

**Nelson A. Rockefeller
Center for Public Policy
and the Social Sciences**
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The Elusive Rainbow: Racial Reconciliation in South Africa with Lessons for the United States

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Authored By:
Thomas Brown, *Editor*
Kyle Mullins, *Editor*
Claire Betzer
Samantha Ford
Joshua Freitag
Henry Nolan
Adelia Rattray
Fiona Sleigh
Sophia Swanson
Andrew Thompson
Hayden Welty
Kate Yuan

Student Assistant: Jason Norris

PBPL 85: Topics in Global Policy Leadership
Professor Charles Wheelan
Rockefeller Center for Public Policy
Dartmouth College

Contact

Nelson A. Rockefeller Center, 6082 Rockefeller Hall, Dartmouth College, Hanover, NH 03755
<http://rockefeller.dartmouth.edu> • Email: Charles.J.Wheelan@Dartmouth.edu

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INTRODUCTION

South Africa is a country of contradictions. Wealthy businessmen of all races often live feet from abject poverty. Multinational businesses happily open up shop alongside a liberation party that governs haphazardly. Many who committed horrific crimes under apartheid walk freely among their victims — in the name of reconciliation. It is a country that bears its scars proudly and talks about them freely, but presently seems unable to do much to heal them.

This policy memo reflects the efforts of the Dartmouth College undergraduate students of PBPL 85, “Topics in Global Policy Leadership,” who were tasked with studying racial reconciliation in South Africa, making policy recommendations for promoting reconciliation, and finding lessons for the U.S. in the Rainbow Nation. For the purposes of this memo, we define racial reconciliation as a goal, an aim characterized by a society where race is no longer a predominant line of division, where economic and social hierarchies and opportunity are not shaped by race, where racial, cultural, and ethnic diversity are celebrated and accepted, and where past racial injustices have been both acknowledged and substantively addressed.

Written after ten weeks of intensive classroom study and two weeks of field work in Johannesburg, Pretoria, and Cape Town, this memo lays out our findings. Following a brief history, major policy sections of this memo reflect a chronological approach to achieving racial reconciliation, in which the reforms outlined in one section “unlock” further policies that would have previously been untenable. Section I outlines ideas for building trust in the public institutions of South Africa’s fledgling, but progressive, democracy. Section II focuses on unleashing South Africa’s economic potential. Section III explores ways to ensure universal, equitable distribution of public services. Envisioning a new South Africa, Section IV ties these three threads together, examining how they can collectively create bridging social capital and address past (and ongoing) grievances to help the country heal. Finally, Section V will offer recommendations on how the United States can learn from South Africa in attempting to address its own racial divisions.

We are confident that our recommendations are a roadmap toward a more prosperous, peaceful, and reconciled South Africa. At the same time, however, we are conscious of the limitations of our approach. Reconciliation is not a lever that can simply be pushed from “off” to “on” with the right mix of regulations and reforms. As one 2019 article in the *Economist* dryly notes, “If the production of reform blueprints were the key to wealth, South Africa could be the world’s richest country.”¹ We are also aware of our own biases; 12 American students, nearly all of whom are white and none of whom are black, cannot fully understand the experiences of South Africa (or, for that matter, of the United States). Ultimately, the question of racial reconciliation is one of culture, society, and time. The suggestions contained herein may help to move it along, but it is up to all of the people of the Rainbow Nation to achieve it. And if racial reconciliation can be achieved here — and we believe it can — then as Claudelle von Eck told us, “South Africa can be a blueprint for the world.”²

¹ “Why is it hard for foreign investors to be bullish on South Africa.” *The Economist*, December 12, 2019. <https://www.economist.com/finance-and-economics/2019/12/12/why-it-is-hard-for-foreign-investors-to-be-bullish-on-south-africa>.

² Conversation with Claudelle von Eck, December 5, 2022.

HISTORY

“If you want to move forward... you have to look backwards.” — Rabbi Gideon Pogrud³

In our research and conversations with South Africans, one thing is clear about racial reconciliation: It is impossible to make policy recommendations about the future of South Africa without first engaging with its past. In other words, examining racial reconciliation requires a rigorous understanding of what has caused the need to reconcile. What historical events, phenomena, figures, and trends are driving the divisions in South African society? How can tomorrow’s policy account for disparate impacts of yesterday’s policies? The history section that follows — largely drawn from Leonard Thompson’s *A History of South Africa*⁴ with additions and commentary from other sources — is an attempt to set the stage.



Paintings inside the Constitutional Court depict South Africa’s history, from early colonization to the present⁵

Early Days

The story of South Africa starts not with its “discovery” by Europeans, but with the arrival of its first inhabitants thousands of years before the first millennium. Although Thompson notes the difficulties in describing pre-literary societies, he nonetheless stresses the importance of their inclusion in any narrative of the history of Southern Africa. “Indigenous Southern Africans were not a tabula rasa for white invaders or capitalists to civilize or to victimize. Over many centuries, they had been developing social forms and cultural traditions that colonialism, capitalism, and apartheid have assaulted, abused, and modified but never eradicated.”⁶

The ancestors of the modern Khoisan peoples followed varied ways of life, from hunter-gathering to pastoralism, based on their environment. Bantu-speaking tribes moved into the region later, bringing semi-permanent farming with them to the wetter eastern region (setting up tensions between indigenous groups and later arrivals that persist to this day). By the 1500s, however, most of the population remained hunter-gatherers. Mixed farmers had grown in number over the preceding centuries, and had developed more complex societies with chiefs; the Xhosa

³ Conversation with Rabbi Gideon Pogrud, December 5, 2022.

⁴ Leonard Thompson and Lynn Berat, *A History of South Africa*, Fourth Edition (New Haven: Yale University Press, 2014).

⁵ Siphon Ndlovu, *Images of South African History 1-4*, Oil on canvas, 1998, Constitutional Court Art Collection, Braamfontein, Johannesburg, <https://ccac.concourtrust.org.za/works/siphon-ndlovu-images-of-south-african-history>.

⁶ Thompson, 2.

in the south and Zulu in the north were two major groups. They exhibited a “keen sense of kinship solidarity and obligations, extending far beyond the nuclear family,” Thompson writes. Conflicts between nomadic groups and hereditary chiefdoms were common, but the biggest threat to the average person’s life was famine. To combat hunger, agricultural practices usually spread out crops and cattle, making overall production less efficient but minimizing the risk of total losses.⁷

Contrary to popular narratives, according to political science professor Sithembile Mbete, European involvement in South Africa did not begin with the settlement of the Dutch East India Company in Cape Town in 1652.⁸ The first Europeans rounded the Cape in 1487, and active trade, especially for water, progressed from then. Eventually, Cape Town was established as a “refreshment station,” which in practice meant seizing the natural resources of the Cape Peninsula for exclusive extraction and use by Europeans.⁹ Over the next 300 years, settlers bought, stole, and subjugated modern South Africa, laying the groundwork for “various versions of a white supremacist state” that culminated in apartheid and many of the problems the country faces today.¹⁰

Establishment of a Colonial State

Thompson writes that the initial Dutch settlement kicked off three interlinked processes: (1) Dutch inhabitants leaving the Company became independent burghers who often resisted centralized rule, reflective of the developing Afrikaner pioneering identity and an early harbinger of the Afrikaner-British ideological battles; (2) slaves began arriving in large numbers, an indicator of the racialized labor hierarchy to come; and (3) formal Dutch settlement began enclosing lands and threatening the pastoralists, upending traditional ideas of ownership and capital.¹¹ In addition, repeated battles with black South Africans over land and cattle produced a pattern of Europeans exploiting divisions *between* African populations in order to displace and subjugate *all* of them: “The deprivation of land and cattle is the foundation of South Africa’s racialized castes,” Mbete said.¹² Whites expanded rapidly outside the bounds of the original Cape Colony, formed militias to drive Africans off the land, and engaged in slavery. When the British captured the Cape in 1795, none of these processes dramatically changed, but Afrikaners did chafe under British rule and resisted the end of slavery in 1833.¹³

The following years saw repeated power struggles between new British arrivals aiming to bring South Africa into “the brutal enterprise of empire,”¹⁴ the established Afrikaners, and the Africans who made up the vast majority of the population. The Europeans fought multiple wars of conquest against the Zulu and other tribes, but also set up puppet governments and dependencies when useful.¹⁵ The Afrikaner Great Trek led to the establishment of independent white-run

⁷ Thompson, ch. 1 (1–30).

⁸ Conversation with Sithembile Mbete, December 2, 2022.

⁹ Thompson, 30–32.

¹⁰ Conversation with John McDermott, November 30, 2022.

¹¹ Thompson, 33.

¹² Conversation with Mbete.

¹³ Thompson, 51 & 57.

¹⁴ Conversation with McDermott.

¹⁵ Thompson, ch. 2 (31–69).

republics in the north and east of the country.¹⁶ The British began bringing Indians to South Africa as laborers in the 1860s, and the discovery of diamonds and gold in the 1870s, combined with the European “Scramble for Africa,” caused British investment and diplomatic attention to turn toward the colony.¹⁷ It also marked the perpetuation of an exploitative labor system in which Africans were treated as reserve labor for white landowners, white political leaders, and white corporations.¹⁸ Mbete noted that South Africa began “as property of a company,” and corporate interests have defined government policy up to the present day.

The turn of the century saw British victory in the Boer Wars, a constitution that created a unitary state with little autonomy for the Afrikaner regions and no recognition of African populations, and the further entrenchment of a narrative that Afrikaners were an independent, oppressed group fighting for their rights to bring civilization to (non-white) South Africa.¹⁹ Segregation escalated and non-white resistance, present since European arrival in southern Africa, began to take concrete shape with the founding of the African Political Organization (1902), African National Congress (ANC) (1912), the Industrial and Commercial Workers Union (1919), the South African Communist Party (1921), and the South African Indian Congress (1923).²⁰

Political battles between the British and Afrikaner communities peaked after World War II, when the National Party won in the 1948 elections.²¹ It would hold power, by hook and by crook, until the beginning of free elections in 1994. Though non-white South Africans had already endured discriminatory policies — including sheltered employment at high wages for whites, defunded education, and reduced autonomy of chiefdoms — for decades, the National Party began to “plug every gap in the segregation order” after its victory.²² Until then, the Apartheid Museum in Johannesburg notes, segregation had “failed mainly because of the explosive growth of South African cities... which denuded white farms of black labor, and which caused such massive black immigration to the cities, that the white city dwellers feared being racially overrun.”

Apartheid: Entrenching White Supremacy

Apartheid, the world’s most effective regime of racial subjugation, took segregation’s place. With it came the formalization of racial categories, the abolition of all non-white voting rights, stacked courts, homelands, pass laws, segregation of public services, and forced population transfers. The regime became increasingly authoritarian, governing by bans, periodic states of emergency, a military buildup, and the suppression of basic civil rights. Black, Coloured, and Indian South Africans were systematically barred from building the same kinds of wealth and lives that white South Africans were allowed to, while whites — especially Afrikaners — were privileged in every aspect of society.²³ The government “directed official business to Afrikaner banks and allotted valuable state contracts to Afrikaners. Afrikaner businesspeople channeled Afrikaner capital into ethnic banks, investment houses, insurance companies, and publishing

¹⁶ Thompson, 68–69.

¹⁷ Thompson, 110.

¹⁸ Thompson, ch. 4 (110–153).

¹⁹ Thompson, 141–143.

²⁰ Thompson, ch. 5 (154–186).

²¹ Thompson, 184–186.

²² Thompson, 189.

²³ Thompson, ch. 6 (187–220).

houses. By 1976, Afrikaner entrepreneurs had obtained a firm foothold in mining, manufacturing, commerce, and finance — all previously exclusive preserves of English-speakers.”²⁴

In short, the socioeconomic inequalities that began with the arrival of European colonizers yawned to ever-greater heights — all on the back of ruthless authoritarian policies toward non-white South Africans. Repression of political opposition was generally successful for decades, even as the ANC promoted its Freedom Charter around the world and black student movements pushed large-scale protests. The Sharpeville Massacre in 1960²⁵ and Soweto Uprising of 1976²⁶ each galvanized domestic and international opposition, but did not result in any reforms of the system. “For three decades, the National Party had the support of the overwhelming majority of the Afrikaner people” — the only backing it needed.²⁷

Even as the apartheid government promoted itself as an upstanding member of the anti-communist international community, it ran into opposition from rising African nationalist movements and foreign officials with growing human rights concerns.²⁸ Despite some middling attempts at reform in the 1970s — brought on by an escalating economic crisis as the immense contradictions of apartheid began to show — internal governance began to collapse under the combined weight of authoritarian dysfunction, resistance-perpetrated sabotage, and international sanctions. The government doubled down on its authoritarianism by declaring repeated states of emergency and launching military attacks on South Africa’s neighbors. White politics swung to the right in response to the minor reforms and African resistance continued to grow.²⁹

Meyer, in government at the time, remembers realizing that “apartheid couldn’t be controlled any longer.”³⁰ Following further turmoil, President F. W. de Klerk unbanned the African opposition parties and released Nelson Mandela from prison to begin “talks in earnest about a political transition. The dialogue overcame extraordinary obstacles, including opposition from right-wing groups and black nationalist groups, de Klerk’s continued authoritarianism and incitement of violence, and the National Party’s hesitance to give up all disproportionate white power. Elections were eventually announced for 1994 under an interim constitution that promised one person, one vote.³¹ The ANC won a smashing victory, and Mandela became the first president of South Africa under democracy and majority rule.³² Apartheid was, officially, over.

A New Birth of Freedom, Now Under Threat

Mandela’s government faced significant challenges: an extensive racist bureaucracy, a broken education system, a lack of human capital among Africans, sky-high rates of violence, and an

²⁴ Thompson, 188.

²⁵ Thompson, 210–211.

²⁶ Thompson, 212–213.

²⁷ Thompson, 187.

²⁸ Thompson, 213–220.

²⁹ Thompson, 221–240.

³⁰ Conversation with Roelf Meyer, December 7, 2022.

³¹ Thompson, ch. 8 (241–264).

³² Thompson, 261–264.

economic crisis.³³ The multiracial cabinet found some success in reforming the military and bureaucracy and establishing the basic institutions of a democratic society. Under both Mandela’s administration and that of his successor, Thabo Mbeki, economic indicators steadily improved, but the structure of the economy was not dramatically changed from under apartheid.³⁴ “I don’t like the language of post-apartheid South Africa because I think a lot of apartheid continues,” Mbete said. “There was a handover of political power without a fundamental restructuring of the state or a fundamental restructuring of the economy.”³⁵

Economic power and land remained, and remain, largely in white hands, despite the gradual ascendancy of a black middle class. The world-renowned Truth and Reconciliation Commission aimed to bring closure on many of the crimes of apartheid, but many South Africans sum up its work as “incomplete.”³⁶ The education system too, remained abysmal, and the HIV/AIDS epidemic raged out of control for years before the central government finally began to grapple with it.³⁷ Following the 2007-2008 global financial crisis — which tanked commodity prices worldwide — and the 2009 election of Jacob Zuma as president, most indicators took a turn for the worse.

Stagnant economic growth, an explosion of corruption and crime in what came to be known as state capture, and a degradation of much of the progress made since 1994 characterized the Zuma administration.³⁸ The nine “lost years” under him from 2009 to 2018 significantly set back the unifying vision of the “Rainbow Nation” and caused the first “moral crisis” in the ANC.³⁹ Estimates of the amounts pilfered out of the economy in the nine “lost years” from 2009 to 2018 run into the trillions of rand.⁴⁰ Although the ascension of Cyril Ramaphosa seemed to herald a new dawn, simply repairing the damage has taken years, and as we write this, Ramaphosa himself is embroiled in a corruption scandal of his own that threatens to unseat him from office at the ANC conference on Dec. 16.⁴¹ Meanwhile, support for the ANC’s governance has dropped with each successive election, threatening their tight grip on national power in 2024.⁴² “The ANC is so consumed by its own internal political dynamics that it is blind to the lived experience of the country,” Mbete said.⁴³

Whether South Africa can achieve the necessary broad-based prosperity to come to terms with its past remains to be seen, and may depend on a culture change in the ANC. Some citizens believe civil strife, a Western Cape secession movement, or a breakdown in democracy is inevitable. (One even openly called for an enlightened despot to take power.) “If you live in a shack and you

³³ Thompson, 265–268.

³⁴ Thompson, 278–282.

³⁵ Conversation with Sithembile Mbete, December 2, 2022.

³⁶ Thompson, 274–278.

³⁷ Thompson, Chs. 9 and 10 (265–315, before Zuma section).

³⁸ Thompson, 315–346.

³⁹ Conversation with Ebrahim Rasool, December 9, 2022.

⁴⁰ Lundiwe Buthelezi, “SA lost R1.5 trillion to corruption in five years and continues to bleed - report,” news24, 23 June 2021, <https://www.news24.com/fin24/economy/south-africa/sa-lost-r15-trillion-to-corruption-in-five-years>.

⁴¹ Paul Vecchiato, “South Africa’s Opposition Puts Ramaphosa at Mercy of His Party in Crucial Vote,” Bloomberg, 8 Dec. 2022, <https://www.bloomberg.com/news/articles/2022-12-08/south-african-opposition-backs-new-probe>.

⁴² Gerald Imray, “A landmark as South Africa’s ANC dips below 50%,” Associated Press, 5 Nov. 2021, <https://apnews.com/article/africa-elections-cape-town-race-and-ethnicity-racial-injustice>.

⁴³ Conversation with Sithembile Mbete, December 2, 2022.

struggle to feed your three or four kids, how can you have hope?” New York Times photographer João Silva asked us.⁴⁴ He did not get an answer. Most, however, are not so pessimistic. “With every generation,” Eskom board member Claudelle von Eck told us, “we’ll get closer and closer to where we need to be.”⁴⁵



Map of South Africa⁴⁶

OVERVIEW OF RECOMMENDATIONS

1. As a first step, the South African government must establish a base of level of trust, fixing institutional shortcomings with robust reform.
 - a. The government must empower competent personnel via establishing an independent power-checking and capacity-building framework and requiring civil service exams.
 - b. South Africa can fight corruption by implementing better financial transparency measures and delivery-level, localized safeguards. Increased transparency, whistle blowing cultures, and prosecutions would discourage bad actors.

⁴⁴ Conversation with João Silva, December 1, 2022.

⁴⁵ Conversation with Claudelle von Eck, December 5, 2022.

⁴⁶ “Map of South Africa Provinces,” Nations Project Online, <https://www.nationsonline.org/oworld/map.htm>.

- c. The state should establish basic education prerequisites like clean water, working bathrooms, and safety and security to improve teacher absenteeism and increase student retention.
 - d. South Africa must improve police retention, create internal anti-corruption measures in the police force, address legislative gaps in misconduct mechanisms, and rebuild ties to the community regulations — all as a means of reducing crime.
 - e. The state should implement election reform via improved voter registration, constitutional amendment accountability, a mixed-member proportional representation system, and the direct election of the president.
2. South Africa must spur economic growth as a means of improving staggering economic inequality, unlocking its high potential by targeting economic, education, and infrastructure reform.
- a. South Africa must reform SOEs and its labor laws, as well as implement better programs and safeguards to spur sustainable employment and increase access to financial capital and credit. Cutting transportation costs and rethinking tax codes will empower those at the lower end of the economic spectrum.
 - b. The government must streamline and expand ports, clearing obstacles and re-thinking their scope. For railways, more investment, including some privatization, is necessary, and to ameliorate electricity shortages, the government should focus on coal reserves, maintaining existing infrastructure, and leveraging market mechanisms in the process.
 - c. The education system should build human capital by focusing on improving teacher quality and quantity, emphasizing vocational training and employable skills, and eliminating bureaucratic red tape.
 - d. These reforms will all combine to create a more attractive environment for FDI, compounding a virtuous economic cycle.
3. Given increased trust in the state and unlocked economic potential, South Africa now should employ newfound resources to improve service and resource distribution in a more efficient and equitable manner.
- a. The establishment of universal basic income grants and expanded child support grants will provide numerous benefits for individuals and communities in the country. A re-worked tax code and reformed BEE will aid in redistributing economic gains and attacking deep-seated inequality.
 - b. Better educational legislation and infrastructure would combine to create long-term educational and economic improvements, enabling societal mobility.
 - c. The green energy transition, improved worker mobility, and guaranteed clean, reliable water are three long-term reforms that have tremendous potential to transform South African infrastructure.
 - d. A land index and reformed CRU program would combine to fulfill South Africans' constitutional right to housing.
 - e. The government should tackle crime by restructuring police funding to better combat crime hot spots and addressing gender-based violence concerns head-on at all levels of government.
 - f. Increased quality and access to healthcare, combined with critical preventative health measures, would erode racial inequities in health outcomes.

4. Rather than struggling with political infighting and societal division, South Africa must advance a shared vision for the country and its identity.
 - a. We believe this vision starts with healthy politics, driven by transparent, effective coalition governments, as well as a focus on policy and governance over politics.
 - b. We also contend that reparations, especially those that are bottom-up and community-based, hold tremendous symbolic and meaningful value.
 - c. Civil education and a national service program would create bridging social capital and feelings of community, belonging, and nationhood.
 - d. Further, we recognize the emotionally and economically important role of land reform, recommending improved implementation reforms and a re-examination of suspect apartheid-era dealings.
5. Given the striking similarities between South Africa and the U.S., we believe the Rainbow Nation offers several key lessons for us in our own policy and reconciliation processes.
 - a. As seen in South Africa, we believe it is important for people in the U.S. to have more frequent and productive conversations about race — rather than it remaining a stigmatized topic.
 - b. Both South Africa and the U.S. stand to benefit from improving a lack of trust in institutions, which undermines reconciliation.
 - c. In both countries, economic inequality is at the heart of the issue, and significant action is needed to bridge racial gaps.
 - d. Education is a strong lever to level the playing field, and both countries must work on enabling all citizens to acquire a high-quality education capable of affecting socioeconomic change.
 - e. Like in South Africa, the U.S. must learn to actively confront its own troubled past of systemic racial discrimination, implementing policy now to address historical injustice.
 - f. South Africa and the U.S. require a shared national identity to achieve more robust social cohesion and, hopefully, the ideal of full racial reconciliation.

1. BUILDING INSTITUTIONAL CAPACITY AND A FOUNDATION OF TRUST

“We have the wrong people in the wrong positions doing the wrong things.”
— Dr. Sithembile Mbete⁴⁷

South Africa’s “trajectory of change” toward racial reconciliation is “a knife-edge” determined by institutional capacity and a foundation of trust among key stakeholders.⁴⁸ The two factors operate in a virtuous cycle: strong capacity facilitates trust in the state’s ability to provide for citizens’ needs and ameliorate structural inequalities, while genuine trust undergirds an environment for further capacity development and broad economic growth.

⁴⁷ Conversation with Sithembile Mbete, December 2, 2022.

⁴⁸ Brian Levy et al., *South Africa: When Strong Institutions and Massive Inequalities Collide* (Washington, D.C.: Carnegie Endowment for International Peace, March 2021), <https://carnegieendowment.org/files/202103-Levy.pdf>.

In South Africa, however, observers have noted an “unbelievable lack of trust” in state actors and between races.⁴⁹ The trust deficit takes many forms and pervades everyday interactions. Wealthier citizens have “internally emigrated”⁵⁰ into a “parallel private state,” in which people give up on the country’s problems and pay for private healthcare, education, and security due to the state’s paltry offerings.⁵¹ For the less fortunate, state capacity has failed them: Many citizens’ refusal to pay taxes or energy bills indicates a lack of belief in those institutions. We have also observed weak government relationships with important stakeholders. According to employees at the NGO Grassroots Soccer, “the government doesn’t have a relationship with us young people.”⁵² Although some in the education space have noted the success of government outreach to NGOs to implement employment projects, other civil society actors have observed little CSO participation in policymaking, as the government resents organizations’ role in holding it accountable.⁵³ Furthermore, the government views the business community as “greedy”; businesses, in return, view the government as “corrupt.”⁵⁴ Finally, voter apathy has benchmarked falling trust in government’s ability to deliver. Turnout rates fell from 74% in 2014 to 66% of registered voters in the 2019 national elections, with the majority of South Africans skipping the polls when accounting for non-registered South Africans.⁵⁵ In the 2021 local government elections, turnout was only 48% of registered voters.⁵⁶

South Africa’s history of exploitation by a small elite, from colonialism to apartheid, has created structures of “racialized capitalism” which help to explain its current lack of trust and capacity.⁵⁷ Even the 1994 agreement included an implicit sub-bargain that the new government would protect the interests of new, mainly black, insiders, driving early patronage in the ANC.⁵⁸ Therefore, former President Zuma did not introduce state capture, in which special interest groups control state agencies and bureaucrats,⁵⁹ to South Africa, but rather rapidly accelerated the shift in beneficiaries from traditional white capital to elite black South Africans.⁶⁰ By first dipping into the country’s hard-earned savings generated by a period of prolonged fiscal responsibility, then looting South Africa’s 700+ state-owned companies,⁶¹ Zuma, the Gupta brothers, and their cronies siphoned off \$70bn of state funds (20% of GDP) and sapped annual growth by 1% per year through mismanaged ports and energy.⁶² As their schemes funneled money into bank accounts, they issued bribes, replaced key officials, and suppressed

⁴⁹ Conversation with John McDermott, November 30, 2022.

⁵⁰ Conversation with Rabbi Gideon Pogrund, December 5, 2022.

⁵¹ Conversation with Rabbi Gideon Pogrund, December 5, 2022.

⁵² Conversation with Grassroots Soccer, December 1, 2022.

⁵³ Conversation with Katie Huston, December 12, 2022.

⁵⁴ Conversation with Daniel Ngwepe, November 11, 2022.

⁵⁵ *BTI 2022 Country Report—South Africa*. (Gütersloh: Bertelsmann Stiftung, 2022), 8.

⁵⁶ “Totals for PR Vote 2021 Municipal Election” (Council for Scientific and Industrial Research and South African Broadcasting Corporation, November 2, 2021), https://www.csir.co.za/sites/default/files/Documents/Elections_0.pdf.

⁵⁷ Conversation with Sithembile Mbete, December 2, 2022.

⁵⁸ Brian Levy et al.

⁵⁹ Nathan Canen and Leonard Wantchekon, “Political Distortions, State Capture, and Economic Development in Africa,” *The Journal of Economic Perspectives* 36, no. 1 (2022): 101–24, <https://doi.org/10.1257/jep.36.1.101>.

⁶⁰ Conversation with Mike Mpanya, December 5, 2022.

⁶¹ Conversation with Ebrahim Rasool, December 9, 2022.

⁶² “An Ex-President is on Trial, but Graft Still Blights South Africa,” *The Economist*, June 3, 2021, <https://www.economist.com/middle-east-and-africa/2021/06/03/an-ex-president-is-on-trial-but-graft-still-blights-south-africa>.

investigations to perpetuate their profits.⁶³ State capture created nine years of “wasted opportunity” according to Nandos founder Robert Brozin.⁶⁴

The corruption and incompetence has had widespread and sometimes existential consequences in poor — overwhelmingly non-white — communities. Inadequate safeguards and nonexistent accountability have created deleterious shockwaves across vital systems, including those that deliver education, healthcare, sanitation, and social grants. The mismanagement, looting, and inadequate capitalization of the country’s SOEs have also prevented economic growth and operated in a vicious cycle with one another.⁶⁵ The institutional collapse of key agencies such as the tax collection agency (SARS) both reduced the state’s capacity to generate revenue and allowed the Guptas and others to blatantly steal said revenue with no repercussions.⁶⁶ The former “jewel in the civil service crown” paired up with an incompetent Ministry of Social Development to squander funds with which 17 million people, especially poor women, tend to be “prodigiously efficient.”⁶⁷ In the fallout of state capture, the business community has benefitted from the “untrue idea” that “grand-scale corruption is the purlieu of the government and the state’s businesses,” allowing people to bash the black-dominated ANC *and* conclude that international businessmen operate with impunity due to the color of their skin.⁶⁸ Furthermore, as Zuma, the Guptas, and other beneficiaries often framed exploitative ventures as beneficial to local populations and profited off of Black Economic Empowerment tender rules, they have eroded trust and stained policies intended to mitigate racial inequality. The widespread looting and racially-charged attacks over the summer of 2021 — incited by Zuma’s supporters in the summer of 2021 over the former president’s brief imprisonment for contempt of court — demonstrates how corruption, disillusionment, and violence intersect.

South Africans have described the Zondo Commission, which in June 2022 completed a nearly four year inquiry into state capture under President Zuma, as a “second Truth and Reconciliation Commission,” reflecting the necessity of repairing the damage of state capture for the sake of South Africa’s national project.⁶⁹ The Commission implicated 1,438 people and companies in state capture, pulling back the curtain on endemic corruption in South African society⁷⁰ and showing that placing the blame solely on Zuma risks reducing accountability.⁷¹

Policymakers have an immediate opportunity to make a difference in this area. They also have a key asset: the robustness, paradoxically, of South Africa’s formal institutions, based upon a constitution with robust checks and balances and protections for political, civil, and economic

⁶³ “The Zondo Commission Has Revealed Vast Graft in South Africa,” *The Economist*, June 23, 2022, <https://www.economist.com/middle-east-and-africa/2022/06/23/the-zondo-commission-has-revealed-vast-graft-in-south-africa>.

⁶⁴ Conversation with Robert Brozin, December 5, 2022.

⁶⁵ “End of the Line for ANC Economics,” *The Economist*, July 24, 2021, <https://www.economist.com/leaders/2021/07/24/end-of-the-line-for-anc-economics>.

⁶⁶ Alexander Parker and Tim Richman, *50 People Who F***ed up South Africa: The Lost Decade* (South Africa: Mercury, 2020), 175.

⁶⁷ Parker and Richman, 31.

⁶⁸ Parker and Richman, 92.

⁶⁹ Conversation with Fanie du Toit, December 7, 2022.

⁷⁰ “Jacob Zuma Presided over a Mountain of Sleaze in South Africa,” *The Economist*, January 8, 2022, <https://www.economist.com/middle-east-and-africa/2022/01/08/jacob-zuma-presided-over-a-mountain-of-sleaze-in-south-africa>.

⁷¹ Conversation with Mike Mpanya, December 5, 2022.

rights.⁷² Although “contestation among elites” under Zuma degraded institutions, several held strong.⁷³ South Africa’s democratic institutions somewhat effectively safeguarded against a rogue executive⁷⁴ and the Constitutional Court “has been unwaveringly brilliant.”⁷⁵

The following policy recommendations first seek to bolster institutions’ capacity to function by improving the quality and integrity of responsible actors and safeguarding critical processes from corruption. They also aim to jumpstart two long-term processes (education and election reform) by creating the conditions for learning and more accountable government structures. By adopting an initially low-touch approach which incorporates civil society engagement, reputable policymakers can develop partnerships to improve implementation and responsiveness to community needs and enable CSOs to play an oversight role that increases the political will of their fellow officials.⁷⁶ They can also avoid flushing a broken system with resources that may be squandered by corruption and incompetence.

1.1. Competent Personnel

“*The ANC is not a policy party; it’s a patronage party.*”
— Chief Africa Correspondent for *The Economist* John McDermott⁷⁷

The capacity of government officials is crucial to state and nation-building efforts, especially in a country with such a young constitution. Yet South Africa, designed to be led by statesmen of Madiba caliber, has been wounded by the self-interest of its own bureaucrats and leaders. The Zuma administration was rife with embezzlement and crony appointments that normalized a selfish approach to governance in a country already grappling with the legacies of apartheid corruption. Without a government that is willing and able to implement the reforms presented in this memo, South Africa will stagnate. The civil service needs guardrails that demonstrate that corruption will no longer be tolerated and officials are appointed for their abilities.

1.1.1. *Establish an independent framework to pre-empt crony appointments and build capacity*

While South Africa has a Public Service Commission (PSC) responsible for “promoting the constitutionally enshrined democratic principles and values of the public service by investigating, researching, monitoring, evaluating, communicating and reporting on public administration,” it cannot exercise discretion over appointment processes.⁷⁸ Instead, the Public Service Act grants appointment power to individual officials such as department heads or ministers, who can delegate within their own departments and use vacancies as a pretext for

⁷² Brian Levy et al., 7.

⁷³ Brian Levy et al., 7.

⁷⁴ Conversation with Fanie du Toit, December 7, 2022.

⁷⁵ Conversation with Robert Brozin, December 5, 2022.

⁷⁶ Ngozi Okonjo-Iweala, “Strategies for Winning the Fight against Corruption,” Brookings, January 15, 2019, <https://www.brookings.edu/blog/africa-in-focus/2019/01/15/strategies-for-winning-the-fight-against-corruption/>.

⁷⁷ Conversation with John McDermott, November 30, 2022.

⁷⁸ “Guide on the Constitutional Values and Principles Governing Public Administration,” Public Service Commission, 2020.

handling factional political conflict.⁷⁹ In order to enforce guardrails over this often-corrupted process, the President should vest authority in the PSC to select a Head of Public Service, who will oversee appointment framework development.

Overall, this process would be standardized into four phases: planning (such as designing competency and non-partisanship measures), administration, short-listing by the independent committee based on prescribed criteria, and appointment by the relevant in-department official. Selection committees will be a multifaceted group of experts appointed by either the Head of Public Service or the Departmental head of Human Resources. To mitigate resistance by corrupt actors, the Public Affairs Research Institute recommends an “incremental reform process” that gradually implements the appointment process over all organs-of-state via a covering-in mechanism.⁸⁰ The President would have the power to incorporate specific departments, components, or municipalities under this legislation via a proclamation.

This process can also be scaled down for the provinces, with a provincial head of service who consults with the provincial Member of the Executive Committee. Though municipalities are not under the jurisdiction of the PSC, their respective professional bodies could “be brought into new, independent personnel committees.”⁸¹

1.1.2. Require civil service exams for all bureaucratic positions

The use of a civil service exam can help ensure that only the most qualified individuals are hired. Currently, entry-level positions do not require an examination component; because a test for entry-level candidates raises concerns of discrimination against “unequal education backgrounds,” exams are limited to promotions for middle and senior management positions.⁸² This exam should provide the opportunity to screen the ethical inclinations of candidates and determine a baseline of knowledge for their would-be position.

Policy must also contend with individuals already embedded in the system. Claudelle Von Eck noted the “grudge compliance” in the South African government, whereby individuals and organizations satisfy regulations on paper but do not change their ethical values.⁸³ Research indicates a predilection toward corruption among civil service employees. For example, university students in India “who express a preference for joining the civil service are more likely to cheat when playing an incentivized dice task game than their peers planning to pursue a private sector career.”⁸⁴ The recently announced National Framework Towards the Professionalization of the Civil Sector includes an integrity assessment within 60 days of

⁷⁹ R. Brunette, “Position Paper on Appointment and Removal in the Public Service and Municipalities. Position Papers on State Reform.” Public Affairs Research Institute, 2020.

⁸⁰ Brunette.

⁸¹ Brunette.

⁸² “A National Framework Towards the Professionalisation of the Public Sector,” National School of Government, 2022.

⁸³ Conversation with Claudelle von Eck, 2022.

⁸⁴ Rema Hanna and Shing-Yi Wang. “Dishonesty and selection into public service: Evidence from India.” *American Economic Journal: Economic Policy* 9, no. 3 (2017): 262-90.

assuming office for appointed positions, but this will not catch people in lower-level positions.⁸⁵ An entry-level test would detect corruption orientations earlier and accurately.

1.1.3. Empower governmental integrity entities to investigate and remove corrupt officials

In October 2022, President Ramaphosa re-established the Public Procurement Anti-Corruption Agency within the National Prosecuting Authority, a unit which was previously nicknamed the ‘Scorpions’ and dismantled by Zuma. He has also appointed new, competent leaders at the helm of the organization.⁸⁶ However, he has stopped short of other more ambitious reforms put forth by the Zondo Commission.⁸⁷ Beyond singular investigations of high level officials flagged by the Zondo Commission, establishing new systems and guardrails will fall short if sources of corruption are not first addressed.

Anti-corruption entities should also empower collective action against corruption. This entails establishing a streamlined framework independent from political officials that sets expectations and builds capacity for consequences, including a process for reporting and removal. South Africa’s Public Affairs Research Institute recommends that the Head of Public Service framework outlined for appointments in Section 1.1.1 also be employed for the removal of corrupt officials from office, and be overseen by the same respective municipal, provincial and national managers with justification and authorisation to the public service selection committees.⁸⁸ Implicated employees would be suspended pending an investigation and high-level or systemic issues would be referred to the Public Procurement Anti-Corruption Agency.

1.2. Corruption

“When you fight corruption, corruption fights back.”
— former Premier of the Western Cape Ebrahim Rasool⁸⁹

The pocketing of South Africa’s potential during its “lost years” drained the coffers of the state, furthered division and disillusionment, and continues, albeit in a lessened form, today. According to 2021 statistics from Transparency International’s Corruption Perceptions Index, South Africa’s score has stagnated at 44 out of 100 since 2019, landing it at 70 out of 180 countries assessed.⁹⁰

Lessons from this most recent period of looting can inform anti-corruption policy, bolster South Africans’ faith in governance, and improve their country’s prospects for economic growth and racial reconciliation. For example, the Gupta brothers followed a formula in their campaign of state capture: identify or cultivate a “morally flexible contact” in the government, create a “bogus” project like a dairy farm, establish front companies to launder the money, and find an

⁸⁵ “A National Framework Towards the Professionalisation of the Public Sector.”

⁸⁶ Conversation with Bulelani Ngcuka, December 12, 2022.

⁸⁷ Joseph Cotterill, “Ramaphosa Sets up South African Anti-Graft Agency,” *Financial Times*, October 24, 2022, <https://www.ft.com/content/f2389925-a9e1-4402-9056-e4ef137ebae7>.

⁸⁸ Brunette.

⁸⁹ Conversation with Ebrahim Rasool, December 9, 2022.

⁹⁰ *Corruption Perceptions Index 2021* (Berlin: Transparency International, 2022), https://images.transparencycdn.org/images/CPI2021_Report_EN-web.pdf.

“amenable transnational auditor.”⁹¹ With the “morally flexible contact” addressed by the above reforms, officials can turn to halting other predictable steps in the corruption process. Although addressing the many forms and mechanisms of corruption remains a massive task for South Africa, the following policy recommendations fill glaring gaps in policy related to transparency and protections, enabling civil society to both work with the government and hold it to account.

1.2.1. Increase public financial transparency, especially for procurement

Any state requires clean public procurement to ensure a high quality and quantity of basic service provision⁹² and economic growth. However, each phase in the procurement process — pre-tender, tender, and post-award — holds considerable integrity risks.⁹³ Construction projects in particular require hefty safeguards against corruption due to the large amount of money and complexity involved, the difficulty of monitoring them, and the scant availability of benchmark measures.⁹⁴ For example, as Minister of Water and Sanitation from 2014-2018, Nomvula Mokonyane oversaw the expedited contracting of the 2010 Giyani Emergency Project. Not only did corruption balloon the contracts from the original R250 million to almost R3 billion, but as of mid-2020, the pipeline had not been created and a child had drowned in an uncovered ditch.⁹⁵ By the time Mokonyane left, the department’s irregular expenditures had increased from R50 million to well over R4 billion.⁹⁶ To prevent such cases in the future, following OECD best practices, this section focuses on transparency and stakeholder participation as tools for prevention and accountability.⁹⁷

- **Publish Procurement Data in a Consistent and Accessible Manner.** Although the Ramaphosa administration has made progress on publishing procurement data more clearly, a March 2021 Corruption Watch report on transparency in public procurement in healthcare found severe deficiencies in national and provincial reporting mechanisms. These gaps included incomplete and inaccurate data, duplicate entries, unavailable dates of milestones and publishing notices, and what “seems to be confusion and inconsistency regarding what is published on [the national portal] and what is published on the provincial portals.”⁹⁸ Rather than improving the extent and quality of information on municipal portals — a process which would require a high level of coordination with the national government, which the state currently lacks — South African municipal officials should direct all tenderers to the national portal, eTenders.⁹⁹ In addition, instead of

⁹¹ Parker and Richman, 78.

⁹² Conversation with Tanya Cohen, November 30, 2022.

⁹³ *Preventing Corruption in Public Procurement* (OECD, 2016), <https://www.oecd.org/gov/ethics/Corruption-Public-Procurement-Brochure.pdf>.

⁹⁴ Parker and Richman, 154.

⁹⁵ Parker and Richman, 153.

⁹⁶ Mike Muller, *Money down the Drain* (Johannesburg: Water Integrity Network and Corruption Watch, March 2020), https://www.corruptionwatch.org.za/wp-content/uploads/2020/03/water-report_2020-single-pages-Final.pdf.

⁹⁷ *Preventing Corruption in Public Procurement*.

⁹⁸ *State of Transparency of Health Procurement Data in South Africa* (Johannesburg: Corruption Watch and Open Cities Lab, March 2021), 26, <https://www.corruptionwatch.org.za/wp-content/uploads/2021/03/Policy-Brief.pdf>.

⁹⁹ *State of Transparency of Health Procurement Data*, 26.

undergoing a wholesale replacement of eTenders, the National Treasury should start by improving the quality and completeness of fields.¹⁰⁰

- Leverage the Business and Civil Society Community to Increase Transparency.** The National Treasury should conduct training with journalists and watchdog organizations on the types and location of available tendering data.¹⁰¹ Government should also engage with civil society regarding the data they have collected – for example, Corruption Watch’s Procurement Watch tool identifies deviations from procurement procedures and government responsiveness¹⁰² – to not only increase its own effectiveness, but also build ties of mutual trust. Transparency International also has pointed out that “a robust, independent and effective appeals process” should be available for aggrieved bidders, as “corrupt or unfair practices are often exposed by businesses who feel they have lost out.”¹⁰³ Although the courts may make the final decision, officials should ensure that appeals processes provided for by the Public Financial Management Act¹⁰⁴ do not impose an overwhelming logistical or financial burden on businesses, and that the process can “[suspend] the procurement until a judgment is made.”¹⁰⁵

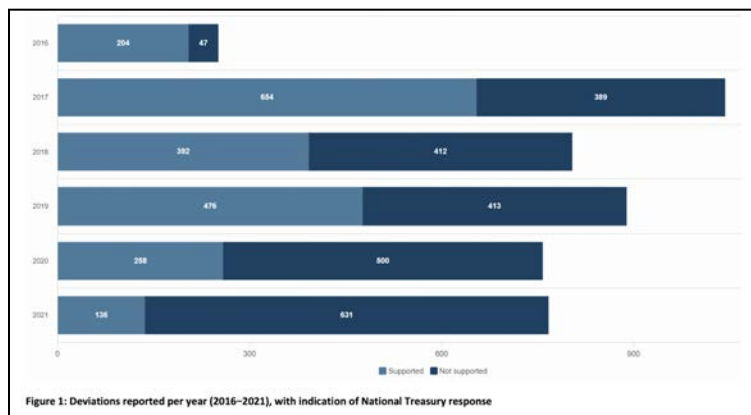


Fig. 1: According to Procurement Watch’s most recent report, although deviations have decreased since 2017, National Treasury responsiveness has also recently declined.

1.2.2. Safeguard against service delivery-related corruption at the municipal level

In the long term and at all levels of government, South African officials should strike a balance between cutting unnecessary red tape — which would reduce opportunities to meddle with

¹⁰⁰ *Rapid Assessment & Field and Indicator Analysis for ETenderPublication, North West Department of Health and Gauteng Province Procurement Portals* (Johannesburg: Corruption Watch and Open Cities Lab, November 20, 2020), 13, <https://www.corruptionwatch.org.za/wp-content/uploads/2021/03/OpenCitiesLab-OC4HField-and-Indicator-Analysis-v7-3.pdf>.

¹⁰¹ *State of Transparency of Health Procurement Data*, 28.

¹⁰² *Procurement Watch Report on Procurement Risk Trends 2022* (Johannesburg: Corruption Watch, August 3, 2022), <https://www.corruptionwatch.org.za/wp-content/uploads/2022/08/ProcurementWatch-report-2022-04.08.22.pdf>.

¹⁰³ “Transparency in Public Procurement” (Transparency International, May 2015), 2, https://www.transparency.org/files/content/activity/2015_TI_G20PositionPaper_PublicProcurement.pdf.

¹⁰⁴ “Public Finance Management Act” (National Treasury, 1999), <https://www.treasury.gov.za/legislation/pfma/act.pdf>.

¹⁰⁵ “Transparency in Public Procurement,” 2.

transactions — and tightening rules, as recommended by the Zondo Commission regarding public procurement.¹⁰⁶ However, as an immediate fix, South African officials should strengthen protections against common tactics of corruption at the municipal level regarding service delivery, including water, sanitation, and electricity,¹⁰⁷ as well as distribution of subsidized housing. Corruption Watch reports that “It is almost impossible to find a single municipality wherein applicants are not complaining about the long waiting lists [for housing] or... claiming that their names are moved further down the list because they are unwilling or unable to pay a bribe to an official.”¹⁰⁸ Ensuring that these essential services are delivered would demonstrate the government’s capacity and forge a greater sense of trust. According to Corruption Watch’s 2021 report on corruption in local government, the two most common forms of corruption are bribery (28%) and procurement irregularities (24%), providing policy openings.¹⁰⁹ South Africa should:

- **Reduce the regulatory compliance burden**, which will in turn reduce opportunities for bribery. The standardization of tenure rights across metropolitan areas — such as building standards, municipal business registration, tender application procedures, and administrative penalties and costs — would reduce barriers to entry for small businesses and the incentives for businesses, no matter the size, to pay officials to simplify processes and attain tenders.¹¹⁰ Greater transparency around bribes could also help prosecutors target officials and discourage the practice.
- **Close loopholes in the procurement process**, many of which are intended to alleviate administrative burdens or expedite procurement in an emergency. Both the “panel strategy” (in which a panel of consultants or approved service providers is established for recurring “services that are of a routine or simple nature”) and the “emergency strategy” (in which corrupt officials either claim an emergency or create one to avoid formal procurement processes)¹¹¹ could be curtailed by better regulations. For example, a dashboard or some other transparency mechanism could track the passing of the four-month “immediate action timeframe” implied by current legislation¹¹² and allow civil society and competitors to monitor progress. Similarly, although direct contracting can be appropriate under emergency conditions, a checklist should be applied that includes that “there is only one supplier that has capacity to deliver.”¹¹³
- **Push for the signing of integrity pacts** for basic services such as water and sanitation between governments and businesses to “refrain from corruption and guarantee transparency,” monitored by an independent third party.¹¹⁴

¹⁰⁶ “The Zondo commission has revealed vast graft in South Africa.”

¹⁰⁷ *South Africa Needs Clean Hands* (Johannesburg: Corruption Watch, August 2021), <https://www.corruptionwatch.org.za/wp-content/uploads/2021/08/CW-local-govt-sectoral-report-August2021.pdf>.

¹⁰⁸ *South Africa Needs Clean Hands*, 2.

¹⁰⁹ *South Africa Needs Clean Hands*, 2.

¹¹⁰ *An Incomplete Transition: Overcoming the Legacy of Exclusion in South Africa* (Washington, D.C.: World Bank Group, 2018), <https://openknowledge.worldbank.org/handle/10986/29793>.

¹¹¹ Muller, 49.

¹¹² Muller, 50.

¹¹³ “COVID-19: Competition and Emergency Procurement” (OECD), <https://www.oecd.org/competition/COVID-19-competition-and-emergency-procurement.pdf>.

¹¹⁴ Muller, 71.

1.2.3. Disrupt financial crimes through prosecution and transparency

Money laundering facilitates the funneling of public funds into private bank accounts. In one egregious example, R288 million, or 82% of spending on the Estina Dairy Project, went toward Gupta-controlled shell companies in Dubai and South Africa.¹¹⁵ The prevalence of money laundering in South Africa also has the potential to substantially hinder economic growth and currently inhibits even mundane international transactions such as paying their tuition at foreign schools.¹¹⁶ Underlining the severity of the problem, in October 2021, the Financial Action Task Force (FATF), an intergovernmental anti-money laundering (AML) task force established by the G7, published a mutual evaluation report (MER) identifying significant remaining gaps in South Africa's AML regime. A year later, an independent report assessed an 85% chance of the FATF "greylisting" — or imposing additional monitoring on — South Africa at its upcoming plenary meeting in February 2023.¹¹⁷ The designation's impact could range from 1–3% of GDP depending on South Africa's speed and willingness to meet FATF standards.

The FATF report recommends that the executive branch set up an internal task team which would facilitate "the change management and capacitation that must happen in key institutions such as the Hawks and Financial Intelligence Centre."¹¹⁸ This, along with the earlier changes to recruit competent personnel, would remedy the government's inability to effectively prosecute complex financial crimes.¹¹⁹ Banks and other private financial institutions implicated by civil society in facilitating transactions — despite clear indicators of money laundering — should continue be investigated, fined, and potentially banned¹²⁰ as a deterrent to potential future bad actors.¹²¹

In addition, an improved Beneficial Ownership Transparency (BOT) policy framework would not only help watchdogs and prosecutors tackle corruption, but also bolster trust between business and government. FATF encountered significant difficulties obtaining "adequate, accurate and current BO information" and found that "authorities could not demonstrate that they apply sanctions for failure to comply with information requirements."¹²² The South African government has also failed to identify when beneficial owners are politically exposed persons (PEPs).¹²³ Policymakers should therefore implement a public BOT register featuring accessible, free, and online data.¹²⁴ The new BOT policy should also expand the definition of a PEP in time and profile, including people with functions in international organizations based outside of South

¹¹⁵ Michael Marchant et al., *The Enablers: The Bankers, Lawyers and Accountants That Cashed in on State Capture* (Cape Town: Open Secrets, April 2020), https://www.opensecrets.org.za/what_we_do/investigations/the-enablers/.

¹¹⁶ Conversation with partner of Sithembile Mbete, December 2, 2022.

¹¹⁷ Neesa Moodley, "Greylisting Seems Inevitable, but There Are Steps SA Can Take to Mitigate the Fallout," *Daily Maverick*, October 12, 2022, <https://www.dailymaverick.co.za/article/2022-10-12-greylisting-seems-inevitable>.

¹¹⁸ Moodley.

¹¹⁹ Conversation with Duncan Walker, December 8, 2022.

¹²⁰ Conversation with Bulelani Ngcuka, December 12, 2022.

¹²¹ Michael Marchant, "Zondo Let the State Capture Bankers off the Hook," *Daily Maverick*, June 28, 2022, <https://www.dailymaverick.co.za/article/2022-06-28-zondo-let-the-state-capture-bankers-off-the-hook/>.

¹²² Michael Barron and Tim Law, *Beneficial Ownership Transparency in South Africa's Mining Sector* (Johannesburg: Corruption Watch, November 2022), 4, https://www.corruptionwatch.org.za/wp-content/uploads/2022/11/20221111_Beneficial-Ownership-Transparency-in-South-Africas-Mining-Sector_V0.2_Final_14Nov2022.pdf.

¹²³ Barron and Law.

¹²⁴ Barron and Law.

Africa, family members of PEPs, and close associates of PEPs.¹²⁵ The policy should include a mechanism that monitors when existing customers become PEPs, an identification which should trigger a requirement for senior approval for continuing the relationship.¹²⁶

1.2.4. Promote a whistleblowing culture

South Africa has a strong culture of speaking out.¹²⁷ According to two 2021 Corruption Watch reports, 77% of respondents indicated they would report corruption if they witnessed it, and between 2012 and 2020, the organization received 32,998 whistleblower reports.¹²⁸ The number, at least for municipal governments, has increased recently: the organization received a record number of 857 whistle-blower allegations related to corruption in 2020.¹²⁹ However, harassment of whistleblowers continues. For example, Martha Ngoya, the head of the legal department of Prasa, is currently under surveillance and “on suspension pending the outcome of a disciplinary process brought against her” for whistleblowing on corruption in the state-owned rail service.¹³⁰



Some progress has been made to promote a whistleblower culture, as shown by this poster on Robben Island

To protect and encourage whistle-blowers, the government should create an independent whistle-blowing institution that provides legal, financial and mental health support to citizens.¹³¹ In addition, law enforcement agencies should receive training and resources to thoroughly investigate complaints.

1.3. Education: Meeting the Prerequisites for Learning

¹²⁵ Barron and Law.

¹²⁶ Barron and Law.

¹²⁷ Kate Yuan. Robben Island Museum. Robben Island, South Africa. December 10, 2022. Photograph.

¹²⁸ *Daring to Act: Perceptions on Whistleblowing in South Africa* (Johannesburg: Corruption Watch, 2021), https://www.corruptionwatch.org.za/wp-content/uploads/2021/12/Whistle_Corruption-Watch_FINAL.pdf.

¹²⁹ *South Africa Needs Clean Hands*.

¹³⁰ Kwasi Dlamini, “Whistle-Blowers Betrayed by Govt Failure to Protect Them, despite Promises,” Corruption Watch, September 9, 2022, <https://www.corruptionwatch.org.za/whistle-blowers-betrayed-by-govt-failure>.

¹³¹ *Daring to Act*.

“The education system has failed South Africa.” — New York Times photographer João Silva¹³²

South Africa’s constitution guarantees all South Africans the right to a basic education. However, challenges across the education system have kept this human right out of reach for many. Disparities in basic provisions, teacher quality, and access to resources across public, private, and Model C (semi-private, formerly all white schools) are emblematic of the inequality that pervades the country and the legacies of apartheid policies such as Bantu Education. Children in the top 200 schools achieve more distinctions than the next 6,600 combined; in Limpopo and the Eastern Cape — regions with higher percentages of black South Africans and lower percentages of white South Africans than the national average — 91% and 85% of nine-year-old children cannot read for meaning, respectively.¹³³ In a discussion with Grassroots Soccer, we were told, “The kind of education you get is determination [for life].”¹³⁴ South Africa’s youth will be left with the problems of today and will be tasked with deterring the problems of tomorrow. Reforming education for children throughout South Africa is essential for creating an employable populace capable of tackling issues like corruption, fostering economic growth, and achieving racial reconciliation.

The following section proposes low-touch policy solutions that create immediate benefits in South Africa’s education system designed to build civilian trust in the government’s capacity. These immediate changes will create a backdrop for eventual broader and equitable reform and create an environment where the most important prerequisites for learning are met. Teacher quality, curriculum, and structural inequality are all important issues that must be addressed to achieve racial reconciliation, but they will be discussed in later sections.

1.3.1. Eradicate pit latrines

According to an April 2021 report, 2,130 of 23,276 of South Africa’s public ordinary operational schools had only pit latrines in their schools and 5,167 had pit latrines in addition to another kind of facility.¹³⁵ Inadequate sanitation facilities are dirty, dangerous, and cause contamination. Two five-year-olds have drowned in pit toilets since 2014.¹³⁶ South Africa’s Sanitation Appropriate for Education (SAFE) initiative aims to eradicate pit toilets during the 2022-2023 financial year, but the Department of Basic Education has repeatedly delayed deadlines. Action must be taken immediately while permanent infrastructure solutions are pursued. Provincial governments should allocate funds toward temporary solutions while long-term facilities are built, like partnering with Sanitech to provide portable or mobile toilets to schools that currently utilize pit toilets.¹³⁷ These toilets *must be serviced regularly and cannot be considered a permanent solution*. This will ensure that students have their basic needs met while at school.

¹³² Conversation with João Silva, December 1, 2022.

¹³³ *Broken and Unequal: The State of Education in South Africa* (London: Amnesty International Ltd., 2020), 7, <https://www.amnesty.org/en/documents/afr53/1705/2020/en/>.

¹³⁴ Conversation with Grassroots Soccer, December 1, 2022.

¹³⁵ NEIMS, “National Education Infrastructure Management System Report as at 12 April 2021,” April 12, 2021, <https://www.education.gov.za/Portals/0/Documents/Reports/NEIMS%20STANDARD%20REPORT%202021.pdf>.

¹³⁶ Pumza Fihlani, “South Africa’s School Pit Latrine Scandal: Why Children Are Drowning.” *BBC*, June 4, 2018. <https://www.bbc.com/news/world-africa-44329712>.

¹³⁷ Sanitech. <https://www.sanitech.co.za/About-Us/About-Sanitech>.

1.3.2. Provide access to clean water

South Africa is a water-scarce nation.¹³⁸ Safe drinking water, beyond its importance as a basic human right, is a necessity in schools. Drinking contaminated water is a significant driver of diarrheal disease; from 2012-2015, there were an estimated 25,000 to 30,000 diarrhea cases each year in children younger than five years old in South Africa.¹³⁹ Even when children survive the disease, they may suffer from undernutrition or stunting, impacting their abilities to progress through school.¹⁴⁰ As of April 2021, 5,836 of the country's public ordinary operational schools had an unreliable water supply.¹⁴¹ Of the 380 schools in South Africa that have no water, most are geographically concentrated in the Eastern Cape, KwaZulu-Natal, and Limpopo, some of the country's poorest and non-white provinces.^{142, 143}

Much like the case for sanitation facilities, providing infrastructure for clean water must be a paramount priority for municipal and national governments. Intermediate solutions must be implemented in order for schools to meet the basic needs of their students. Low-touch interventions include government funding for the provisions of clean bottled water, water filters and purification mechanisms, and iodine water treatment tablets.

1.3.3. Provide safety and security

The lack of safety and security for students during their commute to and while at schools continue to be a serious concern. Despite the fact that the Department of Transport and the Department of Basic Education are required to ensure that transport is provided to students who live more than three kilometers away from the nearest school, 22% of students walk between 30 minutes and an hour to get to school.¹⁴⁴ This commute makes children more vulnerable to theft, assault, hazardous traffic, and more. In addition to dangerous commutes to school, many children experience violence and danger while at school from other pupils and criminals: A national survey reported that 54% of respondents felt that learners and teachers are not safe in schools in their area.¹⁴⁵

South Africa must take immediate steps to increase the safety for children. Implementation of surveillance technology can allow for the monitoring of schools at a relatively low cost. Pushing widespread, advertised knowledge of this surveillance may deter potential bad actors if they are made aware that their actions will be documented and law enforcement may be deployed more

¹³⁸ Donnenfield, Zachary, "A Delicate Balance: Water Scarcity in South Africa." Institute For Security Studies, Water Research Commission, Frederick S. Pardee Center For Int. Futures, 2018, <https://gdc.unicef.org/resource/>.

¹³⁹ Nguyen, Thi Yen Chi, Bamidele Oladapo Fagbayigbo, Guéladio Cissé, Nesre Redi, Samuel Fuhrmann, John Okedi, Christian Schindler, et al. 2021. "Diarrhoea among Children Aged under Five Years and Risk Factors in Informal Settlements: A Cross-Sectional Study in Cape Town, South Africa." *International Journal of Environmental Research and Public Health* 18 (11): 6043. <https://doi.org/10.3390/ijerph18116043>.

¹⁴⁰ Donnenfield, 6.

¹⁴¹ "National Education Infrastructure Management System Report as at 12 April 2021."

¹⁴² Jones, Chris. 2021. "Pit Latrines and Lack of Access to Clean Water at Schools Is a National Outrage." *The Daily Maverick*, November 3, 2021.

¹⁴³ "National Education Infrastructure Management System Report as at 12 April 2021."

¹⁴⁴ "Broken and Unequal: The State of Education in South Africa," 9.

¹⁴⁵ "Broken and Unequal: The State of Education in South Africa," 71.

efficiently. If applied both in schools and at potential checkpoints along popular routes that students take to school, these measures may help safety and security for learners while larger capacity solutions are explored (discussed in Section III).

1.3.4. *Reduce teacher absenteeism*

Once children are at school, teacher absenteeism poses an additional challenge for education. According to a 2017 report, 10% of teachers for primary and secondary schools were absent from school on an average day in South Africa.¹⁴⁶ This rate is likely an underestimation, as the data collection process found that in 22% of schools, teachers were signing in on registers for future days, rather than only on days in which they arrived at school.¹⁴⁷ Teacher absenteeism is particularly pervasive in predominantly black schools, where teachers teach an average of 3.5 hours a day, compared to 6.5 hours a day in former white schools.¹⁴⁸ Even if children are making it to school, they may be sitting with tens of their peers in a classroom where no curricular learning is occurring. Getting from the current state of education to high quality teaching will require intense resources, organizational capacity, and time. The children who are currently attending South Africa's schools, however, should be getting at least some sort of education while in classrooms.

Policy solutions addressing teacher absenteeism can take several different forms. Although better monitoring can hold educators accountable, two challenges obstruct this solution. First, monitoring mechanisms can be labor-intensive. Second, monitoring must be accompanied by accountability mechanisms in order to be successful. Technology can help address these challenges. In Ecuador, the implementation of tracking technology caused a quarter of previously absent teachers to become present.¹⁴⁹ Similar results have been observed in Sierra Leone.¹⁵⁰ Publicizing absenteeism rates so that parents are made aware of deficiencies can create greater accountability, ensuring that such monitoring matters.

1.3.5. *Increase student retention*

Schooling is compulsory from the age of 7 to the age of 15 (grades 1-9) but the education system runs from grade 0 to grade 12 (for which age group norms are 4 to 18).¹⁵¹ School attendance remains relatively consistent during compulsory years.¹⁵² Figure 2 shows that school attendance rates markedly decrease after age 15, when compulsory attendance stops, with 29.3% of 18-year olds not in education. Students stop schooling for a variety of reasons; the top three cited in 2021 were illness and disability, poor academic performance, and lacking money for fees (Figure 3).

¹⁴⁶ "School Monitoring Survey 2017/2018 Quantitative and Qualitative Summary Report," 2018, Nexia SAB&T, 10 <https://www.education.gov.za/Portals/0/Documents/Reports/6.%20Summary%20Report%20School%20Monitoring%20Survey%202017-18.pdf?ver=2019-04-08-092923-007>.

¹⁴⁷ "School Monitoring Survey 2017/2018 Quantitative and Qualitative Summary Report," 10.

¹⁴⁸ Montfort Mlachila and Thalefang Moeletsi, 32.

¹⁴⁹ Halsey Rogers and Emiliana Vegas, "No More Cutting Class? Reducing Teacher Absence and Providing Incentives for Performance," World Bank, 2009, <https://openknowledge.worldbank.org/handle/10986/4043>.

¹⁵⁰ Nathan M. Castillo, Adam Taskeen, and Haßler Björn, *Improving the Impact of Educational Technologies on Learning Within Low-Income Contexts* (Open Book Publishers, 2022).

¹⁵¹ Western Cape Education Dept. 2003. "Admission of Over-Age Learners to Public Schools." https://wcedonline.westerncape.gov.za/circulars/2003/e240_03.html.

¹⁵² "General Household Survey." 2021. Statistics of South Africa, 15.

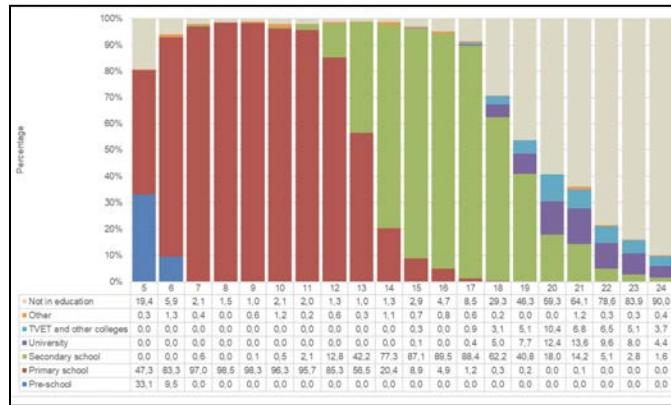


Fig. 2: Type of educational institution attended by individuals aged 5-24¹⁵³

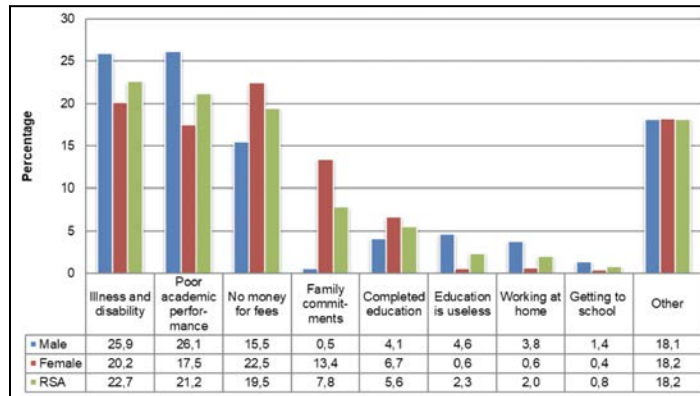


Fig. 3: Distribution of main reasons given for not attending an educational institution¹⁵⁴

Another low-touch intervention: providing more information to students and parents. In Madagascar, providing children and their parents with accurate information on the value of schooling, like expected income gains, was achieved at a cost of \$2.30 per child.¹⁵⁵ The benefits of these campaigns produced results equivalent to 600 times the cost.¹⁵⁶ This data suggests that high returns can be achieved at a relatively low cost, and personal calculus regarding the value of education can change based on new information. Municipal governments should work with schools to incorporate information and clear information regarding the monetary payoffs of schooling. At the national level, investing in campaigns to advertise this information through mediums like social media can reach target audiences.

1.4. Crime

“We were a gangster state from the beginning.” — Dr. Sithembile Mbete¹⁵⁷

¹⁵³ “General Household Survey,” 15.

¹⁵⁴ General Household Survey,” 17.

¹⁵⁵ Peter F. Ozarem, “Third Copenhagen Consensus: Education Assessment” (Copenhagen Consensus Center, April 2012) <https://www.copenhagenconsensus.com/publication/education>.

¹⁵⁶ Peter F. Ozarem.

¹⁵⁷ Conversation with Dr. Sithembile Mbete, December 2, 2022.

Crime is a comprehensive threat to South Africa's wellbeing. The South African Police Service has struggled to outgrow a militarized, hierarchical configuration and a directive to shield the minority white population from crime and political upheaval while brutally suppressing black communities from apartheid. Activist Shirley Gunn's documentary *We Never Gave Up* highlights how organized crime easily takes hold in underserved and disproportionately black townships. These organizations legitimate themselves by balancing violence with providing food, money, services, and social identity for young people. This scales up to crime networks which scare off foreign investment and public-private initiatives.

SAPS made significant improvements in the first five years of democracy, produced by a focus on community relations and HR training, but since then has been paralyzed by corruption and low capacity.¹⁵⁸ Today, trust in police is at its lowest since the 1990s; in 2021, only 27% of the public trusted or strongly trusted the police. Meanwhile, the murder rate has spiked by 38% in the past decade.¹⁵⁹ Despite efforts to modernize the criminal justice system, such as the 2016 White Paper on Policing, a lack of accountability and endemic corruption have stifled implementation.¹⁶⁰ SAPS' accountability organ, the Independent Police Investigative Directorate (IPID), is beholden to the police and prioritizes case resolution statistics over discouraging misconduct.

Crime and ineffective response trap South Africa in hostile, racist dynamics which reinforce the notion that township residents "have to escape to live a good life" and push wealthier citizens into private enclaves.¹⁶¹ Uprooting crime will start with proving to all South Africans that they can trust their government to sufficiently arbitrate justice and protect them.

1.4.1. *Improve police training*

Current police training under the South African Basic Police Development Learning Program allows recruits to enter the force, earn a salary, and spend up to two years working prior to completing training. Officers who have failed or not yet been tested in firearm competency assessments are still on active duty. Furthermore, a lack of enforcement cultivates a culture of impunity. Bolstering police training via meritocratic recruitment and an emphasis on how values-driven approaches enhance job performance can drive down police corruption, as it did in Singapore and Hong Kong.¹⁶²

The need to hire new police creates a vicious cycle. In February 2022, President Ramaphosa announced the hiring of 12,000 additional police officials.¹⁶³ Pressure to meet recruitment targets

¹⁵⁸ Patrick Egwu, "South Africa's police are undertrained, uncontrolled, and deadly" *Foreign Policy*, 2021. <https://foreignpolicy.com/2021/05/31/southafrica-police-brutality-julies/>.

¹⁵⁹ Antony Sguazzin, "Murder, Kidnapping Pose 'Existential' Threat to South Africa. Bloomberg, September 9, 2022, <https://www.bloomberg.com/news/articles/2022-09-21/organized-crime-in-south-africa-is-driving-up-murder-kidnapping-rates?leadSource=uverify%20wall>.

¹⁶⁰ "White Paper on Policing," *Civilian Secretariat for Police*, 2016, http://www.policesecretariat.gov.za/downloads/bills/2016_White_Paper_on_Policing.pdf.

¹⁶¹ Conversation with Mike Mpanya, December 6, 2022.

¹⁶² Krista Lee-Jones, "Best practices in addressing police-related corruption. U4 Anti-Corruption Resource Centre, 2018, <https://www.u4.no/publications/best-practices-in-addressing-police-related-corruption>.

¹⁶³ "South Africa getting thousands of new police officers this year: Ramaphosa" 2022, *BusinessTech*. <https://businesstech.co.za/news/government/616953/south-africa-getting-thousands-of-new-police-officers-this-year>.

is likely to undercut enforcement of standards in the screening and training of new hires. Corruption and low quality in the police training system will only intensify if it is overburdened by additional recruits. Furthermore, increasing the number of police is not the only pathway to a stronger organization. For example, Georgia effectively responded to endemic extortion, militarization, and organized crime connections by implementing mass dismissals, raising salaries, demilitarizing, and overhauling police training and personnel processes.¹⁶⁴

The National Development Plan recommends the creation of a National Police Board who will set recruitment and training standards.¹⁶⁵ This board should also be responsible for auditing police training and tracking progress to align with training trajectory. In addition, analyses of police performance should be made public to create accountability.

1.4.2. Create internal anti-corruption measures and accountability

Internal accountability is crucial to rebuilding faith in the police force and to divert South Africans from seeking security from private security and organized crime entities. Yet at the moment, internal accountability mechanisms are limited. As of 2021, 95% of internal investigations against police officers' use of force ended with no sanctions against the officers.¹⁶⁶ In a 2016 memo, an IPID whistle-blower summarized the organization's misaligned priorities: "the mission is to kill files."¹⁶⁷ Beyond corruption, IPID is chronically underfunded, facing a lack of cooperation from other arms of the justice system, and constructed without a strong legislative mandate.

- **IPID Must Correct Its Mandate to Gauge Quality of Impact.** Currently, "IPID's main performance target on investigations aims for quantity, and remains blind to the seriousness of the alleged crime."¹⁶⁸ This redirection could be facilitated by formalizing a policy of case screening to prioritize high-impact cases of the most egregious police misconduct. Not only does this create a realistic path through which IPID can improve their capacity, but also targets highly visible areas of corruption that can quickly enhance public trust.
- **IPID Must Be Responsible to Civilians who File Complaints.** As an internal organization, the IPID must balance this status with its responsibility to civilians. There needs to be more transparency in the classifications governing the closure or suspension of investigations which are not referred to the NPA, for police disciplinary action, and expectation setting about when a complaint will be investigated. Additionally, rather than simply dismissing a case file, IPID officers must record a brief summary of their decision and this file should be accessible to a plaintiff upon request.

¹⁶⁴ Krista Lee-Jones.

¹⁶⁵ "Vision for 2030: Building Safer Communities" National Development Plan, 2012, https://www.nationalplanningcommission.org.za/assets/Documents/NDP_Chapters/devplan_ch12_0.pdf.

¹⁶⁶ Patrick Egwu, "South Africa's police are undertrained, uncontrolled, and deadly" Foreign Policy, May 31, 2021, <https://foreignpolicy.com/2021/05/31/southafrica-police-brutality-julies/>.

¹⁶⁷ Daneel Knoetze, "IPID's cover-up of police brutality in SA". Viewfinder, 2019. <https://viewfinder.org.za/kill-the-files/>.

¹⁶⁸ Daneel Knoetze.

1.4.3. Address legislative gaps in police misconduct regulations

The Institute for Security Studies describes how IPID is “caught in a high use of force/low accountability cycle,” in part because they have to contend with vague regulations of police conduct.¹⁶⁹ Effective conduct regulations elaborate beyond and are stricter than the rule of law, yet there is no distinction between legal and professional standards. For example, a 2020 policy directive, issued following a 2020 incident where Collins Khosa was killed by police, states that “members are not allowed to indiscriminately use force to achieve even a legally permissible objective.”¹⁷⁰ For this doctrine to effectively constrain police conduct, it must refer to professional standards for judging and substantiating ‘indiscriminate force.’ Furthermore, the code of conduct is not comprehensive in accounting for SAPS’ obligation to abide by the Constitution as a state entity. According to constitutional directives, “police officers should be required to consider the risk to bystanders when they use lethal force,” but this standard is not addressed in the law or the SAPS code of conduct.¹⁷¹

To ensure that IPID can accurately enforce consequences for misconduct, SAPS should implement the Civilian Secretariat for Police Service’s Use of Force Policy, such as “developing an internal instrument to inform SAPS members about standards,” and updating police standing orders to include mandatory reporting/investigation of all incidents where use of force results in the hospitalization of a person.¹⁷²

1.4.4. Rebuild ties to the community

To rebuild connections destroyed by apartheid legacies and neglect, the police must make themselves visible and accessible to civilians. In high-risk neighborhoods, police exist on the community's outskirts: Their fortress-like stations are “a vivid architectural demonstration of the SAPS’ unease working in such areas.”¹⁷³ Furthermore, SAPS often asserts their presence in crime-affected areas through militarized high-intensity raids. In 2019, the police raided Cape Town neighborhoods to crack down on a wave of gang-related murders, but when the deployment only lasted an hour and a half, residents were left feeling that “the appearance of action was more important than putting in place longterm solutions to organized crime.”¹⁷⁴ Police enforcement of COVID regulations included the brandishing of sjamboks, “a type of whip used by police in the apartheid era but which is no longer part of formal police equipment.”¹⁷⁵

¹⁶⁹ David Bruce, “How to reduce police brutality in South Africa”. Institute for Security Studies, 2020. <https://issafrica.s3.amazonaws.com/site/uploads/sar-40.pdf>.

¹⁷⁰ David Bruce.

¹⁷¹ David Bruce.

¹⁷² “Professional Use of Force Policy and Guidelines for the South African Police Service,” Civilian Secretariat for Police Service, 2018, http://www.policesecretariat.gov.za/downloads/policies/Use_Force_Policy.pdf.

¹⁷³ Guy Lamb, “Police militarisation and the ‘war on crime’ in South Africa.” *Journal of Southern African Studies*, 44, no. 5 (2018): 933-949.

¹⁷⁴ Global Initiative Against Transnational Organized Crime. “Strategic Organized Crime Risk Assessment: South Africa,” 2022. <https://globalinitiative.net/wp-content/uploads/2022/09/GI-TOC-Strategic-Organized-Crime-Risk-Assessment-South-Africa.pdf>.

¹⁷⁵ “Some African governments are enforcing lockdowns brutally,” *The Economist*, April 4, 2020. <https://www.economist.com/middle-east-and-africa/2020/04/04/some-african-governments-are-enforcing-lockdowns-brutally>.

Each police station is currently expected to have a Community Police Forum composed of local stakeholders and officers,, but there are concerns that these are too embedded into the police organization.¹⁷⁶ To demonstrate a genuine commitment to rebuilding relationships, the police should partner with respected civil society organizations who have mandates to report on police accountability or community building, to host a series of public forums about the branch’s role in the community’s future. To create a mechanism of accountability, regional police branches should collect reports from CSOs on stations’ receptiveness and engagement in order to more tangibly account for police-civilian dynamics and identify ‘bright spots’ that can be scaled up across SAPS.

1.5. Election Reform

“I call politics ‘Politricks.’” — Grassroots Soccer Alexandra Coach¹⁷⁷

Election reform is a critical step to put the right people in positions of power and revitalize engagement in the democratic process. Despite falling voter turnout rates, the ANC continues to rely on its legacy as a liberation party and upholds the sentiment that they “will rule until Jesus comes.”¹⁷⁸ Today, 67% of South Africans would be willing to forgo elections if a non-elected government could provide basic services such as security, jobs, and housing, a shocking turn for a country with such recent experience under authoritarianism.¹⁷⁹ Furthermore, it is clear that South Africans do respond to good governance: yearly audit results for all municipalities in South Africa, which receive extensive coverage in national and local media, have affected parties’ vote share by as much as five percentage points, according to a recent study from the London School of Economics.¹⁸⁰ South Africa’s electoral system ought to build on this impulse and increase faith in its institutions, not turn people away from the polls.

In 1994, the transitional government had to quickly create an electorate system that would afford representation for minorities and reckon with a voting base that would not be familiar with the names of candidates. The closed-list proportional representation model (PR) that was introduced was only supposed to last for five years. Twenty-eight years later, closed list PR still stands. This system has made it so that members of Parliament (MPs) are more beholden to party bosses than to voters. It has not only stifled competition and reduced electoral accountability but has recently been ruled unconstitutional: In June 2020, the Constitutional Court found the exclusion of independent candidates unconstitutional and ordered Parliament to revise the electoral system. The National Assembly presented a bill to include independents on the ballot for half of the available seats and the National Council of Provinces (NCOP) amended it to establish a panel of

¹⁷⁶ Jonathan Burger, “Are South Africa’s community police forums losing their impartiality?” Institute for Security Studies, 2021. <https://issafrica.org/crimehub/iss-today/are-south-africas-community-police-forums>.

¹⁷⁷ Conversation with Grassroots Soccer, December 1, 2022.

¹⁷⁸ Conversation with João Silva, December 1, 2022.

¹⁷⁹ Mikhail Moosa and Jan Hofmeyr, “South Africans’ Trust in Institutions and Representatives Reaches New Low” (Afrobarometer Dispatch No. 474, 2021). https://www.afrobarometer.org/wp-content/uploads/migrated/files/publications/Dispatches/ad474-south_africans_trust_in_institutions_reaches_new_low-afrobarometer-20aug21.pdf

¹⁸⁰ Berliner and Wehner.

experts to consider more expansive electoral reform.¹⁸¹ This bill is a missed opportunity and fails to either afford independent candidates a fair chance in the 2024 elections or address larger issues of electoral accountability.¹⁸² In order to fulfill the Constitution’s charge to create a “democratic and open society in which government is based on the will of the people,” more substantive electoral reform must happen in the near future.

1.5.1. *Follow the electoral amendment bill sunset clause*

The National Assembly should accept the NCOP’s amendments to the Electoral Amendment Bill, requiring the National Assembly to revisit electoral reform immediately after the 2024 election. The National Assembly should create a panel of experts to consider electoral alternatives, similar to the 2003 Van Zyl Slabbert Commission, to be enacted before 2028 so that the Electoral Commission has ample time to implement necessary changes to voting infrastructure ahead of the 2029 elections.

1.5.2. *Establish a mixed-member proportional representation system*

Regardless of whether a sunset clause is included in the Electoral Amendment Bill, we recommend that the National Assembly revisit electoral reform post the 2024 election and establish a mixed electoral system in which MPs are elected from a combination of multi-member constituencies and PR closed lists. This is in line with the conclusions of the Van Zyl Slabbert Commission and with propositions from various stakeholders, civil society organizations, and the Zondo Commission.¹⁸³

Section 46(1)(d) of the Constitution requires that the election of Parliament “results, in general, in proportional representation.” PR systems have been shown to increase diversity in the legislature, making room for a wider array of political views and minority party representation.¹⁸⁴ However, solely using closed lists has allowed the ANC and other parties to control its members, leaving voters without a way to hold individual MPs accountable. The Institute for Justice and Reconciliation’s 2021 South African Reconciliation Barometer reveals that “South Africans generally have low levels of confidence in public institutions and their representatives” and would prefer to have a greater say on political issues and governance, as they do not see their representatives as acting in their best interests.¹⁸⁵ A mixed system is necessary to balance the disadvantages of the PR list system, primarily its lack of accountability to a constituency.

Through multi-member districts, South Africans would be able to directly elect most of their representatives. Multi-member districts can reflect administrative divisions or communities of interest within the country because there is flexibility with regard to the numbers of

¹⁸¹ Parliament of the Republic of South Africa, “Media Release: National Assembly Passes the Electoral Amendment Bill” (Parliament of the Republic of South Africa, 2022).
<https://www.parliament.gov.za/press-releases/media-release-national-assembly-passes-electoral-amendment-bill>.

¹⁸² *BTI 2022 Country Report*, 8.

¹⁸³ “Proposed Electoral Model for South Africa” (Inclusive Society Institute, February 2021),
https://cisp.cachefly.net/assets/articles/attachments/84679_2021.02.24_electoral_reform_report.pdf.

¹⁸⁴ “Electoral Reforms” (ACE Project, accessed December 11, 2022), <https://aceproject.org/main/english.htm>.

¹⁸⁵ “SA Reconciliation Barometer Survey, 2021 Report” (Institute for Justice and Reconciliation, 2021), 34.
https://www.ijr.org.za/home/wp-content/uploads/2021/12/IJR_SA-Reconciliation-Barometer-2021.pdf.

representatives per district, thus fitting easily into existing districts within South Africa. Even if the population of a district increases or decreases, the boundaries would not necessarily need to be rewritten, as the number of representatives elected from the district could be altered. In addition to the benefit of not needing to constantly rewrite multi-member districts (as opposed to single-member districts which must be constantly rebalanced), multi-member districts tend to produce more balanced proportional representation by encouraging the nomination of a diverse roster of candidates and allowing for the selection of multiple representatives.

The Inclusive Society Institute (ISI) recently released a proposed model for electoral reform similar to the Van Zyl Slabbert Commission's 2003 recommendations.¹⁸⁶ In it, South Africa's eight metropolitan municipalities would be subdivided and added to its 44 existing district municipalities (some smaller districts might be combined), for a total of around 70 districts, with each district sending a three- to seven-member delegation to the National Assembly. The model includes 400 seats, with 300 coming from the MMDs and 100 other compensatory seats set aside to be distributed by parties based on their proportion of the vote. The ISI recommends the continued use of a closed list initially to maintain the simplicity of the ballot, meaning voters would still only vote for a party (or an independent candidate) and members would be allocated seats in the order of their list appearance. However, an open list is essential to the essence of the reform: Voters must be able to hold specific representatives accountable at the ballot box. The ISI raises the concern of ballot confusion and the need to pick between candidates of the same party on the ballot. This could be potentially remedied through a ranked choice voting system in which voters are able to vote for several candidates in order of preference.

1.5.3. *Work toward direct election of the president*

The president, similar to MPs, is currently selected by the party conference, and not beholden directly to voters. As the recent Zondo Commission highlights, this is a massive problem, as in the case of Jacob Zuma's election where many people supported the ANC, did not support Zuma for president, and could not split their vote between the two.¹⁸⁷ By allowing for the direct election of the president, voters are able to have a greater say in who runs their country and are able to hold that person directly accountable in the ballot box if they fail to live up to their commission.

1.5.4. *Improve voter registration*

Only about 65% of adult South Africans are even registered to vote, contributing to low participation rates especially among young people.¹⁸⁸ Registration rates also differ by race; in 2016, black South Africans had the least percentage of people registered (about 65%), while whites had the highest percentage of people registered to vote (about 79%).¹⁸⁹ South Africa should make voter registration "opt-out" instead of "opt-in" at various touch-points between the

¹⁸⁶ "Proposed Electoral Model," 18.

¹⁸⁷ Gaye Davis, "Constitution should be changed to allow for direct election of President," *Eyewitness News*, June 23, 2022. <https://ewn.co.za/2022/06/23/zondo-constitution-should-be-changed-to-allow-for-direct-election>.

¹⁸⁸ "Voter Registration Statistics" (Electoral Commission of South Africa, accessed December 11, 2022), <https://www.elections.org.za/pw/StatsData/Voter-Registration-Statistics>.

¹⁸⁹ "Governance, Public Safety and Justice Survey" (Statistics South Africa, August 14, 2019), 21, <http://www.statssa.gov.za/publications/P0340/P03402019.pdf>.

government and the people, including when applying for social grants and applying for a driver's license or other identification documents. As infrastructure grows, South Africa should strive toward automatic voter registration at birth, with voter eligibility beginning at age 18.¹⁹⁰

2. UNLOCKING SOUTH AFRICA'S ECONOMIC POTENTIAL

"The economics follow good governance." — Businessman Nhlanguiso Mkwana¹⁹¹

At face value, the South African economy should be thriving. Over a third of the 60 million-strong population is 18 years old or younger, meaning that an increasing number of young people are aging into their seemingly prime years of economic productivity.¹⁹² Moreover, South Africa is incredibly rich in natural resources and possesses a diversified economy¹⁹³ — from a comprehensive mining industry¹⁹⁴ and growing services sector¹⁹⁵ to world-renowned vineyards¹⁹⁶ and highly diversified farming enterprises.¹⁹⁷ Colonized as a strategically important shipping waypoint between Europe and Asia, the Rainbow Nation is globally interconnected as an economic and cultural hub.¹⁹⁸ Even as conditions stand, the country is the African continent's third largest economy by gross domestic product (GDP).¹⁹⁹

Yet in spite of these potential boons, the opposite is true: While demographically enriched, resource-laden, and globally connected, the South African economy is struggling deeply. South Africa's GDP growth, reasonably strong until the global financial crisis, is now hovering around a sluggish single percentage point,²⁰⁰ and the unemployment rate recently spiked to over 33%,²⁰¹

¹⁹⁰ Andisiwe Makinana, "SA politicians keen on automatic voter registration to boos," *Sunday Times*, October 3, 2022. <https://www.timeslive.co.za/sunday-times-daily/politics/2022-10-03-sa-politicians-keen-on-automatic-voter-registration-to-boost-turnout/>.

¹⁹¹ Conversation with Nhlanguiso Mkwana, December 1, 2022.

¹⁹² Katharine Hall, "Children in South Africa," September 2022, <http://childrencount.uct.ac.za/indicator.php>.

¹⁹³ "Resources and Power" (Britannica, n.d.), <https://www.britannica.com/place/South-Africa/Resources-and-power>.

¹⁹⁴ "The South African Mining Sector" (University of Witswatersand Johannesburg, 2022), <https://www.wits.ac.za/wmi/about-us/the-south-african-mining-sector/>.

¹⁹⁵ Haroon Bhorat et al., "Understanding and Characterizing the Services Sector in South Africa" (United Nations University Wider, 2016), <https://www.wider.unu.edu/publication/understanding-and-characterizing-services>.

¹⁹⁶ Britt Karlsson and Per Karlsson, "Five Wineries You Should Not Miss In South Africa," *Forbes*, August 21, 2019, <https://www.forbes.com/sites/karlsson/2019/08/21/five-wineries-you-should-not-miss-in-south-africa/?sh=600fed31f1a>.

¹⁹⁷ "South Africa: Fact Sheet of South African Agricultural Production" (Foreign Agricultural Service, October 31, 2019), <https://www.fas.usda.gov/data/south-africa-fact-sheet-south-african-agricultural-production>.

¹⁹⁸ Mehari Taddele Maru and Fabrizio Tassinari, "Africa's Future Is Transnational and Interconnected," *University World News - Africa Edition*, March 25, 2021, <https://www.universityworldnews.com/post.php?story=202103240>.

¹⁹⁹ Emmanuel Abara Benson, "10 Richest African Countries in 2021 Based on Gross Domestic Product (GDP)," *Business Insider*, December 25, 2021, <https://africa.businessinsider.com/local/markets/10-richest-african-countries-in-2021-based-on-gross-domestic-product-gdp/yd784tx>.

²⁰⁰ Hafez Ghanem, Sergio Pimenta, and Hiroshi Matano, "Country Partnership Framework with the Republic of South Africa" (World Bank, February 1, 2017), <https://documents1.worldbank.org/curated/en/139701627178427304/pdf/South-Africa-Country-Partnership-Framework-for-the-Period-FY22-FY26.pdf>.

²⁰¹ "South Africa Unemployment Rate 1991-2022" (Macro Trends, 2022), <https://www.macrotrends.net/countries/ZAF/south-africa/unemployment-rate>.

not to mention the 74% unemployment rate for youth between 15 and 24.²⁰² Chief Africa correspondent for *The Economist* John McDermott noted that “life is unbelievably brutal for lots of people in South Africa.”²⁰³ South Africa’s crime, corruption, and state capture have all combined to stifle its economic potential: Substandard employment, education, and infrastructure have all undermined the country’s progress.²⁰⁴ Worse, inequality and social divisions, particularly along racial lines lingering from the apartheid era, run rampant.

Looking to the future, however, hope endures. The most prudent path forward involves unlocking the tremendous inherent economic power of the country. Combined with improving government trust and rooting out crime and corruption (see Section I), this section will seek to explore the several ways in which policy adjustments can combine to create a virtuous economic cycle that will assail some of the country’s largest issues like employment, growth, education, and infrastructure. First, these proposals will realign economic incentives, attract international capital, and improve economic growth. Second, educational reform will harness the country’s human capital and bolster employment, equality, and wealth figures. Third, investments in national infrastructure — while balancing the dual aims of equity and efficiency — will enable the full sustainable use of powerful existing resources. Finally, we address the role of FDI. In totality, our policy recommendations aim to get at the heart of racial reconciliation through addressing economic inequality, equipping South Africans who have suffered the most from apartheid and the following governments with the requisite infrastructure, capital, and skills to succeed in a twenty-first century global economy.

2.1. Economic Reform

“How do we grow in a way that’s equitable?”
— Businessman, pastor, and activist Mike Mpanya²⁰⁵

At our meeting in the economically and racially secluded Silver Lake compound in Pretoria, which contained its own hospital, game reserve, and essentially an isolated functioning neighborhood, we spoke with three key Afrikaaner figures who were deeply involved in the reconciliation process: Roelf Meyer, Ivor Jenkins, and Fanie du Toit. Aside from the anecdotally visible contrast between such a beautiful, first-rate community and the shacks and squalor of many township areas, empirical evidence backs up the fact that South Africa is one of the most unequal economies in the world, if not the most. Its Gini coefficient, an economic indicator that definitively measures inequality, was the worst in the entire world²⁰⁶ in 2014 at 63%.²⁰⁷

²⁰² “South Africa Economic Update: South Africa’s Labor Market Can Benefit from Young Entrepreneurs, Self-Employment” (World Bank, July 13, 2021), <https://www.worldbank.org/en/country/southafrica/publication/south-africa-economic-update-south-africa-s-labor-market-can-benefit-from-young-entrepreneurs-self-employment>.

²⁰³ Conversation with John McDermott, November 30, 2022.

²⁰⁴ Walter Baets et al., “9 Major Problems Facing South Africa - and How to Fix Them,” *Leader*, 2022, <https://www.leader.co.za/article.aspx?s=6&f=1&a=2893>.

²⁰⁵ Conversation with Rabbi Gideon Pogrud, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

²⁰⁶ “Gini Coefficient by Country 2022” (World Population Review, 2022), <https://worldpopulationreview.com/country-rankings/gini-coefficient-by-country>.

²⁰⁷ “Gini Index - South Africa” (World Bank, 2022), <https://data.worldbank.org/indicator/SI.POV.GINI>.



*Silver Lakes Golf Course, Pretoria, South Africa*²⁰⁸

To unlock economic potential, we must first reduce deep-seated inequality, a legacy of the apartheid era and racial conflict. Jenkins said he believes that “reconciliation is not going to happen ... until we’ve brought people into the same economic and social spheres of society.”²⁰⁹ Statistics from the South African racial reconciliation barometer indicate that feelings of patriotism, belonging, and positivity appear to directly track and correlate with underlying economic conditions, a sentiment we heard echoed repeatedly by officials at the Department of Planning, Monitoring, and Evaluation.²¹⁰ Businessman Nhlanganiso Mkwana told us that “the economics follow good governance;” next, reconciliation follows good economics.²¹¹ Deputy economic counselor at the U.S. Embassy in South Africa Duncan Walker told us that South Africa’s third quarter GDP growth of 1.6% — a number that exceeded expectations — nonetheless falls far short of what is required: South Africa needs 5.5% year-over-year real growth simply to employ all newly graduating students.²¹² Thus, we seek to prioritize robust growth — quickly, and as a first priority. Yet our vision for this expansion does not come at the cost of those at the lower end of the socioeconomic spectrum. In fact, the central policy pillars of our proposals involve equipping the less wealthy with important capital (via better access to financial resources and critical resources and infrastructure) and skills (primarily education) to succeed.

2.1.1. *Curb state capture through state-owned enterprises (SOEs) reform*

SOEs are one of the largest parts of the economy, strangling key network and service industries like utilities, transportation, and communications — not to mention financial services.²¹³ SOEs and their assets represented a third of GDP at the end of the 2019-2020 fiscal year. Even the

²⁰⁸ “Silver Lakes Golf Course, Lynnwood, Pretoria, Gauteng,” ShowMe, 2011, <https://showme.co.za/tourism/silver-lakes-golf-course-lynnwood-pretoria-gauteng/?n=1>.

²⁰⁹ Conversation with Ivor Jenkins, December 7, 2022.

²¹⁰ Conversation at the Department of Planning, Monitoring, and Evaluation, December 7, 2022.

²¹¹ Conversation with Nhlanganiso Mkwana, December 1, 2022.

²¹² Conversation with Duncan Walker, December 8, 2022.

²¹³ “The Role of SOEs in South Africa: Issues and Policy Options” (International Monetary Fund, 2022), <https://www.elibrary.imf.org/downloadpdf/journals/002/2022/038/article-A002-en.xml>.

private sector, especially small and medium-sized enterprises, is very dependent on SOE services and infrastructure.²¹⁴

Post-apartheid, the government has never clearly articulated the mandate of SOEs, and they have suffered from myriad challenges, especially corruption and state capture.²¹⁵ However, state capture is not the only cause of institutional failure in SOEs. Governance failures, particularly of shareholders (often government departments without an understanding of corporate governance principles or of the importance of board independence), regulatory weaknesses, and other concerns plague their effectiveness.²¹⁶ Rather than resulting from a well-planned long-term vision linking development aims to state ownership, the proliferation of SOEs is a function of historical developments: government at any level can establish an SOE relatively easily without need for systematic analysis, approval, or application.²¹⁷ SOEs also suffer from an inconsistent legislative framework, lacking uniformity or centrality, and a complex and decentralized oversight model. The regulatory framework adds further uncertainty, contributing to deficiencies.²¹⁸

The consequences of failure are dire.²¹⁹ Astonishingly, Eskom's inability to provide power, causing widespread "loadshedding" or power outages, is *alone* estimated to shrink the economy by 1% every year in terms of GDP.²²⁰ Businessman Nhlanguiso Mkwana said that the first task South Africa must accomplish before improving its economic situation is literally turning the lights back on, meaning establishing reliable power supply through Eskom.²²¹ More broadly, nonfinancial SOEs have posted cash deficits between 2004 and 2020 that average around 1.1% of GDP annually, and they are accumulating higher levels of debt, adopting lower quality loans with worse terms (e.g. borrowing at higher interest rates).²²² Given the large role of SOEs in the South African economy, particularly noting their profound knock-on effects to essentially all other parts of the economy (from SMEs to power production), South Africa must implement serious reforms in order to unshackle the economy and get closer to the country's economic potential.



Eskom cannot provide consistent power in or around its office in Johannesburg.

The following specific policy recommendations, drawn from IMF, UN Economic Forum, and OECD reports, should help boost growth and reduce financial risk by promoting transparency and efficiency. They also derive from the experiences of other emerging market economies that have experienced previous policy successes in fighting the issues South Africa faces with their

²¹⁴ "Guidelines on the Governance of State-Owned Enterprises for South Africa" (Organisation for Economic Co-operation and Development, November 2014), <https://www.oecd.org/daf/ca/SOE-Guidelines.pdf>.

²¹⁵ "Governance of State-Owned Enterprises in South Africa: Enhancing Performance, Efficiency and Service Delivery" (United Nations Economic Commission for Africa, August 2018), <https://repository.uneca.org/handle/>.

²¹⁶ "Guidelines on the Governance of State-Owned Enterprises for South Africa."

²¹⁷ "The Role of SOEs in South Africa: Issues and Policy Options."

²¹⁸ "The Role of SOEs in South Africa: Issues and Policy Options."

²¹⁹ Sophia Swanson. Johannesburg, South Africa. December 5, 2022. Photograph.

²²⁰ "A Failure of Power: Eskom Is Turning out the Lights in South Africa," *The Economist*, December 12, 2019, <https://www.economist.com/middle-east-and-africa/2019/12/12/eskom-is-turning-out-the-lights-in-south-africa>.

²²¹ Conversation With Nhlanguiso Mkwana, December 1, 2022.

²²² "The Role of SOEs in South Africa: Issues and Policy Options."

SOEs. International lessons demonstrate that a combination of the following reforms, implemented in stages and across many cases (and are often ongoing), are effective:²²³

- **Establish a comprehensive SOE inventory:** index all SOEs, including subnationals and subsidiaries, and evaluate each SOE’s commercial viability, performance, and relevance to key public policy aims. Publicizing the inventory would inform subsequent policy and improve transparency.
- **Address regulatory weaknesses:** South Africa should consolidate legislative jurisdictions, cut red tape, and standardize regional and local regulations. Regulatory centralization will remove legal uncertainty and improve enforcement, reporting, and disclosure. Ideally, regulation of SOEs should shield consumers from mismanagement and abuse of market powers, such as through transparently auctioning off monopolistic rights or setting regulatory rewards and/or penalties for operational efficiency.
- **Strengthen management:** SOE managers need the requisite means, autonomy, and incentives to bolster performance, including the abilities to freely adjust staffing levels, source cheaper supplies, stop unprofitable activities, and seek new markets. Professionalizing the composition of SOE boards (as well as including customer representation) and creating new oversight bodies would incentivize managerial success and limit politicization.
- **Tailor strategy toward each individual SOE:** each SOE requires customized solutions based on its commercial viability and its relevance to key policy objectives. Below is a simplified breakdown of possible options:

| | <i>Commercially Viable</i> | <i>Commercially Unviable</i> |
|--|----------------------------|--|
| <i>Achieves Key Policy Objectives</i> | Retain the SOE | Transform the SOE into existing agencies or institutions |
| <i>Not Relevant to Policy Objectives</i> | Divest the SOE | Liquidate the SOE |

- **Increase competition:** To encourage efficiency, South Africa should promote alternative competition. Remove barriers to entry, reduce tariffs and regulations, eliminate special SOE tax advantages or preferential procurement arrangements, and/or break up SOEs to improve efficiency. The government can also do more to promote private sector participation, such as encouraging private capital entry, by offering transparent processes to procure managerial contracts and broadening ownership beyond just the state.
- **Restrict budgeting slack:** The government must curtail subsidies, transfers, and bailouts. SOE borrowing should originate from private commercial markets where they will be subject to realistic (rather than unduly favorable) terms.

2.1.2. Amend labor laws to combat unemployment

²²³ “The Role of SOEs in South Africa: Issues and Policy Options.”

South Africa's unemployment rate reached 33.56% in 2021 (one of the highest levels in the world), and has failed to fall below 20% over the last two decades.²²⁴ The South African youth, low and middle-skilled citizens, and blacks are disproportionately affected; for example, 37% of black South Africans are unemployed compared to less than 10% of white South Africans.²²⁵ When discouraged workers are included, this employment gap is further amplified. "Many young black South Africans matriculate just to add to the unemployment statistic,"²²⁶ noted Yacoob Abba Omar, the director of operations at the Mapungubwe Institute for Strategic Reflection, a think tank.²²⁷

The persistence of these spatial inequalities, given post-apartheid policies and strategies aimed at redressing past imbalances (such as Black Economic Empowerment, social grants, education reforms, etc.) is worrisome. Many believe that this persistence reflects the attempts of the government to fit a new South Africa into an old South African system that fails to address inequality.²²⁸ As a result, we propose two different policy solutions to enhance employment:

2.1.1.1. Ensure the minimum wage is not a barrier to employment

In January 2019, South African President Cyril Ramaphosa introduced a national minimum wage of R23.19 per hour to protect workers from "unreasonably low wages."²²⁹ Although this policy is meant to reduce the severe economic inequality in South Africa, it can have the opposite effect. "The minimum wage does not propel anyone to a higher rung on the ladder. It only prevents those standing on the floor from getting the chance of climbing onto the bottom few rungs of the ladder,"²³⁰ noted one think tank researcher when interviewed. To prevent this, the national minimum wage already has a few exemptions, where farmers can earn as low as R18, domestic employees R15, and workers on public works programs R11.²³¹ Additional measures should be implemented to ensure that the minimum wage is not preventing employment growth, such as allowing municipalities the right to set their own minimum wages and encouraging collective wage bargaining.

2.1.1.2. Reform employment protection legislation

Employment Protection Legislation (EPL) seeks to protect workers from unfair dismissals and the reduction in earnings that comes with job loss. However, EPL not only reduces a firm's propensity to fire workers but also hire new ones, which is particularly disadvantageous to those

²²⁴ "South Africa Unemployment Rate 1991-2022," Macrotrends, accessed December 12, 2022, <https://www.macrotrends.net/countries/ZAF/south-africa/unemployment-rate>.

²²⁵ Romain Duval, Yi Ji, and Ippei Shibata, "Labor Market Reform Options to Boost Employment in South Africa," *International Monetary Fund*, June 11, 2021, <https://www.imf.org/en/Publications/WP/Issues/2021/06/11/Labor-Market-Reform-Options-to-Boost-Employment-in-South-Africa-460735>.

²²⁶ Conversation with Yacoob Abba Omar, December 1, 2022.

²²⁷ Conversation with Yacoob Abba Omar, December 1, 2022.

²²⁸ Conversation with Gideon Popgrund, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

²²⁹ "Higher Minimum Wage Makes it Harder to Hire Locals in South Africa: union," *BusinessTech*, February 9, 2022, <https://businesstech.co.za/news/business/556576/higher-minimum-wage-makes-it-harder-to-hire-locals-in-south-africa-union/>.

²³⁰ "Higher Minimum Wage," *BusinessTech*.

²³¹ "Minimum Wage in South Africa: How Much Should You Earn?," *Expatica*, June 28, 2022, <https://www.expatica.com/za/working/employment-law/minimum-wage-in-south-africa-982321/>.

needing employment (youth, low-skilled individuals).²³² South Africa’s EPL is especially stringent, leading to a “burdensome and slow” dispute process, a report by the International Monetary Fund finds.²³³ Therefore, EPL reform in South Africa should focus on streamlining the process on all levels. Specific reforms include encouraging better mediation between employer and employee to reduce the number of caseloads, abbreviating the dispute resolution procedures, and keeping settlements consistent. Reforms like these that loosen the labor market will lower the cost of hiring employees, benefiting those who are currently most impacted by high unemployment: black and young South Africans.

2.1.3. *Strengthen labor force employability*

Policies that focus on improving key labor market institutions should be coupled with reforms that increase labor force employability for job seekers. In South Africa, labor force employability is particularly hampered by low education among the labor force, low entrepreneurship levels, and the high costs of performing jobs — notably, high transportation costs.²³⁴ These barriers weaken economic productivity, lower prospective wages, and limit job opportunities, particularly for black South Africans. Therefore, increasing employability requires a number of pro-competition market reforms, including product market deregulation, cutting commuting costs, and boosting SMEs’ and individuals’ access to obtaining credit.²³⁵

2.1.3.1. *Reform the Product Market*

Product Market Reforms are microeconomic policies that seek to improve the functions of markets by increasing competition. In South Africa, policies such as cutting administrative burdens on start-ups and barriers to competition in service industries could boost productivity, cut structural unemployment by one percentage point in coming years, and increase worker purchasing power – notes a recent study by the International Monetary Fund.²³⁶ Gideon Poggrund of the Gordon Institute of Business Science also believes in deregulating the product market, claiming that in order to drive investment and boost the economy, businesses and startups should not have to prove their legitimacy. Instead, the state should have to disprove it.²³⁷

Additionally, the Gauteng provincial legislature passed the Township Economic Development Act this year, a law that slashes red tape around business creation in townships and creates a fund to promote entrepreneurship and small business development.²³⁸ Mike Mpanya characterized it as a “law that removes laws.” A national version of this law, with the force of federal resources behind it, could have dramatic economic benefits.²³⁹

²³² Alexander Muravyev, “Employment protection legislation in transition and emerging markets,” *IZA World of Labor*, September 2014, <https://wol.iza.org/articles/employment-protection-legislation-and-labor-market-outcomes-in-transition-and-emerging-market-economies/long>.

²³³ Duval et al., 7.

²³⁴ Duval et al., 23.

²³⁵ Duval et al., 23.

²³⁶ Duval et al., 24.

²³⁷ Conversation with Gideon Popgrund, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

²³⁸ “Gauteng Township Economic Development Act.” Gauteng Provincial Legislature, April 11, 2022. <https://www.gauteng.gov.za/Departments/DepartmentPublicationDetails/%7B908A2656-B269-4AA9-AD28-6C691A41C04B%7D?departmentId=CPM-001003>.

²³⁹ Conversation with Gideon Popgrund, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

2.1.3.2. Cut transportation costs

Cutting transportation costs can have profound effects for low-skilled workers, including increasing a worker’s effective wage, raising employment rates by increasing job access, and also increasing employment duration. According to Mike Mpanya from the Gordon Institute of Business Science, if someone can work where they live, it can functionally double their salary, as South Africans commuting into the cities for work frequently spend upwards of half their income on transport.²⁴⁰ Useful policies for cutting transportation costs include subsidizing transport for low-income workers, investing in public infrastructure and transportation, and assigning transportation jurisdiction to local municipalities. Additionally, increasing residential density in areas close to cities can enable more workers to live closer to their jobs, also cutting transport costs.

2.1.4. Improve SME credit access in South Africa

Although small and medium enterprises (SMEs) make up almost 99% of all businesses in South Africa, they have historically lacked access to the capital they need to grow and thrive.²⁴¹ In 2018, only 6% of SMEs received government funding and only 9% received funding from private resources.²⁴² Documentarian and former MK member Shirley Gunn pointed out that many of the businesses that are able to receive government and private funding are the older, more established firms that date back to apartheid.²⁴³ Therefore, improving SMEs’ access to domestic finance can particularly help new SMEs — most of which are run by black South Africans, scale up; foster entrepreneurship, particularly encouraging younger generations to meaningfully contribute; and stimulate job creation, helping ameliorate South Africa’s unemployment crisis.

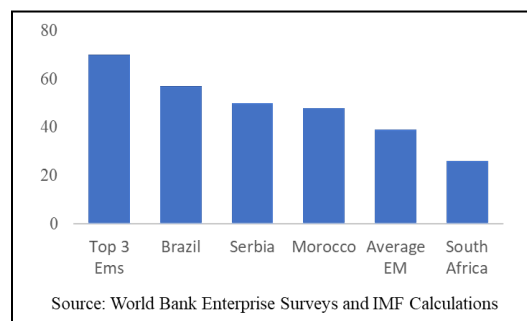


Fig. 4: Percentage of firms with a bank loan or credit line²⁴⁴

Significant red tape persists for SMEs looking to gain access to credit. “SMEs make up a majority of South African business,” Walker, the embassy official, told us, “but they lack the

²⁴⁰ Conversation with Gideon Popgrund, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

²⁴¹ Luis Cunha, David Entwisle, Uzayr Jeenah, and Fona Williams, “A credit lifeline: How banks can serve SMEs in South Africa better,” *Mckinsey & Company*, December 11, 2020, <https://www.mckinsey.com/featured-insights/middle-east-and-africa/a-credit-lifeline-how-banks-can-serve-smes-in-south-africa-better>.

²⁴² Cunha et al., “A credit lifeline.”

²⁴³ Conversation with Shirley Gunn, December 10, 2022.

²⁴⁴ Duval et al., 24.

support needed to actually compete with the large companies that have dominated since 1929.”²⁴⁵ Therefore, easing barriers to entry in the banking sector, consolidating and simplifying government support to SMEs, targeting primarily younger and more dynamic firms for support, and creating one-stop shops for SMEs regarding regulation, taxation, and access to government support can substantially enhance SMEs’ access to finance while increasing competition among firms. This is particularly important for black entrepreneurs in South Africa, who have “brilliant ideas yet lack the necessary funding.”²⁴⁶ Additionally, many South Africans lack the collateral to obtain loans from formal channels, pushing them to acquire credit from informal sources that typically charge extremely high rates and often hold extreme power over those in debt. Therefore, expanding credit access can remove the financial barriers imposed on South Africans that are imposed by unregulated informal credit. This allows consumers to purchase more goods or even to start small businesses, which are both beneficial to the overall economy. Furthermore, research from Innovations for Poverty Action shows that better access to credit could not only increase the quality of life of the borrowers, but also give lenders more profit.²⁴⁷

2.1.5. Start tackling wealth inequality through a low-end wealth or national consumption tax

The World Bank recently found South Africa to be the most unequal country in the world, ranking first among 164 countries in the World Bank’s global poverty database.²⁴⁸ One fifth of this inequality is attributed to inherited circumstances, such as location, gender, age, and parental background; when race is included, this number more than doubles.²⁴⁹ This is due to the lasting legacies of apartheid and colonialism that have significantly distorted the concentration of land ownership and wealth, key barriers to economic opportunity.

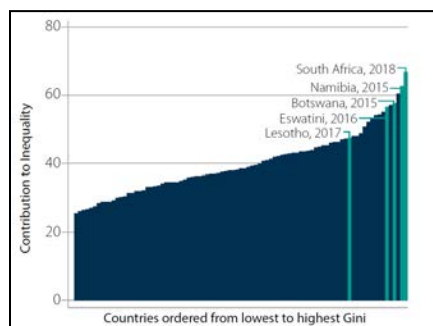


Fig. 5: South Africa’s Gini coefficient compared to other countries²⁵⁰

A recent analysis from the Center for Economic Policy and Research (CEPR) found that the “top 10% own 86% of total wealth; the top 1% own 55%. The top 0.01% own about 15% of household wealth, greater than the share of wealth owned by the bottom 90% of the population as a whole. Meanwhile, the average wealth of the poorest 50% is negative, that is, the total value

²⁴⁵ Conversation with Duncan Walker, December 8, 2022.

²⁴⁶ Conversation with Gideon Popgrund, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

²⁴⁷ Chaorong Wang, “Better Credit Access in South Africa To Boost Economic Growth,” *The Borgen Project*, February 21, 2018, <https://borgenproject.org/credit-access-in-south-africa-growth/>.

²⁴⁸ “Inequality in Southern Africa: An Assessment of the Southern African Customs Union,” *The World Bank*, 2022, 1, <https://documents1.worldbank.org/curated/en/099125303072236903/pdf>.

²⁴⁹ “Inequality in Southern Africa,” 28.

²⁵⁰ “Inequality in Southern Africa,” 1.

of the debts they owe exceeds the market value of the assets they own.”²⁵¹ Therefore, in order to achieve better reconciliation, we propose either a low-end wealth tax or an increase in the national consumption tax to raise sufficient funds to address wealth inequality. How these funds will be put toward addressing wealth inequality is further discussed in Section III.

2.1.5.1. Introduce a wealth tax

| Wealth group | No. adults | Wealth threshold | Low tax | Moderate tax | High tax |
|--------------|------------|------------------|---------|--------------|----------|
| Top 1% | 356,000 | R 3,820,000 | 1% | 3% | 3% |
| Top 0.1% | 35,600 | R 30,350,000 | 2% | 5% | 7% |
| Top 0.01% | 3,560 | R 146,890,000 | 3% | 7% | 9% |

Fig. 6: Taxation rates for high-income groups²⁵²

Drawing directly from the CEPR’s estimates of wealth distribution and recommendations, we propose a wealth tax targeted at the top 1% of South Africans. This policy recommendation (shown above) contains three tax schedules: low, moderate, or high. Depending on which tax schedule is implemented, the CEPR predicted that such a policy could raise about R70 billion to R160 billion, or 1.5% to 3.5% of GDP.²⁵³ However, considering wealth taxes are prone to adverse behavioral reactions and liquidity issues, our recommendation is, if implemented, to only enforce a one-time wealth tax that does not exceed the “Low tax” schedule recommended above.

2.1.5.2. Increase the national consumption tax

Considering wealth taxes are especially difficult to implement,²⁵⁴ we propose increasing the national consumption tax (VAT) as an alternative policy solution to address wealth inequality. However, a VAT increase should be coupled with an extremely progressive transfer policy, such as expansions of the social grant system or funding a universal basic income grant, elaborated further on in Section III. According to the OECD, the VAT rate in South Africa is lower than most other countries internationally and has room to be increased.²⁵⁵ Raising the VAT by 2%, for example, can increase its contribution to revenue by about 1% of GDP.²⁵⁶

2.2. Infrastructure

²⁵¹ Léo Czajka, Amory Gethin, and Aroop Chatterjee, “Taxing wealth in a context of extreme inequality legacy: The case of South Africa,” *Center for Economic Policy and Research*, April 24, 2022, <https://cepr.org/voxeu/columns/taxing-wealth-context-extreme-inequality-legacy-case-south-africa>.

²⁵² Czajka et al., “Taxing wealth.”

²⁵³ Czajka et al., “Taxing wealth.”

²⁵⁴ Noelle Boughton, “What’s a wealth tax – and how can it affect your clients?,” *Wealth Professional*, September 1, 2021, <https://www.wealthprofessional.ca/news/industry-news/whats-a-wealth-tax-and-how-can-it-affect-your-clients/359388>.

²⁵⁵ Carol Paton, “The OECD says South Africa should introduce a permanent basic income by raising taxes and eliminating tax breaks,” *Basic Income Today*, August 26, 2022, <https://basicincometoday.com/the-oecd-says-south-africa-should-introduce-a-permanent-basic-income-by-raising-taxes-and-eliminating-tax-breaks/>.

²⁵⁶ “Call for South Africa to overhaul its tax system, including a VAT hike,” *BusinessTech*, August 25, 2022, <https://businesstech.co.za/news/government/619857/call-for-south-africa-to-overhaul-its-tax-system-including-a-vat-hike>.

“We need to stop trying to fit a new South Africa into an old South African frame.”
— Eskom board member Claudelle Von Eck²⁵⁷

The physical and economic infrastructure of South Africa was built, primarily, to serve the white community during the apartheid era. Rail, road, and other networks largely radiated from inland industrial areas to coastal ports; highways and rail lines also tended to encircle townships, making them easier to control in the event of unrest. Connections to the rest of southern Africa — states largely hostile to the apartheid government — were not prioritized except to the extent that South Africa could force other countries to utilize its ports. Overall, investment in infrastructure plummeted in the 1970s as South Africa became increasingly isolated, which led to “increasingly aging and under-maintained infrastructure.”²⁵⁸

Building up and equalizing infrastructure across the country was, rightfully, a goal of the democratic government beginning in 1994. In order to unlock the economic potential of South Africa, however, certain bottlenecks and limits in its infrastructure network must be addressed. “Spatial convergence and connectivity are critical to overcoming the legacy of exclusion in South Africa,” the World Bank wrote in a report this year.²⁵⁹ This section will focus on potential improvements within the rail, port, and electricity industries, but some lessons may be applicable to other sectors, including road transport, airports, and water and internet providers.

2.2.1. Ports

South Africa’s ports are some of the least efficient in the world. Three — located in Cape Town, Durban, and Ngqura — rank in the bottom 10 out of the more than 370 ports ranked by the World Bank in 2021 and are worse than every sub-Saharan African port except Luanda in Angola.²⁶⁰ The government’s own National Development Plan (NDP) admits that this is due to “the monopolistic nature of port operations for key segments such as container terminals and automotive terminals, which are provided by Transnet Port Terminals”; it adds that “Steps must be taken to promote a more competitive environment in port terminal operations.”²⁶¹ Loadshedding has also taken a toll.²⁶² Although making the ports division of the long-suffering Transnet more independent is a good start, more must be done — and quickly — in order to boost economic performance and enable South African businesses to send their goods to world markets.

- **Prioritize, streamline, and expand the reforms proposed by President Ramaphosa.** In June 2021, Ramaphosa announced that the Transnet National Ports Authority (TNPA)

²⁵⁷ Conversation with Claudelle von Eck, December 5, 2022.

²⁵⁸ “Towards a 25 Year Review: 1994-2019.” Department of Planning, Monitoring, and Evaluation, Pretoria, 2019.

²⁵⁹ “Country Partnership Framework with the Republic of South Africa.”

²⁶⁰ “Transport Global Practice: The Container Port Performance Index” (World Bank - Transport Group, 2022), <https://thedocs.worldbank.org/en/doc/66e3aa5c3be4647add01845ce353992-0190062022/original/Container-Port-Performance-Index-2021.pdf>.

²⁶¹ “South Africa’s National Infrastructure Plan 2050” (South African Department of Public Works and Infrastructure, February 2022), https://www.gov.za/sites/default/files/gcis_document/202203/46033gon1874.pdf.

²⁶² Andrew Allen, “Why Ports Are Hampering South Africa’s Growth Potential,” *Supply Management*, September 1, 2022, <https://www.cips.org/supply-management/news/2022/september/why-ports-are-hampering-south-africas-growth-potential/>.

would be spun off from Transnet and that an application process would begin for private sector participation in upgrades to ports in Durban and Ngqura.²⁶³ A year and a half later, a shortlist of firms is still being considered, with final selections expected in June 2023.²⁶⁴ This process is taking too long. TNPA should do everything possible to make selections quickly, giving preference to firms with established track records of improving port terminal performance. Private sector involvement should also be invited in other ports across the country, including Cape Town.

- **Clear away obvious obstacles to port performance.** Ports, as critical parts of the national economy, should be exempt from load shedding (although reforms in Eskom and the electricity sector should render this moot in the coming years regardless). In addition, everything possible should be done to head off strikes, which have snarled Transnet in recent years, before they begin.²⁶⁵
- **Think bigger.** The TNPA should create competition between different terminal operators by rewarding more efficient operators (an approach endorsed by the government in its NDP).²⁶⁶ It could also consider more wide-reaching reforms in ports, including handing over *all* port operations in specific ports to private actors in return for investment, expansion agreements, and revenue-sharing. Doing so could help Transnet accrue the necessary capital to conduct improvements on its own in the long run.

2.2.2. Rail

South Africa's rail network is in an even worse state than its ports, largely due to state capture. The frequency of urban passenger rail trips dropped by 68% from 2009 to 2019.²⁶⁷ Looting of cables and tracks, which began in the 1980s after the rail police were eliminated to bolster the apartheid government's security forces, has skyrocketed, taking many portions of track entirely offline.²⁶⁸ Freight volumes have fallen in the last five years; even mining companies have shifted to transporting goods by road. The situation is so bad that the African Rail Industry Association has predicted a "collapse" — a prediction that appears apt in the absence of enormous security investments and repairs.²⁶⁹ There are two potential paths forward:

- **Invest heavily in repairs and security.** Such investment will require billions of rand a year, but the rail system cannot function while being constantly stripped of parts on aging

²⁶³ Ray Mahlaka, "Long Road Ahead before Transnet Reforms Can Rescue South Africa's Bottom-Ranked Container Ports," *Daily Maverick*, August 16, 2021, <https://www.dailymaverick.co.za/article/2021-08-16-long-road-ahead-before-transnet-reforms-can-rescue-south-africas-bottom-ranked-container-ports/>.

²⁶⁴ "Transnet Shortlists Port Operators for South African Box Terminals Upgrade," *Container News*, August 16, 2022, <https://container-news.com/transnet-shortlists-port-operators-for-south-african-box-terminals-upgrade/>.

²⁶⁵ Paul Burkhardt, "South Africa's Strike Clogs Mine Exports, Snarls Container Shipping," *Bloomberg*, October 17, 2022, <https://www.bloomberg.com/news/newsletters/2022-10-17/supply-chain-latest-south-africa-port-strike-snarls-commodity-exports>.

²⁶⁶ "South Africa's National Infrastructure Plan 2050," 28.

²⁶⁷ "Towards a 25 Year Review: 1994-2019," 46.

²⁶⁸ David Williams, "What Broke South African Rail — and Can It Be Fixed?," *Daily Maverick*, April 20, 2021, <https://www.dailymaverick.co.za/article/2021-04-20-what-broke-south-african-rail-and-can-it-be-fixed/>.

²⁶⁹ Marleny Arnoldi, "Association Warns of Imminent Collapse of Transnet," *Engineering News*, November 16, 2022, <https://www.engineeringnews.co.za/article/association-warns-of-imminent-collapse-of-transnet-2022-11-16>.

tracks. For the sake of prioritizing the most important projects, the government should ditch Ramaphosa's fanciful plans of a high-speed rail network while it brings the current rail system back to a functioning state.²⁷⁰ The World Bank, notably, has offered to step in to finance repairs to the passenger side of the system.²⁷¹

- **Embrace temporary privatization.** The government could also strike deals, similar to what was suggested above for ports, to temporarily transfer operation of large swaths of rail to private companies in exchange for investment and repair guarantees. The private companies — which, again, should be chosen based on an established record of building and fixing rail lines — could take a cut of the revenues for a period of 25 years, with the potential to renew the contract so long as repairs are made, riders are safe, and efficiency is rising.

2.2.3. Electricity

As stated earlier, private equity industry leader Nhlenganiso Mkwana declared that, overwhelmingly, the largest hurdle that South African companies face is a shortage of reliable power.²⁷² Indeed, frequent, hours-long blackouts in rotating areas of the country, commonly known as load shedding, have plagued South African corporations for more than a decade. The economic costs of outages can reach upwards of R4 billion per day and reduce GDP growth dramatically.²⁷³ The state-owned energy provider, Eskom, produces more than 80% of the electricity consumed in South Africa and is therefore almost entirely responsible for the perpetual lack of supply facing businesses and consumers. Further, despite having *de facto* price-setting power in the sector, Eskom has become massively indebted over the last decade. While state-owned coal plants are not attractive long term solutions because of their inefficiencies and pollutants, three reforms can be taken in the medium term to facilitate more robust economic activity and end loadshedding.

- **Fix the coal supply.** In the short term, one of the issues plaguing Eskom is a lack of reliable coal supply — shocking in a country with so much of the fuel source. Issues range widely and include corrupt contracts and a need to deliver coal via road instead of rail, which is significantly more expensive.²⁷⁴ Eskom should contract a comprehensive, independent audit of all of its coal supply contracts to root out inefficient and corrupt ones and renegotiate where necessary. Reforms to Transnet should alleviate some of the rail problems. In the long run, Eskom is moving toward phasing coal out to lower greenhouse gas emissions — an excellent goal that should nonetheless not take precedence over ending loadshedding.²⁷⁵

²⁷⁰ “Plans for New High-Speed Trains in South Africa,” *Business Tech*, October 19, 2022, <https://businesstech.co.za/news/motoring/635919/plans-for-new-high-speed-trains-in-south-africa/>.

²⁷¹ “Towards a 25 Year Review: 1994-2019,” 46.

²⁷² Conversation with Nhlenganiso Mkwana, December 1, 2022.

²⁷³ Ben Pieters, “The Cost of Eskom Load Shedding,” Pieters Associates, September 3, 2022, <https://consulting.co.za/the-cost-of-eskom-load-shedding/>.

²⁷⁴ Chris Yelland, “Eskom Faces New Coal Supply Crisis: Report,” *Business Tech*, April 16, 2018, <https://businesstech.co.za/news/energy/238081/eskom-faces-new-coal-supply-crisis-report/>.

²⁷⁵ Alexander Winning, “South Africa’s Eskom CEO Sees End to Crisis in Shift from Coal,” *Reuters*, December 1, 2021, <https://www.reuters.com/markets/commodities/south-africas-eskom-ceo-sees-end-crisis-shift-coal/>.

- **Prioritize maintenance on existing plants.** Part of the reason Eskom struggles to provide reliable power is a failure to do basic upkeep on its plants. A quarter of maintenance projects in the 2021–2022 fiscal year were deferred due to “cash flow problems,” adding to a backlog. Only 63% of plants were available, on average, over the course of the year, the company’s worst figure ever.²⁷⁶ Eskom should partner with the government on an emergency maintenance drive, doing whatever it takes to get its plants fixed and back onto a normal maintenance schedule. That could mean paying its engineers more for overtime and issuing emergency work permits for engineers from overseas.
- **Implement market mechanisms, including expanding solar power.** Households across South Africa owe Eskom R40 billion in unpaid electricity bills.²⁷⁷ This culture of nonpayment, with roots in apartheid, represents a problem for new entrants into the power generation industry. Cracking down on unpaid electricity bills would be politically unfeasible, but new entrants could instead sell power to Eskom to distribute across the grid. The South African government represents a reliable customer and could therefore purchase electricity from private producers cheaply for distribution. Second, improvements can be realized in the regulatory infrastructure of power purchase agreements (PPA) and power generation licensing. A competitive market for electricity must be developed in order to attract the necessary capital for a “Just Transition.” These reforms ought to be implemented in a manner that recognizes the continued suffering of many South Africans and the backlash that any dramatic increase in energy prices would produce.

2.3. Education: Building Human Capital

*“The single most important investment any country can make is in its people.”*²⁷⁸
— South Africa National Development Plan 2030

Issues plaguing South Africa’s education system have deep ripple effects across South African society and the nation’s economy. On the Trends in International Mathematics and Science Study, a test used to compare academic achievement across countries, South Africa consistently scores in the bottom three countries across a range of subjects;²⁷⁹ 61% of all fifth-graders cannot add or subtract whole numbers.²⁸⁰ Many students leave school unprepared to enter the workforce and lack the skills they need to compete successfully in the labor market.²⁸¹ Stark disparities in

²⁷⁶ Carol Paton, “Eskom: Massive Maintenance Delays on the Back of Worst Load Shedding Year Ever,” *News24*, January 27, 2022, <https://www.news24.com/fin24/economy/eskom-massive-maintenance-delays>.

²⁷⁷ Ryan Brothwell, “Here’s Why Soweto Residents Say They Won’t Pay for Electricity,” *Business Tech*, February 25, 2020, <https://businesstech.co.za/news/energy/376729/heres-why-soweto-residents-say-they-wont-pay/>.

²⁷⁸ “National Development Plan 2030” (National Planning Commission, August 2012), 296 https://www.gov.za/sites/default/files/gcis_document/201409/ndp-2030-our-future-make-it-workr.pdf.

²⁷⁹ “The shocking state of maths and science education in South Africa,” *Business Tech*, 2020 <https://businesstech.co.za/news/government/455406/the-shocking-state-of-maths-and-science-education/>.

²⁸⁰ “South Africa’s youngsters are let down by a lousy education system.”

²⁸¹ “New Research Shows Why Graduates Can’t Find Work in South Africa,” *Business Tech*, June 7, 2022, <https://businesstech.co.za/news/business/594238/new-research-shows-why-graduates-cant-find-work/>.

the education of students of different races also persist. Black students are more likely to attend the country’s worst schools and are vastly underrepresented in elite public and private schools.²⁸² South Africa’s education system both “reflects and entrenches the inequalities in South African society.”²⁸³ Challenges plaguing the country’s schools and students stymie economic growth, exacerbate existing inequalities across race and class, and limit the potential of education to empower South Africans of all backgrounds. To unlock South Africa’s full human potential and build much needed human capital, the nation must reform its education system.

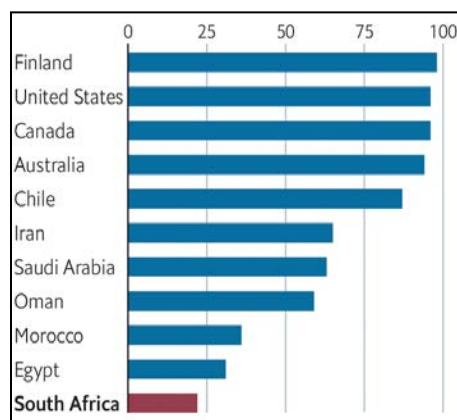


Fig. 7: Percent of students reaching low international reading benchmarks²⁸⁴

2.3.1. Improve teacher quality

Many of South Africa’s 450,000²⁸⁵ teachers, themselves products of the nation’s struggling public education system, are underqualified and undertrained. A study from March 2018 found that many teachers failed simple English and mathematics tests — some scored just 10% on the English exam and 5% on the basic mathematics exam.²⁸⁶ Nearly 80% of math teachers are unable to complete 8th-grade level math problems.²⁸⁷ Given that teachers struggle to master their own subject matter, it is no surprise that their students also receive dismal scores.

Unfortunately, the country suffers from a “vicious” schooling cycle.²⁸⁸ In such a cycle, teaching is generally perceived as an undesirable, low-status career. We heard from teachers at the African Leadership Academy, an elite independent school in Johannesburg, that education is seen by many as a “last resort” career.²⁸⁹ Teaching was the first-choice career for just 49% of South African teachers, the lowest share among all countries participating in an OECD TALIS

²⁸² Marius Roodt, “Black Pupils Suffering Because of the Poor Education System – Daily News,” *South African Institute of Race Relations*, May 23, 2018, <https://irr.org.za/media/black-pupils-suffering>.

²⁸³ “South Africa’s youngsters are let down by a lousy education system.”

²⁸⁴ “South Africa’s youngsters are let down by a lousy education system.”

²⁸⁵ Matthew Sterne, “The True State of South Africa’s Schools,” *Mail & Guardian*, October 3, 2021, <https://mg.co.za/education/2021-10-03-the-true-state-of-our-schools/>.

²⁸⁶ “Broken and Unequal: The State of Education in South Africa” (Amnesty International, 2020), <https://www.amnesty.org/en/documents/afr53/1705/2020/en/>.

²⁸⁷ “South Africa’s youngsters are let down by a lousy education system.”

²⁸⁸ Alec Hogg, “Poor Quality Teachers Are Holding Back SA’s Education System,” *BizNews*, January 9, 2019, <https://www.biznews.com/sa-investing/2019/01/09/poor-quality-teachers-holding-back-sa-education-system>.

²⁸⁹ Conversation at the African Leadership Academy, December 5, 2022.

survey.²⁹⁰ ²⁹¹ Teacher training programs struggle to attract high-quality students, and they fail to provide rigorous and sufficient education for teacher trainees. Graduates of training programs enter the classroom with low levels of subject and pedagogical knowledge, and they receive very limited advising and school-based professional development once there.²⁹² Teachers are therefore unprepared to offer high-quality instruction. Their students perform poorly, and low achievement worsens public perception. The vicious cycle repeats itself. To improve educational outcomes, the country must improve its teaching force.

2.3.1.1. Establish high-quality teacher training schools

South African teachers need higher-quality training and development. Of the country's 23 universities with teacher training programs, most do not have a dedicated teaching school.²⁹³ Instead, they offer training programs that vary widely in their quality, content focus, and teaching practice. One study found that many universities do not offer teacher trainees English language, literature, or linguistic education unless they are studying to specialize in the subject,²⁹⁴ which is especially concerning given many teacher trainees' low English language proficiency.²⁹⁵ Teacher training programs have also been criticized for over-emphasizing content and not equipping prospective teachers with key pedagogic skills.²⁹⁶

The Departments of Basic Education and Higher Education and Training, which oversee teacher education, should establish dedicated teaching schools at universities that can meet the development needs of teachers. The *Integrated Strategic Planning Framework for Teacher Education and Development in South Africa, 2011-2025 (ISPFTED)*, a plan for teacher development that emerged from the 2009 Teacher Development Summit, identified the establishment of these teaching schools as a key deliverable.²⁹⁷ As of 2018, however, only the University of Johannesburg had established a dedicated teacher training school.²⁹⁸ The assigned national body — the NICPD — and provincial education departments should increase their efforts to establish Teacher Development Institutes and District Teacher Development Centres. These schools should use a pedagogy-intensive curriculum that emphasizes the theory and practice they need to instruct students using the national curriculum.²⁹⁹

2.3.1.2. Recruit more qualified teachers

While teacher quality is a significant problem facing South Africa's education system, a more pressing issue is the severe lack of teachers altogether. 48% of respondents to a national survey indicated that all or most schools in their area had more than the stipulated ratio of 35 students

²⁹⁰ "South Africa - Country Note - TALIS 2018 Results." TALIS, 2019. <https://www.oecd.org/education/talis.pdf>.

²⁹¹ "South Africa - Country Note - TALIS 2018 Results."

²⁹² "Broken and Unequal: The State of Education in South Africa."

²⁹³ "Institutionalizing the NICPD" (Department of Basic Education, September 2020), <https://www.education.gov.za/Portals/0/Documents/Publications/Institutionalising%20NICPD.pdf?ver=2021-07-01-121258-203>.

²⁹⁴ Alec Hogg.

²⁹⁵ Alec Hogg.

²⁹⁶ "Broken and Unequal: The State of Education in South Africa."

²⁹⁷ "Institutionalizing the NICPD."

²⁹⁸ "Institutionalizing the NICPD."

²⁹⁹ "Institutionalizing the NICPD."

for every teacher.³⁰⁰ 41% responded that few or no schools in their areas had enough teachers.³⁰¹ Amnesty International visited one school where students in Grades 1 and 2 received just 2.5 hours of instruction per day due to the lack of available teachers.³⁰² Some subjects suffer particularly significant teacher shortages,³⁰³ as do schools in townships and rural areas.³⁰⁴ 70% of schools in the impoverished Eastern Cape, for example, stated that they faced difficulties recruiting new teachers.³⁰⁵ Early teacher retirement will exacerbate this issue. We learned from an attorney who works with the Public Private Growth Initiative, Tanya Cohen, that 40-50% of public school teachers will retire in the next 10 years.³⁰⁶ Without an influx of new teachers, this retirement wave will deepen the already serious teacher shortage. South Africa needs more and better teachers to fill their classrooms, reduce class sizes, and improve the quality of instruction.

- **Increase Investment in Training and Recruitment Young Graduates.** The Department of Education should invest in programs to train and recruit high-quality university graduates into the teaching profession. One existing program, Funza Lushaka, awards qualified university students bursaries in exchange for committing to teaching at a public school after graduation for a duration equal to the duration of funding received.³⁰⁷ South Africa’s National Development Plan recommends strengthening and expanding the Funza Lushaka program to deploy more qualified graduates to schools with teacher shortages.³⁰⁸ The program’s administrators should prioritize sending teachers to schools in rural areas and townships, where teachers tend to have lower subject content knowledge and discipline levels.³⁰⁹
- **Recruit Teachers from Outside the Education Sector.** With proper training, professionals who are educated and experienced in specific subject areas could provide high-quality instruction and much-needed subject matter expertise. On the job training and fast-track entry systems can help facilitate the transition of these professionals into the teaching profession.³¹⁰
- **Recruit More Foreign Teachers.** A government official at the Department of Planning, Monitoring, and Evaluation suggested recruiting teachers from India and other nations with a teacher surplus.³¹¹ The National Development Plan recommends that the South African government grant working permits to foreign students graduating in South African universities who will enter the teaching profession.³¹² Qualified foreign teachers can increase teacher supply and revitalize the country’s flagging schools.

³⁰⁰ “Broken and Unequal: The State of Education in South Africa,” 10.

³⁰¹ “Broken and Unequal: The State of Education in South Africa,” 10.

³⁰² “Broken and Unequal: The State of Education in South Africa,” 10.

³⁰³ “National Development Plan 2030,” 306.

³⁰⁴ “National Development Plan 2030,” 306.

³⁰⁵ “Broken and Unequal: The State of Education in South Africa,” 11.

³⁰⁶ Conversation with Tanya Cohen, November 30, 2022.

³⁰⁷ “Funza Lushaka Bursary South Africa 2022-2023.”

³⁰⁸ “National Development Plan 2030,” 307.

³⁰⁹ Montfort Mlachila and Tlhalefang Moeletsi.

³¹⁰ “National Development Plan 2030,” 306.

³¹¹ Conversation at the Department of Planning, Monitoring, and Evaluation, December 7, 2022.

³¹² “National Development Plan 2030,” 306.

- **Reform the Teacher Pay Structure.** Reforming the pay structure will make teaching more attractive to highly-qualified candidates. The current flat wage gradient pay system makes teaching a relatively unattractive profession for highly skilled candidates. Teacher salaries are less competitive than those of other professions in the public and private sector. The teacher pay system also does not distinguish between the quality of teacher performances, making teaching a more attractive profession for low-skilled workers and a less attractive profession for their high-skilled counterparts. The teacher pay structure should recognize and reward teachers' experience, education level, and performance in the classroom.

2.3.2. *Expand vocational training and emphasize skill-based education*

South Africa's serious skills gap poses a major obstacle to individuals' upward mobility and to their country's economic growth. A key problem is that many students are not receiving a high-quality education or learning in school the skills they need to succeed in the workforce. According to the World Bank, in 2019, the average South African student had 9.3 years of basic education by their 18th birthday, but when adjusted for quality, they had the equivalent of just 5.1 years of learning.³¹³ While the South African government has greatly expanded access to primary and secondary education over the past decades, this expansion has produced relatively limited socio-economic growth.³¹⁴ As we learned at the African Leadership Academy, South Africa's schools still emphasize rote learning over creative and critical thinking.³¹⁵ Diplomats at the US Embassy in South Africa told us that South African students do not leave schools with the skills they need to engage in entrepreneurship or the burgeoning digital economy.³¹⁶

The failure of schools to prepare students for the workforce has created a shortage of qualified professionals for available jobs. According to Adcorp and ManpowerGroup, two workforce solutions companies, companies struggle to hire qualified professionals across numerous fields.³¹⁷ The most difficult positions to fill in South Africa, according to ManpowerGroup's research, include electricians, car mechanics, accountants, construction workers, engineers, and IT administrators.³¹⁸ Many of these positions do not need to be filled by professionals with a university degree. Other forms of training and schooling can more than adequately prepare students for these jobs. To reduce the skills gap and accelerate economic growth, South Africa should invest more in vocational and technical education. Secondary schools should increase their curricular emphasis on technical skills. Digital literacy and entrepreneurship classes, for example, give students the opportunity to develop hard skills that will make them more employable. Courses with real-world applicability may appeal to the high percentage of students who leave secondary school before they reach Grade 12.³¹⁹

³¹³ Montfort Mlachila and Tlhalefang Moeletsi, 4.

³¹⁴ Montfort Mlachila and Tlhalefang Moeletsi, 4.

³¹⁵ Conversation at the African Leadership Academy, December 5, 2022.

³¹⁶ Conversation at the U.S. Embassy, December 8, 2022.

³¹⁷ "Shortage of Skills in Critical Sectors in South Africa," Work Permit South Africa, 2022, <https://www.workpermitsouthafrica.co.za/skills-shortage-in-critical-sectors-in-south-africa/>.

³¹⁸ Reon van Rensburg, "The Talent Shortages in the South African Labour Market," *Solidarity*, March 6, 2020, <https://solidariteit.co.za/en/the-talent-shortages-in-the-south-african-labour-market/>.

³¹⁹ "This Is the School Drop out Rate in South Africa," *Business Tech*, October 6, 2020, <https://businesstech.co.za/news/government/438509/this-is-the-school-drop-out-rate-in-south-africa/>.

After students leave school, they have the opportunity to enter South Africa’s technical vocational education and training (TVET) college system. The TVET system has been overhauled in the last decade, but it still faces many challenges. The South African government should work to improve the system and make it an increasingly viable alternative to university. Priorities should include improving the TVET colleges’ management and governance, enhancing the quality of their education, and increasing their responsiveness to local labor markets.³²⁰ TVET colleges should also work to build partnerships with the private sector to give students more workplace-based learning opportunities, including internships.³²¹ Improvements to the TVET system will make the colleges more attractive post-secondary options and will improve their ability to prepare students for skilled labor. These improvements should accompany increased efforts at the secondary school level to direct students toward TVET colleges and match them with programs that align with their interests. With more resources and attention, South Africa’s TVET system can play an important role in building the human capital that will pave the road to South Africa’s future.

2.4. A Note on Attracting Foreign Direct Investment

At the moment, South Africa lags behind similar countries in terms of its ability to attract foreign direct investment (FDI), a necessity for economic development.³²² South Africa struggles with low levels of savings and investment, and thus an influx of foreign capital is needed to spur growth.³²³ Before a material increase in investments can be realized, however, investors must be assured for long term policy stability in the country. This includes an explicit rejection of radical economic policies often touted by groups like the Economic Freedom Fighters, as well as successfully addressing issues like crime and corruption.

Although we are not offering specific policy recommendations to tweak incentives or directly encourage FDI, we believe that our recommended economic reforms in this section, combined with Section I’s improvements to trust crime, corruption, state capture, and government reform, will result in the natural consequence of attracting more FDI, a result of better political, social, and economic stability, as well as increased foreign trust in South African institutions.³²⁴ Thus, these recommendations would compound into critically needed additional FDI.³²⁵

3. ACHIEVING EFFICIENT AND EQUITABLE DISTRIBUTION OF SOCIAL SERVICES AND RESOURCES

³²⁰ Nkosinathi Sishi, “Vocational Training Set to Be Revitalised, Says Higher Education Department,” *Mail & Guardian*, October 6, 2022, <https://mg.co.za/opinion/2022-10-06-vocational-training-set-to-be-revitalised/>.

³²¹ Sishi.

³²² Arvanitis Athanasios "Foreign direct investment in South Africa: why has it been so low?." *Post-Apartheid South Africa: The First Ten Years*, 2005: 64-79.

³²³ Athanasios.

³²⁴ M. Nowak and Luca A Ricci, “5 Foreign Direct Investment in South Africa: Why Has It Been So Low?” (USA: International Monetary Fund, n.d.), ch005, <https://doi.org/10.5089/9781589064706.071.ch005>.

³²⁵ Stephen Gelb and Anthony Black, *Investment Strategies in Emerging Markets* Ch. 7: Foreign Direct Investment in South Africa (Elgar, 2004), <https://www.econbiz.de/Record/foreign-direct-investment-in-south-africa>.

“Reconciliation is not going to happen ... until we’ve brought people into the same economic and social spheres of society.” — Ivor Jenkins³²⁶

Given the above reforms, this section examines *how* the future leadership of South Africa should operate and *where* it should place its focus. Here, we expand upon the low-touch reforms above and lay out a vision for the future role of the state and its provision of social services. Although economic policies will have “increased the size of the pie,” South Africa stands to remain one of the most unequal societies on the planet in the absence of more robust redistributive policies. Protecting students while they are in school and ensuring that teachers arrive to teach them is a vital first step to educational reform, but students will still need new infrastructure and better funded learning centers to enable a conducive learning environment. Addressing spatial segregation may ameliorate apartheid’s legacy of racial segregation but does not fully address the housing supply crisis. The list goes on.

What will matter most to racial reconciliation is an efficient and equitable delivery of services designed to deconstruct the lasting impacts of apartheid and better support South Africa’s most disadvantaged. The turn of many affluent-enough South Africans to the services of the parallel state — the private enterprises that fill the gap of failing or absent public services — represents the inability of the government to meet the needs of its most economically disadvantaged. From 1997 to 2022, private school enrollments almost tripled while public school enrollments rose only around 6%; over the same period, the number of private security guards has quadrupled compared to a 38% increase in police officers.³²⁷ Those resigned to subsist on such meager public services — if they at all present — are disproportionately non-white. This is not a recipe for a reconciled, unified society.

This third section analyzes six areas — redistribution, education, infrastructure, housing, crime, and healthcare — that can now be acted upon given the above trust-building institutional reforms and increased revenue via economic growth. Whereas the first two sections discuss immediate, broad, and largely low-touch policy reforms, this section instead centers around high-touch interventions designed to build upon already-enacted structural changes.

3.1. Redistribution

“About a third of people with paid work in SA do not earn enough to consistently afford basic living expenses, and close to a fifth of workers in the formal sector live in poverty.”
— Journalist Hein Marais³²⁸

More than a third of South Africans directly or indirectly depend on monthly grant payments from the state.³²⁹ These grants play a vital role in supporting small and rural communities, where they stimulate local businesses. Yet many of these grants are insufficient, inconsistent, or incorrectly targeted. In this South Africa, which may be years down the line after many positive

³²⁶ Conversation with Roelf Meyer, Fanie du Toit, and Ivor Jenkins, December 7, 2022.

³²⁷ “The Parallel State,” *The Economist*, March 5, 2022.

³²⁸ Hein Marais, “A Universal Basic Income Has Become Unavoidable,” *Business Day*, August 7, 2022, <https://www.businesslive.co.za/bd/opinion/2022-08-07-a-universal-basic-income-has-become-unavoidable>.

³²⁹ Jannie Rossouw, “Why Social Grants Matter in South Africa: They Support 33% of the Nation,” *The Conversation*, February 16, 2017, <https://theconversation.com/why-social-grants-matter-in-south-africa>.

policy reforms, redistribution must play a stronger role to alleviate poverty and close the country's wealth gap. Enacting these reforms will not only bring economic benefits for South Africans, but will also empower women, improve health, and standardize systems.

3.1.1. *Establish universal basic income grants (UBIG)*

Throughout sub-Saharan Africa, cash transfer programs are a key social protection instrument that provide “direct, regular, and predictable” payments meant to alleviate poverty or increase a household's ability to absorb financial shocks.³³⁰ One can most clearly see the relevance of cash grants in South Africa in the form of Social Relief of Distress monthly payments (worth R350) distributed beginning in April 2020 in response to the COVID-19 pandemic.³³¹ Although this grant, currently extended until March 2023, has helped many South Africans purchase groceries or even start small businesses, its coverage has not been consistent enough to encourage lasting economic change.³³² For example, the SRD grant can cover, at best, only 60% of a person's minimum food intake.³³³ This memo thus advocates for the implementation of a broader and higher-value universal basic income grant (UBIG). Specifically one that:

- Covers all people between the ages of 18 and 59 who are excluded from permanent social security benefits
- At minimum reaches the food poverty income threshold of R585/month³³⁴
- Approaches a maximum of the upper-bound poverty line (R1,335/month as of 2021)³³⁵

Implementing a UBIG (rather than a targeted grant) reduces the administrative burden of the state to decide who shall receive the grant and also eliminates exclusion errors that would prevent South Africans who need the income from receiving it. In addition, research shows that there is “no basis” to the claim that social grants incentivize idleness or dependency; in fact, a common outcome is increased employment and a decrease in the purchase of “temptation goods” like alcohol and cigarettes.³³⁶ When implemented effectively, UBIG can bring numerous potential benefits, such as:³³⁷

- *Ending hunger* for the 18.3 million South African who do not have the income to meet basic food needs and improve child nutrition;
- *Reducing stress and improve psychological well-being*;

³³⁰ Margaret S. Winchester, Brian King, and Andrea Rishworth, “‘It’s Not Enough:’ Local Experiences of Social Grants, Economic Precarity, and Health Inequity in Mpumalanga, South Africa,” *Wellbeing, Space and Society* 2 (January 1, 2021): 100044, <https://doi.org/10.1016/j.wss.2021.100044>.

³³¹ Maru Attwood, “The High Economic Costs of Being Excluded from the R350 Social Relief of Distress Grant,” *Daily Maverick*, July 18, 2022, <https://www.dailymaverick.co.za/article/2022-07-18-the-high-economic-costs>.

³³² Attwood.

³³³ Aliya Chikte and Gilad Isaacs, “Yes, We Can Afford a Universal Basic Income Guarantee,” *Daily Maverick*, July 28, 2021, <https://www.dailymaverick.co.za/article/yes-we-can-afford-a-universal-basic-income-guarantee/>.

³³⁴ Aliya Chikte and Gilad Isaacs.

³³⁵ Vuyisiwe Mahafu, “Basic Income Grant: What Is the Debate About?,” September 6, 2022, <https://www.groundup.org.za/article/basic-income-grant-what-is-being-said-about-it/>.

³³⁶ Hein Marais.

³³⁷ Carilee Osborne, “Basic Income Grant — What It’s All about and What It Could Mean for South Africa,” *Daily Maverick*, August 31, 2022, <https://www.dailymaverick.co.za/article/basic-income-grant-what-its-all-about>.

- *Promoting economic growth*, such as by spreading funds from high-income cities into more disparate communities, helping workers join the formal labor market (such as by covering transportation costs), or supporting sustainable livelihoods through self-employment and the creation of new businesses;
- *Addressing gender inequality*, by granting women, who perform the majority of unpaid domestic labor, more autonomy, thereby reducing their vulnerability to gender-based violence; and
- *Reducing crime*, based on results after similar policies were implemented in Namibia

3.1.2. Expand child support grants (CSG)

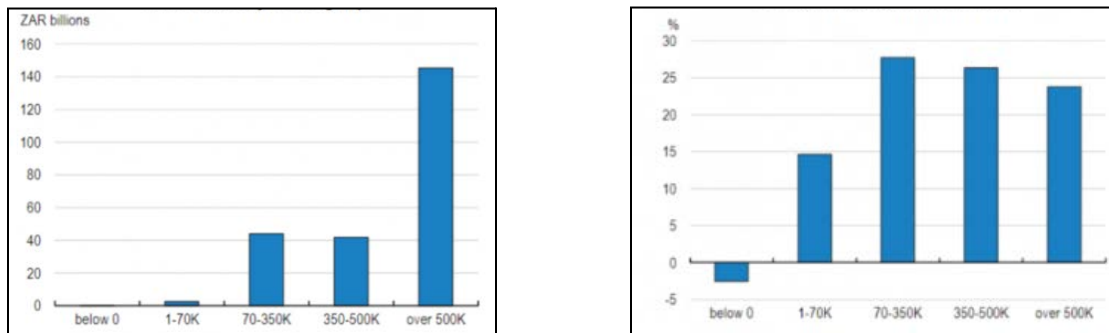
In the 2017 to 2018 fiscal year, 11 million of the 17 million South Africans who receive social grants were under the age of 18. CSGs, valued at R480 per month per child for parents earning less than R52,800 a year, not only support South African children but can support entire families. One study finds that “even when the program is being implemented as intended and families access the grant, the contribution of the CSG to childhood poverty alleviation is small.” The South African government must make child support grants more robust and ensure that they are accessible to families most in need of them by engaging in greater awareness campaigns.

3.1.3. Finance UBIG through reforming taxation policies

The most significant argument against the implementation of UBIG is its cost: many policymakers and pundits have debated how the government would fund such an ambitious program. However, financing UBIG is not only possible, but presents an opportunity for the country to reform other tax policies that undermine the progressive nature of South Africa’s taxation system.

3.1.3.1. Redefine personal income tax

Although bonuses, overtime, and other employee benefits are covered by personal income tax, a significant amount of realized capital gains are not included in the personal income tax base.³³⁸ Furthermore, Figure 8 illustrates how it is the richest South Africans who receive the greatest amount of tax deductions.



³³⁸ “Proposal to Change How Income Gets Taxed in South Africa,” BusinessTech, August 26, 2022, <https://businesstech.co.za/news/finance/620057/proposal-to-change-how-income-gets-taxed-in-south-africa/>.

Fig. 8: *Tax deductions by income group*³³⁹

Fig. 9: *Effective tax rate by income group*³⁴⁰

To make the tax system more progressive, this memo thus advocates that South Africa should remove personal income tax breaks for South Africans in the highest tax brackets. By one estimate, eliminating breaks such as medical aid tax credits and pension fund contributions for high-income earners could generate R26 billion annually.³⁴¹

3.1.3.2. Increase progressivity of tax system

From 1993 to 2019, “the average income of the top 1% increased by 50%, while that of the poorest half fell by more than 30% after inflation”; in addition, after including taxes and transfers the share of income going to the top 1% is roughly the same as it was at the end of apartheid — nearly one-fifth.”³⁴² Apartheid, which denied non-white South Africans the ability to accrue wealth, persists today in a society in which whites are on average eight times richer than blacks — a gap twice as large as that of income.”³⁴³ In the words of one economist, it is “inheritance” that “helps old inequalities endure.”³⁴⁴ Overall, South Africa’s richest constituents have a lower effective tax rate than South Africa’s middle class, as illustrated by Figure 9. We thus recommend that South Africa should raise this effective tax rate on its richest citizens by increasing the top rates of high-income tax brackets (the proceeds of which could be reallocated to programs like UBIG).

3.1.4. Enact technological solutions for service provision to widen social net

Requirements for the implementation of social grants include a centralized database of births and deaths, immigration and emigration data, and a disbursement facility or mechanism.³⁴⁵ Digitization can not only improve spending efficiency but in addition, biometric technologies and electronic payment systems have helped to “cut bureaucratic inefficiencies, better target people in need, produce fiscal savings, and facilitate the delivery of benefits.”³⁴⁶

3.1.5. Reform Black Economic Empowerment (BEE)

The racial income gap in South Africa has certainly narrowed in South Africa since the end of apartheid: in 1990s, white South Africans earned about seven times as much as black South Africans, but at end of 2010s, it was only four times.³⁴⁷ But this narrowing in the income gap is largely due to the policy of Black Economic Employment, which, in rewarding companies for hiring black employees and penalizing those that do not, “steered business towards black-owned

³³⁹ “Proposal to Change How Income Gets Taxed in South Africa.”

³⁴⁰ “Proposal to change how income gets taxed in South Africa.”

³⁴¹ Aliya Chikte and Gilad Isaacs.

³⁴² “Not So Black and White,” *The Economist*, September 25, 2021.

³⁴³ “Not So Black and White.”

³⁴⁴ “Not So Black and White.”

³⁴⁵ Hein Marais.

³⁴⁶ Nelson Sobrinho and Vimal Thakoor, “More Sand Than Oil: Sub-Saharan Africa Stands to Gain More from Reducing Corruption than Any Other Region” (International Monetary Fund, September 2019), <https://www.imf.org/en/Publications/fandd/issues/2019/09/tackling-corruption-in-sub-saharan-africa-sobrinho>.

³⁴⁷ “Not So Black and White.”

firms and enriched a small number of black investors.”³⁴⁸ In the words of South African *New York Times* photographer João Silva, BEE “created a black millionaire class overnight.”³⁴⁹ A well-intended policy, BEE has suffered from poor implementation, and has fueled corruption by encouraging “the outsourcing of work to firms even though the state was capable of doing the job.”³⁵⁰ In March, the SOE Transnet temporarily suspended the policy due to their perception that it “benefited very few black-owned companies.”³⁵¹ Fronting — “a form of window-dressing whereby black employees appear as beneficiaries, directors or shareholders” within a business but are in fact not — is a recurring business tactic to satisfy BEE scorecard reports.³⁵² Between 2016 and 2020, there were 687 reported cases of fronting.³⁵³

The combined concentration of wealth and cronyism has rendered BEE in dire need of reform. South Africa must restructure the empowerment policy to more directly target lower-income black South Africans. This can be done by:

- **Providing greater funds or subsidies** for companies to provide skills-based training to black employees or training programs for eventual hires³⁵⁴
- **Completing randomized audits** of companies to pre-emptively investigate possible fronting and overall diversity before BEE scorecards can be falsified and submitted

3.2. Education and Economic Mobility: A Long-Term Plan

“The school sits where the community is.” — Grassroots Soccer Alexandra Coach³⁵⁵

Comprehensive structural changes to South Africa’s education system will be required to achieve material progress in addressing the erosion of the country’s economic inequality and immobility. Previous education reforms within this brief have put forward a mixture of policies that require low to medium resource commitment by the government or NGOs. In this section, longer term policy proposals build on our previous work with highly resource intensive suggestions.

Education must remain a high priority at a national level, given it is a proven medium to address inequality of opportunity. Currently, impoverished communities in South Africa’s townships and

³⁴⁸ “Not So Black and White.”

³⁴⁹ Conversation with João Silva, December 1, 2022.

³⁵⁰ “The Zondo Commission Has Revealed Vast Graft in South Africa,” *The Economist*, June 23, 2022, <https://www.economist.com/middle-east-and-africa/2022/06/23/the-zondo-commission-has-revealed-vast-graft-in-south>.

³⁵¹ Khulekani Magubane, “Transnet Sides with ConCourt, Goes with Original BEE Criteria in Tenders,” *News24*, April 4, 2022, <https://www.news24.com/fin24/companies/transnet-sides-with-concourt-goes-with-original-bbbee-criteria-in-tenders-20220404>.

³⁵² Megan Brook, “B-BBEE Fronting,” *Schindlers*, June 29, 2020, <https://www.schindlers.co.za/2020/b-bbee-fronting/#:~:text=Defining%20fronting&text=In%20summary%2C%20businesses%20that%20front,but%20are%20in%20fact%20not>.

³⁵³ “More Than 680 Cases of Fronting Place Pressure on Success of B-BEEE Act” (Department of Trade, Industry, and Competition, October 22, 2020). <http://www.thedtic.gov.za/more-than-680-cases-of-fronting>.

³⁵⁴ Prudence Mathebula, “Training Is the One Component of B-BBEE That Can Fuel Sizeable Company Growth in South Africa,” *Mail & Guardian*, October 1, 2022, <https://mg.co.za/opinion/2022-10-01-training-is-the-one-component-of-b-bbee-that-can-fuel-sizeable-company-growth-in-south-africa/>.

³⁵⁵ Conversation with Grassroots Soccer Alexandra, December 1, 2022.

rural areas suffer from diminished educational opportunities as a direct result of apartheid policies, as well as subsequent underinvestment and mismanagement, constricting the economic mobility of the country's most vulnerable citizens. The provision of adequate education so that students can improve their socioeconomic standing must be addressed before the structures of apartheid can be completely disassembled.³⁵⁶

The following section confronts two of the largest inhibitors to ensuring the long-lasting efficacy of South Africa's educational system: the physical capacity of school infrastructure and underlying lackluster legislation.

3.2.1. Improve education infrastructure

Under the apartheid regime, white-designated schools received 10 times the funding of black and other non-white schools, perpetuating a dramatic disparity in education that persists today. Today, the "worst school infrastructure conditions are largely in areas formerly set aside for black South Africans."³⁵⁷ Unsuitable building materials such as asbestos and mud, combined with a lack of consistent renovation efforts, have led to unsafe and appalling conditions in many of South Africa's schools. According to an Amnesty International survey, 45 out of 49 students highlighted poor infrastructure as a major issue impacting their right to education in the Eastern Cape (not to mention 47 of 87 students in Gauteng, the country's wealthiest province).³⁵⁸

South Africa also has high learner-educator ratios (LER), which limits education dispersion.³⁵⁹ South Africa's national LER average is 33:1, though in some cases can be as high as 50:1, more than three times the OECD international standard of 16:1.³⁶⁰ Further, government efforts to redress the crumbling infrastructure have largely been inadequate: a 2019/20 parliamentary report found that "Education Infrastructure Grant expenditure at 30 September 2019 was 41% of allocated budget" at the midyear, implying a gross underutilization of funds.³⁶¹ Financing for school construction and remediation exists but is currently sitting unutilized due to a lack of managerial capacity.³⁶²

The government should prioritize the construction of new school buildings, including indoor plumbing, perimeter fencing, laboratories, and other sanitation measures to facilitate the education of South Africa's most disadvantaged. As of 2018, of 23,471 public schools in South Africa, 20,071 had no laboratory, 18,019 had no library, 16,897 had no internet, 9,956 had no sports facilities, 4,358 had only illegal plain pit latrines for sanitation, 269 had no electricity, and 37 had no sanitation facilities at all.³⁶³ Sufficient schools should be constructed to ensure that the

³⁵⁶ Eldridge Moses, Kate Rich, and Cobus Burger, "A Society Divided: How Unequal Education Quality Limits Social Mobility in South Africa," researchgate.net, January 2018, https://www.researchgate.net/profile/Eldridge-Moses/publication/322593180_A_Society_Divided_How_Unequal_Education_Quality_Limits_Social_Mobility.

³⁵⁷ "Broken and Unequal," 38.

³⁵⁸ "Broken and Unequal," 39.

³⁵⁹ Joyce West and Corinne Meier, "Overcrowded Classrooms – the Achilles Heel of South African Education?," *South African Journal of Childhood Education* 10, no. 1 (2020), <https://doi.org/10.4102/sajce.v10i1.617>.

³⁶⁰ Joyce West and Corinne Meier.

³⁶¹ "Broken and Unequal," 64.

³⁶² "Broken and Unequal," 64.

³⁶³ "Neims Standard Reports January 2018," Neims Standard Reports January 2018 § (2018), pp. 1-5.

LER does not exceed 1:35 at the primary level and 1:27 at the secondary level.³⁶⁴ Relevant learning material including books, paper, writing instruments, and desks should be distributed widely with concrete delivery deadlines to ensure accountability

South Africa must integrate technology into its education system to capture opportunities in the ever-expanding technology sector. According to an OECD report, comprehensive adaptation of technology by South African students carries the potential for 1.2 million new jobs in the information and communications technology (ICT) sector by 2030, as well as another 3.3 million indirect jobs created as a result of digitalization.³⁶⁵ Thus, the Department of Education should design and implement a standardized policy of technology integration. Each school should be assigned a technical worker responsible for managing technology resources, and teachers and students should be afforded access to the internet.³⁶⁶ Security measures will be necessary to protect against theft, and a cohesive technology curriculum should be introduced across regions and education levels. A curriculum centered around the ‘one student, one device’ approach has been shown to be cost-ineffective, but prioritizing computer laboratories in secondary schools and requiring more students to enroll in Computer Applications Technology (CAT) courses presents a more sensible strategy.³⁶⁷ Such a program would allow South Africans to capture opportunities in the ever-expanding technology sector.

3.2.2. Reexamine the governing legislation around South Africa’s education sector

Teachers’ unions feature prominently in most developed democracies and have an important role in advocating for the interests of a nation’s educators. In South Africa, however, high-level government officials in the Department of Basic Education (DBE) participate in teachers’ unions despite not working in schools. These officials can sit on both sides of the negotiating table, often in contradictory roles such as budget negotiations between teachers and the municipality.³⁶⁸ Consequently, the government often vastly overpays for services and lacks adequate oversight of the educators. New legislation, aimed at depoliticizing the educational system, should “[require] that for someone to be a member of a teacher union they cannot work for the national or provincial Department of Basic Education.”³⁶⁹

Surprisingly, access to funding is not an impediment to education reform in South Africa. In fact, public spending on education is more than 6% of GDP annually, “a higher share than the average in the OECD club of mostly rich countries.”³⁷⁰ Instead, the barriers to providing an enhancing education lay in the network of teachers, administrators, bureaucrats, and politicians. Widespread

³⁶⁴ “Broken and Unequal,” 73.

³⁶⁵ Andreas Schleicher.

³⁶⁶ M.Z. Ramorola, “Challenge of Effective Technology Integration into Teaching and Learning,” *Africa Education Review* 10, no. 4 (2013): pp. 654-670, <https://doi.org/10.1080/18146627.2013.853559>.

³⁶⁷ Nic Spaul, “Priorities for Education Reform in South Africa,” Stellenbosch University, January 19, 2019, <https://nicspaul.files.wordpress.com/2019/01/v2-spaul-priorities-for-educ-reform-treasury-19-jan-2019.pdf>, 13.

³⁶⁸ Nic Spaul.

³⁶⁹ Nic Spaul.

³⁷⁰ “South Africa’s Youngsters Are Let down by a Lousy Education System,” *The Economist* (The Economist Newspaper, April 25, 2019), <https://www.economist.com/special-report/2019/04/25/south-africas-youngsters>.

fraud and corruption are pervasive throughout school systems, with employment opportunities being auctioned off by administrators in return for cash or cows.³⁷¹

Although education receives a high proportion of South Africa's GDP, funding distribution is far more complex and may exacerbate inequality. Provincial expenditure and conditional grants make up 97% of all spending on basic education. As a result, allocation of funding to the provincial level essentially determines the size of each province's education budget.³⁷² The *equitable share formula* is used to calculate provincial budgets; however this formula is inequitable as it fails to consider individual provinces' characteristics.³⁷³ The formula should be reformed to:

- **Account for the Number of Quintile 1-3 Schools in Each Province.** Schools are placed into these quintiles based on relevant poverty statistics of the surrounding area and are entirely dependent on funding from the provincial authority (as opposed to schools in quintiles 4 and 5, which charge parents top-up fees). Because poor provinces have a disproportionate number of schools in quintile 1-3, the burden on the state is higher and results in suppressed funding allocation per learner in these areas.³⁷⁴ The formula should also account for the overall number of schools in each province.
- **Account for Urban-Rural Disparities.** The formula should account for disparities in the cost of providing education between urban and rural areas as a result of economies of scale. Rural areas have a lower population density and therefore require a greater number of schools to serve a comparable amount of learners. Each school is associated with its own costs, such as a principal, in turn driving up costs for educators.³⁷⁵ South Africa's students of today should not receive less funding on an individual basis because the generations before them were forced to live in disadvantaged areas removed from economic centers and adequate infrastructure.
- **Consider Transportation Barriers.** More than 70% of South Africa's 14 million learners commute to school on foot, with many walking over an hour in one direction.³⁷⁶ The *equitable share formula* does not account for the cost of student transportation. The national government should implement a conditional grant to be used specifically on learner transport to and from schools. This reform will "aid provinces in providing a more reliable and consistent service" and dramatically improve the quality of life for many students.³⁷⁷

3.3. Public Infrastructure Opportunities

³⁷¹ "South Africa's Youngsters Are Let down by a Lousy Education System."

³⁷² Chris McConnachie, Ann Skelton, and Cameron McConnachie, "Basic Education Rights Handbook," SECTION27, April 28, 2020, <http://section27.org.za/basic-education-handbook/>.

³⁷³ "Broken and Unequal," 11.

³⁷⁴ Leanne Jansen-Thomas, "Budget Speech 2017: Budgeting at the Height of Inequality," Equal Education, October 16, 2020, <https://equaleducation.org.za/2017/02/22/2284/>.

³⁷⁵ Leanne Jansen-Thomas.

³⁷⁶ Leanne Jansen-Thomas.

³⁷⁷ Leanne Jansen-Thomas.

*“Our roads are collapsing. In townships, nobody even bothers to fill the potholes.”*³⁷⁸
 — Businessman, pastor, and activist Mike Mpanya

South Africa’s insufficient and poorly managed infrastructure constrains citizens’ access to basic services. These constraints are most prevalent in impoverished parts of the country and exacerbate the socioeconomic hardships faced by poor South Africans.

South Africa’s capacity to deliver water, electricity, and transportation infrastructure to both citizens and corporations will remain limited without targeted intervention. Below, recommendations for improving each of these sector’s infrastructure are outlined with the intention of improving access to these services across the economic spectrum. (Reforms to rail and port infrastructure were covered in Section II.)

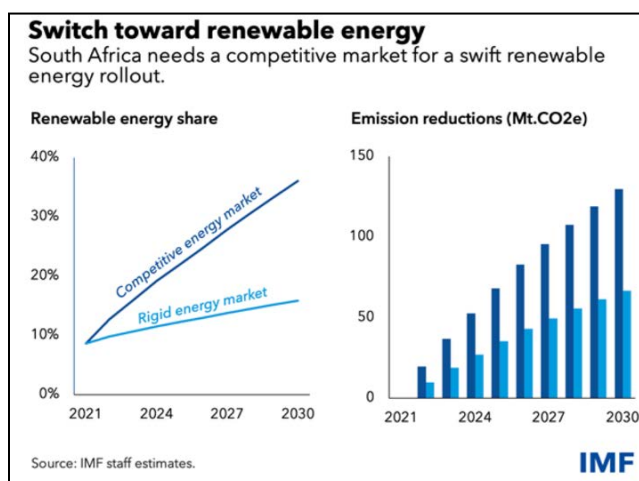


Fig. 10: *Targets for renewable energy in South Africa*³⁷⁹

3.3.1. A green energy transition holds tremendous potential

South Africa today remains one of the “world’s most coal-fired economies,” producing 77% of its power from coal plants in 2020.³⁸⁰ Recognizing the commitments made by the government to the Paris Climate Accords, as well as the outsized impact of climate change on its most vulnerable citizens,³⁸¹ South Africa should embrace the transition to green energy. All firms should welcome competition for contracts on a level playing field within a transparent regulatory environment. Power generation contracts should be auctioned to private partners with priority to those who can produce power using renewable sources. Finally, a more intentional carbon taxation system — the current legislation is extremely lenient — would provide more potent

³⁷⁸ Conversation with Mike Mpanya, December 5, 2022.

³⁷⁹ Haonan Qu, “How South Africa Can Advance Reforms to Achieve Its Climate Goals,” IMF, February 18, 2022, <https://www.imf.org/en/News/Articles/2022/02/21/cf-how-south-africa-can-advance-reforms-to-achieve-its-climate-goals>.

³⁸⁰ “South Africa, the World’s Coal Junkie, Tries to Quit,” The Economist (The Economist Newspaper, January 22, 2022), <https://www.google.com/url?q=https://www.economist.com/middle-east-and-africa/2022/01/22/south-africa-the-worlds-coal-junkie-tries-to-quit.&sa=D&source=docs&ust=1670955690433322&usg=AOvVaw3Uamc6aZAbA55tNjaWUrYe>.

³⁸¹ Charles A Ray, “The Impact of Climate Change on Africa’s Economies,” Foreign Policy Research Institute, November 18, 2021, <https://www.fpri.org/article/2021/10/the-impact-of-climate-change-on-africas-economies/>.

price signals to private industry while raising funds to “assist low-income households and vulnerable workers and regions.”³⁸²

A transition away from a reliance on coal brings with it the risk of driving tens of thousands of people out of work. As of 2020, the South African mining industry employs slightly over half a million people, 21% of whom labor in the coal sector.³⁸³ Any attempt to transition the nation to green energy production without a supplemental retraining program is likely to be heavily contested by the National Union of Mine Workers. Therefore, programs such as the one implemented in partnership with the Kangnas Wind Farm Project — in which young workers, particularly those disadvantaged by historical discrimination, were trained to manage and maintain the operation — should be implemented on a national scale.³⁸⁴ The gravity of developing robust human capital to maintain energy infrastructure is apparent in Eskom’s recent failures, including a period in July when “maintenance and breakdowns had knocked nearly 45% of its total 46,000 MW capacity offline.”³⁸⁵ Facilitating human capital development in the green energy sector will also encourage confidence in foreign investors across South Africa’s economic spectrum, whose businesses are currently plagued by loadshedding. Finally, building a force of workers with experience in the energy transition creates opportunities for South Africa to embody the role of a regional leader, sending experts across the continent and catalyzing widespread adaptation of renewable power sources.

As the global economy begins to electrify, significant raw materials and electrical components, particularly lithium-ion batteries (LIB), have become fundamental to the green energy transition. Rich mineral deposits and abundant clean energy potential in South Africa combine to form a favorable environment for the manufacture of these batteries, carrying significant positive implications for the domestic economy. In order to facilitate a domestic LIB production value chain, clear policy signals from the government are again a requirement for investor confidence. Access to financing, specifically for commercialization, remains limited and could be expanded. Policies that help encourage local demand in the early stages of the industry’s development, such as tax credits for manufacturers and customers, can jumpstart production. Finally, the LIB value chain requires specialized human capital³⁸⁶ throughout the R&D phase and beyond. Related university programs and similar curriculums should be subsidized and encouraged by the government.

3.3.2. *Improve worker mobility to ensure equitable access to a growing economy*

³⁸² Haonan Qu.

³⁸³ Jeff Radebe, “Four Facts About the Mining Industry,” Four Facts About the Mining Industry § (2019), pp. 1-2.

³⁸⁴ Mike Blanch, Mona Pettersen, and George Hodgkinson, “Capturing Green Recovery Opportunities From Wind Power in Developing Countries,” bvgassociates.com, February 2022, <https://bvgassociates.com/>.

³⁸⁵ Promit Mukherjee, “Pandemic, War and 'Crazy' Prices Threaten South African Pivot from Coal,” Reuters (Thomson Reuters, July 21, 2022), <https://www.google.com/url?q=https://www.reuters.com/business/energy/pandemic-war-crazy-prices-menace-south-african-pivot-coal-2022-07-21/&sa=D&source=docs&ust=1670955749274610&usg=AOvVaw3m8EYJCmiWrVYqejSLNP-I>.

³⁸⁶ Janet Wilhelm, “Opportunities to Develop the Lithium-Ion Battery Value Chain in South Africa,” TIPS (The Low Carbon Transport - South Africa (LCT-SA) Project, March 8, 2021), <https://www.tips.org.za/policy-briefs/item/4013-opportunities-to-development-the-lithium-ion-battery-value-chain-in-south-africa>.

Many South Africans located far from major economic centers can spend as much as 60% of their salary on transportation to and from the workplace each month.³⁸⁷ Improvement in the reliability or pricing of public transportation infrastructure would translate to a substantial real wage boost for most workers and disproportionately benefit the underprivileged. A backbone of transportation for 70% of South Africa's households, the minibus sector has long been neglected by government regulators due to its extensive unionization and outsized capacity to inflict widespread economic harm.³⁸⁸ Previous government subsidies aimed at the industry have exclusively focused on capital expenditures and have realized only a marginal impact on rider fares. To improve affordability and integration of minibuses, South African municipal governments should implement a "strong operational subsidy" within the industry. Such a subsidy would reduce an operator's recurring expenses (as opposed to one-off expenses like new vehicles), allowing them to reduce fares in perpetuity; it would also shift the relationship paradigm between drivers and officials.³⁸⁹ More robust integration between governments and drivers will allow South Africa to leverage the existing network of transportation services while circumventing the political blowback from simply replacing mini buses.³⁹⁰

Due to its informal nature within South Africa's economy and related low barriers to entry for new competitors, the minibus industry has come to be synonymous with cut-throat business tactics that often spiral into outright violence. According to John McDermott, roughly 50% of assassinations in South Africa are tied to the industry.³⁹¹ Operational subsidies from municipal governments should therefore be implemented in conjunction with, and made contingent on, more stringent regulations surrounding the solidification of driver routes, the formation of new minibus taxi companies, and general operational procedures of drivers.

3.3.3. *Make good on the constitutional guarantee of clean and reliable water*

Considered one of the most progressive in the world, South Africa's constitution dictates that all families, regardless of financial capacity, receive 6,000 liters of clean water per month (assuming a family size of four). Still, an estimated seven million rural South Africans, as well as many urban citizens, lack access to clean water.³⁹² The agricultural and industrial sectors also depend on reliable access to water and together consist of 44% of the nation's GDP.³⁹³ While steps have been taken to shore up national water security, the "proposed interventions to increase supply and reduce demand are not enough to reconcile the gap between withdrawals and supply."³⁹⁴ In

³⁸⁷ Conversation with Rabbi Gideon Pogrand, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

³⁸⁸ Wesley Levendal and Amaan Phiri, "Here's What Is Needed to Transform the Minibus Taxi Industry," RACS, August 18, 2021, <https://racs.org.za/transformation-of-the-minibus-taxi-industry-requires-reform-and-integration/>.

³⁸⁹ Benjamin H. Bradlow, "Why Operational Subsidies Are Key to Reforming South Africa's Minibus Taxi Sector," Harvard University Center for African Studies, October 11, 2020, <https://africa.harvard.edu/news/why-operational-subsidies-are-key-reforming-south-africa%E2%80%99s-minibus-taxi>.

³⁹⁰ H. Schalekamp and J.M. Klopp, "Beyond BRT: Innovation in Minibus-Taxi Reform in South African Cities," UPSpace Home, January 1, 2018, <https://repository.up.ac.za/handle/2263/69575>.

³⁹¹ Conversation with John McDermott, December 3, 2022.

³⁹² "Case Study: South Africa | Water for All," Water Access in South Africa (Massachusetts Institute of Technology, 2014), <http://12.000.scripts.mit.edu/mission2017/case-studies/>.

³⁹³ "Water for All," Mission 2017: Global Water Security, *Massachusetts Institute of Technology*, 2017.

³⁹⁴ Steve Hedden, "How Can We Improve South Africa's Water Supply?," World Economic Forum, April 4, 2016, <https://www.weforum.org/agenda/2016/04/how-can-we-improve-south-africas-water-supply/>.

order to ensure “universal reliable access to water”³⁹⁵ while maintaining financial sustainability of the sector, water meters must be installed throughout the country. This would enable the South African Department of Water Affairs and Forestry (SADWAF) to monitor water usage in homes, prevent water theft, and track broken tap lines efficiently.

Another immediate remedy to the water shortages faced by South Africa’s rural population is the implementation of regularly scheduled water delivery trucks to remote villages, a strategy already being practiced effectively in Ethiopia.³⁹⁶ Long-term solutions, however, involve constructing communal tap systems that leverage a particular region’s geography to guarantee the longevity of water provision. This infrastructure can take the form of ground wells or rain storage tanks that feed a central faucet.

Over 1.5 billion cubic meters of water are lost each year as a result of leaking pipes or related issues.³⁹⁷ Replacing the entire existing network of piping would prove to be cost prohibitive if approached unilaterally by the government — especially if done before implementing the capacity-building and economic reforms of Sections I and II — but a network of public-private partnerships (PPP) would enable faster upgrades while maintaining a desirable level of financial sustainability.³⁹⁸ Already, private groups have attempted to reconcile the failing water infrastructure without involving their government colleagues but have so far been met with resistance at the municipal level.³⁹⁹ South Africa should instead continue to foster and capitalize on these enterprises.

3.4. Housing

“The richer you are, the closer you live to the mountains.” — activist Shirley Gunn⁴⁰⁰



*Housing segregation in Johannesburg*⁴⁰¹

³⁹⁵ Patricia De Lille, “National Infrastructure Plan 2050 (Nip 2050) Phase I,” National Infrastructure Plan 2050 (Nip 2050) Phase I § (2022), pp. 1-78.

³⁹⁶ “Water for All.”

³⁹⁷ “Water for All.”

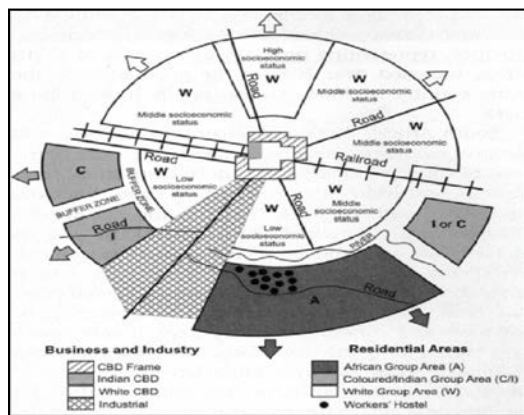
³⁹⁸ Patricia De Lille, “National Infrastructure Plan,” 1-78.

³⁹⁹ “An Ex-President Is on Trial, but Graft Still Blights South Africa,” *The Economist* (The Economist Newspaper, June 3, 2021), <https://www.economist.com/middle-east-and-africa/2021/06/03/an-ex-president-is-on-trial-but-graft-still-blights-south-africa>.

⁴⁰⁰ Selam Gebrekidan and Norimitsu Onishi, “In South Africa’s Fabled Wine Country, White and Black Battle Over Land” *New York Times*, March 9, 2019.

⁴⁰¹ Johnny Miller, *Unequal Scenes*, Photograph, February 15, 2019, https://www.archdaily.com/911518/michelle-mlatis-afrofuturist-approach-to-spatial-planning/5c65d840284dd1f173000167-michelle-mlatis-afrofuturist-approach-to-spatial-planning-image?next_project=no.

Under the Constitution, every South African has the right to access adequate housing.⁴⁰² However, the legacy of apartheid city planning policies continues to color current spatial ordering patterns in South African urban areas. The South African apartheid state's systematic ordering of racial groups, coupled with its lack of investment in housing projects, compounded to create the modern South African urban area.⁴⁰³ Legislation such as the Native Lands Acts of 1913 and 1926 used meticulous social engineering policies to separate racial groups, confine minorities into unproductive land, prevent intergroup contact, and limit black land ownership.⁴⁰⁴ Despite the end of institutionalized apartheid, the South African government failed to develop a national housing policy shortly after 1994.⁴⁰⁵ Apartheid's engineered spatial planning systems continue into today.



(Left) Fig. 11: An apartheid city model which separates individuals by race. Black South Africans live farthest from the central business district, while coloured South Africans create a buffer between black and white communities.⁴⁰⁶

(Right) Fig. 12: Cape Town's District Six Museum, a space to memorialize the 60,000 South Africans forcibly removed from their homes in the area during apartheid. District Six continues to be spatially segregated today.⁴⁰⁷

The nation's housing crisis is persistent and pervasive. Approximately one fifth of all urban households live in informal townships.⁴⁰⁸ Furthermore, the country suffers from an ever-growing housing shortage of roughly 3.7 million homes.⁴⁰⁹ While the government continues to build low-cost homes, these development projects are often located on the urban periphery due to the unaffordability of well-located land close to the central business districts.⁴¹⁰ This pattern further

⁴⁰² South African Human Rights Commission, "The Right to Adequate Housing Fact Sheet," n.d., 2, <https://www.sahrc.org.za/home/21/files/Fact%20Sheet%20on%20the%20right%20to%20adequate%20housing.pdf>.

⁴⁰³ Fanie Cloete, "Local government transformation in South Africa" (1995).

⁴⁰⁴ Department of Management, Planning, and Evaluation. "Toward a 25 Year Review 1994-2019," 2020, 137, <https://www.dpme.gov.za/news/SiteAssets/Pages/25-Year-Review-Launch/Towards%20A%2025%20Year%20>.

⁴⁰⁵ Fanie Cloete.

⁴⁰⁶ Anele Mthembu, "Reflections on Expropriation-Based Land Reform in Southern Africa | Town and Regional Planning," December 11, 2019, <https://journals.ufs.ac.za/index.php/trp/article/view/4151>.

⁴⁰⁷ Thomas Brown. District Six Museum, Cape Town, South Africa. December 9, 2022. Photograph.

⁴⁰⁸ Prisca Simbanegavi, "Africa Housing Finance Yearbook 2021 - South Africa," November 6, 2021, 1, <https://housingfinanceafrica.org/app/uploads/2021/12/South-Africa.pdf>.

⁴⁰⁹ Prisca Simbanegavi, 1.

⁴¹⁰ Qhamani Neza Tshazi, "Why a Blanket Approach to Redressing Spatial Inequity Is Flawed," *The Mail & Guardian* (blog), August 19, 2020, <https://mg.co.za/opinion/2020-08-19-why-a-blanket-approach-is-flawed/>.

reinforces apartheid-era spatial policies, preventing disadvantaged communities from easily accessing key resources. In an effort to reimagine South African spatial development, the state launched its first National Spatial Development Framework in 2018 to begin dismantling apartheid's spatial legacy.⁴¹¹ However, there is still much work left to be done. To achieve equitable standards of living for all South Africans, the state should focus efforts toward acquiring well-located land and reforming the community resident unit (CRU) program. With these policies, South Africans likely will be less divided along socioeconomic, racial, and spatial lines, thereby furthering the reconciliation process.

3.4.1. *Employ a “well-located land index” to support the procurement of well-located land*

If the government continues to build low-income housing developments in the urban periphery without a thoughtful strategy, spatial inequity will continue to compound itself. For example, peripheral townships near Cape Town such as Khayelitsha and Langa have continued to rapidly grow due to government advertisement of housing projects there.⁴¹² These settlements are far from the central business district and lack essential infrastructure, therefore exacerbating the socioeconomic legacies of apartheid. To appropriately address the procurement of well-located land, the South African state must define and publish its criteria for what constitutes “well-located” land, and employ a “well-located land index” to more effectively target land procurement for housing development.

Presently, the government touts the construction of housing projects on “well-located” land as critical to ameliorating the housing crisis. Despite this, nowhere in the 2018 Draft National Spatial Development Framework does it define exactly what “well-located” land entails. Should access to public transit be a priority? Should this access be considered more of a priority than proximity to major towns, for example? To clarify these perspectives, the government should first define the factors and weights it considers most important to “well-located” land.

With these characteristics in mind, the government can then develop a “well-located land index” to illustrate which land areas are “well-located” and available for procurement. In 2017, Mokoena et al. developed this index for the Ekurhuleni municipality. By developing a similar methodology, the government will be able tackle spatial inequity through targeting, identifying, and constructing “well-located” housing projects which allow their inhabitants access to the proper services.

⁴¹¹ Department of Rural Development and Land Reform and Department of Planning, Monitoring, and Evaluation, “Draft National Spatial Development Framework,” September 2018, 21, <https://www.dpme.gov.za/pdf>.

⁴¹² Qhamani Neza Tshazi.

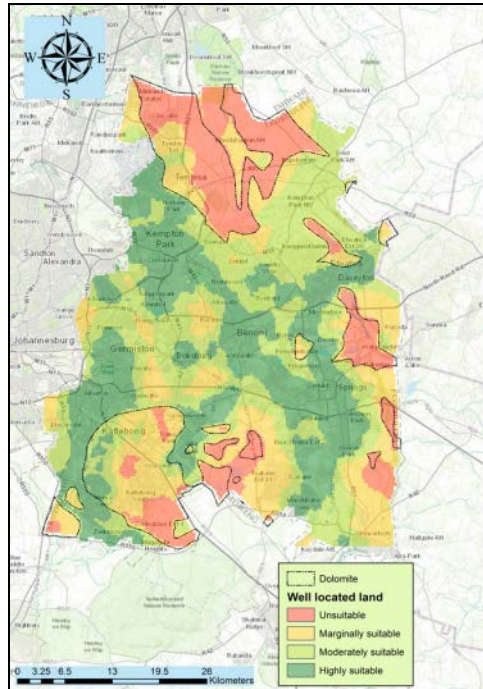


Fig. 13: “Well-located” land parcels which Mokoena et al.’s index identifies in Ekurhuleni. The index clarifies the metropolitan areas which would suffer from inefficient service delivery.⁴¹³

3.4.2. Increasing housing availability and affordability by reforming the CRU program

At present, the South African government maintains four main state-supported housing development projects: government-subsidized houses (RDPs), community resident units (CRUs), informal settlement upgrades, and gap housing.⁴¹⁴ Since 1994, the government’s overwhelming focus has been on the development of RDPs — providing roughly three million units since 1994.⁴¹⁵ However, the rapid urbanization, declining availability of well-located land, and increasing demand for government-subsidized homes necessitates a shift in focus toward a more densified model of housing development projects. More emphasis should be placed on reforming the CRU program to ease the stress placed on government housing development initiatives. The government should:

- **Expand its initiatives to develop new CRU housing projects on procured, well-located land as described in Section 3.4.1.** As the government looks toward developing the most economical and accommodating affordable housing projects, the CRU should aim to develop or acquire affordable, mixed-use housing units, which is necessary given the sheer number of citizens waiting to be placed in adequate living conditions.

⁴¹³ Baleseng T. Mokoena et al., 105.

⁴¹⁴ GroundUp Staff, “Everything You Need to Know about Government Housing,” GroundUp News, July 20, 2017, <https://www.groundup.org.za/article/everything-you-need-know-about-government-housing/>.

⁴¹⁵ Centre for Affordable Housing Finance Africa, “RDP Assets in South Africa,” CAHF | Centre for Affordable Housing Finance Africa, June 10, 2011, <https://housingfinanceafrica.org/projects/rdp-assets-study/>.

- **Allocate more funds toward CRU programs as opposed to RDPs.** As South Africa continues to experience population growth and migration toward already-populated urban areas, shifting focus toward a densification strategy will allow for the government to not only deliver on its constitutional mandate to provide adequate housing, but it will also allow for the more efficient and equitable delivery of services to the population.
- **Expand “density bonus” zoning laws to all municipalities.** Some municipalities such as the Western Cape have already incentivized the development of mixed-use, density-focused housing projects through the use of “density bonuses.” These bonuses allow private developers to increase the maximum allowable development on a land parcel to allow for more inclusionary housing. If the government were to expand these zoning laws across municipalities, it would allow both public and private developers to maximize their project development’s impact.⁴¹⁶

With the implementation of these policies, the South African government will be able to more effectively supply adequate housing for individuals in dire need.

3.5. Achieving a Safer South Africa through Targeted Crime Initiatives

“[Crime’s] like a sick fish. If you don’t treat the water that the fish lives in, you have a problem.”
— South African journalist Chris Bateman⁴¹⁷

While the police reforms and enhanced prosecuting authorities as described in Section I are necessary in the short term, targeted violence prevention programs are imperative to improving the equitable distribution of services to all South Africans. The pervasiveness of violent crime hinders both economic and social capital. The economic impact of violent criminal activities in 2021 is estimated to cost roughly 15% of gross domestic product.⁴¹⁸ Additionally, over 50% of South Africans see violence as “the greatest risk” in their daily livelihoods.⁴¹⁹ This fear disproportionately affects women and children. In the first three months of 2022, approximately 6,083 individuals were murdered in South Africa, including 900 women and 300 children.⁴²⁰ The loss of economic potential and life due to violent crime impedes South African from achieving progress as both a cohesive nation and a functioning state.

To achieve equitable standards of living for all South Africans, the state should restructure its police funding and uplift women’s economic positions. These policies will not only more effectively target crime hot spots to foster safer neighborhoods but will also address inequities in the criminal system which will further the reconciliation process.

⁴¹⁶ Western Cape Government, Department of Environmental Affairs and Development Planning, “Western Cape Government Inclusionary Housing Policy Framework,” October 2022, https://www.westerncape.gov.za/eadp/files/atoms/files/Western%20Cape%20Inclusionary%20Housing%20Policy%20Framework_2022_FINAL.pdf.

⁴¹⁷ Chris Bateman, “Drug Abuse ‘out of Hand’ in South Africa, Needs Radical Policy Shift - The Mail & Guardian,” November 1, 2022, <https://mg.co.za/health/2022-11-01-drug-abuse-out-of-hand-in-south-africa/>.

⁴¹⁸ Institute for Economics & Peace, “Global Peace Index 2021: Measuring Peace in a Complex World,” June 2021. <https://www.economicsandpeace.org/wp-content/uploads/2021/06/GPI-2021-web.pdf>, 89.

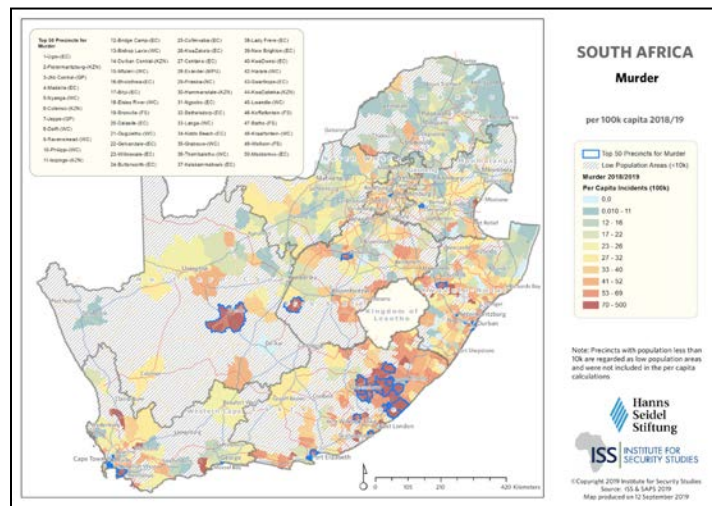
⁴¹⁹ Institute for Economics & Peace, 5.

⁴²⁰ Ethan Van Diemen, “Crime Crisis Continues in First Quarter of 2022 with Women and Children Worst Affected,” Scribd, June 3, 2022, <https://www.dailymaverick.co.za/article/crime-crisis-continues-in-first-quarter-of-2022/>.

3.5.1. Restructure police funding to better service predictable crime hot spots

The South African Police Services (SAPS) have experienced an immense “resource squeeze” in recent years, requiring the SAPS to revisit their allocative priorities.⁴²¹ At present, a typical SAPS budget is allocated to five different programs: administration, detective services, crime intelligence, protection, and visible policing.⁴²² The latter program is the most salient of them all, with visible police strategies encompassing areas such as crime prevention, border policing, and specialized interventions.⁴²³ However, these visible policing strategies have inconsistent results and often fail at crime deterrence.⁴²⁴ Therefore, the South African government should strongly consider allocating more funding toward better servicing predictable crime hot spots as opposed to stationing police in various visible locations throughout the workweek. If the SAPS critically revisits their funding allocation, targeted interventions could potentially halve murders in crime hot zones.⁴²⁵

Analysis has demonstrated that South African crime is predictable in both the geographical and temporal sense. According to 2015-2016 data, 78% of murders concentrated themselves in four provinces: KwaZulu-Natal, Gauteng, and the Eastern and Western Capes.⁴²⁶ Scholars posit that murder rates are a reasonable proxy for other forms of violent crime, as the two acts are likely happening in tandem with one another.⁴²⁷ As Figure 14 depicts, these data observations still hold true in the geographical sense.



⁴²¹ Janine Rauch, “Police Reform and South Africa’s Transition,” n.d., 11., 11.

⁴²² David Bruce and Racheld Neild, “The Police That We Want: A Handbook for Oversight of Police in South Africa,” 2005. <https://www.justiceinitiative.org/uploads/96420f9e-1d5e-4b17-98b7-c30cc1027d6c.pdf>.

⁴²³ David Bruce and Racheld Neild.

⁴²⁴ Andrew Faull, “Police Strategy to Reduce Violent Crime in South Africa Could Work. Here’s How,” The Conversation, June 20, 2018, <http://theconversation.com/police-strategy-to-reduce-violent-crime>.

⁴²⁵ Andrew Faull.

⁴²⁶ F. Beukman, “Annual Crime Statistics 2015/16: SAPS and Police Ministry Briefing,” September 2, 2016, <https://pmg.org.za/committee-meeting/23194/>.

⁴²⁷ Andrew Faull.

Fig. 14 : *Murder hot spots from 2018-2019 data, demonstrating that crime is mostly concentrated in the Eastern and Western Capes and KwaZulu-Natal.*⁴²⁸

Temporally, murders are also occurring in predictable patterns: Within these provinces, violent killings are mostly occurring in the night-time hours of the weekend. For example, half of all murders nationwide occurred on Saturday and Sunday in 2016, with 70% of them happening between 6 PM and 8 AM.⁴²⁹ Furthermore, the SAPS reported in 2017 that 66% of murders in the Western Cape specifically occurred from Friday to Sunday.⁴³⁰

These clear patterns exemplify the ripe opportunity for the SAPS to direct targeted funding toward bolstering security presences in particular regions and provinces with a demonstrated history of violent crime. With resources not spread so thinly, the SAPS may be able to more effectively address security concerns in these regions. Therefore, people at all levels will feel safer in their own neighborhoods — a major step forward toward reconciliation.

3.5.2. Engender Political Will to Address GBV Concerns at Every Level of Government

In 2019, President Ramaphosa declared gender-based violence (GBV) to be a national crisis which hinders the development of human and social capital.⁴³¹ As a state with one of the highest rates of GBV in the world, much needs to be done in order to ensure all South Africans receive equitable opportunities to receive services and resources.⁴³²

South African legislation is quite progressive in addressing concerns surrounding GBV. For example, the Domestic Violence Act of 1998 enabled police forces to aid in provisioning protection orders between victim and perpetrator.⁴³³ Additionally, President Ramaphosa announced that he would amend the Domestic Violence Act to include a more progressive definition of GBV, including actions such as controlling behavior and victim behavior regulation.⁴³⁴

At the same time, however, the political conditions for igniting change in the GBV realm have not always been ripe. For example, former President Jacob Zuma announced the creation of a new department to oversee affairs relating to women, children, and disabled individuals in 2009 but it was later dissolved as a means to further handicap the state's ability to address social concerns.⁴³⁵ Although President Ramaphosa re-established the Department of Women, Youth, and Persons with Disabilities under the office of the Presidency, very little political willpower

⁴²⁸ ISSAfrica.org, "Map: Top 50 Murder Areas 2018/19," ISS Africa, September 13, 2019, <https://issafrika.org/crimehub/multimedia/map-top-50-murder-areas-201819>.

⁴²⁹ F. Beukman.

⁴³⁰ Andrew Faull.

⁴³¹ "Address to the Nation on Public and Gender-Based Violence," September 5, 2019, <https://www.gov.za/speeches/president-cyril-ramaphosa-address-nation-public-and-gender-based-violence-5-sep-2019-0000>.

⁴³² Ethan Van Diemen, "Crime Crisis Continues in First Quarter of 2022 with Women and Children Worst Affected,"

⁴³³ LegalWise. "Gender-Based Violence: Stricter Legislation on Its Way to Prevent and Protect." <https://www.legalwise.co.za/help-yourself/legal-articles/gender-based-violence-stricter-legislation-its-way-prevent-and-protect>.

⁴³⁴ "Gender-Based Violence: Stricter Legislation on Its Way to Prevent and Protect."

⁴³⁵ "Women's Issues under Presidency's 'Watchful Eye,'" June 2, 2014, <https://www.news24.com/News24/womens-issues-under-presidencys-watchful-eye-20140602>.

exists to truly address GBV issues.⁴³⁶ With domestic violence tying with gang activity as the second-leading cause of murder in South Africa, these issues cannot be ignored if the nation wishes to progress.⁴³⁷

3.6. Healthcare Services

“Public health in Africa has been a story of neglect and dependency.” — John Nkengasong⁴³⁸

Healthcare provision in South Africa varies in quality, access, and funding — especially by race. HIV and AIDS have had devastating impacts on South African society. The life expectancy dropped from 64 to 48 years due to the disease, and in 2001, it accounted for a quarter of deaths in the country. The prevalence along racial lines is stark: By 2011, HIV infection rates were 19.9%, 3.2%, and 0.5% among 15 to 49-year-old black, coloured, and white South Africans, respectively.⁴³⁹ The impacts of the broken healthcare system are multiplicative: They harm parental productivity, draw from personal savings, and inflict a heavy emotional toll. To pursue racial reconciliation, South Africa must address racial gaps in healthcare.

Healthcare governance in South Africa is decentralized, with both national and provincial controls. Unreliable public facilities create a market for private care, only accessible to those that can afford them. Much like disease burden in the country, healthcare quality access falls along racial lines. Only 9.9% of black South African households have access to healthcare through medical insurance, while white, south Asian, and coloured people have 72.9%, 52%, and 17.1%, respectively.⁴⁴⁰ The recommendations laid out in Section I, particularly the cleanup and professionalization of government officials, will help facilitate the policy recommendations outlined below. Policy should focus on two areas: increasing quality of care and expanding preventative care.

3.6.1. Increasing quality of and access to care

Private hospitals in South Africa offer better wages and benefits to their providers, which attracts the country’s “best doctors.”⁴⁴¹ By contrast, public hospitals are under-resourced, underfunded, and overcrowded. Only 18% of the population regularly use the roughly 200 private providers in the country, yet 79% of doctors work privately.⁴⁴² This leaves just 21% of the country’s doctors

⁴³⁶ Department of Women, Youth and Persons with Disabilities, “National Strategic Plan on Gender-Based Violence and Femicide,” 2020.

⁴³⁷ ISSAfrica.org, “Policing Alone Cannot Solve South Africa’s Violence,” ISS Africa, September 12, 2019, <https://issafrica.org/about-us/press-releases/policing-alone-cannot-solve-south-africas-violence>.

⁴³⁸ Ruth Maclean, “Fighting a Pandemic, While Launching Africa’s Health Revolution,” The New York Times (The New York Times, September 19, 2021), <https://www.nytimes.com/2021/09/19/world/africa.html>.

⁴³⁹ Chris Kenyon, and Sizwe Zondo. 2011. “Why Do Some South African Ethnic Groups Have Very High HIV Rates and Others Not?” *African Journal of AIDS Research* 10 (1): 51–62. <https://doi.org/10.2989/16085906.2011.575548>.

⁴⁴⁰ Kenyon.

⁴⁴¹ “Understanding South Africa’s Healthcare System.” International Citizens Insurance. <https://www.internationalinsurance.com/health/systems/south-africa.php>.

⁴⁴² “South Africa Country Cooperation Strategy.” 2018. World Health Organization.

working in the public sector’s 327 hospitals, servicing over 80% of the population.^{443, 444} This immense pressure on public facilities impedes their ability to provide high quality care to everyone who needs it.

Policy recommendations to immediately improve quality of care in hospitals should include accountability mechanisms, such as increased transparency and accountability among patients, providers, municipalities, and the Department of Health. These can include giving mandatory copies of visit reports to patients and digitizing records for more efficient care provision and information exchange. Moreover, engagement with NGOs and partnerships between public and private institutions should be pursued to ease burdened public hospitals while long-term solutions are pursued.

Ultimately, solutions to the largest problems will require resource-intensive policy recommendations. Building hospitals in areas which currently lack them should remain a top priority, especially in underserved municipalities like the Northern Cape, North West, and Free State (see Figure 15).⁴⁴⁵ Further, many current hospitals are challenged by staff shortages, equipment failure, and more. For example, a hospital in a predominantly coloured district only offers 20 beds for half of the 126,836-person Namakwa region due to nurse shortages.⁴⁴⁶ The only other Namakwa hospital is 380 km away.⁴⁴⁷

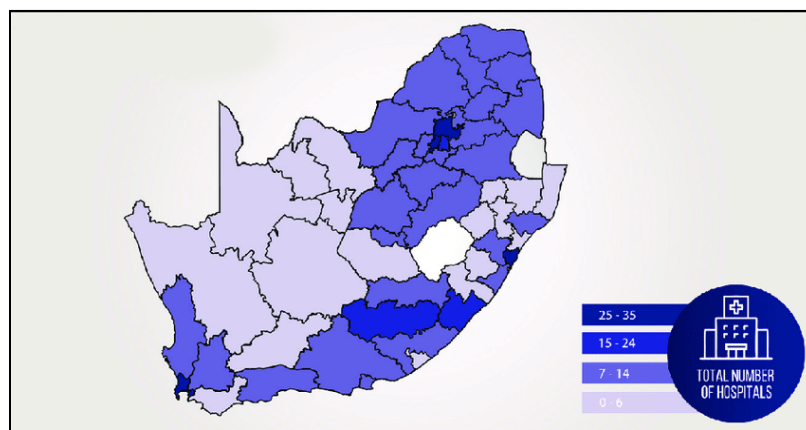


Fig. 15 : Geographic distributions of hospitals within South Africa⁴⁴⁸

To address rural medical staff shortages, the Department of Health should revisit the required year of community service before becoming a doctor or one of 17 other healthcare professionals. Participants have reported months-long waiting periods to be placed and mismatches once they

⁴⁴³ “South Africa Country Cooperation Strategy.” 2018. World Health Organization.

⁴⁴⁴ Angela Dell, and Delawir Kahn.. “Geographical Maldistribution of Surgical Resources in South Africa: A Review of the Number of Hospitals, Hospital Beds and Surgical Beds.” *South African Medical Journal* 107 (December), 2017, 1099–1105. <https://doi.org/10.7196/SAMJ.2017.v107i12.12539>.

⁴⁴⁵ Dell and Kahn.

⁴⁴⁶ Anna Majavu, “Another Northern Cape Hospital Succumbs to Crisis.” *New Frame*, June 3, 2022.

⁴⁴⁷ Majavu.

⁴⁴⁸ Dell and Kahn. 2017.

are finally placed.⁴⁴⁹ South Africa must eliminate these inefficient bureaucratic practices. Investments to make the program more efficient and well-funded would likely yield payoffs for geographically based shortages and reduce intra-governmental tension.⁴⁵⁰ Additionally, an analysis found that those serving in a rural facility during the service year had higher intentions of continuing rural work.⁴⁵¹ These reforms would enable rural areas to better compete with currently larger and better resourced hospitals in cities. To ensure that new hospitals (and particularly public facilities) adopt sustainable practices, regulations must be updated to ensure high quality care that both assures patients and attracts medical talent. In line with recommendations proposed in Section I, which professionalize and meritocratize positions in offices such as the Office of Health Standards Compliance (OHSC), the body should remain well funded to effectively regulate hospitals in the country to ensure high quality of care.

3.6.2. Preventative health measures

Investing in preventative approaches to health may produce payoffs in the form of avoided future costs. Lowering HIV transmission, unwanted pregnancies, and health issues related to lifestyle can be targeted before they materialize. Replacing the sexual education that currently exists in schools — described by organizers at Grassroots Soccer as “not youth friendly” — with an intentionally designed, comprehensive, and evidence-based curriculum could establish healthy lifestyles at a young age.⁴⁵² Additionally, increasing accessibility to HIV/AIDS and mental health clinics within communities could create an environment of healthy habits.

Preventative health measures can take many different forms. In India, the approval of a new salt fortified with iron and iodine is reaching 60 million people, tackling the high rates of anemia in the country.⁴⁵³ In South Africa, where 22.6% of the population is iron deficient, integrating this salt in school-provided meals could greatly reduce iron deficiency and anemia.⁴⁵⁴ Investing in science and technology that allows for easy access and distribution of nutritional supplements is a low hanging fruit that can produce high payoffs relative to their cost for South Africans.

4. PROMOTING A SHARED SOUTH AFRICAN IDENTITY

“To be South African is an invitation to challenge and a willingness to take up that challenge.”
— Fanie du Toit⁴⁵⁵

⁴⁴⁹ Elna Schütz, “In-Depth: SA’s Perennial Problems with Placing Community Service Doctors.” Spotlight, August 2, 2021. <https://www.spotlightnsp.co.za/2021/08/02/in-depth-sas-perennial-problems-with-placing-community-service-doctors/>.

⁴⁵⁰ Schütz.

⁴⁵¹ A.M. Hatcher, M. Onah, and S. Kornik.. “Placement, Support, and Retention of Health Professionals: National, Cross-Sectional Findings from Medical and Dental Community Service Officers in South Africa.” *Hum Resour Health* 12 (14).

⁴⁵² Conversation with Grassroots Soccer, December 1, 2022.

⁴⁵³ Esther Duflo and Abhijit Banerjee. 2011. *Poor Economics: A Radical Rethinking of the Way to Fight Global Poverty*. Public Affairs.

⁴⁵⁴ T du Plessis, K Moxley, and A Lachman. 2019. “Prevalence of Iron Deficiency in a South African Adolescent Inpatient Psychiatric Population: Rates, Risk Factors and Recommendations.” *South African Journal of Psychiatry*.

⁴⁵⁵ Conversation with Roelf Meyer, Fanie du Toit, and Ivor Jenkins, Dec. 7, 2022.

The transition out of apartheid and the 1994 democratic election of Nelson Mandela as President of South Africa was marked by an unprecedented display of unity among the South African people. The spirit of this transition and the dreams of a new united South Africa were encapsulated in the South African Constitution, which is one of the most progressive constitutions in the world. However, many understand the concessions during the transition and shortcomings of the Truth and Reconciliation Commission as failures of the liberation movement to secure a more equitable South Africa. But racial reconciliation is not solved in one instance. As Nando's co-founder Robert Brozin noted, "truth and reconciliation is not a single policy but a process. It never goes away."⁴⁵⁶

The vision of a united South Africa and ongoing reconciliation ought to be promoted by leadership. However, the government, dominated by an ANC majority since 1994, has failed to deliver on Constitutional promises. The ANC has seen declining public support for the past decade and a half, dipping below a majority for the first time in 2021 municipal elections.⁴⁵⁷ The ANC is predicted to lose its majority in the next election of the national assembly, in which case a coalition government will likely be formed.⁴⁵⁸ This coalition must complete the unfinished business of the 1996 Constitution, fostering a unified South African identity.⁴⁵⁹ This section seeks to build upon the ambitious reforms articulated by the previous sections, capitalizing on the increased institutional capacity, trust, economic growth, and equity to reimagine a political and social landscape that pushes the country toward reconciliation, rather than holding it back.

4.1. Healthy Politics

"Liberation forces very seldom lead to good governance" — Photojournalist João Silva⁴⁶⁰

The ANC has sustained its support in part by relying on its perception as a liberation movement. The lack of political opposition has caused the ANC to grow complacent in power, becoming a party of patronage rather than policy.⁴⁶¹ The future of the ANC will depend on its ability to extricate itself from internal politics and listen to the people. Although there is a risk of a gridlocked Parliament with a national coalition in 2024, there is also an opportunity for national parties to come together to govern pragmatically and model good governance.

4.1.1. Form coalition governments around transparent goals

While a coalition government in the National Assembly in 2024 would be the first nationally, recent years have witnessed a "kindergarten" phase of coalitions, during which several municipal governments formed unstable coalitions that were often terminated before the end of their

⁴⁵⁶ Conversation with Robert Brozin, December 5, 2022.

⁴⁵⁷ Africanews, "Historic losses for ANC open new era in South African politics," *Africanews*, June 11, 2021, <https://www.africanews.com/2021/11/06/historic-losses-for-anc-open-new-era-in-south-african-politics/>.

⁴⁵⁸ Junior Khumalo, "ANC likely to lose its majority, but marginal inroads expected from DA - survey," *News24*, Nov. 23, 2022, <https://www.news24.com/news24/politics/political-parties/anc-likely-to-lose-its-majority-but-marginal-inroads-expected-from-da-survey-20221123>.

⁴⁵⁹ Bridging social capital definition taken from Yascha Mounk, *The Great Experiment: Why Diverse Democracies Fall Apart and How They Can Endure*. Penguin, 2022, 168.

⁴⁶⁰ Conversation with João Silva, December 1, 2022.

⁴⁶¹ Conversation with John McDermott, November 30, 2022.

council term.⁴⁶² This instability can harm municipality policy agendas. Recent coalition governments have been formed by minority parties across the political spectrum in order to lock the ANC out of government.⁴⁶³ However, the parties within these coalitions often do not necessarily have overlapping policy goals, resulting in legislative instability. Effective coalition governments must be formed on the basis of shared policy goals, not just on the idea of locking one party out of power.

Coalition agreements should be formalized and publicly released. These agreements should make clear the convergence of policy goals and establish coalition caucuses with rules structuring the operation of the coalition. They should also include formal provisions for codes of conduct, mechanisms to resolve inter-party disputes, and communication strategies between parties.⁴⁶⁴ With the electoral reforms included earlier in the memo, individual representatives will be directly accountable to their electorate. An independent Registrar of Political Parties, similar to that present in the Kenyan government, should be established to entrench public accountability in coalition governments and help resolve conflict between parties.⁴⁶⁵

4.1.2. *Protect local governance from politics*

Public political accountability needs to be encouraged, rather than allowing the backroom bartering of public goods for personal or party political gain to continue.⁴⁶⁶ National party leadership should not interfere in municipal management to allow local municipalities to focus on policy as well. Currently, higher-level structures within parties can require action from their council members that are not conducive to inter-party cooperation at local government level.⁴⁶⁷ Municipal bureaucracy can also be severely hindered by party influence. With competent personnel (Section 1.1), bureaucratic positions should be insulated from party politics and changing coalitions at all levels.

4.1.3. *Return the ANC to policy*

The ANC (or some faction of it) will prove crucial to an effective coalition government. The party is likely to gain the plurality of the vote but will need to work with others if they are to be involved in a coalition government. As shown on the municipal level, coalition governments focused solely on opposition to the ANC are not the answer. By showing an unprecedented willingness to focus on policy instead of internal squabbles and working with other parties to implement policies aligned with constituents' preferences, the ANC could forge a new path

⁴⁶² Suné Payne, "Western Cape coalitions hold steady despite council rupture in City of Joburg," *Daily Maverick*, October 5, 2022, <https://www.dailymaverick.co.za/article/2022-10-05-western-cape-coalitions-hold-steady-despite-council-rupture-in-city-of-joburg/>.

⁴⁶³ Alex Patrick, "ActionSA won't form part of coalitions which don't have majority, remains in Joburg coalition," *News24*, November 2, 2022, <https://www.news24.com/news24/southafrica/news/actionsa-quits-da-led-coalition-in-johannesburg-20221102>.

⁴⁶⁴ *Marriages of Inconvenience: The politics of coalitions in South Africa*, (Johannesburg: Mapungubwe Institute for Strategic Reflection, July 2021), 4, <https://mistra.org.za/mistra-publications/marriages-of-inconvenience/>.

⁴⁶⁵ Jason Felix, "The DA wants legislation to govern how coalitions work," *News24*, October 13, 2022, <https://www.news24.com/news24/politics/political-parties/da-wants-legislation-to-govern-how-coalitions-work-wee-ks-after-johannesburg-ousting-20221013>.

⁴⁶⁶ MISTRA, 2021, 2.

⁴⁶⁷ MISTRA, 2021, 2.

forward for South Africa. The current divide in the ANC is not one between left and right political ideology but between “right and wrong.”⁴⁶⁸ If the ANC is to have a future in South Africa in any form, it must grow beyond its identity as a liberation party and break free from the culture of patronage that has stained its legacy.

4.2. Justice

“There is no justice in South Africa.” — Shop attendant in O.R. Tambo International Airport

Justice in South Africa has proven elusive — even while the country has discovered much of the truth around apartheid. Establishing justice is necessary for promoting healthy governance and a cohesive social identity. The world looked to the TRC as the driver of justice, but a temporary, limited commission could not deliver on that mighty task. As articulated by former TRC commissioner Mary Burton, the commission resulted in “unfinished business.”⁴⁶⁹

Black citizens gave up retributive justice for the noble goal of restorative justice. However, the white population and much of the ANC refused to fully cooperate. Corrupt individuals in power since apartheid have committed additional injustices through state capture and violence. Many call the Zondo Commission a “second TRC,” reflecting its status as a public revelation of truth and an important step toward reconciling enduring wrongs and worsening crimes. As put by one of the first judges appointed to the constitutional court, “reconciliation will only happen when equality is reached in work, housing, health, and education.”⁴⁷⁰ Our earlier recommendations all contribute toward justice, and better the lives of disenfranchised South Africans by addressing apartheid’s lasting wrongs and the country’s new evils.



Protestors call for reparations from the ANC outside the Constitutional Court⁴⁷¹

⁴⁶⁸ Conversation with Ebrahim Rasool, December 9, 2022.

⁴⁶⁹ Conversation with Mary Burton, December 9, 2022.

⁴⁷⁰ David Smith, “Special report: Truth, justice and reconciliation,” *The Guardian*, June 24, 2014, <https://www.theguardian.com/world/2014/jun/24/truth-justice-reconciliation-civil-war-conflict>.

⁴⁷¹ Charles Wheelan. Constitutional Court, Johannesburg, South Africa. December 5, 2022. Photograph.

The commission offered “amnesty for truth” to perpetrators of human rights abuses whose confessions met certain requirements. However, about 300 cases did not qualify for amnesty and countless more refused to testify; this obstruction greatly undermined the commission. In 2003, the government provided a lump sum of R30,000 or roughly \$2,800 to 23,000 registered “victims” on a closed list, falling short of the commission’s recommendation for R21,000 for six years. A lack of reparations has caused substantial damage to victims who were willing to participate in a painful testimony process and continue to endure mental, physical, and material wounds from apartheid. Currently, women are demonstrating outside the Constitutional Court, day in and day out since Oct. 18, protesting insufficient reparations and seeking education support for their families, medical benefits for those who suffered long-term injuries, and housing benefits.⁴⁷² Nearly R2 billion remains in the president’s fund for reparations that the government has yet to spend.⁴⁷³

4.2.1. *Reparations*

The conversation around reparations ought to deliberately focus on community-based reparations. Contrasting individual payments, community-based reparations focus on public symbols like street names or monuments as well as increasing access to services, institutions, or scholarships. Community-based reparations will also allow reparations to be implemented faster and with less disagreement. Across the world, attempts for individual reparations have led to incessant debate about how much is due to whom.

We argue that there ought to be a victim- and civil society-led national referendum on community-based reparations. Two-thirds of South Africans agree that the public should have a final say on important political issues by voting directly in referendums.⁴⁷⁴ This referendum should operate with the full support of the government, and both material and symbolic reparations should be distributed from the president’s fund. Domestic and overseas individuals and companies should be encouraged to contribute more to the president’s fund — especially those that profited from apartheid and state capture.

Unlike the TRC, the referendum should be driven from the bottom up, deferring to victims and civil society. Many argue that the TRC was founded on a Western concept of top-down reconciliation, controlled by the pockets and discretion of a government appealing to Western concepts of justice.⁴⁷⁵ South African human rights lawyer Barney Pityana said the TRC was implicitly “based on the assumption that the state is the driver of freedom, rather than that states and nations are formed by free people.”⁴⁷⁶ He points to the concept of Ubuntu as a valuable grounding principle for the process. Ubuntu, a phrase frequently heard and seen around the

⁴⁷² Kimberly Mutandiro, “South Africa: Protesters Sleep Outside Constitutional Court, Demanding Apartheid Reparations,” *AllAfrica*, November 15, 2022, <https://allafrica.com/stories/202211150484.html>.

⁴⁷³ Daniel Steyn, “Nearly R2-billion for apartheid reparations remain unallocated and unspent,” *Daily Maverick*, December 12, 2022, <https://www.dailymaverick.co.za/article/2022-12-12-nearly-r2-billion-for-apartheid-reparations-remain-unallocated-and-unspent/>.

⁴⁷⁴ Mikhail Moosa, “South Africa Reconciliation Barometer” (Institute for Justice and Reconciliation, 2021), 34, https://www.ijr.org.za/home/wp-content/uploads/2021/12/IJR_SA-Reconciliation-Barometer-2021.pdf.

⁴⁷⁵ N. Barney Pityana, The truth and reconciliation commission in South Africa: perspectives and prospects (*Journal of Global Ethics* 14(2), July 11, 2018), 194.

⁴⁷⁶ Pityana, 210.

country, means that African people are imbued with shared humanity and is often expressed by the phrase “I am because we are.”⁴⁷⁷ A reimagined reconciliation referendum, bringing people together around the norm of Ubuntu through explicit rhetoric and a community-led structure, would allow the country to decide its own way forward and reject the unsuccessful top-down model.

4.3 Bridging Social Capital

“Societies are not just defined by the formal rules that assign rights and duties to citizens, but by the way in which they think of their collective identity, or by the extent to which they spend time with one another in the day to day.” — Political scientist Yascha Mounk⁴⁷⁸

With lasting effects of the Apartheid classification system and the country’s vast diversity, many South Africans feel closer kinship with an ethnic group than their fellow countrymen.⁴⁷⁹ The largest leap toward racial reconciliation will come when the country meaningfully engages in building a shared South African identity. Although this will not occur overnight, it could result in a cultural patriotism that celebrates the country’s diversity. Bridging social capital would not only strengthen solidarity but also institutions. Although ambitious, this vision would assure that reconciliation remains an active part of South African life.

4.3.1. Civic Education

The South African education system should introduce a civic education unit into the national curriculum. The 2021 IJR Reconciliation Barometer Survey Report in Figure 16 shows that 52% of South Africans do not consider themselves to be as well informed as other people about issues affecting the country, 47% believe they do not have a good understanding of important issues affecting the country, and 46% do not consider themselves well qualified to participate in such issues, explaining citizen disillusionment and low political participation.⁴⁸⁰ If effectively implemented, the curriculum can allow teachers to monitor and encourage productive and critical conversations about complex topics of politics and citizenship from a young age.

⁴⁷⁷ This follows the model of Rwanda introducing Gacaca (grassroots) courts for their Truth and Reconciliation process. For more information on Gacaca courts see William A. Schabas, “Genocide trials and gacaca courts.” (Journal of International Criminal Justice 3, no. 4, 2005), 879-895; Max Rettig, “Gacaca: truth, justice, and reconciliation in postconflict Rwanda?” (African Studies Review 51.3, 2008), 25-50.

⁴⁷⁸ Mounk, 150.

⁴⁷⁹ Justice Dr. A.M. Omar, Creating a Shared Identity for a Democratic South Africa, April 26, 2022.

<https://www.facinghistory.org/resource-library/creating-shared-identity-democratic-south-africa>.

⁴⁸⁰ Drew Altman, “Survey of South Africans at Ten Years of Democracy,” Henry J. Kaiser Family Foundation (Henry J. Kaiser Family Foundation, March 30, 2004), <https://www.kff.org/global-health-policy/poll-finding/survey/>.

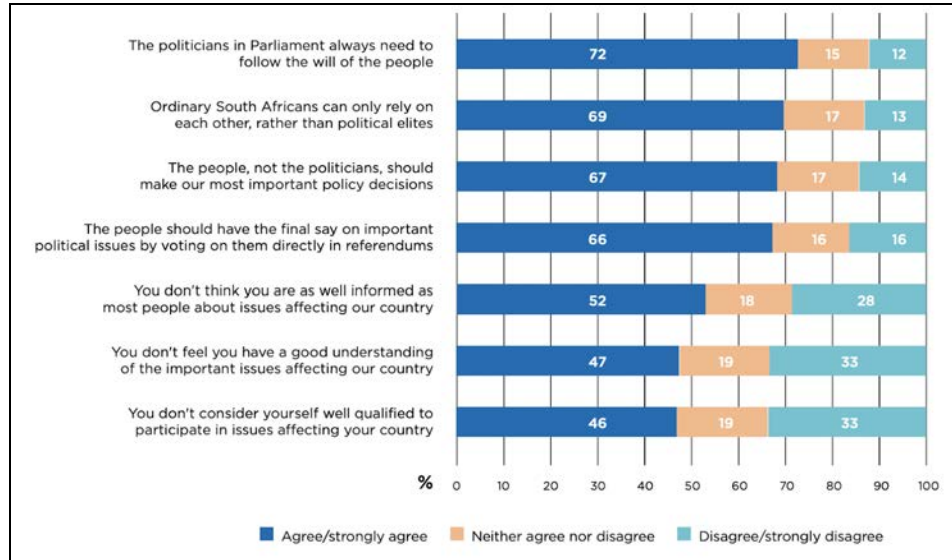


Fig. 16: *Political efficacy, voting efficacy, and populist sentiments*⁴⁸¹

A civic education program can ensure South Africans understand their political system, how to hold their leaders accountable, and how to follow the issues they care most about. As South Africa’s educational capacity grows as a result of earlier education reforms, schools will have the bandwidth to meaningfully include civic education in their curriculum.

4.3.2. *National Service Program*

South Africa should implement an ambitious National Service Program to boost the social and institutional health of the nation. We argue that a program to broadly and meaningfully engage the youth in national service would capitalize on the strengths of the Rainbow Nation. The Service Year Alliance in the United States calls for paid, full-time service for one year as a common expectation and opportunity for young Americans.⁴⁸² Former Army General Stanley McChrystal argues that a national service year would “build attachment to community and country, understanding among people who might otherwise be skeptical of one another, and a new generation of leaders who can get things done.”⁴⁸³ Modeled after programs like Americorps and the Peace Corps, this service may take the form of tutoring students in low-performing schools, disaster response, elder care, helping veterans reintegrate, and climate relief.

Motivating youth participation in such a venture succeeds when the issues youth care most about are addressed.⁴⁸⁴ Thus, a national service does not need to be compulsory for it to be far-reaching and effective, as participants may be drawn to the program for job experience and skills learning. In order to encourage hiring youth out of the program, the government could provide a partial wage subsidy for workers hired out of the national service program. This subsidy would taper off

⁴⁸¹ Moosa 2021, 34.

⁴⁸² “Mission Vision,” Service Year Alliance. https://www.serviceyearalliance.org/mission_vision.

⁴⁸³ Stanley McChrystal, “Every American Should Serve For One Year,” *Time*, June 20, 2017, <https://time.com/4824366/year-national-service-amicorps-peace-corps/>.

⁴⁸⁴ Conversation with Mike Mpanya, December 5, 2022.

over a period of five to ten years after the service program ends, but would ensure that the value of the national service year is communicated to employers and the wider country.

The national service year would not only provide valuable services and give matriculants hard skills but also strengthen the wider social fabric. Political scientist Yascha Mounk argues that dense associational links, such as sports teams, workspaces, or bowling leagues, “help to predict better democratic institutions and faster economic growth.”⁴⁸⁵ Building associational links via a National Service Program year would further bridge social capital, where groups work together toward a shared goal.

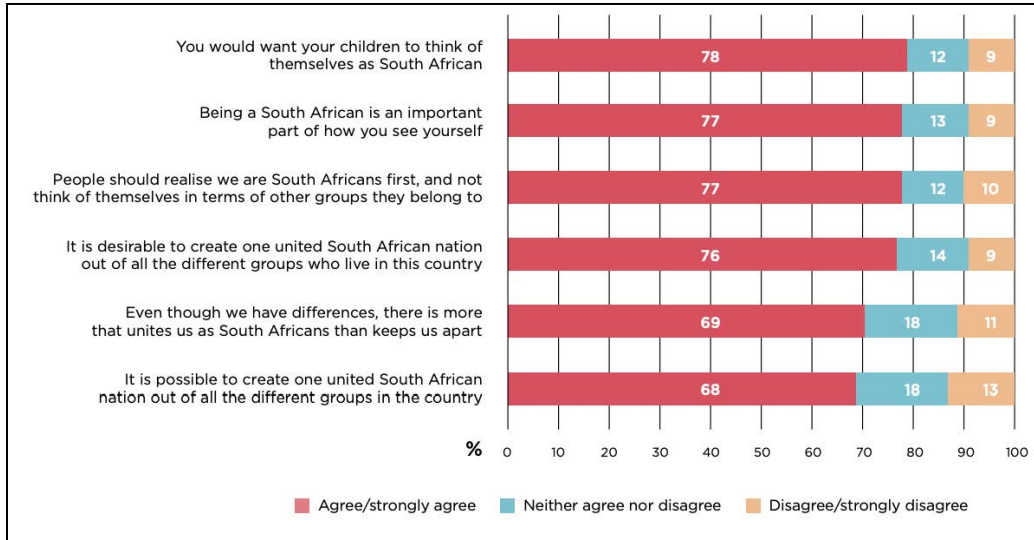


Fig. 17: Perception of national unity and identity⁴⁸⁶

A vision of associational links, bridging social capital, and an army of youth delivering services reflects the best in South Africa’s vibrant culture. As Claudelle von Eck said, there is a certain “glue” between all South Africans.⁴⁸⁷ Although hard to define, this “glue,” connecting citizens of a country with eleven different national languages and three capitals, is reason for much pride and reflects Mounk’s concept of cultural patriotism, a type of “inclusive patriotism that is rooted in both civic tradition and everyday culture.”⁴⁸⁸ A thriving national service program would capture diverse corners of South African culture and give the country much to be proud of. Despite the country’s cleavages and diversity, surveys find that South Africans want to have a national identity. In one survey, 77% of respondents said that people should prioritize their South African identity over other exclusive identifications; the same survey also found that 78% of South Africans want their children to think of themselves as “South African.”⁴⁸⁹ Future policies should tap into this desire to build cultural patriotism and a shared identity. A robust civic education and a national service program, in addition to our broader policy suggestions, would work together to strengthen social cohesion and South Africa’s national identity.

⁴⁸⁵ Mounk, 166.

⁴⁸⁶ Moosa, 40.

⁴⁸⁷ Conversation with Claudelle von Eck, December 5, 2022.

⁴⁸⁸ Mounk, 298.

⁴⁸⁹ Moosa, 40.

4.4. A Note on Land Reform

Land often carries great salience in South Africa. The apartheid government was intensely focused on land, famously allocating less than 10% of South Africa to black South Africans, a majority of the population, in laws like the 1913 Land Act and the Group Areas Act of 1950.⁴⁹⁰ Despite efforts to reverse them, those inequalities still remain. As recently as 2019, white farmers still controlled nearly 70% of land on farms owned by individual owners—not including land held by corporations and trusts, no doubt largely in white hands as well.⁴⁹¹

Land reform is most valuable in countries that are still dependent on agriculture for their economy, because it enables wealth accumulation to be broad-based. That does not describe South Africa, however: Less than 5% of employed workers are in the agricultural sector, suggesting that the country has progressed far beyond that initial stage of development.⁴⁹² Furthermore, land reform is fraught with risks; while it can succeed, it can also wreak havoc on private property rights when implemented incorrectly, stymying productivity and foreign investment flows, and is especially vulnerable to corruption. The government should run far away from any broad policy of “expropriation without compensation,” as such a policy would be detrimental to the overall economy and likely hurt the people it is intended to help.

With all of that said, we cannot ignore the symbolic importance of land reform, nor the importance of the issue to the overall wealth gap. In fact, South Africa would benefit dramatically from some “low hanging fruit” in the area of land reform, both in terms of economic output and in terms of racial reconciliation.

First, Nelson Mandela’s pledge of returning 30% of land to black ownership within five years remains a laudable goal, if never achieved.⁴⁹³ Incompetence in the agency responsible for land reform, combined with an overburdened court system, has resulted in just 8% of South Africa’s land being actually transferred.⁴⁹⁴ The capacity-building reforms in Section I should help address this, but regardless, empowering this agency to handle its backlog of claims and the courts to rule swiftly should be a priority.

Second, there are truly egregious examples of land being transferred to white ownership just before the end of apartheid that should be harshly examined. One recent New York Times article noted that 80 farms in Stellenbosch, South Africa’s wine country, sit on public land that was given to them under “50-year leases that local authorities signed with white farmers in the early 1990s.”⁴⁹⁵ All over South Africa, golf courses sit near city centers on, again, public land leased to

⁴⁹⁰ “The Group Areas Act of 1950,” *South African History Online*, December 19, 2014.

<https://www.sahistory.org.za/article/group-areas-act-1950>.

⁴⁹¹ Selam Gebrekidan and Norimitsu Onishi, “In South Africa’s Fabled Wine Country, White and Black Battle Over Land,” *New York Times*, March 9, 2019. <https://www.nytimes.com/2019/03/09/world/africa/stellenbosch.html>.

⁴⁹² “South Africa - Employment in Agriculture (% of Total Employment)” *Trading Economics*, December, 2022 <https://tradingeconomics.com/south-africa/employment-in-agriculture-percent-of-total-employment-wb-data.html>.

⁴⁹³ Tim Cocks, “S.African law change plan to allow land expropriation fails to pass,” December 7, 2021, <https://www.reuters.com/markets/commodities/safrican-law-change-plan-allow-land-expropriation-fails-pass-2021-12-07/>.

⁴⁹⁴ Ariel Levy, “Who Owns South Africa,” *The New Yorker*, May 6, 2019, <https://www.newyorker.com/magazine/2019/05/13/who-owns-south-africa>.

⁴⁹⁵ Gebrekidan and Onishi.

them for sweetheart deals right before the end of apartheid.⁴⁹⁶ In a country where one of the primary barriers to wealth accumulation among people in poverty is the cost of transportation from far-flung townships to city centers, these types of situations are unacceptable, and remain a highly visible reminder of the lasting legacies of apartheid. Assuming that anti-corruption and governance reforms are successful, the state would be justified in nullifying those contracts on a case by case basis and redistributing the land for better use, such as housing and business development — with some compensation. Ideally, the new occupants of the land would be from historically disadvantaged groups and would get to own the land, not lease it, helping non-white people build wealth.

5. LESSONS FOR THE UNITED STATES

“For Americans, South Africa is a mirror, but it’s one of those funhouse mirrors.”
— Chief Africa Correspondent for *The Economist*, John McDermott⁴⁹⁷



*At Grassroots Soccer in Alexandra, where children engage in U.S. partnerships around soccer.*⁴⁹⁸

There is much for Americans to learn from South Africa — a nation which has been forced to boldly confront its past, which the U.S. has struggled to do in its 246 years of independence. Here, we discuss some of the most salient lessons we have learned from studying racial reconciliation in South Africa.

5.1. It is important to engage in open conversations about race

“With every generation, we’ll get closer to where we need to be.” — Claudelle von Eck⁴⁹⁹

⁴⁹⁶ Rebecca Davis, “In the rough: Golf courses may be SA’s most wasteful luxury,” *Daily Maverick*, October 11, 2020, <https://www.dailymaverick.co.za/article/2020-10-11-in-the-rough-golf-courses/>.

⁴⁹⁷ Conversation with John McDermott, November 30, 2022.

⁴⁹⁸ Claire Betzer. Grassroots Soccer, Alexandra, South Africa. December 1, 2022. Photograph.

⁴⁹⁹ Conversation with Rabbi Gideon Pogrud, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

Racial reconciliation will be impossible if people are unwilling to talk about race. Our speakers received our questions with remarkable openness, as did virtually every person we met in informal situations like hotel bars and planes. Their willingness to talk about race fostered constructive conversations around issues and remedies. However, Americans are much less willing to openly discuss race. South Africa-based American author Eve Fairbanks emphasized the contrast she feels between the two countries.⁵⁰⁰ Katie Huston, another transplant from the United States who now works in the nonprofit education sector in South Africa observes that South Africans talk about race “all the time.”⁵⁰¹

Americans find it difficult to talk about race for a number of reasons. Some experts argue that many Americans are hesitant to talk about race for fear of offending others or being seen as racist or biased.⁵⁰² Americans adopt a “politeness protocol,” avoiding “taboo” topics like race in order to preserve harmonious, interpersonal relationships.⁵⁰³ Many people also engage in “strategic colorblindness,” pretending they don’t see color and using ambiguous language around race topics.⁵⁰⁴ This approach often backfires: Studies show that people who tiptoe around race topics are seen as *more* racist by others.⁵⁰⁵ Americans are also hesitant to confront their own internal biases or to acknowledge the privilege their race may afford them.⁵⁰⁶ White Americans in particular tend to find conversations about race uncomfortable.⁵⁰⁷

Residential segregation has created another barrier to conversations about race. According to a 2021 analysis of residential segregation, over 80% of large metropolitan areas in the country were more segregated in 2019 than they were in 1990.⁵⁰⁸ Suburbanization has also divided Americans by income, and consequently, by race.⁵⁰⁹ The United States has become increasingly diverse in the last half century, but Americans continue to live near people of their same race.⁵¹⁰ Social sorting is a natural consequence of residential segregation. The average friend network of white Americans is 90% white;⁵¹¹ two-thirds of whites do not have any non-white friends.⁵¹² The average black American has a friend network that is 78% black, and 46% of black Americans do

⁵⁰⁰ Conversation with Eve Fairbanks, December 6, 2022.

⁵⁰¹ Conversation with Katie Huston, December 12, 2022.

⁵⁰² Sydney Trent, “We Can Talk about Race without Fighting or Getting Defensive, If We’re Willing to Learn How,” *The Washington Post*, May 18, 2015, <https://www.washingtonpost.com/news/inspired-life/wp/2015/03/09/why-americans-fear-talking-about-race-and-how-you-can-lead-the-way/>.

⁵⁰³ Sydney Trent.

⁵⁰⁴ Sydney Trent.

⁵⁰⁵ Sydney Trent.

⁵⁰⁶ Sydney Trent.

⁵⁰⁷ Sara Rimer, “Why Is It So Hard for White People to Talk about Race? A Conversation with White Fragility Author Robin DiAngelo, Speaking at BU Monday,” *BU Today*, February 28, 2019, <https://www.bu.edu/articles/2019/white-fragility/>.

⁵⁰⁸ Alana Semuels, “The U.S. Is Increasingly Diverse, So Why Is Segregation Getting Worse?,” *Time*, June 21, 2021, <https://time.com/6074243/segregation-america-increasing/>.

⁵⁰⁹ Tracy Hadden Loh, Christopher Coes, and Becca Buthe, “Separate and Unequal: Persistent Residential Segregation Is Sustaining Racial and Economic Injustice in the U.S.” (Brookings, December 16, 2020), <https://www.brookings.edu/essay/trend-1-separate-and-unequal-neighborhoods-are-sustaining-racial-and-economic-injustice-in-the-us/>.

⁵¹⁰ Alana Semuels.

⁵¹¹ “PRRI Survey: Friendship Networks of White Americans Continue to Be 90% White” (Public Religion Research Institute, May 24, 2022), <https://www.prii.org/press-release/prri-survey-friendship-networks-of-white-american/>.

⁵¹² “PRRI Survey: Friendship Networks of White Americans Continue to Be 90% White.”

not have any white friends.⁵¹³ This social sorting limits opportunities for Americans to have cross-race conversations.

Americans must be more willing and have more opportunities to talk about race. There are many places to start. Schools offer a clear opportunity to foster more open discussions about race. While efforts to address systemic racism and racial topics in school curricula can spark controversy — for example, debates over “critical race theory” have inflamed partisan tensions and local school boards in recent years⁵¹⁴ — it is important for American students to learn about our country’s racial past and present. Students should learn about race and racism in a thoughtful, age-appropriate manner. Policy changes around housing could also indirectly create opportunities for conversations about race. Housing vouchers, exclusionary zoning laws, the siting of public housing, and the allocation of low-income housing tax credits have contributed to racial segregation.⁵¹⁵ Low-income people of color, in particular, are residentially isolated.⁵¹⁶ By reexamining these policies through a lens of racial integration, neighborhoods could become increasingly multiracial, thereby increasing contact between people of different races.

Finally, all Americans hold an individual responsibility to learn and talk more about race. The wave of racial justice protests that swept the country after George Floyd’s murder in 2020 inspired the largest national reckoning with racism since the Civil Rights Movement.⁵¹⁷ Race took center stage in the national conversation. However, racial reconciliation is still a long way off. Racism remains pervasive, opportunity gaps remain wide, and racial tensions remain high. Americans must continue to constantly seek out opportunities to discuss, understand, and address issues around race.

5.2. Lack of trust in institutions undermines reconciliation

“We can only think rationally when we think our identity, as we see ourselves, is appreciated and valued by others.” — Beyond Conflict founder and CEO Tim Phillips⁵¹⁸

Both the United States and South Africa struggle with intergroup insecurity and competition which impedes community building. With institutions failing across government sectors, many South Africans turn to non-state actors ranging from the private sector and organized crime. In the United States, political parties ideologically capture institutions while they are in power. Americans have the privilege of a stronger state apparatus, but polarization has fostered a disturbing trust deficit. In 2022, trust in major American institutions reached an all-time low since Gallup began surveying it in 1979.⁵¹⁹ Hostility in government has progressed to the point of institutional gridlock. Despite their different causes, one can observe similar effects of institutional degradation, particularly with respect to racial reconciliation.

⁵¹³ “PRRI Survey: Friendship Networks of White Americans Continue to Be 90% White.”

⁵¹⁴ Laura Meckler and Hannah Natanson, “As Schools Expand Racial Equity Work, Conservatives See a New Threat in Critical Race Theory,” *Washington Post*, May 3, 2021, <https://www.washingtonpost.com/education/2021/05/03/>.

⁵¹⁵ Tracy Hadden Loh, Christopher Coes, and Becca Buthe.

⁵¹⁶ Tracy Hadden Loh, Christopher Coes, and Becca Buthe.

⁵¹⁷ Jason Silverstein, “The Global Impact of George Floyd: How Black Lives Matter Protests Shaped Movements around the World,” *CBS News*, June 4, 2021, <https://www.cbsnews.com/news/george-floyd/>.

⁵¹⁸ Conversation with Tim Phillips, October 12, 2022.

⁵¹⁹ Gallup. “Confidence in Institutions.” Gallup.com, 2022. <https://news.gallup.com/poll/1597.aspx>.

In the United States, polarization has driven both sides of the aisle to view the opposing political party as an existential threat to their fundamental interests and goals. This sentiment permeates almost every government institution and aspect of life — even those that were intended to be apolitical by design. Only 11% of Americans trust the Supreme Court a “great deal.”⁵²⁰ Furthermore, a shocking 70% of Americans have only “some” or “very little” trust in Congress.⁵²¹ The perception that institutions oppose popular stances sows greater mistrust. For example, the conservative-majority Supreme Court overturned *Roe v. Wade* even though 62% of Americans believe abortion should be legal in all or most cases.⁵²² The continued siloing of political ideologies reinforces this inability to reach across the aisle and understand the other side.

Additionally, polarization has created a cadre of inelastic politicians and parties. In the current political environment, politicians who call their own party into question are ostracized, as exemplified by Republican congresswoman Liz Cheney’s loss in the 2022 Republican primary following her role in the January 6 investigation.⁵²³ The current levels of polarization create and exacerbate distrust in institutions, political systems, and political opponents.

During in-country interviews, South Africans explained that their ability to engage critically with discussions of race stems from the fact that compromise was their only alternative to civil war in the 1990s. The United States could benefit from emulating South Africans’ bluntness and pragmatism in order to bridge divides and convey that institutions serve all Americans, helping mitigate polarization. This could be achieved through reforms that encourage coalition-building, such as ranked-choice voting, or encourage a more vibrant political landscape through the elevation of third parties. In 2021, a record high of 62% of Americans supported the emergence of a third party.⁵²⁴ Former NPA head Bulelani Ngcuka stressed that it was critical for the 1994 government to convince all South Africans that there was a place for them in the new country, and pointed to the nation facing a similar task today.⁵²⁵ Renegotiating institutional structures in the United States can encourage the same productive discourse and facilitate reconciliation.

5.3. Economic inequality is at the heart of ongoing racial divisions

“In a generation, we can still turn it around. In my view, racial reconciliation will not happen... until we bring people into the same economic levels.” — Fanie du Toit⁵²⁶

⁵²⁰ Gallup. “Confidence in Institutions.”

⁵²¹ Gallup. “Confidence in Institutions.”

⁵²² Reem Nadeem, “Majority of Public Disapproves of Supreme Court’s Decision To Overturn *Roe v. Wade*.” *Pew Research Center - U.S. Politics & Policy*, July 6, 2022. <https://www.pewresearch.org/politics/2022/07/06/majority-of-public-disapproves-of-supreme-courts-decision-to-overturn-roe-v-wade/>.

⁵²³ Nicholas Fandos, “Republicans Heap Criticism on Liz Cheney, Calling Her Disloyal to Trump,” *New York Times*, July 21, 2020. <https://www.nytimes.com/2020/07/21/us/politics/liz-cheney-house-republicans.html>.

⁵²⁴ Support for third U.S. Party at a High Point. Gallup. 2021. <https://news.gallup.com/poll/329639/support-third-political-party-high-point.aspx>.

⁵²⁵ Conversation with Bulelani Ngcuka, December 13, 2022.

⁵²⁶ Conversation with Fanie du Toit, December 7, 2022.

South Africa may have the world’s highest Gini coefficient at 0.63 and remain deeply divided economically along racial lines, but the U.S.’ value of 0.49 is not too far behind.⁵²⁷ A Brookings Institution report concluded that “the average white family has roughly 10 times the amount of wealth as the average Black family.”⁵²⁸

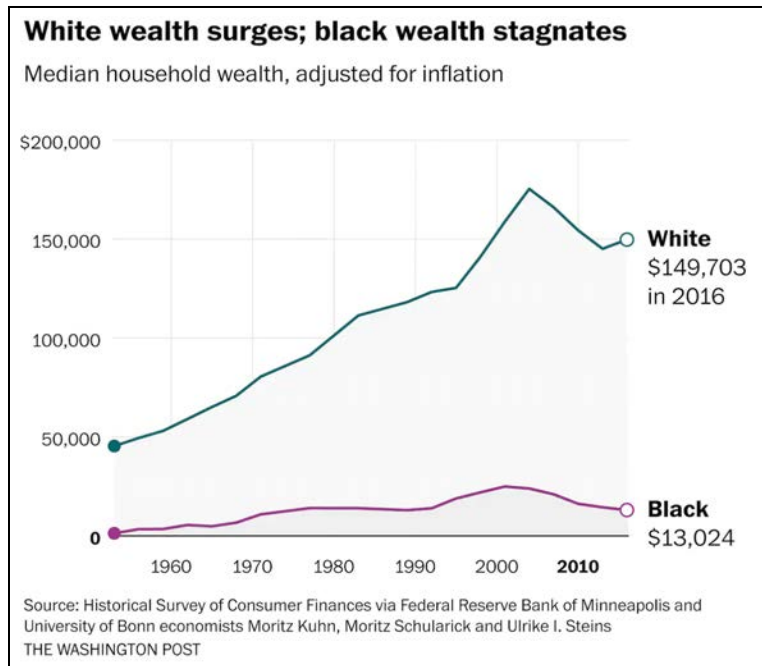


Fig. 18: Median net worth by race in the United States, 1968-2016⁵²⁹

Lingering spatial and resource inequalities pervade communities of racial minorities in both South Africa and the U.S. South Africa’s strikingly high inequality is a critical reminder that the work of meaningful financial bridging — not simply cultural or societal reconciliation — demands attention. The harsh truth is that economic growth, especially via asset appreciation, in the U.S. is also clustered among the most wealthy, and the path to a better economic future is similarly rooted in exclusive professions and sectors, such as Wall Street or Silicon Valley.⁵³⁰ Whether considering significant reparations, as some scholars suggest,⁵³¹ levying a wealth tax,⁵³² or addressing other economic barriers that disproportionately impact historically disadvantaged groups, the U.S. needs to take racial wealth gaps more seriously and propose profound policy solutions — as in South Africa.

⁵²⁷ “Gini Index - United States,” Data, 2019, <https://data.worldbank.org/indicator/SI.POV.GINI?locations=US>.

⁵²⁸ Rashawn Ray and Andre M. Perry, “Why We Need Reparations for Black Americans” (Brookings, April 15, 2020), <https://www.brookings.edu/policy2020/bigideas/why-we-need-reparations-for-black-americans/>.

⁵²⁹ Heather Long and Andrew Van Dam, “Analysis | the Black-White Economic Divide Is as Wide as It Was in 1968,” The Washington Post (WP Company, June 5, 2020), <https://www.washingtonpost.com/business/2020/06/04/>.

⁵³⁰ Robert D. Atkinson, Mark Muro, and Jacob Whiton, “The Case for Growth Centers: How to Spread Tech Innovation across America” (Brookings, December 9, 2019), <https://www.brookings.edu/research/growth-centers-how-to-spread-tech-innovation-across-america/>.

⁵³¹ Rashawn Ray and Andre M. Perry, “Why We Need Reparations for Black Americans.”

⁵³² Vanessa Williamson, “Closing the Racial Wealth Gap Requires Heavy, Progressive Taxation of Wealth” (Brookings, December 9, 2020), <https://www.brookings.edu/research/closing-the-racial-wealth-gap/>.

5.4. Education is a powerful lever for advancing economic change and racial reconciliation

“If you don’t fix the education, you have the first big problem.” — Grassroots Soccer⁵³³

Education is key for ameliorating South Africa’s problems, especially those like unemployment that disproportionately affect non-white communities. Issues with the country’s education system exacerbate the opportunity gap and hinder the country’s economic potential. In the U.S., education is a similarly powerful driver of social and economic mobility. Educational achievement disparities between racial groups create a parallel narrative to that of South Africa.

According to the Brookings Institution, the U.S. education system is “one of the most unequal in the industrialized world.”⁵³⁴ In the U.S., as in South Africa, socioeconomic status and race are strongly correlated and indicate educational attainment.^{535, 536} While the overall pictures of the two countries reflect different levels of severity — 37.9% of adults in the US over the age of 25 hold a bachelor’s degree or higher versus 5.9% of South Africans of this demographic — the racial breakdown is similar. In roughly half of the 100 largest cities in the U.S., most black students attend schools where at least 75% of all students qualify as poor or low-income according to federal guidelines.⁵³⁷ In South Africa, 40% of black children attend quintile one schools (the most poor and impoverished schools on a 1 to 5 scale).⁵³⁸ Black people in both countries earn university degrees at lower rates than white people, and the factors contributing to these outcomes are seated in structural barriers and constraints that must be addressed in order to achieve racial reconciliation.⁵³⁹

We learned from Katie Huston that in addition to the material challenges regarding access, funding, and resources, cultural norms impede educational attainment. For example, some black South Africans have said that reading to one’s children is “only for white people,” impeding early childhood language development.⁵⁴⁰ The U.S., like South Africa, should devote more resources to early childhood education, as investments at this age pay off the most in the long run.⁵⁴¹ The U.S. Department of Education should also increase engagement with NGOs and nonprofits to achieve these goals as the South African Department of Basic Education has done with the literacy NGO Nal’ibali. Promoting a culture that makes reading a commonplace practice, providing libraries for children to explore, and encouraging early childhood

⁵³³ Conversation with Grassroots Soccer, December 1, 2022.

⁵³⁴ Linda Darling-Hammond, “Unequal Opportunity: Race and Education,” The Brookings Institute, March 1, 1998, <https://www.brookings.edu/articles/unequal-opportunity-race-and-education/>.

⁵³⁵ Reginald A. Noël, “Race, Economics, and Social Status” (US Bureau of Labor Statistics, May 2018), <https://www.bls.gov/spotlight/2018/race-economics-and-social-status/pdf/race-economics-and-social-status.pdf>.

⁵³⁶ Amanda Logan and Tim Westrich, “The State of Minorities How Are Minorities Faring in the Economy?” (Center for American Progress, April 29, 2008), <https://www.americanprogress.org/article/the-state-of-minorities/>.

⁵³⁷ Janie Boschma and Ronald Brownstein, “The Concentration of Poverty in American Schools,” The Atlantic, February 29, 2016, <https://www.theatlantic.com/education/archive/2016/02/concentration-poverty-american/>.

⁵³⁸ Marius Roodt, “Black Pupils Suffering Because of the Poor Education System – Daily News,” South African Institute of Race Relations, May 23, 2018, <https://irr.org.za/media/black-pupils-suffering>.

⁵³⁹ Bongani Nkosi, “Report by the Higher Education Department,” Cornerstone, June 11, 2021, <https://cornerstone.ac.za/only-6-of-south-africans-have-university-degrees-report-says/>.

⁵⁴⁰ Conversation with Katie Huston, December 12, 2022.

⁵⁴¹ Sarah Sparks, “Early Education Pays Off. A New Study Shows How,” *Education Week*, March 9, 2022, <https://www.edweek.org/teaching-learning/early-education-pays-off-a-new-study-shows-how/2022/03>.

development will be key to fostering the success of children as they enter the formal education system.

5.5. The United States must learn to live with the past

“My vision is a racial melting pot where the idea of white supremacy is buried.”
— Fanie du Toit⁵⁴²

The South African apartheid regime ended nearly three decades ago. Slavery in the United States ended over 150 years ago, but *de jure* equal civil rights were not achieved until well into the twentieth century. The legacy of institutionalized racism pervades both nations, poisoning the present and impeding the process of racial reconciliation. In the United States, we encounter two cries of resistance when seeking to repair the extant harm caused by the legacy of slavery and segregation. The first is that slavery happened long ago and addressing it in the present will only cause further division and harm; those with this view argue that we should instead all move on. The second is that attempts to remove the badges of slavery — for example, the removal of Confederate statues — are erasing history. Efforts around reconciliation in South Africa offer a different approach: one that differentiates living “with the past” from living “in the past,” and allows society to move toward a reconciled future.⁵⁴³

The TRC provides one example of this path. The TRC emphasized the importance of establishing the truth in the reconciliation process. In comparison, the U.S. has avoided reckoning with the crimes of its past for hundreds of years. Despite its failings, South Africa’s TRC established a clear record of wrongs committed by the apartheid state. Americans are greatly divided on the issue of race and the legacy of racism; just 53% of Americans agree that attention to the history of racism is a good thing and 50% say that a lot more is needed to ensure racial equality.⁵⁴⁴ Some form of an American TRC, taking into account the different temporal and societal dimensions, could create a cohesive, just, and unifying narrative of how racism in the U.S. has contributed to the inequality that we see today.

South Africa’s Constitution Hill presents a compelling image of a path forward for a country riddled with memories of past atrocities. The nation’s Constitutional Court was built with the bricks of old jail cells; it lies at the nexus of various communities and neighborhoods; it is the combined product of the government, nonprofit, and business sectors; and it changed a former prison — a place of despair and a symbol of the oppressive regime — into a place of hope. The U.S. should look to this example as a way of owning up to its ugliness and discover innovative opportunities for restorative justice rather than hiding from or erasing the past. We must look for ways to highlight overlooked or forgotten remnants of slavery by creating public spaces that recognize the legacy of Jim Crow laws and lynchings. These spaces can and should unify Americans around their diversity and reconciliation, establishing a shared narrative of the past so that we can progress together into the future.

⁵⁴² Conversation with Roelf Meyer, Fanie du Toit, and Ivor Jenkins, December 7, 2022.

⁵⁴³ Conversation with Rabbi Gideon Pogrud, Claudelle von Eck, and Mike Mpanya, December 5, 2022.

⁵⁴⁴ “Deep Divisions in Americans’ Views of Nation’s Racial History – and How To Address It,” Pew Research Center, August 12, 2021, <https://www.pewresearch.org/politics/2021/08/12/deep-divisions-in-americans/>.

Implementing reparations is another way to acknowledge past injustices. The failure of the government to follow through on the TRC's recommendations highlights the complex nature of economic reparative policy. The South African government has had difficulty in assessing land claims, establishing a complete list of victims, and deciding on specific just reparations for those victims. As mentioned in Section 4.2.1., effective reparation policy needs to be community-based, include symbolic reparations, and account for the voices of victims. Creating an ideologically diverse commission to study reparations, as has been proposed in Congress but never passed, would be a place to begin.⁵⁴⁵

Affirmative action programs have been another reparative tool in South Africa and are seen most commonly in the U.S. in higher education. There is an inherent paradox in that affirmative action policies explicitly codify the use of race to make decisions as a means of fighting historical inequality resulting from racism. Do these affirmative action policies live in the past or live with the past?

In the U.S., affirmative action is controversial, as “significant opposition to race-conscious admissions shows up repeatedly in surveys and elections.”⁵⁴⁶ Recently, the Pew Research Center found that seven in 10 Americans, including majorities of every major racial group, say that race should not even be a factor in college admissions.⁵⁴⁷ Indeed, there is a similar overwhelming opposition to legacy admissions, which tends to boost white applicants.⁵⁴⁸ Ultimately, the very American ideal of a “meritocracy” in which people are judged purely on their individual prowess is an enduring, powerful ideal that has yet to be achieved.

BEE and similar affirmative action policies in South Africa provide an example for the U.S. in this area of public policy. While overall affirmative action is beneficial for racial minorities, it can benefit those who are more affluent. Within college admissions, for example, these policies were meant to correct legacies of slavery and institutionalized racism, but benefits are concentrated among wealthy black students.⁵⁴⁹

Although BEE has not been implemented effectively, it is a critical step toward addressing apartheid-era evils. Similarly, despite opposition to affirmative action in college admissions itself, there tends to be widespread support for improving racial diversity. In fact, recent polling shows that 64% of U.S. adults support programs that increase the racial diversity of college students, seemingly in contradiction with opposition to affirmative action.⁵⁵⁰ Affirmative action in U.S. college admissions, like BEE in South Africa, is an imperfect remedy for key historical injustices, but as the Supreme Court potentially re-imagines what these policies can look like in

⁵⁴⁵ Juana Summers, “A bill to study reparations for slavery had momentum in Congress, but still no vote,” *NPR*, Nov. 12, 2021, <https://www.npr.org/2021/11/12/1054889820/a-bill-to-study-reparations-for-slavery-had-momentum-in-congress-but-still-no-vo>.

⁵⁴⁶ Nick Anderson et al., “Over 6 in 10 Americans Favor Leaving Race out of College Admissions, Post-Schar School Poll Finds,” *The Washington Post*, October 22, 2022, <https://www.washingtonpost.com/education/>.

⁵⁴⁷ Vianney Gómez, “As Courts Weigh Affirmative Action, Grades and Test Scores Seen as Top Factors in College Admissions,” *Pew Research Center*, April 26, 2022, <https://www.pewresearch.org/fact-tank/2022/04/26/u-s-public-continues-to-view-grades-test-scores-as-top-factors-in-college-admissions/>.

⁵⁴⁸ Nick Anderson et al., “Over 6 in 10 Americans.”

⁵⁴⁹ Paul Tough, “What College Admissions Offices Really Want,” *The New York Times*, September 10, 2019, <https://www.nytimes.com/interactive/2019/09/10/magazine/college-admissions-paul-tough.html>.

⁵⁵⁰ Nick Anderson et al., “Over 6 in 10 Americans.”

the U.S. this year, South Africa teaches us that affirmative action policies must be effective to be popular — getting right to the heart of the matter of uplifting disadvantaged groups so that they can have a fair, meritocratic chance at success.

5.6. A shared national identity is key to advancing social cohesion and racial reconciliation

“For diverse democracies to thrive, their citizens need to share a common identity. Without some sense of inclusive patriotism, they are condemned forever to regard one another as strangers or adversaries.” — Yascha Mounk⁵⁵¹

Economist correspondent John McDermott gave us valuable advice: ask everyone you meet “what does it mean to be South African?”⁵⁵² Answers have varied, but on the whole, they have demonstrated an uncertainty around what a shared South African identity would look like. *New York Times* photographer João Silva responded, “Well, what does it mean to be American?”⁵⁵³ None of us could provide an articulate answer. A poll asking Americans about what they associate with being a “real” American found that 90% said treating people equally is very important to being a “real” American, and yet 25% of respondents ranked being born in the United States or being Christian as “essential.”⁵⁵⁴ This contradiction speaks volumes about the disconnect between widely understood American ideals and the racism and xenophobia still plaguing the country.

This question of unified identity is central to the issue of racial reconciliation as both a lofty goal and a jumping-off point for future work. In *The Great Experiment*, Yascha Mounk argues that cultural patriotism, or one’s love for the everyday features of their country, is a powerful aspect of a flourishing country.⁵⁵⁵ In South Africa, we have seen that cultural patriotism expressed in citizens’ love and pride for pap, the Springboks, and the constitution’s progressive values. Positive cultural patriotism can only exist in a country with extensive bridging social capital.

In both countries, policies promoting equitable housing, economics, and education will naturally create more opportunities for bridging social capital. However, leadership ought to deliberately foster environments for positive associational links, whether by establishing a national service year (see section 4.3.2) or investing more money in community spaces and events to bring people together. Schools should intentionally promote civic patriotism, focusing civic education on the values embedded in the Constitution rather than rote memorization for exams. As outlined in the Stanford Program on Institutional and Cross-Cultural Education’s curriculum for high school and college classes, schools should explicitly promote critical conversations and mutual respect when covering topics such as immigration, civil liberties, civic engagement, and justice and reconciliation.⁵⁵⁶

⁵⁵¹ Mounk, 234.

⁵⁵² Conversation with John McDermott, November 29, 2022.

⁵⁵³ Conversation with João Silva, November 30, 2022.

⁵⁵⁴ Caleb Elfenbein and Peter Hanson, “What Does It Mean to Be a ‘Real’ American?,” *Washington Post*, January 3, 2019, <https://www.washingtonpost.com/outlook/2019/01/03/what-does-it-mean-be-real-american/>.

⁵⁵⁵ Mounk, 234.

⁵⁵⁶ “What Does It Mean to Be an American?” Stanford Program on International and Cross-Cultural Education, September 10, 2020, <https://spice.fsi.stanford.edu/multimedia/what-does-it-mean-be-american>.

Opportunities for bridging social capital in the United States will promote cultural and civic patriotism and protect against divisive forms of patriotism. From here, we hope Americans will be better able to answer the question of “what it means to be American” with a vision of unity, solidarity, diversity, and pride. The Brookings Report on national reconciliation argues that reconciliation requires “the vision to see that even with the seemingly insurmountable differences at work in American society there still remains far more that unites us than divides us.”⁵⁵⁷ We believe that creating opportunities for bridging social capital and fostering cultural patriotism will bring us closer to this vision.

6. CONCLUSION

“There is no easy walk to freedom anywhere, and many of us will have to pass through the valley of the shadow of death again and again before we reach the mountaintop of our desires.”
— Nelson Mandela, *Long Walk to Freedom*⁵⁵⁸

The walk to freedom is indeed long. There are many barriers to racial reconciliation in both South Africa and the United States. Economic inequality and mistrust in the government must be addressed. Governments and their constituents must live up to the ideals at the core of their constitutions, including ideals of equitable access to justice, public services, and accountable and responsive governance. Archbishop Desmond Tutu laid out the vision of South Africa as a “Rainbow Nation,” one in which people of all races march toward freedom together.⁵⁵⁹ The hope of the Rainbow Nation is a beautiful ideal to strive for — even if it may appear impossible to attain. Indeed, it is an apt metaphor, as rainbows are illusory and elusive.⁵⁶⁰ However, it is those fleeting moments of beauty that we must strive for. There will always be forces that seek to drive people apart, and a nation truly “at peace with itself and the world” might never be attainable. We have seen, in our study of South Africa, that reconciliation is an ever changing process, not a box to be checked or an ending destination. It is in chasing that elusive rainbow that we find *ubuntu*, and recognize the truth of humanity that “I am because we are.” It is the hope in a better world that allows us to take each step in the long walk, one by one, along that path.

⁵⁵⁷ John R. Allen, Ways to Reconcile and Heal America, (Brookings, February 8, 2021), <https://www.brookings.edu/wp-content/uploads/2021/02/Reconciliation-v3.1.pdf>.

⁵⁵⁸ Nelson Mandela, *Long Walk to Freedom*, (London, England: Abacus, 1995).

⁵⁵⁹ Mark Austin, “Desmond Tutu coined the phrase ‘Rainbow Nation’ and his hope lives on,” *Sky News*, December 26, 2021. <https://news.sky.com/story/desmond-tutu-coined-the-phrase-rainbow-nation-and-his-hope-lives-on>.

⁵⁶⁰ Conversation with Shirley Gunn, December 9, 2022.

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