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## **Talking to the Ancestors: National heritage, the Freedom Charter and nation-building in South Africa in 2005\***

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### **Introduction**

I am honoured to deliver this lecture. I think of Harold Wolpe as having died very young. This is because like many others, I expected and hoped he would continue to contribute as he had done for over two decades towards enriching our public and academic debate. Although his academic career started relatively late in life, he made a substantial contribution, which evoked much controversy. Although often critical of the paradigms of the ANC-led liberation movement, his work enjoyed respect. It was recognised that he did not dabble but pursued research problems with rigour. Whether or not one agreed he had to be taken seriously.

I thank the Harold Wolpe Memorial trust for inviting me and for their efforts in stimulating public debate. I see this paper as part of that work and by no means providing any final answers.

In one of his later works, Wolpe spoke of one of his main objectives being ‘to show how, in variant ways, concepts widely employed close off the concrete investigations of issues relevant to political analysis.’ (1988,2). In some respects, this paper has a similar objective or is informed by such an objective in that South African political discourse, especially in the scholarly community is suffused with concepts and modes of characterisation, dichotomisation and other processes, all of which close off investigation. Instead of being deployed to discover layers and textures of meanings, it will be argued in the context of this paper, many of the concepts block off such investigation.

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\* This paper is a slightly revised version of the Harold Wolpe Memorial Lecture, delivered in Johannesburg, Durban and Cape Town, 1,2,3 November 2005. For some four years I benefited from funding deriving from the Nordic Africa Institute and SIDA. Although this particular lecture was not part of that project, many of the ideas expressed here would not have surfaced had I not had this opportunity for almost single-minded research work for these years. Earlier versions of this paper were read by Peter Hudson, Steven Friedman, Michael Neocosmos. Greg Cuthbertson and Nomboniso Gasa and I benefited from dialogue with Helen Bradford and Laurence Piper. They are not responsible for this product, especially not Laurence Piper who registered many disagreements. I am also indebted to anonymous readers for suggested modifications.

This talk is a dialogue with our ancestors. Heritage is the legacy of our ancestors. They have left monuments and various sites as well as the memory of their lives. What they did, the ideas, which they propagated, is part of what remains with us. I am dealing with that, but I am also going to refer to unacknowledged knowledge, in some cases transmitted through people communicating with ancestors. So in a sense while I do not dialogue directly with ancestors I am entering a dialogue acknowledging both of these types of knowledge, one of which operates not just with a legacy but in the case of many Africans with a daily influence.

What precisely is meant by heritage and how it differs from history is controversial. In general, however, it refers to an inheritance left to individuals or in this case a people. Now the extent to which a heritage is national in the sense of being accepted as such by every single individual may differ. But that does not mean it is not a national heritage. There are a variety of sites and monuments and individuals that have meaning for a section of our people but are nevertheless treated as national monuments or parts of our heritage. Whatever their controversiality they are still treated as heritage, the property of the people as a whole, even if sections of the people attach more meaning and value to certain places or people and some attach little if any.

This means that what one calls heritage or national heritage comprise on the one hand various naturally beautiful or physically significant sites to which little controversy attaches and on the other hand contested phenomena. Insofar as some elements of this heritage have contested meanings we should possibly be talking of multiple heritages of different sections of the population.

I think this notion of speaking of heritage in the plural is true of a number of questions where we sometimes use the singular –for example indigenous knowledge whereas there are many forms of indigenous knowledge and these cannot be easily contained within systems because they in fact interact with other knowledges, indigenous and non-indigenous (See Pottier et al, 2003). In fact the debate around knowledge, which is part of our heritage, is also often framed within a notion of a dichotomy between what is science and that which is indigenous. The assumption is that notions of science are universal and what is local is necessarily unscientific and one takes note of it very much as an anthropological curiosity, often frozen in time. This is not something engendered purely by European ‘experts’ but in our country by many of the purported local Indigenous Knowledge Systems (IKS) specialists amongst the African community. Again the use of binary opposites- in this case indigenous versus scientific knowledge- is one of the common barriers to understanding that is however prevalent in much of our scholarship.

In general, we need to be wary in dealing with the nation and its heritages in speaking in the singular or using dichotomies/binary opposites, like feminism versus national liberation or liberation versus democracy, amongst others that have a bearing on building a nation. It is primarily in the academic literature that one finds these prison houses, which dichotomies and onesidedness amount to. But it is also found in government discourse, for example, in talk of ‘two economies’ when they are in fact inextricably bound to one another and in using this particular dichotomy is one not taking us back to a paradigm that belongs to a less transformative discourse than we need or purport to have as our national vision?

Despite acknowledging the claims of many sites or peoples to being a part of our national heritage there are, I will argue, nevertheless, certain sites or documents or people where claims to be treated as national heritage, are more warranted in a broader sense than in others.

### **Freedom Charter as national heritage**

The constitution is now part of our democratic heritage and appears to be accepted as part of our national heritage. It is something new and it is not a physical site but a document. It forms the basis for us living together with a degree of tranquillity in the 21<sup>st</sup> century. That does not mean that everyone accepts democracy or the constitution. Many fought and killed to avert the creation of democracy. But what is different about the Constitution and the values of the Freedom Charter on which it is based, is that many who have opposed these documents or the establishment of democracy are nevertheless its beneficiaries. It is through the establishment of constitutionalism and the rule of law, for example, that right-wingers have basic human rights. They are not forbidden to advocate their views within the law, anti-democratic as these may be. With both the Freedom Charter and the new constitutional order what is enabled is the right to live in freedom. But also that which may destroy this hard won freedom falls outside the bounds of liberty and is punishable (as with 'hate speech').

In linking the Charter and the constitution we must also recognise their difference. The Charter is a political document and the constitution is a legal document. But insofar as both provide for rights protecting all, it is clearly possible to make a case for their being the inheritance *of all* in a way that cannot be argued for the Voortrekker monument or a statue of Cecil John Rhodes. Although the role of many Africans chiefs and kings who resisted conquest, are justly revered, it may be that they cannot be treated as national heritage *in quite the same sense* as the Freedom Charter. In this case it would not be because what they represented has a narrow appeal to those who cherish freedom, but because the scope of their actions was territorially limited.

With regard to the racist elements in heritage they are national heritage in a very specific way. That these sites or people are part of our national heritage does not mean insofar as they are on public display, that their context should not be changed. They need to be located in a manner that their presence is consonant with the present social order and how the monument stands, historically, in relation to this order needs to be explained. This can be done in various ways and has already engaged the thinking of heritage workers in KZN, for example.

While the Voortrekker monument, Rhodes and Paul Kruger may have a meaning that is treasured in some people's memory, the Freedom Charter despite being controversial to some, is nevertheless a document encapsulating the unifying vision of the constitution and trying to find ways that bind people. Hence the closing words read:

'Let all who love their people and their country now say, as we say here:

“These freedoms we will fight for, side by side, throughout our lives, until we have won our liberty!”

There does not have to be universal support for something or some person or document to be part of our national heritage. The Freedom Charter nevertheless warrants treatment going beyond that of an ANC document. In the first place, it was not initially an ANC document. It took over a year after the Congress of the People (1955) before it was adopted by the organisation, in 1956. It passed through an unprecedented process prior to the Congress, something that was unique in the history of South African politics. The country had never seen a democratically initiated process of creation from the bottom up, aimed at providing a vision of the future. There were flaws in the process, but there is little doubt that it remains unique in South African history. (Suttner and Cronin, 2005).

There had been other erudite and strikingly emancipatory documents emerging from the ANC and others, but no other statement emanating from a process like this, from the bottom up. In the ANC there had been the *African claims*, justly celebrated as an assertion of human rights based on the Atlantic Charter, but adapted to South African conditions and anti-colonial demands. It was nevertheless the creation of a group of democratic intellectuals. (See Asmal et al, 2004).

### **Charter as part of a democratic stream**

Support for the Freedom Charter is also related to the question of democracy. The Charter is a manifesto for freedom and it became the banner around which large masses of people rallied. Its mode of creation, content and subsequent propagation was part of a democratic and popular movement for change.

Numbers are important, just as lack of numbers behind ideas of various commissions and theories produced in the 1970s and 1980s are important. They distinguish the *nature of the product, the process* creating it as well as the *character of the following sustaining it*. Some sections of the population, including sections of the left, do not understand this. There are lots of qualities attaching to various documents or organisations, but in the final analysis it is numbers that count in politics, however irrelevant in the libraries or the Internet –the favourite habitat of some of these people.

More precisely, how we count these ‘numbers’ is important. In the context of the constitution we count everyone as one, equally. It is one-person one vote, of one value. There are other ways of ‘counting’ of assessing support, purporting to represent ‘numbers’, which are less democratic in character. Inevitably in the period of struggle numbers were not counted in as precise a manner as they are in a situation of formal elections.

Returning to the popular democratic factor: The creation of democracy in South Africa was not just the result of fishing trips of Cyril Ramaphosa and Roelf Meyer or other wise people who decided to talk. It was in the first place a product of the masses establishing a situation where the possibility of negotiations was created and a democratic constitution could be inaugurated. Without ungovernability and people’s power there would not have been the possibility of governability, democratic rule and

constitutionalism. The mass factor in various forms created conditions, which made settlement possible.

I am not sure that all intellectuals are entirely comfortable with this notion of the masses. Many are attracted to writing popular history, 'history from below', where the voiceless are heard. But they encounter the masses in archival sources or in interviews about relatively unthreatening issues. It is a different matter when this unruly factor appears as actual actors on our stage of history.

I remember in the 1980s how fear seemed to grip many people who had until then propagated revolutionary Marxist theories. This was a period of people's power, where the masses took things into their own hands, exercising their own capacities and creativity in building organs of people's power. (See Suttner, 2004a). And as often happens in all situations of mass activity there were also some unintended activities and atrocities. It is almost invariable in insurrectionary situations that there are some abuses, some unmandated executions and other irregularities. They vary in degree, sometimes entailing minor indiscipline or excess, sometimes assault or killing.

That one relates to the masses does not mean one accepts everything done in their name. Now for many people only the atrocities figured in their minds. The necklace alone became the meaning of the 1980s and the popular rising. Many white leftists in the 1980s retreated at the prospect of majority rule, of Africans leading this country. Many of these people have never returned to progressive politics or activities and it is a reality that the academic community is less politically engaged now than they were in the period against apartheid. It is not just the present government that is seen as 'the god that failed', but that 'the god' they thought they worshipped - 'The People' - turned out already in the 1980s to be one they feared.

This notion of the masses being something to be feared is not a new phenomenon, historically, in the meaning of the word itself. Raymond Williams wrote:

Yet, masses was a new word for mob, and the traditional characteristics of the mob were retained in its significance: gullibility, fickleness, herd-prejudice, lowness of taste and habit. The masses on this evidence, formed the perpetual threat to culture. Mass-thinking, mass-suggestion, mass-prejudice would threaten to swamp considered individual thinking and feeling. Even democracy, which had both a classical and a liberal reputation, would lose its savour in becoming mass-democracy. (1983, 298).

Williams indicates that the term 'mass-democracy can be either an observation or a prejudice or both.

Democracy, as in England we have interpreted it, is majority rule. The means to this, in representation and freedom of expression, are generally approved. But, with universal suffrage, majority rule will, if we believe in the existence of the masses, be mass-rule. Further, if the masses are, essentially, the mob, democracy will be mob-rule. This will hardly be good government, or a good society; it will, rather be the rule of lowness or mediocrity. At this point, which it is evidently very satisfying to some thinkers to reach, it is necessary

to ask again: who are the masses? In practice, in our society and in this context, they can hardly be other than the working people. But if this is so, it is clear that what is in question is not only gullibility, fickleness, herd-prejudice, or lowness of taste and habit. It is also, from the open record, the declared intention of the working people to alter society, in many of its aspects, in ways which those to whom the franchise was formerly restricted deeply disapprove. It seems to me, when this is considered, that what is being questioned is not mass-democracy, but democracy. If a majority can be achieved in favour of these changes, the democratic criterion is satisfied. But if you disapprove of the changes you can, it seems, avoid open opposition to democracy as such by inventing a new category, mass-democracy, which is not such a good thing at all. The submerged opposite is class-democracy, where democracy will merely describe the processes by which a ruling class conducts its business of ruling. Yet democracy, as interpreted in England in this century, does not mean this. So, if change reaches the point where it deeply hurts and cannot be accepted, either democracy must be denied or refuge taken in a new term of opprobrium. It is clear that this confusion of the issue cannot be tolerated. Masses=majority cannot be glibly equated with masses= mob. (Williams, 1983, 298-299. See also discussion in Rude', 1964, pp. 6ff).

But that fear of the People was to come later, for many read the Congress of the People campaign and the Freedom Charter as a *beautiful story*, merging with a romantic past, where white and black walked together hand in hand to create this new South Africa that it seems they expected would emerge without blemishes. Unfortunately it never works out that way and that may be one of the reasons why I think many on the white left have never taken to the 'national question' or African leadership or national democratic revolution (NDR) or the mass factor. Many hovered between wanting revolution and fearing the potential 'unruliness' of the masses that must make a revolution if it is to be democratic.

So the Freedom Charter is part of a heritage that is tied to a *democratic stream in South African politics*. It is a national heritage of a specific type, one that belongs to the democratic history of South Africa, not the history of the oppressors or of the elites. That is a particular type of politics, about which much can be said and disputed. Democratic politics is also a concept whose meaning is subject to flux and different readings in different conditions.

It is also important to ask in the present conjuncture, whether it is impertinent to suggest that there are situations where even the democratically elected government may recoil from the spectre of the masses. Have there not been situations since the ANC became government as well as an organisation outside government (with diminished importance compared with ANC –as-government), where it has not been very convenient to have an active mass movement, in the way that it was encouraged before 1990 and to some extent between 1990 and 1994? At the inception of ANC-led government, after the adoption of the Reconstruction and Development Programme (RDP), the distinction was drawn between *people-centred* and *people-driven* government. The former refers to delivery, centred on the needs of the people. The latter refers to the masses, through their organisations, driving the process. Can it be said that a combination has been found to embody both state delivery and popular

democratic driving of the process? Has there been an attempt to establish popular involvement on a regular basis in creating the new nation we are building?

### **Freedom Charter, democracy and socialism**

It means also that *if* the Freedom Charter were given a socialist connotation and many of us have argued that it has a working class orientation and could potentially be given a socialist meaning, then it can only be done if it is simultaneously within a democratic context. The Charter, whichever way it is to be implemented is clear on one thing and that is evident from its first words, that it is essentially democratic.

This is not to suggest that everyone who supports the Freedom Charter necessarily sees himself or herself in a democratic context or acts out a role, which is in line with this interpretation. It may well be that the way in which a settlement was reached involved elements of elite pacting, but it coexisted and was made possible by this democratic stream.

It is a stream that stretches back-at least- to the earliest years of the 20<sup>th</sup> century, when women entered the streets of Bloemfontein in 1913 declaring ‘we have done with pleading we now demand!’ (See Wells, 1993). At that stage, the mass activity of African women represented a different trajectory from the political modalities pursued by the men. The ANC, whose membership was then restricted to African men, was correct-at that stage- to play according to the rules of the new dispensation. The day of the spear was temporarily over. It was the time of the book, as one writer put it. (quoted in Kunene, 1964). But when the women went onto the streets they were one of the key elements of what would be a democratic, mass-driven stream. They were the forerunners of modern mass action.

Throughout South African modern history and continuing to this day there is a democratic stream, which wants to find ways of amplifying and giving as much popular meaning as possible to the constitution that we have won. They are ranged against bigots of various types who want to restore the death penalty, reverse the gender gains, other freedoms of choice as well as instil fears in minorities. The democrats are also ranged against some sections of the left who see democracy as somehow separated from advancing the working class. To this section of the left, the winning of representative democracy means little, until socialism is achieved. This is expressed most clearly by Ashwin Desai, when he said, ‘we don’t want the fucking vote’. (Quoted by Sachs, 2003).

In contrast, there are others who remain socialist in this time when it has become unfashionable, but who say that there can only be a socialist South Africa if the majority of the country, especially through the ANC adopting socialism as its creed. This is in line with the interpretation of the Charter in relation to socialism that I previously indicated.

The socialist project is by no means unthinkable in that elements of ANC history, which are nowadays not spoken of in polite circles, indicate that during the period of exile, the 1950s and inside the country in the 1980s, socialist doctrine enjoyed widespread support (cf ANC 1979. On diffusion of socialist ideas in the 1950s, see

Suttner, 2003, pp. 134-6). I am not now making a case for socialism. My main object has been to show that the Freedom Charter belongs to a particular way of practising politics –a popular democratic way. Whether one wants socialism or anything else the Freedom Charter only supports its being realised in a democratic manner and as part of building a democratic country.

### **Reading the Freedom Charter in 2005**

In the course of these remarks I have returned to some of the debates of the 1980s and also introduced some new elements, in particular treating the Freedom Charter as a part of our heritage, and as will be further developed, one that contributes towards building a nation. But if one accepts that it is heritage with which one is dealing, whether physical and intellectual heritage it's meaning needs to be consciously re-interpreted in every period. Also, we need to be aware of who we are and where we are located and how this relates to our interpretation.

This means those of us who were involved in the politics of the 1980s or the debates of the 1980s need to ask different questions from those we debated then. At that time many of us engaged the Charter in a specific conjuncture and in a moment of contestation. Contestation over its meaning relating to advancing certain liberation forces and displacing others. Debate was consequently confined. Readings tended to be very partisan, which is legitimate, but also limiting.

I want to use this different space and time to argue that the Charter has always had many meanings or been given different meanings and that it *should* have changed meanings over time. That need not cause division but may enrich debate

The Charter is historically important because whatever the disputes over the historical record, there had never been anything like it, a counter convention to the 'national convention', which preceded Union<sup>1</sup>. Through a laborious process ordinary people advanced demands that found expression in the document. The process that led to the Charter locates it as part of the mass-driven, democratic stream of South African politics. This stream is distinguished by both quantity and quality. There are lots of different political qualities that one can find in organisations, but the politics of the Charter *has a mass base and emerged from a popular process*.

It is not only a document with historical importance. It continues to have contemporary significance because in its broad thematic sweep as opposed to every detail it encompasses a specific vision of a democratic, non-racial and non-sexist South Africa, the basic elements of our Constitution. In each of these respects we can point to flaws and inadequacies in its formulations and internal inconsistencies within the document itself. Some elements require extensive elaboration.

Instead of looking at every clause or any category of clauses I think we need now to focus on the broad vision and read that in the light of where we are today. Now in doing this I am departing from a tradition where the Charter is treated as one would a

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<sup>1</sup> A speech of Pixley ka Isaka Seme in 1911 foreshadowed the notion of the ANC offering an alternative national vision, a 'native union', to that of the Union of South Africa. See Seme (1972[1911]), Jordan, (1988), Suttner, (2004)

biblical text, which must be interpreted word for word to generations that have followed its adoption. To understand, according to this approach, requires the intervention of someone with the tools of the theologian or lawyer.

But the meaning of the Charter will not emerge from looking harder and harder and with ever greater concentration at its text alone. This is because the text must be understood from its words *and also outside of the document and in a different way in every period of the Charter's existence.*

## **The People**

I now want to relate this to questions of democracy, identity and nation building. In reality one can legitimately focus much of one's examination of the Charter on the meanings of two words 'The People' and the claims made in relation to 'The People' and the implications of the Charter and democracy for the people.

Much of the contention over the Charter in the 1980s centred on these words. For those who supported it, the opening clauses represented a key element of the claim for national liberation, that *a people* had to be freed and that one was not dealing with *access of individuals to civil rights within an existing order.* It was not a case of extending the rights enjoyed by whites to the whole population but transformation of the whole system. A new nation had to be created, where the people, in the sense of popular masses would govern. This concept of the people tended towards aggregation, unifying, broadening and bringing together, in opposition to the divisions of apartheid. This is in line with a broader body of thinking found in all liberation movements, unifying (and also tending to identify that nation-in-the making with the liberation movement itself, thus entailing potential dangers, referred to below).

Now that very word 'People' evoked part of the opposition to the Charter amongst many who contended that 'populism' diluted class differences and emphasis on the popular neglected the trajectory that might follow achievement of democratic rule. For these critics- as we have already seen in some of the allusions I have made- the democratic project or process generally demanded less emphasis than or was implicitly pitted against a desired socialist outcome.

The concept of *the people* remains central to any discussion of the Freedom Charter. But some of the analytical tools we have used up to now have been barriers to an adequate examination of its potential implications and fullest meanings within the Charter and for democracy in general. If the people are to govern, that can bear more than one meaning both in terms of who is the subject of the right but also what 'governing' implies, which I will allude to later.

We need to interrogate the various meanings of 'the people' because that has implications *throughout the Charter,* in particular for cultural/educational and gender-related clauses. Those who have criticised what they have called populism have been correct in principle, that there has been a tendency to aggregate all the people of South Africa as one and not disaggregate them into the various components that go to make up this concept.

At the time of defeating apartheid this emphasis on unity was needed, (even though it may even then have contained within it conflicting and contradictory elements that were contained in order to confront the enemy of the time). In this new phase we need both to aggregate and disaggregate. But it is precisely the Marxist tools or possibly the inflexible way in which these tools have been used by some including those who criticised 'populism' that has been one of the barriers to a really substantial enquiry. Certainly Marxism is a powerful analytical tool whose diffusion within South Africa has been an important intellectual and strategic gain.

But the weakness of Marxism (and in this sense the broader national liberation model as well) is that it has tended to have 'no go areas', there are barriers erected in the way of analysing certain elements that constitute the people or potential nation. If one considers the South African people/nation it comprises individuals with a variety of identities that coexist with one another. Both Marxism and the 'national liberation model' have discouraged enquiries into some of these identities, especially those that are seen as backward or divisive or nowadays in fashionable academic circles as 'pre-modern.' Marxism in its approach to society has encouraged emphasis on objective phenomena and considered the subjective almost exclusively in terms of the behaviour of groups, rather than or also as including individual identities of a variety of kinds.

One is often discouraged from disaggregating this notion of the people for fear that one might feed into ethnic politics or 'exotify' that which represents the past. Yet if one is to understand who the people are and do justice to the claims that the Freedom Charter seeks to realise we need to know what the term comprises. This mass of humanity comprise individuals who speak different languages and often with many variations within them, practise many cultures and with many interpretations of what these cultures are, live in different ways and according to different belief systems. These identities are not cast in stone and are in flux. They derive from core values but they undergo constant changes in meaning.

### **The people and what they are thinking**

How can one choose to reason falsely? It is because of a longing for impenetrability. The rational man groans as he gropes for the truth; he knows that his reasoning is no more than tentative, that other considerations may supervene to cast doubt on it. He never sees very clearly where he is going; he is 'open'; he may even appear to be hesitant. But there are people who are attracted by the durability of a stone. They wish to be massive and impenetrable; they wish not to change. Where, indeed, would change take them? We have here a basic fear of oneself and of truth. What frightens them is not the content of truth, of which they have no conception, but the form itself of truth, that thing of indefinite approximation. It is as if their own existence were in continual suspension. But they wish to exist all at once and right away. They do not want any acquired opinions; they want them to be innate. Since they are afraid of reasoning, they wish to lead the kind of life wherein reasoning and research play only a subordinate role, wherein one seeks only what he has already found, wherein one become only what he already was. This is nothing but passion. Only a strong emotional bias can

give a lightninglike certainty; it alone can remain impervious to experience and last for a whole lifetime. (Sartre, 1948, 18-19)

One of the intellectual challenges we confront is a phenomenon where there is a continued disjuncture between the acknowledged body of thinking in the textbooks (and to some degree in the official beliefs of popular political organisations because of the analytical barriers I have indicated) on the one hand, and the belief systems that are at the centre of peoples' lives. These beliefs may stand alone but often combine in their thinking, quite easily with Christianity, Marxism and other doctrines.

Related to problems in accessing these bodies of knowledge, cosmologies and other ways of seeing the world is that they are very often preserved or communicated orally. The world of orality, which may be the main mode used for such communication or preservation amongst the African population, is treated hierarchically as of a lower order than the written word. Knowledge tends to be equated with literacy and ignorance with oral communication/illiteracy. (Dossou, 1997). And on the side of the illiterate person there is often a suspicion or fear of the written word.

In order to qualify as knowledge of which the academic world takes note it is required that this oral knowledge overcomes certain hurdles and is translated into the written word. It is not seen as knowledge in itself. It may only be a source of knowledge or represent knowledge when it is recorded and conveyed by someone other than the original speaker in the written form. In short, the oral word is placed at a disadvantage in the circulation of ideas and knowledge in the forums that hierarchically determine what is knowledge and what counts as important to know and understand.

At the same time as the written word is treated as an impeccable way of communicating knowledge this is counterposed to local knowledge or I would call it knowledges that are also counterposed to science. The researcher comes as the bearer of science and accesses local indigenous knowledge, often described as a system and as a source, for certain purposes. Now this is wrong for a number of reasons. First the universality of science may well be exaggerated (Pottier, 'Introduction', 2003) and it is not clear that local knowledges necessarily fall beyond the realm of science.

It is wrong for a second reason and this relates to what I said about the danger of speaking of many things in the singular whether it be knowledge or science or feminism. Pottier writes:

The neat distinction between science and local knowledge did not last. First, under scrutiny, 'local knowledge' began to reveal itself as the multifarious, contestable product of an ever-evolving syncretistic process....The unitary concept 'local knowledge' fragmented into a plurality of local knowledges. Second, science came to be viewed as less universal and more particularistic than hitherto assumed....These new understandings prompted anthropologists to rethink the dichotomy....(Pottier, 2003, pp 1-2).

One further danger in working in these hierarchies is that when the oral word transcends its essential nature and qualifies for consideration as 'knowledge' it often loses much of its meaning. Very often it is performed or communicated in a particular

way and in a particular context and this can only be captured more or less imperfectly by the written word. Very often the written format may in fact result in something that is contrary to what its original meaning may have been. (See, for example, Scheub, 1973, pp.21ff)

While we treat the written word as the source of knowledge there is a whole body of knowledge that is borne orally and in some ways accessed through methods that go beyond what is officially designated science. When a spirit medium communicates and transmits messages from the ancestors, people often act on this information and resolve problems in their lives. Is this outside the realm of science? Or where –within my own knowledge, this information has turned out to be valid and to have positive results, how is it classified? Is it part of a knowledge system? If it has results that concretely resolve problems in people’s lives is it not more than superstition or an ‘opiate’?

I am tackling here the more difficult element in indigenous belief systems. The herbalist –*ixhwele* in Xhosa- is generally acting out a conventional scientific function by hearing what is the problem and dispensing herbs in order to deal with maladies. But when the initial diagnosis is made by a *sangoma* it is not through conventional medical techniques (and some *ixhwele* may straddle both worlds). In a sense the *sangoma* may put himself/ herself into the body of the other person and embraces that person’s pain or malady as his or her own. Alternatively, amongst other ways of diagnosis, bones, sea shells and other objects may be thrown and a variety of other methods may be employed.

In the case of the *igqiral sangoma* acting as a spirit medium, on the other hand, we are dealing with another world, not just that, but communication with ancestors with practical effect on peoples’ daily lives. Is the latter beyond science or is it science in its definitions that is behind what people experience and know from their lives? <sup>2</sup> I am saying this because I have witnessed that valid information has been derived from such contact between a spirit medium and an ancestor. Is this a lapse in my rationality? Or is it that science and rationality as words are contested terrain? I have seen this as part of a cure of a life threatening condition that conventional medication was only able to contain, imperfectly with the heaviest medicine in this case, morphine, but not cure. The person concerned is my wife, Nomboniso Gasa, now a qualified *sangoma*. Is there not something in this body of knowledge that we need to be looking at more closely? How do we designate a series of rituals whose impact is to provide a route to a cure, that conventional medicine cannot do?

We need to recognise that there is a power element involved in the recognition and status of knowledges and what is accorded the attributes of science. It is not an element devoid of direct state involvement, as in the ranking of the scientific standing of scholars, through the National Research Foundation (NRF). These are situations where status is accorded on supposedly purely scientific and objective grounds, under the imprimatur of an agency of the state. What counts or does not count as ‘knowledge’ or ‘science’ is a result of a power relationship.<sup>3</sup>

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<sup>2</sup> I am indebted to Helen Bradford and Peter Hudson for emboldening me to take this step and give full credit to what is entailed.

<sup>3</sup> My concern with indigenous knowledges and their downgrading in scholarship is an international phenomenon, which is evident, for example, in the countries covered by Pottier et al (2003).

By raising such controversial questions about indigenous cosmologies I am not thereby asserting the value of some frozen notion of indigenous knowledge or tradition and custom. That itself must be problematised. Not only are we dealing with changing phenomena but these must also be brought into line with the values of our constitution, especially in relation to gender, where the words of the Charter are fairly broad and inadequate. There is a great deal of mythology surrounding words like custom. *But before one can demythologise one has to recognise that it exists, that it is an important part of peoples' lives and engage it.*

If I place this weight on indigenous practices one might ask why it is that these knowledges found no place in the Freedom Charter beyond generalised references to culture. That is true. The Freedom Charter even though it emanated from a popular process is framed in the language of the Enlightenment, modernity and the democratic revolutions and declarations that preceded it. Though compatible with and implicitly enjoining respect for these, it did not provide space in its text for indigenous cosmologies.

It has also been suggested to me that the absence may relate to defects in the process of collecting demands for the Charter. That may be so, but it is also likely that many people were reluctant to reveal that they followed such practices, partly because of religious influences, partly because of the ethos of the liberation movement. It is only in the last few years that I have heard that many MK soldiers used to consult sangomas. I think the liberation movement may not have been the place where people would open up on such matters.

We need to understand these customs and belief systems and culture as part of a larger cosmological world, which is lived out daily, not just by specialists like *igqira* but also by ordinary people in the rituals they perform. Healing of illness is not just a physical phenomenon. In this context the relationship between ancestral spirits, dead and the living, is part of a continuing and never ending relationship. Within that cosmology death is part of life. The ongoing character of that relationship means it is not static but is a relationship that can be perpetuated under quite changing conditions.

From all of the above I am not suggesting that indigenous medical and other practices may provide answers to every problem or the best answer there may be. In particular, in the medical field it may be that conventional medicine is better able to treat and contain HIV/Aids than what may be offered through the indigenous route (of which I bear no knowledge). My object, based primarily on experience, has been to highlight a body of knowledge or cosmologies that are effective, certainly in particular realms of human experience. This deserves more attention and respect than it receives and what this means has epistemological implications for those of us who come from a Marxist and many other backgrounds.

### **African character**

Finally, returning to 'The People' –as the masses. They are a primarily African people, used in two senses. They are African in the narrow sense, in referring to the majority of our people, the majority component of black South Africans, but also in the wider

sense that we are all part of the African continent and therefore all Africans. This raises two contentious issues. The first is that being on this continent our reference point needs to be primarily the place where we are located. We need to see Africa as a continent from which we have something to learn and not only where we assist and provide examples of governance or other models to be emulated. And for those of us who are scholars, our reference point for excellence should not only be 'world class' models in Europe or the USA, though we also draw from them.<sup>4</sup>

The African character of the people and the nation we are building must also be manifested in representativity. The leadership of this country must address in a substantial way the historical legacy of apartheid that has left African people with disadvantages that have seen non-Africans occupying key positions and African cultures devalued or else caricatured in order to preserve them as bantustan props. A national face that is truly representative of who we are and a dominant culture that relates us to that majority component is required.

This is a very complex issue, for not everything that is produced by Africans is thereby necessarily a foundation stone of a new predominantly African culture. There is much that is kitsch and commercialised. There are also elements that are oppressive. The African customary marriage carried at its heart the dominance of the interest of the two kinship groups who joined together in a relationship, one of the results of which was a marriage. That relationship between families often predominated over the wishes of the spouses, more often tending to force women into marriage against their will. That much we have on the authority not only of anthropologists but King Cetshwayo (Cape 1883. See also Simons, 1968, for example at p.99)

Whatever the qualifications we may place in our respect for custom, it is from the experiences and the insights and the hitherto suppressed creativity of the African people that the main impetus for cultural development needs to come. But what emerges must be examined with a critical lens, an awareness that while much was distorted and even obliterated, not everything that was custom or claimed to be custom is in accordance with the ideas of our current democracy.

In the same way notions of 'traditional leadership' need to be interrogated, especially in the light of extensive tampering with lineages in order to serve undemocratic apartheid objectives. Whatever the constitution may say, we need to examine on a case-by-case basis to what extent individual chiefdoms/kingdoms have survived the apartheid period in a manner that will assist or hinder democratic rule. I am not prescribing thereby what we should then do. My aim is merely to break from a notion treating 'traditional leaders' as a monolith whose practices may impact in a common way in the contemporary situation.

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<sup>4</sup> My impression is that there is a great deal of ignorance amongst most South Africans in the social sciences of the contributions that have been made by scholars to the north, much of which is well in advance of the theoretical and practical achievements that have been notched up in this country. Instead of becoming acquainted with the work produced in associations like the Council for Development and Social Research in Africa (CODESRIA), some academic gossip claims that CODESRIA conferences are attended for participants to obtain a per diem.

To say we are an African country does not mean we are exclusively that. We are also a country, which is home to those who derive at some distant phase in the past from some other continent but consider South Africa their country. When we say the country must have a primarily African character we mean that this majority element of our cultural character in all its complexity should be visible as its primary element.

It is part of the abnormality of the apartheid heritage that it has been marginalised or fossilised. It needs to find its place as the cultural presence of most South Africans. But at the same time we face the challenge of relating this to the cultural presence of those who are not in the first place Africans in this sense, people who do not speak Xhosa or Tswana but may have English or Afrikaans as their home language or may not relate to much in the heritage of Africans in the narrow sense. We need to develop a dynamic mode of interrelationship between cultures of the African majority and minorities.

All of this is part of what we need to address in building a new nation, which is both African, non-racial and multi-cultural.<sup>5</sup> It is multi-cultural not only in that non-Africans have different cultures from Africans but that there are substantial differences within the cultures of different African or other peoples, changing all the time. And in addressing and linking these concepts we must give full expression to the various and changing identities comprised within them.

### **The Charter and nation-building**

One of the reasons why the Freedom Charter has a special claim to being treated as part of our national heritage is its nation-building qualities. Its every theme is inclusive, joining people to one another, opening up talents and doors that have shut out some and included others (and where inclusion has been on an authoritarian basis). The language of the Freedom Charter empowers people to realise themselves *and to do so in relation to others*. I want to look at some neglected elements of the Charter's language that have a bearing on this nation building quality.

The Freedom Charter makes a lot of linkages. To have peace one needs justice. Loss of birthright to land, liberty and peace derives from injustice and inequality. The remedy of fundamental ills required liberation. Consequently the Freedom Charter was not conceived as a document purely for reform. It relates not only to injustice, but also to inequality, which is a stronger word addressing the sociological basis of the apartheid system. By seeing peace as requiring equality is a radical vision, which could not be realised without national liberation, that is a struggle for self-determination, beyond the system in place.

Obviously the meaning of that vision was contested then and is contested now, but it is inherently radical in relation to apartheid and unequal relations. That is why Nelson Mandela wrote in 1956 that 'the Charter is more than a mere list of demands for democratic reforms. It is a revolutionary document precisely because the changes it

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<sup>5</sup> In some countries like Australia the word 'multicultural' has a controversial character and some do not use the word. I am merely using it here to refer to the fact that there are many cultures and cultures within cultures without seeing multiculturalism as more than a descriptive term.

envisages cannot be won without breaking up the economic and political set-up of present South Africa.’ (Mandela, 1990, p. 55)

The Charter is a document with a quality of universal emancipation; South Africa *belongs to all who live in it*. Not just South Africans. It dealt with human rights not just rights for South Africans. Words like *amakwerekwere* were not in the minds of those who adopted the Charter.<sup>6</sup> Unfortunately nowadays human rights have come to be associated with citizenship, but that was clearly not a limitation found in the Charter.

The notion of national liberation is obviously linked to building a new nation, constructed in consonance with the values of the Freedom Charter. But it is interesting to see how the imagery of a particular type of nationhood is often inserted in language that may not immediately appear to carry that association.

Although the word is masculine given the discourse of the time, the reference to *brotherhood* is a short hand call for the conditions needed to build a particular type of nation, a sense of common belonging to one country. Thus we read that ‘our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities’

So here you have joined together a number of qualities –a prosperous country, a free people enjoying equal rights and opportunities. This depends on living in ‘brotherhood’. This word is actually a metaphor for living together as if you are siblings, part of one family and not alienated from but joined to one another.<sup>7</sup>

This same preamble, ties all of this to the notion of a democratic state, a conception which I will argue can be amplified and given a variety of meanings, as it should be, the more we learn. Indeed, we have enriched the meaning of democracy- in political practice in the period after the 1950s.

The same preamble concludes by saying that the people –of all colours and equals, ‘countrymen and brothers’ adopt the Charter. The repetition of this reference to being brothers is significant because it is stronger than being countrymen or women. It is saying that we must build something that *is a bond that goes beyond living in the same place. It goes beyond living in a relationship of equality and in democracy*. It means we must be together as if we are members of the same family. Taking the metaphor to the political level, it is a way of saying we must build a bond that unifies us as a nation.

Opening this up is itself opening another area of contestation for we all know that liberty, equality and fraternity were the key slogans of the French revolution and

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<sup>6</sup> Incidentally, my understanding is that this word as a derogatory term referring to foreign Africans does not derive from South Africa. It was in fact used against South Africans in exile in certain states of the region. Neil Parsons (personal communication) claims that the word is of Tswana origin. Phil Bonner has told me, however, that he has seen the word in use in South Africa in the 1930s (personal communication). That does not, of course, explain its place of origin.

<sup>7</sup> I am aware that the notion of ‘family’ is a problematic and contested notion, as I indicate also in relation to the liberation movement sometimes being depicted as the family. It is used here purely in order to contrast brotherhood with the notion of the isolated individual being the foundation of a nation.

fraternity is the one that is least mentioned. Insofar as it can be interpreted to refer to specific community relations, a collectivity, a relationship of equality and mutual concern towards others, it has connotations that are resisted in a world that prizes individual achievement and acquisition, no matter the cost to others. The concept fraternity has come in the eyes of some to be associated with or have a special salience for socialism and communism. It is precisely for that reason that those who do want to see an end to inequality, should take debate on the meaning of brotherhood or fraternity further as one of the bases for re-reading the Charter.

The opposition to notions of collectivity or community and the ‘original sinner’ fraternity come mainly from those who fetishise the individual standing alone as a prized quality, to be protected from responsibility towards others at any cost. Do we want to build our nation in this way? Are there elements in the way we are acting out our lives today that have this tendency? It is certainly one of the features of capitalist ethics or individualism that one should look after oneself and achieve as much as one can personally, no matter what happens to others. Your success is the result of your abilities. Others living in poverty or failing to ‘make it’ in the crudest versions, have themselves to blame. They are in a sense inherently poor, not merely poor because of structural conditions that have inhibited their opportunities.

The word ‘brotherhood’, then may be a way in which we should examine whether the Charter should not carry a connotation that goes beyond ‘dog eats dog’ and where we try to find more cooperative ways of relating to one another.

In a speech to mark Heritage Day President Mbeki raised the question of what it is that distinguishes a South African from other peoples, what is our identity. I immediately felt a certain disquiet because I feared that identity in the singular might displace identities. But the President was noting and acknowledging the differences in cultural background and orientation and grappling to find values on which a common identity could be build, coexisting with these differences. While those who were racists would never adhere to a dominant humanistic ethos, there were elements of the culture of all groups in South Africa that could be linked to the notion of *ubuntu*.<sup>8</sup> (See Mbeki, 2005). Now again, my first reaction was an element of disquiet because of the uses to which this concept has been put. But I think we need to consider this carefully and not hand over the concept of *ubuntu* to the business entrepreneurs and various charlatans. It has a meaning which builds on the notion of ‘brotherhood’ and may form the basic values of a nation of the future.

This notion of a President advancing a particular philosophical notion as a central theme of a country, echoes the experience of other countries, for example ‘humanism’ in Zambia, under Dr Kenneth Kaunda and negritude advanced by Leopold Senghor of Senegal. One of the reasons why most of these philosophies did not take hold is that they were not rooted in the experiences and beliefs of the masses. If *ubuntu* is ever to be a central value system in South Africa it must go beyond government enunciation and also incorporate interpretations from below, be enriched by the experiences of the masses.

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<sup>8</sup> The word derives from Xhosa and Zulu and refers broadly to a spirit of humanity and compassion for other human beings.

## The Charter and Gender

The Charter emerged in a period when concepts like gender and feminism were not within the vocabulary of those who comprised the Congress alliance. The Charter nevertheless advocates in a variety of ways the equality of men and women. It is important that our interpretation in 2005 puts the question of gender into centre stage. But insofar as this paper is related to nation building it will focus on gender in relation to the nation. The nation is not a gender-neutral concept. Nations have historically been created in the public sphere, the place where men are supposed to make history. The role of women, according to this conception, is to care for the home and wave their husband's goodbye as they set out to perform heroic and other worthy public tasks. In fact the public role of men is meant to be made possible by the Other, who cares for the children and performs tasks that are supposedly natural to women. (See Suttner, 2005). AnnMarie Wolpe contests this in dedicating *The Long Way Home* 'to all those countless women without whom liberation politics could never occur.' (1994, Dedication).

One can see this in the early formation of the ANC where only African men could initially become members. But this does not mean that women accepted this, though they may not have conceptualised what they were doing in the terms I am using. But from the 19<sup>th</sup> century women were involved in various public activities related to the extension of passes. In 1913, we have seen how their anger exploded on the streets of Bloemfontein. Incidentally some of the established feminist writers in South Africa underestimate the significance of this protest. Because the women were mainly mothers some writers say their intervention was definitely not feminist and was in fact conservative. (Wells, 1993, unpub, 1991). The women were defending the primacy of their roles as mothers and homemakers. Racial oppression was tackled while traditional gender-defined roles were reinforced. (Wells, 1993, 1).

We need to find a way of incorporating within our definitions of feminisms the reality that in the case of women in South Africa the first point of entry into politics was often or generally as mothers. In fact, the assertion of motherhood in the case of African women represented a historical advance, that they could claim prime responsibility over their children. In tradition, through the payment of *lobolo*, a man's family acquired a woman as a vehicle for producing children in the name of her husband<sup>9</sup>. The mother's claim was mediated by the claims of a number of other kin of the husband. What is wrongly called bride price could more accurately be called child price. Mothers being able to assert their maternal rights was therefore a historical gain. Application of a 'one size fits all' notion of gender roles does not do justice to the historical assertion of claims of motherhood nor manifest sufficient flexibility to recognise that we need to speak of feminisms not just feminism.

From the start African women never accepted their exclusion from the public domain and the potential nation identified by the ANC in its allowing membership to African men only. So we can read this action of the women in a number of different ways, relating to citizenship, modes of politics, and claiming of the public terrain, that is supposed to belong to men alone.

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<sup>9</sup> 'Lobolo is a Zulu noun. It describes a man's obligation to pay cattle, horses, hoes, money or other property to the father of his intended bride or wife in consideration of their marriage. The payment, or a promise to pay, is one of the components of a tribal marriage....(Simons, 1968,87).

The constitution has done much to advance the establishment of gender relations on a fresh basis that empowers women and provides opportunities for both men and women to explore their talents and their sexuality in ways that were not previously possible. The ANC has introduced from the outset a voluntary quota that one third of its MPs or MPLs should be women, now rising to 50% in the forthcoming local government elections. But we need to interrogate these achievements. What has the incorporation of women into parliament and other positions of power meant for their responsibilities as mothers, home makers and other traditional roles of women. All too often we may find that the same person who has to sit through an arduous day in parliament has to come home and still make a meal for her husband and family, that her responsibilities as a parliamentarian are impacted on by the exhaustion of not being as free as male parliamentarians are to do their political work.

The entire national parliament experience has serious impact on family situations. Very many women MPs, like others, travel home on week-ends or some week ends on parliamentary tickets. But the ticket is not given to fulfil family responsibilities, to see how children are faring and so on. The main reason for the ticket is to do constituency work.

The question of gender also arises in relation to heritage itself, who is celebrated and what is celebrated. Heritage workers need to be asking what it is that makes someone a hero, a part of what is called intangible heritage and I think we will find that this is a subject suffused with questions of gender. The very word heroism is itself a word applicable-in the dictionaries- to men and derived from worthy acts attributed to men.

So what we have on our hands is a situation where we need to unpack models of masculinity and femininity and what these mean in the creation of a nation, and eradication of ideas of the public/private divide determining the extent of women's involvement in the political domain. We need also to ask on what basis people are honoured. It is encouraging to note that there are already a large number of women who have received national honours, amongst them Ray Alexander, Dorothy Zihlangu and Lillian Ngoyi. The large majority of acknowledged heroes are of course, men. This relates to my earlier point that the public domain the area where heroic acts are performed is traditionally that of the male and that needs to be challenged as MK women and men like Chris Hani did (Suttner, 2005).

Beyond this lofty level we need to be asking ourselves on what basis men and women must relate in the new South Africa to build a nation in accordance with gender equality. In particular, what are the models that we are commending to men and women as being desirable? These models may appear through commercial advertising or other media and it will occur through our evaluation of what constitutes the heroic, the admirable, the desirable in terms of qualities that a person should aspire towards possessing. I must admit to being somewhat surprised at the figures who appear to enjoy considerable admiration and have had heroic adjectives showered on them in very recent times. Such appellations would in the past have been reserved for the Kotanes and Hanis and Lilian Ngoyis, whereas in at least one recent case the person's

background would at the very least, cast some doubt on the characterisation being applied without considerable qualification.<sup>10</sup>

In this area of heroic models, we immediately enter the terrain of schooling, training for manhood and womanhood. In the case of boys we have schools where unless there has been a radical change at least in the formerly white schools, sport is everything and moral values are nothing or the only value is how fast you can run and how heavily you can tackle.

In the case of Africans there is the question of initiation of males. We are led to believe that this is a practice from time immemorial and that its teachings are sacred and unalterable. In fact the teachings may not be uniform. Certainly when 362 males were circumcised on Robben Island by Johnson Malcolmess Mgabela and in exile, the meanings attaching to the notion of initiation took on a distinct liberatory content. (Discussion with General Amos Lengisi, 2005).

African initiation practices entail a phenomenon that goes beyond circumcision and deals with the transmission of values, ideas of what it means to be a man and these are in fact diverse. In the context of a constitution that is encouraging gender equality some of these practices are supportive of male chauvinist ideas of manhood, while others see relationships of mutual respect between men and women as part of the accoutrements of manhood.

This is then one of the areas of masculinity formation that needs to be engaged with and contested insofar as some individuals are credited with being the repositories of custom and they often treat it as an unchanging phenomenon. It cannot be unchanging and has never been so in African history. But it cannot be so, especially if what is protected runs against the spirit of the constitution.

### **‘One nation’ also carries dangers**

When one considers the Charter in the context of nation building or the national question, we need to be clear where we stand in relation to classical writings or other formulations of what constitutes a nation. Clearly many of the objective, material preconditions for the establishment of a nation, in history, were met in South Africa during the apartheid era. Many of the territorial divisions and the economic parochialism that constituted barriers to nation formation in Europe were already removed to a large extent in the years after Union and had begun even earlier. So when one reads works dealing with nation formation in Europe we can say that certain of the preconditions for establishment of a nation are already in place in South Africa, despite the militaristic and divisive basis on which these were instituted.

We are in a sense in a different phase of nation formation, implementing choices that many nations have not taken and under conditions that are quite different from that of many others. We are also doing so in a way that is in some ways similar but in others fundamentally different from nation formation in many of the classical cases or the

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<sup>10</sup> I do not wish to be disrespectful of the dead, especially one who has been assassinated, but I am referring here to Brett Kebble. The character of the tributes paid to him by some ANC figures seemed somewhat surprising.

examples from which theorists of the nation draw. In many writings one finds an assumption that a nation must be based on a single factor or primary one that is said to draw people together, factors in common or 'imagined' to be in common, such as language or culture or religion that have either been denied by a system of domination or have only been realised through unity of different localities.

Now the South African nation will not be built through eradicating difference and recognising one language. That corresponds to the democratic rights of all our peoples and is now constitutionally enshrined. It will also not be based on one religion or culture. The factors that comprise and also divide the present South Africa nation remain multifaceted and substantial and they are based partly on history but also in the antagonistic way in which differences in culture, religion, language and many other factors have been dealt with. This is also linked to a failure to treat these questions in their full complexity and as dynamic phenomena.

We do have a unified, common market within a capitalist economy and common territory, which may be some of the preconditions for the establishment of a nation.

I think that one of the bases for division now and one of the factors that has to be confronted in nation building is whether the trajectory of this nation-in-the-making is to be a dog eats dog one or whether its transformation includes an economic and redistributive element. Certainly it is hard to read the Charter as advocating anything but the reduction of inequalities. Exactly what this entails and how it should be done is not clear and there is some ambiguity in precisely what it is advocating in terms of involvement of the state and distribution or redistribution of wealth. But it is quite clear that the Charter insofar as it can be seen as a contribution to nation building is suggesting –right through the document- an emphasis on egalitarianism and the reduction of the disadvantages of the many. This does not necessarily mean socialism, though it does not seem incompatible with advance to socialism. Certainly there is a great deal of emphasis on what concerns the working class.

The Charter embraces certain values, whose translation into policies and into modes of transforming people's lives for the better is open to more than one interpretation. But just as establishing an inegalitarian society requires learning certain practices, symbols and norms, establishing a mutually respectful and egalitarian one does too.

I do not want to restrict this discussion to the level of wealth. We need to make cultural rights meaningful. We need to recognise that to this day the publication of works in African languages outside of the schools remains miniscule and in the era of recognition of 11 official languages, some African languages departments are in danger of closing down. There are fewer and fewer students undertaking courses in African languages because it is not seen as leading to a lucrative career. Yet teachers in these languages are badly needed in the schools. There needs to be an intervention to provide special incentives in this area.

One of the most significant counter developments giving meaning to use of all our languages in recent times was hardly reported, the introduction by the Department of Arts and Culture of a system whereby people can speak to any government official in any of the official languages of the country. By speaking into a particular type of telephone to an official who has the same telephone connects an automatic translation

service enabling the person to raise his or her concerns in the language that they speak. This is a huge breakthrough in terms of access to government. There need to be other developments of this kind.

We need to learn how we manage all of these cultural factors- differences, lack of opportunities for expression and development and many others.

We also need to problematise the notion of nonracialism in the context of building this new nation. That nonracialism in our constitution does not mean that it has been absorbed into the consciousness of all of us nor that it is part of our practice, partly because many people may never interact with other 'races' or only on a basis that is not significant in establishing nonracialism as a norm, for example, white employer and black employee.

One of the dangers that relates to this question is a tendency to treat these differences as invisible, to speak as if race were unimportant and black or white making no difference. 'We are one', Seme said in the course of a major intervention (Seme, 1911). That was a progressive statement in its time and an important challenge to the recently formed Union of South Africa. But it is one of those passages that have a variety of implications, some of which can be contrary to the democratic development of all the citizens of the country.

It feeds into a tendency to treat differences as invisible, to speak as if race (or in the case of Seme, all differences in the case of the African people) were unimportant and black or white makes no difference. The same tendency can be found in a quotation from former President Nelson Mandela, 'We have no Whites; we have no Blacks. We only have South Africans' (Frederikse, 1990, cover). This is also what the major South African Catholic theologian, Dr Albert Nolan once said: 'Non-racialism means that race is as irrelevant as creed or gender or anything else.' (Frederikse, 1990, p.175). Superficially these are progressive statements in that they advocate a unifying notion where difference should not mean disadvantage but they go further and almost eradicate difference altogether.

Both 'race' and 'racists' become invisible or lead an underground existence because the salience of the category is denied. In such a situation we cannot easily identify racism, though it is undoubtedly there. It is underground partly because the category race is not treated as having any significance.

I do not say we should celebrate difference at any cost because not everything that is different is necessarily enriching to our overall social life. But what is important is that there are differences that are significant and denying their existence is to evade the problems of nonracialism and the coexistence of various differences between people. We need to recognise that while race may be an unscientific category it has played a real and significant role in people's lives and has left legacies in what people now have or own or what or whether they have jobs and what skills they possess. It also has a significant impact on the way we relate to one another. The repetition of the mantra of the 'unscientific basis of race' in answer to such problems is nothing but an evasion of the issue. (See Neville Alexander in Frederikse, 1990, p. 206).

At the level of dealing with concerns of specific communities I would go further and argue that it may well be that under some circumstances the most effective way of dealing with a problem of social existence, in the past and now is or has been to organise on the basis of this unscientific category, to organise Indians as Indians around their specific concerns. I am not saying that that is always the case or is so now. Race is a social category whether or not it is unscientific. I want to remove from the issue any suggestion that proof that the notion of race is unscientific constitutes a solution to anything related to building our nation or establishing nonracialism.

### **Unity and Pluralism**

Whatever the gains that were made in achieving democracy, indeed in the process of organising for democracy there were also problems that arose and were potentially there and we should look at these frankly. One of these lies in the potential interpretations of the first words of the Freedom Charter that South Africa 'belongs to all who live in it, black and white'. That call for unity and nonracialism (although I do not think the word nonracialism was in currency then) was the basis on which apartheid was opposed and defeated. It was the basis on which the UDF organised under a slightly different slogan – 'UDF unites, apartheid divides'.

While there is a lot more to discuss, I want to raise the question of 'national liberation movement' discourse, a language of unity and a language that *tends to be transformed into the unified people being embodied in the liberation movement organisation and that being equated with the people as a whole*. We find this in many slogans throughout the continent and in our own case, 'ANC is the nation' or the 'ANC is your mother and your father'. In a sense the liberation movement depicts itself as a proto-state. This was also within the framework of a notion of seizure of the state being the central issue of the day. It also sees popular nationalism, embodied in the national liberation movement organisation as embodying all politics. Therefore in its assumption of state power, this popular nationalism has the dangerous potentiality of becoming state nationalism. (See Neocosmos, 1998)

What is left out of this equation is that there is politics inside and outside the liberation movement and although in many cases this may have been part of the liberation struggle in its broadest sense it had a degree of autonomy. Also in the post-liberation period, it is necessary to recognise that there are a range of other interests that require representation organisationally and the ANC alone can definitely not do that.

Again there is a positive side to this pre-eminence of the national liberation movement in that people want to align themselves with democracy and as in the rest of the continent *the bearers of democracy were the liberation movements* –in the first instance, whatever may have happened later in various places.

But there is also a danger in this model, and this discourse. It is a danger, which relates to the legacy of suspicion towards pluralism. If one looks back to the 1970s and 1980s many of us were very sceptical of pluralism because it tended to come in forms, which sought to represent ethnic identities as forever frozen in time and built solutions around these. In short, it was a way of denying majority rule. The word

pluralism came to represent an attempt to diminish the power of the masses, the democratic will of the people, to disperse power in a variety of ways instead of allowing the people to exercise it under majority rule.

But now that democracy has been established that suspicion has left a legacy where – intellectually- we have not gone into some places, left some doors shut. We have not interrogated what lies within this unity we have built, what the characteristics of this unity embraced in ‘the people’ implies. We have not disaggregated the word. Some may fear that to do so is disloyal and feeds into the agenda of those who want to instil fear of minorities, that they face suppression by the majority.

But when we read the Charter today we have to go there, we need to break down what it means to be a ‘Charterist’, not assuming this is the only tendency and fully respecting the right to organise around a variety of issues and tendencies. We need to recognise unequivocally the right of people to organise themselves in a variety of formations –first, as enshrined in our constitution in multi-partyism. That some people vote for the DA (even if many may find some of their utterances unhelpful to the democratic and transformation process) is a better outlet than that they should be tempted to disrupt democracy.

Equally there are people on the left who are antagonistic to the government, feeling that neoliberalism is being implemented and have formed alternative organisations dealing with aspects of service delivery. The ANC has tended to be very hostile to these organisations. Personally I believe it is important as part of the nation we build to acknowledge without qualification that people have the right to organise in a variety of sectors, linked to or in opposition to the government of the day. No political organisation can represent every sectoral interest and it is important that such sectoral organisations exist. No one should be discouraged or depicted as disloyal by involvement in such activity. To achieve adequate representation of these interests means possibly *encouraging* the formation of organisations even if these are opposed to the ANC, in order to provide a vehicle for such interests. The ANC and the state where they disagree can then engage in debate with such formations.

At the same time some of the activities of these organisations have an insurrectionist character –not recognising the constitutional gains of 1994, they have sometimes used anti-constitutional tactics to make their points (in contrast to the Treatment Action Campaign (TAC) which has mainly used the constitutional mechanisms, sometimes making gains that government had been reluctant to concede). Before one can make any proper assessment of the role and significance of recently emerged social movements, there needs to be a proper inventory-what their goals and strategies are, what is their support base, how many people are involved and in what way. How is it that they intend to achieve their goals?

### **Changing meanings of ‘governing’**

In line with the Charter carrying many meanings, for different people and at different times and as conditions change, this applies to the notion of governing, the clause ‘The People Shall Govern!’ South Africa has witnessed during the 1980s how ordinary people, the masses, the people in whose name political organisations claim to

act, gave meanings to the Charter that could not previously have been imagined. During the period of people's power street committees were established, measures for crime control, people's parks, and crèches were built where there had been Bantu Administration departments amongst other initiatives. Some of these initiatives went off course. With the arrest of senior leadership it was easier for younger, less responsible elements as well as *comtsotsis*<sup>11</sup> to take control and crime control efforts that had been very successful in some areas were then diverted into kangaroo courts.

It is important that we do not take the abuses to signify the character of the era and the experience, but an element of what happened, and because of specific conditions brought about primarily by state repression, leading to thousands of arrests of more senior, responsible leadership. (See Suttner, 2004a)

This period needs to be understood as one where people often consciously saw themselves implementing the Freedom Charter, in particular the clause 'The People Shall Govern!', by establishing organs of self-empowerment. We need to work out in our reading of the Freedom Charter today how those practices that expanded previous meanings of the Charter can be incorporated into our overall understanding of the document and its potentialities.

Here we are speaking of power arising directly from below and sometimes having no relationship to governmental authority. We need also to build on existing participatory democracy where elected local organs do interact with government and drive processes of planning, especially in areas of development and where delivery benefits from popular input.

## CONCLUSION

I have said things in this paper that I would not have said 20 years ago or in some cases, until very recently. The situation has changed and my thinking about democracy, gender, questions of knowledge and other issues has benefited from experiences and reading and discussions, which have altered the perspectives I had previously.

What is written is nevertheless tentative and part of a debate that I hope may be engendered, where the Charter is not treated as a battleground, but a document that raises issues we all have to consider if we want a future which provides the deepest and broadest democracy as well as a better life for all.

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<sup>11</sup> Gangsters (tsotsis) posing as 'comrades', depicting criminal activity as revolutionary activity.

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