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FUNDERS

Southern African Citizenship and Identity

Francis Kornegay and Chris Landsberg, CPS

Focus *on Pan-African Citizenship and Identity in Southern Africa: Governance, the Free Movement of People and the role of civil society in the Southern African Development Community* ***(SADC)***

The Centre for Policy Studies hereby reintroduces its quarterly publication **Synopsis**. We now expand our focus from purely South African issues of governance to a broader examination of domestic and international policy themes informing the work of the Centre for Policy Studies (CPS). As such, **Synopsis** is set to emerge as the Centre's quarterly policy review, with a major emphasis on contemporary issues affecting South and southern Africa and the continent beyond. The **Synopsis** focus on governance, therefore, takes on a broader scope on the interface between democratization, governance and development, while retaining its ongoing interrogation of national and local issues pertaining to elections and governance. This edition of **Synopsis** forms part of the Centre for Policy Studies-Trust Africa project on Regional Citizenship and Identity, and we start with an apt preoccupation on 'regional citizenship and identity' in southern Africa as an emerging concern on the South and southern African governance agenda.

Citizenship and identity in southern Africa is emerging as an increasing concern of political and policy analysts in the sub-continent and beyond in the rest of Africa. With the ushering in of the African Union (AU) at the beginning of the millennium, regional integration increasingly occupied added importance as a focus of governance, especially regarding how the continent's citizens are affected by government policies that either promote or inhibit Africa's consolidation into larger supra-national economic and political communities. Such an emphasis inevitably directs attention toward the effectiveness of the continent's regional economic communities (RECs) and sub-regional economic communities (SEC's) as sub-regional governance pillars of the AU and the AU's economic recovery blueprint. The emergence of the Pan-African Parliament (PAP), situated in Midrand, South Africa, and the East African Community's decision to move toward closer union in the form of a federation, are indicative of the unfolding trends associated with the problems and prospects of governance beyond the sovereign boundaries of individual AU member states. In the case of this edition of **Synopsis**, these issues also confront the Southern African Development Community (SADC).

The policy commentaries that follow reflect a much more extensive research and work-shopping process generated by the Trust Africa-funded collaborative research project on regional citizenship and identity undertaken by CPS in conjunction with east African partners associated with the Uganda-based Kitua Cha Katiba (KCK). CODESRIA also formed part of the collaboration at the first initiating stages of the project. The first policy essay by **Francis Kornegay**, senior policy researcher at CPS, on 'pan-African citizenship' formation, surveys the historical forces that have shaped the SADC sub-

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region's ethnographic map, and how they overlap with the national sovereignties of individual SADC member states. This history and its post-colonial and post-apartheid reflection in divergent manifestations of regional citizenship and identity between state and civil society converge on issues of cross-border immigration and the question of 'free movement of people'. These issues highlight different regional citizenship and identity dynamics in South Africa – as an "Afro-Eurasian" formation – and Zimbabwe, while focusing concerns on the nature of governance at the state and regional level. How the forging of a greater sense of regional citizenship and identity is to proceed from current preoccupations among member states with issues of sovereignty and the role of civil society is suggestive of broad scenarios. They range from spatial development strategies such as 'trans-frontierism' to the revival of the anti-colonialist Pan-African Freedom Movement for East, Central and Southern Africa (PAFMECSA).

The first commentary paves the way for more focused examinations of regional citizenship and identity revolving around issues of cross-border migration and attempts at establishing a SADC Protocol of the Free Movement of People, and is taken up by **Vincent Williams** and **Khabele Matlosa**. Williams from the Southern Africa Migration Project (SAMP) reflects on how SADC has grappled with successive free movement protocol attempts. This is instructive of the challenges confronting the substance of regional integration in southern Africa wherein the quest for constructing an economic and trading regime facilitating the free flow of goods and capital would ideally be matched by a regime facilitating the free flow of people and their labour.

Yet, in spite of the substantial overlap in ethnic-national identities binding the countries of the SADC sub-region, sensitivities regarding the benefits and responsibilities of citizenship inevitably come into play. These shape people's perceptions and attitudes of immigrants from neighbouring countries – and further afield – coming into their countries; issues that have been comprehensively tracked over several years by the Southern African Migration Project (SAMP) with which Williams is associated and which has afforded him ample opportunities for observing SADC's strengths and weakness up close.

Matlosa of the Electoral Institute of Southern Africa (EISA) elaborates on the issue of migration in southern Africa by focusing in more detail on the bilateral relationship between South Africa and the Kingdom of Lesotho. His emphasis is on the potential for regional citizenship and identity to reflect a deepening of integration between SADC member states, especially the core members of the Southern African Customs Union (SACU) of which both South Africa and Lesotho are members (along with Botswana, Namibia and Swaziland). Matlosa explores three possible scenarios or options that South Africa and Lesotho might consider: an "Ostrich Scenario"; a bilateral common labour market and/or economic community; and negotiating formal political integration.

Kirty Ranchod, policy researcher at CPS, explores the Zimbabwean experience as a case-study in 'forced migration' as a source of immigration into neighbouring countries; Zimbabwe's forced migration stems from the protracted crisis in governance that has plagued Zimbabwe for several years. The negative impact of forced migration is a reflection of the spillover effects of political instability and economic upheaval, and may account for growing xenophobia in surrounding countries. The flow of highly educated and skilled Zimbabweans is also indicative of how one country's 'brain drain' can become another's 'brain gain.' Thus has South Africa benefited from Zimbabwe's exodus even as it attempts to crisis-manage the influx of Zimbabwean economic refugees into the country.

If Zimbabwe represents a set-back for regional citizenship and identity formation in southern Africa by the magnitude of an internal governance crisis that has resulted in an unending hemorrhaging of its citizens into neighbouring countries, South

Africa's political post-apartheid experience is critically examined by **Chris Landsberg** as an experiment in building a "progressive, non-racial pan-African citizenship and identity." Nevertheless, this is a project fraught with contradictions, and it is argued that South Africa's non-African socio-racial and ethnic minorities have not fully bought into the 'burden sharing' of building a common citizenship and identity. It is argued that the continuing deep divisions reflected by this lack of shared identity is indicative of how South Africa may need to subject itself to "aggressive social engineering," concluding by invoking a cultural chapter from black America in the O'Jays lyrics: "we're all in this together; we got to work it out…" One way of "working it out" may reside – indeed must reside – with South Africa's youth. This is the subject of another contribution by Kirty Ranchod co-authored with **Malachia Mathotho**, fellow CPS policy researcher, dealing with the question of youth and youth identity in South Africa. It considers the challenges that need to be addressed if South Africa is to go beyond the so-called "lost generation" youth problem, and to marshal responses, which would engender in the youth vibrant political activism and participation in post-1994 political life.

Ultimately, regional citizenship and identity in southern Africa has to manifest itself in the extent to which the sub-region's citizens engage themselves in the affairs of the sub-region of which SADC, as southern Africa's REC serves as the inter-governmental centerpiece. The concluding contribution by CPS Research Associate **Naefa Khan** explores what has been an ongoing debate concern the problems and prospects of civil society engagement of SADC and its decision-making processes. Her examination of this issue is a summary of a larger research undertaking that was supported by the Conflict and Governance Facility (CAGE), the finding of which were presented at a CPS-University of Botswana sponsored workshop in Gaborone in November 2005. The options presented for enhancing civil society-SADC engagement are directly relevant to an agenda for promoting regional citizenship and identity in southern Africa.

Pan-African Citizenship and Identity in Southern Africa:

HISTORICAL AND CONTEMPORARY DIMENSIONS

By Francis A. Kornegay (Senior Policy Researcher: CPS)

Citizenship and Identity are important attributes that peoples throughout the world utilise to give expression to their lives. The prospective expansion of equality of citizenship in the southern African sub-continent is debated against the backdrop of a citizenship that was once stratified on the basis of race and phenotype. The search for a trans-national understanding on equal citizenship rights and duties, benefits and obligations that reflects a pan-African identity which transcends national identities, continues. Let us consider three areas of foci aimed at informing a more exhaustive research and policy agenda.

First, there are concerns relating to the migration of people into South Africa, the sub-region's economic superpower. Second, Southern African Development Community's (SADC's) Free Movement of People Protocol, needs to be interrogated. Third, Zimbabwe has emerged as a major consideration colouring the regional citizenship debate: it has, in recent years, become a contributor to patterns of forced migration into neighbouring countries.

Southern Africa's historical and contemporary ethnography

The dynamics of South and southern Africa's historical and contemporary ethnography and demography have contributed to the pan-Africanisation of South Africa and the 'trans-nationalisation' of the sub-continent; trans-nationalism is the phenomenon of people retaining important social ties in their home country even as they reside in their new host country.

The contemporary ethnographic of 'core' southern Africa below the Zambezi (from Zimbabwe at the northern extremity to its southerly neighbours – the Southern African Customs Union ((SACU)) states of South Africa, Botswana, Lesotho, Namibia, Swaziland, and Mozambique to the east), is rooted in the Bantu migrations from west-central Africa and the Great Lakes.

Below the Zambezi, southern Africa's core historiography accents the upheavals that unfolded between the Thukela River and Delagoa Bay, giving rise to new Nguni and Sotho-speaking nationalities comprising the contemporary trans-national fabric of southern Africa. However, in spite of this historical background, contemporary political tensions in the sub-region have placed strains on this trans-national fabric, challenging the national cohesion of certain SADC member states. Some of the most salient political confrontations of the post-colonial, post-liberation, period have been played out in the immediate vicinity of the southern African 'periphery' beyond the Zambezi. Hence the campaign by former Zambian President, Frederick Chiluba, to discredit Zambia's founding President, Kenneth Kaunda, as not being a 'true' Zambian, but a Malawian. More recently, the stresses and strains of Zimbabwe's on-going governance crisis generated its own home-grown brand of xenophobia as seen in the government's 2005 crackdown on urban dwellers and informal settlements where key officials charged that many of Harare's residents were foreigners from Mozambique and Malawi.

The trans-national implications of national politics of citizenship and identity in the wider SADC sub-region are, therefore, directly relevant to exploring regional citizenship possibilities. Indeed, the ethnography of the greater SADC sub-region is intimately reflected in South Africa itself, and in aspects of South Africa's black trade union and political history. An example is the role played by the great Malawian, Clements Khadali, in the founding of the Industrial and Commercial Union (ICU) during the 1920s, a forerunner of the more contemporary black South African trade union mobilisation that contributed to the internal democratic movement as a complement to the armed struggle. This latter example also reflects the role that the colonial-settler system of labour migration in southern Africa played in forging an essentially trans-national ethnography in the core mining economies of South Africa and Zimbabwe.

The role of labour migration in regional identity formation

On top of the historically still relatively new nationalities that emerged from the 19th century upheavals in the consolidation of much small, independent clans, communities and kinship networks, the onset of the southern African labour reserve economy and 'migratory labour system', resulted in yet another scrambling of identities. This process, spanning the decades of colonialism and the post-colonial rise of independent nation-states, effectively trans-territorialised and trans-nationalised this black southern African ethno-linguistic and cultural pluralism. Along with this was the introduction of a racial element into the identity mix and with the momentum toward urbanization, tensions between 'tradition' and 'modernity' interacting with the organic emergence of urban-rural divides.

Much of southern African identity has been shaped by the migratory labour system and the urban-rural, modern-traditional sub-cultural domains that have emerged throughout the geo-political expanse of the sub-continent. Taken together, with the national identity formations of the 19th century, black southern Africa, irrespective of colonially derived political boundaries, effectively constitutes *one pluralistic sub-continental cultural nation – in search of a supranational pan-African state*. In short, post-colonial/post-apartheid southern Africa can still be considered to be very much in transition. The migratory labour system that has brought about much of this amalgamation of identities – accompanied by varying degrees of conflict and

accommodation between them – remains a major factor in the ongoing trans-natonalisation of South and southern Africa. Post-apartheid, however, the trans-nationalisation of the sub-region has been accompanied by an influx of Africans from throughout the continent that, in effect, has pan-Africanised South Africa in particular. South Africa's post-apartheid efforts to cope with growing immigration from the rest of the continent, and Zimbabwe's crisis-driven forced migration, must be understood against this backdrop.

Liberation and post-colonial identity formation

Southern Africa's contemporary regional identity has been heavily shaped by the liberation struggles against minority racial dominance. This generated a political culture of solidarity largely reflecting a state-centric agenda of mutual support among the region's leaders. To this day, this culture, emanating from the period of the Southern African Development Coordination Conference (SADCC) and the Front-Line States (FLS), has inhibited civil society's interaction with SADC in a process that would deepen regional integration. Beyond this, there is uneven economic development in the sub-region. Migratory flows from poorer to richer and/or more developed countries – principally South Africa, Botswana and Namibia – that may result from governing crises within SADC, has complicated issues of immigration and the free movement of people.

This situation is amply reflected in the chequered history of SADC's attempts to have ratified its Protocol on the Free Movement of People that would facilitate a freer movement of people to match the promotion of greater intra-SADC trade and the free flow of goods and capital. This recent history of free movement protocols has exposed a split on the free movement/ immigration issue: those countries where governments and citizens feel under pressure from the influx of people entering as a result of political and economic upheavals in their home countries, are resistant to facilitating such movements; governments in countries that are not facing such inflows, appear more tolerant. A major problem at the root of this division over free movement is the economic imbalances within SADC, reflected particularly in South Africa's economic giantism. The fear has been that if free movement were truly established without any sort of economic parity emerging between SADC members, there would be a mass movement away from the poorer countries and into the more developed nations of South Africa, Botswana and Namibia.

Post-liberation crises in governance: challenges to integration

Reinforcing apprehensions of free movement in southern Africa's more developed states are the spill-over effects of population movements caused by internal tensions and conflicts among neighbouring countries within SADC, of which Zimbabwe's problems stand out most prominently. Certainly, to the extent that governance crises in SADC member states have created conditions of economic decline, the fashioning of a politics of integration is retarded. This, in turn, has created a situation wherein regional citizenship and identity prospects are increasingly caught up in issues of democracy promotion and civil society's quest for a 'bottom-up' civil society-driven participatory trans-nationalism to offset, balance and complement state-driven regionalism within SADC. Though civil society has been at a major disadvantage vis-à-vis the state in southern Africa's regional integration dynamics, the outlines of a more participatory SADC as a basis for developing an expanded regional consciousness in citizenship and identity formation, does exist.

Within SADC's very state-centric framework there exists the recent but low visibility institutional complement dubbed SADC National Committees (SNCs). SNCs (Now, Nepad/SNCs) were conceived as mechanisms for building expanded national constituencies of stakeholders in each SADC member state. As currently conceived, SNCs would link national constituencies more closely to the workings of the SADC Secretariat in what is intended to provide the means for monitoring the work of SADC in implementing its programmes.

At the time of writing the SNCs had not achieved sufficient visibility to enable a determination on how effective they will be in attracting meaningful levels of civil society, including private

sector and other non-governmental institutional input into the workings of SADC. And though they are designed to bring civil society and government into partnership in advancing SADC's programme at national level, the scope for effective civil society leadership is not yet clear. With the Standing Committee of Officials forming part of the composition of the SNCs, governments would be expected to take the lead in setting national agendas and priorities on SADC.

Trans-frontierism and sub-continental political integration

There are, however, other possible 'bottom-up' routes to integration with regional citizenship and identity implications. In terms of nurturing an environment favourable to promoting the free movement of people, a trans-frontier approach to regional integration – trans-frontierism – is an option implicit in the trend toward Trans-Frontier Conservation Areas (TFCAs). These link SADC member states in cross-border conservation corridors. Such initiatives have been integral to Spatial Development Initiatives (SDIs) that have been promoted by South Africa's Department of Trade and Industry.

A much more overtly political strategy that could grow out of the trans-nationalisation of opposition to certain incumbent regimes would be a trans-national pro-democracy movement. This could take the form of something akin to a revival of the Pan-African Freedom Movement for East, Central and Southern Africa (PAFMECSA). Though an oppositional alliance might have little more than a remote possibility, the evolution of sub-regional parliamentary bodies within the framework of the AU and its Pan-African Parliament (PAP) points potentially in this direction. Advancing of regional citizenship and identity in southern Africa could gain momentum out of the type of intensified regional networking that could and should take place between parliamentarians and civil society. It could also be based on the elaboration of trans-frontier schemes that promote 'shared sovereignty' federalism between states while facilitating the free movement of people, as well as the emergence of a pan-African political movement in the service of a 'trans-national democratic revolution'. Another option is some combination of all of these. But the full decolonisation of the continent from its fragmented legacy is not likely to be overcome until this wider African consciousness begins to manifest itself along these or similar lines. As such, regional citizenship and identity in southern Africa evokes that old liberation refrain: A Luta Continua.

Regional Identity, Citizenship and the Free Movement of Persons in the Southern African Development Community (SADC)

by Vincent Williams (Project Manager: Southern Africa Migration Project)

The formation of SADC as a Regional Economic Community (REC) in 1992 was based primarily on the ideal of achieving economic, social and political co-operation and integration – and was deemed to be to the benefit of the region and all its people. This was accompanied by the recognition of the need for a greater degree of consistency between, and even the harmonisation of the domestic policies and legislation of member states, as well as the need for regional protocols and other mechanisms to govern the joint affairs of member states. SADC member states have formulated, ratified and signed a number of protocols related to tourism, education and trading, transport, security and so on.

The issue of migration, and more broadly, the free movement of persons, has repeatedly come into prominence. However, until recently (August 2005), not much progress had been made in the development and achievement of common objectives and outcomes in relation to migration. The free movement of persons continues to be balanced against the political and economic interests of individual member states. Despite the adoption of the SADC Protocol on the Facilitation of Movement of Persons, that calls for the harmonisation of immigration policies, legislation and practices, the policies, legislative instruments and mechanisms of individual member states that are designed to manage cross-border migration are inevitably couched in protectionist language and are based on three fundamental principles; namely:

- the sovereignty of the nation-state;
- the integrity of national boundaries; and,
- the right to determine who may enter its national territory and to impose any conditions and obligations upon such persons.

In terms of current institutional arrangements, cross-border migration inevitably creates a "dilemma of jurisdiction". This becomes a tug-of-war between the Ministry/Department of Home Affairs/Immigration and the Ministry/Department of Labour. In its extended form, it also involves Foreign Affairs, Social and Welfare Services and so on. The question is: who decides on the numbers of people who should be allowed into a country and the purpose and conditions under which they will be allowed? And once they've been granted access, what social and welfare services they are entitled to? How does the movement of citizens from one country to another impact on the relationship between the governments of the host and source countries?

The 'dilemma of jurisdiction' at national levels is compounded by the fact that there are no formal institutional arrangements at a multilateral regional level that pertain to the management and regulation of migration. If anything, such institutional arrangements are conspicuously absent.

Draft Protocol on the Facilitation of Movement of Persons

In July 2005, the Ministerial Committee of the SADC Organ on Politics, Defence and Security Co-operation met in South Africa where they considered and approved the Draft Protocol on the Facilitation of the Movement of Persons. The draft protocol was subsequently tabled at the SADC Summit that was held in August 2005 where it was approved and signed by six member states. In their official communiqués, both the Organ and the Summit refer to the protocol as a means to give effect to the SADC Treaty that calls for the promotion of sustainable economic growth and development and the elimination of the obstacles to the free movement of capital and labour, goods and services, and of people generally.

The protocol defines three types of "movement" by people as follows:

1. Visa-free entry

In terms of this, a citizen of a State Party may enter the territory of another State Party without the requirement of a visa. However, the person must enter through an official border post, possess valid travel documents and produce evidence of sufficient means of support for the duration of the visit. Furthermore, it is specified that this is limited to 90 days per year, though the visitor may apply for an extension of this period.

2. Residence

The second type of movement envisaged by the protocol is referred to as Residence and is defined as: *"…permission or authority, to live in the territory of a State Party in accordance with the legislative and administrative provisions of that State Party."*

3. Establishment

The third category of movement, known as Establishment is defined as: *"permission or authority granted by a State Party in terms of its national laws, to a citizen of another State Party, for…"*

- exercise of economic activity and profession either as an employee or a selfemployed person;
- establishing and managing a profession, trade, business or calling.

The adopted version of the Protocol, however, differs significantly from the previous versions submitted to the SADC Summit in a number of ways. The most significant deviation from earlier versions is the complete absence of any provisions relating to actual free movement as previously envisaged. The provisions relating to visa-free entry, residence and establishment are, with some modifications, very similar to previous drafts. However, it was also envisaged that there would be a fourth category of movement which related to the abolishment of border controls between SADC member states. In the adopted version of the protocol, there are no such provisions and effectively, the protocol simply formalises at a multitilateral regional level, what is already a reality between many of the SADC member states in terms of bilateral arrangements.

The second difference lies in the specification of the institutions responsible for the implementation of the protocol; namely, the Organ on Defence, Politics and Security. Whereas previously, it was envisaged that a Regional Standing Committee on Free Movement would be created, this draft of the protocol firmly establishes its ambit within the domain of the security establishment. This is a reflection that the movement of persons continues to be viewed as essentially a security threat.

In the Facilitation of Movement Protocol as well as in the SADC Treaty, emphasis is placed on the desire to create a unified and integrated community of states. The proposal to eliminate borders between SADC member states that were contained in the previous version of the protocol, was a fundamental step towards the realisation of a single community.

In search of a new citizenship

One of the ways in which the idea of a single community has been expressed has been the notion of SADC citizenship. However, this lofty ideal appears to be confined to those politicians and bureaucrats who, as a result of the nature of their positions, constantly and consistently interact at a regional level.

In 2001-2, the Southern African Migration Project (SAMP) conducted its National Immigration Policy Surveys (NIPS) in five SADC member states - Botswana, Mozambique, Namibia, Swaziland and Zimbabwe. The objectives of the survey were to assess citizen attitudes towards migration and migration policy and to compare these between various countries in the region.

It found that citizens consistently tended to overestimate and exaggerate the numbers of non-citizens in their countries; they tend to view the migration of people within the region as a "problem" rather than an opportunity and that they have a propensity to scapegoat non-citizens. The intensity of these feelings varies significantly from country to country with the harshest sentiments expressed by the citizens of South Africa, Namibia and, to a lesser extent, Botswana. The SAMP report states that the citizens of Swaziland, Mozambique and Zimbabwe are 'considerably more relaxed about the presence of non-citizens in their countries.'

The results of the SAMP survey also speak indirectly to the question of regional citizenship and identity as shown by the following quote from the report:

> One of the more interesting results is the apparent absence of any sense of solidarity with other countries in the SADC. Given the longevity of the SADC as a formal institution, this is a significant finding. The absence of any real sense of "regional consciousness" (of participation in a regional grouping whose interests are greater than the sum of its parts) has very direct implications for migration issues. Citizens of these SADC countries make very little distinction between migrants from other SADC countries and those from elsewhere in Africa and even Europe and North America. Where attitudes are negative, they are uniformly negative; where positive, uniformly positive. An urgent challenge confronting the SADC and migration-related initiatives is therefore to develop strategies to build a new regional consciousness amongst citizens and policy-makers.

The tentative and tortuous process by which the Protocol on the Facilitation of Movement came into being and was eventually adopted has been described as being the result of a 'lack of political will'. This apparent reluctance to promote free movement and to do away with border controls between SADC member states may be a reflection of the desires and sentiments of citizens, but on the other hand, also showcases the lack of political leadership on migration, but also in the promotion of a sense of regional identity and belonging.

The SADC region has gone a long way towards the establishment of an economic community and the achievement of a level of co-operation and integration. However, the substantive emphasis has been on economic co-operation and integration and, therefore, many of the instruments relate to developing the region as a regional economic bloc, with regional free trade being the cornerstone of these developments.

The signing of a protocol on the movement of persons nearly ten years after the first draft appeared is a significant achievement; it sends an important political signal that governments (or at least some of them) are beginning to recognise that regional economic co-operation and integration is not limited to the free movement of goods, services and capital, but must necessarily include the free movement of persons.

However, given the levels of hostility towards foreigners, the views of citizens suggest that they are in favour of highly restrictive migration policies. What is becoming apparent is that there is a substantial gap between the views and initiatives of the political elite on the one hand, and their citizens on the other. While many political leaders proudly proclaim and foster a sense of belonging and identity that transcends national boundaries, this is not the case with citizens for whom national borders remain paramount and the distinction between 'insiders' and 'outsiders' is often based on nationality and citizenship. This is based on the false assumption that there is a conflictual relationship between developing a regional identity while maintaining a national identity.

Conclusion

The original draft of the SADC Protocol on the Free Movement of Persons implicitly envisaged the dismantling of national boundaries and the inculcation of a sense of regional identity and belonging. But a 'chicken and egg' situation appears to be developing:

Will greater freedom of movement between SADC member states contribute to a greater sense of regional identity and belonging and gradually regional citizenship, or will it lead to heightened tensions and more widespread anti-foreigner sentiments? On the other hand, is a greater sense of regional identity and belonging, and reduced hostility towards foreigners a prerequisite for the free movement of persons in the SADC region?

In its survey on xenophobia in South Africa, SAMP attempted to establish whether negative attitudes towards foreigners were based on personal experiences and interaction. The results indicate that there is an inverse connection between levels of contact and interaction and the

extent of negativity and hostility towards foreigners. In other words, the less contact they have with foreigners, the more likely citizens are to have negative attitudes. This requires that attempts at achieving free movement in SADC must be driven with a high degree of political leadership that attempts to negate citizen opinion about the potential (negative) outcome of free movement.

Regional Citizenship and Identity in southern Africa:

RETHINKING LESOTHO-SOUTH AFRICA RELATIONS

Khabele Matlosa (Research Director: Electoral Institute of Southern Africa)

Background

Southern Africa boasts a rich historical tradition of regional integration with the first integration scheme established as early as 1910 in the form of the Southern African Customs Union (SACU) which today exists in a different form comprising Botswana, Lesotho, Namibia, Swaziland (BLSN states) and South Africa. In 1980, the Southern African Development Coordination Conference (SADCC) was established but later transformed when in 1992 the regional states formed the Southern African Development Community (SADC) through a treaty signed in Windhoek, Namibia. There is no gainsaying that today, regional economic integration among SACU member states is much deeper than the one underway at SADC. The strong articulation of the economies of the BLSN states to that of South Africa makes it relatively easier to foster deep integration on various fronts.

Then, how far have we progressed in terms of regional integration? More importantly, to what extent has regional integration promoted a regional citizenship and common identity?

Nature of the Problem

While a state-driven integration process is underway, cross-border human movements are underway too – formally and informally – in southern Africa, continuously challenging the colonially imposed national boundaries. But SADC member states have to accelerate the process of political integration, so that political integration precedes economic integration and not the other way round. Regional integration must proceed simultaneously at three planes: state-driven, market-driven, and people-driven processes. Until and unless SADC member states stop clinging tenaciously to narrow national sovereignty and start to pool their regional sovereignty, none of the intended integration processes is likely to be realised in full.

One major challenge is exactly how SADC member states develop policies to address various types of migration flows across their porous borders. Professor **John Oucho**[1] of the University of Botswana proposes a typology/classification of migration flows throughout the region as illustrated in the table below.

Table 1: Typology of international migration in southern Africa

Type of migration	Characteristics	Country of origin	Country of destination
Permanent Labour	Permanent residence status; Naturalisation;	Rest of Southern Africa	South Africa, Botswana, Namibia
	Amnesty beneficiaries; Unskilled/semi-skilled	Rest of Southern Africa	South Africa for mines and farms
	Skilled/professional	Rest of Southern Africa	South Africa, Botswana, Namibia
Refugees/Asylum Seekers	Clandestine (smuggled, undocumented)	Mozambique, Zimbabwe, Swaziland, Lesotho	South Africa
	Fleeing home country	Zimbabwe, Namibia, Swaziland Rest of Southern Africa	South Africa, Botswana South Africa, Namibia,
	Repatriated or returning nationals		Mozambique, Angola
Undocumented/ Clandestine/Irregular	Lacking documents authorising stay or residence Overstayers Amnesty defaulters Unsuccessful applicants for refugee or asylum status	Southern Africa	South Africa, Botswana
Itinerant traders and business persons	Women traders; Smugglers of goods	All countries	All countries

Source: Oucho, 2006:50.

Policy Dilemmas

The SADCC tended to focus more on reduction of member states' economic dependence on the then apartheid South Africa, rather than driving a regional integration agenda. So, it was not expected to facilitate much socio-cultural and politico-economic integration. That in part explains why issues of international migration and human movements were handled outside the SADCC framework. However, with the transformation of SADCC into SADC in 1992, regional integration has been put firmly on the agenda. The 1992 Declaration and Treaty establishing SADC clearly mandates it to take SADCC's economic coordination agenda to that of deep economic integration and regional community. To this end, SADC member states have committed themselves to driving regional economic integration by adopting:

- deeper economic cooperation and integration, on the basis of balance, equity and mutual benefit, cross-border investment and trade, and freer movement of factors of production, goods and services across national borders;
- common economic, political, and social values and systems including enhancing enterprise and competitiveness, democracy and good governance, respect for the rule of law and the guarantee of human rights, popular participation and alleviation of poverty; and
- strengthened regional solidarity, peace and security, in order for the people of the region to live and work together in peace and harmony.[2]

The SADC Treaty states boldly that *"regional integration will continue to be a pipe dream unless the peoples of the region determine its content, form and direction, and are, themselves, its active agents. Measures will, therefore, be taken and appropriate mechanisms and institutional*

framework put in place to involve the people of the region in the process of regional integration."[3] However, as the old aphorism goes: easier said than done.

Since 1992, SADC has signed about 23 protocols, most focussing on removal of obstacles to free movement of capital, goods and services across borders. Agreeing on a common regional framework to deal with cross-border human movements and migration has, however, proved challenging. Efforts began in earnest in July 1993 yet such a framework was only agreed upon in August 2005 – more than a decade later.

In its recent annual Summit of Heads of State and Government held in Gaborone, Botswana, on 17 and 18 August 2005, SADC adopted the Protocol on the Facilitation of Movement of Persons in SADC. SADC member states have taken a political vow to drive a state-centric regional integration project with a people-centred integration agenda. How far they will succeed remains a moot point.

Lesotho-South Africa Relations: Prospects for Deep Integration

Given the high degree of economic integration among SADC countries, it would be relatively easy for countries such as South Africa and Lesotho to establish a common, integrated labour market and allow free movement of labour across borders. Bilateral agreements and lessons learnt could then form a firm foundation for a region-wide multilateral approach towards integrated labour markets and the free movement of labour.

With respect to the brain drain, it is the responsibility of the states to put in place sound employment policies with satisfactory incentive packages to assist with the retention of skilled human resources and rare expertise. The socio-economic environment must be made conducive for the appropriate deployment and retention of existing professional manpower as well as attracting skilled personnel that left for employment in other countries. Labour supply and recipient states must also work out bilateral agreements aimed at better regulating brain drain to ensure mutual benefit and interdependence.

Lesotho lacks a solid domestic economic foundation to mount a sustainable development trajectory and reduce its dependence upon South Africa and foreign aid. Lesotho has also been bedevilled by intractable political instability, which, thanks to electoral reforms, has subsided since the 2002 general elections. These factors tend to trigger political instability. It also compels us to think about possible scenarios for Lesotho's new regional identity, one that should be defined within the confines of such multilateral arrangements as SADC and SACU, as well as bilateral frameworks such as the 2001 Joint Bilateral Commission on Co-operation. Given Lesotho's geo-political location, bilateral relations with South Africa tend to hold higher premium than multilateral relations. The simple question is this: how should Lesotho relate to the region's superpower, South Africa? It is confronted with three possible strategic choices.

The first involves maintaining the status quo of the economic relations between the two countries. South Africa remains the core and Lesotho is at the periphery in terms of the poles of capital accumulation. Thus, Lesotho remains a labour reserve constantly supplying South Africa with extra-cheap labour for its mines, farms and industries. This is the "Ostrich Scenario" whereby the political leadership in both countries bury their heads in the sand even though it is abundantly evident that the old economic dependence model will not yield economic prosperity for the landlocked country. The second involves Lesotho clinging to its national sovereignty – more political than economic – and negotiating a bilateral common labour market and possibly an

economic community with South Africa. A positive development in the direction of a bilateral agreement between Lesotho and South Africa was evident a few years ago when the two countries established the Joint Bilateral Commission of Cooperation on the 19th April 2001. The overall goal of bilateral co-operation is to guide the strategic socioeconomic partnership between the two countries, and *"facilitate movement of people goods and services between (the) two countries taking into consideration the unique geographic position of Lesotho."*[4] In order to make the agreement operational, four clusters / working groups have been established as follows:

- Economic cluster
- Good Governance cluster
- Security and Stability cluster
- Social cluster.

Labour migration and employment issues fall within the purview of the social cluster. Progress thus far includes the agreement by both states to revise the 1973 labour agreement and a bilateral Agreement on the Facilitation of Free Movement of People across the Common Border. This has also facilitated the relaxation of stringent and bureaucratic border control procedures and has led to the extension of study permits for a period of 3 years from the one-year permits previously allowed. We term this scenario the *"Bountiful Harvest"* in which Lesotho could gain socio-economically through integration into a much more industrialised economy and South Africa also gains both economically and political through Lesotho's assured stability – something that is likely to be augmented by incremental economic prosperity.

A recent study by Daniel Pienaar and Jeff Zingel of the Human Sciences Research Council (HSRC), appropriately entitled *"Towards Appropriate Social and Economic Integration and the Development of Suitable Linkages between Free State and Lesotho",* was meant to establish economic linkages between Lesotho and the Free State Province. With regard to cross-border movement the study concluded as follows:

> *The first alternative is for a partial easing and streamlining of border controls, short of the complete free movement of persons across the border. Separate lines for South African citizens and permanent residents, for Lesotho citizens and third state citizens, pedestrians and light and heavy goods and services vehicles would not only make sense but seem necessary if controls are to be retained…. The radical alternative is removing the DHA's (Department of Home Affairs) operations completely from the Free State border post. The benefits seem to far outweigh the risks and disadvantages and are an admission that the busy border posts cannot be efficiently controlled except by the allocation of resources that achieves no benefit in revenue, crime control, labour market protection (and regulation) or local and national security. It would save budgetary resources and is the only means of removing corruption among DHA officials…. It would not create any economic or security risk that could not be better addressed by other agencies, especially the South African Police Service (SAPS) and the South African Revenue Services (SARS). The government of Lesotho would have no objection, and it would improve the life of all inhabitants in the Mohokare valley.*[5]

The final and more controversial choice involves Lesotho's political leadership and their South African counterparts negotiating prospects and strategies for the formal political integration of Lesotho with South Africa. Lesotho and South Africa need each other much more than the political leadership in both countries dare to accept and acknowledge. The fact that the two are separate geographic entities is merely a strange quirk of fate resulting from colonisation and apartheid. It is imperative that post-colonial and post-apartheid conditions compel both countries to rediscover each other and redefine new relations in the face of accelerated globalisation. It is against this backdrop that in 1995 various United Nations agencies undertook a study that strongly argued that Lesotho should negotiate a better relationship with South Africa if it is to survive current global and regional changes. The study highlighted the urgency of such a negotiation as follows:

"It is vital that Lesotho acts quickly in order to avoid becoming marginalized. Unless Lesotho, at the very least, negotiates favourable access to the South African labour market, the mountain kingdom will end up suffering the same kind of economic stagnation as the homeland areas suffered under the old apartheid regime."[6]

Whether the political integration between the two countries is federation or political union is a matter for negotiation. However, the negotiation should allow critical input from ordinary peoples so that it is not just elite-driven. We term this the "UBUNTU" scenario in which the socio-cultural oneness of Lesotho and South Africa is deliberately reinforced through both economic union (deep economic integration) and political unity (deep political integration).

Notes:

1.) Oucho, J. 'Cross-border migration and regional initiatives in managing migration in southern Africa', in Kok, P, Gelderblom, D., Oucho, J and van Zyl, J. (eds). Migration in South and Southern Africa: Dynamics and Determinants, p.50.
2.) SADC. Declaration and Treaty of the Southern African Development Community Gaborone, Botswana (mimeo), 1992: 5.
3.) SADC 8.
4.) Government of Lesotho, "The Joint Bilateral Commission of Cooperation Between Lesotho and South Africa", Maseru, 2001:3
5.) Pinaar D, Zingel J. 'Towards appropriate social and economic integration and the development of suitable linkages between Free State and Lesotho.' Bloemfontein, South Africa: Human Sciences Research Council (HSRC), (mimeo), 2004: 5
6.) UNDP, WHO, UNICEF and FAO. 'The Impact of Changes in South Africa on the Development Prospects of Lesotho.' Maseru, July (mimeo), 1995: iv.

Citizenship and identity, brain drain and forced migration:

THE CASE OF ZIMBABWE

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Introduction

The crisis in Zimbabwe has unleashed both a citizenship and identity and a brain drain crisis. A number of factors help explain this, including notions of citizenship and identity, democracy, economic development and migration. These issues are interlinked and will provide the lens through which citizenship and identity will be analysed.

Democratic governance crisis and economic meltdown

Citizenship is a regime of rights, privileges and duties. In Zimbabwe these are not being met by the state: freedom of speech is curtailed and those who speak out against the government are described as enemies. Association with opposition parties often leads to persecution and unlawful arrest. Zimbabwe's Citizenship Amendment Act of 2001 closed the loopholes for retaining dual citizenship, a move that particularly affected whites of British descent.[1]

Mistreatment of farm workers (who are regarded with mistrust by both the government and other citizens, chiefly because of the history of labour migration) is being justified through the use of certain labels such as: opposition (Movement for Democratic Change ((MDC)) supporter), betrayal (sell-outs) or foreigners (outsiders). The Citizenship Amendment Act also denies citizenship to an estimated two million second- and third-generation Zimbabweans. As a result, the legal citizenship of many Zimbabweans has become murky and this has important implications for their civic and legal rights.

Instead of promoting a national identity through the acceptance of all Zimbabweans, the ruling ZANU-PF has created a narrow definition of what constitutes a Zimbabwean citizen, based on ethnic lines. This deviates entirely from the creation of a common regional citizenship and identity, as all citizens are unable to express their identities or experience the benefits of their citizenship within Zimbabwe.

The lesson for Zimbabwe is that in a democracy there are many mechanisms designed to ensure liberty. One such mechanism is a pluralist civil society with a wide range of religious, economic and cultural groups. However, civic organisations have been intimidated and their leaders persecuted for their outspoken views on the government. Restrictive laws such as the Public Order and Security Act and the Right to Information and Privacy Act have been used to hinder the progress of civic organisations.

Zimbabwe has experienced a general decline in all productive sectors of the economy: foreign exchange shortages, exceptionally high levels of inflation, increasing unemployment and poverty levels and a general lack of business confidence. This, coupled with the violence and intimidation experienced by many people, is what prompted the mass population exodus from the country. The flight of skilled workers in particular has effectively served to deepen the crisis as economic revival cannot be effected without them.

Brain drain

A 1998 International Labour Organisation study estimated that 60 000 migrants were working in South Africa in professional positions. According to the South African High Commission in Harare, about 75 000 Zimbabweans are believed to be living in South Africa illegally after the expiry of their temporary residence permits (1997), while an unknown additional number have entered without legal documentation. The Zimbabwean High Commission in South Africa estimated the number as far greater (400 000, including legal and illegal migrants).[2] The South African government has responded by trying to impose stricter controls for entry into the country, especially for unskilled workers.

The Southern African Migration Project (SAMP) conducted three surveys between 1997 and 2001 in order to provide an insight into the attitudes of ordinary Zimbabweans on issues surrounding migration. A large majority considered being Zimbabwean an important part of their personal identity, with only 6 % feeling that nationality was unimportant in the way they viewed themselves.[3]

This implies that even though the imperatives of obtaining employment and conducting business made it necessary for them to seek opportunities in other countries, most Zimbabweans retain their sense of national identity. The proposed SADC Protocol on the Free Movement of People would, therefore, encourage increased movement of skills and goods but not necessarily permanent settlement in foreign countries, as most Zimbabweans value their nationality and would probably return eventually.

Migration

Migration is the consequence of economic and socio-economic conditions existing in a society.   The United Nations' Department of Economic and Social Affairs has identified three categories of international migrants: the privileged, the victims, and the "average" international migrants.[4] Privileged migrants are often wealthy and educated and could positively influence the perception of migrants. "Average" migrants do not have the benefits of the privileged migrant and are often in the lowest socio-occupational group, at the bottom of the wage scale, and subject to the worst working conditions in their host countries.[5]

The third category of migrants are known as victims or refugees and include individuals who emigrate from their country in order to escape poverty, environmental disaster, persecution or political chaos, and are most at risk of having their human rights violated.

If we accept the estimate by some that some two million Zimbabweans have come into this country illegally, then this is a measure of how successfully this unofficial regional citizenship is beginning to assert itself, at least as far as Zimbabwe and South Africa are concerned. Once they have illegally obtained identity documents they are able to apply for child care grants, RDP housing, healthcare, etc. the same as any South African citizen.

It is difficult for countries like South Africa to open up borders and ratify the protocol on the free movement of people because of the uneven nature of economies in the region. If all governments in the region were at least pursuing the same democratic principles there would automatically have been greater confidence in their economies, conditions would improve and the protocol would be equally opportune for all countries.

It is difficult to provide an answer to the question of how host countries should treat migrants. The answer may lie in the question of whether immigrants are of benefit to the economy. If they are and have become assimilated into the host country's lifestyle then they should be entitled to rights and privileges similar to the host's citizens.

In the case of unskilled workers, the reasons for their leaving their home country should be fully explored. Zimbabweans who have migrated are the result of economic meltdown in the country and as a result, South Africa refuses to grant these persons asylum. Of the 8 305 Zimbabweans who have sought political asylum in South Africa since 1994, only 54 have been granted refugee status, according to the Department of Home Affairs, which maintains that the migrants are drawn to South Africa for jobs.[6]

Conclusions

It is important that countries in the region jointly develop methods for managing migration and assist each other in finding humane ways to deal with the situation. Civil society should be engaged on these issues as it may bring new perspectives to old ideas and help to make the efforts more people-centred.

A regional citizenship and identity is not only about moralistic issues over rights; it is also about building common interests that are mutually beneficial and inclusive. It is an attempt at creating regional interests, functioning economies and common markets for sustainable development. It is important, therefore, that states in southern Africa embark on greater regional co-operation aimed at deepening regional integration. This requires that there should be predictability in governance and regime building on the basis of democratic tenets. If this can be achieved, then issues central to good and democratic governance, such as accountability, justice and human rights become easier to enforce.

States need to examine more closely the concept of citizenship – particularly their obligations with regard to citizens outside their own countries but from the same region. They will certainly, however, have to start transcending the narrow notions of the nation-state. The region needs to place increased emphasis on the cooperation and ultimately on integration. The ultimate common expression of regional integration is common citizenship and identity. It is crucial then that democratic principles and norms, such as freedom of expression and freedom of association, are adhered to in every country.

The problem of the loss of skilled people from countries like Zimbabwe and Mozambique to South Africa is effectively widening the gap between the rich and poor countries. Border control will have to more effectively managed to prevent migrants from the North taking advantage of the free movement of people in the SADC region. The disadvantage is that if states like Zimbabwe continue to behave contrary to democracy and human rights then a common citizenship regime will not work. It will only encourage a flood of economic migrants to neighbouring countries.

Notes:

1.) Chinaka Chris. 'Zimbabwe tightens ban on Dual Citizenship.' 18 February 2001. Accessed on 30 June 2005 at
www.globalpolicy.org/nations/citizen/zimbabwe.htm

2.) Tevera DS, Crush J. 'The New Brain Drain from Zimbabwe.' Southern African Migration Project. Migration Policy Series no.29, 2003: 20.

3.) Tevera DS, Zinyama L 50.

4.) 'SA is revolving door to desperate Zimbabweans.' 24 March 2005. Accessed 30 June 2005.
www.mg.co.za/articlePage.aspx?articleid=200245&area=breaking_news/breaking.htm

5.) Ibid.

6.) McDonald DA, Crush J. Destinations unknown: Perspectives on the Brain Drain in Southern Africa.Africa Institute of South Africa. African Century Publications Series no.5, 2002: 1.

South Africa's emerging Progressive, Non-racial, Pan-African Citizenship and Identity

By Chris Landsberg (Director: Centre for Policy Studies)

In 1999, just before he became "Head of State", President Thabo Mbeki stated:

> "The defining parameter in our continuing struggle for national unity and reconciliation is the question of race. For many years to come, we will be able to measure the distance we have travelled towards the accomplishments of these objectives by the degree we have succeeded to close the great racial divides which continue to separate our communities".

One dozen years into the post-political apartheid order, it is apparent what kind of society South Africans wish to construct: a progressive, democratic and developmental state – a state anchored on the ethos of progressivism, one which is both a principled and pragmatic.

Over the cause of the past twelve years, progressive South Africa has been promoting public and social policies in search of social change to tackle the destructiveness of centuries of white minority rule, decades of apartheid and aggressive destabilisation of neighbouring states.

The first two post-apartheid democratic governments have pursued a social and political progressivism that is fundamentally opposed to racism and is pro-gender empowerment. With this commitment to building a non-racial, non-sexist, democratic society, the government set out to develop a common and shared identity and culture. In this regard, President Mbeki recently made a real progressive pronouncement, when he stated[1]:

> "Finding a way to deal with the deep divisions that still exist in our society remains a real challenge. Generally, we know very little about other cultures. We simply have to find ways to overcome this. If we fail, we will always be a multiracial but divided society. If we succeed, we will prosper as a non-racial, integrated society".

One of the problems, however, is that this has not been a shared commitment; the burden of building a non-racial democracy has fallen disproportionately on the ANC and government's shoulders; few other major political parties, representing in the main different stratas of minorities, has shared this burden.

The challenge of building a non-racial society should not be left to the president and government. Powerful minorities have a pivotal role to play in building unity and a shared citizenship and identity for a country once torn asunder by white arrogance and supremacist ideologies. Those who benefited so richly from the past has major responsibilities to help re-build the society, and to assist in building a common citizenship and identity.

synopsis

A progressive Constitution as foundation for a common citizenship and identity

The post-settlement Constitution, and South Africa's legal and policy frameworks have laid a sound foundation for the construction of a progressive citizenship and identity. South Africa's progressive constitution confers freedoms, rights and entitlements to all South Africans - victims and oppressors alike - of the brutal apartheid era. So yesteryear's white racist rulers and their victims - villains and sufferers - all enjoy progressive rights today.

While apartheid and institutionalised racism defined citizenship and entitlements to rights on the basis of race, today the law recognises everyone as equal. While apartheid privileged and recognised European languages, today the democratic order recognises all languages, including these languages used by the former oppressor, albeit that these colonial languages continue to enjoy hegemonic privilege and dominance twelve years after political apartheid.

The 1996 Constitution contains a progressive Bill of Rights, which holds that no South African may be deprived of citizenship. It calls for a common South African citizenship in which all citizens are equally entitled to the rights, privileges, benefits duties and responsibilities of citizenship. Thus, the Bill of Rights lays a strong emphasis for building an assertive, non-racial Pan-African identity in South Africa.

The progressive constitution embodies the socio-economic and political rights, which go beyond crude liberal individualism, and advance a sophisticated, nuanced understanding of rights. It advances, first of all, for the "progressive realisation" of human rights; both "first generation" civil and political rights, and second generation, social and economic rights.

The South African Citizenship Act grants South African citizenship to anyone who is born in South Africa, is a descendent of South African parents or who is naturalised as a South African citizen.

But, important as the new legal and political order is, it is not a sufficient basis for constructing a progressive citizenship and identity.

Impediments to a common and shared citizenship and identity

Socially we remain in many respects an un-deconstructed and largely un-reconstructed society. Mahmood Mamdani reminds us that *"…the apartheid project enforced bipolar identities of Whites as racial and Blacks as ethnic beings, welding together its beneficiaries – whether Afrikaners, English, German, Greek – into a single identity called 'white', while fragmenting its victims into so many ethnic minorities"*.[2] This racial-social engineering came about not only as a *"political project"* but as an *"intellectual project"*.[3] We are thus far from building a shared and common identity in this country. Justice Malala, former Editor of This Day, is correct in suggesting that *"the problem of the colour-line is set to stay with us for a very long time indeed"*.[4]

Twelve years into our post-apartheid order, although we are all juristically equal it is the majority population, which is both poor and black, who cannot exercise their citizenship rights and identify with a common regional or even Pan-African identity. President Mbeki came under severe pressure for his correct characterisation of South Africa as *"a country of two nations"*. Yet that is exactly what we continue to be: *"a country of two nations"* – one largely wealthy, and predominantly white, and the other largely poor and predominantly black. The president also aptly depicted us as a *"society of two economies" – the first a globalised, white-dominated economy,*

and the other, largely poor and".[5] It has often been said that, "…if white South Africa were a country on its own, its per capita income would be the 24th in the world, next to Spain; but if Black South Africa were a separate country, its per capita income would rank 123rd globally, just above the Democratic Republic of Congo".[6] Added to this is the reality that the legacies of "group areas" and white supremacy still persist. Whites continue to dominate the economy, academia, sports, and many other aspects of South African life. In many quarters, the charge is made that the "poor white question" is rearing its head again; fact is that the poor Black, and poor "Coloured" and poor "Indian" question has never disappeared. More to the point, poverty in our society still run along race lines: more than 62% of the Black population live in poverty, compared to 34% for "Coloureds", 6% of "Indians", and less than 2% of Whites.

So, we should continue to debate the challenge of two economies; but we should not shy away from debating what is increasingly becoming unpopular in some quarters: the "two nations" and "two economies" questions, both of which are stratified along race.

Some have moved to interpret South African citizenship to mean a continuation of privileging those which apartheid has already advantaged. Many privileged minorities in our society have become legendary at claiming their rights under the new dispensation, while ignoring their duties and responsibilities. Many turn a blind eye to the reality that, while formally the citizenship and citizenship rights of all South Africans are recognised, the powerful, well-resourced and affluent in society are the ones who are claiming their rights, while the poor and indigent remain largely unorganised and less active in this claim-making. As the old aphorism goes: we are all equal, but some are more equal than others. The case of language rights and status in society is a case in point. It is the poor in our society who lack both the resources and the power to access their rights and privileges. The harsh reality is that English and Afrikaans continue to be the hegemonic languages in South Africa, albeit that the legal status of other indigenous languages has been guaranteed.

Added to this reality is another disturbing trend: many powerful racial, ethnic, economic and cultural groups are claiming to be the neo-marginalised and excluded. The state should, of course, take heed of such perceptions and address them, especially where there are valid reasons for such views. But reality is that it continues to be the majority black, poor populace who are the truly excluded in South Africa, rather than these powerful economic, social and political minorities.

Government and state institutions are accused by such complainers of "tyranny of the majority". Reality though, suggests that powerful racial, economic and other minorities do not engage in helping to overcome divisions of the past, nor do they engage in helping to build a non-racial, inclusive democracy. Instead of helping to reach out to the poor and indigent, many minorities tend to claim "their" rights and privileges, often in crude and sectarian fashion. Scarcely more than a decade into our new order, affirmative action, devised to address historical injustices, is under severe attack, and many whites and other minorities continue to complain about "reverse discrimination". Thus far, however, the privileged position of many of these groups has not change much. Many have been catered for, but they want more. And many remain mum about their responsibilities, especially vis-à-vis the majority, poor, black population. In short, 12 years after political apartheid, the black majority, non-racial, democratic government is under pressure to appease the "villains of yesteryear", as opposed to focussing on the plight of the majority black population. The least government should do is to continue with the Employment Equity Act 1998 (Act no. 5 of 1998), which makes provision for targets to be set for categories of people who have been previously disadvantages namely women, in particular African women, blacks, specifically Africans and the disabled. It should also persist with avenues such as the Broad Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003), a key determinants of transformation in the economic sphere. Over the past number of years there has been a proliferation of Black Economic Empowerment Charters emerging.

Afro-progressivism and a non-racial, Pan-African identity

In his Presidential Inaugural speech on 16 June 1999, president Mbeki declared:

"No longer capable of being falsely defined as a European outpost in Africa, we are an African nation in the complex process simultaneously of formation and renewal".

The president was sending an unequivocal, progressive message that South Africa aspires to a non-racial, Pan-African identity. But there are many contradictions hampering this project. While political Apartheid has been dismantled for Black South Africans, political apartheid has been erected for many non-South African blacks, especially those dark pigmented Africans from North of the Limpopo and the Diaspora. The ugly challenge of xenophobia is a case in point.

South Africa's embrace of a progressive cosmopolitanism is contradicted by xenophobia and other forms of exclusion being meted out to Blacks from outside South Africa. Many such Africans are viewed as "aliens", "makwera-kwera", gangsters and drug peddlers. South Africa has to be careful that its efforts to play a leading Pan-African and "African renaissance" role are not undermined by a lack of Pan-Africanism at home.

In reality the Republic is increasingly host to a truly Pan-African and global constituency of legal and undocumented migrants. This can and should be turned into an Afro-progressive asset; the Republic should use this influx of immigrants to help construct a new-non-racial, Pan-African identity. It should use this "brain gain" to aggressively help build a new integrated society. And the reality of the presence of these immigrants, whether documented or not, should be acknowledged and taken into the equation in the construction of a Pan-Africanist identity. This will mean positively integrating these people into the South African community rather than excluding them on the basis of their "foreignness". This may mean concerted efforts by both government and civil society to positively re-enforce the presence of these "foreigners" by pointing out the benefits to both South Africa and the Pan-African project as a whole rather than continually dwelling on the negative aspects. So the South African government should be more bullish about its efforts to promote a shared and common non-racial, Pan-African identity and citizenship. It has a mandate use its power of public and social policy-making to aggressively push this project. We should, however, remain sober to the problems around "undocumented" immigrants, especially, the feelings they arouse in locals who see them as a threat to their livelihoods. If we do not begin to counter these sentiments, they are likely to fester and jeopardise the project to promote and solidify a Pan-Africanist identity.

It should aggressively popularise the national anthem, all languages, the South African flag; these national symbols are important and powerful tools for identity building. Speeches, such as those by former President Mandela on race, culture and identity, especially seminal speeches like President Mbeki's 1996 "I am an African", which he delivered when he addressed the National Assembly at the adoption of the Constitution in 1996, must be played on radio and television on a consistent basis. As head of state, not head of the ANC, President Mbeki must be afforded regular time and space in the print and electronic media, especially radio and television, to promote common national issues such as non-racialism, Pan-Africanism, and non-racial Pan-Africanism.

But the South African government cannot build a common and shared citizenship and identity on its own. Other political parties, organs of civil society, the media, and the private sector, should join in this effort; they have a duty to do so. There is indeed need for bolder approaches to bring about non-racial, Pan-African identity in South Africa.

Concluding remarks

Building an assertive non-racial Pan-African identity is an imperative for South Africa. Non-racialism can only come about through a common and shared identity. The basis for that shared culture and identity must be part of the democratic project. But just as the deep racism, divisions and inequality came about through an aggressive social engineering project, so a common, shared non-racial, Pan-African identity can only come about through a process of positive, but assertive social deconstruction and reconstruction, and re-engineering if need be. As one of my favorite soul bands, the O'Jays would say: "we're all in this thing together; we got to work it out, we got to work it out".

Notes:
1.) Quoted in "South Africa: the spectre of racism", African Business, March 2006
2.) See Mahmood Mamdani, "There can be no African Renaissance without an African-focused intelligentsia", in Malegapuru Makgoba (ed.), African Renaissance, Mafube/Tafelberg, p. 130.
3.) Ibid.
4.) Quoted in "South Africa: the spectre of racism", African Business, March 2006.
5.) Speech delivered by the deputy president on 29 May 1998.
6.) Quoted in Mahmood Mamdani, "There can be no African Renaissance without an African-focused intelligentsia", op. cit., p. 126.

Youth, social and political identity in South Africa*

Malachia Mathotho and Kirty Ranchod (Policy Researchers: CPS)

This piece deals with the question of youth and youth identity in South Africa. 'Identity' we define as the habitual individual characteristics by which a person is known. It consists of a collection of identities, each of which is based on occupying a role. Identities can be described as one's answer to the question 'who am I?'

South African youth and their politics

Two years ago the Centre for Policy Studies conducted a survey-based study on race and politics in South Africa. The survey contained questions about citizenship and identity. An analysis of the data revealed many different definitions among respondents, and many could not define their own political identity. So, unless youth know their own political identities, it will be difficult for them to become politically active.

The activities of youth in the '70s and '80s contributed to the political transformation of the '90s. A political watershed was reached in 1976 with the revolt against Afrikaans as medium of instruction in schools. The youth turned against the illegitimate apartheid government and identified themselves as comrades and fighters committed to the liberation of the people. Today many of those youth identify themselves as leaders of the country.

In the post-apartheid context, a new youth identity has developed, one which suggests that politics and political activism is no longer considered important and central to this identity. Most of those who are active in politics were already active in the fight against the previous government; triggering active involvement by the youth beyond this group remains a serious challenge.

Youth and electoral politics

There has been a global trend since the 1970s of declining youth participation in elections; this suggests increasing disengagement from politics, especially formal politics. Eighty percent of young people live in the developing world, so their importance in the functioning and building of healthy democracies cannot be overlooked.

* This article forms part of the CPS-Foundation for Human Rights Project on People's Contract

The first obstacle in South Africa could be the registration process. The last registration day for the 2006 local government elections was held when thousands of South African youth were writing exams. And young voters are very mobile so when local government elections occur, many youth voters are likely to be living in different places far from where they are registered to vote. Add to this the number of youth who feel discouraged by the lack of employment and education opportunities.

There are differences in voting patterns between young people who are dependent on their parents and those who are not. The former care less about participating in elections (especially those who are better off) because they do not rely directly on government to secure services, they get what they need from their parents. Dependent youth generally have no interest in meeting local councillors – they think that is something for their parents to do.

Another factor is access to information. Many youth do not care about accessing information about politics. The first thing they look at in the newspaper is the entertainment section, not the political section. In October 2005, Deputy Minister of Home Affairs Malusi Gigaba opined the youth does not care about finding out what is going on around them.

What can be done about those not participating in the political process? In this regard, we have a precious resource in the pre-1994 leadership: they should be used to influence the current youth to participate. But our leaders must use a different approach with today's youth – they live in a much transformed world. Youth are faced with a number of challenges, social and political, all of which influence the way they identify themselves and how they interact within society. They need to be encouraged to access information in all forms and become conversant with the kind of struggles the country and the continent are facing today. While yesterday's youth fought for political freedom, an important current struggle is for economic freedom, especially freedom from poverty – and the youth must engage with this struggle if it is to succeed. The education process, especially schools, should be seen as an important asset in providing the youth with a positive sense of identity and citizenship which recognises both rights and obligations as well as the challenges that have to be met by the society and the contribution that the youth can usefully make. But political parties and civil society formations should also take up the challenge of make the youth more politically aware – without the constant injection of youth these formations will stagnate and eventually atrophy and this will be to the detriment of society as a whole.

Youth and social challenges

HIV/Aids is one of the greatest threats to our country's developmental goals and it has a devastating impact on the life of the youth; ultimately ending their youth status prematurely. This paper argues that eradicating poverty and sub-standard education is absolutely essential for all youth to have a chance to participate in the building of a thriving South African economy, develop a sense of national pride, and positively identify with the society.

Currently some 58% of the jobless in South Africa are 15–30 years olds, 60% of whom are black youth.[1] So, eleven years into our new democracy, and with legislation that supports affirmative action and employment equity, many of the previously disadvantaged are still unable to find jobs. It is the duty of youth organisations and government youth structures to help fight poverty. This can be done through education, development and capital injection into projects aimed at empowering youth. This capital should be coaxed from the corporate and private sector by offering greater benefits (such as special tax breaks) for companies who support youth development.

Like unemployment, crime remains a high-priority concern among South African youth. Many have turned to criminal youth gangs to make a living. This kind of identity may not be very helpful in building democracy, but it is becoming a social outlet for many youth. Unless the youth is more actively engaged and begins to feels part of the society, this trend is likely to continue.

Youth organisations

During the post-apartheid era, black youth were labelled 'the lost generation' by the media. During the '90s, NGOs and civic organisations struggled to promote and implement youth development strategies, but by the end of the '90s many youth organisations had closed.

The government has responded by introducing a number of programmes aimed at addressing the issues faced by youth, including the National Youth Service (NYS) which aims to reduce unemployment through partnerships with sector education and training authorities (Setas); LoveLife, which aims to prevent HIV and Aids through education; and the Umsobomvu Youth Fund (UYF), established in 2001 to assist youth to establish their own businesses. The National Youth Commission (NYC) was established to serve the interests of youth more effectively and develop their potential. The UYF has focused particularly on introducing programme areas that have never been targeted before.

However, both the ANC Youth League and the Inkatha Freedom Party Youth Brigade have called for the closure of both the NYC and the UYF, claiming they are inaccessible and ineffective. In its National General Council meeting in June 2005, the ANC resolved to merge the two institutions and create an integrated Youth Development Agency that would lead the youth development agenda in a more focused manner. However, this is yet to happen. Chances are these tensions will persist in the years to come, and will further politicise youth organisations, and thus create tensions between them.

Conclusion

Youth in South Africa are viewed by many as uninterested in, and disengaged from, politics. They are seen as materialistic in nature and consumer-oriented. With the new political dispensation, many former youth activists have moved into big business, government and politics, and so effectively the youth's role models have become inaccessible to them. This has led to the creation of new identities associated with the nouveau riche rather than liberation heroes. The youth has to be re-engaged in politics so as to shed this image and become active citizens so as to make a serious contribution to political, economic and social life in the country.

The high prevalence of youth withdrawal from the political activities, including elections, poses a serious threat to the consolidation of the fledgling South African democracy. There is a need to redefine the role of youth in politics today: they need to be in the forefront of another struggle – the struggle against the myriad problems confronting them as young people, especially poverty and poor education.

Many of the social ills affecting the youth today will continue to affect them tomorrow. However, spaces should be created for the youth to make a difference in ways that they both feel comfortable with and can identify with. They need to be motivated by government, youth organisations and civil society in general to take up the reins of their own development.

Notes:

1.) Human Sciences Research Council (HSRC) Child, Youth and Family Development. 2004. Status of youth report, July 2004:194.

Engaging SADC*

By Naefa Khan (CPS Research Associate)

Introduction

The Southern African Development Community (SADC) is described as *"elite-driven"*[1], a phrase which cannot be interpreted positively. Although the Southern African Development Community Non-governmental Organisational Council (SADC-CNGO) was established to facilitate engagement between SADC and non-governmental organisations (NGOs) and civil society organisations (CSOs), engagement at a substantive level still remains elusive. The following discusses the reasons for limited engagement and the methods available to change the status quo.

NGO and CSO engagement with SADC is legally entrenched. Article 23 of the Declaration and Treaty of SADC (SADC treaty) states that in fulfilling the objectives of the SADC treaty, SADC will "involve the people of the region" and "support initiatives" of the people of the region and NGOs[2]

Impediments to Engagement

Being perceived as an "elite club", the dominant perception is that decisions are made and policies adopted by a privileged few without regard to the views of the citizens they are accountable to[3]. Moreover, uncritical solidarity remains a problem, as Williams has pointed out:

> SADC was founded on the basis of political and economic solidarity in the face of increasing aggression from the apartheid state. This remains a profound characteristic of the behaviour of all member states i.e. to protect each other, even though the context has changed very fundamentally (2005).

The greatest impediment to any engagement is, as noted by Abie Ditlhake, General Secretary of SADC-CNGO, that most decisions are made in the Summit (head of state and government meeting) without any information concerning the discussions being provided to any other structures in SADC[4]. No entry point exists for civil society or NGO engagement at a secretariat level. The only structured entry point is through SADC National Committees, which, as shall be demonstrated, have not been established.

Consequently, engagement is structurally impeded and an environment conducive to engagement is not being encouraged.

Attempts to Engage SADC

There have been ad hoc attempts to engage SADC and these attempts have often been spearheaded by NGOs seeking to engage SADC on issues such as HIV/AIDS and the crises in Zimbabwe and Swaziland.

In August 2003 CIVICUS arranged a workshop at the meeting of the SADC Council of Non Governmental Organisations (SADC-CNGO) in Dar es Salaam. The result of the workshop was a letter detailing the abuse of civil liberties in Zimbabwe and Swaziland. The open letter was produced for submission at the Heads of State and Government meeting which took place a few days later also in Dar es Salaam.

In August 2005 SADC civil society organisations adopted a communiqué, which dealt with the need to improve gender issues, the HIV/AIDS pandemic, food security

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and the situation in Zimbabwe and Swaziland. The communiqué was adopted prior to the Heads of State and Government Summit in Gaborone, Botswana. It is difficult to establish the success of these ad hoc engagements, since as Abie Ditlhake has pointed out:

> *Effectively, the Summit is a de facto closed structure with its deliberations largely known to heads of state and governments who meet in exclusion of even the Council and does not keep/circulate records of its deliberations[5].*

Consequently, ascertaining the impact of these statements becomes difficult since there is no access to documentation of Summit meetings and it remains questionable whether any are kept.

Methods Available to Engage SADC

In principle the following methods exist to engage SADC but, as discussed later, more needs to be done and pressure brought to bear to ensure successful engagement.

Summit

The Summit is the *"ultimate policy-making institution of the SADC"[6]*. A full consensus of the Summit is required for a decision to be adopted[7]. As illustrated above, civil society organisations and NGOs tend to submit communiqués during the Summit. The Troika, Organ for Politics, Defence and Security Co-operation are similar government and state head dominated organisations[8].

The Council of Ministers

The Council is mandated with ensuring that policies decided upon are properly implemented[9]. Ministers belonging to the Council are usually contact points for SADC issues; they are most often attached to the Department of Foreign Affairs in their home states[10]. Traditionally, however, the majority of member states have been represented by Economic Ministers, e.g. Ministers responsible for Regional Cooperation, Economic Development, Trade or Finance. Finding a member state representative sensitive to an organisation's cause in the Council may be an entry point for civil society organisations and NGOs. As part of the secretariat, the representative may be able to push forward the concerns of the organisation and lobby for its cause at a regional secretariat level[11].

Directorates

From discussions with Development Bank of Southern Africa (DBSA) members and members of SADC-CNGO it would appear that the best contacts points for engagement will be the newly-established Directorates. The Directorates are an amalgamation of 21 units into 4 directorates, namely:

1. Directorate of Trade, Industry, Finance and Investment;
2. Directorate of Infrastructure and Services;
3. Directorate of Food, Agriculture and Natural Resources; and
4. Directorate of Social and Human Development and Special Programmes.

With the four directorates, and functional SADC National Committees (SNC's), it will be possible to align civil society organisations and NGOs with a specific directorate since, in theory, SNC's are supposed to replicate these departments at all levels to ensure that issues are channelled in the right direction. Although there is still no civil society or NGO representation within the SADC secretariat, the committees are supposed to provide an entry point – at least on paper. If this method is adopted, the most basic requirement would be the establishment of SNC's.

SADC National Committees

The SNC, in its structure, has made allowances for stakeholders from government, private sector and NGOs[12]. As such, these committees provide an entry point for engagement with SADC at a national level. It is envisaged that in South Africa these committees will be established within the SADC National Contact Point of the Department of Foreign Affairs. According to Kornegay and Landsberg, the raison d'être behind the establishment of these committees was,

> …that it would serve as a strategic think tank in national policy formulation and implementation of South Africa's priorities in the continent, as well as within SADC. In promoting integration within the sub-region, one of the building blocs of the AU, it is being proposed that the National Committee should be structured in a manner that avoids duplication of effort and resources[13].

The committee, sub-committees, and technical committees will work within the four broad categories of Trade and Investment; Food, Agriculture and Natural Resources; Infrastructure and Services; and Social and Human Development, effectively mirroring the four directorates, but will also include an additional category - Politics and Security, an area that falls within the realm of the Organ for Politics, Defence and Security Co-Operation. Technical committees will be established under the sub-committees and it appears that these will do most of the legwork. While the sub-committees and technical committees will be comprised of members from civil society and department officials and desk officials respectively, the SADC National Committee will be government official driven. The work undertaken should inform policies and strategies adopted by SADC[14].

Summary of Engagement Methods and the Pros and Cons Attached to Each

1. Summit

Since all policy decisions are ultimately made by Heads of State and Government in the Summit, lobbying during Summit meetings at a regional level incorporating umbrella national NGOs of every member state may arouse significant media attention and support and will also highlight the exclusive nature of SADC. Popular pressure may make disregarding communiqués produced more difficult.

2. Council of Ministers

A member state representative lobbying for a specific cause will ensure that the matter reaches the secretariat. Unfortunately because the only players at this level are government officials, political manoeuvrings come into play and the cause may be side-lined as a result.

3. Directorates and SADC National Committees

The Directorates in and of themselves are merely SADC organs and only through the SADC National Committees will civil society and NGO voices be heard and then only in a diluted capacity since these Committees also comprise government and the private sector. Furthermore, for these programmes to work efficiently, SNC's should be fully functioning independent committees, which unfortunately they are not. These committees are yet to be activated. Moreover, the eventual transformation of these committees to include a NEPAD agenda may distance civil society from engaging at this point since NEPAD is generally viewed as pushing a neo-liberalist economic agenda, which is anathema to many civil society organisations and NGOs.

The situation therefore may appear bleak. However, viewing the glass as half empty rather than half full will not accomplish anything. The following is a discussion on the way forward to engender an environment, which aids SADC in fulfilling its commitment under the treaty.

The African Union Option

A suggestion made by a SADC Legal Adviser, which could aid in pressuring SADC to have more civil society and NGO representation is through engagement with the African Union (AU)[15]. The AU has admirably worked on a principle, which views civil society and governments working as a partnership. The preamble of the Constitutive Act of the African Union (2000/2001) states that the Union will be,

Guided by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector, in order to strengthen solidarity and cohesion among our peoples[16].

The importance of involving civil society in policy formulation and decision-making was in fact institutionalised with the establishment of the Economic, Social and Cultural Council (ECOSOCC). As Landsberg and McKay point out, ECOSOCC is the "interface between the AU and civil society" and "consultation is intended to be permanent and systematic in manner".

The purpose of the establishment of ECOSOCC was to ensure that the people of Africa have a say in the formulation of policy and that these decisions are not merely at a Head of State or Government level[17]. This stance adopted by the AU should be reflected in the behaviour of the regional blocks. It may therefore be useful to find alliances at an AU level capable of ensuring that principles adopted by member states, as encapsulated by the Constitutive Act and AU organs, are also practised at a regional level.

Recommendations

SNC's are the structures within SADC, which officially allow for engagement. Since SADC National Committees are supposed to interact with the four economic and social Directorates and the Organ Directorate within the SADC Secretariat, it may be advisable for civil society within SADC to structure its mechanism for engagement with SADC along similar lines. This will allow for constructive engagement with the SADC Secretariat and the SADC National Committees following an issue-based formula. Since SADC is a regional building bloc for the African Union (a fact which may lend credibility to these calls), the civil society mechanism for engagement with SADC may in fact constitute itself as the Southern African regional body for ECOSOCC.[18]

A starting point would therefore be to work towards activating these committees. A recommendation made by Kornegay entails convening a two-stage consultation process of firstly: a South African Government-Civil Society meeting of stakeholders on activating South Africa's SNC, and secondly; a SADC-wide stakeholders conference between government and civil society on activating SADC National Committees in all SADC countries or at least in as many as is politically and practically feasible.

Moreover, the 5th Pan-African Conference of Ministers of Public Service and Administration recently convened by Minister Geraldine Fraser-Moleketi in Addis Ababa, Ethiopia, seeks to create linkages from a national to regional to continental level, and SNC's will be instrumental in providing SADC with these linkages and interactions. Thus, the departments of public service in member states could be useful allies in seeking partners to help activate the committees.

Finally, if SADC-CNGO wishes to eventually transform the SADC structure so that it provides space for engagement with civil society and NGOs at a secretariat level, it may be useful to approach ECOSOCC and request that the organisation lobby on SADC-CNGO's behalf at a continental level for more civil society engagement at a regional level. Hopefully, the ethos of the AU in relation to CSOs and NGOs can filter down south. Perhaps this could be replicated in other regions as well.

synopsis

Notes:

1.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism: Strategies for civil society, ActionAid International, 2004, p. 18.
2.) Southern African Development Community, Declaration and Treaty of SADC, Article 23, 1992.
3.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism, op. cit., p. 18.
4.) Abie Ditlhake, Legislative and operating framework for civil society: Regional overview, Gaborone, 14-16 August 2005.
5.) Ibid.
6.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism, op. cit.
7.) N. Elling Tjonneland, J. Chr. Michelsen Institute, Report assessing the restructuring of SADC, Positions, Policies and Progress, Report Commissioned by the Norwegian Agency for Development Co-operation (NORAD), December 2001 [online] available at: www.cmi.no/publications/2001%5Crep%5Cr2001-6.pdf
8.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism, op. cit.
9.) Ibid.
10.) N. Elling Tjonneland, J. Chr. Michelsen Institute, Report assessing the restructuring of SADC, Positions, Policies and Progress, op. cit.
11.) Information supplied by Vincent Williams
12.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism, op. cit., p. 18.
13.) Francis Kornegay and Chris Landsberg, South Africa's role in regional integration and United Nations support: Exploring a relationship, A Concept Paper, October, 2002.
14.) Ibid.
15.) Vincent Williams, Project Manager. Interview held on 8th November 2005 at Idasa offices. Cape Town.
16.) Chris Landsberg and Shaun Mackay, Engaging the New Pan-Africanism, op. cit., p. 18
17.) Ibid.
18.) Information obtained from Henry William Short, Department of Foreign Affairs, via e-mail, 30 January 2006.