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THE FOREIGN RELATIONS OF SOUTH AFRICA'S PROVINCES

by

Deon Geldenhuys

S A I I A



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The Foreign Relations of South Africa's Provinces

Deon Geldenhuys

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Preface

This study of the international activities of South Africa's nine provinces has provided a revealing glimpse of the inner workings of provincial governments.

Given the lack of published material on the foreign relations of the provinces, I had to approach the provincial governments for information. On 1 September 1997 a letter requesting information was faxed to the directors-general of the nine provincial administrations. It contained a list of eight questions:

- Is political responsibility for the province's international relations carried by the Premier or a specific Minister?
- Are officials in the provincial administration specifically assigned to international matters? Has any section or task-team been created in the bureaucracy for this purpose?
- Does the province maintain or plan any form of official representation abroad?
- What formal mechanisms has the province created to liaise with the Department of Foreign Affairs on international issues affecting the province?
- A list of the visits that the Premier and Ministers have made abroad since coming into office, and the purpose of such visits.
- A list of foreign dignitaries that have paid official visits to the province.
- Information on agreements or understandings concluded between the provincial government and governments abroad.
- Information on cities in the province that have twinning arrangements with cities abroad.

Only two provinces replied to the questions before the end of the year: the Free State on 19 December and Western Cape on 22 December. North West followed on 5 January and Gauteng on 22 January 1998. It took repeated letters and telephone calls to obtain the responses of KwaZulu-Natal (9 March), Northern Province (23 March) and Eastern Cape (31

March). Numerous further reminders and appeals were necessary before Mpumalanga (16 June) and the Northern Cape (17 June) eventually replied to the list of questions they had received on 1 September 1997. The fact that it took over ten months to extract responses from all the provinces has seriously delayed the completion of this study, originally scheduled for publication in early 1998.

A further complicating factor has been the uneven quantity and quality of information received from the nine provinces. The Western Cape's was the most comprehensive by far, providing detailed answers to all the questions posed. The Northern Cape stands at the other end of the spectrum, having answered only the question on foreign visits by members of the provincial government. An inevitable consequence of the varying levels of information is that the present study is far less comprehensive than initially planned. It had to focus on those matters on which usable information was forthcoming from most provinces and leave others (such as local authorities' twinning agreements) aside.

Fortunately some of the gaps in information left by the provinces could be filled by material obtained from the Directorate: Provincial Liaison in the Department of Foreign Affairs. But unfortunately the Directorate's computerised data base on the provinces' international interactions could not be used because a human or computer error had made it inaccessible.

Perhaps future researchers will have better luck in obtaining official information on the provinces' foreign relations. The subject certainly merits further academic inquiry.

Deon Geldenhuys
30 June 1998

Introduction

South Africa's democratic rebirth in 1994 has produced not merely a new foreign policy, but also a new group of official South African political actors on the international stage. A great deal has been written by academics and other observers on the foreign policy preferences and practices of the ruling African National Congress (ANC). A far less familiar feature is that South Africa's democratic Constitution has given birth to nine provinces, all of which from the outset began entering into various kinds of foreign relations. This essay examines the international activities of the provinces, still largely uncharted territory in the scholarly study of the so-called new South Africa's international relations.¹

Although South Africa's provinces are still novices in the international arena, the phenomenon of non-central governments 'going international' has become a global one.² Constituent units of Western federal states have been the pace-setters in this regard. The international involvement of non-central governments of Germany, Switzerland, the US, Canada, Australia and Belgium are well documented and may serve as role models for similar units elsewhere. They accordingly offer a useful frame of reference for considering the South African case. Although the Constitution does not once mention the word 'federation', the distribution of powers between South Africa's central and provincial governments displays unmistakable federal features³ and hence justifies some comparison with acknowledged federal states.

It should be noted that non-central (or sub-national) governments — as distinct from central or national sovereign governments that dominate world politics — are not confined to the provincial or regional level.⁴ Increasingly the governments of larger cities across the world engage in foreign relations. Twinning agreements between cities of different countries are one of the better known examples. Local authorities' international activities fall outside the scope of the present study, however. All references to sub-national governments in this text are therefore to provincial (or regional) authorities.

The investigation begins with an overview of constitutional powers typically conferred on non-central governments across the world, followed by a consideration of the South African case. The second part contains a brief introduction to South Africa's nine provinces, recording salient geographic, demographic and socio-economic features. In parts three and four we consider factors respectively encouraging and discouraging South African provinces' venturing onto the international stage. These are derived from both practical experience elsewhere and theoretical insights in the relevant

scholarly literature. In part five a typology of sub-national foreign relations is presented, followed by a description of the kinds of foreign activities undertaken by the nine provincial governments. The sixth and final part addresses the question of co-ordination of the international activities of central and non-central governments. The South African case will again be examined in the context of general international experience. By consistently studying the South African situation against the backdrop of international practices and perspectives, it will be possible to determine the extent to which the nine provinces conform to international trends in the foreign relations of non-central governments.

Endnotes

1. A notable exception is de Villiers B, *Foreign Relations and the Provinces: An International Perspective*. Pretoria: HSRC Publishers, 1995. Also see Geldenhuys D, 'Subnational Governments and Foreign Relations' in de Villiers B et al (eds.), *Institutional Development in Divided Societies*. Pretoria: HSRC Publishers, 1998, pp.299-343.
2. John Kincaid, quoted by Nossal KR, *The Politics of Canadian Foreign Policy*, Third edition. Scarborough: Prentice-Hall Canada, 1997, p.293.
3. See Kriek DJ, 'The Theory and Practice of Federalism', in Kriek DJ et al, *Federalism: The Solution?*. Pretoria: HSRC Publishers, 1992, pp.13-16.
4. See Nossal KR, *op.cit.*, p.292.

Constitutional Powers of Non-Central Governments

Few national constitutions allow sub-national governments a meaningful international role. This is a product of traditional conceptions of the international system as one consisting of sovereign nation-states speaking to each other 'with one legitimate voice'. Accordingly, constitutions commonly reserve powers of international significance for the national or central government. These include the authority to declare war; maintain armed forces; enter into relations with foreign states and international organisations; appoint and receive diplomatic and consular representatives; conclude, ratify and implement treaties; regulate commerce with foreign states; control entry and exit across national frontiers; and acquire or cede territory. Even most federal constitutions reserve exclusive or plenary or at least substantial authority to central governments to conduct foreign relations and defend the nation.¹

Some federal constitutions have nonetheless long allowed component territorial governments to enter into contacts and compacts with foreign governments, particularly those of neighbouring states. This right is typically limited and subject to central control.² The Swiss Constitution, for instance, allows the cantons in exceptional circumstances to conclude agreements with foreign states on economic matters, neighbourly relations and police issues. The Constitution requires that such interaction should take place 'through the agency of the Federal Council'.³ In like vein the Constitution of the Federal Republic of Germany allows the Länder, with the consent of the federal government, to conclude treaties with foreign states on matters that fall within their exclusive legislative powers.⁴

The US Constitution, in turn, declares: 'No state shall, without the consent of Congress ... enter into any agreement or compact with another State, or with a foreign power'.⁵ However, the Constitution does permit a limited role for the states to conclude treaties and other executive agreements with other countries, subject to congressional approval.⁶ The Australian Constitution is equally restrictive, granting the centre exclusive rights over foreign affairs, trade and commerce with other countries. Constituent states nonetheless have the right to enter into low-level commercial and cultural arrangements with foreign countries.⁷

The centralisation of international relations is even more pronounced in federations located in the developing world of the South. In the Indian Constitution, for example, the list of powers reserved for the federal centre

includes diplomacy, defence, war and peace, treaties, and the United Nations.⁸ Successive Nigerian constitutions, applied by elected and military rulers respectively, have placed the conduct of foreign affairs under the federal government's exclusive control and management; the constituent states were precluded from having governmental relations with foreign countries.⁹ Also in Brazil, Venezuela, Mexico and Malaysia foreign affairs are the exclusive domain of the federal government.¹⁰

Turning now to our principal case study, it should be remembered that the state of South Africa has from its inception in 1910 consisted of a second tier of non-central governments (between the national government and municipal authorities). The founding constitution, known as the *South Africa Act, 1909*, joined four former British colonies together in legislative union under a national government. The four territories became the provinces of the new state. Each had an elected Provincial Council (legislature) and an Executive Committee (chosen by the Council) chaired by an Administrator (appointed by the central government). Under the constitutions of 1909 and 1961, the provinces had limited powers of taxation and the right to borrow money, and powers with regard to education, agriculture, hospitals and charitable institutions, roads, and fish and game preservation. All provincial ordinances (laws) had to be approved by the head of state. Following the adoption of the *Republic of South Africa Constitution Act, 1983* (which created a tricameral Parliament for Whites, Coloureds and Indians), elected Provincial Councils were abolished. The total authority for the performance of the provincial legislative, government and administrative functions was then vested in the (centrally appointed) Administrator of each province. Despite these changes, provincial authorities retained most of the functional activities which they had administered previously.¹¹

Given their modest powers and the centralist thrust of the state, it is not surprising that South Africa's provinces never featured as players in the international arena. Studies of South African foreign policy in the era of white rule accordingly did not pay attention to the provinces as international actors.

Some more overtly federal features were introduced through the so-called Bantustan system.¹² By the early 1980s there were four nominally independent black homelands — Transkei, Bophuthatswana, Venda and Ciskei — and six other 'self-governing national states' for blacks — QwaQwa, Lebowa, Gazankulu, KwaZulu, KaNgwane and KwaNdebele. On being given their independence under South African law, former homelands assumed formal responsibility also for foreign affairs and defence. Although the four failed to attract any international recognition of their claims to statehood, they managed to engage in considerable unofficial foreign

relations. The list of matters on which the legislative assemblies of self-governing homelands were allowed to make laws, has been described as 'indeed impressive' and involving more substantive matters than those on which provinces could make ordinances. All bills passed by homeland legislatures had to be assented to by the State President before enactment, however.¹³ The six self-governing homelands, which did not have any formal authority in the field of foreign affairs — it remaining the preserve of the central government — undertook a very modest range of international activities; the most prominent of these was perhaps the occasional foreign visits of homeland leaders.

The end of apartheid and the introduction of democracy has democratised provincial government, but it has not radically increased the powers of second-tier authorities. According to the *Constitution of the Republic of South Africa, 1996*, each province has an elected legislature that has the power to pass a constitution for its province and adopt legislation with regard to certain 'functional' matters. The latter are divided into two schedules attached to the Constitution. Schedule Four lists functional areas of concurrent national and provincial legislative competence, while functional areas of exclusive provincial legislative competence are set out in Schedule Five.

Neither schedule contains any overtly foreign policy tasks. All key matters of foreign relations are thus by implication reserved for the centre. Some of them are specifically mentioned. The national executive (Cabinet), for instance, is responsible for '(t)he negotiating and signing of all international agreements' (Section 231(1)). It is nonetheless instructive that an international agreement becomes binding on the Republic only after it has been approved by both the National Assembly and the National Council of Provinces (Section 231(2)). This requirement does not apply to an international agreement of a 'technical, administrative or executive nature' or an agreement that does not require either ratification or accession; in such cases the document must merely be tabled in the two Houses of Parliament (Section 231(3)).

This is perhaps the appropriate stage to deal with the question of the provinces' competence to conclude international agreements. The South African Constitution does not recognise the provinces as subjects of international law. This fact, it could be argued, disqualifies them from entering into treaties (meaning formal arrangements dealing with matters of gravity) with foreign parties. It is then not surprising that the Constitution makes no express provision for the provinces to enter into international agreements. Yet, according to the Department of Foreign Affairs, 'the provinces are not prohibited from entering into contracts with other entities

abroad, provided they have the legal competency to do so'. That competence is defined in the above-mentioned Schedules Four and Five of the Constitution. Contracts thus entered into are not governed by international law as in the case of international agreements or treaties. The provinces may also enter into memorandums of understanding with foreign parties. These are informal arrangements indicating mutual intentions and goodwill but do not constitute legally binding documents.¹⁴

The National Council of Provinces represents the nine provinces 'to ensure that provincial interests are taken into account in the national sphere of government'. The Council does this mainly by participating in the national legislative process and by 'providing a national forum for public consideration of issues affecting the provinces' (Section 42(4)). These could presumably include foreign policy questions. Of the Council's 90 members, 60 represent the ANC and 17 the National Party (NP); the remaining 13 seats are held by the Inkatha Freedom Party (IFP), Democratic Party (DP) and Freedom Front (FF).¹⁵

On closer inspection, several matters listed in Schedule Four may have implications for international relations, especially for relations between a province and a neighbouring independent state. Consider the following: administration of indigenous forests; agriculture; animal control and diseases; cultural matters; disaster management; environment; health services; nature conservation; pollution control; tourism; and trade. It is not easy to identify similar matters in the schedule of exclusive provincial legislative competence; perhaps veterinary services, provincial planning, and provincial roads and traffic may affect relations with a neighbouring country. (The other items listed in Schedule Five, which include archives, abattoirs, liquor licences and cemeteries, have no obvious foreign policy relevance.)

The provinces' involvement with those matters mentioned in Schedule Four is qualified by the Constitution's provisions on conflicts between national and provincial legislation (Section 146). National legislation that applies uniformly to the whole country takes precedence over provincial legislation if the former (a) deals with a matter that cannot be regulated effectively by provincial legislation; (b) is necessary for *inter alia* the maintenance of national security, of economic unity, and for the protection of the environment; and (c) aims at preventing various kinds of 'unreasonable action' by a province.

Another relevant part of the 1996 Constitution lays down 'principles of co-operative government and intergovernmental relations'. All 'spheres of government' and all organs of state within each sphere must, among other things, 'preserve the peace, the national unity and the indivisibility of the

Republic'; provide 'coherent government' for the Republic as a whole, and 'co-operate with one another in mutual trust and good faith'.

In conclusion it can be said that the current South African Constitution follows the international pattern of centralising foreign relations.

Endnotes

1. Duchacek ID, 'Perforated Sovereignties: Towards a Typology of New Actors in International Relations', in Michelmann HJ & P Soldatos (eds.), *Federalism and International Relations: The Role of Sub-national Units*. Oxford: Clarendon Press, 1990, pp.4&5, and Kincaid J, 'Constituent Diplomacy in Federal Polities and the Nation-State: Conflict and Co-operation', in Michelmann HJ & P Soldatos (eds.), *ibid.*, p.67.
2. Duchacek ID, *ibid.*, pp.5&13.
3. Quoted in *ibid.*, p.13.
4. Duchacek ID, *The Territorial Dimension of Politics: Within, Among, and Across Nations*. Boulder: Westview Press, 1986, p.120, and de Villiers B, *Foreign Relations and the Provinces: An International Perspective*. Pretoria: HSRC Publishers, 1995, p.54.
5. Quoted by Hocking B, *Localising Foreign Policy: Non-Central Governments and Multilayered Diplomacy*. New York: St. Martin's Press, 1993, p.19.
6. de Villiers B, *op.cit.*, p.88, and Kincaid J, *op.cit.*, p.67.
7. de Villiers B, *ibid.*, pp.108-9&117.
8. Duchacek ID, 1986, *op.cit.*, p.119.
9. See Olusanya GO & RA Akindele (eds.), *The Structure and Processes of Foreign Policy Making and Implementation in Nigeria, 1960-1990*. Ibadan: Vantage Publishers, 1990; Nwabueze BO, *Federalism in Nigeria under the Presidential Constitution*. London: Sweet & Maxwell, 1983; and Oyovbaire SE, *Federalism in Nigeria: A Study of the Development of the Nigerian State*. London: Macmillan, 1985.
10. Elazar DJ (ed.), *Federal Systems of the World: A Handbook of Federal, Confederal and Autonomy Arrangements*. London: Longman Current Affairs, 1991, pp.53&156; Duchacek ID, *op.cit.*, p.267, and Nossal KR, *The Politics of Canadian Foreign Policy*, Third edition. Scarborough: Prentice-Hall Canada, 1997, p.294.
11. Cloete JN, *Central, Regional and Local Government Institutions of South Africa*. Pretoria: JL van Schaik, 1988, p.230-2; and *South Africa 1980/1: Official Yearbook of the Republic of South Africa*. Johannesburg: Chris van Rensburg Publications, 1980, pp.120-2.
12. Schrire R, 'The Homelands: Political Perspectives', in Schrire R (ed.), *Public Policy Perspectives*. Cape Town: Juta, 1982, pp.113-39.
13. Cloete JN, *op.cit.*, p.285.
14. Department of Foreign Affairs, Directorate: Provincial Liaison, *Draft Policy Framework*. Pretoria: DFA, October 1997, pp.15-16.
15. For an interpretation of the relevant constitutional provisions, see Devenish GE, *A Commentary on the South African Constitution*. Durban: Butterworths, 1998. On the NCOP's potential role, see *Provincial Whip*, 22 January 1998, pp.4-5.

South Africa's Nine Provinces

With a surface area of 1,223,201 km², the Republic of South Africa is the 25th largest state in the world. That makes it much smaller than three of the best known federations, namely Canada (9.9 million km²), the US (9.3 million km²) and Australia (7.7 million km²), but considerably larger than the Federal Republic of Germany (356,733 km²) and the Swiss Federation (41,293 km²). As regards population, South Africa with roughly 40 million inhabitants is on par with another federation, Spain (39 million), but larger than Canada (29 million) and Australia (18 million).

Just as there are no formal or informal international requirements about the size of a state's land area or population, there are no corresponding criteria for sub-national units either. As in federations, the geographic and demographic size of South Africa's nine provinces varies enormously. They also display wide disparities in several other areas.¹

The province covering the largest surface area but with the smallest population is the **Northern Cape**. It houses 746,000 people on 361,830 km² (roughly the size of Germany), thus comprising 29.7% of South Africa's total land area, but merely 1.8% of the total population. Its population density of 2.1 persons per km² is the lowest by far for the nine provinces.

Previously part of the Cape Province (during the era of white rule), the Northern Cape includes part of the former independent black homeland of Bophuthatswana. Kimberley is the provincial capital. The Northern Cape Province borders on Botswana and Namibia.

The Northern Cape has the largest proportion of Afrikaans speakers of all provinces. It is the first language of 66% of the province's inhabitants, followed by 19% speaking Setswana and 6.2% isiXhosa. It is one of only two provinces where Blacks are not in the majority (the other being the Western Cape): 53.5% of the inhabitants are Coloureds (which accounts for the predominance of Afrikaans), 29.9% Blacks and the remainder Whites.

Although the urbanisation rate is 71.7% (well above the national average of 55.4%), the Northern Cape has only one city in the shape of its capital, Kimberley. It would therefore be more appropriate to speak of the majority of inhabitants as townfolk rather than city dwellers. The adult literacy rate (persons 15 years and older who can read, write and speak their home language) stands at about 80% (compared with 82.2% for the country as a whole) and life expectancy is 62.7 years (corresponding with the national

average). Unemployment in the Northern Cape (as a percentage of the potentially economically active population) is roughly 27%.

The ANC holds 15 of the 30 seats in the Northern Cape legislature, with the remaining 15 shared by the NP, FF and DP. The Executive Council, led by Premier Manne Dipico from the ANC, is composed of six ministers from the ANC, two from the NP and one from the FF.

The province's economy is based largely on agriculture and mining, the latter including diamonds, iron ore, copper, manganese and asbestos. After Gauteng with 159, the Northern Cape has the second largest number of mines in South Africa, namely 145. With a GGP* of R8,000 million, the Northern Cape contributes 2.1% of South Africa's total GDP. Its per capita income is R11,782, compared with the national average of R10,105. The inflation rate of 8.7% (1995) was the same as the national figure.

The **Western Cape**, previously also part of the Cape Province, has a population of 3,721,200 (9% of South Africa's total population) and an area of 129,370 km² (10.6% of the total and roughly the size of Greece). This means a population density of 28.8 persons per km². The principal languages spoken in the province are Afrikaans (62.2%), English (20%) and isiXhosa (15.3%). The provincial capital of Cape Town is also the legislative capital of South Africa, being the seat of Parliament.

One of the most important food baskets of South Africa, the Western Cape is rich in agriculture and fisheries. It has a large clothing and textile industry and Cape Town is a key centre for the oil industry, insurance sector and national retail chains. The province has two large commercial harbours in Cape Town and Saldanha. Tourism is another major contributor (20.5%) to the province's economy. Its GGP of R53,874 million represents 14.1% of South Africa's GDP. The GGP per capita of R13,083 is well above the national average. The Western Cape's inflation rate of 8.7% is on par with the national figure.

The Western Cape boasts the highest life expectancy of all provinces, namely 67.7 years. Its adult literacy rate of 94.6% is also the highest. The rate of urbanisation stands at 89.9%, second only to Gauteng. The Western Cape's unemployment figure of 18.6% is substantially lower than that in most other provinces.

The Western Cape is one of only two provinces not ruled by the ANC. The NP, formerly South Africa's ruling party, holds 23 of the 42 seats in the

* GGP: Gross Geographical Product, that is GDP of a region.

provincial legislature. The provincial executive, led by the NP's Gerald Morkel, has 11 other members, of whom nine are from the NP and one each from the DP and the African Christian Democratic Party. (Until the end of 1997, the Executive Council, then led by Premier HERNUS KRIEL, included four ministers from ANC ranks, alongside six from the NP.)

The third new province into which the previous Cape Province has been broken up, is the **Eastern Cape** with its capital at Bisho. The two former homeland states of Transkei and Ciskei are now part of Eastern Cape Province. With a predominantly Xhosa population, it is not surprising that isiXhosa is the first language of 82.6% of the province's inhabitants, followed by Afrikaans (9.6%) and English (4.2%). The Eastern Cape's population of 6,481,300 constitutes 15.7% of the South African total, and its surface area of 169,600 km² (comparable in size to Tunisia) comprises 13.9% of the total. Population density stands at 38.2 persons per km². It borders on Lesotho.

The province boasts strong agriculture and forestry sectors, as well as a large industrial capacity centred on motor manufacturing. With a GGP of R29,049 million, the Eastern Cape accounts for 7.6% of South Africa's GDP. Its per capita income of R4,953 makes the Eastern Cape the second poorest province. To add to its economic woes, the Eastern Cape's inflation rate of 9.3% is the highest in the country. Add to this the highest provincial unemployment rate of 41.5%, an adult literacy rate of 72.3%, life expectancy of 60.7 years and an urbanisation rate of 37.3%.

The ANC is the predominant party in the provincial legislature, holding 48 out of 56 seats. The Executive Council, under the premiership of Rev. Arnold Stofile, is composed of nine ANC members.

KwaZulu-Natal is one of only two provinces to have survived South Africa's political transformation with its territory unchanged. By reuniting the former self-governing Zulu homeland of KwaZulu with the rest of Natal, the province has merely been restored to its original (pre-Bantustan) form. KwaZulu-Natal covers 92,180 km² (about the size of Portugal), comprising 7.6% of South Africa's surface area. It borders on three countries, namely Mozambique, Swaziland and Lesotho.

Blacks comprise 82.7% of the province's 8,713,100 people, who in turn represent 21.1% of the South African population. Nearly the entire Black population of Kwa-Zulu-Natal is Zulu-speaking. The heartland of the Zulu nation, the province is the seat of the Zulu monarchy. English is the second major language, being the preferred tongue of 16% of the inhabitants. (Over one-third of South Africa's English home-language speakers reside in the province.) KwaZulu-Natal is also home to 76% of South Africa's Asian

population of some one million. The royal capital at Ulundi is still vying with Pietermaritzburg for the status of sole provincial capital.

The province's principal city, Durban, boasts South Africa's largest harbour. A second important commercial harbour is situated at Richard's Bay. Economic activity is concentrated in mining, agriculture, manufacturing and tourism. KwaZulu-Natal's GGP stands at R57,007 million, accounting for 14.9% of the country's GDP — comparable to the Western Cape's contribution to the national economy. Its GGP per capita of R7,431 leaves the province well below the national average, but its inflation rate of 8.5% placed it in a healthier position than the country as a whole.

KwaZulu-Natal's adult literacy rate of 84.3% is marginally above the national figure, while life expectancy at 61.6 years is the third lowest of all the provinces. Unemployment, at 33%, is virtually the same as that of South Africa as a whole. Its urbanisation rate is a relatively low 43.5%.

KwaZulu-Natal is the only other province after the Western Cape not under the ANC's political control. The largely Zulu-based Inkatha Freedom Party (IFP) holds 41 seats in the 81-member legislature. The current Premier, Dr Ben Ngubane, is from the IFP, but his executive comprises six ministers from the IFP and three from the ANC.

The **Free State** (formerly known as the Orange Free State) is the other province to have retained its territorial integrity in South Africa's political remaking. It regained the territory that had been ceded to the independent homeland of Bophuthatswana and to the self-governing homeland of QwaQwa. Bordering on Lesotho, the landlocked Free State is South Africa's third largest province with an area of 129,480 km² (10.6% of South Africa and about the same size as Nicaragua). With 2,782,500 inhabitants, it has the second smallest provincial population (6.7% of the national total). Blacks constitute 83.8% of the Free State's population. The principal languages spoken by the inhabitants are Sesotho (57.4%), Afrikaans (14.7%) and isiXhosa (9.4%). Bloemfontein, seat of South Africa's Appeal Court, is the capital of the Free State.

Other relevant socio-economic indicators are life expectancy of 61.9 years; an adult literacy rate of 84.4%; unemployment at 26%, and an urbanisation rate of 69.6%.

Known as the 'granary' of South Africa, the Free State is a major producer of food, notably maize. Mining, however, is the Free State's main economic base. Both gold and diamonds are mined in the province. Its GGP stands at R23,688 million, representing 6.2% of South Africa's GDP. Per capita income amounts to R9,590 annually.

The ANC also holds sway in the Free State provincial government. The party controls 24 of the 30 seats in the legislature. Premier Ivy Matsepe-Casaburri's Executive Council is composed of 10 ministers, all drawn from the ANC.

North West Province, bordering on Botswana, is a new political creation. It is composed of the bulk of the former Bophuthatswana and large parts of the old province of Transvaal. Its 3,351,800 inhabitants (8.1% of South Africa's population) speak three principal languages: Setswana (first language of 59%), Afrikaans (8.8%) and isiXhosa (6.3%). About 90% of the people of the North West are Black, while Whites are a mere 8.1% of the total. The completely landlocked province covers an area of 116,190 km², or 9.5% of South African territory (approximately the size of Malawi). It has a relatively low population density of 28.8 persons per km². The capital city of Mmabatho had the same status in Bophuthatswana.

The province's GGP of R21,252 million amounts to 5.6% of total GDP. GGP per capita stands at R6,984, well down the provincial league. Mining — which includes the production of diamonds and platinum — contributes some 55% of the North West's gross geographical product. There is also a sizeable industrial sector and the province's agricultural capacity makes it one of South Africa's major food baskets. On the debit side, the North West is faced with an adult literacy rate of 69.5%; life expectancy of 59.7 years, the lowest in the country; an unemployment rate of 36.6%; South Africa's second lowest provincial rate of urbanisation, namely 34.8%, and an inflation rate of 8.7%. These features are reflected in the per capita income of R5,817.

The ANC dominates provincial politics. The 10-strong Executive Council, led by Premier Popo Molefe, has nine ANC members and one from the NP. In the legislature the ANC occupies 26 of the 30 seats.

The new province of **Gauteng** is known as South Africa's engine room. An integrated industrial complex, its economic activity is concentrated in manufacturing, mining, financial services, transport and related industries, and government services. With a GGP of R144,359 million, Gauteng generates nearly 40% of the country's GDP. In terms of territory it is South Africa's smallest province: Gauteng's 18,810 km² (comparable in size to Fiji or Kuwait) constitute a mere 1.6% of the total surface area. Landlocked Gauteng does not border on any independent state.

Johannesburg, capital of the province, is South Africa's financial and commercial heart and has often been depicted as the 'New York of Africa'. South Africa's administrative capital, Pretoria, is also located in Gauteng.

The province houses 7,048,300 people (17.1% of the South African population), making it the most densely populated of the nine provinces, with 374.7 persons per km². Blacks form a majority of 63.1% of the province's population, followed by Whites who constitute 30.5% of the total. The principal home languages are Afrikaans (20.5%), isiZulu (18.4%) and English (16.1%).

Over 60% of South Africa's research and development is done in Gauteng, a province with a heavy concentration of educational institutions at all levels. Gauteng boasts a greater proportion of its labour force in professional, technical and managerial positions than any other province. Its adult literacy rate of 92.9% is the second highest in the country. Gauteng also leads the provinces in life expectancy (66 years) and rate of urbanisation (96.4%). With a per capita income of R20,131, Gauteng is the richest of the nine provinces. Its inflation rate of 8.6% is marginally lower than the national average. Unemployment stands at 21% of the province's economically active population.

The ANC wields power in Gauteng too. With 50 of the 86 seats in the legislature, the ANC is the sole party represented in Premier Mathole Motshekga's Executive Council of 10 members.

Mpumalanga is another newly created province, having previously been part of Transvaal and of the self-governing black homelands of KaNgwane and KwaNdebele. Bordered by Mozambique and Swaziland in the east, the province has a population of 3,007,100 (7.3% of the national total), occupying an area of 79,490 km² (some 6% of the total and roughly the size of Panama). This leaves Mpumalanga with a population density of 38.4 persons per km². Nelspruit is the provincial capital.

Economic activity in the formal sector consists mostly of mining, agriculture, forestry and tourism. Its GGP of R31,175 million constitutes 8.15% of total GDP. Unemployment stands at 33.4%; the adult literacy rate is 75.5%; life expectancy stands at 62.4 years, and the urbanisation rate at 38.3%. Per capita income is calculated at R10,625, the fourth highest among the nine provinces.

The most common first languages in the province are siSwati (30.2%), isiZulu (24.2%) and isiNdebele (11.3%).

Mpumalanga's ruling ANC won 25 of the 30 seats in the legislative election of 1994. The party holds all nine ministerial positions in the Executive Council led by Premier Matthews Phosa.

Northern Province, finally, is also a product of the new South Africa. It is made up of parts of the old province of Transvaal, the erstwhile independent homeland state of Venda, and the self-governing black homelands of Gazankulu and Lebowa. This composition is reflected in the principal languages spoken by its 5,397,200 people (representing 13.1% of the total South African population): Sepedi (56.7%), Xitsonga (22.7%) and Tshivenda (11.8%).

Sharing borders with Zimbabwe, Botswana and Mozambique, Northern Province covers an area of 123,280 km² (10.1% of South Africa's territory, comparable in size to Eritrea). Population density stands at 43.8 persons per km². Pietersburg is the capital.

Northern Province's GGP is R14,158 million, or 3.7% of total GDP. Mining, agriculture and forestry are the mainstays of its economy. It is South Africa's poorest province by far, with a per capita income of R3,430. The unemployment rate of 41% is the second highest in the country; adult literacy is 73.6%; life expectancy 62.7 years; and the rate of urbanisation a mere 11.9%.

Premier Ngoako Ramathlodi's ANC finds itself in a virtually unassailable position in the Northern Province. The 9-strong Executive Council is composed solely of ANC members. In the provincial legislature, the ANC holds 38 of the 40 seats.

Endnote

1. Facts and figures on the provinces are derived from South African Communication Service, *South African Yearbook 1996*, <http://www.sacs.org.za>; *Beeld*, 10 July 1996, for per capita incomes based on 1994 figures; *South Africa in Figures*, 1997/98 edition, Standard Bank Group, Johannesburg, 1997; *Statistical Report: Provincial Statistics*, parts 1-9, Central Statistical Service, Pretoria, 1996-7; Department of Constitutional Affairs, Directorate: Provincial Government, *Some Perspectives on the Nine Provinces of South Africa*, Pretoria, August 1997, and Elizabeth Sidiropoulos et al, *Race Relations Survey 1994/95*, SA Institute of Race Relations, Johannesburg, 1995, p.353. Although a special effort was made to obtain the most recent statistical information, it must be conceded that much of the data is some years old.

Reasons for Non-Central Governments' Growing International Role

The typical constitutional restrictions on non-central governments' involvement in foreign relations have not prevented their extensive participation in international affairs. This distinct trend, observable in all Western federations and even in highly centralised France,¹ goes by various names; among them are the 'many voices' phenomenon in foreign policy, 'segmentation',² 'globalisation', 'localism'³ and 'trans-governmentalism'.⁴ As Duchacek put it, 'all democratic systems, and the federal ones in particular, have come to speak with regionally nuanced voices abroad'.⁵

Powerful political and economic forces, both domestic and external, have moved sub-national governments the world over towards ever greater participation in international relations. These factors operate also in the South African case.

- The 1970s witnessed changes in the international agenda away from the prevailing Cold War preoccupation with the 'high politics' of security, which had long sustained the idea that foreign relations were the preserve of central governments. In addition, the new 'politics of scarcity' — brought on by the energy crisis of the seventies — highlighted the impact of international events on domestic interests and exposed the inability of many national governments to respond effectively to the new challenges, or to come to the rescue of their sub-national units.⁶

The 'awareness of sub-national vulnerability to extra-national, distant events'⁷ has been sharpened by several other less dramatic but more persistent factors. Consider the case of the Canadian province of Alberta, which derives the bulk of its revenue from oil and natural gas, not from taxes like the other provinces. The prices of these commodities are determined in foreign capitals, leaving Alberta's provincial budget uniquely exposed to external events.⁸ In like vein one can refer to another Canadian province, Newfoundland, which was made painfully aware of international affairs some years ago when its primary economic base, sea fisheries, was being devastated by foreign trawlers operating close to the Newfoundland coast.⁹ Sensitivity to international factors is also likely to be pronounced if a sub-national unit has a very open economy, conducting, say, half or more of its external trade outside the country of which it is part. The Canadian province of Quebec is a case in point.¹⁰

Being inextricably bound up in a far wider world beyond their national boundaries, territorial sub-units across the world have accordingly felt compelled 'to react to distant threats or opportunities and so diminish the first and capitalise upon the second and for that purpose develop new skills and techniques'.¹¹ Direct involvement in international affairs has been a typical response.

While South Africa's provinces have not had to contend with anything like the oil crisis of the 1970s, at least some of them must already have developed a sense of their vulnerability to international forces and events. This is a function of the heavy dependence of several provincial economies on foreign trade. Gauteng and Free State provinces, for example, could be adversely affected by sharp drops in the international price of the minerals they export.

- The dictum that 'politics stops at the water's edge', enshrined briefly in US politics, may have had some plausibility in an era when foreign forces could presumably be stopped at the water's edge. In an era of interdependence, though, national borders have lost much of their protective quality.¹² A related consideration is that international politics can no longer (if ever it could) be regarded as a 'discrete level of political activity', but is instead one affecting the national and local political arenas. In such a complex web of interactions, claims of central governments to exclusive control of foreign relations ring hollow.¹³ 'Increasingly', Hocking observed, 'the various levels of government have legitimate international interests and these have to be accommodated rather than denied'.¹⁴ The world has accordingly, over the past two or three decades, been witnessing a 'pronounced process of erosion of the sovereign state government's prerogatives in foreign relations', especially in industrial democracies of the federal kind.¹⁵ These same forces are inevitably at work in South Africa too, a process reinforced by the federal features of its Constitution.

- In practice there has never been a clear division of powers between federal and sub-national governments. 'The ebullience of political power', Duchacek wrote, 'simply resists confinement in any watertight compartment'.¹⁶ In the sphere of foreign relations the problem of 'spillover' is twofold. First, treaties concluded between the central government and foreign countries often deal with matters also within the jurisdictional domain of non-central governments, such as the protection of human and labour rights (especially of migrant workers), transborder criminality, environmental protection, fishing rights, cultural exchanges, and tourism. Second, provincial initiatives on the international front may in turn affect the national management of foreign relations.¹⁷ It has indeed happened that sub-national units have undertaken actions that run counter to international commitments of their central governments; both US states and Canadian

provinces have taken economic measures that violated the two countries' obligations under GATT.¹⁸

Like other countries, South Africa will experience foreign policy 'spillover' from the centre to the provinces. This would typically happen in the case of treaties concluded between the national government and foreign countries, which often deal with matters that are also within the jurisdictional sphere of the provinces (such as environmental protection, tourism and the combating of cross-border crime). Provinces are likely to claim a role in negotiating such accords, and they would also have a role in implementing them. Although the provinces are not known to have experienced serious conflicts with the central government over matters of foreign relations, they have (as will be shown later) more than once embarrassed Pretoria with their often unilateral actions abroad.

- Sub-national actors have displayed a growing desire to become involved in larger sectors of public policy. This flows from the inability of national governments to consistently serve community interests from a single centre of power. Frequently, 'master-plans devised at the centre' fail to take due account of local needs.¹⁹ This problem could be exacerbated by the existence of an 'institutional gap', where federated units are not represented in central institutions and are unable to influence federal policy.²⁰ Cognisance should also be taken of the tendency of sub-national leaders and their publics to oppose national centres on the grounds of being 'unwieldy, big, over-bureaucratised, [and] dehumanised', in addition to the usual charges of national governments' poor administrative and economic performance and loss of credibility.²¹

In the sphere of foreign relations, the realisation of central government ignorance, insensitivity or ineffectiveness has prompted non-central governments to assert themselves increasingly as their local communities' 'economic agents in the global market place', negotiating trade and investment arrangements with foreign governmental and non-governmental actors.²²

Although it is relatively early days yet for South Africa's nine non-central governments, the problem of an institutional gap may be ameliorated by the existence of the National Council of Provinces. The Council was inaugurated only in 1997 and has yet to prove its worth. It does at least on paper have the capacity to involve provinces in national and international matters that affect them directly. But the National Council of Provinces, however effective a vehicle for provincial interests it may become, is unlikely to eliminate provinces' perceived need to satisfy their material needs by themselves tapping into foreign economic sources. This is due

largely to the central government's lack of financial resources to cater for the needs of the nine provinces. There is also a lack of bureaucratic capacity at the centre to address the needs of the provinces. The latter is partly a consequence of the declining standards of public service in South Africa. Whether provincial bureaucracies would fare any better, though, is open to some doubt; their levels of efficiency have generally been even lower than those of the central bureaucracy.²³ A further feature with which the provinces may well have to contend, is that the national bureaucracy is ignorant and insensitive in dealing with provincial concerns. All these factors could encourage provincial governments becoming their communities' 'economic agents in the global market place'.

- The 'national interest' as defined by a central government often tends to be synonymous with that of 'core' regions in a federal state. Examples are Ontario in the case of Canada and New South Wales in Australia, the respective centres of economic and political power. The interests of 'peripheral' regions — such as British Columbia and Western Australia in the two examples — which may well be different from those of the core areas, would then be neglected or under-represented in central power structures.²⁴ This possibility, caused by the 'asymmetry of federated units',²⁵ undermines the notion that 'national élites represent a unified national interest'.²⁶ Consider the following remark of a spokesman for the government of Alberta (Canada): 'We are unique in that we have unique interests that too often get lost in the national interest. We have unique interests that reflect the diversity of each of our provinces'.²⁷ All this encourages the direct participation of sub-national governments in foreign relations.

In the case of South Africa, the central government could deliberately or inadvertently define the national interest as being synonymous with that of core provinces. The two local candidates are Gauteng and the Western Cape, which also happen to house the country's administrative and legislative seats, respectively. Provinces left out in the cold may try to compensate by establishing an international presence. The possibility of such neglect, coupled with the reality of the asymmetry of provinces, could in South Africa — as elsewhere — counter the claim that the national political elite represents a single national interest.

A further local consideration is that provinces not under the control of the national ruling party (the ANC) may fear central favouritism towards those provinces governed by the ANC. Their concern could be that the central government may give preference to politically 'acceptable' provinces in the distribution of foreign investment and other benefits of international economic ties. Alternatively, such resources could be channelled mainly to those provinces where the central ruling party can or hopes to obtain the

greatest political mileage. To offset such disadvantages, provinces lacking a partisan affinity to the national government may prefer to represent their international interests themselves.²⁸

- In federal democracies, conflict and competition — along with co-operation — are basic features of political life. 'Why, then', Kincaid asked, 'exempt foreign affairs from the normal competitive and co-operative dynamics that operate in a democratic federation?'.²⁹ Kincaid maintained that 'the regulation or suppression of constituent [that is provincial or regional] diplomacy can endanger the political, cultural, economic, and democratic vitality of a nation-state', and furthermore undermine the 'self-governing capacities' of non-central governments in federal states.³⁰ Conversely, constituent diplomacy 'contributes to the democratisation of national political processes by adding new voices to foreign-policy-making'.³¹

As long as South Africa remains a Western-style democracy with federal features, foreign affairs too are likely to experience something of the 'competitive and co-operative dynamics' characteristic of democratic federations. These dynamics may well find expression in provinces' participation in national foreign policy making and also in the conduct of their own international relations. The former, which amounts to influencing foreign relations from within, would require close monitoring of central legislation and decision-making by national representatives in order to identify matters that could influence the provinces either positively or adversely. The National Council of Provinces is, as mentioned, the constitutional forum for doing so.

- The well-being of sub-national electorates and hence the political survival of their leaders have come to depend on their ability to supplement their primary links with the national centre and its funding agencies 'with their new lines to foreign sources of economic, financial, and industrial power'.³² This is clearly borne out in the case of Canada, where the vast majority of the international activities of its ten provinces 'revolve around the advancement and protection of economic interests'.³³ They are, to put it differently, engaged in 'province-building' through their actions in the world arena.³⁴ Such developments have helped to challenge the historical assumption that nation-states are 'the only legitimate and competent representatives of the peoples who live within their territorial domains'.³⁵

Turning to South Africa, one must immediately recall that all the provinces have huge and urgent development needs. Unable to obtain the necessary resources from the centre, provinces are bound to seek foreign sources of assistance to help them provide their 'territorial daily bread'.³⁶ The well-

being of provincial electorates and ultimately the political survival of their leaders may depend on provincial governments' success in this regard.

- The reality of scarce foreign resources, for example investment, has bred competition between sub-national governments and also between them and central governments over respective spheres of competence in foreign relations.³⁷ Pressing domestic development needs on the one hand and scarce foreign resources on the other are bound to engender competition among South Africa's nine provinces and between them and the central authority too.

- The growth of 'social activism' over the last two or three decades has affected the international exposure of non-central governments. This activism, which was initially directed largely at environmental issues, has since focused on other aspects of sub-national governments' policies. The Australian state governments of Queensland and Western Australia have, partly as a result of activism at local and national level, found themselves the targets of international criticism over their policies towards the Aboriginal population.³⁸ Sub-national authorities have conversely also taken public stands on external political issues. Consider the punitive measures introduced by many US states against South Africa during the apartheid era. The adoption of policy positions for purely political reasons — which has been called 'political necessity'³⁹ — may result from an issue appearing on the provincial political agenda that leaves the government concerned with little or no choice but to become involved. Apartheid is a good example. Another reason for political necessity is the need for provincial governments to be seen defending provincial interests.⁴⁰

South African provinces may become tempted to take public stands on foreign political issues. It could simply be a spill-over from the national political agenda, compelling provinces to stand up to be counted on the 'right' side. Issues in the North-South debate may cause provinces to make public pronouncements on international affairs. ANC-ruled provinces may side publicly with Cuba in the latter's dispute with the US, owing to ideological affinity for the Castro regime. Feelings of duty resulting from the acceptance of foreign aid may also persuade provinces to adopt certain positions on international issues.

- Non-central governments' reach across national boundaries is also part of what Rosenau called 'a world crisis of authority' and 'sub-groupism'. Rosenau described these phenomena as follows: 'The explosion of sub-groupism, of individuals redefining their loyalties in favour of more close-at-hand collectivities is ... rooted in a substantial enlargement of the analytic aptitude of citizens throughout the world which, along with a diminished

sense of control over the course of their lives, has led individuals to heighten the salience of sub-group affiliations and lessen the relevance of whole system ties, thereby precipitating the authority crisis'.⁴¹

It is still too early in the life of post-apartheid South Africa to expect any explosion of sub-groupism, at least among the black majority; the euphoria of liberation from white domination remains far too strong. In due course disillusionment with the central government's ability to meet the material aspirations of the black electorate may well set in and prompt a crisis of authority. This could in turn encourage sub-groupism — and provinces may then emerge as one possible close-at-hand collectivity to which South Africans might increasingly direct their loyalties. Provincial loyalty will, however, be critically dependent on the ability of provincial governments to meet their electorates' most pressing needs.

- The component units in federal systems such as Canada, Australia and the US are not mere administrative sub-divisions of central government, but 'political arenas in their own right'; they possess not only decision-making authority but also a sense of 'collective identity' related to a territorial base. They accordingly exhibit 'certain qualities attaching to sovereign states'. It then follows logically that they should have areas of international interest and also involvement.⁴² Soldatos used the term 'objective segmentation' to describe the geographic, cultural, linguistic, religious, political, and other characteristics that distinguish a federated unit from one or more of the others. Such features can be reinforced by 'perceptual segmentation', where a perception of differences may or may not have a basis in reality. These forms of segmentation may in turn encourage 'regionalism, a 'we feeling' at the federated-unit level'. Such conditions encourage sub-national governments to engage in more direct and autonomous external activity in pursuit of their particular interests.⁴³

From the earlier introduction to South Africa's nine provinces, it is abundantly clear that they display considerable 'objective segmentation'. Geographically, the provinces vary in terms of size of territory. There are vast distances between some of the provinces (for example, between the Northern Province and the Western Cape) and between the national capital of Pretoria and a number of provinces (for instance, the Western Cape, Northern Cape and Eastern Cape). Demographic differences refer to the size and composition of provincial populations; provincial boundaries correspond to a significant extent with ethnic divisions. They are furthermore political arenas in their own right, with elected legislatures. Two of the provinces are not ruled by the ANC, and in the remainder the strength of the (anti-ANC) opposition varies greatly. Socio-economic disparities are reflected in per capita income, share of the GDP, literacy and urbanisation rates, and so on.

Such differences may well encourage provincial loyalties, or a 'we feeling'; objective segmentation would be reinforced by 'perceptual segmentation'. Provinces may then come to value their limited autonomy far more than most of them presently seem to do. If so, they could be expected to guard jealously against any central regulation that might conceivably restrict their ability to operate in a highly competitive international environment.

- Non-central governments commonly become the targets of lobbying efforts and even interference from abroad, for example by transnational corporations eager to promote or protect their economic interests in a sub-national territory. Foreign and domestic media may conversely contribute to 'the projection of sub-national concerns and actions on to the international arena'.⁴⁴ Both these forms of communication have already exposed South Africa's provinces to the wider world. Foreign media coverage has, unfortunately for the provinces, often been of an uncomplimentary nature, highlighting such negative features as rampant crime, corruption and high levels of political violence. To counter these images — which deter foreign investors — the affected provinces may wish to embark on their own public relations campaigns abroad.

- Sub-national governments' international activities are crucially shaped by geographic factors. The similarity of economic, social and environmental problems resulting from geographic proximity 'has always been a reason for border governments to look more often toward their immediate neighbours beyond the inter-sovereign dividing line than toward their respective national centres'.⁴⁵ The range of 'non-national, non-survival, less grand problems' — or functional issues of 'low politics' — arising from geographic location include law-enforcement, forest firefighting, waterways management, power grid arrangements, and road management.⁴⁶ The influence of geographic proximity is particularly evident in North America, where the three contiguous nations happen to be federations; numerous links have been established between the federal components of the US (50 in all) and those of Mexico (31), and between US states and Canada's provinces.⁴⁷

Geographic imperatives will inevitably lead to considerable transborder contacts between some of South Africa's provinces and adjacent countries. Seven of the nine provinces share a common border with at least one foreign state.⁴⁸ A similarity of economic, social and environmental problems on the two sides of the international borders is a crucial reason for cross-border co-operation in a variety of functional areas. These could range from transport management and crime-fighting to transnational nature reserves.

- Where regions are characterised by 'ethnic distinctiveness', they will view a presence on the international stage as 'both symbolic of their

aspirations and a strategy whereby these might be realised'.⁴⁹ In some cases the aspiration could be to establish an independent state for a disaffected region or group. Quebec is a prime example; its 'external impulses are, very simply, nationalistic', leading it to project abroad the cultural and linguistic attributes that distinguish Quebec from Canada's other provinces.⁵⁰ To put it differently, Quebec 'needed a 'window on the world' in order to sustain and at the same time to assert, the fundamental character of Quebec society'.⁵¹ Its population composition can influence a region's foreign relations in another, lesser way too. The 'multi-cultural mosaic' of Alberta is, for instance, said to give this Canadian province 'an international perspective and has helped to develop the provincial consciousness of the outside world'.⁵²

Although there is (presently) no South African 'Quebec', KwaZulu-Natal and perhaps the Western Cape may be more inclined than other provinces to 'internationalise' their ethnic composition: the former is a predominantly Zulu province that moreover boasts a Zulu monarchy, and the latter is predominantly Afrikaans-speaking. In addition, they are not governed by the ANC. These sub-national units may regard a presence on the international stage as symbolic of their aspirations, which include greater provincial autonomy and perhaps also the preservation of a particular way of life.

- Cultural factors may influence the development of non-central governments' international presence in another way too. Quebec and Belgium's two main linguistic communities are in the forefront of developing affective links with ethnic partners abroad through 'cultural diplomacy'.⁵³ In the South African case, the Afrikaans community is an obvious candidate for such initiatives. Of course, cultural diplomacy need not be channelled via a province, but could be done on a community basis. If a provincial vehicle were, however, to be used by the Afrikaans community for promoting cultural relations with kin-communities in Western Europe, the Western Cape is likely to offer this service — but probably only so long as it is not ruled by the ANC. The Northern Cape, the most Afrikaans province of all (thanks largely to its majority Coloured population) is unlikely to engage in cultural diplomacy as long as the ANC holds power there. Given its near dogmatic commitment to nation-building, the ANC will probably not take kindly to international activities that could be construed as deepening or exploiting ethnic divisions in South Africa.

- Sub-national involvement in foreign relations may be driven by what Duchacek labelled 'me-tooism'. This is where non-central governments engage in international activities 'for prestige, junketing, or paying political debts from the preceding electoral campaign'.⁵⁴ One cannot overlook the demonstration effect in South Africa: provinces may wish to keep up with

their (local) counterparts on the international stage. An international presence could thus become a status symbol for provinces.

- The mere growth of sub-national units in terms of functions, budgets and institutions may encourage their governments to look for new roles, including engagement in international relations.⁵⁵ In several federal states, provincial governments have established a clear interest in defending their constitutional powers against central encroachment; they have a concomitant interest in enlarging their jurisdiction *vis-à-vis* the federal authority. This 'continuing struggle for constitutional power' can spill over into the international arena. At another level one can expect that when matters under provincial jurisdiction have international ramifications, provincial governments would be unwilling 'to abandon these concerns at the provincial boundary line and relinquish control to the federal government'. Provincial governments after all have a responsibility to protect provincial interests.⁵⁶ The expansion of the foreign activities of non-central governments has in turn also been accompanied by a growth of bureaucratic institutions — such as provincial departments for external trade and representative offices abroad — to manage the regions' international relations. The Canadian experience has shown that such provincial agencies, once in existence, 'tend to strengthen and perpetuate a provincial international presence'.⁵⁷

Although South Africa has not formally defined itself as a federal state, the division of powers between the central and provincial governments make it a 'federal-type state'⁵⁸ or a 'quasi-federation'.⁵⁹ The nine provincial governments, each with a considerable political and bureaucratic infrastructure to back it up, may indeed become involved in turf battles with the central government as they seek new roles. Participation in foreign affairs is one possible area of friction. This, however, is only likely to happen if the provinces manage to improve their domestic performance first; the administrative chaos prevailing in several of them can only lead to an interventionist policy by the centre at the expense of provincial autonomy.⁶⁰

- So-called functional sectoralisation of foreign policy is well-established. It is common to all countries that not only the ministry of foreign affairs but also many other ministries exercise their responsibilities beyond national borders. The US embassy in London is only one illustration of this phenomenon. Some ten years ago it was calculated that 44 distinct federal agencies were represented there. Why should territorial segmentation then not follow? The latter can take the form of either an officer representing a sub-national territorial interest at an 'all-national' embassy, or a separate state/provincial office abroad.⁶¹ In due course South African provinces may begin to clamour for similar territorial segmentation in the Republic's foreign missions, and also opt for their own representative offices abroad.

- Additional factors that determine a non-central government's capacity for international action include political and bureaucratic attitudes at the centre, the availability of local financial resources to sustain an international strategy, and the interest of foreign actors in the affairs of a constituent unit in a federation.⁶² How do these considerations relate to South Africa? Currently, as will be illustrated below, attitudes at the centre seem reasonably sympathetic to provinces' establishing limited foreign contacts. Even if this permissive attitude were to change in future, the national government may find it hard in practice to rein in the province's international activities for the reasons set out above. The collapse of democracy in South Africa could, however, spell the end of the provinces' international dealings; an authoritarian government is likely to have a strong centralising impulse, brooking no regional challenges to its authority. Turning to financial resources, it is clear that some provinces are far better placed than others to engage in international action. Some provinces will no doubt also be more interesting than others to foreigners, particularly from an investment point of view. This may encourage less endowed provinces to promote their supposed economic advantages abroad.
- Finally, closer inter-state co-operation in Europe and North America has created new space for sub-national governments to co-operate across international boundaries. This is particularly evident in Western Europe and North America, as will be shown presently. The evolution of the Southern African Development Community (SADC) could likewise encourage co-operation between South Africa's provinces and both central and non-central governments elsewhere in the sub-continent.⁶³

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39. Feldman EJ & LG Feldman, *op.cit.*, pp.37-8.
40. Nossal KR, *op.cit.*, pp.301-2.
41. Quoted by Duchacek ID, 1986, *op.cit.*, p.209.
42. Hocking B, *op.cit.*, pp.18-19.
43. Soldatos P, 'An Explanatory Framework for the Study of Federated States as Foreign-policy Actors', in Michelmann HJ & P Soldatos (eds.), *op.cit.*, pp.45-6.
44. Duchacek ID, 1990, *op.cit.*, p.12.
45. Duchacek ID, 1986, *op.cit.*, p.233. Also see Hocking B, *op.cit.*, p.55.
46. Munton D, 'Federalism and International Environmental Policy', in Keating T & D Munton (eds.), *op.cit.*, p.91; and Nossal KR, *op.cit.*, p.302.
47. Duchacek ID, 1986, *op.cit.*, p.264.
48. See de Villiers B, *op.cit.*, pp.135-6; and Vale P, 'Foreign Policy: Now the Provinces Butt In', *Weekly Mail & Guardian*, 5-11 May 1995.
49. Hocking B, *op.cit.*, p.21.
50. Nossal KR, *op.cit.*, p.316.
51. Mace G, Bélanger L & I Bernier, 'Canadian Foreign Policy and Quebec', in *Canada Among Nations 1995: Democracy and Foreign Policy*. Ottawa: Carleton University Press, 1995, p.122.
52. Meekison P, 'Federalism, The Provinces, and Canadian Foreign Policy', in Keating T & D Munton (eds.), *op.cit.*, p.81.
53. Hocking B, *op.cit.*, p.55.
54. Duchacek ID, 1986, *op.cit.*, p.239
55. Soldatos P, 'An Explanatory Framework for the Study of Federated States as Foreign-policy Actors', in Michelmann HJ & P Soldatos (eds.), *op.cit.*, p.47.
56. Nossal KR, *op.cit.*, pp.296-8.
57. *Ibid.*, pp.303-7.
58. de Villiers B, *op.cit.*, p.135.
59. See Verney DV, 'Federalism, Federative Systems, and Federations: The United States, Canada; and India', *Publius: The Journal of Federalism*, 25, 2, Spring 1995, pp.81-97.
60. See Hocking B, *op.cit.*, p.53.
61. Duchacek ID, 1986, *op.cit.*, p.279.
62. Hocking B, *op.cit.*, p.200.
63. de Villiers B, *op.cit.*, p.137.

Factors Weighing against Non-Central Foreign Relations

Apart from formal, constitutional constraints, there are many political factors militating against sub-national governments' direct and extensive involvement in foreign affairs. Again, the relevance of each of these considerations for South Africa will be assessed.

- Those who oppose non-central governments interacting directly with foreign parties, typically regard international affairs as 'a distinct area closely allied to central government'.¹ This is a product of the tradition that equated foreign policy with the 'high politics' of national security and hence a key central responsibility that could be separated relatively easily from domestic 'low' politics. From this perspective, constitutional provisions reserving foreign policy for central governments were both logical and sustainable.²

The South African Constitution of 1996 pays allegiance to this tradition. The Constitution does not define the country as a federation and the powers conferred on the provinces are more limited than those enjoyed by the component units of the US, Canadian or Australian federations. It could then be argued that it is rather unfair to compare South African provinces' potential international role with that of sub-units in acknowledged federal states. It would accordingly be inappropriate for South Africa's provinces to aspire to the kinds of foreign relations practised by, say, US states or Canadian provinces.

- The ever widening agenda of international relations has given central governments the opportunity of extending their authority into areas of sub-national responsibility, claiming that these have become legitimate components of foreign policy.³ One can think of environmental concerns, infrastructure development, health services and crime prevention, to name a few. The South African government could be especially tempted to use this argument in the Southern African context. Seven of the nine provinces, it was pointed out earlier, border on independent states in the region, and South Africa's relations with other countries in the sub-continent are a top foreign policy priority. In short, the provinces should not be allowed to complicate or obstruct South Africa's vital relations with neighbouring states.
- Growing ties between non-central governments in adjacent independent states may lead to 'excessive borderland 'chumminess' as a reaction against the two distant capitals', whose border policies may be regarded as inadequate or downright inappropriate by the communities

concerned.⁴ Such new loyalties may easily be regarded by central elites as a challenge to national unity.

Considering the South African government's commitment to nation-building — a formidable task in this divided society — it may not wish to run the risk of borderland 'chumminess' developing between provinces and adjacent states. Although such sentiments may seem very remote at this stage, it should be remembered that ethnic groups straddle the borders between South Africa and most if not all of its neighbouring states. These include Swazis in Mpumalanga and Swaziland; Tswanas in North West Province and Botswana, and Sotho in the Free State and Lesotho.

- Too many sub-national initiatives abroad 'may lead to chaotic fragmentation of foreign policy and cause a nation to speak with stridently conflicting voices on the international scene'.⁵ As Kincaid reminds us, 'the law and language of international relations presuppose that nation-states are the legally competent actors in foreign affairs'.⁶ Accordingly, a federal state — like any unitary state — will try to present itself on the international stage 'as possessing the capacity to speak on behalf of its component units with a single legitimate voice'.⁷ One way of ensuring such a single voice is by stifling competing or discordant voices 'from below', thus preserving the primacy of the central government in a country's international relations.⁸ A related consideration is that central bureaucracies may be preoccupied with 'institutional tidiness and efficiency', which could be undermined by non-central governments' involvement in foreign relations.⁹

In the South African case, the ANC government, eager to impress upon the world that the country is under new political management, will want South Africa to speak with one voice to the international community. The emphasis on a single voice is also a logical extension of the ANC's preoccupation with nation-building. A less charitable explanation is that the ANC, like new and inexperienced governments elsewhere, lacks the self-confidence to allow competing central and provincial voices speaking from South Africa.

Add to this the likelihood that the provinces, in deference to President Nelson Mandela, may not want to be seen challenging or competing with the central government in the international arena. Mandela's towering international presence would furthermore overshadow any provincial venture onto the world stage. (Things may change to the provinces' advantage after Mandela's planned departure from the political stage in 1999.)

- The expanding international activities of non-central governments have raised concerns about the future of the nation-state. 'Constituent diplomacy', the argument goes, may endanger national unity and ultimately international stability.¹⁰

The South African government, like those of other newly liberated states, tends to be extremely jealous of national sovereignty, territorial integrity and national unity. All these things, it could be argued, may be endangered by provinces' engaging in their own foreign relations. The ANC rulers will no doubt be particularly sensitive to any signs of a province using (or abusing) its foreign relations to promote secessionist objectives. A related concern may be that allowing provinces to engage in international relations could create a precedent for disaffected minority groups in South Africa to do likewise.

- Some national elites favour tight centralisation of all external relations to prevent the predominance of one federal unit at the expense of another,¹¹ or to prevent 'provincial egoism at the expense of the national whole as well as the other territorial communities'¹² The central government thus assumes that it could and should avoid international competition between sub-national governments and that it could furthermore ensure that all component units get equal international exposure and benefits by acting as their sole channel of communication with the outside world.

The centralisation of South Africa's foreign relations may likewise be favoured by the national government so as to prevent the predominance of a few provinces at the expense of the rest, and to ensure that each province derives a fair share of the advantages of international links. This consideration may be reinforced by the fact that the ANC holds political power in seven of the nine provinces, and would presumably not want to risk 'playing favourites', at least not among these seven.

- Provincial officials' lack of training and experience 'in the harsh world of international relations' has been cited as another reason for opposing non-central governments' engagement in such relations ¹³ In most states foreign relations are conducted by diplomats 'who often come from, or constitute, an elite class within the nation-state and even within the national government'. Foreign policy making is moreover commonly shielded 'behind a veil of state secrecy'.¹⁴ Non-central governments are then viewed as intruders into an exclusive, elitist domain of preferment. The newness of most of South Africa's nine provinces and their lack of training and experience in world affairs are likely to be a major constraint on their involvement in foreign relations. The sheer administrative incompetence of many provinces is also bound to undermine their international ambitions.

The elitist features of South African foreign policy — with regard to both formulation and implementation — may serve as a further brake on provinces' role in this area.

- Federal bureaucracies may suffer from the familiar 'institutional inertia opposing any change of routine'¹⁵ — also change that would allow for greater sub-national participation in foreign affairs. This may apply to South Africa, considering that the central bureaucracy has little experience of non-central governments striking out on their own in the world at large. (The former homeland governments had, as mentioned, very limited foreign relations and earlier provinces effectively none at all.)
- Sub-national contacts with foreign centres of political power, it has been said, 'may become vehicles for various forms of trans-sovereign meddling'.¹⁶ The South African government may well share these concerns. To protect the provinces against external interference — which they are presumably too inexperienced to handle — Pretoria alone should arguably deal with the outside world on behalf of the entire South Africa.
- Where non-central units lack a strong sense of identity, they may not feel strongly inclined to venture onto the international stage. In the South African case, most of the provinces are new political creations in which provincial loyalties are not (yet) strong. These features may discourage provinces from establishing a firm international presence.
- There tends to be a direct correlation between a state's form of authority and its toleration of sub-national foreign relations. 'Nation-states that prohibit or sharply restrict constituent diplomacy are more likely to have an absolutist character, and to outlaw or suppress internal political competition', according to Kincaid.¹⁷ Although South Africa is a democratic state, it is still not certain to what extent the central government would regard provinces' participation in foreign relations as another logical and legitimate manifestation of democratic competition. (The ANC and its Communist Party ally are recent converts to the notion of decentralised government.)
- Given the above features, some foreign governments may see few advantages but considerable dangers in dealing with a proliferation of sub-national entities abroad.¹⁸ This may indeed apply in the South African case.

Endnotes

1. Hocking B, *Localising Foreign Policy: Non-Central Governments and Multilayered Diplomacy*. New York: St. Martin's Press, 1993, p.24.

2. *Ibid.*, p.19, and Kincaid J, 'Constituent Diplomacy in Federal Polities and the Nation-State: Conflict and Co-operation', in Michelmann HJ & P Soldatos (eds.), *Federalism and International Relations: The Role of Sub-national Units*. Oxford: Clarendon Press, 1990 p.60.
3. Hocking B, *op.cit.*, p.25.
4. Duchacek ID, *The Territorial Dimension of Politics: Within, Among, and Across Nations*. Boulder: Westview Press, 1986, p.250.
5. Duchacek ID, 'Perforated Sovereignties: Towards a Typology of New Actors in International Relations', in Michelmann HJ & P Soldatos (eds.), *Federalism and International Relations: The Role of Sub-national Units*. Oxford: Clarendon Press, 1990, p.28.
6. Kincaid J, *op.cit.*, p.57.
7. Duchacek ID, 1986, *op.cit.*, p.119.
8. Nossal KR, *The Politics of Canadian Foreign Policy*, Third edition. Scarborough: Prentice-Hall Canada, 1997 p.323.
9. Duchacek ID, 1990, *op.cit.*, p.28.
10. Kincaid J, *op.cit.*, p.54.
11. Duchacek ID, 1990, *op.cit.*, p.3.
12. *Ibid.*, p.28.
13. *Ibid.*, p.28.
14. Kincaid J, *op.cit.*, pp.60-1.
15. Duchacek ID, 1990, *op.cit.*, p.28.
16. *Ibid.*, p.28.
17. Kincaid J, *op.cit.*, p.56.
18. Hocking B, *op.cit.*, p.178.

Forms of Sub-National Foreign Relations

When one looks at the practical situation in South Africa, it is clear that the factors making for provincial participation in international relations far outweigh those working in the opposite direction. All nine provinces have engaged in a range of international interactions. It now remains to detail these foreign ties. The present section deals with what Schmitt has called the direct international relations of non-central governments. These involve 'a real projection of the region on the international stage', for example through the exercise of treaty-making power or the establishment of representative offices abroad. Indirect foreign relations, by contrast, mean that regions participate in the foreign policy of the central state, either by involvement in decision-making at the centre or in implementing foreign policy decisions and commitments made by the national government.¹ The latter aspects, as they relate to South Africa, will be examined in the next part under measures to co-ordinate the international activities of central and non-central governments.

The recorded direct interactions will for analytical purposes be grouped according to three of Duchacek's four types of 'noncentral diplomacy'.² In each category, the data will be broken down into official visits (both inward and outward) and agreements concluded. The fourth form of non-central diplomacy identified by Duchacek, global proto-diplomacy, is not applicable to South Africa — at any rate not today. It refers to those activities of a non-central government that 'graft a more or less separatist message onto its economic, social, and cultural links with foreign nations'. In such instances a sub-national government uses its representative offices abroad as 'proto-embassies or proto-consulates of a potentially sovereign state'. This has been the case with Quebec's presence in Paris.³ No South African province presently engages in global proto-diplomacy. A separatist message is however being propagated abroad by the Afrikaner-based Freedom Front, a small political party agitating for the establishment of an Afrikaner ethnic homeland in part of Northern Cape Province. Although the Front is represented in the province's ANC-led Executive Council, it holds only two of the 30 seats in the Northern Cape legislature. For the purposes of this essay it seems hardly necessary to pay more attention to global proto-diplomacy.

The first of Duchacek's categories is 'transborder regional micro-diplomacy', which refers to 'transborder formal and, above all, informal contacts, which are dominantly conditioned by geographic proximity and the resulting similarity in the nature of common problems and their possible solutions'.

The problems include the cross-border movement of people and goods, the management of water resources, pollution, drug trafficking, and the prevention of natural disasters. Some of these matters are handled bilaterally (for instance, the Montana-Alberta civil defence compact), while others are managed multilaterally. In the latter regard reference can be made to the North American Free Trade Agreement between the US, Canada and Mexico.⁴ At the end of the 1980s, there were some 800 agreements and letters of understanding linking Canadian provinces with their US counterparts.⁵ In the case of Brazil, some of its 26 constituent states have developed transborder relations.⁶ In Europe there had by the mid-1980s already been 24 transborder regions in operation or in the stage of advanced planning. The Regio Basiliensis, which has been in existence for decades, is one of the best known regional associations.⁷ All West European nations, including centralist France, ratified the 1979 Outline Convention on Transfrontier Co-operation between Territorial Communities and Authorities. The document approved various steps and procedures for closer cross-border co-operation between neighbouring non-central governments.⁸

Of particular importance in transborder regional micro-diplomacy — but difficult to record — is what Duchacek called 'inter-élite informal networks'. Without using formal institutions, these elites perform their transborder tasks of 'co-ordination and adaptation of national policies to borderland realities'. The telephone ('direct-dial diplomacy'), improvised meetings, and luncheon appointments have been identified as the preferred instruments for 'borderland problem-solving', and have proved quite effective — and free of central government monitoring or meddling.⁹

Turning to South Africa's provinces, it should be remembered that seven of them share borders with foreign states; the Western Cape and Gauteng are the two exceptions. In trying to document the transborder relations of the seven provinces, the limitations imposed by incomplete information must again be acknowledged. Record-keeping by the Department of Foreign Affairs is complicated by the fact that the central government need only be informed of visits by provincial premiers to neighbouring states; members of the executive councils (MECs) and lesser provincial representatives are not expected to do the same, requiring approval from only their premiers. Informal 'inter-élite' contact and 'direct-dial diplomacy', which are probably fairly common between provinces and adjacent countries, are even more difficult to monitor and hence excluded from the present survey.

With three international borders, Northern Province has by its own account 'a keen interest in international matters, especially concerning our neighbouring states with whom we have good relations and a few joint agreements linked to development and other issues'.¹⁰ There is, however,

only one known formal agreement between Northern Province and a foreign political entity, namely a twinning arrangement with Mozambique's Gaza Province. It provides for various forms of functional co-operation between the parties. Premier Ramathlodi has paid official visits to two of his three immediate neighbours, Botswana and Mozambique, but not to Zimbabwe. The purpose has presumably been to discuss matters of mutual interest and explore areas of cross-border co-operation. Northern Province has in turn played host to Botswana's President Ketumile Masire (April 1996).¹¹

Cross-border visits at a lower level — involving MECs and other members of the legislature as well as provincial officials from Northern Province — have also been scarce. The available information mentions that the Minister of Finance, Trade, Tourism and Industry attended an investment summit in Zimbabwe (October 1996) and visited Mozambique a number of times. Representatives from Northern Province have undertaken a study tour of Zimbabwe and Botswana (July 1997) and visited Zimbabwe (June 1997) on official business.¹²

KwaZulu-Natal also shares borders with three independent states, namely Mozambique, Swaziland and Lesotho. Its Premier has led a delegation to Mozambique, but neither Premier Ngubane nor his predecessor, Dr Frank Mdlalose, has visited Swaziland or Lesotho in the capacity of head of the provincial government.¹³ The Department of Foreign Affairs has no recorded visits of lower-ranking provincial representatives to the three neighbouring countries in 1996 and 1997.

The only agreement of sorts between KwaZulu-Natal and an independent neighbour, is that with Lesotho which provides for the establishment of two District Liaison Committees (DLCs). These have been formed between KwaZulu-Natal and regions in Lesotho: the Underberg-Mokhotlong DLC and the Matatiele-Qacha's Nek DLC. The primary function of the DLCs is transborder co-operation in fighting crime along their common frontier, notably stock theft, drug smuggling, gun running and car hijackings. The DLCs have expanded their scope to include co-operation in such areas as health (especially in combating AIDS and malaria), agriculture, nature conservation, and skills development in indigenous crafts. KwaZulu-Natal foresees the creation of DLCs with Swaziland and Mozambique too, serving the same purposes. Another noteworthy transborder venture, is the Lubombo Spatial Development Initiative (SDI). The Premier and some ministers from KwaZulu-Natal form part of the Political Task Team — comprising South Africa, Swaziland and Mozambique — dealing with the ambitious project to connect KwaZulu-Natal with Swaziland and Mozambique in areas of functional co-operation.¹⁴

The Premier of North West Province has visited Botswana, while lower-ranking provincial representatives have also paid a number of visits to the neighbouring country (one of which was a study tour in April 1997).¹⁵ No formal agreements have been concluded between North West Province and Botswana.

The Premier of the Northern Cape, which likewise borders on Botswana, has visited the neighbouring country at least once, in March 1996, with a view to improving political, trade and agricultural links between the two. Dipico has also visited Namibia. Lower-ranking delegations from the Northern Cape have likewise visited both countries to discuss such matters as education, the environment and tourism. Representatives from the Northern Cape furthermore participated in an all-province 'exposure visit' to Namibia in October 1997. There are no recorded agreements between the Northern Cape and its two independent neighbours, but Dipico has — on a visit to Namibia — explored the possibilities of a twinning agreement with the Karas region.¹⁶

From the available evidence, it would appear that the Eastern Cape has had very little direct contact with neighbouring Lesotho. No details of official visits to or from Lesotho could be found, nor of official agreements between them. Informal inter-élite contacts between the two sides may well have occurred, but we have noted that these are extremely difficult to trace.

The Free State, which also borders on Lesotho, in August 1997 received a courtesy visit from a Lesotho delegation. Two months later the Free State was officially represented at the enthronement of King Letsie III of Lesotho.¹⁷ No reference to any agreements between the two sides could be found.

Mpumalanga has international borders with Mozambique and Swaziland. Premier Phosa has visited both neighbouring states. Most recently, in June 1998, he travelled to the Mozambican border village of Ressano Garcia to attend the inauguration of the Maputo corridor. The project, which may well become the strongest and most tangible link between the province and its neighbour, involves the construction of a toll road linking Gauteng and Maputo via Mpumalanga Province. The ultimate aim is to extend the road network to Walvis Bay in Namibia. MECs from Mpumalanga have also paid official visits to Swaziland and Mozambique. As regards agreements, the province has two memorandums of understanding with Mozambique. One concerns the Maputo corridor and the other deals with agriculture (specifically the relocation of South African farmers in northern Mozambique).¹⁸

'Trans-regional micro-diplomacy' is the second type of non-central diplomacy identified by Duchacek. It describes 'connections and negotiations' between non-contiguous sub-national governments (that is authorities separated by other regional or national jurisdictions). In contrast to the frequent informality of transborder regional micro-diplomacy, the trans-regional version tends to assume a much more formal character. Typical examples are Canadian provincial trade missions in non-contiguous US states.¹⁹

Before dealing with each of the South African provinces, it must be recorded that none of them maintains trade missions in any foreign state. In this respect they defer to the national Department of Trade and Industry, which has trade representatives in selected countries abroad. Official visits as a form of trans-regional micro-diplomacy are often difficult to document because the available official information mostly lists visits abroad by country only, not by host region or province. Although most visits will be classified under global para-diplomacy, it must be borne in mind that many of them should probably feature under trans-regional exchanges.

Following the same order as with transborder regional micro-diplomacy, we begin with Northern Province's involvement with trans-regional micro-diplomacy. Its only agreement with a distant sub-national government is still in the making, namely a sisterhood arrangement with Negeri Sembilan State in Malaysia.²⁰

KwaZulu-Natal has by contrast been quite active in seeking treaty relations with distant non-central governments. It has entered into twinning agreements with the German state of Baden-Württemberg and with Aarhus in Denmark. Among the many areas of co-operation envisaged in the agreements are tourism, environmental matters, health, commerce, education and agriculture. KwaZulu-Natal has also entered into an agreement with Udmurtia in Russia, but the type and status was unknown to the Department of Foreign Affairs. Possible partnerships with Styria (Austria), Lower Saxony (Germany), Yogyakarta (Indonesia) and Western Australia were still under consideration earlier this year.²¹

North West Province has likewise used its international freedom of action to enter into partnership arrangements with sub-national governments abroad. In 1996 twinning agreements were concluded with the provinces of Manitoba (Canada), Santiago de Cuba (Cuba) and Lodz (Poland). A similar agreement of unknown date was signed with Texas (USA). In the agreement between North West and Manitoba, the parties agree to work together in the development of 'stable, democratic government' and in the training of the public service of the South African province. The agreement with the

province of Santiago de Cuba provides for co-operation in economic matters, education, sport, arts and culture, health, and in the area of 'governance and social structure'. The twinning agreement between North West and Texas is designed to 'facilitate mutual exchange of trade and investment, sport, tourism and knowledge of their history, culture, customs and traditions'. In 1998 a 'sister-sister relationship' was entered into with Kyongsangbuk-do Province of South Korea. North West Province has also signed memorandums of understanding with the state of New Jersey (USA, 1996), and Groningen and Drenthe (the Netherlands, 1997), while twinning agreements with Burgenland (Austria) and Bandung (Indonesia) were still pending in early 1998.²²

As far as could be established, the Northern Cape has only two agreements with sub-national authorities elsewhere. The one is a twinning agreement with Strathclyde (Scotland) and the other a partnership agreement with New Brunswick (Canada).²³

The Eastern Cape has entered into what are variously styled agreements of co-operation, twinning agreements and memorandums of understanding with non-central governments in a number of Western countries: British Columbia (Canada), Scotland, the Padova province (Italy), Lower Saxony and Baden-Württemberg (Germany), Massachusetts and New Jersey (USA) and the province of Zhejiang (China). The agreement with British Columbia deals specifically with 'co-operation on governance'. The parties agree to work together 'to support the establishment of an effectively functioning administration in Eastern Cape at the most senior levels of the provincial government'. In practical terms this will involve support from British Columbia for 'development and capacity building' in the Eastern Cape public service. The agreement with Lower Saxony also provides for governance assistance, among other things. The German state offers 'advice to the political decision-makers and public officials at the most senior levels of administration' in the Eastern Cape. The latter agreement, like most of the others mentioned above, also envisages co-operation in such functional areas as economic development, trade, investment, transport, science, technology, education, environment planning, health, housing, tourism, culture and rural development. At the time of writing the Eastern Cape was considering twinning agreements with Lower Austria and regional authorities in Bulgaria.²⁴

The Eastern Cape's involvement in trans-regional micro-diplomacy has also taken the form of visits from representatives of foreign regional governments to the province. The premiers of the German states of Lower Saxony and Baden-Württemberg — the two Länder with agreements with the Eastern Cape — visited the province in the latter half of 1996.²⁵

The Free State provincial government has, according to official records, concluded agreements at sub-national level with its counterparts in Flanders (Belgium) on education and training, in South Australia and Victoria (Australia) dealing with the transfer of skills, and in Saskatchewan (Canada) on general co-operation.²⁶

Mpumalanga has taken up formal relations with a range of non-central governments abroad. It became the first South African province to 'twin' with a foreign regional authority when it signed a development assistance agreement with the German Land of North-Rhine Westphalia in October 1994. A 12-point twinning agreement was signed with the Austrian province of Carinthia in November 1997. Carinthia among other things offered to provide the Mpumalanga government with technical, administrative and financial management support, as well as infrastructure development assistance (roads, tunnels and electricity supply). Its agreement with Carinthia was reportedly the eighth such partnership arrangement entered into by Mpumalanga. Among the others are agreements with Katowice Voivodship (Poland), Brandenburg (Germany), Alberta (Canada), Sofia (Bulgaria) and Giza province in Egypt. Under the latter the two parties will co-operate in the tobacco and construction industries.²⁷ In April 1997 a special advisor to the Mpumalanga Premier revealed that at least R400 million in foreign money had been spent as a direct result of the province's sisterhood agreements.²⁸

The Western Cape has, like its fellow provinces, given preference to agreements with sub-national authorities in Western countries. A sisterhood agreement with the state of Florida (USA), signed in February 1995, commits the two parties to co-operate in the areas of trade, tourism, education and culture. Three months later the Western Cape and Bavaria agreed on a number of 'projects', one of which is to 'encourage mutual exchanges' in the fields of trade, science, technology, tourism and culture. Another provides for assistance (evidently from Bavaria) 'in setting up administrative and decision-making structures in Western Cape Province in line with federalist principles'. Further projects deal with education and training, housing construction and trade visits. In the same month the Western Cape concluded a partnership agreement with the province of Upper Austria, which provides for a 'co-operative partnership' in the areas of economy and science, nature and the environment, culture, and education and youth. 'Co-operation programmes' in the economic, social, health and cultural fields are likewise envisaged in the Western Cape's 'general co-operation agreement' with the Governorate of Tunis, signed in June 1996. Towards the end of 1997 the Western Cape entered into an agreement with the Italian region of Emilia-Romagna, focusing on economic co-operation.²⁹

The Western Cape has played host to dignitaries from several foreign sub-national governments. Premier Kriel, for example, received official visits from, among others, the governors of the US states of North Carolina and Massachusetts, the Premier of Baden-Württemberg, and the Deputy Premier of West Australia.³⁰

Gauteng, finally, has sisterhood agreements with Bavaria, Ile-de-France, Kyonggi (South Korea), and Havana province. The latter, for instance, provides for exchange programmes in the fields of health, education, science and sport and for the promotion of commercial links. A twinning arrangement with Ontario was pending at the time of writing. Memorandums of intent were signed between Gauteng and unnamed Australian states in April 1997 regarding sport and recreation. The province's trans-regional micro-diplomacy was extended to the sphere of official visits. Premier Tokyo Sexwale visited France and Germany to sign two sisterhood agreements (mentioned above), while he in turn received visits from the Premier of Baden-Württemberg and the Chief Minister of West Bengal.³¹

'Global para-diplomacy', the third type of non-central diplomacy identified by Duchacek, consists of 'political-functional contacts' with distant nations that bring non-central governments into contact not only with trade, industrial, or cultural centres elsewhere, but also with various agencies of foreign national governments.³²

Permanent offices abroad are the most common form of global para-diplomacy. Several US states and Canadian provinces, for example, maintain offices in Brussels, where the EU is headquartered. By 1986 six Canadian provinces — Alberta, British Columbia, Nova Scotia, Ontario, Quebec and Saskatchewan — had established 46 offices in 11 foreign countries. By that year 28 US states had opened 54 permanent offices in 17 countries, most of them in Tokyo (17), Brussels (11), and in West Germany (10).³³ A major purpose of such offices is to keep provincial governments informed of events elsewhere in the world. The information is supposed to be current and assessed and interpreted by provincial staff for its relevance to and impact on a particular province as opposed to the country at large.³⁴ Conversely, representative offices disseminate information abroad and try to influence foreign opinion. The Ontario Houses, a provincial spokesman once explained, 'are in the business of reflecting the entire interests of the province', trying 'to create an image of Ontario abroad conducive to an understanding by foreigners of what Ontario is'.³⁵

While foreign (central) governments typically extend courtesies, they do not grant the representative offices of non-central governments any of the formalities accorded to sovereign states. The offices do not enjoy the same

status as a foreign embassy and the representatives of non-central governments do not qualify for diplomatic visas and diplomatic immunities.³⁶

Although representative offices can be regarded as 'the visible and expensive signs of the 'globalisation of provincialism'', there are also other techniques of global para-diplomacy. These include trade and investment exhibitions, fact-finding missions, foreign visits by leaders of sub-national governments, the provision of foreign aid (practised by some Canadian provinces, among others), twinning arrangements with foreign counterparts, participation in the work of international conferences or organisations, and the creation of foreign trade zones. (By 1986 no less than 30 US states had already established 55 such zones.)³⁷ Sports, educational and cultural exchanges have also become prominent forms of international interaction used by sub-national units. Quebec (dubbed the 'graduate school' of non-central diplomacy) and Belgium's Walloon and Flemish communities are among the foremost non-central practitioners of cultural promotion abroad.³⁸

From the available information it appears that South Africa's provinces are far more involved in global para-diplomacy than in the other two forms of non-central diplomacy. This certainly applies to official visits and formal agreements. No province has, however, opened a representative office abroad and none is considering the possibility; they take the view that the representative function rests with the central Department of Foreign Affairs. The provinces instead seem content with ad hoc official visits to promote their interests abroad. Some of the other forms of global para-diplomacy mentioned by Duchacek may also be undertaken by South Africa's provinces, but supporting information is extremely hard to come by. The picture presented here may therefore again be far from complete.

Starting once more with Northern Province, it can be recorded that Premier Ramathlodi has paid official visits to Taiwan, China (PRC), Malaysia, the Philippines, Austria, Germany, the Netherlands, Britain, Yugoslavia and Lesotho. The main purpose of these visits has been 'to create awareness and interest in our Province by potential investors and sources of technical, educational and social structure support as well as generally to promote our attractions and comparative advantages for business entrepreneurs and tourists'. It is then not surprising that most of Ramathlodi's foreign destinations have been in Europe and Asia. The same pattern is evident in the recorded foreign visits of provincial MECs and senior officials, although a number of African countries (not mentioned under transborder micro-diplomacy) feature on the list, namely Namibia, Zambia, Kenya and Ghana.³⁹

Northern Province has in turn not been a compelling destination for foreign dignitaries. Botswana's President Masire (see above) is the only foreign head of state or government to have visited the province. Apart from the Dutch Minister of Education (March 1998), Northern Province does not seem to have attracted even ministerial visitors from abroad. Several foreign diplomats based in South Africa have, however, travelled to Northern Province, often on courtesy calls or familiarisation visits.⁴⁰

For KwaZulu-Natal, the exchange of official visits has been a major form of global para-diplomacy. The Premier has visited Namibia, India, Germany, Britain and several Asian countries to promote trade and tourism. Official visits abroad at lower levels (MECs and officials) have covered most of the countries visited by the Premier, in addition to Mauritius, Zambia, Liberia, Uganda, Taiwan, the US, Canada, Portugal, the Netherlands, Denmark, India, China, Malaysia and South Korea. Among the foreign dignitaries to have visited the province are Indian Prime Minister IK Gujral, Queen Elizabeth II, the Prince of Wales, Prime Minister N Ramgoolam of Mauritius, Mr Qian Qichen, Deputy Premier of China, and Mr Tim Fisher, Deputy Prime Minister of Australia.⁴¹

A unique form of global para-diplomacy to which KwaZulu-Natal is aspiring, is inclusion in the Indian Ocean Rim initiative. The province is in discussion with the Department of Foreign Affairs on the inclusion of representatives from KwaZulu-Natal in the South African delegation to talks with other countries involved in the endeavour. The province sees potentially huge economic benefits for itself flowing from the Indian Ocean Rim initiative, given its location as a gateway to international trade (especially for shipment and trans-shipment).⁴² It is worth adding that KwaZulu-Natal is particularly keen to strengthen relations with India. As Premier Mdlalose explained in February 1996, there are historical ties between KwaZulu and India, the country of origin of the province's sizeable Indian population. When the provincial government went ahead to conclude trade pacts with India (and also China), Foreign Minister Alfred Nzo gave it a slap on the wrist for not having consulted his Department.⁴³

North West Premier Molefe is perhaps one of the most widely travelled provincial leaders. His many official destinations abroad include Canada, Cuba, China, Taiwan, India, Japan, the Philippines, Malaysia, Hong Kong, Singapore, Indonesia, Britain, Poland, Germany, Kenya and Swaziland. These and several other foreign countries — with Malta and Kazakhstan among the more exotic ports of call — have also been visited by lower-ranking representatives from North West. What is again striking, is the prominence of Asian and First World destinations, and the relative scarcity of visits to other African countries. With the exception of Queen Margrethe

of Denmark, who visited the province in May 1996, its list of visiting dignitaries from abroad is not particularly impressive. The Premier of the Canadian province of Manitoba and the Polish Minister of Physical Planning and Construction are notable exceptions to a guest list heavy with diplomats and minor politicians.⁴⁴

North West's only agreement that falls under global para-diplomacy is a memorandum of understanding with Cuba, dealing with collaboration in agriculture.⁴⁵

The foreign travels of Northern Cape Premier Dipico has taken him to, among other countries, Sweden, Britain, the US, Canada, China, Malaysia, Singapore and Ghana. Apart from visiting these same countries, lower-level delegations from the province have also been to Japan, the Philippines, South Korea, Hong Kong, Indonesia, India, Saudi Arabia, Kuwait, the United Arab Emirates, the Netherlands, Italy, Switzerland, Poland, Denmark, Germany, Finland, Australia, Trinidad, Zimbabwe, Zambia and Kenya. The recorded purposes of the visits range from fact-finding to the promotion of trade and investment. The list of states visited is by now familiar: Asian and developed countries feature prominently, with African states far less popular. Another form of global para-diplomacy conducted by the Northern Cape, is the conclusion of a technical co-operation agreement with the Swedish International Co-operation Development Agency (SIDA).⁴⁶

The Eastern Cape's two premiers have been rather modest in their foreign travels on official business. Former Premier Raymond Mhlaba had been to China, Germany, Canada and the US, while Stofile has visited Malaysia. Apart from the foreign dignitaries already mentioned under trans-regional micro-diplomacy, the Eastern Cape has also played host to New Zealand Prime Minister Jim Bolger, Premier Hsu Li-Teh from China and German President Roman Herzog. Lower-ranking representatives from the Eastern Cape have been highly mobile, concentrating their visits on the countries of Europe, North America and Asia. African destinations were again not particularly popular. The only other instance of global para-diplomacy worth mentioning, is the Eastern Cape's signing of a memorandum of understanding with Cuba on medical collaboration.⁴⁷

The Free State's two premiers seem to have been more home-bound than those of most other provinces. Former Premier Patrick Lekota is known to have visited Taiwan and China, but the province did not list any foreign visits by the present incumbent. MECs and officials have been far more active, beating the familiar trail to Western and Asian countries in particular. The stated purposes were typically functional in nature, reflecting the visitors' departmental responsibilities. One of the more esoteric foreign visits was that of the MEC for Sports, Arts, Culture, Science and Technology to

Australia to 'investigate the *modus operandi* of the Australia Grand Prix Corporation in obtaining a contract from FIA to stage a round of Grand Prix World Championship'.⁴⁸ The MEC presumably had a good deal to investigate as his province has never been known as a major South African venue for Formula One motor races.

The Free State's contacts with foreign countries has also taken the form of numerous arrangements for assistance to the province. These may not necessarily be as formal as the partnership agreements listed above, but nonetheless deal with substantive (and not merely symbolic) matters. The projects agreed to deal with community policing (Britain), rural development (Britain), agriculture (the Netherlands) and health (Japan, Belgium and the European Union), among other matters.⁴⁹

Mpumalanga's involvement in global para-diplomacy has focused on official visits abroad. Between 1996 and mid-1998, Phosa officially visited Austria, Belgium, Britain, Bulgaria, Germany, the Netherlands, Portugal, Canada, Egypt, Botswana, Namibia and Lesotho. MECs' itineraries have included most of these destinations, as well as Russia, Poland, China, Malaysia, South Korea and Singapore. As for agreements that fall under global para-diplomacy, reference can be made to a memorandum with Egypt on housing projects, an agreement with Australia on matters of arts, culture, sport and recreation, and a twinning agreement signed with Taiwan in January 1995.⁵⁰

Kriel, then Premier of the Western Cape, paid official visits to distant countries only: Switzerland, Germany, Austria, Abu Dhabi, Egypt and Tunisia. The combination of Western and Arab states makes for an interesting break with the conventional pattern of foreign visits by provincial leaders. Kriel in turn played host to an impressive array of foreign dignitaries, among them President Mario Soares of Portugal; British Prime Minister John Major; Dr Mahathir Mohamad, Prime Minister of Malaysia; Mr Oleg Soskovets, First Deputy Prime Minister of Russia, Prime Minister Gro Harlem Brundtland of Norway; the Queen of Denmark; and President Fernando Henrique Cardoso of Brazil.⁵¹ Their visits to Kriel probably had more to do with protocol than the Western Cape's economic or political importance; being in Cape Town, the seat of Parliament, the foreign dignitaries could be expected to make courtesy calls on the provincial Premier. Western Cape MECs have travelled abroad extensively. Destinations in Western Europe, North America and Asia are again prominent, but particularly noteworthy is the number of visits to Latin American countries (Brazil, Mexico, Chile and Argentina) and Jamaica.⁵²

The only agreements to mention under global para-diplomacy are those with Romania (dealing with sports co-operation) and Italy (concerning transport matters, but not yet finalised).⁵³

Gauteng, finally, rivals the Western Cape in the number of visiting dignitaries from abroad — probably largely a consequence of it housing South Africa's administrative capital of Pretoria. The visiting heads of state and government include President Ali Hassan Mwinyi of Tanzania; Queen Margrethe of Denmark; President Mary Robinson of Ireland; Namibian President Sam Nujoma; President Abdou Diouf of Senegal; President Omar Bongo of Gabon; Brazilian President Cardoso; King Gustav of Sweden; Prime Minister Goh Chok Tong of Singapore; Uganda's President Yoweri Museveni and Prime Minister Gujral of India. Former Premier Sexwale was in turn a frequent traveller abroad. In 1997 alone, he visited the US, France, Germany, Russia, India, Zimbabwe, Angola, Botswana and Uganda. The previous year Cuba was one of Sexwale's foreign destinations. Lower-ranking representatives from Gauteng have travelled widely, doing the usual round of First World and Asian countries, but not neglecting African and Latin American states.⁵⁴ Gauteng's agreements under global para-diplomacy are a memorandum of understanding with Malaysia on housing development and an agreement of some kind with Italy.⁵⁵

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Techniques of Co-ordination between Centre and Regions

Co-ordination of the foreign relations of territorial units and those of the centre is essential to try to achieve a reasonably coherent national policy towards the outside world, both as regards formulation and implementation. By using appropriate measures, countries can ensure that the various voices expressing regional and national interests are complementary; 'rather than cacophony the final result may be a complex symphony', to quote Duchacek's musical metaphor.¹

There are at least two instruments that could allow non-central government involvement in foreign policy formulation before final decisions are reached in negotiations between national governments or before international treaties (affecting the jurisdictions of sub-national units) are concluded.² These are techniques to facilitate what was referred to above as the indirect international relations of sub-national governments. The instruments build on the established 'internal diplomacy' between different levels of government in federal states; an international dimension is now added, making for what Hocking termed 'multilayered diplomacy'.³

In the first place, high-level channels of communication and consultation, such as a national legislature that provides for sub-national representation, can be used. The US Senate is a case in point. Another US example is the National Governors' Association. The inclusion of state/provincial representatives in various national delegations and negotiating teams abroad is a further instrument of high-level co-ordination.⁴ In the latter regard Hocking noted that in particular functional areas with a growing international dimension — such as education and environmental protection — non-central governments are 'key repositories of policy-making skills essential to the conduct of diplomacy'.⁵ Another consideration is that local bureaucracies can give central foreign policy managers access to local interests, while national governments can offer non-central governments entrée to the international system.⁶

Inter-administrative links, secondly, include liaison offices in ministries of external affairs to ensure a flow of information and influence from central to non-central governments and vice versa. Both the US and Canadian foreign ministries have such offices. Among other things, these structures provide a forum for consultation between centre and regions prior to international negotiations. Their departments of Commerce have likewise created means of consultation and co-ordination with sub-national

governments. 'In a country as diverse as Canada', Alberta's Minister of Inter-governmental Affairs explained, 'it is useful to have provinces with a strong advisory voice in external affairs on questions that particularly affect their economies and societies'.⁷

Another inter-administrative link is the assignment of diplomatic personnel to non-central governments and, conversely, the assignment of provincial/state officials to 'national' posts abroad. The former happens in at least the US; as for the latter, several Canadian provinces in 1987 accepted an offer of the Department of External Affairs to appoint their own provincial 'foreign-service officers' to Canadian embassies abroad.⁸

While the above forms could be depicted as vertical inter-administrative links, there could also be horizontal links between non-central governments only. Canadian provinces, for instance, have worked closely with each other to develop common positions on such matters as international trade. Standing or ad hoc structures could be used for achieving such co-ordination.⁹

Whatever the arrangements to harmonise the international activities of national and sub-national authorities, there is likely to be 'a mix between co-operation on the part of non-central governments [with national governments] in some issue-areas but duplication or competition in others'. This applies to democratic states generally and to democratic federations in particular.¹⁰

Turning to South Africa's provinces, there are no doubt wide disparities in their capacity to venture into the international arena. Geographic location, economic needs, financial resources and professional expertise are among the variables that are at work here. They may also hold divergent views on the need for a voice in central foreign policy. Yet all of them have created structures for the specific purpose of dealing with foreign relations. Since political responsibility for these relations rest with the premiers, the bureaucratic institutions dealing with international affairs are usually located within the offices of the provincial premiers. The directorates or sub-directorates are in most cases styled International Relations or Inter-governmental Relations or a combination of the two. Northern Province has not followed suit; it prefers to leave international relations to the Chief Directorate: Executive Support Services, with assistance on matters of protocol from the sub-directorate for Liaison and Protocol. The other exception is Mpumalanga, where administrative responsibility for international relations is shared between the Premier's Office and the Department of Central Services (which falls under the MEC for Finance and Central Services).

The Department of Foreign Affairs, for its part, has said it 'recognises the fact that provinces need to spread their wings into the international arena to investigate and gain international support for their desperate developmental needs'. The Department furthermore 'welcomes the participation by provinces in our foreign policy formulating process'.¹¹ As Foreign Minister Alfred Nzo put it, the execution of South Africa's foreign policy — although a central government function — 'cannot be determined and directed without the recognition of activities, needs and the potential of provincial administrations'.¹²

Foreign Affairs has, however, also had cause for concern over the provinces' international activities. Director-General Rusty Evans in April 1996 estimated that over 90 percent of all the visits of provincial delegations abroad were arranged without the prior knowledge of his Department.¹³ In like vein an internal departmental document conceded that most provinces had already, without the 'knowledge or input' of Foreign Affairs, established contact with a wide range of foreign governments and other institutions abroad.¹⁴

The Department of Foreign Affairs evidently wanted to bring some centrally directed order to the provinces' free-wheeling abroad. Provinces have been told quite bluntly that South African embassies have been embarrassed by the unannounced presence of provincial delegations in foreign countries. Such practices moreover 'create a perception of a lack of co-ordination and communication between the various South African actors and ultimately implies a severe lack of professionalism'. Provincial leaders have been warned by Foreign Affairs that such unco-ordinated external activities by the provinces also 'enables foreign officials and interest groups to impose their own agendas, which may not always mirror South African development priorities'. (How foreign agents might conduct these nefarious activities was not explained.)¹⁵ The Foreign Minister accordingly appealed to provincial premiers 'to see that their administrations conduct all the activities with the international community regardless of states, provinces and organisations, through and/or in consultation with the Department of Foreign Affairs'.¹⁶ His then Director-General was more forthright and even prescriptive, declaring that 'activities of provincial governments in the international arena cannot be accomplished without the knowledge, support and co-operation of the Department of Foreign Affairs and the relevant line function [central] departments'.¹⁷ By late 1997 Foreign Affairs still found it necessary to 'make an appeal to all Provinces ... to conduct all activities with the international community, regardless of states, provinces and organisations, through and/or in consultation with the Department of Foreign Affairs'.¹⁸

If the concern of Foreign Affairs was that provinces were undermining or at least competing with central government in the international arena, this of

course need not be the case; their activities can be complementary rather than competitive. After all, when provincial premiers travel abroad, they presumably do so as South Africans first and provincial representatives second. Their external activities should also be conducted in a context described as follows by a minister from the Canadian province of Alberta: 'As a province within the family of confederation, Alberta has never disputed the fact that the primary responsibility for the development of foreign policy for Canada rests with the federal government ... We should also recognise that each province in the Canadian partnership has legitimate concerns about aspects of foreign policy and international relations which may affect matters within its jurisdiction'.¹⁹

To assist in the task of co-ordination, the Department of Foreign Affairs in 1995 created a new Directorate: Provincial Liaison (DPRO) within the Chief Directorate Inter-governmental Relations and Public Affairs. It is designed to act as liaison between provincial governments and the various branches of the Department of Foreign Affairs 'in order to co-ordinate activities of mutual concern outside the borders of our country'.²⁰ The Directorate's specific objectives include the following:

- Co-ordinating relations within the Southern African region 'to ensure that provinces ... are included in international negotiations affecting them' (in accordance with Schedules Four and Five of the Constitution);
- Assisting provinces in maintaining international relations by, among other things, co-ordinating foreign visits by provincial representatives, facilitating provinces' membership of international bodies, encouraging foreigners to engage in tourism to and investment in the provinces, and ensuring a regular flow of information to the provinces on the status of South Africa's foreign relations;
- Facilitating provinces' international agreements; and
- Facilitating the training of provincial officials in international relations, and protocol and etiquette.²¹

Since the DPRO serves as a 'contact point' to co-ordinate the international activities of the provinces, the Department of Foreign Affairs has a 'contact person' in the office of each provincial Premier, Speaker (of the provincial legislature) or Director-General (head of the provincial civil service).²²

In accordance with the Constitution's provisions for co-operative governance between government institutions at all levels, a range of co-ordinating bodies have been established. Although not created specifically or primarily for co-ordination in the field of foreign relations, the Intergovernmental

Forum (IGF) and the Intergovernmental Technical Committee (TIC) may on occasion deal with such matters. The former is composed of ministers, deputy-ministers and directors-general of all national departments; all provincial premiers, MECs and directors-general; and representatives of the South African Local Government Association (SALGA). It meets every three months under the chairmanship of the deputy-president of the Republic. The TIC, composed of national and provincial directors-general, prepares the agendas for the IGF. A third mechanism is the Premiers' Forum. Although still formally in existence, the Premiers' Forum has apparently not been a resounding success and meets infrequently. According to one senior official, the two non-ANC premiers — then Kriel of the Western Cape and Mdlalose of KwaZulu-Natal — had not been particularly co-operative.²³

Additional co-ordinating mechanisms may yet be created. It is worth recalling that the Constitution (Section 41(2)) states that an Act of Parliament must establish structures to promote and facilitate intergovernmental relations. While such bodies would probably deal with intergovernmental relations generally, there may be room for a co-ordinating institution specifically devoted to foreign affairs. A proposal that merits consideration is that of De Villiers, who has advocated the creation of a Foreign Affairs and Treaty Commission composed of representatives of the central and provincial governments. It would co-ordinate national and provincial foreign policy initiatives; give provinces an opportunity to consider amendments to treaties that may impact on provincial powers and functions; and afford provinces an opportunity to inform and consult central government on their international activities that may have a bearing on national foreign policy.²⁴

Another means of co-ordination in foreign relations could be the inclusion of provincial representatives in national delegations and negotiating teams that handle matters of direct concern to the provinces. In this regard the Department of Foreign Affairs has already proposed that existing Bilateral Inter-governmental Committees between South Africa and Lesotho and South Africa and Swaziland be reconstituted to include neighbouring provincial governments. The Eastern Cape, Free State and KwaZulu-Natal would be included in the case of Lesotho, and KwaZulu-Natal and Mpumalanga in the case of Swaziland. The Department has furthermore mooted the establishment of similar bilateral committees between South Africa and each of Namibia, Botswana, Zimbabwe and Mozambique; neighbouring South African provinces would be included in the various committees.²⁵ A further possibility — drawing on foreign experience — is the assignment of diplomatic personnel from Foreign Affairs to the provinces and also the reverse process of assigning provincial officials to South African missions abroad (similar to the US Pearson Programme).²⁶ Departments other than Foreign Affairs, notably Trade and Industry, might follow the US and

Canadian example of creating formal means of consultation and co-ordination with provincial governments on matters of common interest. Finally, the provinces may (like their Canadian counterparts) among themselves want to develop common positions on international matters before dealing with the Department of Foreign Affairs. This could be done by the provincial premiers (via a revived Premiers' Forum, for example) or at the bureaucratic level using existing or perhaps new structures of co-ordination.

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Conclusion

Judged against the practical experiences of non-central governments in Western federations in particular, South Africa's provinces are in step with a well-established international trend by engaging in their own direct foreign relations. They have been influenced by the same local and foreign pressures — of a socio-economic and political nature — that have compelled sub-national governments elsewhere to enter the international arena as political actors in their own right.

The nature and extent of the nine provinces' international activities are nonetheless rather modest compared with those of, say, Canadian provinces or American states. For one thing, no South African province maintains or contemplates establishing permanent representation abroad. They seem far more content than their foreign counterparts to defer to the central government in matters of foreign relations.

There are several possible reasons for this limited engagement in foreign relations. One is obviously constitutional restrictions. Another is the provincial governments' inexperience in international affairs. Matters are made no easier by the administrative incompetence and downright chaos prevailing in many provinces. The latter feature may yet prove the undoing of provinces as relatively autonomous political units — and hence also of their international role. (Section 100 of the Constitution empowers the national executive to 'intervene' in a province and assume direct responsibility when that province cannot or does not fulfil an 'executive obligation'.)

The nine provinces' international activities fall mostly into Duchacek's category of global para-diplomacy. Their direct international relations are heavily concentrated on the developed countries of the northern hemisphere and those of Asia. These are clearly the countries from which the provinces hope to derive material benefits, not least in the area of governance assistance. Functional ties thus take preference over symbolic links. Had the latter been more important, one could have expected more formal exchanges and arrangements between the provinces and political entities elsewhere in Africa and in the developing world generally. Another feature, especially of partnership agreements, is their asymmetrical nature; the South African provinces typically derive far greater benefits than the foreign parties involved. The latter, incidentally, are not always political units of the same status as South Africa's provinces; they range from national governments to local authorities.

As regards indirect foreign relations, various official mechanisms have been created to give the provinces some voice in the making and implementation of South African foreign policy. Structures for co-ordination between centre and provinces are also in place. On both fronts South Africa is again in step with international trends, but there is probably room for improved co-ordination.

Many of the co-ordinating mechanisms mentioned earlier, are also designed to co-ordinate the international activities of South Africa's local (municipal) authorities. Scores of them have concluded twinning arrangements with cities and towns abroad. The present study deliberately excluded the international activities of the local authorities, but this is an area that merits separate, intensive investigation.

In dealing with the latter, researchers are bound to come up against the same obstacles that have complicated this essay. The lack of information, mentioned in the preface, means that this study cannot claim to have presented a complete picture of the provinces' foreign relations. A fully comprehensive analysis of provinces' international dealings has yet to be done. The present endeavour has been little more than a preliminary exploration of the terrain, setting down some tentative markers. In so doing, it will hopefully encourage further scholarly enquiries into a sorely neglected yet fascinating area of South Africa's foreign relations.

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