right. It exerted pressure for a comprehensive anti-retroviral rollout program, which was belatedly, albeit not entirely successfully, adopted by the ANC. Its ‘site and service’ housing policy influenced the government’s own policy. DP/DA members argued that small and medium businesses should be exempt from the tight labour market, which stifles economic growth and job creation. Recently Mbeki called this the ‘obvious’ thing to do. It warned that ANC’s policy of black economic empowerment was a vehicle for black elite enrichment that would reward ANC friends and cronies, while stifling economic growth and service delivery, leaving the majority of the poor worse off. Subsequently, after Archbishop Tutu and COSATU, the ANC-aligned trade union formation had expressed the same sentiments, this analysis had suddenly become ‘obvious’.

Although the constitution recognizes the leader of the largest party as Leader of the Opposition, the ANC tries its best to ignore the conventions regarding the office. Partly this is due to the awkward personal relationship between Mbeki and Leon, but another reason is the ANC’s determination to maintain a system in which no party stands out in a plethora of small and insignificant parties. The DA nevertheless acts like the official opposition. Approximately 70 per cent of written or oral questions asked in Parliament emanates from the DA.

In some cases the ANC has begun to act more as if it is functioning in a one-party state with a state-managed opposition than in a dominant party system. It used its parliamentary majority to exclude the DA from the South African delegation to the Pan-African Parliament, something that not even Zanu-PF in Zimbabwe has done in choosing its delegation. It has tried to prescribe to the DA who to nominate for the government observer mission to observe the 2005 election in Zimbabwe. The DA, however, insisted in appointing one of its most articulate members, Dianne Kohler-Barnard. When after arriving in Harare she tried to ask a question the cabinet minister heading the mission snapped: ‘I don’t know you.’

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64 Cape Times, 18 March 2005, editorial.
Democracy at the local government level has become emasculated. The mayoral executive committee takes many of the crucial decisions. These decisions are then conveyed to the council, which has limited opportunity to discuss them. There is very little opportunity of reaching compromises as a result of the cut and thrust of debate. To fill the void by the collapse of many civic organisations once active in the struggle the government is now appointing community councillors for the different municipal words. While their function is to report on poor delivery, they obviously would also have a major role in canvassing voters for the ANC.

Several developments have weakened the moral authority of Mbeki presidency and the ANC as a movement. Among them are: an unemployment level of 40 per cent, the very high rate of violent crime, the lack of delivery, the emasculation of the watchdog bodies, an ineffective Parliament, empowerment deals that regularly benefit a few with strong ANC links and a steady flow of news on corruption. But the most serious white opposition developed as a result of his constant playing of the racial card, his poor leadership in the battle against HIV-Aids and his support for Mugabe regime in Zimbabwe. For the white left Mbeki has been a bitter disappointment. In some key cases he condoned or supported the removal from key posts of white activists loyal to the ANC.

The ANC still fights elections on the high moral ground and as a liberation organisation. It fought the last election as ‘a referendum on democracy’ and probably would do the same in the upcoming local government elections. Leon, however, has defined the latter election as ‘a referendum on delivery—and whether the path of greater state control or the path of greater freedom will define South Africa’s future.’

**White minorities and one-party dominance**

While the ANC considers white-led opposition parties as legitimate, but it hardly tolerates them. The ANC nevertheless regards the alienation of the white minority as a possible threat. Joel Netshitenzhe, a close associate of Mbeki, issued a warning that an outcome had to be avoided ‘where a perception of dominance can take root.’ Mbeki stated recently: ‘[Blacks] would [not] become the perpetrators of black majority domination, intent to oppress the white minority. The ANC would not persecute the members of the NP, as the latter had persecuted members of the ANC.’ Opponents would not be harassed and the press would be free.

This did not preclude the ANC from depicting the history of whites and their parties in very negative terms or changing some sensitive names with deep historic roots. The name of the national capital, Pretoria, which was founded in 1854 by the Afrikaner Voortrekkers, is to be changed to Tshwane, because the name reminds the ANC mayor of the ‘city of the poison of apartheid.’

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66 *City Press*, 1 June 1997.
67 ‘Letter from the President’, ANC Today, 5, 9, 4-10 March 2005 (available electronically).
The various white minorities have struggled to find ways of dealing as a community with the new dominant party. The previous dominant party, the NP government, attached an exaggerated value to any form of community action. What makes protest by white communities problematic is their relative affluent state and their past support for white supremacy, active or passive. The ANC government has made it clear that it does not think that the international conventions on minority rights apply to South Africa, where, as Mbeki said, the ‘minority is not the disadvantaged’. To him the key problem is not how to cope with the ethnic diversity of the country but how to wipe out the racially based material inequalities.69

These inequalities have persisted. In the first post-apartheid decade the white household income rose at a slower rate than those of other groups, and the number of very poor white households has trebled, but the white minority still has half the national income. More than 50 per cent of blacks are very poor compared to 10 per cent for whites. Due to rising black unemployment the disparity between the mean white and mean black incomes has widened since 1996 after 26 years of narrowing. Despite the policy of demographic representivity well-trained whites still are advancing in the job market. In 2003 whites made up 27 per cent of all recruitment for management positions (blacks 51 per cent); 30 per cent of promotions (blacks 53 per cent); and 25 per cent of those whose services will be terminated (blacks 63 per cent).70 After 1990, with much freer access to the world, many whites are working abroad and perhaps a tenth of the population have emigrated.

But the ANC rejects organized ethnicity not only because of the persistent racial income gap but also because it fears ethnicity represents a fault line that can threaten the solidarity of the previously oppressed and the ANC as a movement. Despite the demise of apartheid the members of the different racial groups—whites, Africans, coloreds and Asians—today still identify most strongly with people in that group.71 Like other nationalist movements on the continent the ANC regards itself as a ‘progressive’ force with a mission to weaken and eliminate reactionary forces, such as organized ethnic groups.72 To promote national unity, nationalist movements in Africa invariably elevated the colonial tongue (English or French or Portuguese) to the status of the official language. They have insisted on restricting indigenous languages as much as possible to the private sphere.

Ethnicity, race and affirmative action are issues that South Africans find very difficult to debate publicly. Where ‘progressive opinion’ on this issue does not prevail the government prefers the absence of debate. This is a phenomenon that extends to all areas of public life. As the veteran politician Colin Eglin of the DP observed, the present Parliament is a speaking chamber, not a debating chamber, like the pre-1994 one.’

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70 F.M Horowitz and A Bowmaker-Falconer, “Managers”, Online> http.hrdreview.hsrc.ac.za
is no confrontation in terms of debates. Members make set-piece speeches.73 A survey of university principals reveals that there is presently much less debate on university campuses than in the apartheid era.74

The ANC particularly resents any form of criticism emanating from a white ethnic group. When the Portuguese community in Johannesburg demonstrated against the high incidence of crime in November 2000, the Minister of Safety and Security responded harshly. It accused the community of holding ‘the Government, our President and our continent in contempt’, and of clinging to ‘white supremacist ideas and practices.’75

The Jews and the Afrikaners are two white communities that perceive themselves to be particularly vulnerable. The situation in Israel-Palestine is a constant source of conflict between the South African Jews and a government that sees the Palestinian Liberation Organization as a kindred movement. The Muslims form a sizeable minority of the electorate in Cape Town and Durban, and Ebrahim Rasool, the leader of the Western Cape and premier of the province, is a Muslim. Sometimes the façade of inter-ethnic goodwill cracks. In 2004 a meeting in 2004 of Muslims was called to express outrage over the Israeli assassination of a Hamas leader. Rasool called on the audience to stand up to ‘these enemies…they are all over the world.’ Another speaker cited Protocols of the Elders of Zion in claiming that the ‘Jews ‘ murdered and killed most of the prophets of God.’ Yet another referred to Israel as ‘the filthy Jewish nation’ and admonished his audience: Do not go into any agreements with Jews, they are a filthy people.76

The Jewish Board of Deputies did not ask Rasool to retract or dissociate him from some of the other statements. Its Cape Council subsequently asked him to address its centenary dinner. Michael Bagrain, Chairman of the Jewish Board of Deputies, has explained the strategy as follows: ‘In order to fulfil our mandate of protecting South African Jewry we need to influence those who are in a position to assist us. It is unrealistic for us to publicly attack someone one week and then ask him for favors the next week.’77 Leon rejects this position, which in his view seems ‘to rule out public criticism entirely.’78

In the case of both the Jews and the Afrikaners there are constant attempts by people, called ‘appeasers’ by their critics, to mend fences with government. The implicit argument is that the interracial and interethnic peace is quite fragile and needs constant gestures and expressions of goodwill on the part of white communities. After a meeting with the Jewish Board of Deputies the government issued the following statement: ‘Cabinet noted and welcomed the assessment of the Board that the Jewish community in South Africa had never in its history felt as safe, appreciated, at home and unthreatened

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76 The quotes in this and the previous paragraph are drawn from the text of a speech of Tony Leon to the Cape Council of the South African Board of Deputies, 7 December 2004.
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in our diverse society.’79 A group of 112 Afrikaans-speaking businessmen and university principals expressed similar sentiments in congratulating Mbeki after the ANC massive election victory in 2004. It expressed the conviction that Mbeki’s second term as president would marked by a deepening and broadening of democracy and economic growth, and added: ‘You have made it possible for all South Africans, including us as Afrikaans-speakers, to be at home in our country and welcome in Africa and the world.’80

The Afrikaners are in a difficult situation. Culturally they face the greatest threat since Britain smashed the Boer Republics in the South African War (1899-1902) and tried to anglicise their children. This time the adversary is an Anglophile African nationalism. The constitution declared eleven languages as official languages in place of the previous two official languages (English and Afrikaans). In practice the government has elevated English to the position of dominant language. Less than 10 per cent of South Africans speak English at home and more than two-thirds prefer government and large corporations to address them in their own language. Nevertheless English is the only language in which laws are published and it is the main language in which government spokespeople communicate with the public. The ANC government has refrained from passing legislation, suggested by the constitution, which would compel authorities on the second and third tiers to use more than one language. As result Afrikaans as a public language has suffered a precipitous decline.

The government has insisted that there is no place for single medium Afrikaans schools and universities and has put pressure on all of them to introduce English as a parallel stream. The constitution accepts single medium education where feasible, but this has largely been ignored by the Department of Education. Yet Mbeki has also states that the government will not permit ‘any of our languages, our cultures or religions to be reduced to a position of inferiority or domination by another.’81 Such a statement and the policy are clearly in conflict with each other.

Among the Afrikaners discontent about the government’s policy with respect to language and mother tongue education manifested itself at an early stage. A number of academics, which organized themselves as the Group of 63, took a stand by describing it as a violation of minority rights and warning of the growing alienation of the Afrikaner community. However, the expected widespread Afrikaner resistance to the marginalisation of Afrikaans has never occurred. Partly this the result of the deleterious heritage of apartheid when Afrikaner interests, Afrikaans language and culture and Afrikaner control of the state were tightly interwoven and became associated with a conservative style of politics. Afrikaners, as Schlemmer remarks, quite simply have ‘unlearnt to take public responsibility for their language.’82 People in positions of power

80 Rapport, 30 May 2004.
and influence would much rather mask their Afrikaner identity and appear unconcerned about language and culture.

Before the transition there was the expectation among some analysts that Afrikaner business support would ensure that Afrikaans would flourish in the new, democratic South Africa. On a superficial level this looked plausible. Afrikaner business was an intricate part of the Afrikaner nationalist movement that brought the NP to power and most of these businesses in their first phase appealed to Afrikaner sentiment to get off the ground. Afrikaner business has flourished in recent times, with its share on the Johannesburg Stock Exchange rising from 20 per cent in 1976 to 35 per cent in 2000.

This assumption that corporations with historic Afrikaner ties would support Afrikaans is mistaken. Afrikaner nationalism as movement disintegrated between 1976 and 1996. With the exception of Naspers, which publishes all Afrikaans newspapers and most magazines, no Afrikaans company presently supports Afrikaans cultural organizations and cultural festivals in a meaningful way. With the exception of Ton Vosloo, no Afrikaans business leader pleads for maintaining Afrikaans as a public language. None of them seems to support any Afrikaans cultural organization.

Instead the prevailing impression is that most Afrikaner business leaders have their respective corporate interests uppermost in mind when they meet the President as part of an ‘Afrikaner delegation’ to ensure him of their goodwill. Minority concerns seem to be raised only in a perfunctory way. In 2000, 34 influential Afrikaans business leaders, led by the academic Willie Esterhuysse, praised government for establishing a ‘mutually advantageous relationship between the state, business, organized labour and society’, but the declaration contained no word about the Afrikaans language and Afrikaans schools. Esterhuysse had earlier dismissed protests about the diminished status of Afrikaans as a public language as something that was “as stale as a glass of beer that stood in the sun all day long,” and warned about the undermining tendencies of those engaged pressing for minority rights. It reminds one the observation by De Tocqueville that minorities can only become part of the majority if they abandon the things that are really important to them and that create conflict between them and the majority.

The close relationship between Afrikaans business and government must be seen in the light of the fact that the Afrikaners are now in a post-nationalist phase. However, what should not be underestimated is the peculiar government-business relationship that exists at present. There is a certain trade-off: The government has given big business what it most wants, namely a conservative fiscal and monetary policy, which in recent years have helped to produce a growth rate last seen twenty years ago. In return big business has raised no word of protest against the government’s affirmative action policy and its

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83 Jakes Gerwel in Rapport, 10 October 1999.
84 J.L. Sadie, “The Fall and Rise of the Afrikaner in the SA Economy” University of Stellenbosch Annale, 2002/1, p. 29.
86 Chris Louw, ‘Why we won’t roll over and die’, Mail and Guardian, 2-8 June 2000. For an extended version of Louw’s critique of old and new style ‘verligtes’ see his Boetman en die swanesang van die verligtes (Cape Town: Human and Rousseau, 2000).
demand for negotiated charters to facilitate black economic empowerment. There is the tacit understanding that business would help to resist any opposition to the government’s policy of transformation.

Big business fears that the government can punish a corporation severely should it incur its displeasure. Almost all of the corporations are vulnerable to government sanctions. Naspers is a good example. Some 70 per cent of its turnover is derived from electronic business, especially pay TV, which will be badly affected by a change introduced by government in the regulatory environment. Government censure is a possibility that business leaders must constantly keep in mind. Pres. Mbeki has strongly criticized two of the leading executives, Tony Trahar of Anglo American and Pieter Cox of Sasol, for remarking that there might still be some investment risk attached to South Africa.

In Afrikaner ranks there are ready volunteers for dismissing attempts to insist on language or minority rights as ‘reactionary’ a provocation, a clinging to ‘privileges’ by ‘reactionary’ individuals yearning for a ‘discredited past’ and a defunct Afrikaner nationalism. Both the Afrikaans newspapers and Afrikaans businessmen discourage any attempt at community mobilization. Afrikaner appeasers urge minorities to accept that the best strategy is to become part of the majority or, at the very least, to concede that the majority’s priorities are much more pressing than those of the minority.

They go as far as insisting that it is the government’s prerogative to define minority community interests, not that of the community. They, in fact, do not represent the community at government but rather the government at the community. In the case of some Afrikaans newspapers the attempt at group demobilization even goes as far as abandoning the term Afrikaner and opting for an awkward new term ‘Afrikaanses’ that includes all Afrikaans-speakers, regardless of colour. Neither brown Afrikaans-speakers nor Afrikaners seem to be attracted to this term.

What looks like puzzle at a first glance is that many of these opinion formers were before 1990 particularly close to the NP government and some were members of the Afrikaner Broederbond. By contrast several of the proponents of minority rights were public opponents of the NP government and of apartheid. The puzzle is solved if its remembered that the appeasers simply perpetuate a particular style described by Leon as ‘the creeping politics of influence’. In the light of this two observations Mbeki recently made to a retired Afrikaner leader is hardly surprising. He confessed that Afrikaners are the minority community that gives him the least trouble. He also said that very few of the Afrikaner business leaders he has met speak their true mind.

Like their English counterparts, the Afrikaner business leaders appear to have only one plan, namely to place all their faith in the president to continue on a steady path with respect to economic policy and occasionally to pay homage to him. There is no long-term strategy of helping to prepare the way for an effective two-party system through substantial funding to one or two opposition parties or to liberal foundations to attract top

spokespeople who can offer an alternative vision and policies for South Africa. If Mugabe-like president comes to power business in South Africa would be quite unprepared.

As the implications of the rigid labour legislation for unemployment and the government’s plan to bring about demographic representivity have sunk in, the DA and the South African Institute of Race Relations, which is the premier liberal organization in civil society, have become increasingly effective participants in the debate about the national agenda. Opinion formers described in the ANC’s newsletter ‘ANC Today’ as ‘neo-conservatives’ are much more willing than six to eight years ago to question the ANC’s national agenda of transformation based on the formula of demographic representivity. There are also more frequent warnings about the ‘Jacobin tendencies’ in the government and the alienation it causes among minorities.

A recent edition of the ANC’s weekly electronic newsletter contains an admission that the task of setting the national agenda has not yet been won and that in this case ANC ‘numbers’ are not decisive. It is with some despair that ‘ANC Today’ quotes a black intellectual: ‘I would have to place my bets on the neocons emerging as the winner in this war [of ideas], for I fear the Jacobins lack the single-minded focus and purpose of the neocons.’ Mbeki himself has on occasion expressed his great irritation with the fact that public opinion as reflected in the newspapers and magazines “is in fact minority opinion informed by the historic and political position occupied by this minority.” It is almost as if he wished to impose ‘representivity’ also in the fields of public opinion and influence as reflected in the press. For him it is untenable that the majority has to depend on the press to depend on other means to equip itself with information. Yet Mbeki has dismissed black opinion formers like Archbishop Tutu who voiced criticism and has also alienating the white left who earlier had been quite sympathetic. The result is that the presidency has to wage the campaign against an ‘unrepresentative’ public opinion virtually on its own.

In recent months both Leon and De Klerk have urged the white and other minorities to stop being obsequious. In speaking to a Jewish audience Leon pointed out that the security of the Jewish people is not a privilege granted by the government or ruling party but a constitutional right. He questioned the Board’s assumption that it could better influence the ruling party if it voiced its concerns in private while praising the government in public. Remarking that there seems to be a widening distance between what is told to the President and what the people actually feel, he advised Jewish community ‘to stop being ‘a little nervous about giving offence to the new government. Stand up as citizens and [do] not be apologetic.’ He proposed that Jews followed the example of Elie Wiesel, who said that he was compelled by the Jewish tradition ‘to speak truth to power.’

88 “ANC Today”, 5,9 4-10 March 2005.
89
90 Speech by Tony Leon to the Cape Council of the SA Jewish Board of Deputies, 7 December 2004.
Although retired, De Klerk still wields considerable influence locally and abroad. In recent speeches he pointed out that the government persisted in treating whites and also the other minorities as a group, although they no longer consider themselves a group. Referring to Mbeki’s statement that the ANC did not want black domination to replace white domination, he asked: ‘How will we be able to avoid black domination in a situation in which the black majority in effect now has a monopoly of power? What else is it if the black majority dictates the agenda for the white, Indian and colored minorities, and negatively affects their core interests?’ He added that the ANC policy of ‘representivity’ means that the minorities ‘would become subject to the majority in every area of their lives—in their jobs, schools, universities and sports.’

De Klerk also called for “frank and fundamental discussion between the government and representatives of the communities minority communities on the principles and approaches underlying social and economic transformation.” In the classic idiom of African nationalism Mbeki dismissed this call. ‘We have absolutely no need for a convention of race and ethnic representatives based on the false, backward and racist thesis that these racial and ethnic groups share common racial and political objectives.’ He added that the majority, ‘including the business community, understand that the priority is to understand past injustices.’

With transformation having replaced the constitution as the framework of government policy, and with the Constitutional Court increasingly looking like an instrument of the dominant party in key areas of transformation, the business leadership is Mbeki’s last remaining support base in the white community. Should it turn against black economic empowerment and ‘representivity’, a serious crisis will develop. Big business understands the trade-off. As the CEO of a prominent media and publishing house formulates it: “In Mbeki’s view… it was important to unite elites, because they are the people who could oppose the transition.” Whether South Africa can remain stable on the narrow basis of an elite settlement between the government elite and the business elite remains to be seen.

Conclusion
The warnings that the political system will of South Africa will unravel if it makes provision for untrammelled majority rule have proved to be prescient. The democratic system has become hollowed out and widespread cynicism has developed among non-ANC voters about the way in which the executive dominant party rides roughshod over all the conventions of parliamentary oversight and are now intimidating the judiciary. The ANC still depicts any opposition as directed against the democratic system itself rather than the ruling party. In these circumstances building an opposition is tough and often unrewarding exercise. Yet the forces of globalisation, together with the growing unhappiness of the electorate about a lack of delivery, corruption and crime are slowly

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91 Cape Times, 2 March 2005.
eating away at the core of a dominant party that still feels insecure despite its massive majority.