

Affirmative action

Is it prolonging apartheid?

The affirmative action policy is one of South Africa's most sensitive issues. **Neville Alexander** argues that affirmative action and black economic empowerment policies perpetuate the racial identities of apartheid. He also considers alternative approaches to levelling the playing field.

Two years ago, the Minister of Defence and chairperson of the African National Congress, Mosiuoa Lekota, publicly questioned the need for racial quotas and asked when South Africa's various 'races' would be regarded as Africans. "When will we cease to be Africans, coloureds, Indians and so on and (simply) be Africans?" Lekota asked. "This question of representivity, at some point we need to look at this and say there are no Indians here; Indians live in

India... And these people called coloured...are probably more South African than anyone."

His comments turned a spotlight on the troubling relationship between the policy of affirmative action and the perpetuation of racial identities in post-apartheid South Africa. They should have sparked a national debate on what we mean by a 'non-racial, democratic South Africa'. Racialised identities, as shown by Nazi Germany and Rwanda, have genocidal potential.

Social scientists agree that social and individual identities are constructed, not 'given'. The state or ruling classes set the template on which social identities, including racial identities, are based, and groups contest or accept them. Recent examples of such contestation in South Africa are the categories 'Bantu' and 'coloured'.

That social identities can be reshaped is clear from the unravelling of the supposedly immutable 'Afrikaner' identity. But because they are unaware of the historical, social and political ways in which they have been constructed, such identities seem to have a primitive validity for most people.

'Race' has no biological validity but is a social reality. The end of

apartheid, once a byword for racism, engendered the hope that it might be possible to realise the dream of a raceless, even a classless, society.

PROBLEMS WITH AFFIRMATIVE ACTION

The affirmative action policy is one of the new South Africa's most sensitive issues, not because it is wrong, but because of its unintended consequences. An elaborate process of public consultation ended in the Employment Equity Act, the Skills Development Act and the Skills Development Levy Act, which aimed to redistribute economic, social, cultural and political power and resources which were the fundamental reason for the

struggle against racial capitalism and apartheid. Only reactionaries oppose these objectives. The vast majority of people support them.

However, the policy as currently implemented benefits mainly the rising black

middle class and deepens inherited class inequality. Political, cultural and other role models irresponsibly refer to 'blacks', 'coloureds', 'Indians', and 'whites' in public discussion, and perpetuate apartheid racial categories and entrench racial prejudice. This discourse is



Mosiuoa Lekota

embedded in affirmative action laws, and in the social practices they generate or reinforce.

The Employment Equity Act (EEA) sets out to achieve equity in the workplace by:

- promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination; and
- implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, in order to ensure their equitable representation in all occupational categories and levels in the workforce.

Designated groups' are defined as black people (Africans, coloureds and Indians), women and people with disabilities.

Significantly, the EEA does not apply to members of the South African National Defence Force, National Intelligence Agency and South African Secret Service, as they are not defined as 'employees' in the Labour Relations Act. Also, the EEA and related laws maintain the distinction between 'African', 'coloured' and 'Indian' people – the idea of 'black people' falls away or is hauled out when it is convenient.

Because affirmative action (AA) is an aspect of transformation, it is easy to confuse it with

'transformation'. In South Africa, transformation measures, rather than AA, are needed to bring about fundamental social change. Structural economic and social change, transformation, is essential to get most black people to the point where they can benefit from AA. In a country with a 50% unemployment rate, job creation, which depends on structural change, is the priority. It is dishonest for government to claim that the creation of a few thousand jobs or the building of a few thousand houses represent 'affirmative action' or 'black empowerment'. Affirmative action can only be meaningful in the context of similarly qualified or skilled people, where members of a 'designated group' are given preference.

Because of Bantu education, South Africa still has a very small pool of skilled workers and many almost untrainable people. Any 'empowerment' strategy must prioritise education and training, and although such legislation has been on the statute book since the late 1990s, little progress has been made.

In 2004, the Department of Labour drastically overhauled sector education and training authorities (Setas), set up to facilitate skills training, because, with a few exceptions, they had failed. Ninety percent of learners recruited under the Seta scheme



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had dropped out, and the young people who become learners feel a strong sense of entitlement. Says Carol O'Brien, of the South African Chamber of Business: "They see the learnerships as a stop-gap while they look for something else... We find that about 25% of our learners have absconded or found other work... There is just no commitment from the learners themselves in terms of their contracts."

An additional problem is that AA appointees who are not up to the job have been disastrous for the public and corporate sectors. H Adam in *Comrades in Business. Post-Liberation Politics in South Africa* underscores the cruel dilemma facing the authorities: "The accelerated drive to blacken the South African institutions at all costs frequently means the sidelining or retrenchment of experienced civil servants of the old order."

Sampie Terblanche argues that tokenistic appointments further weaken South Africa's neo-liberal, minimalist state. Of course, such judgements must be understood against the background of an apartheid state that was exceptionally inefficient.

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EMPOWERING THE MIDDLE CLASS

The government often uses the concepts of 'black empowerment' and 'black economic empowerment' to sell incremental progress as serious 'transformation'. But most South Africans see that only a thin layer of people are being economically 'empowered'. Recently, even some left-leaning members of the governing alliance have spoken out against 'crony capitalism'.

The emerging consensus is that giving 'black' individuals shares in local and multinational corporations is not the only or best form of black empowerment, as it widens the gap between rich and poor. It is an irony that Solidarity, born of the former all-white Mineworkers' Union, should point out that "allowing the black elite to buy the cheaper shares will not eradicate poverty, but will only create new forms of inequality" and call for shares to be given to "low-income groups" of all races. Cosatu and other worker formations endorse this critique.

Statistics have confirmed the polarising trend, forcing government to retreat from Gear and to be more cautious in urging black entrepreneurs to enrich themselves without guilt or restraint. It should be emphasised, however, that the unequal distribution between 'white' and 'black' owners and managers of capital has hardly shifted. M Nyati in *Business Day* states that "ten years into South African democracy, transformation is conspicuous by its absence in the private sector. Black professionals continue to encounter systematic barriers to their upward mobility... Companies view

affirmative action as a threat to white privilege. They know that affirmative action provides to blacks what unearned white privilege has provided to whites for decades, a competitive advantage."

By 2001, according to government figures, only 13% of 'top managers' and 16% of 'senior managers' were black, while the growth in 'skilled professionals' and 'middle managers' was even slower. Progress in extending black ownership is also unimpressive - black equity in public companies was estimated at 9,4% in 2002, compared with 3,9% in 1997. Previously disadvantaged directors of public companies grew from 14 (1,2%) in 1992 to 438 (13%) in 2002, but the proportion of previously disadvantaged executive directors remained very small.

Nevertheless, the 'black middle class' has grown. Based on income, 1,5-million 'black' people were estimated to be middle-class by 2004. At the same time, most poor South Africans have gained virtually nothing from AA or BEE legislation. The United Nations Development Programme, which cannot be accused of anti-government bias, has criticised the failure to redistribute wealth and power across all classes.

Some commentators in and close to government have started asking whether it is not time to terminate AA and BEE policies, narrowly defined. They include Vincent Maphai, political scientist and chairperson of BHP Billiton. Maphai sees AA as a temporary bridging mechanism to redress injustice, not a principle. Once certain objectives have been attained, they can be discarded.

This is, unsurprisingly, a minority view in the black middle classes, and Maphai's views provoked controversy. But the fundamental issue he raised, the duration of AA policies, will not go away. His logic will begin to sink into the consciousness of decision-makers once the markets start to react adversely.

PERPETUATION OF RACIAL IDENTITIES

The strongest argument against current AA and BEE policies is that they perpetuate racial identities. I believe South Africans will eventually regret the day they were brought to accept them.

My point of departure is that the state, especially the democratic state, sets the template for the fashioning of social identities. In post-apartheid South Africa, it would be absurd to speak of 'racial domination' by 'black' people. But any modern government, particularly one leading a transitional society where people are more open to change, must be extremely sensitive to the impact of its ideas on the imagination of citizens.

Firstly, there is no need to use the racial categories of the past in affirmative action policies. The strategy would be more precisely targeted if class or income groups were the driving force. The large overlap between 'race' and 'class' in South Africa means that 'black' people would be the primary beneficiaries. In addition, all economically disadvantaged individuals, regardless of colour, would benefit.

Secondly, the humiliating experience of racial self-classification, and the replication of the language used by apartheid

racial ideologues to identify citizens by 'race', would be eliminated. Where it is necessary to monitor change in demographic terms, more acceptable methods could be found.

Language skills could be used to promote redress in an organic way. For example, no civil servant should be appointed unless proficient in an indigenous African language.

We need to study in detail each area where corrective action is needed, to identify the real sources of disadvantage suffered by individuals and groups. By using the shorthand of 'race', we give advantage to middle-class black people and we also entrench racial categories that undermine the possibility of a truly non-racial democracy.

Thirdly, if we agree identities are constructed, we should use every opportunity to realise the non-racial values enshrined in the Constitution. Superficial differences should not become a lever to marginalise or exclude any individual or group. This is the essence of a non-racial approach to promoting national unity, social integration and cohesion. No concessions need to be made to the beneficiaries of apartheid and colonialism.

Because they are becoming aware of AA's dangerously divisive potential, government and ANC leaders are beginning to question racial quotas. Minister of Sport Makhenkesi Stofile also came out strongly against quotas in national sports teams in 2004.

Another perhaps significant development is the use of the term 'umlungu' (white man or woman) by township youth for wealthy black people. By linking

'race' and 'class', they are, paradoxically, beginning to delink the two.

In the absence of a social revolution, like the one which started to transform racial discrimination and prejudice in Cuba, can we redistribute power, wealth, skills and knowledge without using apartheid racial categories?

We can. But we should remember that even in Cuba, racial prejudice continues to disfigure society. By promoting a colour-blind ethos after 1959, race was made invisible, so that prejudice lived on in repressed and disguised forms. Indeed, it became a taboo subject.

South Africans should not be afraid to address racism openly and publicly. We should rethink the issue of historical redress, so that we do not unintentionally perpetuate racial identities. Sandile Dikeni reminds us that our affirmative action discourse has been transplanted from the very different context of the United States's civil rights struggles. But black South Africans are not a minority. They have the power to insist on new ways of sharing state revenue. Through their control of parliament, they can reshape the way we identify ourselves. The basic issue we must grapple with is the best relationship between our national and various sub-national identities.

THE SOCIALIST ALTERNATIVE

It has become clear to many thinking South Africans that more effective strategies are possible. Terblanche, for example, urges a shift to a "social democratic version of democratic capitalism", with a larger state role in driving

transformation. In his nightmare scenario, First World capitalism continues unabated for another 30 years, resulting in a much smaller and richer bourgeoisie and much larger and poorer lumpenproletariat on the edges.

Journalist Allister Sparks also argues for a more socially responsible liberal democracy. Drawing on Hernando de Soto and other Third World economists, he proposes a state-driven public works programme similar to Roosevelt's New Deal.

Those, like Sparks and Terblanche, who seek an alternative capitalist path of development will run up against the historically evolved system, now in a phase of aggressive and rapacious neo-liberal 'globalisation'.

Those who do not believe the capitalist system can be improved by piecemeal reform must continue to put forward the socialist alternative. They must expose the contradictions of capitalism and promote radical democratic reforms which strengthen the poor.

Our aim must also be to promote what the German poet Friedrich Schiller, author of *Beethoven's Ode to Joy*, called "the aesthetic education of the human species". Dare I suggest that it is in post-apartheid South Africa that the curriculum for this educational programme is being formulated?

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