

**Why is this election different from all  
others?  
ANC, COPE, and the way forward**

**By Raymond Suttner**

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**Why is this election different from all others?<sup>1</sup>  
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<sup>1</sup> This phrase is similar to the Jewish Passover question, ‘Why is this night different from any other?’ This was not conscious. It arose because I was trying to work out why I did not see the elections as very important in the context of the overall political crisis unfolding.

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## 1. INTRODUCTION

We all feel that there is something very different about the forthcoming elections, about the current political situation and the ANC. What is this? Why am I feeling sufficiently confident to make such a generalisation?

For almost four years the ANC has undergone turmoil of a character that is unprecedented in its history; this has shaken the organisation, led to the formation of a breakaway political party, Congress of the People (COPE) and raised questions about the potential or already existing spillover between an ANC crisis and a systemic one, affecting the constitutional order as a whole.

There is a widespread sense among many who have been involved in the liberation struggle and the ANC itself, not only those who have joined COPE, that the organisation has certain features that are incompatible with the ethical basis that was attributed to it or was part of its identity in the past.

A sense of fear has been generated by certain statements that are not always suppressed or subject to organisational criticism. This evokes a feeling among many who have grown up in the ANC, and members of the public, that sections of the ANC are creating an atmosphere of lawlessness and potential warlordism, with impunity. There is a sense of deviation from ANC principles on ethnic identities and nonracialism, whether through expressions of racism, ethnic chauvinism, or anti-Semitism, running against other traditional tenets that members associated with their organisation.

While it may not be in the forefront of the public's mind, the question of gender and gender violence also features, insofar as Zuma is linked in the public's eye with his rape trial, where it was found that the state had not proved his guilt beyond reasonable doubt, which is not the same as proving 'innocence'. The sense of disquiet is intensified by statements of his followers (from which no member of leadership disassociated themselves) devaluing the dignity of the complainant and showing apparent indifference to gender issues on the part of most ANC leaders and, incidentally, COPE as well; apart from their recent complaint against ANC youth leader, Julius Malema to the Commission on Gender Equality.

## 2. OVERVIEW OF RECENT HISTORY<sup>2</sup>

The ANC has a long and varied history and, in its own accounts, depicts itself as continuing a chain of resistance started from the earliest Khoisan- and Xhosa- speaking people's battles against conquest by British and Dutch colonialism, followed by fierce resistance of the baSotho, baPedi and other peoples. The battles on the Eastern frontier raged for one hundred years.

The resistance passed through various phases before defeat and the establishment of Union in 1910. The ANC was established as the SANNC (South African Native National Congress), then open to African men only, in 1912. This was followed by a series of delegations petitioning the Crown and Union government, meeting mainly as an annual assembly modelled on the British parliament, and generally not having a thriving organisation. From the 1940s, however, when Dr AB Xuma became president, following the earlier work of Rev (later Canon) James Calata, they built an ANC with a system of accounting and organisation and a membership base of about 5 000.

In the mid-1940s the ANC Youth League (ANCYL) was formed under the leadership of Anton Lembede, Nelson Mandela, Walter Sisulu, Oliver Tambo, and AP Mda. They wanted a change of direction and a more militant organisation, which required structures, and they were able to build on what preceded them. They criticised the previous leadership for not wanting to get their hands dirty (Ruth First, CD, 1982). All of this would have remained mere words and slogans had the patient foundations of Xuma and Calata not been in place. Also, if you look at the dress of the old petitioners and that of the new rising leadership, there are similarities as well as differences in modes of self-representation.

At the ANC 1949 conference, the YL programme of action - including plans for a defiance campaign - was accepted by the ANC as a whole. Sisulu was elected secretary-general and Dr J.S. Moroka replaced Xuma as president, because Xuma resented the direction that the youth was giving to the organisation and their apparent disregard for his status.

Sisulu, as secretary-general in the 'engine room', changed the mode of operation of the ANC from one of delegates meeting on annual or other occasions, and relying on charismatic leadership, to one with collective decision-making. (First, 1982, CD). He built the organisation and they prepared for the Defiance Campaign, where selected laws of apartheid would be disobeyed (Karis and Carter 1973). This was preceded by relatively courteous letters to the prime minister, but these were ignored.

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<sup>2</sup> This historical overview is not intended as a step-by- step documentation, but a broad overview. For those who wish to read further I refer to the volumes edited by Karis and

The Defiance Campaign, initiated shortly after Chief Albert John Mvumbi Luthuli entered politics and was dismissed as a chief, represented a break in the chain of legality that had characterised previous ANC politics. Sisulu indicated that they specifically chose the word 'defiance' rather than 'passive resistance' used in the 1946-1948 Indian campaigns, to raise the level of struggle, even to a revolutionary level, where people would be prepared to give their lives. That is why the volunteers were called 'defiers of death' (Sisulu 2001). But it should be noted that Gandhi himself also did not like that word, saying that non-violent resistance was 'active' resistance, even the 'moral equivalent of war' (Chatterjee 2007).

The Defiance Campaign was full of nuance and ambiguity, especially around figures like Chief Luthuli. For the first time in ANC history, a specific uniform was adopted for a category of members the *voluntiyas* (volunteers) and they swore an oath. Hierarchy was emphasised, stressing obedience to commands. All of these actions signify a level of discipline associated with embryonic militarisation. At the same time, the cap that the volunteers wore was a Gandhian cap, originating in Kashmir and stretching back thousands of years in Indian peasant history. Its association with Gandhi again mutes the potentiality for violence in the other elements of the construction of a volunteer defier. It has been suggested (personal communication, Luli Callincios) that the uniform is derived from the Nehru shirt, but that shirt was multi-coloured and the fabric was generally soft, unlike that of the volunteers, which was made of stiff, thick material and only in khaki, in fact something between a shirt and a jacket.

The campaign had a substantial impact on the organisation, and its membership rose to 100 000 paid-up members. The increasing militancy had its negative effects. In one of the trials that resulted, Dr Moroka dissociated himself from his comrades, acquiring separate legal representation and attacking alleged or actual Communists, even in the defence team.

The moment for Luthuli's leadership had now arrived. Luthuli had been a chief from one of the amaKholwa (Christian) communities and was elected to office, a practice initiated before his time. He, however, introduced reforms that ensured participation of women in community affairs. Luthuli was steeped in American Congregationalism and was a lay preacher. His Christian ethic informed his life, but he was always open to other influences. What his leadership brought to the fore, along with the youth leaders already mentioned, was the ethical canon that distinguished the best of the ANC, the notion of a leader who sought nothing for him or herself, who was prepared to lose all, and prayed that he would resist any temptation not to do what was his moral duty to his people. Whatever he advised others to do, he was prepared to do himself, in this respect echoing Gandhi and, later, Mandela (Sampson 1999). In his famous statement in 1952 after having been deposed as a chief for his ANC activities, Luthuli remarked:

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Carter (1973), then Karis and Gerhart (1977) and then Karis and Gerhart, (1979), Walshe (1971), Simons and Simons, (1983[1969], Pampallis, 1991, Lodge, 1983 and many others.

What the future has in store for me I do not know. It might be ridicule, imprisonment, concentration camp, flogging, banishment and even death. I only pray to the Almighty to strengthen my resolve so that none of these grim possibilities may deter me from striving for the sake of the good name of our beloved country, the Union of South Africa, to make it a true democracy and a true union in form and spirit of all the communities in the land.

My only painful concern at times is that of the welfare of my family but I try even in this regard, in a spirit of trust and surrender to God's will as I see it, to say 'God will provide'.

It is inevitable that in working for Freedom some individuals and families must take the lead and suffer: The Road to Freedom is via the cross.'<sup>3</sup> (Luthuli in Pillay 1993: 50.).

I am consciously drawing on Chief Luthuli because his life and its meaning, his integrity and modesty and willingness to sacrifice, rather than to gain wealth or power, are particularly salient at this time. The very interesting intersection between his theological intervention and his ANC convictions will be further investigated (within my capabilities and with the assistance I am receiving) in a later paper.

The Defiance Campaign was an essentially negative or reactive campaign in the sense that it showed the power of the masses to resist what was anti-popular. What was then required was to articulate a vision for the future; Professor ZK Matthews of Fort Hare, at the 1953 Cape ANC Congress, suggested a Congress of the People which would gather popular demands and develop a Freedom Charter, which would serve as guidelines for a future democratic state. This was not the first such venture,<sup>3</sup> since the African claims, modelled on the Atlantic Charter, had been prepared in 1944, but that was work of a committee and did not intend (as the Charter did) to derive from the actual voices of the ordinary people.

The Congress of the People, which drew up the Freedom Charter, was not a single event but a campaign intended to draw from people throughout the country, their grievances and demands for a future democratic South Africa. Demands flowed in and were collected on scraps of paper, backs of school exercise books, on cigarette packs, and recorded in other ways. Despite elements of exaggeration, the campaign reached areas and people whose voices had never been heard before (Suttner and Cronin 2006).

Scholars spend a lot of time speculating on who wrote the Charter or whether it was manipulated by Communists or others. Undoubtedly the Charter could not be written in the same form as the demands, which had to be developed into a consensus document that could be read in such a way that would inspire people. Insofar as only a minority, later to form the

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<sup>3</sup> It is interesting that Che Guevara, when embarking on dangerous activities, makes reference to his family, but does not rely on God but the Cuban state to provide. (See Suttner, 2008, ch 7).



PAC and various other anti-ANC groupings, claimed that the document did not represent Congress views, or were in conflict with the actual demands collected, it appears that the consensus document was a valid representation of the demands. In any event it was not intended to be an ANC document, and the organisation adopted the Freedom Charter one year after the event (ibid).

## 2.1 Early underground

At the same time as this talk of freedom, others were speaking not only of freedom but of the need to prepare for underground, and in the long run armed, resistance. In various parts of the country, individual groupings were reading about resistance in other countries and psychologically preparing themselves for the 'inevitability' of armed struggle. When Sisulu as secretary-general took a trip to China, he and Mandela agreed - without a mandate<sup>4</sup> - to sound out the Chinese about arming the ANC in the future. The response was frosty, the Chinese saying that armed struggle was a serious undertaking and required adequate preparation (Suttner 2008: ch 2).

Underground organisation has a long history in that from the earliest days of the Communist Party, agents of the Comintern<sup>5</sup> would surreptitiously visit South Africa and had to move in a clandestine manner ( Simons 2004). Communist and trade union leaders were sent to the Comintern universities for training, which included a course in underground (Filatova 1999). This was long before the banning of the organisation, which happened after the National Party (NP) came to power. The Communist Party of South Africa (CPSA, the original name of the Communist Party) was not adequately prepared and dissolved itself. (Bernstein 1999; Suttner 2008: ch 3).

But it regrouped and was gradually re-established by 1953, rising to about 200 members, taking no losses for 10 years. This experience would be drawn on by the ANC when it later became illegal and was ill-prepared for underground and did not have its own places of refuge and other logistical requirements ( Suttner 2008: ch 3). Until now, histories of the rise of the Communist underground have relied on accounts drawn from the big cities. It may be that if researchers move quickly it will be found that earlier attempts to rebuild the Party took place in some of the rural strongholds and on a different basis (Discussions with Phil Bonner, on the basis of published and unpublished research).

Around the time that the SACP underground was established, the ANC-initiated processes to prepare for underground, known as the M (Mandela) Plan, with secret work accompanied by political lectures that appear to have had a Marxist tinge. The approach to underground was strictly hierarchical, with orders passed down. Although the extent of implementation of

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<sup>4</sup> This is not exceptional in Mandela's career, though it is in the case of Sisulu.

<sup>5</sup> At that time all Communist parties were described as part of the Communist International, whose headquarters were in the Soviet Union.

the M Plan is underrated in much of the literature, it did not take off, partly because people found it hard to prepare for what seemed an abstract event (Suttner 2008: ch 2). It would however be used later when the ANC was banned, in the early post-Rivonia underground and even in the 1980s (SADET, vol 1, 2004, Interview Setsubi).

## **2.2 Treason Trial, Sharpeville emergency and the illegality of the ANC**

The proceedings of the Congress of the People at Kliptown had been halted at the point of adoption, and the Charter was used as a basis for the prosecution in the Treason Trial, first involving the arrest of 156 people, later reduced to 30, and the ultimate acquittal of all after almost five years. While this was a blow to organisation at a leadership level it provided opportunities for meetings and friendships to develop, one of the most noteworthy being that between Luthuli and Moses Kotane, General Secretary of the SACP, who became Luthuli's closest adviser and confidant.

Before the acquittal, the Sharpeville massacre occurred in 1960, followed by the banning of the ANC and PAC, and the detention of many leaders under the state of emergency. Of great symbolic importance at this time were photographs of Luthuli, Mandela and Sisulu setting their passes alight. People still speak today of how these images stirred them. This is an example of the Gandhian principle referred to, that the type of leadership of the time would set the example for their followers by being the first to take daring action, which others were urged to follow. (This is not to suggest that being in the frontline is invariably the best way to lead).

The ANC issued a statement to the effect that it did not recognise its banning and would continue to operate. Taking a mass organisation underground and at great speed, unlike the SACP, which was small, was a very difficult undertaking and did not succeed for long. Many individuals did not accept the need to alter their modes of operation, and wanted to continue taking minutes of meetings or wearing Congress uniforms (interviews Noloyiso Gasa, C. Ndlovu). This continuation of practices which had passed, or embryonic indications of what was to come, is an example of a constant theme in ANC history of ruptures and continuities, and continuities within ruptures.

Because the ANC was unprepared for underground work and the SACP had already been in the field for some time, it was of considerable assistance in providing safe houses, communicating techniques to avoid detection, and other methods of adaptation. But it was all too rushed. And this applied not only to the rank and file but to the ANC leadership, who were publicly known and moved from public visibility one day to underground the next. This made them obvious members of the underground, targeted by police

In December 1961, mKhonto we Sizwe (the Spear of the Nation) was formed as a joint ANC/SACP venture, though to protect those ANC members who were not participants it was described as an independent organisation. It made some forays into sabotage and caused minimal civilian deaths, as was their policy.

Soon the ANC top leadership was arrested and appeared in the Rivonia trial, followed by a series of smaller trials all over the country, especially in the Eastern Cape. Many were tortured, many made brave statements of defiance, and the change in police techniques to the use of extensive torture, unlike previously, led some to turn and give valuable information and become itinerant state witnesses and, ultimately, work for the police. Some of these, like Bartholomew Hlapane, a former member of the SACP Central Committee (CC) were later executed by MK. Piet Beyeleveld, a former president of the Congress of Democrats and CC member of the SACP, who had not been tortured, shocked his comrades by providing crucial evidence convicting Bram Fischer.

The Rivonia trial saw defiance of the right of the South African government by all the prisoners declaring 'not guilty, the government should be in the dock'. Later Mandela made his famous statement that he was willing to live but if necessary to die to realise the ideals of the liberation movement. (On preparedness for this, see quotation in Sampson, 1999).

### **2.3 Between Rivonia and 1976**

With the leadership in prison and some of them, such as Tambo and Dadoo having been sent out in order to start the international solidarity campaign, history books record that a 'lull' reigned over SA politics, for the ANC was dead. Inkatha (with initial qualified support from the ANC) used the opening to claim to be the heir to the ANC. This also created space for the fresh and defiant strands of black consciousness (BC) to emerge.

In fact, it is not true that the ANC ceased to exist, and underground structures were re-constituted by a number of groupings, especially MaSisulu, John Nkadimeng, Martin Ramokgadi, who served two terms of imprisonment, Elliot Goldberg Tshabangu, and separate groupings surrounding Nomzamo Winnie Mandela and others in Gauteng, and people like Mandla Judson Khuzwayo in Natal and Peter Nchabaleng in Northern Transvaal.

They started on a small scale, but gradually developed the capacity to help families of those in jail or detention, to send out individuals for training and receive MK cadres who returned. It was slow, patient work, too slow for some of the emerging BC, many of whom entered into dialogue with the underground and later came to appreciate the need for this careful, patient building of the organisation (Suttner 2008: ch 4).

## 2.4 ANC sinking morale, Morogoro and Soweto

Many of those who left the country to be trained for MK activities expected to return within six months, gun in hand (interview, Eric Mtshali). This was not to be and there was a restive atmosphere in the late 1960s, which was one of the reasons for MK joining with ZAPU in the Wankie and Sipolilo campaigns, with some successes but on the whole being unsuccessful and costing many lives. (There were more on the Rhodesian side than is generally conceded. (See Karis and Gerhart 1997; Suttner 2008, ch 4.). Some retreated to Botswana, where, like Chris Hani, they spent time in prison, and others made their way back to South Africa, individuals whose heroic stories remain untold.

It should be noted that independent of this campaign there were other small but significant and heroic entries into the country, such as Matthews Ngcobo, Amos Lengisi and Linus/Themba Dlamini, as stowaways; they had no papers for entry or exit, and spent 12-20 days on a ship from Dar es Salaam and Mombasa, hiding in a wardrobe and not eating, only drinking water. On arrival, they did considerable MK work, and organising in urban and rural areas, before their arrest and appearance in the Dorothy Nyembe trial in 1969.

Those who returned from the Wankie campaign were deeply critical (as were many others) of the leadership, who they depicted as living in luxury and unwilling to pursue the armed struggle. They were seen as preferring to travel round the world doing solidarity work. The most important document was known as the Hani memorandum and almost led to the execution of Chris Hani. ( Shubin 2008). Divisions were rife and as a result a consultative conference was held in Morogoro in Tanzania to try to overcome these and map a way forward in 1969. While the divisions were not healed, the conference emerged with a strategy and tactics document, which would have a significant effect for generations to come.

Gramsci, in writing on intellectuals, is widely known for his work on 'organic intellectuals'. More central to his thinking is his notion that an intellectual is not distinguished by the qualifications that he or she holds, but the role that is played (Gramsci 1971: ch 1). Thus, one might, like Elias Motsoaledi, have had Standard 2 level formal education but still play an intellectual role.<sup>6</sup> Gramsci also argues that a party can act as an intellectual and the Morogoro strategy statement is a very important example of this intellectual phenomenon, a political organisation producing a document, acting as a 'collective intellectual'. (ANC 1969; Suttner 2005).

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<sup>6</sup> I was told by one cadre that it was only when he was in exile that he realised that Motsoaledi was not an 'academician'. Interview Willie Williams.

While many of the rifts in Tanzania and Zambia were not then healed, this document was an intervention which drew many people to the ANC and gave those already there a feeling that the apartheid regime was not invincible; this was part of the overall sense that there were both power and weaknesses in the make-up of the 'enemy' and its opponents. These had both to be exploited in a way that strengthened the resistance and weakened the regime.

The period that followed saw some limited attempts at realising these overall goals, some with a measure of success, others representing attempts but without much success.

The 1976 uprising was not initiated by the ANC. But many BC individuals and leaders had contact with leading ANC underground figures, on a strictly secret, conspiratorial basis. Many listened to Radio Freedom, the ANC illegal broadcasting station, located at various times in Lusaka, Ethiopia, Malagasy Republic, and other African states. Many were impatient to leave BC, but they were counselled to stay where they were by older people, such as Joe Gqabi (Suttner 2008: ch 4; interviews with Murphy Morobe, Nat Serache).

When the rising broke out first in Soweto, the guiding of the process needed advice from the veterans, and individuals like Gqabi, MaSisulu and many others assisted in advising ways to unify resistance and not alienate the community, many of whom feared the rising (interviews Morobe, Serache). Also, assistance was provided to those who were hunted by the police, first by providing shelter and then to leave the country (interview, Phumla Tshabalala).

Many of the people who left did not know what the ANC was, nor the difference between the ANC and PAC, but gradually most drifted to the ANC, which was better equipped to host them. Many of them described their reception, when leaders explained what the ANC was, and that they would not live in luxury but have sufficient to survive adequately. Most of the youth were advised to pursue education first and join MK later (though this may not have been consistent), but many were inclined to go to the army, thinking that they would quickly return and 'shoot the boers' (for the various positions, see interviews M Mandubu, P Tshabalala, F Radebe).

The huge influx of new and young and optimistic people into the ANC and MK gave a spurt to those whose morale had been flagging and in the late 1970s led to a wave of MK attacks, including assaults on police stations that had participated in forced removals or were notorious in communities for their violence.

The rise of PW Botha to prime minister and the presidency, together with Niel Barnard as head of intelligence, led to an attempt by the regime to 'normalise' the situation, but not intending to lose control (Sanders 2006). The lesson drawn from Rhodesia was that if you did not open up you would lose everything. They would instead create some space which they

assumed they would control, and contain and accommodate political manifestations on their own terms. Unfortunately for them, that was not to be.

A wide range of popular organisations emerged - including trade unions, community organisations and media - drawing thousands of people into activities on the fringes between legality and illegality, reviving the Freedom Charter, and often burying people under the ANC flag. In the 1980s this process continued with the formation of the United Democratic Front (UDF) in 1983, an organisation which was both autonomous of and linked in various ways to the ANC and the underground. This provided a more concerted challenge to the regime.

In the meantime, on the international front, from the earliest beginnings of Tambo's work, the international solidarity movement was making history as the biggest international social movement in history, changing the notion of international relations, which is supposed to be between states, by entering as a non-state actor. All over the world, South African apartheid products were boycotted, movements in the distant villages of Nordic and other countries sang South African freedom songs (personal experience in rural villages of Sweden), apartheid was isolated, trade sanctions were sometimes applied, UN resolutions proliferated, and the ANC had more international representatives than the South African government. Apartheid was declared an international crime by the UN and various associated authoritative legal bodies.

MK grew in strength and the range of its activities, but there was a gap between popular imagination, which saw it as capable of defeating the apartheid regime in battle, and attacks that were of great symbolic significance, such as the blowing up of SASOL. MK training from the 1970s had been inside as well as primarily outside the country (interview Murphy Morobe).

### **3. TOWARDS NEGOTIATIONS**

It became clear that the rising of the mid-1980s, which the ANC and SACP officially intended to turn into an insurrection, was making apartheid unworkable and South Africa ungovernable, as urged daily in the words of the ANC through Radio Freedom and SACP publications like *Umsebenzi*. At the same time, also at the urging of the exiled leadership, organs of popular power were established in a range of forms, founded mainly on the basis of street committees, and - in a sense - being the first example of popular, direct democracy in South Africa (ANC 1985, 1986).

It seemed apparent that governability was unlikely to be re-established. At the same time, this did not mean that the power of resistance was able to defeat the enemy on the battlefield. Many of the leadership were taken out of action by the arrest of over 50 000

during the states of emergency from 1985 onwards. This had the unfortunate effect of leaving younger people, and often gangsters, in the street committees, which led to various abuses, such as kangaroo courts.

In the meantime, Radio Freedom continued to call for insurrection and the SACP conference, held in Cuba in 1989, mapped out and elaborated a strategy for its achievement (SACP 1989). This conference was chaired by Thabo Mbeki and included delegates from inside the country, the late Billy Nair, the late Stan Nkosi, and possibly others. It had been preceded by inputs from inside the country, co-ordinated by Mac Maharaj, at the time still a member of the SACP and in his capacity of leader of Operation Vula.

The initiation of Operation Vula, under the leadership of Mac Maharaj, reporting to Oliver Tambo and Joe Slovo, aimed to join the external and internal leadership; some individuals from outside worked underground for over four years (O'Malley 2007). The boldness of this venture was such that the ANC's much prized January 8 statement appeared on doorsteps in 1989, next to the morning's newspaper.

When neither side is able to defeat the other, there exists what Gramsci calls a 'reciprocal siege' (Gramsci 1971) and that creates the possibility of talks and negotiations that may lead to a democratic settlement.

At the time, unknown to most individuals inside, and arousing some suspicion among those who sensed it outside, talks with the government had begun, inside the country by Nelson Mandela and outside by Thabo Mbeki and Jacob Zuma, meeting with apartheid intelligence officials (Sanders 2006).

There are some procedural necessities in initiating talks that lead to negotiations. One cannot initiate such a process by public announcement if one wants to succeed; it is often a condition of success that much happens in camera, at least initially. Nevertheless Mandela has always said that he had initiated talks without consultation because he knew that had he consulted he would have been stopped. An interesting statement, which while vindicated in retrospect by a successful result in most respects, raises questions about collective leadership, which would reappear from time to time.<sup>7</sup>

Equally, while the talks in Europe were apparently initiated with Tambo's approval, Hani and others raised objections to the lack of report-backs (Shubin 2008). There was an element of deception in a situation where an insurrectionary platform for the SACP was being initiated, with Mbeki as chair, and Zuma and other participants like A Pahad as CC members, but parallel processes were in motion to avert this.

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<sup>7</sup> The RDP conference of 1993 decided that the ANC NEC would appoint the cabinet. Mandela decided that he would do it on his own, explicitly referring to the RDP decision, which he considered unworkable. He repeated this on television at the ANC conference in Stellenbosch in 2002.

For those who were throwing themselves in the face of gunfire and being tortured, this smacked of an element of cynicism and left much bitterness after 1990. The ANC, in fact, handled the transition badly, with insufficient sensitivity towards those inside as well as MK in particular, many of the latter and their supporters (mistakenly) believing that if they had been left to fight they could have been successful.

That the possibility of a negotiated settlement had been reached is wrongly attributed to the foresight of two great men, de Klerk and Mandela. Great as Mandela may be, the range of forces arrayed against apartheid compelled the apartheid regime to concede to the unbanning of organisations, although they did so on an unequal basis, ensuring that the ANC was disabled by violent attacks. It was this combination of factors that enabled Mandela to start talks and win elections in 1994.

The forces responsible for this were the popular actors inside South Africa, the ANC exiled leadership, MK, the underground informal ANC supporters, and international solidarity, including economic pressures and sanctions (including the belated US sanctions). These interacted with foreign governments and other actors who played various ad hoc or more continuous roles to ensure the sustainability of the struggle and the weakening of the regime.

#### **4. REBUILDING THE ANC AND NEGOTIATIONS**

Put briefly, the process of legalisation created a mammoth task for the ANC. It could not simply pick up from 1960 and draw in new members on the same basis. It had to rethink its approach, as members flooded in, many knowing little about the organisation, speaking many languages, and without adequate organisational and political education structures in place. Meetings were very complicated to conduct and it was hard to ensure adequate participation and translation into all the languages that were spoken in an area like Gauteng.

It was one thing inducting new members who would undertake illegal tasks and were steeled to face danger and torture. It was quite another to induct thousands who had merely to pay R12, and could not be screened. There was no way of stopping moneymakers, former torturers (where unknown) and similar people from joining the organisation.

While serious efforts were made to build the organisation - with some success - this is merely to indicate the scale of the problem; when the conditions were totally new. The international conjuncture had also changed with the gradual collapse of the socialist states, headed by the USSR, on whose support the ANC had counted.

#### **5. NEGOTIATIONS**

The year 1990 ushered in a period when the ANC was rebuilt under completely different conditions from any that it had previously experienced. At the same time it brought together individuals from a range of political traditions - exiled civilians and bureaucrats, MK,



underground, popular democratic, and the neglected category of freelance supporters and actors in illegal activities in advancing the aims of the ANC, as they saw it. All of these forms of struggle or involvement in the ANC carried varying modes of operation, more or less democratic or hierarchical, conspiratorial or open, including patronage networks of various types or highly ideological or other forms of connecting individuals to one another.

Binding these traditions together was difficult, and the early trends of ANC leadership after 1990 set a pattern which tended to cast the membership - and the masses generally - as a reserve army to be called on where necessary, to be informed of victories, which they should applaud or into which they would make limited input.

This is not a tradition derived purely from exile, as is sometimes suggested, for it was found in various ways on the Island and in some sections of the UDF. The membership and supporters cannot be involved in every element of organisational activity. The question essentially was whether there was any conscious attempt to ensure mass-centred and driven activities. The answer, I believe, is that this combination of the popular and the representative democratic activity is always difficult, but that it met with resistance at the top.

The announcement of negotiations was not well managed in consequence of the earlier emphasis on insurrection, just as the leadership initiated suspension of armed action in September 1990 left many of the ANC membership angry and excluded. Had these decisions been carefully explained they would not necessarily have left pockets of dissatisfaction.

The entire period of negotiations saw a leadership-driven process where the membership was only called on from time to time when it was necessary to break deadlocks. They would be used as a battering ram to break the resolve of the NP.

## **6. ELECTIONS: NEW CONJUNCTURE**

When elections were announced, yet another change of conjuncture set in with the establishment of ANC as government and the downgrading of the importance of the ANC as an organisation. Important policy statements, such as the adoption of GEAR, were not passed through ANC constitutional structures but simply announced in a manner that made these both government and ANC policies.

At that point the UDF period of popular involvement in political activity remained fresh in people's minds but they were to be quickly disabused of any notion that they would play a significant part in government.

The ANC as an organisation became insignificant as a driver of policies. Insofar as its conferences decided on particular issues, whether or not they were implemented depended on the individual ministers. In both the Mandela and especially Mbeki period, individuals were appointed as ministers and deputies who had little merit or were so lacking in merit in

certain cases as to evoke ridicule. In some or most cases the persons were competent and developed in doing the work, but there was a sense that many others outside of Mbeki's circle could have done the job equally well. There was a perception that Mbeki operated with a tight circle of followers and the only outsiders were those who were in no sense personally threatening. This was a paradox for someone who is undoubtedly intellectually powerful.

Because of the incompetence of many of those appointed, the president or when Deputy President, Mbeki, was stretched in order to ensure that those who did not perform could have their non-performance contained, and his ideological legacy was maintained through a range of in-depth speeches written almost entirely by him, and a weekly letter on the ANC website.

The choice of heads of parastatals and similar allocation of posts that provided power or wealth, was strictly within this circle or to individuals who were not antagonistic to it. In this sense it cannot be said that exclusively individuals from exile were appointed, although there were individuals who had surrounded Mbeki for decades and followed him in various capacities from Lusaka in his various journeys and positions in the country. At the same time, some of the internal leadership was also brought in, but, as was generally the case with others, few were prepared to voice their opinions if they calculated that these would run counter to that of the president. It was a common practice to keep ideas to oneself until 'the chief' had spoken.

The ANC had never developed a clear, democratic system for running a civil service in a transformatory society. Consequently the centralised leadership was replicated in a more extreme form in the steep hierarchies of the civil service, particularly the security sector, where those at the bottom tended to feel they had to wait for the DG (Director General) to pronounce on anything before they could act; the information and ideas flow from the bottom was consequently constrained, and, in the security sector, practically excluded.

In this context, the SACP and the Congress of South African Trade Unions (COSATU) initially still vibrant and full of interesting ideas and people, were pushed to the sidelines, and, as they said, treated like 'small boys'. It was common for tripartite alliance meetings to be called and for these to be cancelled just as some were about to travel from other parts of the country to attend.

## **7. THE SHAIK TRIAL, ZUMA DISMISSAL, DEMAGOGUERY. REVOLT NO 1**

After a year or two of democratic rule, a range of longstanding ANC veterans left jobs under clouds of allegations of wrongdoing, were convicted or appear to have used office or connections to enrich themselves in one way or another. Many of the allegations, convictions, or dismissals from office surrounded the arms deal where arms were procured with allegations or proof that there were payoffs.

But this was part of a range of areas of enrichment engaged in by youth leaguers as well as famous veterans, which cast doubt on the previously relatively untarnished image of the ANC with regard to honesty on financial matters. Some of these issues are ongoing and involve senior police with ANC origins, alleged top gangsters, and others. When Brett Kebble was assassinated and later shown to be a crook of the highest order, members of the ANCYL carried his coffin and ANC leaders attended his memorial service. When Yengeni and Boesak were jailed for fraud/theft they were seen off as heroes by crowds which included ANC leaders.

The atmosphere became increasingly one where people from outside the liberation struggle saw themselves retrospectively justified or represented themselves as not having participated because of this dishonest conduct that appeared to be so rife. (Personal experience of smug sense that having been in the liberation struggle required 'justification' to the non-participants).

Shabir Shaik, member of a family that had played a significant role in the liberation struggle was charged with fraud, and much of the fraud related to his dealings with Zuma. Zuma was not in Shaik's trial, but every evening in 2005, the TV carried evidence of money doled out to Zuma, and his bank statements. At the time, I personally felt some sympathy for Zuma, who was not on trial, but was being embarrassed in this way. However, when judgement was delivered the court found that Shaik and Zuma were in a generally corrupt relationship. A later statement by the then director of prosecutions and minister of justice said that while there was a prima facie case against Zuma, there was insufficient evidence for a prosecution. This was a strange statement in that a prima facie case is considered sufficient to bring a prosecution.

Nevertheless Mbeki acted, and it is not clear to what extent with the consent of Zuma, for their accounts differ. He dismissed Zuma as state deputy president, while he remained ANC deputy president with curtailed powers. There was a sense of outrage among sections of the ANC support base who believed that Zuma was a victim of a conspiracy on the part of Mbeki to deny Zuma the presidency, and mass demonstrations occurred where images of Mbeki were burnt.

The SACP and COSATU leadership involved themselves deeply in this rising against the ANC presidency. Zuma himself was quick to step into the role of a popular leader who differed from Mbeki in listening to the people, not being aloof, and promising to attend to the needs of the poor. This approach found resonance in the 2005 ANC consultative conference where some of Zuma's ANC powers were reinstated.

The SACP and COSATU leaderships depicted Zuma as part of a socialist project, belied by Zuma having resigned from the SACP, along with his long-time partner Mbeki, in 1990. Later in the year preparations were made to prosecute Zuma for corruption and other charges.

In the meantime, however, in late 2005, a woman laid a charge of rape against Zuma. The trial followed at the beginning of 2006. The woman, known as Khwezi, was the daughter of a former Robben Island comrade of Zuma's and had known him since childhood, referring to him as malume (uncle). The trial was conducted in a classic sexist manner, with the rape complainant being transformed into the accused, where her 'sexual history' (in fact cases of abuse) was allowed as evidence, and Zuma was permitted to pronounce on what was and was not Zulu custom, that a Zulu man could not leave a woman who was aroused (and similar phrases) that were unchallenged by the prosecution and the judge.

Zuma was acquitted, though a better-prepared prosecution, better able to contest Zuma on cultural issues, could well have led to the allegation of rape being proved beyond reasonable doubt. Instead there was a meeting of minds between judge and Zuma and acquiescence by the prosecution. At this point Zuma is technically not guilty, which does not make him innocent. Detailed study of the court records could well provide strong arguments to show how this was in fact a decision that could have gone the other way.

Every day Zuma was supported outside the courts by large crowds who threatened the complainant and anyone who supported her, and circulated her name and address.

Zuma did not act with modesty or humility, and would emerge each day from the court room to sing what was now called his favourite song (forgotten between 1990 and the trial), meaning in English 'bring me my machine gun'. The gun is a phallic symbol and shooting bullets can be taken to connote ejaculation. That is why the katyusha rockets, used by the Cubans against the South African Defence Force (SADF) were known as Stalin's organs. The movements, while singing the song, also could be taken to mimic a sexual act. What Zuma was doing was re-enacting the rape he claimed not to have committed (Suttner 2009, forthcoming). Thus, Terror Lekota of Congress of the People (COPE) grasps elements of the problem with Zuma singing this song when he refers to its belonging to a different phase of history. But Lekota does not relate it to its moment of revival, a rape trial, and how the song evokes imagery related to sex or rape.

It should be noted that the overall diagnosis of the rape trial made by the SACP, COSATU and other Zuma supporters, was that it was an element of an overall conspiracy against Zuma. At the same time Zuma's mode of defence, an artillery-style onslaught on the dignity of the complainant, was not criticised by the previously gender-sensitive SACP and any who criticised this stance were labelled as devious, counter-revolutionary or similar phrases.

Having been acquitted then, Zuma repeatedly appeared in court between 2006 and 2009 with his corruption charges dismissed or reinstated on technical grounds. He is now scheduled to stand trial in August 2009, at which time he is likely to be president of the country, following elections due in April 2009.

The cash-strapped SACP allowed its General Secretary, Blade Nzimande, to dog the trail of Zuma, following him from court case to court case, rally to rally, and COSATU and the SACP became more and more absorbed in the Zuma project. It is true that each of these organisations had important programmatic documents, but they were not publicised in the same way as the necessity of Zuma leadership was.

Another trend that emerged over this period was a re-assertion of ethnic chauvinism, with individuals wearing T-shirts describing Zuma as 100% Zulu. In a sense this breached the unified nature of the ANC from its inception, a unity that is not absolute and has not always adequately encouraged expression for distinct identities within the unity. But the Zulu chauvinism was also a tilt at Xhosa-speaking Thabo Mbeki, who was sometimes described as not being a real man.

## 8. POLOKWANE

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These events formed the backdrop to the ANC conference of December 2007, when a new presidential election was held. Mbeki was defeated by Zuma. It may have been Mbeki's initial plan to use the 'Soviet option', that is, retire to the ANC presidency but declare that the revolution is led by the revolutionary organisation, and direct whoever succeeded him. Unfortunately, he found that option played out against him and it finally led to his dismissal from office.

Before that happened, the results of Polokwane saw the rise of a different ANC leadership from any seen before, some 10 per cent of them being convicted criminals or facing investigations that might lead to conviction. It saw the election of a large number of individuals who had never had grievances against Mbeki until they fell out of favour and lost their jobs, or were disaffected for other non-political reasons.

In general the Zuma project was not a political project counterposed to that of Mbeki. He and Mbeki had worked together for years, and in government had formulated the very policies that angered many on the left. Zuma was never heard to utter a word of disagreement with GEAR or any other anti-popular measure, or with centralisation in the presidency and cabinet.

The new ANC inaugurated a period of unprecedented threats and incitements to violence and other forms of lawlessness and political intolerance. This emanated particularly from the ANC and Communist youth sections but very little was said to dissociate the ANC leadership from such statements or, if there were reprimands, similar statements would quickly follow.

Very recently Julius Malema has ridiculed 'Khwezi', saying that she must have enjoyed the encounter because people who ask for taxi money and stay there the whole night prove it, and those 'who don't enjoy it, leave'. (The Times, 30.01.2009, *The Star*, 24.01.2009). This has elicited no response from the ANC, but COPE complained to the Commission on Gender Equality about Malema and about a different, allegedly gender-offensive, statement of Tokyo Sexwale's.

What seems clear is that the battle of Polokwane was not about ideology but one for positions of power and loot. What has ensued in the period that has followed are more and more excessive statements, defections from the previous Mbeki camp to Zuma, and the continued creation of an atmosphere of fear and disrespect for constitutionalism, manifested in repeated attacks and ill-judged statements about the courts.

## **9. REVOLT NO 2**

After the dismissal of Mbeki, following a judgement that has now been overturned - a claim that he interfered in the prosecution's case - he was recalled by the ANC, and Kgalema Motlanthe, ANC deputy president, was installed as president. This led to the resignation of a number of ministers who had been in the Mbeki camp. One of these, Terror Lekota, also a former UDF leader, entered into a range of spats with the Zumaites and was joined by Mbhazima Shilowa, the former premier of Gauteng, the grouping becoming known as 'Shikota'. They gradually moved to announce the formation of an alternative to the ANC, true to the principles of the Freedom Charter, which they claimed that the Zuma ANC had abandoned.

What was interesting was that large crowds appeared to endorse this breakaway and some 5 000 to 8 000 people attended their first launch meeting in Sandton. Other meetings drew varying levels of attendance, some of them very high. Many of these led to violence emanating from ANC supporters, which was covered on TV. Again, while there has been verbal condemnation, the attacks on meetings have continued, thus threatening freedom of

speech, association, assembly and political organisation. This is part of what may be an emerging systemic crisis.

The name Congress of the People (COPE) was contested by the ANC in litigation where it claimed that the words were part of the ANC's brand, a claim flying in the face of its own history, where the original Congress of the People and the Freedom Charter were repeatedly commended to others as a popular document for all. By the time of their defeat in court they had retreated from a position which they must have realised was self-defeating.

It has now become habitual, and caused the IEC to intervene, for the ANC to hold large meetings in close proximity to the COPE meetings, and when COPE launched its manifesto, with a crowd of 35 000, (the ANC drew about 80 000 for the launch of its manifesto), there were disruptions. Informally a COPE official was asked whether the figure was genuine. The response was that the numbers were larger but that ANC people had diverted buses away from the venue (personal informant).

It is not possible to assess the degree of COPE's success. It may take 10 per cent of the vote or a little more or less. There are continual defections of individuals, and one of the misjudgements of the COPE leadership is to match the Zuma practice by drawing in individuals with tarnished reputations, such as former Cape premier, Pieter Marais, who has a very shady past, and the Reverend Allan Boesak, a powerful orator of the 1980s, who served time for theft and fraud. Neither bring any evidence of political vision, but purely oratorical skills (in the case of Boesak).

The importance of COPE lies in its initial demonstration that the support base of the ANC is not invincible, and that they were capable of denting it. It also showed that there was another home and - unprecedented for an opposition party - for most of its leadership to come from a liberation movement background. There was an alternative to the ANC not associated in any way with the apartheid past.

But that initial momentum was not maintained by demonstrating that COPE was a definite alternative to the Zuma-ites. Many of their leaders are Mbeki 'retreads', some with the same centralised tendencies that were part of his downfall. Both Shilowa and Lekota have been part of that. It may also be that COPE is over-estimating the level of support for some of their leaders in key regions like the Eastern Cape, where some of these inspire as much respect in some parts as they evoke enmity in others. This has just been shown in recent by-elections, where COPE fared badly.

At the moment there is a moral question mark hanging over a Zumafied ANC, especially over gender issues, in the light of Zuma's conduct and the theme of gender inequality being trashed by some of his followers. Instead of offering a clear gender platform, COPE has hardly raised the issue until the recent complaint against Malema.

There is no doubt that COPE appears less seedy than the current ANC and that it generally, but not consistently, avoids the disreputable elements that can be found in the ANC. Its decision to adopt Bishop Mvume Dandala as its presidential candidate has demonstrated a desire to counter the corrupt image attached to the Zuma group. But his statements demonstrate little political depth or vision.

COPE appears to have lost momentum, lost the opportunity to make real gains, by actually advancing a qualitatively different programme. They are a revamped version of Mbeki-ism, with certain new warts. No violence, nor apparent corruption, but nothing to grab one's attention.

At the same time, some poor judgements seem to have been made, such as Lekota's willingness to 'go to the grave' with Helen Zille, something that could limit the extent to which ANC supporters are drawn, which appears to have been a large part of their base. Also, one must wonder where the two white female executive members who appear to know nothing about politics come from. What are the qualities required for leadership in COPE?

## **10. INTERNAL CONTRADICTIONS**

Both organisations have succeeded in drawing large crowds. At the same time, beneath the surface, there are differences within their immediate support base and backers that could lead to contradictions that could split both the Zumafied ANC and COPE.

Both ANC and COPE (judging from film footage of those who attend their meetings) have substantial working-class support, people who want relief from recession and poverty, and generally hope for a better life, sometimes with ideological convictions more or less developed.

At the same time, the backers of both COPE and ANC include sections of business, and it is likely, from past experience, that some of these businesses back both of them and maybe other parties as well. COPE appears to make sounds to the effect that it will move to a centrist position, reconsidering affirmative action, and towards other pro-business stances that may not be the position of the organisation as a whole and the substantial number of workers who appear to attend its meetings. Its processes of policy making are not totally transparent and bear similarities to that of the Mbeki period. If space is created for this working-class base, this may provide pressure for a more radicalised organisation after the election, and in turn pressurise the ANC as well.

The Zumafied ANC depicts itself as the party of the poor, while many of its youth are billionaires, and its backers are sections of business, some of a somewhat unsavoury kind. Now, while SACP and COSATU appear to be driving the Zuma project - and this is one of the reasons why some people are critical - the question is whether this is in fact true. My view is that SACP and COSATU are being swallowed at a leadership level by Zuma, not the other way round. Furthermore, it must be asked whether this is a unified project and whether Zuma



will not have to choose. Like Mbeki, will the measure of stability he can achieve not dictate that preference is given to the wishes of business, and particularly white business, with its contact with overseas capital and the rating agencies? The SACP has few constituents to whom it reports. COSATU, however, stands to lose if it does not deliver to fairly well organised unions.

The Zumafied ANC is fundamentally a coalition founded on greed and lust for power, and thirst for loot. It has drawn on the dregs of the earth who sit alongside some refined or seasoned ANC leaders. They are united by a desire for wealth and position. But there are not enough positions to meet everyone's needs, nor enough wealth to pillage. Consequently there are some who will emerge dissatisfied, which may create instability of a similar kind to that which resulted when some were excluded from the Mbeki patronage system.

What we have seen is a movement from patronage to patronage plus warlordism, and from conservative, anti-popular policies to no debate and the probable continuation of elite politics combined with lawlessness. The latter is more dangerous and less respectful of the best in ANC's legacies. COPE claims to have revived these, but their version is a re-run of Mbeki-ism which was an elite project, whatever its strengths compared with Zuma's.. There is much more to the Freedom Charter (repeatedly referred to as the reason for establishing COPE) than opposition to unlawful and violent behaviour. COPE does not address these wider issues, colluding in the broader de-ideologisation that characterised the earlier Mbeki/Zuma conflict.

We have a poisoning of the character of the ANC as an ethical organisation on certain key issues, such as anti-racism. This is starkly illustrated by the Hajaig statements on Jews, which might have emerged from classic anti-Semitic texts like the protocols of Zion. What it also means is that the ANC leadership houses such a person, who also does not know or care about the distinction between Zionists and Jews, a distinction that the ANC has striven long and hard to make clear to the South African public, as have the Palestinians.

The problem for those who are less crude, less devious, more honest and are in good faith serving in leadership that they - like the gangsters - will be elected not purely because of the qualities they may have, but on the same shoulders who along with certain other leaders disgrace the ANC and its name.

All of this internal and inter-party feuding is not purely a narrow political issue but is beginning to have systemic consequences. There is a danger to the courts, to freedom of political organisation and speech, and to the functioning of certain government departments and the forthcoming election.

## **11. THE WAY FORWARD**

Anyone who has been in the struggle has to end or say something about the way forward. It is bleak. There is no clear and easy route to peace and protection of our freedoms and

constitution while the Zuma leadership remains at the helm. That there is this incipient instability within that group is encouraging, but the problem is that there is not yet an alternative that can be inclusive and popular and involve us all.

The Marxist starting point is that one should not rely on 'great men' or people. I want to depart from that and stress the importance of leadership and the lack of leadership in this crisis. We have had a situation where leadership was conducted by a powerful mind, when those around him made decisions and delivered the good things of life to the masses, who were onlookers.

We have now moved to someone - and his followers - who combines promises with threats and inspires dread rather than trust. There is a break with the leadership tradition that has been bequeathed to us, the legacy of Luthuli, Sisulu, Mandela, Kotane, Tambo, Lilian Ngoyi, Ruth First, Chris Hani, and others.

That leadership tradition needs to be revived in public debate and teachings, emphasising its selflessness, the willingness to serve rather than to gain, to benefit the people as a whole rather than to secure one's own wealth or position.

Returning to the title of this paper, the election is different from all others because it is overshadowed by a range of other factors inside the ANC, particularly fears and defections and purges and secretiveness and excessive language.

At the same time the election will not provide an adequate indication of the potential strength and influence of COPE. It may well dwindle into insignificance, but that seems less likely than most because it is like the ANC, primarily a child of the liberation struggle, something unique and unthinkable in Angola and in Zimbabwe. In that sense residual constitutionalism does set barriers on what the ANC breaches may do. The emergence of COPE has been ad hoc and it still has not had time to regularise the relationship between membership and leadership. Insofar as the leadership is primarily from the Mbeki experience, the likelihood is that they may try to minimise the role of the membership. As indicated, that membership may be able to determine whether or not COPE is radicalised, depending on the space it is allowed and whether it can become a force within the organisation. Until now, its policies have been more or less 'thumbsucks' and not based on transparent processes from functioning structures. Time will tell whether this changes and how.

The emergence of COPE may be an opening for alternative visions and also pressurise the ANC. But at the present moment, which as indicated is still early, it seems unlikely. The situation is not looking rosy. But we are not at the end of history and we can in our different ways help turn our course, over time, towards a sustainable democratic and transformative route. There are no definite time frames or strategies that I can offer. All that I say is that passivity is the one way of ensuring that we do not pursue an emancipatory route.

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32.

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Rape? Zuma showed her a nice time!, Saturday Star, 24.01.2009

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<sup>8</sup> While Luthuli's name is most often spelt with an 'h' nowadays, Luthuli himself preferred to be known as Lutuli. I do not know why the convention now is in conflict with his wishes. But his family appear to use the 'h'.

What women want is taxi money, says Julius, The Times, 30.01.2009

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