TWENTY YEAR REVIEW
SOUTH AFRICA
1994 - 2014

BACKGROUND PAPER:
IDENTITY, NON-RACIALISM AND SOCIAL COHESION

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The background papers are written by officials in the Presidency and other government departments using inputs from literature reviews, commissioned research, government reviews and reports and roundtable discussions with a range of stakeholders. The views reflected in the background papers do not represent those of the Presidency, but rather reflect authors' views on sector developments.

Contents

Acronyms and Abbreviations

AsgiSA	Accelerated and Shared Growth Initiative of South Africa
ARV	Anti-retrovirals
B-BBEE	Broad-based black economic empowerment
BEE	Black economic empowerment
BSRP	Building for Sport and Recreation Programme
CEO	Chief Executive Officer
CGE	Commission for Gender Equality
CPSI	Centre for Public Service Innovation
CSO	Civil society organisation
DTI	Department of Trade and Industry
EPWP	Expanded Public Works Programme
FIFA	Fédération Internationale de Football Association
FOSAD	Forum of South African Directors-general
GDP	Gross Domestic Product
HSRC	Human Sciences Research Council
IDC	Industrial Development Corporation
IDP	Integrated Development Plan
IEC	Electoral Commission
LRAD	Land Redistribution for Agricultural Development
MPRDA	Mineral and Petroleum Resources Development Act
NARYSEC	National Rural Youth Service Corps
NDP	National Development Plan
NEDLAC	National Economic Development and Labour Council
NSDS	National Skills Development Strategy
NYC	National Youth Commission
PanSALB	Pan South African Language Board
PLAS	Proactive Land Acquisition Strategy
RDP	Reconstruction and Development Programme
SAHRC	South African Human Rights Commission
SAIRR	South African Institute of Race Relations
SANCO	South African National Civic Organisation
SETA	Sector Education and Training Authority
SLAG	Settlement/Land Acquisition Grant
SMME	Small, medium and micro enterprises
TAC	Treatment Action Campaign
TRC	Truth and Reconciliation Commission

Executive Summary

Introduction

The founders of the democratic state were aware that forging a common South African nation, though important was never going to be easy because of a brutal colonial and apartheid past that was particularly divisive, dispossessed and disenfranchised the majority and inculcated racism. Apartheid emphasised difference and emotional and physical separation of the population groups; colonialism and apartheid were founded on marginalisation and disenfranchisement of the majority and affirmative action for the white minority engendering massive inequalities on the basis of race. What is particularly unique about South Africa is that the "colonisers" stayed and retained the both equal citizenship and the privileges amassed over centuries. In addition, South Africa is atypical in terms of classical nation definitions. South Africa does not share a common language, culture and ethnic origin. South Africa was and to some extent still is a heterogeneous society characterized by deep-seated racial, ethnic, cultural, language and religious differences overlapping with large-scale socio-economic disparities (Horowitz, 1991; Human Sciences Research Council, 1987.)

Already by 1994 there were foundations on which to build a new nation. South Africa had:

- Firmly established national territory
- A single economy
- In President Mandela a moral-spiritual figurehead acceptable to a majority of the different groups in society
- A national founding myth "South Africa is a special nation that brought themselves from the brink of a bloody civil war to negotiate peace"
- A new flag and the beginnings of the National Anthem: In 1994 "the then State President proclaimed that South Africa would have two national anthems, namely Nkosi Sikelel' iAfrika and Die Stem (The Call of South Africa). However, in 1996 a combined, shorter version of Nkosi Sikelel' iAfrika and The Call of South Africa was proclaimed as the national anthem of the post-apartheid South Africa (Bornman 2005:2)".
- Repelling the laws that underpinned apartheid began in 1991 when the Apartheid government bowed to internal and external pressure and also because apartheid ceased to make economic sense. The groups of laws that were the major pillars of apartheid repealed included:
- Adopted in 1996, The Constitution and its Preamble articulate what the foundation and building blocks of the new South Africa are. Building on the Freedom charter, the Constitution anchors a vision of a South Africa built on a culture of reverence for human rights and a new identity founded on the values of

non-sexism, non-racialism and equality. The Constitution aims to build a new over-arching national identity through a common citizenship and equal rights.

This paper indicates that as a nation we were able to:

- Uniting behind National Symbols and creating a common overarching identity
- Creating common institutions
- Creating a common voter's roll
- Creating common institutions
- Comparison with benchmark countries

In comparing South Africa's nation building process, country such as Rwanda, USA, United Kingdom, Finland, Denmark, France, China, Spain, Malaysia, Italy, Brazil, Egypt, Russia and India need to considered. The paper utilizes data that was extrapolated from the countries profiles, mainly focusing on the constitutional base of each country, the funding methodologies of the arts and culture sector, the cultural industries economic benefit to the specific country's economy, the levels of public participation and accessibility to the general population. The development of the Constitutional Law is common practice in all the reference countries selected. It serves as a basis for the recognition of human rights, founding the development of policies for the development and growth of the arts and culture sector.

All the countries selected for the purpose of this review have recognised cultural industries as a contributor to the economic growth and have a common desire to promote arts and culture through:

- Improvement of government and private investment funding;
- Reinforcement of domestic brands by encouraging foreign markets;
- Enhancing international cooperation and exchange programmes;
- Improve access to cultural industries
- Promotion of social cohesion;
- Capacity building; and
- The development of coherent cultural industries policies

The importance of the contribution of introduction of arts and culture in early childhood development in the family environment and in educational facilities has been identified as a fundamental element in encouraging participation in the cultural industries and promotion of social cohesion.

What are we celebrating?
2013 shows a different South Africa. The fruits of democracy are very visible everywhere:

- South Africa has been able to hold eight elections which were considered free and fair elections and were not contested legally by all political parties. The Independent Electoral Commission has become a centre of excellence and in November 2011, received the first prize from the Centre for Public Service Innovation (CPSI) for its eProcurement system in the category Innovative Use of Information Communication Technology for Effective Service Delivery. The 2010/11 annual report of the IEC reports that the voter's roll has increased by 30% since 1999. The number of political parties has also increased a clear indication of a vibrant democracy and greater appreciation of multiparty-ism in South Africa.
- Everyone over the age of 18 has a right to vote and the right to organise and join/form a union or political party of choice
- All apartheid practices and laws that legalised and enabled discrimination on the basis of colour have been repelled. There is equality before the law (even though richer people experience the law differently). There is a healthy separation of power between the three arms of government; the legislature, executive and the judiciary. The Constitutional Court is still able to instruct the executive and ensure that all South Africans enjoy socio economic rights as dictated by the Constitution.

There are many efforts that aim at advancing the purposes of generating social cohesion; inclusion and the building national identity to mention a few; the monitoring systems put in place by Parliament have ensured that Commissions, government and public entities account the people of South Africa and the special budgets such as the financial set-asides for the creation of the National Empowerment Fund and the development finance institutions such as the IDC and the Development Bank of South Africa.

According to the various censuses, 20 years into democracy, life is definitely better for many more citizens. There is a massive decline in the percentage of people who have never been to school. More South Africans live in formal dwellings and have access to basic services such as clean water, sanitation and electricity. Children under the age of six and pregnant mothers receive free health care. The vulnerable; the disabled, aged and very young have access to a comprehensive social assistance programme because the Constitution anchors the social security system through section 27.

Inequality is seen is a key factor that perpetuates divisions between South Africans. South Africa is highly unequal in terms of income; access to basic services and even opportunities. In 1994, the poorest 20% of the population earned just 2% of the national income while the richest 20 per cent earned 72%.Inequality seems to be growing post-apartheid.

"Evidence on the changes in income inequality, however, showed that in the post-1994 period, South Africa had not only experienced an increase in the levels of inequality in the country, but it had possibly become the most unequal society in the world (Bhorat, Van der Westhuizen and Jacobs, 2009; Leibbrandt, Woolard, Finn and Argent, 2009).

How can we become better as a state to overcome the challenges that face us
It can be argued that the policy environment is adequate in accelerating and catalysing the Nation building project whose elements the National Development Plan says include:

- Unity in diversity fostered by a shared commitment to constitutional values.
- A more equitable society where opportunity is not defined by race, gender, class or religion; building people's capabilities through access to quality education, health care and basic services, as well as enabling access to employment, and transforming ownership patterns of the economy.
- Redress measures that seek to correct imbalances of the past should be strengthened.
- Making it easier for South Africans to interact with each other across racial and class divides, the country needs to improve public spaces and public services.
- Active citizenry
- A lot has been achieved. Opportunity is definitely more equal now than it was in 1994. Participation is enabled through a variety of legislation including the white paper on local government and social dialogue institutions such as NEDLAC. Social movements thrive and are at liberty to oppose government legislation and policy as evidenced by many such as the Treatment Action Campaign and the Anti-Privatisation Forum.

The greatest challenge to the Nation building/Social Cohesion project is the inequality and joblessness and quality of provision of the social wage. A social contract could help propel South Africa onto a higher developmental trajectory as well as build a more cohesive and equitable society should be the next big nation building project. "The settlement that was produced through the negotiations in the 1990s and the Constitution, which includes political and socioeconomic issues, were effectively national compacts. There is now an urgent need to craft a social contract that will enable South Africa to achieve higher growth and employment, increase investment and savings. The idea of a social compact is a relatively simple one: all stakeholders buy into a clearly articulated vision; have a shared analysis of constraints and are committed to finding solutions; and parties understand the objective of the compact. The compact should offer attractive (indeed compelling) benefits to each party and all parties should believe that the necessary sacrifices are relatively equitably shared amongst all participants." (NDP 2012)

Review

1. Introduction and background

"From the outset, the Government of National Unity set itself two interrelated tasks: reconciliation and reconstruction, nation- building and development. This is South Africa's challenge today. It will remain our challenge for many years to come."

(Nelson Mandela's 100 days speech to Parliament, 18 August 1994)

This quote of the late former President Nelson Mandela illustrates that, even at the birth of the new nation, it was clear to all that forging a common South African nation, though important, was never going to be easy, because of South Africa's brutal colonial and apartheid past, which was particularly divisive. Apartheid emphasised the difference between, and the emotional and physical separation of the different population groups. Colonialism and apartheid were founded on marginalisation and the disenfranchisement of the majority, together with affirmative action for the white minority. This engendered massive inequalities on the basis of race. What is particularly unique about South Africa is that the "colonisers" stayed and retained both equal citizenship and the privileges amassed over centuries. Against the background of the challenges brought about by colonialism and apartheid, South Africa is atypical in terms of classical definitions of the concept of a nation. South Africans do not share a common language, religion, culture or ethnic origin.

South Africa's nation-building project would thus have to include identity formation, the legitimisation of public power, redress and the transformation of people's lives. It combines the definition of Von Bogdandy, Häußler, Hanschmann and Utz (2005), namely that it is "a process of collective identity formation with a view to legitimising public power within a given territory", with that of Adei (year), that it is "the systematic improvement of the political, economic, social and cultural wellbeing of a people".

The Reconstruction and Development Programme (RDP) accurately articulated what South Africa's nation-building project should be:

… an all-encompassing project that aims at economic, political and social transformation. Central to the crisis in our country are the massive divisions and inequalities left behind by apartheid. We must not perpetuate the separation of our society into a "first world" and a "third world" – another disguised way of preserving apartheid. We must not confine growth strategies to the former, while doing patchwork and piecemeal development in the latter, waiting for trickle-down development. Nation-building is the basis on which to build a South Africa that can support the development of our Southern African region. Nation-building is also the basis on which to ensure that our country takes up an effective role within the world community. Only a programme that develops economic, political and social viability can ensure our national sovereignty.

Republic of South Africa, 1994

The framework of Strugwig et al. (2012) is used in this review to understand and gauge progress in relation to the nation-building journey. This framework for nation-building and social cohesion research in South Africa has three overarching dimensions: the political or civic dimension, the socio-cultural dimension and the economic dimension.

All three of these dimensions are equally important, and highlighting any one domain above the others may impede the building of a truly socially cohesive South Africa. The political or civic dimension examines issues related to common values and a lively civic culture. The socio-cultural dimension incorporates issues of social capital, trust, tolerance and shared identities. Finally, the economic dimension examines economic development and strategies to reduce disparities in wealth.

South Africans celebrate diversity, thus the nation-building project does not aim to create a melting pot, but rather to recognise ethnic, racial and other groupings as the building blocks of a larger unity, which involves the policies of multiculturalism that guarantee the cultural rights of ethnic or other minorities.

It is important to take note of the fact that, as early as 1994, the foundations to build a new nation were already there. The liberation struggle itself was a massive unifier across tribe, race and class. South Africa had a firmly established national territory (as the homelands ceased to exist with the adoption of the interim Constitution in 1994), a single economy, a figurehead (in President Mandela) that was acceptable to the majority of the different groups in society, a national founding myth ("South Africa is a special nation that brought itself from the brink of a bloody civil war to negotiate peace") and a new flag, as well as the beginnings of a new national anthem. In 1994, "the then State President proclaimed that South Africa would have two national anthems: Nkosi Sikelel' iAfrika and Die Stem (The Call of South Africa). However, in 1996, a combined, shorter version of Nkosi Sikelel' iAfrika and The Call of South Africa was proclaimed as the national anthem of the post-apartheid South Africa" (Bornman, 2005:2).

2 The journey since 1994

2.1 The political/civic dimension: legitimising public power

The political or civic dimension examines nation-building and social cohesion by incorporating issues such as legitimising public power, enhancing participation and civic involvement, and encouraging adherence to constitutional values.

2.1.1 Dismantling the apartheid legal infrastructure

Repelling the laws that underpinned apartheid began in 1991 when the apartheid government bowed to both internal pressure (in which the country was made ungovernable) and external pressure (the institution of sanctions), and also because apartheid ceased to make economic sense.

Several of the laws that constituted the major pillars of apartheid, and which dispossessed and impoverished the majority of the population, were repealed:

- The Population Registration Act: This law had divided the populace into different racial groups and accorded superior rights, privileges and services to whites.

- The Separate Amenities Act and the Immorality Act: These laws had further separated the population. Romantic relationships between a white person and a non-white person were forbidden. Physical separation was also effected through the provision of separate education, health and other social amenities for white and non-whites, including separate benches and separate beaches. The legislation provided for both separate and inferior services.

- The Land Act of 1913: This law had set aside 13 percent of land for the 87 percent black majority. This was coupled with the large state subsidisation of commercial agriculture for white farmers, who received tax subsidies, rail transport subsidies, special credit facilities and grants, as well as extension services, such as for veterinary and horticulture services.

- The Group Areas Act of 1950: This law had restricted firm ownership by blacks to specified areas in cities and towns. Later regulations prevented black entrepreneurs from owning more than one business, from establishing companies or partnerships, or from owning business premises, even in "black" areas.

- The Bantu Authorities Act of 1951: This law had provided for the establishment of black homelands and regional authorities and, with the aim of creating greater self-government in the homelands, abolished the Native Representative Council.

- The Promotion of Black Self-Government Act of 1958: This law had set up a number of Bantustans and homelands – a patchwork of mini-states created on some of the country's most barren land, with borders generally drawn to leave out any viable economic areas. Whole communities were relocated to these areas after their forcible removal from the areas in which they had previously lived.

- The Black Homeland Citizenship Act of 1971: This law had changed the status of the inhabitants of the homelands, so that they ceased to be citizens of South Africa or to have any of the rights of citizenship.

- The Native Laws Amendment Act of 1952: This law had prohibited any black person without residential rights to remain in an urban area for more than 72 hours.

- The Bantu Education Act of 1953: This law had ensured that black children received an inferior education. As a result, the democratic state inherited an

education system in which the state spent four times more on educating white children than it did on educating black children.

- The Job Reservation Act of 1951: This law had reserved jobs for particular racial groups and discouraged the training of black artisans.

- The Suppression of Communism Act, other oppressive laws and the declaration of various states of emergency: These mechanisms created a legal environment for the crushing of any form of resistance to the injustice metered out to blacks generally and Africans in particular.

The adoption of the interim Constitution and the Constitution, as well as numerous laws and policy frameworks (green papers and white papers) laid the foundation for an open society based on democratic values, social justice and fundamental human rights.

2.1.2 Creating common institutions

The Constitution pronounces how the country must be governed. It also enshrines socio-economic rights and basic human rights, such as the right to life and equality, in the Bill of Rights. It set up a number of independent institutions to safeguard our democracy. These include the Commission for Gender Equality (CGE), the South African Human Rights Commission (SAHRC), the Auditor-General, the Public Protector and the Electoral Commission (IEC).

> *The transformation of the state involved overhauling the state machinery, fundamentally changing the entire policy tapestry, and introducing a new legislative framework. To this end, some 90 pieces of legislation were passed per annum. The Bantustans were reincorporated and their public services were melded with those in South Africa to create a single public service.*
>
> South African Human Rights Commission, 2006:6

Deracialising and forming institutions that were inclusive was important. It was, however, not easy. Bantu education and job reservation policies had ensured that there were not many persons of colour with skills and experience to choose from. The census of 1996 (Statistics South Africa, 1996b) indicated that 19.1 percent of persons above 20 had not received any schooling at all.

Institutions of different cultures had to be moulded into one and the culture of the institutions had to be transformed in line with the constitutional imperatives of a non-racial, non-sexist, equitable and democratic South Africa. For example, a new South African army had to be created from 65 000 South African Defence Force members, 27 000 Umkhonto weSizwe members, 6 000 members of the Azanian People's Liberation Army and 10 000 members of the various armed forces of the former homelands. Another example is the police service. There were 130 000 men and

women scattered over 11 different agencies. The main tasks of the police forces had been to supress the voice of the majority and maintain white supremacy by all means, including torture and even killing. This culture had to be transformed into a police service with the aim of protecting communities.

Sport also had to be transformed. The vast majority of blacks did not have equal access to competitive or recreational sporting opportunities at school or community level. There was little or no investment in sports infrastructure, equipment, attire, development, talent identification and/or activities for previously disadvantaged population groups. At the same time, apartheid South Africa had been subjected to international sporting sanctions, which isolated the country and its white athletes from international competition.

Between 1994 and 2005, Sport and Recreation South Africa constructed 744 sport and recreation facilities throughout the country, using funds from the RDP and Building for Sport and Recreation Programme (BSRP).

The height of South Africa's achievements over the past 20 years was the hosting, in 2010, of the greatest football spectacle in the world, the Fédération Internationale de Football Association (FIFA) World Cup. South Africans took a step towards liberating an entire continent from pessimism and doubt. Every South African worked tirelessly to make it happen: every single fan, every single person – men and women, young and old, rich and poor, able-bodied and disabled – helped bring the FIFA World Cup to life. This event not only showcased Africa and the warmth of its people, but also left a lasting African and South African legacy: one that could be felt across the length and breadth of the country and the entire African continent. It was an economic success too. According to research by Grant Thornton, the 2010 FIFA World Cup contributed R55.7 billion to the South African economy, generated 415 400 jobs and contributed R19.3 billion in tax income to government.

2.1.3 Creating a common voter's roll

On 27 April 1994, all South Africans were allowed to go to the polls for the first time, despite the fact that there was no common voter's roll. A common voter's roll first came into existence in April 1999. This was a very important step for the nation-building project, as it symbolised the equality before the law envisaged by the Constitution. It "represented that all South Africans would be equal without regard to race and gender to determine the future of South Africa" (Mbeki, 20 April 1999). Indeed, the April 1994 election produced the first democratically elected and legitimate government of the Republic of South Africa.

2.1.4 Enhancing civic participation

Together with the first democratic election held in April 1994, South Africa has held eight democratic elections since the advent of democracy. These were held regularly and were all considered to be free and fair, and were not contested legally by any

political parties. The 2010/11 annual report of the IEC indicates that the voter's roll has increased by 30 percent since 1999. The number of political parties has also increased, which is a clear indication of a vibrant democracy and greater appreciation of multipartyism in South Africa. Everyone over the age of 18 has the right to vote and the right to organise and join or form a union or political party of choice.

Political parties, religious organisations, public and private sectors (including the judiciary, legislature, Parliament and business), social movements, civil society and labour have a crucial role to play in promoting and strengthening social cohesion. Indeed, Bray et al. (2010) note that social cohesion takes place at the societal level through institutions that allow for, and often purposefully facilitate spaces of interaction, engagement and unity-building.

In addition to the election machinery, the state has established various opportunities for participation and has enabled an ever-increasing number of citizens to be meaningfully incorporated into the polity as "law-making" citizens. For example, after 1994, participatory engagement in the formulation of laws and policies was enshrined as policy and is a central tenet of post-apartheid legislation on local governance. The White Paper on Local Government (Department of Provincial Affairs and Constitutional Development, 1998) encourages municipalities to find ways of structuring participation. Formal, generalised structures of participation were established through legislation. Municipalities were also encouraged to develop their own mechanisms to enable the mayoral executive, municipal management, local council, ward committees and communities to participate in decision-making. Many municipalities still need to make this happen and are encouraged to do so. Chapter 13 of the National Planning Commission's National Development Plan (NDP) (National Planning Commission, 2012) goes further and suggests that the state should focus on engaging with people in their own forums, rather than expecting citizens to engage with forums created by the state.

Social dialogue institutions, such as the National Economic Development and Labour Council (NEDLAC), were established. NEDLAC is a vehicle by which government, labour, business and community organisations could engage in problem-solving and negotiation on economic, labour and development issues, as well as other related challenges facing the country. Presidential working groups were also established to facilitate dialogue between social partners at the highest level.

The struggle against apartheid provided a unifying bond across a variety of organisations: faith-based organisations, unions, community-based organisations – such as the South African National Civic Organisation (SANCO) – and others. This culminated in the formation of the United Democratic Front. Post-1994 social movements have normalised and have changed in both form and number. Figure 1 indicates that there has been a general decrease in memberships of organisations

and social movements (except for voluntary organisations). For example, membership in faith-based organisations decreased from 58.4 percent in 1995 to 51.1 percent in 2006, and union membership declined from 7.5 percent in 1995 to 4.7 percent to 2006.

This can be ascribed to a number of factors, including the fact that the new political structure allows for more formal methods of engagement.

Figure 1: Membership of various voluntary organisations
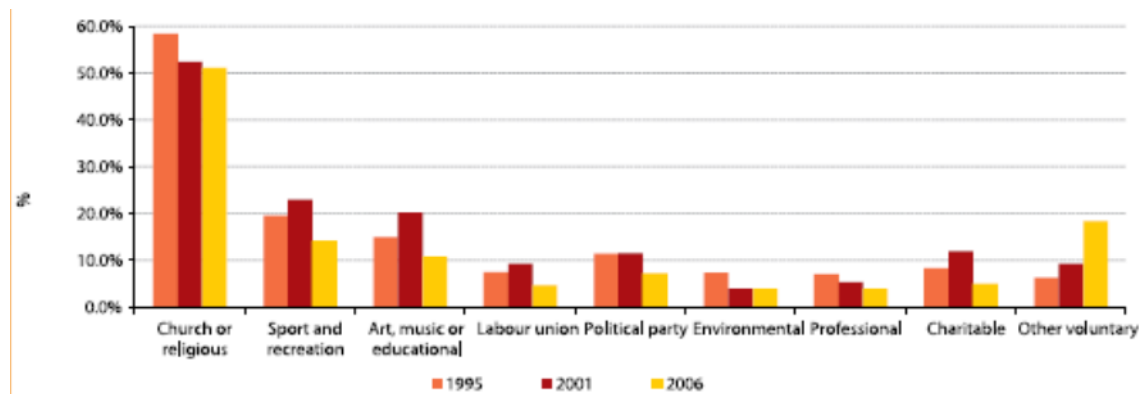
Source:Department of Performance Monitoring and Evaluation, 2013

After 1994, civil society organisations began to normalise their activities by pursuing citizens' aggregated interests. Civil society movements help ensure the realisation of socio-economic rights and many such movements would, in fact, resent being "co-opted by socialist developmentalism".

Harvey, 2003:166

Many of the large social movements use the state institutions that have been put in place to guard democracy and the attainment of socio-economic rights to attain their goals. According to Greenstein, "civil society associations are becoming delivery intermediaries between the framers of social policy and those for whom it is intended". He argues further that "their ability to play this role would depend on their capacity to articulate the needs and concerns of their constituencies, the extent to which they develop a coherent programme of action and win public support for it, and their success in forming alliances with other like-minded actors."

Funding for civil society organisations (CSOs) also declined, as many international donors felt that the role of these organisations would be limited now that there was a legitimate government in place.

The relationship between the state and CSOs is not always cordial, nor is it always adversarial. For example, the Treatment Action Campaign (TAC), formed in 1998, partnered with government to fight copyright laws that prevented the use of cheaper generic Aids drugs. The very same TAC used the courts to force the Department of

Health to provide anti-retroviral (ARV) drugs for the prevention of mother-to-child transmission of HIV (Ranchod, 2007).

However, South Africans generally belong to some organised membership organisations and actually surpass other countries in a similar stage of development, such as Chile, Korea and Poland. South Africans' membership of labour unions and political parties is also high compared to these three countries. CSOs have not built strong community-based organisations, though, which would enable people to express their concerns. People at grassroots level therefore not only lack a voice; they also lack power.

Another form of participation and being active citizens is protest action. Research by the Centre for the Study of Violence and Reconciliation in 2011 indicates that the increase in the number and violence of protests suggests that the increase is due to poor service delivery, while the violence is dependent on the reaction of the police to such protests. The authors suggest that the exaggerated response of the police could lead to a police service that is not trusted by the community it is supposed to be serving.

In summary, 20 years into the democratic dispensation in terms of civic participation, there is much to celebrate. The Constitution allows for freedom of speech and association. The legislatory framework encourages participatory government, with the legislation/policy loop having a public commentary step. Civil society bodies are, to a greater extent, becoming delivery intermediaries between the framers of social policy and those for whom it is intended.

2.2   The socio-cultural dimension: social cohesion
The socio-cultural dimension of nation-building incorporates issues of healing, building social capital, trust, tolerance and creating shared identities.

Instead of retribution, the country chose the way of the Truth and Reconciliation Commission (TRC). The TRC was conceived as part of the bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy. Anchored in the National Unity and Reconciliation Act of 1995, the mandate of the TRC was to uncover as much as possible of the truth about past gross violations of human rights, to bear witness to and record crimes related to human rights violations, and to craft recommendations in relation to reparation and rehabilitation.

The TRC must be understood within the context of a number of other instruments aimed at the promotion of democracy, such as the Land Claims Court, the Constitutional Court, the human rights, gender and youth commissions, and other Chapter 9 institutions. The TRC was given the power to grant amnesty to individual perpetrators if they completely and honestly disclosed their crimes and if their crimes

were politically motivated. The commissioners were given the power to subpoena, search and seize, and the hearings were very public. The TRC presented its report to the then President in 1998. The existence, two years after the first democratic election, of the Government of National Unity contributed further to the relatively bloodless institutionalisation of one-man, one-vote democracy.

2.2.1 Uniting behind national symbols and creating a common overarching identity

Social cohesion incorporates how individuals and communities unite around a common history, national identity and related symbols, how the divisions of the past are overcome, and how society coheres around a common set of values and goals for the country's future. In the South African context, this would centre on the creation of a national myth, cohesion around the Constitution and the values embedded therein, the national anthem, or symbols, like the flag, in short, the creation of a South African identity that would trump other identities for the purpose of nation-building.

Adopted in 1996, the Constitution and its Preamble articulate the foundation and building blocks of the new South Africa. Building on the Freedom Charter, the Constitution anchors a vision of a South Africa built on a culture of reverence for human rights and a new identity founded on the values of non-sexism, non-racialism and equality. The Constitution aims to build a new overarching national identity through a common citizenship and equal rights, and the "avoidance of ethnically defined federalism, but also through the promotion of symbols, such as a new national flag, new place names, public holidays, coat of arms and national medals through the national news" (Mattes, 2007).

Other national symbols include the national flower (protea), animal (Springbok), bird (blue crane), fish (galjoen) and the national tree (real yellowwood). These symbols help provide a common identity. "National symbols often do not only represent the general concept of nation; but also condense the knowledge, values, history and memories associated with one's nation" (Butz, date). For South Africans, the role of national symbols is best summarised in the address of former President Thabo Mbeki at the launch of the Coat of Arms in 2000:

> *It is both South African and African; it serves to invoke our distant past, our living present and our future as it unfolds before us … it pays tribute to our land ... by inscribing the words on the coat of arms diverse people unite; we make a commitment to value life, to respect all languages and cultures and to oppose racism, sexism, chauvinism and genocide.*
>
> Mbeki, 27 April 2000

The Preamble to the Constitution sets out the need to heal the divisions of the past through affirmation and redress, while uniting all South Africans as citizens in the

land of their birthright (National Planning Commission, 2011). The Constitution has an extensive Bill of Rights that forbids discrimination on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. It is the highest law of the land and "should become the focal object of collective loyalties and even replace other objects of identification, so that other, traditional elements of identity become irrelevant" (Von Bogdandy et al., 2005). The largely indigenous process of constitution-crafting either included the relevant elites or took due regard of the interests of groups not represented in the process. It is thus generally regarded as being legitimate by most people in South Africa.

The Human Sciences Research Council (HSRC) developed an index for assessing whether the populace sees the national symbols (the flag, the Constitution and the national anthem) as important. The indicator helps approximate whether a common overarching identity is being formed. The five-point Likert-type scale has the following response possibilities: very important, reasonably important, uncertain, reasonably unimportant and totally unimportant. The highest possible mean score is 5 and the lowest possible score is 1. A higher score (at least above 3.0) is an indication that more importance was attached to the particular symbol or concept, while the opposite is true of lower scores. The 1998 Market Research Africa study, done on behalf of the HSRC, showed that, on a scale of 5, with 5 being very important and 1 unimportant, the Constitution was (and still is) the national symbol that is the most popular across all racial groups, scoring 4 and above on a scale of 5 for all racial groups, except for Afrikaans speakers, who rated it at 3. This, on its own, is something to be celebrated because it can be argued that it is the Constitution that allows the colonisers to retain ownership of the factors of production, as well as wealth, in exchange for universal franchise (Chipkin, 2010).

Given that "collective identity is social affiliation that is conscious and reflexive" and given that "identity is based on social constructs", the formation of an overarching South African identity, based on this constitutional document, appears to be possible (Von Bogdandy et al., 2005). This Constitution should therefore be popularised beyond it being a symbol to protect property rights.

> *Our Constitution will thrive only if ordinary people are prepared to defend it against possible abuse. When we talk about the Constitution, we therefore need to convince people that the Constitution is a truly transformative document and that it will help to deliver a better life for all. We need to talk much more about the social and economic rights in the Constitution and how our courts have often intervened successfully to stop the ANC (or DA) governments from cutting off people's water, evicting them from their houses, and denying them access to basic health care.*

De Vos, 23 April 2009   (http://constitutionallyspeaking.co.za/on-a-two-thirds-majority-and-changing-the-constitution)

The social cohesion goal for South Africa is to celebrate diversity and multiple identities, while creating an overarching identity framed by the Constitution.

> *Social cohesion is to be achieved on the basis of a common attachment to the ethical principles of the Constitution. The South African nation, we might say, is that people are united, not by any racial or cultural trait, or even an attachment to a particular geography, but by a shared commitment to the principles of diversity, equality and justice.*

> Chipkin & Ngqulunga, 2008:64

Indeed, over the years, although national symbols such as the Constitution and the flag are popular, the percentage of people who describe themselves as South Africans first has remained constant at about 50 percent. This therefore means that the task at hand is to foster a type of social cohesion that relates to expressions of our diversity that do not threaten a united whole; creating a form of cohesion in which solidarity is valued, where those who perceive a loss of rights as a disenfranchised group, support the rights of other groups that are disenfranchised in other ways, particularly substantively. Constantly asserting the need for an umbrella national identity denies that certain people feel little sense of belonging to the larger whole, beyond symbolically, and this causes a sense of alienation and actual retreat into laagers (or racial/ethnic enclaves.)

Table 1: How South Africans describe themselves

%	2004	2007	2008	2009	2010	2011	2012
As an African	18.4	25.8	32.6	30.2	no data	30.8	29.1
As South African	52.8	52.6	45.7	54.1	no data	50.8	52.4
By race group	4.1	9.9	11.3	7.1	no data	9.1	8.8
By language group	13.6	2.6	3.1	1.9	no data	3.7	4.1
Rest of self-descriptors	11.1	9.1	7.3	6.7	no data	5.6	5.6

Source: Department of Performance Monitoring and Evaluation, 2013

2.2.2 Building trust through the sharing of common space

Public interaction is important for building trusting societies. As we learn about each other through simple interactions, we develop what Robert Putnam calls generalised reciprocity: "I'll do this for you without expecting anything specific back from you, in the confident expectation that someone else will do something for me down the road." It is this sense of mutual obligation or responsibility for action that leads to more cooperative communities; communities where people pick up litter off the ground, vote in their municipal elections, donate blood, or hold the elevator for their neighbours. As people wait in queues or sit in buses or trains when they use public transport, they will strike up a conversation and see past class and race to see humanity. As Younge (2010:195) argues: "As far as it goes, integration is a great

thing. The more contact you have with different kinds of people, the less potential there is for stereotyping and dehumanising those different from yourself. The more one chooses a life that is voluntarily segregated from others and retreats into one's own community, the less scope there is to explore, discover and engage with those common human traits that transcend identity." Segregation provides fertile ground for the perpetuation of myths about the other.

The pre-1994 regime ensured the physical separation of races through laws such as the Prohibition of Mixed Marriages Act of 1949, the Group Areas Act of 1950 and the Natives (Urban Areas) Act of 1923, which laid the foundations for residential segregation in urban areas. The latter and others like it formed the cornerstone of what is now referred to as apartheid spatial geography. The economic core was white, surrounded by Indians or coloureds as buffers, with Africans located the furthest from the economic core. The Separate Amenities Act enabled segregation in all public amenities, public buildings and public transport.

Twenty years later, the entire racial space has not changed much. This is largely because apartheid policies ensured that black people were poor and had limited skills sets to engage in a modern economy. This, coupled with massive unemployment, made it difficult for poor people to purchase property in the former white suburbs and move out of predominately black areas. Everatt (2012:6) argues that "… barriers of all types – racial, ethnic, class – seem to be falling; or, more accurately, eroding". But very clearly, this must speed up dramatically: the median cost of a suburban dwelling in Gauteng is 25 times the median income (Organisation for Economic Cooperation and Development, 2011), suggesting the massive challenges facing black, coloured and Indian people trying to break out of the racially zoned spaces created for them by the apartheid government and maintained under the economics of the post-apartheid state. In addition, services improved in former township areas and thus the pressure to leave declined.

Research further seems to indicate that even where multiracial settlements are forming, there is little racial integration. "Moreover, most respondents reported finding the townhouse complexes lonely and alienating environments. Neighbours tend not to know each other and there is no deep sense of community" (Chipkin, 2012).

Others argue that the provision of free housing has made matters worse in terms of sharing space across class. The poor are now placed furthest from the commercial core and from places of work. Poor migrants in cities also occupy these peripheral areas (see Mathe, 2010). "South African cities have remained profoundly divided, segregated and unequal despite 16 years of concerted government efforts to extend development opportunities to the urban poor" (Charlton & Kihato, 2006 in Pieterse, 2009:1).

Pieterse (2009) further argues that the transformation of apartheid-city geography to allow for the sharing of space across class will not happen until a set of related challenges is dealt with. These include the following:

- The private sector is reluctant to adhere to city planners' recommendations in terms of where urban investments should be made, and zoning becomes powerless in the context of private property rights. So private investments will follow the rich, and public investment will follow the poor.

> *The constitutional protection of private property is that it makes it very difficult for city governments to institute regulations that can be perceived as imposing negatively on property rights in the name of social rights or public good. Most importantly, if there is a perception of the reduction in the value of property, it could be interpreted as an infringement of the right … a threat to property values can be recast as a threat to the tax base…. Thirdly, on the regulatory side it has been pointed out recently that very few municipalities have or use disincentivising instruments to cut off or penalise private investments in the "wrong places" or of the "wrong kind""*
>
> Pieterse, 2009: 4

- The spatial investment policy regime is fragmented across all three spheres.

> *All of the key built environment functions, such as housing, transportation, land management, energy, environmental planning and economic development are awkwardly split across the three levels of government … strategic clarity and alignment have proven virtually impossible to achieve because of the continued perversities that flow from the unviable divisions of powers and functions across the three spheres of government and the challenges produced by the intergovernmental fiscal system.*
>
> Pieterse, 2009:5–6

If parks and green spaces are well managed, they provide communities with a sense of place and belonging, opportunities for recreation, health and fitness, events that reinforce social cohesion and an inclusive society. As a freely available, highly accessible local facility providing recreational opportunities for all ages, quality parks and green space can make a vital contribution to this relationship-building process. All of the benefits they offer to the individual in terms of feeling part of the community and better understanding the place in which he or she lives can be extended to the immediate and wider family group with good effect.

Parks and green spaces also provide opportunities through interaction at the playground or at events for neighbouring families to meet and extend their local social networks. Public spaces are a vital ingredient of successful cities. They help

build a sense of community, civic identity and culture. Public spaces facilitate social capital, economic development and community revitalisation.

Studies conducted using aerial photographs show that former white suburbs have higher green space per capita than former black locations and the new RDP houses have even less. The general patterns of green spaces and woody composition and density showed some important correlations with socio-economic indices. Towns with lower income levels and more densely populated towns had less proportionate green space and less green space per capita. Residents also had serious concerns about safety within these areas and considered risk a major determinant of which parks and green spaces they tended to visit. South Africans considered green spaces to be places for recreation and relaxation and the source of numerous environmental benefits, to the point that many residents were willing to volunteer their time (over 50 percent) or pay (20 percent) for the maintenance of parks and green spaces.

Together with public spaces, the use of public services also enables people to share space across race and class. Unfortunately, private healthcare and private schools mean that the rich do not get to know people of other races and classes. South Africa has a highly developed private sector, with around 14 percent of the population belonging to medical schemes. From 1994 to 2002, there was an increase in private sector spending, with a disproportionate amount of the total health resources (around 50 percent) being spent in the private sector (Barron, 2013). There are about 200 private hospitals.

Schools are also not enabling sharing and integration across classes. "Schools, as centres for socialisation, are important for cross-race and -class interaction. Research shows that former white schools discriminate by either preferring to admit black students from high-income households or by attempting to assimilate them into a Eurocentric pedagogy (in terms of remaking social-spatial hierarchies, determining educational choice and creating a typical South African city).

The South African Schools Act of 1996 made it possible for learners to enrol in schools of their choice. Subsequent policies dictated feeder areas for schools. There was a mass exodus of African learners from "inferior" schools to better schools that were formerly white, Indian or even coloured schools. This caused challenges that included depopulation of rural and township schools, overpopulation of suburban schools, commuter learner problems and educator challenges in teaching diverse learner classrooms – in terms of race, ethinicity, class, and/or religion.

The deracialisation of schools, suburbs and amenities led to the removal of voices and resources, as it was more resourced parents that could afford to remove their children from the rural and location schools. Where one gets educated, matters. "The legacy left by the apartheid state promotion of ethnic African languages as the

medium of instruction means that most successful black business or political leaders cannot pass to their children a prestigious English accent to access this important form of symbolic power (Bourdie, 1991:6). This usually requires a child to study in a former white school.

As a consequence of these challenges, interracial friendship formation is still limited (see Figure 2).

Figure 2: **Cross-racial friend percentages**
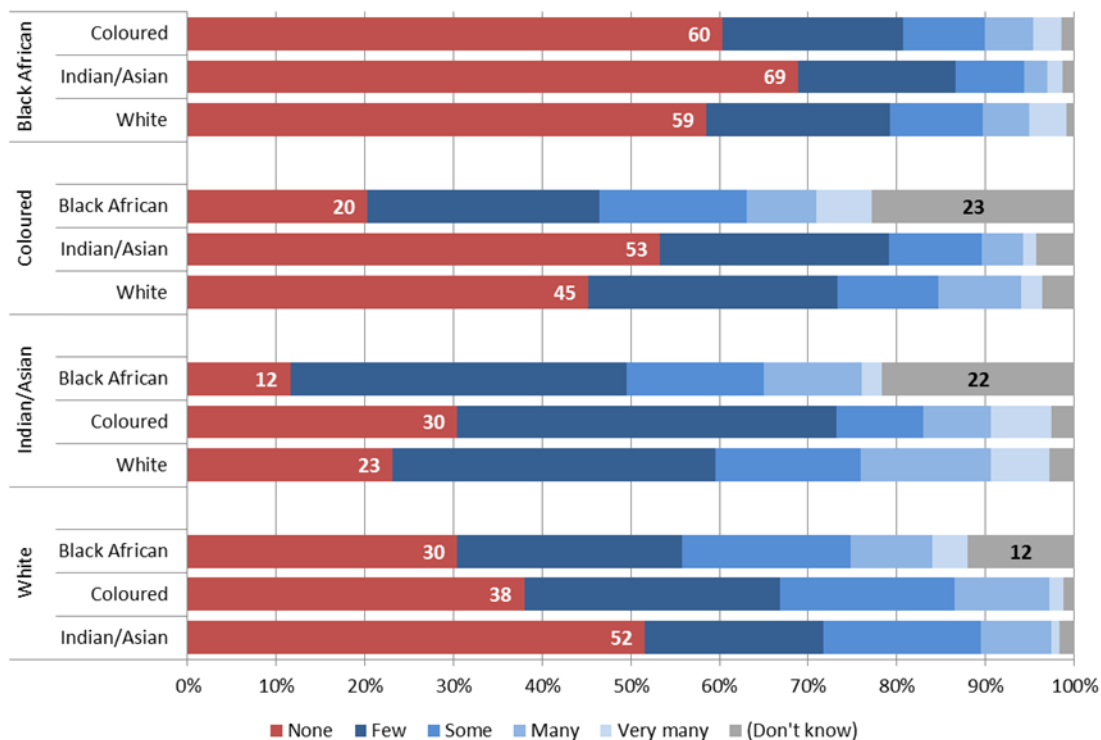
Source: HSRC, 2012

In a country where the majority of the population is African (79.2 percent) (Statistics South Africa, Census 2011), up to 30 percent of whites claimed they did not have any African friends. This figure was 12 percent for Indians and 20 percent for coloureds. This proves that there is still very little opportunity for cross-racial friendship.

Twenty years into the democratic dispensation, trust levels are still low. The World Values Survey seems to suggest that trust levels were highest pre-democracy. At only 20 percent according to the 2007 World Values Survey (Kotze et al., 2008), South Africa's trust index is low. These results are collaborated by the HSRC's 2012 South African Social Attitudes Survey, which indicates a drop in trust levels from 5.08 in 2008 to 4.63 in 2013.

Figure 3: Trust levels according to the World Values Survey rounds 1–5 (1981–2007)
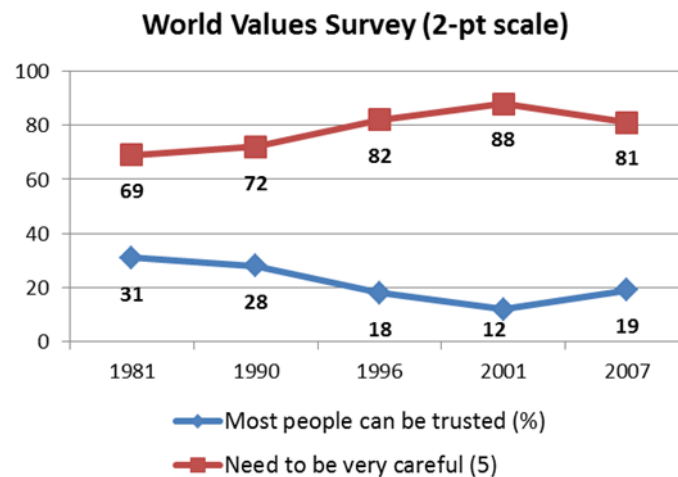
Source: Kotze et al, 2008

The lack of trust contributes negatively to the nation-building project. Knack & Keefer (1999) modelled trust and investment as a percentage of gross domestic product (GDP) and found a positive correlation between the two. In the absence of trust, consumption would be preferred to investment and "leaders could not credibly promise supporters future benefits from worthwhile investments". Higher levels of trust could mean a reduction in the cost of enforcing property rights, because not every single thing has to be written, and contingency plans crafted for all eventualities. Greater trust will result in fewer resources being diverted to prevent corruption. High trust levels enable greater innovation, as entrepreneurs devote less time and resources to monitoring possible malfeasance, and more economic growth, as hiring becomes about excellence rather than social connections. Lastly and most importantly, with a divided people living within a single political boundary, it becomes difficult to implement a social contract, especially if it requires some sacrifice for future gain. Using the recent economic crisis as an example, the fact that South Africa lost nearly one million jobs during the 2008/09 financial and economic crises is evidence of the fact that key social partners could not agree on the basics of a rescue package. Government provided some fiscal stimulus during this period, but labour did not concede to moderate wage demands and business did not agree to avoid retrenchments at all costs (Hirsch, 2011).

2.2.3 Social capital and tolerance

Social networks ("connections") help define one's life possibilities by opening up opportunities. They are also an important measure of social consciousness and preparedness to take part in both community and general national programmes. According to the 2008 Macro Social Report (The Presidency, 2008), like most things in South Africa, even "connections" have a gender, race and spatial connotation:

- People in urban communities tend to have more close friends than people in rural communities.

22

- Black people tend to belong to networks with meagre resources (little to offer).
- The better resourced a respondent's community, the more friends they said they had (with Indians and whites reporting more than three times the figure of African respondents).
- Women have fewer friends within and outside their communities.
- Young adults tend to have fewer friends within their communities, perhaps as a result of mobility.

Non-sexism is enshrined in the Constitution. South Africa has a large set of state institutions (including a ministry) and legislation devoted to ensuring women's equality, alongside vibrant gender activist organisations.

The country has taken important steps forward in the representation of women, particularly within government. In 2010, 44 percent of legislative seats and 43 percent of Cabinet positions were held by women. In local government, women held 40 percent of elected positions. The number of women at senior levels of the public service had risen to an average of 36 percent by the end of 2009, and women constituted 26 percent of the positions in the higher courts and about 40 percent of the positions in the lower courts. Same-sex civil unions were absorbed into law in 2006. Gay and lesbian people may adopt children and join the army. However, patriarchal practices still reduce the participation and voice of women in society. Women still earn less than men on average and only 18 percent of managers are women (Department of Performance Management and Evaluation, 2009). Women are still expected to conduct their productive and reproductive roles (child care, caring for the sick – a huge burden given the HIV/Aids pandemic – fetching water, fuel, etc.), reducing the possibility of engaging with the broader economy.

2.3   The economic dimension

The challenges of poverty, unemployment, homelessness, landlessness, and the divisions around race, class and gender make it difficult to arrive at a socially cohesive and united society as fast as we would want to. Our responsibility as government is to lead the South African people towards a national democratic society. This is a society that is united, non-sexist, non-racial, democratic and prosperous.

President Zuma, Social Cohesion Summit, 2012

Clearly, to prioritise the aspect of a singular overarching identity, or national belonging, is to create a fractious form of social cohesion that constantly needs to be fuelled and protected. What happens when, as we see in South Africa at present, there are real contestations around resource (re)distribution on the basis of racialised categories? How do we value the contestations associated with democracy-building as something that strengthens society as a whole? This socio-cultural dimension of belonging/identity, as important as it is, cannot adequately

frame social cohesion in contemporary South Africa. The economic dimension must be prioritised squarely within the framework of social cohesion, not as a separate process. Indeed, at the National Assembly debate in Cape Town on nation-building on 29 May 1998, the definition of nation-building was mooted as the construction of the reality and the sense of common nationhood that would result from the abolition of disparities in the quality of life among South Africans based on the racial, gender and geographic inequalities we all inherited from the past.

According to the various censuses, 20 years into democracy, life is definitely better for many more citizens. There is a massive decline in the percentage of people who have never been to school. More South Africans live in formal dwellings, and more have access to basic services, such as clean water, sanitation and electricity, as evidenced in Table 2.

Table 2:   Access to basic services since 1994

Service	Access: 1996 census	Access: 2001 census	Access: 2011 census
Formal dwelling	65.1%	68.5%	77.6%
Piped water	80.3%	84.5%	91.2%
Flush toilet	N/A	50.0%	57.0%
Higher education	7.1%	8.4%	12.1%
No schooling	19.1%	17.9%	8.6%
Enrolment			
Electricity for lighting	58.2%	70.2%	84.7%
Electricity for cooking	47.5%	52.2%	73.9%
Municipal refuse removal weekly	52.1%	55.4%	62.1%
Cellular phone	N/A	31.9%	88.9%
Television	N/A	52.6%	74.5%

Source: Statistics South Africa, 2012

The democratic government has been able to have a positive impact on people's lives and demonstrate the progressive realisation of socio-economic rights as envisaged in the Constitution. Between 1990 and 1994, the policy approach to basic services was that government pays for the capital costs of new services infrastructure, while the users covered operation and maintenance costs. Towards the end of the 1990s, it became clear that poverty, unemployment and the high running costs of many schemes meant that poorer people could not afford the charges, and so this arrangement would not be adequate to ensure either sustainability of services or equity of access to services. A substantial and important part of the population was being denied access to basic services.

By introducing the policy of free basic services in 2000, even the poor were enabled access. The adoption of the policy in 2000/01 to provide a basket of free basic services to all, linked to an indigent policy that targeted the poorest sections of communities, was important for ensuring access to basic services even for the poorest of the poor (Government of South Africa, downloaded 22 August 2013).

In most areas, all users got a certain amount of free water and electricity – enough for their most basic needs. Those who use a lot must pay higher rates. In this way, people with big houses and gardens, who use a lot of electricity and water, pay more, and the poor who use very little, pay nothing or very little. No-fee schools are an attempt by government to make sure that the poor enrol and stay at schools. Children under the age of six and pregnant mothers receive free healthcare.

The vulnerable, the disabled, the aged and the very young have access to a comprehensive social assistance programme, because the Constitution anchors the social security system through section 27(1c): "Everyone has the right to have access to social security, including if they are unable to support themselves and their dependants, and appropriate social assistance" (Republic of South Africa, 1996). South Africa has developed two concepts of social security:

- A social insurance scheme based on contributions: contributory schemes; statutory schemes include the Unemployment Insurance Fund, the Compensation Fund and the Road Accident Fund , while non-compulsory schemes include medical aid funds and retirement funds.
- A tax-funded scheme for redistribution:

Non-contributory social pensions were instituted in 1928 for whites and coloureds who were not covered by occupational retirement insurance ... In 1944, the Smuts government extended social old-age pensions to Africans, though benefit levels were less than one tenth of those for whites ... The 1992 Social Assistance Act finally did away with all discriminatory provisions. Thus, the social pensions and grants which were set up to protect the white population, gradually expanded their eligibility rules to include all South Africans.

Woolard & Leibbrandt, 2011:6

The mainly means-tested grant system aims to assist the vulnerable and those not expected to participate in the labour market, namely the aged, the disabled and those too young to work. Coverage for those eligible for these grants is almost universal. There are 13 026 104 beneficiaries of the social assistant system, and it costs the state about US$7.8 billion per annum. The Department of Social Development estimates that government spends about US$100 per month per household on the poorest 40 percent of households on the social wage, including social grants. Social assistance spending (excluding administration) now consumes 3.2 percent of GDP, up from 1.9 percent in 2000/01.

All these initiatives and economic growth led to a decline in poverty. Using a poverty line of R577 (at March 2009 prices) per person per month, the aggregate poverty headcount declined from 52.7 percent in 2005 to 45.9 percent in 2010. At the R577

line, the poverty gap at the national level declined by four percentage points to 20.4 percent in 2010.

2.3.1 Equalising opportunity and outcomes

This inequality is by far the biggest obstacle to national unity and social cohesion, and no amount of talk at summits like this will bring us closer together unless we can solve the underlying structural problems within our economy, which are the root cause of our unemployment, poverty, inequality and social divisions.

General Secretary of COSATU, July 2012 Social Cohesion Summit

Inequality is seen as a key factor that perpetuates divisions between South Africans. South Africa is highly unequal in terms of income, access to basic services and even opportunities. In 1994, the poorest 20 percent of the population earned just 2 percent of the national income, while the richest 20 percent earned 72 percent. The Gini coefficient stood at 0.665. By 2008, income accruing to the poorest 20 percent had declined to 1.6 percent, and the Gini coefficient had increased to 0.666 (The Presidency, 2010). The pay differential between the highest- and lowest-paid workers in South Africa remains among the highest in the world at more than 50 times, with South African CEOs being paid traditionally either the highest or second-highest in the world on a purchasing power basis. In China, the ratio is 20:1 (Business Day live, 22 July 2013).

Inequality is the enemy of social cohesion and nation-building for many reasons. The rich opt out of public services, reducing the possibility of sharing common space. Inequality lies behind the various unrests. Strike actions and disputes between 1999 and 2011 are attributed mainly to wage, bonuses and compensation disputes as workers try to reduce the gap in their earnings. Even more noticeable is that it increasingly became the most important reason for industrial action, rising from 74.2 percent in 1999 to 95.8 percent in 2011. It peaked at 98.8 percent in 2010 (Jacobs & Yu, 2013).

South Africa experiences violent service delivery protests, and these are increasing in number. It is relative deprivation that fuels the protests. The protestors "are significantly poorer than neighbouring wards. They observe communities in more formalised neighbouring areas benefiting from upgraded services and they observe councillors and local officials cruising past in large cars, while they wait endlessly for their turn to arrive" (Kevin & Karen, year:2). Crime, including corruption, thrives in countries with massive inequality where citizens feel they do not need to practice good citizenship. In South Africa, the fear of crime has led to the phenomenal growth of gated communities. All of this leads to a rise in gated communities, creating a barrier to interaction among people of different races, cultures and classes. Crime keeps away investments, further fuelling joblessness.

Inequality also leads to low trust levels. South Africa's trust index is a low 20 percent (Kotze et al., 2007). Cross-country studies and within-country studies suggest that economic inequality exerts a negative influence on trust.

So, in a country that has a nation-building project, inequality is the single-most important factor standing in the way of a more cohesive society. Gross inequality is unjust. "Inequality hardens society into a class system, imprisoning people in the circumstances of their birth. Inequality corrodes trust among fellow citizens, making it seem as if the game is rigged."

Inequality seems to be growing post-apartheid. "Evidence on the changes in income inequality, however, showed that in the post-1994 period, South Africa had not only experienced an increase in the levels of inequality in the country, but it had possibly become the most unequal society in the world" (Bhorat, Van der Westhuizen & Jacobs, 2009; Leibbrandt, Woolard, Finn & Argent, 2009). Analyses of the drivers of the changes in poverty and inequality suggested that individuals at the top-end of the distribution chain had gained the most from the post-apartheid growth dividend, while the incomes of those at the bottom end of the distribution chain were supported through government's extensive social transfer programme. However, the economic crisis, which resulted in job losses even at the higher end of the income spectrum, as well as the state's social transfers, which bolster incomes of the very poor, seem to have contributed to a declining trend in the rise of inequality.

> *The decline in inequality between 2005 and 2010 has been a function of the decline in the consumption expenditure of those at the top-end of the distribution, who lost their jobs during the crisis, together with the improvement in expenditure levels of the poor as a result of the expansion of the social security system. A note of caution: The changes in the levels of inequality might be slightly magnified by our use of per capita consumption expenditure to calculate inequality estimates. Those at the top of the distribution almost certainly have balance sheet wealth and other assets, which will not be reflected in their levels of consumption expenditure.*
>
> Bhorat, Tseng & Van der Westhuizen, 2013:14

South Africa's income inequality is driven by wage income. Wage income has increased its contribution to income inequality, from 61 percent in 1995 to almost 76 percent in 2006. The labour market plays a big role in driving income inequality. Highly skilled workers are rewarded with high wages, while lower skilled and unskilled workers are either poorly paid or unable to find employment (Bhorat et al., 2009).

Indeed, for South Africa, the inequality problem is compounded by the fact that apartheid for decades concentrated wealth and resources at one end, and poverty, exclusion, marginalisation and social alienation at the other. Black people crossed

over into the democratic era with little or no assets or skills. South Africa's highest-paid employees are, on average, white men who live in Gauteng, work in the community and social services industry (including government) in skilled jobs, belong to a union, and are between 55 and 64 years of age. This is according to the latest South Africa Survey, published by the South African Institute of Race Relations (SAIRR) in Johannesburg. Research by Haroon Bhorat and others indicate that the different income gains of the different race groups is indeed the main reason for the pervasive income inequality directly linked to race in South Africa. Table 3 shows that between 1995 and 2005, the greatest real gains in per capita income were to whites who gained 40 percent in real income, compared to Africans who actually lost on average 1.78 percent of real income in the decade 1995 to 2005. So, their income deteriorated from being about a seventh of the white income in real terms to about a tenth of that of whites in real terms.

**Table 3: Changes in per capita income by race and gender of household head, 1995–2005**

	Nominal		Real		Percentage change	
	1995	2005	1995	2005	Nominal	Real
African	5 144.68	9 156.97	7 105.91	6 979.40	77.99%	-1.78%*
Coloured	7 075.80	17 335.16	9 773.20	13 212.78	144.99%	35.19%
Asian	16 688.50	32 415.41	23 050.42	24 706.87	94.24%	7.19%*
White	35 907.41	91 420.28	49 595.87	69 680.09	154.60%	40.50%
Male-headed	10 866.91	24 433.57	15 009.54	18 623.15	124.84%	24.08%
Female-headed	4 774.59	9 797.55	6 594.74	7 467.64	105.20%	13.24%*
Total	8 940.51	18 066.27	12 348.77	13 770.02	102.07%	11.51%

Source: Bhorat et al., 2009:3

Census 2011 figures (Statistics South Africa, 2012) confirm that white households have, on average, about five times the income of African households (see Figure 4).

Twenty years into democracy, largely because of the stubborn shadow of apartheid, circumstances of birth still matter in terms of determining chances of success in life. In South Africa, one's chances in life are still determined by where one was born (urban or rural), one's race, the income of one's parents, and whether one's parents are educated or not. Most of this is determined, to a large extent, by race because of our apartheid past. To illustrate, the National Planning Commission's Diagnostic Overview (National Planning Commission, 2011) mentions that only 1 percent of African schools are top-performing schools in the National Senior Certificate results, as opposed to 31 percent for formerly white privileged schools.

Figure 4: Average income by race
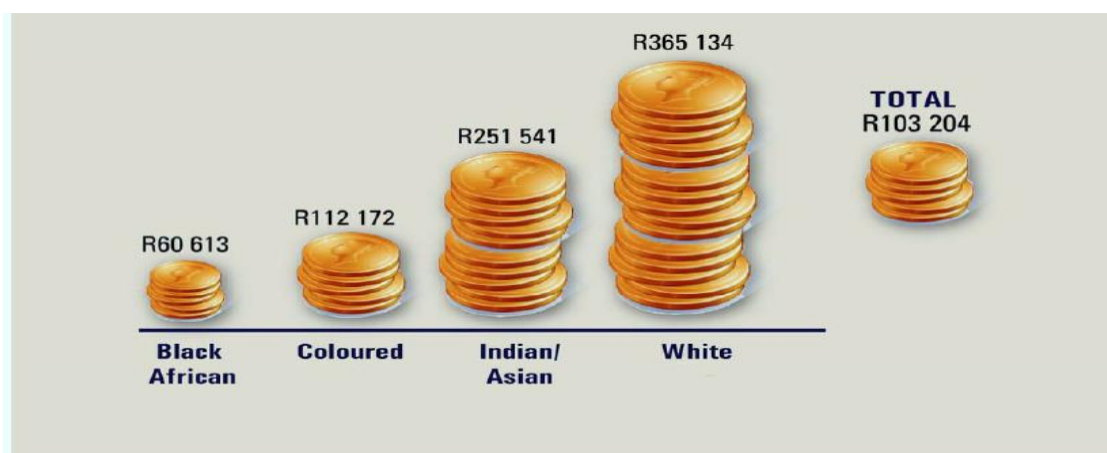
The proportion of blacks with a tertiary education stands at about 5 percent against 29 percent of whites having a university degree. Access to tertiary institutions is still highly skewed by race, even though there is improvement. Black Africans made up 77.4 percent of the population in 1996, but made up only 50.2 percent of the students in tertiary institutions in 1995. This is compared with the white population that made up 10.9 percent of the student population in 1996, but made up 37.5 percent of enrolment. This situation has improved. Africans now make up 67.2 percent of tertiary enrolment (see Figure 5).

Figure 5: Tertiary enrolment by race
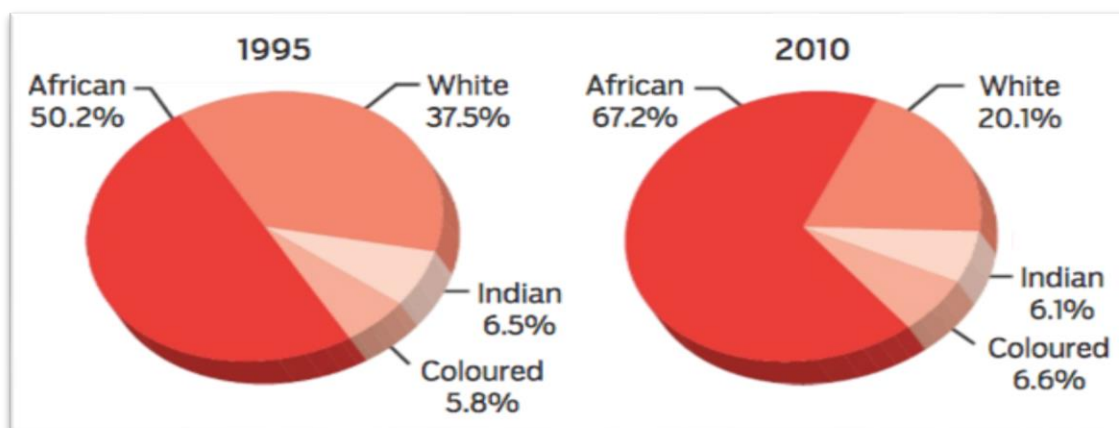
Source: South African Survey, 2012

Life expectancy shows that white women have a life expectancy that is 20 years longer than that of African women (National Planning Commission, 2011). The general household surveys of Statistics South Africa show that infrastructure provision is inferior for rural areas. For example, only 1 percent of households in the Ekurhuleni metropolitan area in Gauteng were without basic water services, compared with 95.5 percent for the Mbizana municipal area in the Eastern Cape. In

general, backlogs are greatest in the previous homeland areas in the Eastern Cape and Limpopo; although there are scattered problems elsewhere (see Figure 6).

Figure 6: Access to basic services by rural/urban divide
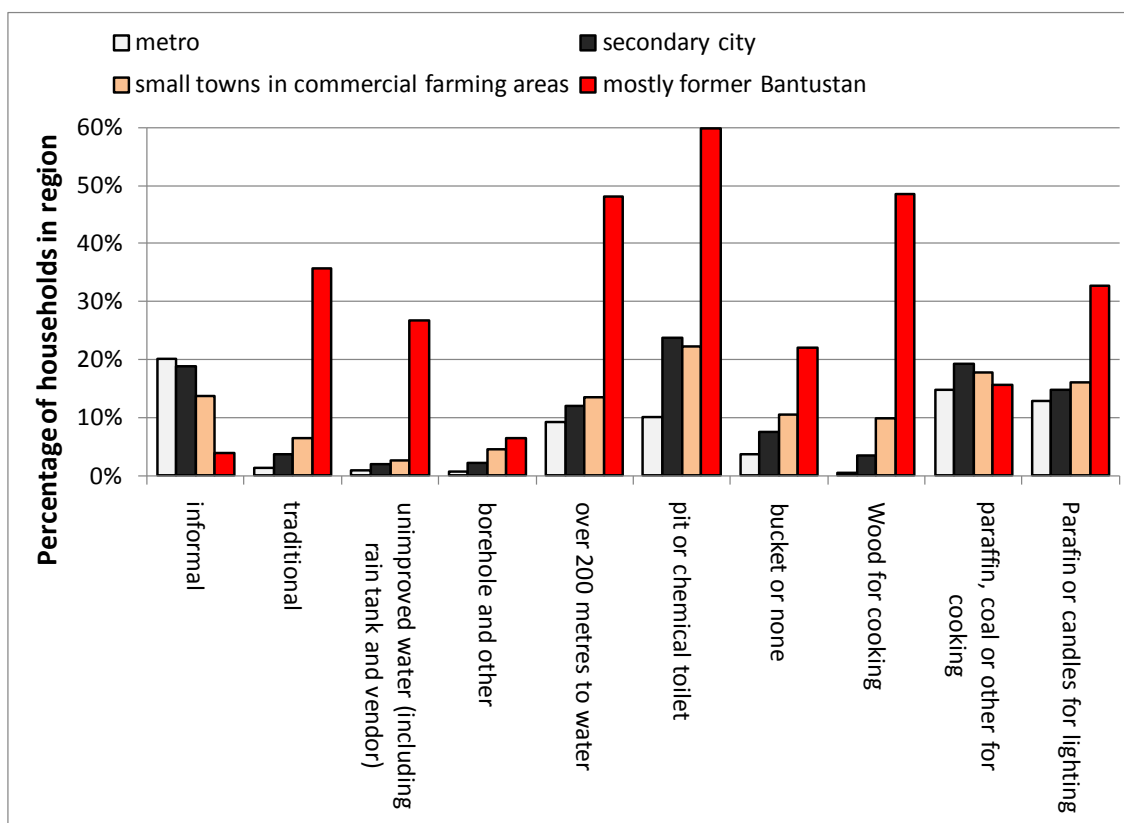
Source: Calculated from relevant questions in Statistics South Africa. General Household Survey. 2007. Database downloaded from www.statssa.gov.za in October 2009 (Makgetla, 2010)

Equalising opportunity in the context of South Africa should begin with ensuring that whoever one is, and wherever one is, it should be possible to access quality basic services and quality education. There has been improvement after 1994 in terms of inequality of opportunity. Access to basic services has improved by race, gender of head of household and even by geography (see Table 4).

Table 4: Access to basic services by race

| Service	1996		2011	
	African	**White**	**African**	**White**
Electricity				
Water (house or yard)	49%	98%	77%	99%
Toilet	35%	100%	60%	99%
Refuse removal	42%	92%	64%	93%

Source: Statistics South Africa, Census data, 2012

Table 5: Access to basic services by gender of head of household

Service	1996		2011	
	Male-headed household	Female-headed household	Male-headed household	Female-headed household
Electricity				
Water (house or yard)	67%	52%	76%	70%
Toilet	57%	40%	65%	56%
Refuse removal	37%	17%	68%	59%

Source: Statistics South Africa, Census data, 2012

Figure 7: Access to basic services by region[1]
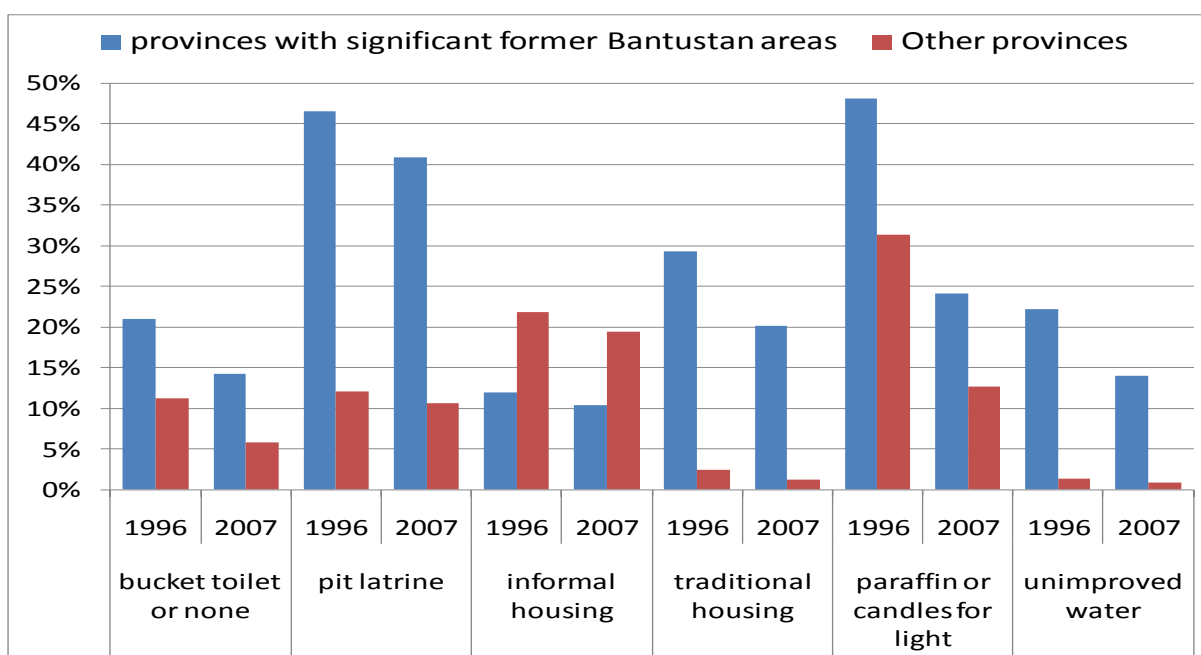
Census 1996. Interactive database; and Statistics South Africa. Community Survey 2007. Interactive database. Downloaded from www.statssa.gov.za in March 2010 (Makgetla, 2010)

These gains must be guarded. Access has improved greatly. Now government must concentrate on improving quality. Government must create an enabling environment for business to invest and create jobs. Business must invest in order for jobs to be created. Society and families, in particular, must imbue in children values such as tolerance, diversity, non-racialism, non-sexism, hard work, fairness and equity.

Keswell (2004) found that a form of inequality of opportunity is emerging. It is almost a case of: when eventually Africans have a chance to play the game, the rules change:

> *A new form of racial inequality has emerged, operating not directly on income as in the heyday of job reservation, influx control and school segregation, but*

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[1] Note: (a) provinces with significant former Bantustan areas are the Eastern Cape, KwaZulu-Natal, Mpumalanga, Limpopo and North West; the other provinces are Free State, Gauteng, the Northern Cape and the Western Cape. Source: Calculated from Statistics South Africa data.

indirectly, through inequality in the rewards to effort, as witnessed by sharply divergent patterns in the returns to education between the races… At the end of apartheid, the rate of return to education stood at approximately 11 percent for both races. A decade later, however, the return to education for whites stood at a dramatic 43 percent, while that of Africans declined to about 7 percent ... race now plays a strong role in determining how educational attainment comes to be valued in the labour market.

<div align="right">Keswell, 2004: 2</div>

Initial investigations by the Development Policy Research Unit and the University of Johannesburg seem to confirm that Africans are finding it harder to be absorbed in the labour market than their white colleagues with similar qualifications and from the same universities. "The most worrying result, however, is that Africans find it harder to secure employment than whites, even when we account for both the type of institution and the field of study" (Development Policy Research Unit, 2012).

This growing phenomenon could be attributed to the lingering effects of centuries of racism. It could also be attributed to the vast majority of white people who have social capital that can be leveraged for better career and employment prospects. The conclusion of the 2006 Socio-macro Trends Report is that Africans belong to networks with meagre resources and therefore have very little to offer one another (The Presidency, 2006).

2.3.2 Redress
We, the people of South Africa,
Recognise the injustices of our past;
Honour those who suffered for justice and freedom in our land;
Respect those who have worked to build and develop our country; and
Believe that South Africa belongs to all who live in it, united in our diversity.
We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to:
Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
Improve the quality of life of all citizens and free the potential of each person;
Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

<div align="right">Preamble to the Constitution of the Republic of South Africa
(Republic of South Africa, 1996)</div>

South Africa cannot achieve social cohesion and unity of purpose without recognising the obligation to correct the wrongs of the past and affirm the historically disadvantaged. The Constitution and its Preamble allows for the healing of wounds

inflicted by apartheid policies through redress and fair discrimination. Redress must ensure the advancement of social justice, address historical disparities and facilitate the emergence of a national consciousness that is supportive of, and enables the coming into being of a single national political entity (Habib & Bentley, 2008).

Efforts must be made to ensure that various cultures are respected and equal citizenship for all is guaranteed. This is important because, for centuries, the dominant discourse aimed to diminish all culture and history except that of whites. For example, the development of libraries in South Africa and the country's cultural heritage was, until recently, Eurocentric. It focused primarily on an appreciation of the aesthetic value of colonial-inspired architecture and respect for Cape Dutch and British settler culture, i.e. on a colonial heritage that took root on African soil after 1652 (Bredekamp, 2001, in the NPC's Diagnostic Overview). Nation-building should attempt to reverse the apartheid legacy of devaluing and erasing the heritage of black South Africans from the consciousness of the nation, facilitating healing and further weakening the feelings of "better" citizenship of one population group over the other. Attempts to reverse this and give back pride to the African, Indian and coloured South Africans receive support from many quarters. The Department of Arts and Culture has led the way in building such heritage sights as the following:

- The Women's Monument at the Union Building, unveiled in 2000, which aims to commemorate the contribution of the women of South Africa to the struggle for freedom.

- Chief Albert Luthuli's house in KwaDukuza, KwaZulu-Natal. Chief Luthuli was not only the President-General of the ANC from December 1952 until his death in 1967; he was also a recipient of the Nobel Peace Prize in 1960.

- The Battle of Blood River/Ncome Project, initiated in November 1999 to honour the role played by the Zulu nation in the war against the Voortrekkers in 1838.

- The Nelson Mandela Museum, opened on 11 February 2000.

- The Constitution Hill Project and the Old Fort Prison in Hillbrow, Johannesburg.

- The Sarah Baartman Centre of Remembrance in Hankey, Eastern Cape, and the Sarah Baartman Human Rights Memorial in the Western Cape. Sarah Baartman (1789–1815) was a famous Khoikhoi woman who was displayed around Britain in the 1800s as a "scientific freak" because of her physical features. In 2002, her remains were returned to South Africa.

- The Freedom Park Project. The objective of this project is to establish visible cultural structures that celebrate and commemorate diverse and important South African events, spanning pre-history, colonisation and the struggle for democracy, and ending with a vision for the future.

Many more heritage monuments are being considered. These include the Khoisan Heritage and Culture Institution in Hankey, Kouga Municipality, as part of the Khoisan Legacy Project. Sites under consideration include the Kat River Valley settlement, which rose in rebellion against British colonialism in 1850, Adam Kok's grave in Griqualand (Adam Kok was a leader of the Griqua people in South Africa), the graves at Kinderlê, where 32 Khoi children were killed in 1804, the Wonderwerk Cave, Phillipolis, Ratelgat, owned by the Griqua Ratelgat Development Trust, the sites of Griqua churches and other institutions in the Eastern Cape, Northern Cape and Western Cape, as well as battle sites associated with the war of 1799 to 1803.

2.3.3 Language

Everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

<div align="right">Constitution of the Republic of South Africa
(Republic of South Africa, 1996)</div>

Our Constitution recognises the historically diminished use and status of the indigenous languages of our people. It further places emphasis on the state to take practical and positive measures to elevate the status and advance the use of these languages.

The Constitution recognises 11 official languages. This is a transformation in comparison with the two official languages (English and Afrikaans) of the pre-1994 era. The Pan South African Language Board (PanSALB) and the Language Plan Task Group were established in 1995. PanSALB is an independent statutory body governed by the Pan South African Language Board Act of 1995. This statutory body monitors the observance of the constitutional provisions and principles relating to the use of languages, as well as the content and observance of any existing and new legislation, practice and policy dealing with language matters. The Language Plan Task Group was tasked with the responsibility of advising government on matters on how to urgently devise a coherent National Language Plan for South Africa.

The departments of education (Basic Education and Higher Education and Training) are planning to introduce an African language, including Afrikaans, in all South African schools beginning with Grade R and Grade 1 in 2014. The plan is that, by 2025, it will have reached Grade 12. The Department of Higher Education and Training has finalised plans for teacher development.
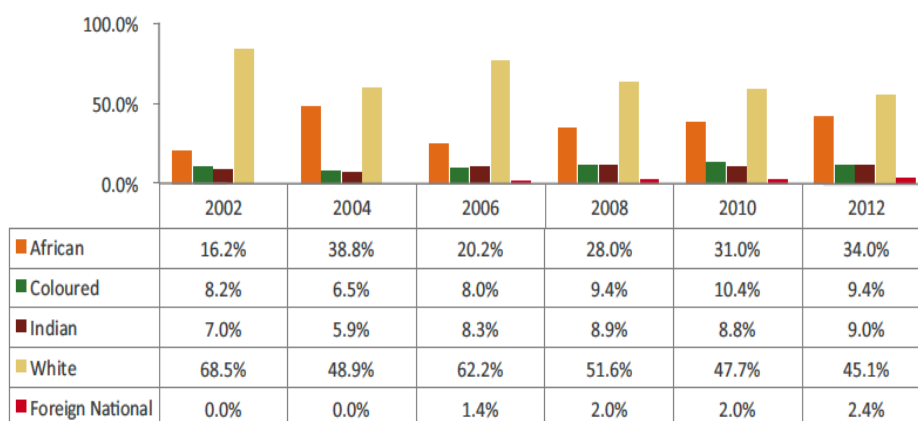
2.3.4 Employment Equity Act

The 1998 Employment Equity Act promotes equal opportunities in employment and skills development. The 2013 Annual Report of the Commission for Employment Equity shows that there has been progress (Commission for Employment Equity, 2013). There are more blacks in management. However, the progress is slow. Despite the various mechanisms availed by government for skills development (see Table 6) and an increased output by institutions of higher learning of the designated groups, there are still challenges. White males are most likely to be promoted or recruited into top management or even developed in terms of skills.

Table 6: Economically active population, management, promotion and skills development

	Economically active population (2012)		Population distribution in top management		Promotion 2012		Recruitment into top management		Skills development 2012	
	Male	**Female**	**2002**	**2012**	**Male**	**Female**	**Male**	**Female**	**Male**	**Female**
African	40.7%	34.2%	10%	12.3%	12.6%	8.6%	14.8%	7.3%	13.7%	8.2%
Coloured	5.8%	5.0%	3.4%	4.6%	4.8%	2.6%	3.7%	1.7%	4.1%	2.3%
Indian	1.9%	1.1%	5.0%	7.3%	6.6%	2.6%	5.6%	1.9%	6.3%	2.8%
White	6.4%	4.9%	81.5%	72.6%	43.1%	15.9%	47.4%	11.0%	47.7%	14.8%

Source: Employment Equity Report, 2013

Figure 8: Professional qualification by race

	2002	2004	2006	2008	2010	2012
African	16.2%	38.8%	20.2%	28.0%	31.0%	34.0%
Coloured	8.2%	6.5%	8.0%	9.4%	10.4%	9.4%
Indian	7.0%	5.9%	8.3%	8.9%	8.8%	9.0%
White	68.5%	48.9%	62.2%	51.6%	47.7%	45.1%
Foreign National	0.0%	0.0%	1.4%	2.0%	2.0%	2.4%

White males and females have the highest representation in top management. Promotion is highest for white males at 43.1 percent, followed by white females at 15.9 percent and African males at 12.6 percent, and so is recruitment and skills development. The Employment Equity Commission is looking at ways to better enforce equal opportunity legislation.

2.3.5 Broad-based black economic empowerment

Broad-based black economic empowerment (B-BBEE) has three broad anchors:
- Direct promotion of ownership and management control

- Skills and community development
- Procurement

Government's objectives for black economic empowerment (BEE) include the following:
- Empowering more black people to own and manage enterprises. Enterprises are regarded as black-owned if 51 percent of the enterprise is owned by black people, and black people have substantial management control of the business.
- Achieving a substantial change in the racial composition of ownership and management structures and in the skilled occupations of existing and new enterprises.
- Promoting access to finance for black economic empowerment.
- Empowering rural and local communities by enabling their access to economic activities, land, infrastructure, ownership and skills.
- Promoting human resource development of black people through, for example, mentorships, learnerships and internships.
- Increasing the extent to which communities, workers, cooperatives and other collective enterprises own and manage existing and new enterprises, and increase their access to economic activities, infrastructure and skills.
- Ensuring that black-owned enterprises benefit from government's preferential procurement policies.
- Assisting in the development of the operational and financial capacity of BEE enterprises, especially small, medium and micro-enterprises (SMMEs) and black-owned enterprises.
- Increasing the extent to which black women own and manage existing and new enterprises, and facilitating their access to economic activities, infrastructure and skills training.

Procurement has enabled the fastest and most visible growth in black entrepreneurs. For example, it is the leverage of Eskom, with its stringent BEE policies, that has contributed towards the coal sector leading the way in mining in terms of black ownership. The production attributable to BEE in the coal sector was 22.4 percent of total production (Gqubula, 2011). The Mineral and Petroleum Resources Development Act (MPRDA) of 2002 made it possible for the mineral wealth beneath the soil to belong to the people of South Africa, but the benefits derived from these are still not equitably shared. This is in spite of the Broad-based Socio-economic Empowerment Charter for the South African Mining and Minerals Industry (the Mining Charter, as amended in 2010), which was enabled by section 100 of the MPRDA. According to BEE ratings and research agency Empowerdex, only 7 percent of BEE transactions between 2004 and 2008 involved employee share-ownership schemes, while a further 10 percent involved communities. The Mining Charter requires all holders of mining rights to implement measures to improve

human resource development, employment equity, housing and living conditions, and local economic development. Holders of mining rights are expected to implement social and labour plans to ensure the comprehensive alignment of their employment, procurement and local economic development efforts with the Integrated Development Plans (IDPs) of municipalities. Government does not have the capacity to enforce the implementation of the social licence to operate charters. The Presidential Response to Economic Challenges, signed by three parties in October 2012, recognises the need to upgrade all human settlements with a short- to medium-term focus on improving the living conditions of mineworkers and addressing the human settlement challenges in mining communities, as well as in labour-sending areas. A team was formed to engage with municipalities with a focus on mining towns, such as those in the West Rand, Rustenburg and Welkom, to plan for the full housing and municipal infrastructure needs of those areas, and the integration of mineworkers into formal human settlement plans. Business further recommitted to ensuring that social labour plans were aligned to the country's socio-economic needs.

Challenges identified by the Presidential Advisory Council on B-BBEE include fronting, job losses when BEE firms import from China, displacing employees hired by a firm owned by a historically advantaged individual, and special-purpose financing mechanisms that are opaque and complicated. These mechanisms have been accused of being "fancy financial-engineering structures that, in the end, merely benefit the providers of the money" (Mazwai, 2007). These mechanisms leave "beneficiaries" indebted when the return of investment is not enough to cover both the capital sum and interest. Another criticism levelled against the most common form of financing BEE deals is that it is a cost to the economy because it diverts surplus into debt and not into productive (re)investments. Lastly, BEE is criticised for turning intended beneficiaries into tenderpreneurs and not creators of value and jobs.

The BEE regime has been reviewed by the Department of Trade and Industry (the dti) and the Presidential Advisory Council, and new broad-based empowerment legislation is being debated in Parliament. This legislation allows for criminalising fronting and attempts to expand the entrepreneurial base, and the integration of black business into the mainstream. The new BEE scorecard gives more points to procurement and enterprise development.

2.3.6 Land reform

Land redistribution was conceived of as a means of opening up productive land for residential and agricultural development. The government set itself the target of redistributing 30 percent of the country's commercial agricultural land (about 24 million hectares) over a five-year period from 1994 to 1999. This target has been extended since the review of the programme in 2000 to the redistribution of 30 percent of agricultural land by 2014, and encompasses all agricultural land

redistributed through three operational programmes. The primary legislation through which redistribution products are implemented is the Land Reform: Provision of Land and Assistance Act of 1993. Three grant-based products have also been developed since 1994: the Settlement/Land Acquisition Grant (SLAG), the Land Redistribution for Agricultural Development (LRAD) Grant, and the Proactive Land Acquisition Strategy (PLAS). Initially, redistributive land reform was largely based on willing-buyer, willing-seller arrangements, where government assisted with the purchase of the land, but was neither the buyer nor the owner.

The following progress has been made to date:

- A total of 4 122 949 ha was acquired in 4 813 projects at a total cost of more than R12 billion through the various redistribution programmes. These properties were acquired primarily for agricultural purposes, but include properties for the settlement of labour tenants, farm workers and farm dwellers.

- Almost a quarter of a million South Africans (230 886), including 50 440 women, 32 563 youths and 674 people with disabilities, have benefited from land redistribution programmes. These programmes were implemented in all the provinces and districts of the country, with the greatest numbers of beneficiaries in KwaZulu-Natal and North West.

- The Land Redistribution Programme enabled eligible individuals and groups to obtain a SLAG to a maximum of R16 000 per household for the purchase of land directly from a willing seller, including the state, in terms of the Land Reform: Provision of Land and Assistance Act. This grant enabled beneficiaries to practice mixed land use so that the land could be used for both agriculture and housing.

- In 2001, the Department of Rural Development and Land Reform initiated a programme to establish and promote black emergent farmers through the LRAD Grant. In order to access this grant, beneficiaries had to provide their own contribution in the form of either cash or labour (known as sweat equity).

- The PLAS, which was developed in response to the Land Summit Resolutions of 2005, called for an acceleration of the pace of land reform. In 2009, the focus of the PLAS shifted towards the acquisition of strategically located agricultural land. Through lease agreements, this land is first leased and is then made available to beneficiaries such as farm workers, participants of the National Rural Youth Service Corps (NARYSEC), women and unemployed agricultural graduates.

The land area that falls under restituted or redistributed land is less than 9 percent of white commercially owned agricultural land. However, this does not include land acquired by blacks on the open market without government support, nor does it reflect monies awarded as financial settlement to restitution claimants, which might have been used to acquire property. These statistics do not take into account properties acquired through land reform that were sold or sequestrated prior to 2008 when title deed conditions were implemented to prevent resale.

The very slow progress in land reform has been attributed to the following factors:

- Insufficient funds have been set aside for the programme.
- The land made available for sale for redistribution purposes is of inferior quality.
- Since the 1970 Subdivision of Agricultural Land Act prohibits the subdivision of farms, very few previously disadvantaged individuals can afford a farm purchase.
- Very few white land owners are willing to sell land in their possession.
- The Land Redistribution Programme is riddled with poor systems and incompetency.

The shift from the demand-driven redistribution programme of the former Department of Land Affairs to a programme of strategic land acquisition by the Department of Rural Development and Land Reform in 2010 has seen a significant increase in both the number of properties acquired and changes in the strategic nature of these acquisitions. In particular, properties have been targeted within the red meat, poultry, grain, sugar and citrus sectors; both primary production and secondary beneficiation facilities, such as abattoirs and mills.

2.3.7 Land tenure reform

The White Paper on Land Reform was produced after 1994 and promised to deal with issues of tenure insecurity for people on farms. This also drew on section 25 of the Constitution, which stipulates that the state needs to take measures and ensure tenure security to individuals and groups with insecure tenure. Following this, two pieces of legislation were enacted: The Land Reform (Labour Tenants) Act of 1996 and the Extension of Security of Tenure Act of 1997. The number of evictions increased, as land owners feared that the legislation would entrench and interfere with their land ownership rights. More recently, the number of illegal evictions has decreased dramatically, and there is greater awareness of the law, although in some areas, evictions and other acts that disrespect citizens' land rights continue.

For these reasons, RDP houses and land reform transactions were and are currently being expedited for deed registration purposes. This enables government to deliver title deeds to beneficiaries on time. The development of a Deeds Web makes

property registration information available to government and the public in an expedient and inexpensive manner.

In the past, private ownership of land through existing types of legal entities, such as trusts, close corporations and companies, was too cumbersome and complex for many black people. At the beginning of democracy, many pieces of legislation governing land rights in communal areas were either repealed or declared unconstitutional. The Department of Rural Development and Land Reform sought to address this by passing legislation that would serve as a codification of the laws governing land rights in communal areas. In many areas, black people could not acquire title deeds to land. Even after the removal of restrictions, many people did not update the information on the title deeds of their properties. There was no formal protection of informal land rights before the advent of democracy, and therefore government had to come up with measures to assure such protection.

3   Conclusion

It can be argued that the policy environment is adequate to accelerate and catalyse the nation-building project. According to the National Development Plan, the elements of the nation-building project include the following:

- Unity in diversity fostered by a shared commitment to constitutional values.
- A more equitable society, where opportunity is not defined by race, gender, class or religion; building people's capabilities through access to quality education, healthcare and basic services, as well as enabling access to employment, and transforming ownership patterns of the economy.
- The strengthening of redress measures that seek to correct the imbalances of the past.
- Improving public spaces and public services to make it easier for South Africans to interact with each other across racial and class divides.
- Developing an active citizenry.

A lot has been achieved. Opportunity is definitely more equal now than it was in 1994. Participation is enabled through a variety of legislation, including the White Paper on Local Government, and social dialogue institutions such as NEDLAC. Social movements thrive and are at liberty to oppose government legislation and policy, as evidenced by organisations such as the Treatment Action Campaign and the Anti-privatisation Forum.

The greatest challenges to the nation-building/social cohesion project are inequality and joblessness, and the quality of provision of the social wage. A social contract could help propel South Africa onto a higher developmental trajectory. Building a more cohesive and equitable society should be the next big nation-building project.

The settlement that was produced through the negotiations in the 1990s and the Constitution, which includes political and socio-economic issues, was effectively a national compact. There is now an urgent need to craft a social contract that will enable South Africa to achieve higher growth and employment, and increase investment and savings. The idea of a social compact is a relatively simple one: all stakeholders buy into a clearly articulated vision, have a shared analysis of constraints, are committed to finding solutions, and parties understand the objective of the compact. The compact should offer attractive (indeed compelling) benefits to each party and all parties should believe that the necessary sacrifices are relatively equitably shared amongst all participants.

(National Planning Commission, 2012)

Generally, the fruits of democracy in terms of nation-building are very visible:

- *Universal suffrage*: South Africa has been able to hold eight elections that were considered free and fair and were not contested legally by any political parties. The IEC has become a centre of excellence and, in November 2011, received the first prize from the Centre for Public Service Innovation (CPSI) for its eProcurement system in the category Innovative Use of Information Communication Technology for Effective Service Delivery. The 2010/11 annual report of the IEC reports that the voter's roll has increased by 30 percent since 1999. The number of political parties has also increased, which is a clear indication of a vibrant democracy and a greater appreciation of multipartyism in South Africa.

- *Guaranteed human rights*: Chapter 2 of the Constitution guarantees human rights, including freedom of expression and speech, universal franchise, freedom of association, as well as socio-economic rights. All apartheid practices and laws that legalised and enabled discrimination on the basis of colour have been repealed. There is equality before the law (even though richer people experience the law differently). There is a healthy separation of power between the three arms of government: the legislature, the executive and the judiciary. The Constitutional Court is still able to instruct the executive and ensure that all South Africans enjoy socio-economic rights as dictated by the Constitution.

- *Reduction in inequality of opportunity*: Access to basic services has improved; for example, access to electricity has increased from x to y; and over two million houses have been built for the indigent. There are many transformation initiatives that aim to enhance inclusion for the marginalised. These include the National Youth Policy, the National Youth Framework, the establishment of the Umsobomvu Youth Fund and the National Youth Commission (NYC),

the Expanded Public Works Programme (EPWP), the National Skills Development Strategy (NSDS) implemented by sector education and training authorities (SETAs), the National Skills Fund, the Youth Skills Development Programme and the Accelerated and Shared Growth Initiative of South Africa (AsgiSA).

- *Monitoring and evaluating progress and learning*: There are many efforts that aim to monitor progress in attaining the promise of the Constitution. These include the performance monitoring and outcomes-based system introduced in 2009, and other monitoring systems put in place by Parliament that have ensured that commissions, government and public entities account to the people of South Africa, as well as the special budgets, such as the funds that have been set aside for the creation of the National Empowerment Fund, together with the development finance institutions such as the Industrial Development Corporation (IDC) and the Development Bank of South Africa. In relation to nation-building and social cohesion, the Department of Arts and Culture has been tasked to lead the implementation of government's social cohesion programme in response to its Social Sector Cluster priority to promote national identity and social cohesion. The Forum of South African Directors-general (FOSAD) Social Sector Cluster established a Social Cohesion and Social Justice Task Team, comprising all the Social Sector Cluster departments, under the leadership of the Department of Arts and Culture, to carry out the task of developing a Social Cohesion Implementation Framework. The latest attempt to regroup and refocus the nation on social cohesion and nation-building was the National Social Cohesion Summit, which took place in July 2012. The implementation of the resolutions of the summit has begun.

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