CONTINUITY AND CHANGE: AN EVALUATION OF THE DEMOCRACY-FOREIGN POLICY NEXUS IN POST-APARTHEID SOUTH AFRICA

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Abstract

If foreign policy is viewed as an "intermestic" arena where the external meets the internal, then it becomes possible to see how internal domestic factors drive foreign policy making. In this context the democracy-foreign policy nexus and the role of governmental and non-governmental foreign policy actors help to reconcile ideals and interests and put foreign policy contradictions into perspective. The desirability of democratic participation in foreign policy is taken as a given, but agency has to go beyond representation to include issues of participation and political dialogue. The focus of this article is the democratic deficit of the Mbeki foreign policy (1999-2008), with some reference to the Zuma administration. The way in which foreign policy was personalised under the presidency of Mbeki was instrumental in closing the space for meaningful participation in the foreign policy processes. The article concludes that democratic foreign policy making is impeded by an overall deterioration in the quality of democracy in post-apartheid South Africa. It further contends that there is more continuity than change across the Mbeki and Zuma administrations' policy orientations (both domestic and foreign) and warns that the challenges which Mbeki faced in terms of democratic consolidation may be exacerbated in the Zuma period if certain demons are not tackled head on.

1. INTRODUCTION

Since 1994, South Africa has worked hard to establish itself not only as a continental, but also as a global player – hosting numerous world conferences, driving the New Partnership for Africa's Development Plan (NEPAD) (2001) and also participating in peacekeeping initiatives in the Democratic Republic of Congo (DRC), Burundi, and the Sudan. Such interactions, however, have exposed fault lines in South Africa's foreign policy with respect to the balance between an idealist (human rights-driven) and a realist (interest-driven) approach to global politics. Ambiguities regarding South Africa's position on HIV/AIDS; its accommodation of Aristide, deposed President of Haiti; its "quiet" diplomacy in Zimbabwe; and South Africa's decisions regarding Zimbabwe and Myanmar whilst chairing the UN Security Council have created controversy and damaged the country's democratic credentials.

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Initially the Mandela era (1994-1999) was praised for its strong moral orientation. However, implementing such a policy proved difficult in the face of traditional notions of state sovereignty and opposition against interference, especially on the African continent. Increasingly also, economic imperatives driven by the globalisation project began to override the moral dimension, so much so that we can now declare that human rights are no longer the driving force behind our foreign policy – trade and economic diplomacy are (see Segwai 2009:34).

But do these perceived contradictions make South African foreign policy undemocratic or unethical? How important is the domestic arena in pursuing a more open foreign policy?

The argument in this article is premised on the assumption that ideals and interest should not be viewed as mutually exclusive. The debate about democracy and foreign policy is helpful in that it tries to reconcile ideals and interests and puts the inevitable contradictions into perspective. The fact that democratic participation in foreign policy is desirable is taken as a given. A more important question is rather, what the levels of influence by the people of that country say about government's rhetoric on democracy and human rights? To answer this, one should rather focus on foreign policy as an "intermestic" arena of interaction. The impact of internal versus external factors varies across cases, but there seems to be some broad consensus that internal factors, often economic in nature, drive foreign policy making. Often in such cases foreign economic policy is crafted to solve domestic problems. Foreign policy is therefore a "boundary activity" – the proverbial "water's edge". In practice it means that through the blurring of the lines between internal and external, foreign policy becomes but one form of public policy, used more and more to achieve the same ends as domestic policy. In relation to South Africa my analysis will point out that the ambivalences of South African foreign policy is a manifestation of the ambivalences of the broader transformation process.

However, studies on the relationship between foreign policy and democracy are divided on the issue. Where there has been little to no democratisation in the government, executive dominance of foreign policy goes nearly without saying. But even in a democracy foreign policy has always been a closed-shop affair as De Tocqueville observed in his monumental work *Democracy in America* (1835) [2002]. According to him, the reason for the incompatibility of democracy and foreign policy lies in the "intrusion" of domestic politics and the constant need to respond to public opinion. The father of classical realism, Hans Morgenthau, was also outspoken about the pernicious effects of public participation in foreign policy. The work of Putnam (1988) on the two-level game, in which he analysed international bargaining as the outcome of the dynamics between the domestic and the foreign, further led to a view amongst scholars that citizen actors constrain foreign policy making. Realists would argue that a bigger voice for domestic interest

groups would not necessarily lead to a more open and qualitatively better foreign policy-making process. The increased flow of information directly to individuals in the context of globalisation has eroded the importance of interest groups as conduit of ideas on foreign policy. In the process policy makers will have greater latitude in making decisions, especially with regard to security. Liberals and critical theorists, on the other hand, would contend that it is morally indefensible that governments see citizens' value only in terms of how they can block internationally negotiated positions and not as a rights-based expression of the national will (Robertson 2005:28). A similar argument applies to areas of domestic policy making. For instance, it makes a mockery of the notion that governments represent people to argue that citizens' ignorance about the workings of the economy disqualifies them from participating in domestic economic policy formulation.

It is wrong to make a blanket assumption that the masses are by definition ignorant. In the post-Cold War era, foreign policy agenda have moved away from high politics and include issues on which members of the public may hold strong views opposing the "wisdom" of government's position. With these contestations in mind, a pluralist approach that is sensitive to the domestic-foreign interface may be more feasible. Any attempt at a coherent interpretation of South African foreign policy is therefore dependent upon an understanding of how local preferences get formulated. This should be done by firstly analysing the role of the legislature, executive, political parties and interest groups in foreign policy making (Habib 2009:145) and, secondly, by bearing in mind that in the developing world in particular, the relationship between international players and the state, and also between the domestic elites and the various domestic interests groups appears to be hugely asymmetrical.

The purpose of the article is therefore to draw on pluralist assumptions as a framework for a critique of the Mbeki foreign policy (1999-2008) and to contextualise it further by making an exploratory analysis of trends in the Zuma era. The way in which foreign policy was personalised under the presidency of Mbeki was instrumental in closing the space for meaningful participation in the foreign policy processes by non-state actors as well as some state actors. The role of various local foreign policy actors (in the context of the constraining effects of globalisation on policy making) will be analysed and their participation or lack thereof critiqued. The article concludes that the extent to which the ANC government takes these interests seriously is often questionable and that democratic foreign policy making is impeded by an overall deterioration in the quality of democracy in post-apartheid South Africa. The article further contends that - although it is early days still - there is more continuity than change across these two administrations' policy orientations (both domestic and foreign) and warns that the challenges which Mbeki faced in

terms of democratic consolidation may be exacerbated in the Zuma period if certain demons are not tackled head on.

2. FOREIGN POLICY AND DEMOCRACY – TOWARDS A CONCEPTUAL FRAMEWORK

The interests of domestic constituencies, such as Parliament, political parties, social movements and business impact significantly on foreign policy making. It is at this level where democratisation can lay a foundation for a more ethical foreign policy and promote agency in the true sense of the word. Hill (2003:27) reserves the term "agent" for those actors such as bureaucratic entities which are at least nominally under the control of the main political actors. I prefer to define the term more broadly, linking "agency" to the notion of having political influence, as opposed to the notion of "victim" or recipient/subject. Actors may thus not necessarily possess agency. Agency as the key conceptual pillar for this analysis is therefore achieved not through representation alone, but through participation and political dialogue. Constructing foreign policy identities and roles through dialogue would facilitate greater public understanding of the country's multiple roles.

Government has an ethical obligation to serve domestic interests first. The foreign policy of South Africa should therefore aim to further the rights of all who live in the country before looking at the human rights of others. An ethical foreign policy thus starts at home and also dies at home if the people the government represents are not properly consulted in the foreign policy-making process.

It is necessary to remember that foreign policies advance certain domestic interests at the expense of others. The critical question to ask is, how does this affect the citizens of that country? More concretely, what is the link between South Africa's peacekeeping involvement and domestic interests? Is this link communicated or made clear by government? An openness to a variety of transnational viewpoints and engagement in serious, open-minded dialogue with other actors does not mean that all elements of secrecy and national security are abandoned. What it means, is – in the words of Taylor (2004:37) – "an interrogation of what and why is material withheld from the public's gaze and how does this impact on informed opinion by the demos".

States where citizens participate in shaping policy are more democratic and therefore more capable of exercising sovereignty (Friedman 2005:228). The democratisation of foreign policy is intertwined with issues of sovereignty (both statist and popular versions) and how this impacts on the way in which elites in the developing world view the role of domestic constituencies in foreign policy making. The obstacles to sovereignty often lie within states. Within this context, developing states cannot hide behind globalisation as the reason for policy failure

and use it as justification for excluding citizens from decision making in foreign policy. By promoting input on Zimbabwe, the South African government under Mbeki would have been better able to frame and implement a credible stance on the human rights abuse and lack of democracy - and also justify their perceived lack of action more convincingly. By giving citizen groups some degree of sovereignty, domestic support for certain controversial policy decisions may be generated without coercion. In the words of Friedman (2005:232), "active participation of citizens' groups in foreign policy-making may … be a crucial resource for states facing criticism of their human rights records – as well as for those whose government decision-makers want to make an impact on the international rights debate".

The intention is not some romanticised idea of the populist masses all having a say. There are indeed limits to what domestic groups can achieve in foreign policy making. The test is that those who wish to be heard should be able to influence government policy without fear of being branded as unpatriotic or racist. Like in the developed world, not everybody is interested in foreign policy, but the point is: opportunities for participation must exist for foreign policy to be truly democratic.

Political discourse becomes *the* instrument by means of which any policy is democratised. Political discourse can only be facilitated through one of the core principles of democracy, namely participation (as opposed to representation), described by Smith and Light (2001:7) as "conceived democratically, through a deliberative, consensual and inclusive process". Individuals, groups, and independent organisations must not only vigilantly monitor government, but must also take care not to lose their independence as a result of increased participation. It also means that these citizens become agents rather than remain subjects.

The acid test for a democratic foreign policy rests in whether not only procedural democracy (e.g. constitutional and electoral arrangements, voting procedures, laws and institutions) is in place, but also whether democratic processes (through which norms, expectations and agreements between citizens and the government on issues of foreign policy are entrenched in society) exist and function efficiently. There is always a danger that elites may use elections to cloak authoritarian rule. The notion of delegative democracy where regular elections are not balanced by citizen participation between elections is becoming a pattern in many new African democracies. This is also a problem that has reared its head in South Africa. Delegative democracy can all too easily revert to virtual democracy.

One alternative would be to opt for enhancing representative democracy with a "talk-centric" democratic process rather than a voting-centric process. Deliberative democrats do not propose the sweeping (and often utopian) changes radical participatory theorists propagate in terms of transforming institutions, but do argue that existing decision-making procedures must be made more open to public scrutiny and participation (Hauptmann 2001:398-399). They argue that the essence

of democratic legitimacy is the capacity of those affected by a collective decision to deliberate in the production of that decision. For present-day South Africa, the author contends that the deliberative route (via Parliament) may be the more feasible option, since it is incremental. This should be complemented by vibrant social movements to challenge deep-rooted centralising and hierarchical traditions.

The Freedom Charter emphasises the principle of governance by all people. The slogan "Batho Pele" or "people first" became a central theme in South African policy making under Mbeki. According to the ANC (in Mattes 2006), "[t]he rationale for a more participatory form of democracy is part of creating vehicles for dialogue between governments and people and is grounded in the view that where people are not involved in the decisions that affect their lives, social policies and political interventions are likely to fail". Several official pronouncements at the time supported the democratisation of foreign policy, such as by the then Director General of Foreign Affairs, Jackie Selebi, in 1999 (Masters 2006). In hindsight though, much of this appears to be rhetorical in nature.

The question thus, given such rhetorical statements, is whether South African foreign policy *actors* (state and non-state) can in effect become *agents* of foreign policy? The next section reviews the (semi)peripheral position of some domestic foreign policy actors mainly during the Mbeki era, but also with some reference to evidence from the Zuma "honeymoon" period.

3. FOREIGN POLICY FOR AND BY WHOM?

Globally, the interaction between foreign policy, democratisation and globalisation has produced two trends, namely the rise of niche diplomacy and trans-governmentalism.

Niche diplomacy serves as a catalyst on a particular international issue, such as landmines, peace building, conflict diamonds and child soldiers. This form of diplomacy involves building wide-ranging coalitions between nongovernmental organisations (NGOs), traditional middle powers like Australia, Canada and the Nordic countries, and aspiring middle powers such as South Africa (Robertson 2005:4,8-9). Two factors accelerated the rise of niche diplomacy in the South African context. Firstly, globalisation has facilitated easier access to international audiences and secondly, the scope at the home front to make use of the traditional state-centric foreign policy machinery narrowed. In the case of South Africa, niche diplomacy developed to counter the increased centralisation of foreign policy in the office of President Mbeki (to be discussed later).

The second trend, namely transgovernmentalism, is defined by Slaughter (in Robertson 2005:9) as transnational networks of domestic agencies. Direct transborder links between sub-state authorities are on the increase. Subnationally

provinces, *Länder*, regions, states and local governments (municipalities) make policy decisions that bypass central governments. They also forge international partnerships, engage in efforts of microregionalism and/or sign international agreements. Municipalities are also increasingly entering into transborder agreements to co-operate around issues of mutual concern, such as pollution control, crime prevention, disarmament and development (Scholte 2001:24).

However, traditionally the task of foreign policy rests in the hands of national government, primarily the Executive (e.g. the President) and the Minister of Foreign Affairs. Despite recognition by the South African government of the valuable foreign policy role that local government can play, constitutional constraints remain an important impediment to wider and more meaningful participation by subnational actors (Van Wyk 1998:29; Geldenhuys 1998:5). The Office of the Chief State Law Advisor (International Law) in the former Department of Foreign Affairs (DFA) provided a *Practical guide and procedures for the conclusion of agreements*, but has built in a number of checks and balances. Section 231(1) of the Constitution of the Republic of South Africa, Act 108 of 1996 clearly states that "[t]he negotiating and signing of all international agreements are the responsibility of the national executive". These agreements only become binding once ratified by the National Assembly and the National Council of Provinces (NCOP) (Ahmed 2009:292).

In the following subsections the "agency" role (or lack thereof) in foreign policy making of a number of domestic governmental (Parliament and the President) and non-governmental actors (political parties, civil society/interest groups)[2] will be outlined and critiqued.

3.1 Parliament

The core functions of Parliament, namely deliberation and debate, passing legislation, and conducting oversight of the executive branch of government have been systematically watered down in South Africa. In 1996, the DFA launched the *South African foreign policy discussion document* and solicited responses from academics and NGOs alike. This was a promising start and in the post-apartheid dispensation the rules of Parliament were changed to give parliamentary portfolio committees a more direct and active role in the process of policy formulation (Nel & Van Wyk 2003:60). The rationale behind this was that foreign policy should not be treated as different from any other public policy. In the early years (1995-1996), the creation of the Parliamentary Portfolio Committee on Foreign Affairs (PCFA) proved to be a successful platform for the promotion of public debates on a number of foreign policy issues such as human rights. In theory the PCFA is empowered to assess

2 Business and think-tanks are key players, but due to space constraints their roles as foreign policy actors or agents cannot be dealt with in this article.

the conformity of legislation that impacts on the conduct of South Africa's foreign policy with the Constitution and the Bill of Rights. But as the country fell into the trap of routine-based foreign policy during 1997-1998, public participation in the policy process started to dissipate. During the Mbeki administration Parliament's role as watchdog was severely limited and the PCFA had difficulty in ensuring that its oversight and review function was properly executed (Le Pere & Van Nieuwkerk 2004:125; Van Wyk 2004:121). The parliamentary committee dealing with Africa-related foreign policy issues also became largely inoperative (Butler 2004:161) due to the greater inputs in the process of foreign policy formulation by former president Mbeki. Law making and oversight became characterised by ritualistic debate in the National Assembly. Difficult issues were hardly ever placed on the agenda; most of the debating was left to the opposition. Mbeki and other senior members regularly attended ANC caucus meetings, which had an inhibiting effect on debate (Lodge 2004:209; Butler 2005a:721).

Ahmed (2009:291-292, 304-305) claims that Parliament's lack of engagement on international issues stems from both an uncertainty about its role in the foreign policy-making process and the executive's domination of the process. The roles of the PCFA (in terms of oversight) and that of the Parliamentary Group on International Relations (PGIR) as coordinator of Parliament's international relations agenda and its member participation (through so-called "parliamentary diplomacy") in bilateral and multilateral fora are not properly aligned.

Under Zuma the renamed Department of International Relations and Co-operation (DIRCO) still appears to be more focused on "policy setting than on policy implementation" (Ahmed 2009:297). This in part explains the marginalisation of Parliament in the foreign policy process. However, given the constitutional stipulations outlined earlier, Parliament's role should be more than rubber stamping (ratifying) international agreements. Parliament should be included as a player in the negotiation phase as well. The Constitutional Court furthermore recognises collaboration when it comes to treaty negotiation and this fact reinforces the need for greater participation by Parliament in the foreign policy process (Ahmed 2009:293).

3.2 Presidentialism and the personalisation of foreign policy

Presidentialism refers to the centralisation of power in one office and person. According to the Constitution (RSA 1996), the President and the Cabinet govern together. In practice, though, there is a clear hierarchy which places the President at the head of the executive. There are explanations why centralisation in the office of the President is needed – to promote stability and prevent fragmentation against the backdrop of political strife, but then a presidential system must be counterbalanced by stronger oversight capacities in Parliament and civil society. Presidential systems

are particularly vulnerable when it comes to succession issues, as the recent case with Zuma's rise to power showed.

On the one hand, under the Mbeki regime, South African foreign policy was given greater clarity by highlighting the core purpose of the DFA, namely the promotion of security and wealth creation. On the other hand though, the introduction of an integrated governance system and the clustering of policy areas exposed the democratic deficit in foreign policy making further. In effect foreign policy making became centralised in the office of the President where a Policy Coordination and Advisory Service (PCAS) was created in which one of its five chief Directorates was responsible for International Relations, Peace and Security. Foreign Affairs resorted under the International Relations, Peace and Security cluster (IRPS) (Van Wyk 2004:122; Le Pere & Van Nieuwkerk 2004:126-133; Hughes 2004:17).

This centralisation tendency made foreign policy even more inaccessible to the general public and reinforced the perception that Mbeki's administration was aloof and unresponsive.[3] In addition, it strengthened the perception that foreign policy in South Africa was personalised. There are many examples where the Presidency dominated the cluster of International Relations Peace and Security, intervening sometimes heavy-handedly in foreign investment promotion, the Lockerbie diplomatic efforts, the Lesotho invasion, the African Union's (AU) creation, the Zimbabwe crisis, and NEPAD (Butler 2004:161).

3.3 The ANC – a party in conflict with itself?

The distinction between party and state at the level of international relations is blurred, especially after Polokwane. The most influential structure of the ANC in terms of foreign policy making is the National Executive Committee (NEC) subcommittee on International Relations. During the Mbeki term the committee played an important role in coordinating ANC foreign policy interests and the positions of the Presidency, the Ministry of Foreign Affairs, Parliament, and the tripartite alliance, amongst others. The end result was that the ANC NEC International Relations (IR) Committee fed policy positions to ANC parliamentarians and the Portfolio Committee on Foreign Affairs. These structures did not question this state of affairs and it thus further contributed towards sterile debate on foreign policy in Parliament (Hughes 2004:29-30).

In order to understand the role of the ANC in foreign policy, one has to look at the overall role of the ANC as the dominant political party and the tensions created by this domestically and internationally. As a liberation movement the ANC has

3 Suttner (2010:19) reminds us that the foundation of the centralised nature of Mbeki's governance style was laid by Mandela. Unfortunately for Mbeki, he did not have the same stature and cult-figure status as Mandela to neutralise dissention about the democratic deficits in his leadership style.

always been characterised by strong central coordination and leadership defining and implementing policy. Alden and Le Pere (2009:163) point out that some analysts argue that this tendency has become stronger since 1994. Centralisation has been leadership's answer to stifle nepotism, careerism, and ethnic entrepreneurship (Butler 2005b:10). Single party dominance has stabilised the new regime, but has also restricted civil society and public opinion. The problem with centralisation of power is that, although it serves to extend the ruling party's influence and may be required to achieve fundamental and comprehensive state transformation, it also has costs in respect of legitimacy and efficacy of government. It thus signifies an absolutist or hegemonic understanding of politics driven by an activist state.

Centralisation goes hand in hand with a history of strong internal party discipline – the so-called notion of "democratic centralism" – which serves as a means to censure dissent and opposition to transformation by counter-revolutionary forces (ANC 1997:7). For instance, when Jeremy Cronin of the South African Communist Party (SACP) referred to the "Zanufication tendencies" within the ANC and marginalisation of the alliance partners, he was censured (Lodge 2004:201). In an attempt to control branches and provinces which have become embroiled in patronage and factionalism, a report on the *Organisational Design of the ANC* proposed a managerialist approach in which the structure of provincial ANC offices should mirror the structural re-organisation at head office. This was interpreted by provinces as an attempt to concentrate decision making in the National Working Committee (Robinson & Tabane 2005:2) – a structure which is not elected, but appointed by the President. It is in this context that the dismissal of South Africa's then Deputy President, Jacob Zuma, after having been implicated in the arms deal scandal, was used as a rallying point by many opposed to Mbeki's centralisation tendencies. Seven out of nine provinces were in favour of reinstating Zuma within the ANC structures, particularly as chair of the deployment committee.

So-called "creeping authoritarianism and demagoguery … extreme factionalism … and bitter public hostility among the alliance partners" (Alden & Le Pere 2009:164) are features of both the Mbeki and Zuma administrations. The effects of this on all forms of policy making should not be underestimated. The lessons of the history of the ANC and Thabo Mbeki's experience of this have underlined a number of imperatives for future ANC governments: Raymond Suttner, in his Harold Wolpe Memorial Lecture (November 2005), warns against conflating people-centric and people-driven approaches, thereby negating popular involvement. Multiple identities, be that class, ethnic, race or gender, have been downplayed in the nation-building project, and dealt with rather antagonistically in an effort to suppress talk about differences. The ultra-left challenge against neo-liberalism[4] has also been met with hostility. This signifies a failure to treat

4 See recent calls by the ANC Youth League to nationalise mines.

these questions in their full complexity. The ANC should therefore recognise the legitimacy of interests existing both inside and outside the movement. In a democracy moving towards maturity, pluralism should not be viewed as a threat. The radical rhetoric of popular democracy and people-driven transformation must be counterbalanced with an alternative that does not simply oppose liberal ideology, but blends issues of representation, participation and leadership into a meaningful whole.

3.4 Civil society and interest groups

The question that needs to be answered in the context of this article is whether civil society can be regarded as a legitimate foreign policy actor and to what extent pluralistic civil society should in fact accept the task as harbingers of democratisation? In this regard Allen in his essay "Who needs civil society?" commented as follows: "[Civil society] is neither a necessary nor a sufficient condition for democratic struggle to occur; indeed civil society may more often need democratic struggle than the reverse" (Adebanwi & Agbaje 2006).

Intense domestic interaction with foreign policy issues took place mainly during the time of the Government of National Unity and Mandela's administration. A good example is the involvement of civil society in the White Paper on South African Participation in Peace Missions and the Discussion Paper on Foreign Policy (1996). A further instance was the role of civil society in getting the government to support the South African Campaign to Ban Landmines (SACBL). After 1994, the number of independent civil society groups monitoring Parliament increased dramatically (Nel & Van Wyk 2003: 63; Nel, Van Wyk & Johnsen 2004:47). Despite that, skeptics such as Le Pere and Vickers (2004:66) claim that "the 'vanguard' role of civil society in South Africa's transition has given way to a 'postliberation depression'". Many of the old social movements like the civics and the United Democratic Front (UDF) were absorbed into the post-apartheid government. With that NGOs have also become more technocratic and professional due to the demands of the donor community. So, after the initial honeymoon period their influence gradually waned due to government establishing its own research capacity in specific issue areas and also because the emphasis shifted from policy development to policy implementation and service delivery.

Other analysts are more optimistic and claim that the decline has stabilised. Ballard, Habib, Valodia and Zuern (2005:621-622,628) argue that post-apartheid South Africa has witnessed a heightened level of social organisation with many more mechanisms for influencing policy, e.g. through the media, the courts and the Constitution. This became particularly evident during the Mbeki presidency. The Congress of South African Trade Unions (COSATU) vehemently contested the Growth, Employment and Redistribution (GEAR) strategy; the Landless People's

Movement (LPM) (some 100 000 strong) challenged government's slow pace of land redistribution and the Treatment Action Campaign (TAC) tackled government's inadequate response to HIV/AIDS. Other groups, such as the Soweto Electricity Crisis Committee (SECC), the Concerned Citizens Group (CCG), and the Anti-eviction Campaign (AEC) all focused on issues relating to poor service delivery (Ballard *et al*. 2005:616). In addition movements driving so-called social exclusionary concerns (Ballard *et al*. 2005:627) have also come into existence. These cover issues such as xenophobia and identity-related concerns, as seen in the Gay and Lesbian Equality Project. Significantly social movements in South Africa represent the poor and the marginalised. Many of these movements draw their strength from the fact that they are well organised and close to the ground, thus being able to withstand the harsher policing during the Mbeki period.

In the following section the interventions of the TAC, and COSATU during the Mbeki period will be briefly discussed to illustrate the dynamics of the government-civil society relationship and its implications for foreign policy making.

3.5 The TAC[5] and the struggle to democratise science

The high-profile legal actions of the TAC against the exorbitant costs of Pfizer's name-brand medications and the legal battle to force the government to distribute antiretroviral medicines (ARM) to people with HIV/AIDS are matched by the high profile of negative publicity which Mbeki's dissident view on the matter unleashed both locally and globally. It thus became at once a domestic and foreign policy issue.

This contestation over HIV/AIDS translates into a much bigger concern, namely about intellectual space and who has the right to define the problem, and it also goes to the right of citizens to scientific knowledge, treatment information and the latest research findings. This is a good example of how knowledge and power are related. The TAC helped to educate the public about the politics of AIDS profiteering; and contributed towards the recognition that patent rights can no longer supersede the rights of human beings to access life-saving medicines (Msimang 2003:112).

The politics of race and national identity also plays a central role in the HIV/AIDS discourse in South Africa. Mbeki challenged the racist readings of African sexualities, but the local discourse is profoundly bifurcated. In the rural areas denial, shame and myths dominate, while many educated African nationalists support the dissident view. The TAC activists were also accused of being unpatriotic, anti-

5 The TAC became involved not so much as an independent foreign policy actor. Their actions did however have foreign policy implications, as they sought to influence the South African government's controversial stance on HIV/AIDS, a domestic policy with huge global ramifications.

African, and a front for the drug companies and white liberal interests (Robins 2004:662,671). However, various authors (Butler 2005a; Friedman & Mottiar 2005; Robins 2005) agree that the politics of HIV/AIDS has helped to counter antidemocratic tendencies in post-apartheid South Africa. The TAC's success was rooted in the kind of relationship it had with the government, using an incrementalist combination of conflict and cooperation by means of which fundamental reform of the system was won. Particularly, "[t]his brand of health activism produced solidarities that straddled local, national and global spaces, resembling … 'globalisation from below'" (Robins 2004:651). The TAC's strategy of using the rights and rules of constitutional democracy has the potential of promoting a model for citizens collectively seeking equality.

3.6 Labour – a false victory?

The paradoxical nature of South Africa's foreign policy mirrors the contradictions within the tripartite alliance. The inherent tension between the notions of democratic centralism and participatory democracy characterises alliance interactions. The position of labour must therefore be analysed against this backdrop.

Webster and Buhlungu (2004) (also see Buhlungu 2005) argue that since 1994 there has been a marked decline in the role and influence of COSATU within the tripartite alliance. With the ANC taking over the seats of formal power and increasingly adopting a more orthodox economic policy, the other two partners have become increasingly marginalised. It is this sidelining which subsequently led to Mbeki's removal and the rise to power of Zuma.

Labour under Mbeki responded through heightened pragmatism – passing resolutions in support of the alliance in general and the ANC in particular, while still making the "right" ideological noises. The movement had little choice but to stay within the alliance and try to increase its influence over ANC policy to counterbalance the interests of big business. COSATU's opposition to neoliberalism is therefore not a blanket condemnation of globalisation, but rather aimed specifically at the globalisation of capital. In 2001, COSATU launched a general strike with the aim of halting privatisation. Since 1994, the labour movement's position has, however, been compromised on numerous occasions. For instance, at the 1999 Seattle talks COSATU decided to side with government and call for the reform of the World Trade Organisation (WTO) rather than its abolishment. At the 2002 World Summit on Sustainable Development (WSSD) trade union officials objected to the antigovernment stance of many NGOs and subsequently hosted a meeting of less militant organisations as a result of a deal struck with the ANC. In exchange for inclusivity in policy making, COSATU agreed not to continue with strikes against privatisation (Bond 2004:118).

In 2003, in Botswana, COSATU openly criticised the Zimbabwean government and the Swazi monarchy in suppressing the rights of labour movements. The movement started interacting with the Zimbabwe Congress of Trade Unions (ZCTU) and the opposition, the Movement for Democratic Change (MDC), much to Mbeki's disgust, who commented that "the 'ultra left' sought to 'abuse our internal democratic processes to advance its agenda'" (Naidoo 2004:193-194). Mbeki used a "carrot and stick" strategy to control unionists who became too critical, while a patronage system rewarded "good" behaviour (Buhlungu 2005:703). For instance, during the 2001 general strike by COSATU government placed advertisements in all major newspapers painting a picture of COSATU as spoilers, uncaring of workers losing wages (Buhlungu 2005:712), yet Shilowa and others ended up with high posts in government.

Friedman (2005:242) contends that COSATU's involvement in the foreign policy debate in Zimbabwe served as a surrogate for contests at the domestic front. COSATU's support for the disgraced Zuma was a useful lever and would at the time wring more concessions from government on pay, conditions and policy. This was evidenced in the fact that in a meeting between Mbeki and the presidential trade union working group quotas on Chinese imports were announced – a major victory for labour.[6]

In 2009, under Zuma, early indications of spats between the ANC and the SACP/COSATU alliance partners signal that the situation for labour has not materially changed. Individual leaders may have more visible representation in government, but the movement remains an underdog in the power struggle within the tripartite alliance. Despite leftist rhetoric used by Zuma when he engages with alliance partners, South Africa's macro-economic policies remain inherently conservative. Ironically Zuma's track record so far also shows centralisation tendencies. Zuma created the National Planning Commission to align the work of all departments of governments and organs of state to a larger governmental agenda. Similar to many leaders in the developing world, his leftist promises are constrained by domestic and global imperatives.

What we therefore learn from the above is that, while the symbiotic relationship between state and civil society is acknowledged, one should not romanticise the influence of civil society on the policy-making process. The value of civil society's contribution lies in how the debate generated by these organisations gradually permeates political principles and eventually becomes policy. But for that to happen, of course, the debate has to become public first – and given the ANC's dominance – even alliance partners (i.e. insiders) find themselves on the outside

6 Unions want protection for vulnerable industries such as textiles against cheap Chinese imports. Estimates indicate that in the last six years 69 000 jobs have been lost in the clothing and textiles sector (Biacuana 2009).

more often than not. The reality is that most civil society groupings in South Africa find it hard to challenge the constitutionally grounded view of government that it has been democratically elected by an overwhelming majority and therefore has the right to make policy "free from any societal pressures" (Le Pere & Vickers 2004:74).

What remains to be seen is whether the initial signs of continuity in terms of foreign policy from the Mbeki to the Zuma administration are likely to continue. This issue is explored in the following section.

4. THE ZUMA FOREIGN POLICY: MORE OF THE SAME OR GOOD NEWS FOR DEMOCRACY?

The "new" foreign policy in the so-called "post" post-apartheid period reflects a large degree of continuity with previous versions, but with a few subtle shifts. Under Zuma, the DFA has undergone a name change to the Department of International Relations and Cooperation (DIRCO). The name change is justified in the context of a greater emphasis on dynamic partnerships and a holistic approach to push South Africa's developmental agenda. The name change thus moves from the premise that foreign policy is based upon and is indeed an advancement of South Africa's domestic priorities at an international level (Nkoana-Mashabane 14 May 2009). The priority areas such as South-South and North-South cooperation remain intact, but with the consolidation of the African agenda taking centre stage (DIRCO Strategic Plan 2009: 6). Taking the stronger focus on development into account, analysts conclude that normatively more attention will be paid to giving a voice to the poor, at home, in the continent and the developing world in general.

With regard to the democratisation of foreign policy, we do see a number of encouraging proclamations, yet time will tell whether these will go beyond rhetorical commitment. Firstly, the domestic dimension of foreign policy is acknowledged. The Department's annual conference held in early November 2009 had "Closing the gap between domestic and foreign policies" as its theme. Government does seem to acknowledge, in the second place, that greater democratic input in foreign policy making is required to establish a much clearer connection for the South African populace between the costs of heavy involvement globally and continentally and the day-to-day struggle of ordinary South Africans to survive. The new Minister of Foreign Affairs, Maite Nkoana-Mashabane's road shows in this respect is an important first step (Dawes 23/12/09-07/01/10:11). She also stated that

> "[a] key area of focus… is the need to anchor our policy perspectives and approaches among our people. The work we do must be connected to our people in very concrete and visible ways … This we believe will also help avoid the recurrence of the xenophobic incidents of yesteryear. … we commit to enhanced partnership and cooperation with non-state actors (business, labour, research institutions, academia (18 June 2009) … and the

> media. We have to enhance the potential and the capacity of all these partners to represent Brand South Africa" (Nkoana-Mashabane 3 June 2009).

It is however curious that, despite noble statements in favour of citizen participation by the Minister, DIRCO's 2009-2012 Strategic Plan appears to neglect the role played by the ruling party, big business, trade unions, academia and think-tanks. The document, in a sense, seems to perpetuate the narrow thinking about Parliament's role as ratifier rather than player.

Public statements signal some sensitivity regarding the charge that South African business is "southafricanising" the African economy, but is the perceived shift towards socio-economic rights in a developmental agenda genuine or not? Does an emphasis on development necessarily imply a more principled and pro-working class, pro-poor stance? Mixed messages are the order of the day here, as Zuma has always been rather reluctant to commit to a substantial shift away from neoliberal economic policy. One should therefore not overstate the ideological or normative implications of a developmental agenda, both at home and abroad. It is sobering to be reminded that such a developmental role is also a pragmatic engagement with the continent through regional economic communities, a properly functioning development cooperation agenda, and the importance of economic diplomacy (Sidiropoulous 2008: 116).

So, while the leadership's face may have changed (in the sense that it is projecting a warmer, more inclusive and consultative stance towards all persuasions of the "rainbow" nation), many of the familiar undemocratic practices remain and may even be exacerbated if government is not vigilant. The statement of the ANC's NEC on 8 January (Zuma 2010) implicitly reflects some of these concerns, such as the link between poor service delivery, corruption and unity problems within the alliance. As a result strategies such as better alliance relations, more oversight, job creation, greater interface between government and the public, an emphasis on local government, and depoliticising the public service underscore the extent of the domestic democratic deficit and its consequent dangers for foreign policy making. Yet, we need to remember that Jacob Zuma is a second generation African nationalist, who was part of the initial post-1994 policy-making process. It is therefore unlikely that foreign policy will change radically in content and in style, i.e. it will remain elitist.

It is also unlikely that serious debates about democracy and identity and South Africans' relationship with other Africans will be high on the agenda during Zuma's five-year term. The World Soccer Cup of 2010 has come to embody the development face of South Africa's foreign policy. The media at the moment also seems to be justifiably obsessed with Zuma's private life and we know – from experience – that in 2011 the succession monster will rear its head again….

5. CONCLUDING REMARKS

In theory, public debate helps government to refine its foreign policy and balance ideals and interest in the global context in a more meaningful way, as multiple positions get filtered through to government. In practice, ideally, one would like to see the following happen, namely that:

- The Zuma case and the way in which Mbeki was forced out will compel the ANC leadership to take a long hard look at the state of internal party democracy;
- a more diverse range of institutions outside political parties will be given the space to grow and pursue debates such as the role of foreign policy within a democratic society (thus also allowing space for debates about xenophobia, the death penalty, shoot to kill policies and moral regeneration); and
- discourse on and between different conceptions of democracy (be that representative and participatory) be given priority to allow scope for other forms of democracy to evolve.

Ideally these changes should pave the way for a number of citizen activities beyond elections, such as voting in referenda; contacting members of Parliament, councillors, or the media to voice demands; taking part in public policy hearings organised by Parliament; attending public meetings; and joining policy oriented NGOs, social movements, pressure groups or consumers' councils (Nel *et al*. 2004:57).

There are numerous role players in South African foreign policy, but in reality most appear to be sidelined, especially the non-state actors. Paradoxically a key state actor – Parliament – is relegated to the margins, whereas technically a non-governmental player, the ruling party, is given prime position through its access to the executive. The success or failure of proclamations by the Zuma government to democratise foreign policy ultimately depends on the presence of political will and effective leadership. There is a dire need for a more robust Parliament implementing a more complex model of oversight, which goes beyond speeches on political anniversaries and checking whether the goals of the state of the nation address have been achieved (Dawes 2006:2). Clarity about Parliament's foreign policy role includes, firstly, finding a committee system that works – where citizens can make submissions and a more deliberative style is adopted. Secondly, Parliament needs to work more closely with the media to engage the public in debate and to improve broad consultation. Thirdly, education is needed to instil a culture of people taking public hearings, committee submission and people's forums seriously. A concerted and long-term effort is required to educate the public about the link between foreign policy and their everyday lives. We should move beyond the orthodox argument

that the public is uneducated and apathetic. We should rather look towards finding incentives and ways of creating an enabling environment for citizen participation. Finally, the onus is also placed on the personal ethics of members of Parliament (MPs). A relationship of trust can only be fostered through report back to the electorate and overcoming the debilitating constraints of the proportional representation system and MPs' fear of going against the party line.

South Africa's bold political experiment was hailed as a showcase for the transition from liberation struggle to democracy. Sixteen years down the line and four democratic elections later, political democracy may have been achieved. It does, however, remain questionable whether social and economic democracy has been achieved. While globalisation may have exacerbated this state of affairs, this research hypothesised that other factors at the domestic level, such as the hollowing out of democratic principles may have been more instrumental. The growing inequality between the black elite and black working class therefore poses a threat not only to the ideal of "a better life for all in South Africa", but also to foreign policy making.

Unfortunately it has become clear that the Polokwane revolt has not been about instating an alternative political project or value system. It was "for power and loot" (Suttner 2010:23). With this in mind, the most likely scenario for the medium term in respect of the democratisation of South Africa's foreign policy is a hybrid state – a combination of liberal and post-colonial forms of power which merge issues of individual difference and group disadvantage. Szeftel (2004:202) calls this the proverbial "state in a steel cage". This represents a subtle decay of maintaining the trappings and institutions of liberal democracy and participation in the global economy, but the poor will be marginalised and kept at bay by a growing black elite. Foreign policy will thus not shift hands; government will merely "use" other actors to help serve the developmental and service delivery agenda, where convenient. Such a fragile stability would be marked by a mixture of periodic protests by social movements, heavy-handed response by the state and occasional civil victories achieved via the Constitutional Court. This mixed picture at the domestic level will invariably be translated to the foreign policy level, most probably manifesting in divergent actions and reactions regarding issues of migration, border control and xenophobia. Under these circumstances it is doubtful that foreign policy actors in the medium term will regain the agency they enjoyed in the early 1990s.

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