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Submitted articles need to follow the following prescripts:

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- **Means of publication:** Electronic
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EDITORIAL INTRODUCTION

In an era marked by global challenges and regional disparities, the quest for sustainable development in Africa demands a reimagined approach that transcends conventional paradigms. This edition of the Journal for Inclusive Public Policy (JIPP), published by the Inclusive Society Institute, delves into the multifaceted dimensions of development, governance, and economic transformation in Africa, underscoring the imperative of integrated, ethical, and people-centered strategies. Through a collection of insightful articles, this issue explores the interconnectedness of economic zones, food security, moral imperatives, and governance reforms, each contributing to a holistic vision for Africa's future.

The first article, "Leveraging Special Economic Zones for Growth," by Professor William Gumede, articulates the potential of Special Economic Zones (SEZs) as catalysts for economic diversification and industrialisation. It advocates for SEZs that are not only free from governance maladies but are also intricately linked to the national development agenda, emphasising the synergy between public policy, business engagement, and infrastructure support.

Transitioning from economic mechanisms to the realm of food security, the second piece, "African Food System Approach," by Amiena Bayat, Claire Quinn, Julian May and Hemish Govera, presents a comprehensive analysis of the challenges and strategies pivotal to achieving food sovereignty. It highlights the importance of a systemic approach that encompasses sustainable agricultural practices, equitable distribution networks, and resilient food systems, crucial for mitigating food crises and enhancing nutritional security across the continent.

Amidst discussions of economic and food security strategies, the third article, "Assessing Development as a Moral Imperative in Africa," by Dr Aderonke Ajiboro shifts the discourse to the philosophical underpinnings of development. It challenges the narrow economic perspectives and calls for a broader understanding of development that integrates human well-being, freedom, and societal progress, advocating for a development model that is rooted in the lived experiences and creative capacities of African societies.

The fourth contribution, "Re-imagining Governance in South Africa: Putting the Constitution First," by Dr Klaus Kotzé underscores the critical importance of aligning governance practices with constitutional principles. It argues for a governance model that is responsive, inclusive, and grounded in the aspirations of the people, promoting active citizenship and servant leadership as the cornerstones of societal transformation.

In a similar vein, the fifth article "The Significance of Max Price's 'Statues and Storms' for Higher Education Public Policy in South Africa" by Dr Doug Blackmur underscores the transformative power of leadership and policy in navigating the turbulent waters of higher education reforms amid societal upheaval. This piece adds depth to our discourse by examining the intricate relationship between educational policy and broader socio-economic and political challenges, highlighting the pivotal role of academic institutions in shaping a nation's development trajectory.

Collectively, these articles embody a multidimensional approach to addressing Africa's development challenges, illustrating the critical need for strategies that are strategic, inclusive, and sustainable. They underscore the importance of viewing development not merely as an economic endeavour but as a comprehensive process that encompasses ethical considerations, governance reforms, food security, and economic growth.

As we present this issue, we aim to foster a dialogue that transcends disciplinary boundaries, encouraging a holistic understanding of development that is reflective of Africa's rich diversity and potential. We hope that readers will find inspiration in the diverse perspectives offered, recognising the interconnectedness of the issues at hand and the collective effort required to forge pathways towards a more equitable and prosperous Africa.

This edition of JIPP serves as a call to action for policymakers, scholars, and practitioners alike to embrace a more integrated approach to development, one that is predicated on the principles of inclusivity, sustainability, and human dignity. As we navigate the complexities of the 21st century, let us commit to re-envisioning development pathways that are capable of addressing the unique challenges and harnessing the immense opportunities within Africa.

Nicola Jo Bergsteedt
Editor-in-Chief





LEVERAGING SPECIAL ECONOMIC ZONES FOR GROWTH

Image credit: istockphoto.com | Stock photo ID: 956366756

by Prof William Gumede

Abstract

Special Economic Zones (SEZs) in South Africa have not fully lived up to their potential – as has been the case in many African countries – to create jobs, beneficiate raw materials, develop new industries, and transfer skills and technology from foreign companies. This paper looks at the global impact of SEZs and the critical factors that lead to either their success or failure. The paper finds that the location of SEZs is no longer a comparative advantage, meaning SEZs will have to be internationally competitive. Their success and competitiveness pivots on SEZs being a well-thought-out part of a national development, growth, and industrial plan. There must be a business case for SEZs – they cannot be established based on political, ideological, and interest-group considerations. They must be governed competently, honestly, and according to consistently implemented laws. They must also operate in ways that safeguard the environment and human rights, especially of the local communities. SEZs must resolve Africa's industrialisation and technology challenges, by linking African products to global value chains, producing export industries, and securing new technology and skills. Unless SEZs can help African countries accomplish all these important tasks, there is really no business case to establish them.

Introduction

Special economic zones (SEZs) can still play a critical role in developing new industries, beneficiating raw materials, and diversifying South Africa's exports. That is, if they are linked to the overall national development strategy, done in full partnership with business, and freed from the public sector's governance problems – such as incompetence, corruption, and inefficiency – which have stymied SEZs up to now.

SEZs, which are also termed export processing zones, free trade zones and free ports, are geographically demarcated areas which governments dedicate to specific industrial development by giving fiscal incentives, regulatory exemptions, and public infrastructure support (Aggarwal, 2008; Asian Development Bank, 2007; Cirera & Lakshman, 2014; Farole & Akinci, 2011; Fruman & Zeng, 2015). It is a key policy tool many high-growth economies in Asia have used to build manufacturing, export capacity, and lift economic

growth (IFC, 2016; ILO, 1988; Ishida, 2009; Jayanthakumaran, 2003).

The South African government has adopted as a policy objective the establishment of regional industrial zones – Special Economic Zones and Industrial Parks (IPs) – and corridors (Gumede, 2022a; Gumede, 2022b). The SEZs and IPs are recognised amongst the tools that are catalytic economic drivers in regional economy ecosystems. They drive continuous attraction, promotion and retention of direct domestic and foreign investment to achieve transformative industrialisation and sustainable economic growth in South Africa, especially in underperforming regions (Jayanthakumaran, 2003; Johansson & Nilsson, 1997; Cirera & Lakshman, 2014; Litwack & Qian, 1998; Rhee et al, 1990; Rodrik, 2004; Zeng, 2017; UNCTAD, 2019; UN ESCAP, 2019; UNIDO, 2015).

The first industrial SEZ was established in 1959 in Shannon, Ireland. The country established the Shannon Free Airport

Development Company, a development agency, to establish an industrial free zone, to generate alternative sources of traffic, business and tourism at the Shannon airport and adjacent area. Investors were given special tax concessions, simplified custom operations, and cheap investment attractions. The area was transformed into an air training base, maintenance and repair centre, and a tourist attraction.

Global impact of SEZs

According to the International Labour Organisation (ILO), by 2007, SEZs accounted for US\$851 billion-worth of exports – which is around 41% of global exports – and for 68 million direct jobs created (ILO, 1988).

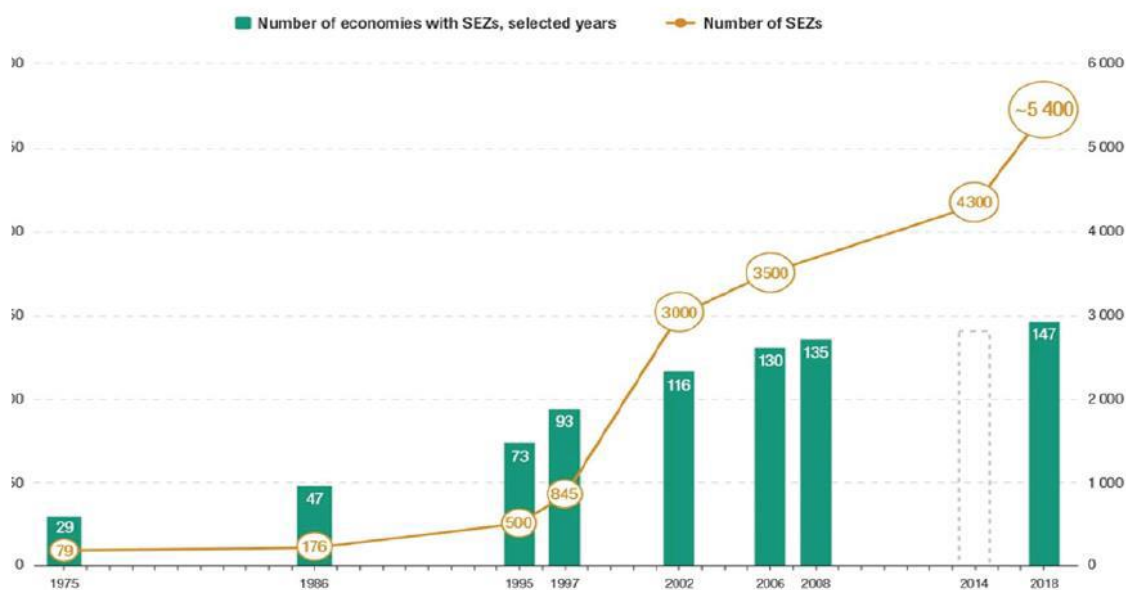
Clustering infrastructure, industries, and public goods in one specific region, means that a country can leverage scale to build a critical mass of related, complementary, and synergetic value chain components that need similar skills, technologies, and market links. This forms an ecosystem that boosts economic development, attracts investment, and fosters an environment for innovation. Companies share resources, costs, and infrastructure.

The overriding idea is to concentrate limited public funds, resources, and infrastructure on developing or establishing new industries with the help of private sector investment, skills, and technology. Importantly, as Douglas Zhihua Zeng (2017) argues, SEZs “should only be used to address market failures or binding constraints that cannot be addressed through other options. If the constraints can be addressed through countrywide reforms, sector-wide incentives, or universal approaches, then zones might not be necessary”.

If successful, SEZs could provide positive spillovers to the rest of the economy. These spillovers can be direct or indirect. The direct impacts are rising economic growth, new manufacturing industries, and beneficiation (Jayanthakumaran, 2003; Johansson & Nilsson, 1997; Cirera & Lakshman, 2014; Litwack & Qian, 1998; Rhee et al, 1990; Rodrik, 2004; Zeng, 2017; UNCTAD, 2019; UN ESCAP, 2019; UNIDO, 2015).

It boosts employment, increases local and foreign exchange income. It brings new technology, innovation and skills, and diversifies the economy. It increases the productivity, efficiency and competitiveness of local companies, the productivity of local labour, and the income of local citizens.

Figure 1: The growth of SEZs around the world since 1975 (UNCTAD, 2019 SEZs Report)



Why do countries establish SEZs

SEZs are established because governments lack the skills, resources, and capacity to introduce nationwide reforms to establish conducive environments for investment attraction, industrial upgrading, and infrastructure development. Furthermore, as Douglas Zhihua Zeng argues, governments also established SEZs because they lack the capacity to tackle vested interests, capture, and political opposition to

country industrialisation reforms, and then implement it on a smaller, more protected and ring-fenced scale, through SEZs.

If a country lacks effective state capacity, public services, and infrastructure such as power, water and transport, SEZs – located in a smaller geographical area – could offer an opportunity to use the limited state capacity, public services and infrastructure to potentially great impact, which could catalyse other parts of the economy.

However, if investments can be attracted, industrialisation fostered and technology, knowledge and skills acquired through normal policy avenues, incentives, and state-business partnerships, SEZs are not necessary. SEZs must only be established if constraints such as government corruption, incompetency and red tape cannot be addressed speedily in the broader economy, and SEZs then are established as smaller protective zones where these governance failures are absent.

A critical part of the success of SEZs is that they need to be part of the overall national industrial strategy of a country – they must be exempt from the inefficiencies, corruption and mismanagement normally associated with developing country governments and must respond to real market demands (Warr, 1989; Watson, 2001; White, 2011; Wolman, 2014; Zeng, 2017).

Some of the purposes of SEZs are to create new industries that do not exist at the time, beneficiate raw materials and so create new value-add industries, attract foreign investment when it is difficult to do so under normal circumstances, and to develop an export economy. SEZs can also be specifically established to transfer new technology, knowledge, and skills that the country lacks, but are critical to industrialisation.

The SEZ is almost an incubator, where experimenting, manufacturing, innovation, and learning can happen behind protective barriers – and the final product then exported to global markets. SEZs have been crucial in skills, technology and knowledge transfer and industrial upgrading from basic to value added industries in South Korea, Taiwan, and Singapore.

Dubai created a successful Dubai Internet City SEZ, which attracted the world's largest technology companies, such as Microsoft, Oracle, and IBM. Dubai also created universities as special economic zones, bringing in foreign universities, teachers, and technology to accelerate skills transfer, technology upgrading and innovation (Khaleej Times, 2019).

Africa, Morocco, and Nigeria set up SEZs to penetrate the European Union market (Bräutigam & Tang, 2010; Farole, 2011; Fruman & Zeng 2015). Rwanda set up SEZs to manufacture new products for exports. Within three years, 3% of Rwanda's workforce were employed in its new SEZ. Mauritius set up SEZs to produce processed sugar for export. Such was the Mauritian success, that when the sugar industry was at its peak, the country dominated 50% of the EU market for processed brown sugar (Bräutigam & Tang, 2010; Serlet, 2022).

The SEZs must be a zone of competent management, corruption-free, devoid of public sector red tape, and effectively integrated within local and global markets. SEZs must have a specific industrialisation purpose and must not become a collection of subsidised warehouses that create

jobs artificially at great cost, as has been the case in many failed SEZs in Africa and South Africa. Many researchers worry that SEZs may only develop certain parts of a country, creating "enclaves", and the impact will not be transferred to the wider economy.

The rise of SEZs

Taiwan in 1966, Singapore in 1969, and South Korea in 1970 were amongst the first to create SEZs (Asian Development Bank, 2007). Both Singapore and South Korea established SEZs to use their cheap and available labour, to foster labour-intensive, export manufacturing industries and attract foreign investment – based on giving investors incentives for setting up these industries (Lall, 2000). Singapore established SEZs to build a transshipment trade hub, removing goods and service taxes on products. By the 1970s Singapore created specialised SEZs, particularly to build the petroleum refinery-related industry (Koh, 2006).

Singapore has established more than 400 companies trading in petroleum and related products since it established its first SEZ in 1969. For another, the creation of the petroleum refinery-related industry has spurred associated and related petroleum business, including professional services, research and development, and marketing and sales.

After the Asian financial crisis, these East Asian states changed the focus of their SEZs, as economic circumstances changed, to industrial upgrading, productivity increases and innovation (UNCTAD, 2019; UN ESCAP, 2019; UNIDO, 2015). They moved their SEZs from low-skilled, low-cost labour to value added activities and technology – these economies now had developed high-skilled workforces, for high-skilled labour. For example, these countries introduced technology, biotechnology, science, and software SEZs.

China successfully used SEZs as zones of experimenting to develop the market system, while building new industries the country did not have and learning new technologies it lacked. China launched its "Open Door" reforms in 1978 to introduce market reforms in selected regions, in what former Chinese leader Deng Xiaoping called "crossing the river by touching the stones" (Shen & Xu, 2011; Sklair, 1991).

The Chinese SEZs were zones where the usual government red tape, corruption and ideology were set aside, focusing on securing foreign investment by giving incentives, attracting new technology and knowledge. The Chinese SEZs built new industries, created new jobs and new export industries (Shen & Xu, 2011; Sklair, 1991).

It fostered positive spillovers to the economy – new knowledge, new technology, and new management techniques were transferred to other parts of the economy, which lifted economic growth, development, and the country's competitiveness (Shen & Xu, 2011; Sklair, 1991). It

is estimated that SEZs have contributed to 22% of China's GDP, 41% of the country's foreign direct investment, and 60% of its exports. China's technology commercialisation rate is around 10%. However, in SEZs the technology commercialisation rate is around 60%.

SEZs in Africa

There are an estimated 237 SEZs in Africa, found in 38 countries (Farole, 2011; Fruman & Zeng, 2015). Mauritius introduced Africa's most successful SEZs. In 1970, the country established its first SEZ to manufacture textiles and garments, food and beverages, and batteries for export. In the Mauritius export processing zone, companies are free to locate anywhere on the island. Mauritius' 1970 Export Processing Act broke from the typical post-colonial African import substitution strategy to one of an export-led industrialisation strategy.

Mauritius was more successful than many African countries in that it focused on export-led growth, and the SEZ was part of its export-led industrialisation strategy, not a standalone policy like in many African countries where SEZs have had pedestrian results (Bräutigam & Tang, 2010).

Mauritius allowed duty-free imports of inputs meant to be used to make products for export. The country gave tax holidays to exporters. Exporters were given reduced rates on power, water and building materials – charging rates similar to international competitors. Domestic companies who were exporters received credit from banks at lower interest rates. The Mauritian government was careful to push labour-intensive production, to soak low-skilled unemployment. Cheaper credit was calibrated in such a way that companies did not shirk labour-intensive for capital-intensive production, because of the cheaper capital available.

Mauritius' priority was to get manufacturing going in the country – whether it was foreign owned or not – transferring knowledge, technology, and skills, and so, fostering positive spillovers to the rest of the economy. Mauritius placed no restrictions on foreign ownership of manufacturing companies – unlike many countries in post-colonial Africa. The country has been governed more pragmatically than almost all African countries, by spending more attention on building and maintaining reliable infrastructure.

Mauritius, governed for most of its postcolonial history by coalitions, has been Africa's most stable country – it has managed its public finances prudently and is amongst the least corrupt – which is an immediate attraction for investors (Gumede, 2022a). The country also prioritised making its public service competent. The SEZs were governed competently, honestly, and pragmatically. By 1988, employment in Mauritius' SEZs was 85% of total manufacturing employment and 31% of total country

employment. By the late 1980s, value add produced in SEZs made up 12% of GDP.

More recently, Ghana, Ivory Coast, and Nigeria were successful in processing cocoa through SEZs, by partnering with Western companies to co-produce chocolate, the value-add of cocoa, for export, rather than exporting raw, unprocessed cocoa (Gumede, 2022a; Gumede, 2022b). The value-add chocolate creates more jobs, and earns more money, than the raw commodity cocoa. Morocco and Nigeria have also recently established successful SEZs in partnership with foreign investors to penetrate the European Union market. Rwanda has successfully established SEZs in partnership with industrial country companies to manufacture new products for exports.

SEZs in South Africa: The Tshwane Automotive SEZ

The ANC government has adopted the policy of SEZs as one of its pillar strategies to lift growth, boost investment, and increase job creation (Majola, 2023). The South African SEZ programme started with the Industrial Development Zone policy review in 2007 by the Department of Trade, Industry and Competition (the dtic). The SEZ Act stipulates that SEZs should have a feasibility study and business case.

Most of South Africa's SEZs are state operated. There are 11 designated SEZs, with nine fully operational. They have attracted 167 operational investors, with total private investment of R21,9 billion, and created almost 20 000 operational jobs. The SEZs include Saldanha Bay in the Western Cape, Dube Trade Port and Richards Bay in KwaZulu-Natal, East London and Coega in the Eastern Cape, Maluti-A-Phofung in the Free State, Musina Makhado in Limpopo, and Tshwane Automotive in Gauteng.

The Tshwane Automotive SEZ launched in South Africa in 2019 appears to offer the prospect of being a model SEZ. It secured and was driven by a private sector anchor, Ford Motor Company. The company invested over R15 billion to produce the next generation of Ford Rangers. Ford, the national and provincial governments, and the City of Tshwane are co-governing the SEZ in a public-private partnership.

Ford is represented on the management board of the entity, which includes representatives of the dtic, Gauteng Department of Economic Development, and the City of Tshwane. Staff from the Eastern Cape SEZ, Coega, were deployed to assist in the establishment of the Tshwane Automotive SEZ. This is one of the rare occasions where all spheres of government are involved in a governing partnership with the private sector.

The Tshwane Automotive SEZ was co-designed from the start with Ford and has been given clean audits since its inception. The government has spent R2 billion on the project, with material inputs for the production aimed at 45%. The SEZ will,

in cooperation with Transnet, develop a rail-to-port corridor for vehicle and components exports – which will include Tshwane and Gqeberha, in the Eastern Cape – the completion

of which is a critical component that will determine the success of the SEZ.

Figure 2: Special Economic Zones in South Africa

SEZ Name	No. of Operational Investors	Operational Investment (R Millions)	Jobs Created	No. of Secured But Non-Operational Investors	Secured But Non-Operational Investment (R Million)	Expected Jobs To Be Created
Coega	54	11 187	8 019	8	151,6	529
East London IDZ	40	5 646	3 223	11	3 423	2 200
Maluti-A-Phofung SEZ	4	1 025	164	12	5 093	946
Saldanah Bay IDZ	16	295	190	21	11 800	534
Dube Trade Port SEZ	45	2 183	4 057	2	80,7	147
Richards Bay IDZ	2	352	90	9	15 536	1 139
OR Tambo	2	359	2 322	11	245	135
Atlantis	3	655	323	2	50	75
Tshwane Auto SEZ	2	287,5	625	10	3 745,5	1 838
Nkomazi SEZ	-	-	-	-	-	-
Musina Makhado SEZ						
Total	167	21 990	19 013	86	39 973	7 743

Critical success factors for SEZs

Before a country establishes SEZs it must put together a national industrialisation, economic growth, or long-term development plan (Aggarwal, 2008; IFC, 2016; ILO, 1988; Ishida, 2009; Jayanthakumaran, 2003). Such a plan must be based on an analysis of the state of the country’s economy, its development needs, and its human capital. There must be an assessment of the comparative advantages – the resources – the country has, what it can do with domestic resources, capital, and skills, and what will need to be built with outside help. Related to this, there must be a comprehensive analysis of the country’s comparative position in the global economy, trade, and supply chains.

A central pillar of any country’s industrialisation, growth and long-term development strategy is how to build local production capacity (Aggarwal, 2008; IFC, 2016; ILO, 1988; Ishida, 2009; Jayanthakumaran, 2003). Establishing SEZs, for example, could be a mechanism to build local production capacity through attracting foreign investors to the SEZs and then getting them to upgrade local production capacity, by partnering, transferring technology, skills and knowledge, and sourcing inputs from local firms.

There must be clear reasons for the establishment of SEZs, including how they fit into the national industrialisation, development, or long-term country economic growth plan

(Gumede, 2022a; Gumede, 2022b). For example, if the intention is to attract foreign direct investment – which the country cannot do through traditional methods – the objective of attracting investment through the SEZs must be integrated into the country’s economic growth plan.

There must be a business case for SEZs (Zeng, 2017), meaning there needs to be a global demand and a market for the products manufactured in the SEZs. SEZs must be embedded in the comparative advantage of the country. They cannot be established based on political, ideological, and interest-group considerations. It is crucial that SEZs form part of a country’s national long-term development or industrialisation plan, rather than operating as standalone job creation exercises.

Once the business case for SEZs has been made, there must be an assessment of the implications of establishing them for existing businesses, institutions, and policies. After this, SEZ laws, policies, and supporting and governing institutions will have to be created. Well-thought out, pragmatic and credible laws, regulations, and institutional frameworks are crucial to govern SEZs.

Governments must implement these consistently, honestly, and competently to foster investor, market, and society confidence that SEZs are not simply going to be another avenue for corruption, self-enrichment, and failure (Gumede

2022a; Gumede 2022b). The business environment must be conducive, efficient, and friendly. The costs of doing business – registration, logistics and customs – should be conducive to companies setting up.

The public infrastructure – power, rail, and water – for SEZs must be working, reliable, and cost effective. Poor, unreliable or lack of infrastructure is a significant factor increasing the costs of doing business, global pricing competitiveness of products manufactured and of labour utilisation. Sound infrastructure is a vital competitive advantage for investors to set up shop in an SEZ – without it, it makes no sense.

SEZs must also be linked to the supply chains of local industry (Jayanthakumaran, 2003; Johansson & Nilsson, 1997; Cirera & Lakshman, 2014; Litwack & Qian, 1998; Rhee et al, 1990; Rodrik, 2004; Zeng, 2017; UNCTAD, 2019; UN ESCAP, 2019; UNIDO, 2015). Local firms must provide the inputs, material, and services to the companies in the SEZs.

If local firms do not have the capacity to do so, it will be crucial for governments to also provide them with assistance, incentives, and rebates to enable them to link into the supply chains of the SEZ firms. Doing this considerably maximises the positive spillover effect of SEZs. South Korea, Taiwan, and Singapore, for example, provide tax rebates, technical assistance, and infrastructure subsidies for local companies to their SEZs, to foster backwards linkages between SEZ companies and local ones.

In addition, there must be a clear strategy of how local firms will be linked to the supply chains of the global firms in the SEZs (UNCTAD, 2019; UN ESCAP, 2019; UNIDO, 2015). Many global firms buy more than half of their inputs from other firms and outsource their manufacturing to other smaller firms. In such cases they only retain design, marketing, and research and development functions. It is important that, as part of the industrialisation strategy, a country encourages global firms attracted to the SEZs to source their inputs locally.

And if local companies do not have the capacity to produce inputs for global companies, the SEZ strategy must outline how the capacity of local firms could be built up with the support of foreign investors. This would usually involve incentives being given to foreign players to build the capacity of local suppliers through transferring skills, technology, and providing financial support, where necessary. Governments must actively intervene to overcome market failures in the value chains linking local suppliers to that of international investors (Jayanthakumaran, 2003).

For example, local suppliers may not know about the opportunities available to produce inputs for international companies. At the same time, the international companies may not know of the existence of local companies with the capacity to provide inputs for their products. In some cases, the inputs of local companies may be of too poor a standard

or too costly for global firms. Government SEZ policy must then provide tools to help local firms to produce quality inputs at affordable prices for global investors. Also, in many cases developing country hosts of SEZs employ predominantly unskilled citizens because educational institutions are weak, ineffective, and under-resourced. The SEZs can be a catalyst to establish new training institutions, research, and development centres, and to upgrade existing ones.

There must be clear monitoring, evaluation, and assessment mechanisms to ensure that SEZs are on track to meet their stated objectives (Gumede 2022a; Gumede 2022b). There must be benchmarking of SEZs against comparable successful ones elsewhere, and mechanisms need to be in place to intervene if they are in danger of veering off course. Those managing SEZs must be held accountable for delivering on the stated objectives of the entities.

China, for example, in 1996 issued an official administrative decree for the compulsory regular evaluation of SEZ performance: SEZs that are poorly managed, not meeting their development targets, and growing too slowly lose their SEZ status. Chinese SEZs are evaluated based on several performance indicators, including knowledge creation and technological innovation – which are measured based on how much the education level of employees has been uplifted – R&D expenditure, the number of R&D institutions and technology innovation incubators established.

Another performance indicator is the level of industrial upgrading and how structural optimisation capabilities have been boosted, which are measured by the number of new high-tech companies created, the number of services firms established, the number of intellectual property registrations, and the number of listed companies attracted to the SEZ. The SEZ performance in China is also measured based on how local companies developed in the SEZs penetrate international markets and fare in global competition, by the ratio of their employees who have received education abroad, and the number of intellectual property registrations lodged abroad (Asian Development Bank, 2007).

The Chinese SEZ performance is also measured in relation to companies' sustainable development capacity increases, by way of looking at the number of employees with master's and doctoral degrees, the increases in taxable revenues, the growth rate of the companies, and the amount of new investment undertaken.

SEZs could be fully government or business owned or could be public-private arrangements. In developing countries, the SEZs that have been fully government owned have mostly failed – as all the governance failures of the public sector, such as corruption, incompetence and red tape are also repeated in the SEZs, making them unviable. Public-private arrangements, in which the private sector co-govern and co-manage, have generally been the most successful.

An effective, competent, and pragmatic management structure is crucial in managing an SEZ, and sound operational management skills are vital to its success. Many SEZs in African countries and in South Africa fail from the same lack of implementation and execution management capacity found in their public sectors – especially if the same incompetent public sector managers are operating the SEZs.

It is also important that the SEZs' good infrastructure development is from time to time transplanted to the wider region in which they are situated. This means that the infrastructure built for the SEZs must be part of an integrated public infrastructure development programme, whereby the SEZs' public infrastructure investment would be the anchor of broader infrastructure expansion.

Another point is that SEZs are often giant industrial structures that could damage the environment significantly. Therefore, the construction and management of SEZs must be done in such a way that it protects the environment, which many first generation SEZs neglected. Many are now trying to clawback environmental destruction in the wake of mass industrialisation that took place without taking the environment into account. It is very important that SEZ investors be required to report on environmental, sustainability and governance (ESG) performance.

Many of the first generation SEZs' construction also rarely consulted with local communities, civil society, and interest groups. It is essential that new SEZs do not repeat this mistake. If a site chosen to construct the SEZ involves uprooting local communities, acquiring their land and property, the process must be done in consultation with them, fairly and compassionately.

Consultations of local communities, civil groups and interest groups are also essential in identifying the local comparative advantages and to link the SEZ investor activities with local input, material, and services – and so, crucial to maximising the positive spillover effect of the SEZs.

Why SEZs have failed in many African countries

Some SEZs in African countries have failed for the same reasons that development has failed in these countries (Farole, 2011; Fruman & Zeng, 2015). These reasons include SEZs not being integrated as part of a national growth, industrialisation, or long-term development strategy. SEZs are often set up for ad hoc policy objectives, such as only job creation or only attracting foreign investment. In Africa, only Mauritius, Rwanda, and Morocco made SEZs part of their national development strategies.

In many African countries, SEZs are often set up for ideological, patronage, and corrupt reasons – and without making a business case. In many cases African governments established SEZs without having anchor private sector

investors, with the exception of Mauritius, who was successful with its SEZs in developing a processed sugar export industry because the government partnered with European processing companies.

African SEZs have not prioritised linking industries to global value chains (Jayanthakumaran, 2003). They also have not prioritised using SEZs to develop new industries for export. Neither have African countries used SEZs to add value to the primary commodities they export, or to upgrade their countries' skills, industrial and technology bases. Projects are often not decided based on a business case, but rather on which company gives the largest kickback. A case in point, the CEO of South Africa's Dube Port SEZ was suspended because of alleged corruption.

Many African and South African SEZs are not internationally competitive – and are economically non-viable. To add insult to injury, the public sector governance failures – such as incompetence, corruption, and inefficiency – that often undermine development, delivery and efficiency in South Africa and African countries, are often replicated in SEZs. These problems have stymied SEZs and continue to do so.

The legal, regulatory, and institutional structures of SEZs are often lacking or poorly defined – open to different interpretations or not consistently implemented. Furthermore, in some cases, although national governments decree SEZs, they in many instances do not give them the financial, infrastructure or political support they need. New governments, whether national or provincial, often withdraw support for SEZs established by their predecessors.

Furthermore, SEZs in African countries often take a long time to put legal, regulatory, and institutional structures in place – and sometimes even longer to operationalise. Incentives are regularly either uncompetitive or overgenerous, undermining local industry outside the SEZs.

Business procedures are slowed down by red tape, and special customs and tax are incoherently applied. Governments often do not have an adequate understanding of the requirements of businesses they want to invest in the SEZs. Many African and South African SEZs start without any anchor business investor, which means that the state is the anchor or biggest investor. In South Africa, the most successful SEZ is the Tshwane SEZ, which started with an anchor investor, the Ford company.

Public infrastructure in African and South African SEZs is often as bad as in other parts of South Africa, with the supply of power, water, rail, roads, ports, and internet frequently not consistent. This makes it unproductive for investors to set up in SEZs – as the cost of infrastructure is a determining factor.

In South Africa, and in many African countries, the governance management structures of SEZs are in many instances run

solely by the state – and the corruption, incompetence, and mismanagement that is found there is oftentimes replicated in the SEZs. One of the reasons for the success of the Tshwane SEZ has been the partnership between the government and the private sector, where both co-govern the management structure.

Many African and South African SEZs are not linked to their domestic economies, but operate largely as enclaves, disconnected from the national economy and local businesses (Litwack & Qian, 1998). Investors in SEZs are also insufficiently linked to local suppliers. And there are for the most part no special efforts to strengthen the capacity of local suppliers who may not have the capacity to deliver inputs to foreign companies in the SEZs. For another, SEZs also often do not integrate primary, secondary, and tertiary industries into the investor supply chain.

Unlike in China, Singapore, or Taiwan, African and South African SEZs regularly do not integrate the boosting of research and development into the industrial value chains of companies in the SEZs (Zeng, 2017). The technical learning, knowledge transfer, and industrial upgrading is therefore not as effective as it has been in many Chinese, South Korean, or Singaporean SEZs. This means that the positive spillover effects of SEZs are absent or minimised.

Many African and South African SEZs have faced opposition because they were constructed on sites where local residents had to be forced off their land, moved out of their homes, and their ancestral and historical sites disturbed. This has led to local communities often being hostile to SEZs in their areas. For example, communities opposed the construction of the Makhado, in Limpopo, and Dube Port, in KwaZulu-Natal, SEZs over allegations that their land rights had been trampled on.

It is therefore crucial that land, property, and historically sensitive site disputes with local communities over the location of SEZs are resolved in a participatory manner. More importantly, SEZs must not be located on sites where it involves displacing communities, expropriating their property, and desecrating their historical sites.

SEZs: Policy lessons for South Africa

There has to be a solid business case for creating an SEZ. However, many of South Africa's SEZs have been established without a credible business case. In 2001, the government established the Coega Industrial Development Zone in Gqeberha to create an integrated steel producing hub. The steel hub was not based on a business case that looked at global demand over the coming years. Not surprisingly, the government struggled to attract initial anchor business investors.

The business case for the Musina Makhado SEZ in Limpopo is also not clear. The Musina Makhado SEZ is supposed to be an

energy metallurgical cluster centred around a coal cluster, which consists of 20 interdependent industrial plants, including ferrochrome, ferromanganese, stainless steel, high manganese steel and vanadium steel, thermal, coking, coal washery and lime, and cement plants. The Limpopo provincial government said 11 memorandums of understanding have been signed with the Chinese government for investment of around US\$1.1 billion. The government said 70% of what would be produced will be exported to China.

But there is a real danger that the Musina Makhado SEZ may not align to global demand, so crucial to the success of any SEZ. In September 2021, China's President Xi Jinping (Volcovici, Brunnstrom & Nichols, 2021) told the United Nations General Assembly that China will not build any new coal-fired power projects overseas, in support of increasing its green and low-carbon energy footprint in developing countries – which raised questions around building a coal cluster SEZ in Limpopo based on exports to China.

The South African government often takes a long time to put legal, regulatory, and institutional structures in place for SEZs – and sometimes even longer to operationalise. When finally in operation, business procedures are slowed down by red tape, and special customs and tax are incoherently applied. In comparison, the Hamriyah Free Zone in Sharjah, in the United Arab Emirates could grant a license to establish a business within 24 hours of submitting all the required documents.

The problem is that South African national, provincial or city governments often do not have an adequate understanding of the requirements of businesses they want to invest in the SEZ. The government services provided for SEZs are also frequently not tailored for the investors they want to attract. Then Trade and Industry Minister Rob Davies announced the formation of the Musina Makhado SEZ in 2017. However, the project has yet to get off the ground. In March 2021, the Limpopo Economic Development and Tourism Department temporarily stopped the project, saying its environmental impact assessment was "insufficient". The project was also deemed not to have widely consulted with local communities, traditional authorities, and farmers.

Countries face heavy competition for foreign investment, which can go anywhere in the world. This means countries cannot afford to give the same or a lesser value proposition to competitor countries. Despite this, incentives to attract private sector investors in South Africa are often uncompetitive.

South Africa's special economic zone tax incentive was introduced into the Income Tax Act, but it is overly bureaucratic compared to other countries' SEZ tax incentives – for example, to qualify, the Minister of Trade and Industry and Minister of Finance must approve. Qualified companies can get a reduced corporate tax rate of 15% instead of the current 28% rate (SARS, 2018). Furthermore, companies

could get an accelerated depreciation allowance of 10% on cost of any new and unused buildings or improvement owned by the qualifying company (SARS, 2018).

Morocco, in comparison, has seven Special Economic Zones, with no corporate taxes for the first five years and significantly reduced rates thereafter (Böhmer, 2011). In Morocco, companies have exemption from building and equipment tax for the first 15 years, and goods entering or leaving the SEZ are not subject to laws on foreign exchange. Companies are also exempted from dividends and share taxes when paid to non-residents and a low tax rate of 7.5% if they are paid to locals.

Morocco has built a successful aeronautics industry through attracting global aeronautics players to manufacture for export in the country – with the export industry now accounting for US\$2 billion in export revenues. It is critical that SEZ industries are linked to the local enterprises – through market opportunities, access to finance, technology, and training (Rifaoui, 2021).

Morocco has focused on building full industry ecosystems in the SEZs, using the SEZs to develop an export manufacturing sector in very specific areas. The country has, importantly, ensured that all the firms in the SEZs are industrially interconnected, linked to local players, and the products linked to global supply chains. In South Africa, Coega, after a slow start, has increasingly fostered linkages with local SMMEs. During the 2015-2020 period, there was a 35% SMME procurement participation rate (Coega, 2020).

The Hamriyah Free Zone in Sharjah, in the United Arab Emirates, incorporates fiscal incentives, which include complete exemption from taxes, customs and commercial levies; and financial incentives, which include low rents and subsidised energy (Böhmer, 2011).

Many global firms want infrastructure incentives to invest in SEZs (Rodríguez-Pose et al, 2022). South Africa not only generally does not offer generous infrastructure incentives, but the country's infrastructure – power, rail, and ports – is also deteriorating, which is actually a disincentive to attract investors for local SEZs.

The success so far of the Tshwane SEZ is instructive for other SEZs in South Africa. The Tshwane Automotive SEZ launched in 2019 was initiated by government securing a private sector anchor investor first – the Ford Motor Company – rather than government being the anchor investor. The Tshwane SEZ is co-governed in a genuine public-private partnership.

Most SEZs in South Africa have been state-led and started without a private sector anchor investor. In the Tshwane SEZ, Ford, the national and provincial governments, and the City of Tshwane have been co-governing the SEZ in a public-private partnership from the start. Ford is represented on the

management board of the entity, which includes representatives of the dtic, Gauteng Department of Economic Development, and the City of Tshwane. The SEZ has been given clean audits since its inception, and the government has spent R2 billion on the project.

In South Africa, SEZs have not been integrated into a long-term development plan, industrialisation, or growth plan. Such a plan must be based on an analysis of the state of the country's economy, its development needs, and its human capital. Related to this, there has to be a comprehensive analysis of the country's comparative position in the global economy, trade, and supply chains. In fact, most of the SEZs in South Africa have been set up for ad hoc policy objectives, either by national or provincial governments, such as only job creation or only attracting foreign investment.

Many of South Africa's SEZs operate largely as enclaves, disconnected from the national economy and local businesses. Investors in SEZs are insufficiently linked to local suppliers. There are often no special efforts to strengthen the capacity of local suppliers who may not have the capacity to deliver inputs to foreign companies in the SEZs. For another, SEZs also often do not integrate primary, secondary, and tertiary industries into the investor supply chain.

SEZs have also not been able to effectively upgrade South Africa's skills, industrial and technology bases. Unlike in China, Singapore, or Taiwan, African SEZs also often do not integrate the boosting of research and development into the industrial value chains of companies in the SEZs. The technical learning, knowledge transfer and industrial upgrading in South African SEZs has therefore not been as effective as it has been in many Chinese, South Korean or Singaporean SEZs. This means that the positive spillover effects of SEZs are absent.

The problem for South Africa is that SEZs have not delivered the volume of export manufacturing, value add production or employment as expected. Neva Makgetla writes that national government transfers to SEZs amounted to R1.1 billion in 2020-2021, from R600 million in 2013-2014, and after a peak of R1.7 billion in 2017-2018. However, Makgetla rightly says that these figures excluded provincial transfers, which for example in the Eastern Cape ran up to R500 million a year (Makgetla, 2021).

According to the dtic figures, in 2021, Coega accounted for half of the private investment to SEZs, the East London IDZ accounted for 20% and the Dube Trade Port for 10% (dtic, 2021; Makgetla, 2021). Over the 2013 to 2019 period, manufacturing employment dropped by 3.7% and valued added manufacturing only rose 0.7% (Makgetla, 2021).

Many of South Africa's SEZs have frequently faced opposition because they were constructed on sites where local residents were forced off their land; or they were constructed

without being sensitive to the environment (Buthelezi, 2022). This has often caused the SEZs to face community, court, and civil society challenges – making it difficult for them to get off the ground. There really needs to be greater consultation and involvement of local communities and environmental safeguards when sites for SEZs are identified.

Conclusion

The location of SEZs is no longer a comparative advantage, which means that SEZs will have to be internationally competitive. SEZs can only be successful and competitive if they are a well-thought-out part of a national development, growth, and industrial plan. There must be a business case for SEZs, based on the country's comparative advantages, and they must be internationally and locally competitive.

They have to be governed competently, honestly, and according to consistently implemented laws. SEZs have to be closely monitored, benchmarked, and have clear goals. They must be held accountable for their performance, and if they fail, they may have to in some cases be reduced as SEZs. They must also operate in ways that safeguard the environment, use green technology, and uphold human rights.

SEZs must resolve Africa's industrialisation challenges, including the inability since colonialism and apartheid to link African products to global value chains. In addition, Africa has not only struggled to add value to its primary commodities, but has also struggled to build manufacturing, diversify product offerings, and produce export industries. Africa has been unable to secure new technology, knowledge, and skills. The reality is that unless SEZs can help African countries accomplish all these important tasks, there is no business case to establish them.

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FOOD SYSTEMS APPROACH: REVERSING THE TRAJECTORY OF FOOD INSECURITY IN AFRICA

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by Prof Amiena Bayat, Prof Claire Quinn, Prof Julian May & Dr Hemish Govera

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Abstract

A goal of the United Nations is to end hunger by 2030 but diverse factors, including global warming, conflict and now the war in Ukraine, place that ambition in jeopardy. AMIENA BAYAT, CLAIRE QUINN, JULIAN MAY and HEMISH GOVERA argue that the world can end hunger in Africa if it takes proper note of the framework of the African food systems approach.

Introduction

The 17 Global Goals that make up the 2030 Agenda for Sustainable Development includes the goal to end world hunger by 2030. Sustainable Development Goal (SDG) 2 aims to ensure that everyone has access to enough food that is nutrient-rich throughout the year by 2030, particularly children and the most vulnerable sections of society. The 2030 target to end world hunger, however, is under threat due to a number of issues, including resource shortages, food insecurity, obesity, malnutrition, climate crisis, inequality, conflicts and environmental degradation. These developments will have an adverse effect on food systems, which are predicted to deteriorate, made worse by the conflict in Ukraine (Global Report on Food Crises, 2022).

Food security is a condition in which everyone has physical, social and financial access to enough safe, wholesome food that satisfies their nutritional needs and food preferences so that they can lead active, healthy lives at all times (FAO, 1996). Food security also emphasises the significance of eating a balanced diet (Battersby, 2022; FAO, 2004). Three variables affect food security i.e. whether the geographical region produces enough food to feed its population; whether

the food supply is steady and able to withstand risks such as droughts; and whether people are able to access food both physically and financially (Johns Hopkins Center for a Liveable Future, 2016).

Food availability refers to supply-side factors and is determined by inter alia stock positions, rates of food production and trade performance. People's access to food considers the economic and physical aspects of the demand side and is concerned with incomes, expenditure, markets and prices. Utilisation deals with food preferences, the quality and safety of diets, and the intra-household distribution of food. The stability of these factors over time and vulnerability to their fluctuations are also important.

The stability dimension includes risks and shocks arising from climate change, political instability, economic conditions and pandemics (FSNet- Africa, 2021).

In 2020, the High-Level Panel of Experts of the UN's Food and Agriculture Organization (FAO) proposed adding two further dimensions: agency and sustainability. Agency refers to the capacity of individuals and groups to make their voices heard and make decisions about their food systems.

Sustainability refers to the long-term viability of the ecological and social bases of food systems (Clapp et al., 2022). If due attention is not paid to all six dimensions, food security cannot be achieved (Battersby, 2022).

A food system can be defined as the process that turns natural and human-made resources and inputs into food (Pinstrup-Andersen, 2007). It is the result of all of the activities and interactions that take place along the entire food value chain, which includes the provision of inputs, the production of agricultural products, transportation, processing, retail, wholesale, and food preparation, as well as consumption and disposal (Bendjebbar and Bricas, 2019). Although each food system functions differently, the majority have some of the same fundamental production, processing, distribution, consumption and waste management procedures. Along with ensuring food security and nutrition, food systems also need to have a positive impact on the environment and the socioeconomic system. This article highlights the African food systems approach as a conceptual framework to identify and formulate transformative interventions to mitigate food system crises which pose significant current and future risks and challenges for food security in South Africa and Africa as a whole.

Food insecurity in Africa

According to the British Red Cross (2022), Africa is facing a food crisis that could see 146 million people go hungry due to various enduring reasons. In Africa, food availability is at risk from population increase, soil degradation, conflict, deforestation and urban sprawl which crowds out productive land and limits opportunities to extend cropped areas. When combined, these factors significantly increase the vulnerability of food systems, which impacts food access, availability, use and stability placing millions of people at risk of extreme hunger. Food safety is a major concern: a third of world deaths attributable to food safety are in Africa (Bendjebbar and Bricas, 2019).

Conflicts have a detrimental impact on food security. In 2017, conflict and disasters displaced an additional 30.6 million people, which affected the food security of 143 African nations and territories. One impact of conflict is stunting, which affects 34% of children under the age of five in countries affected by conflicts compared to 20% of all children of that age in non-conflict countries (Bendjebbar and Bricas, 2019).

In South Africa, households are also facing a food insecurity crisis (Battersby, 2022). According to Statistics South Africa (2022), the percentage of South Africa's population impacted by moderate food insecurity and the number of people categorised as seriously food insecure was 10.1 million (17.3%), while the number of people with severe food insecurity was 4.1 million (7%) in 2019. Abrahams (2022) concurred that food insecurity is a result of income and

affordability levels, with roughly 55.5% of South African households living below the upper bound poverty line in a state of food insecurity.

Food insecurity was exacerbated by the Covid-19 pandemic, which induced lockdowns that significantly disrupted food supply chains and resulted in the loss of lives and revenue. Data from Statistics South Africa (2020) state that around 23.6% of South Africans faced moderate to severe food insecurity in 2020 as a result of Covid-19, while approximately 14.9% experienced severe food insecurity. The pandemic has seriously hindered efforts to achieve South Africa's National Development Plan (NDP) and the SDGs aim of eliminating hunger by 2030 (Statistics South Africa, 2020).

The food systems approach

Food systems differ across multiple dimensions according to how food production, distribution and consumption activities are defined with regard to their impact on the environment, societies and economies. The food systems approach takes a more comprehensive approach to agricultural production and offers a framework for understanding how food system changes relate to food security and the environment. The approach considers the various components of the food system as well as the connections between them. It looks at all activities connected to food production, processing, distribution and consumption on the one hand, and the outcomes of these activities in terms of food security (including nutrition), socioeconomic factors (income, employment) and the environment (biodiversity, climate) on the other. Systems thinking is distinguished by its view of behaviour as an interaction between subsystems in which feedback plays a crucial role, as opposed to a straightforward chain of cause-and-effect interactions. The method emphasises the connections between the many components of the food system and the results of systemic actions in terms of socioeconomics, the environment and climate (FSNet-Africa, 2021).

This sets system thinking apart from other techniques where interventions are frequently created to make the most use of the available resources (natural resources, labour, capital). In order to increase efficiency and profitability, this typically entails using technical breakthroughs across companies, industries and/or chains (Van Berkum et al., 2018).

Other approaches analyse the effects of interventions on the environment (CO₂ emissions), the market (prices, incomes) linked to natural resource depletion, whilst not considering feedback from the ecosystem and/or socioeconomic system for the farm, industry or chain. Food systems thinking provides a chance to add feedback from outcomes outside of those that directly relate to food production and consumption when analysing the results of policy actions. This way of thinking "steps back" from the scene of the intervention (Van Berkum et al., 2018).

Additionally, the food system approach emphasises policy directions that affect the food production system rather than just the value chain (Van Berkum et al., 2018). In some situations, strategies for tackling food and nutrition security have placed an undue emphasis on agriculture, portraying the problem as the result of weak production, market imperfections or poor governance.

With the emphasis on boosting food production, bridging yield gaps to increase availability and reducing costs and wastage to promote access, the utilisation and stability dimensions as well as the agency of food system players run the risk of being overlooked. It may also deflect attention from factors that contribute to food security but are unrelated to the food system, such as inequality, poverty and prejudice. These cannot be addressed by traditional food and nutrition policies and necessitate an integrated, intersectoral strategy. The holistic food systems approach is a better analytical model than a strategy that merely takes the production component into account (Van Berkum et al., 2018).

FSNet-Africa's approach to the African food system

The Food Systems Research Network for Africa (FSNet-Africa) is a collaboration between the University of Pretoria (UP) – which is host of the African Research Universities Association's (ARUA's) Centre of Excellence in Sustainable Food Systems – the University of Leeds (UoL) and the Food, Agriculture and Natural Resources Policy Analysis Network (FANRPAN).

FSNet-Africa's research on African food systems is based on its "Framework for Researching African Food Systems" project, which aims to strengthen the analytical capabilities of food systems researchers through a structured programme of research leadership development. The project presented a conceptual outline of the definitions, components of, and linkages within, the African food systems. It drew on several levels in the operation of food systems and their dynamics and explored the characteristics and challenges confronting the food systems in Africa using the Economic Commission for Africa's (ECA's) evidence base.

In mapping African food systems, the primary drivers influencing food systems in low-income nations fall into seven groups: bio-physical and environmental; socioeconomic; economic; territorial; demographic; infrastructure and technology; and political and governance.

Bio-physical and territorial drivers refer to the availability, pollution and climate with regard to natural resources that shape the production side of food production. Examples of demographic drivers include population expansion, urban sprawl and population displacement. These factors have a significant impact on food demand with regard to quantity required, type and quality of food consumed and the context in which food is produced. Innovations in technology and

infrastructure are crucial factors in the food system influencing both supply and demand. Social traditions, education, health, values and identity are all examples of socio-cultural drivers. They also include culture, religion and rituals. By affecting lifestyles, social norms, attitudes and cultures with regard to food, these have an impact on diets and the food environment. Political factors include government, laws, conflicts and humanitarian crises, which also have an impact on many factors affecting food systems (Bendjebbar and Bricas, 2019).

The framework considers the dynamics of growth and development in a particular environment (nation, region, livelihood zone or sub-national district), modifications to infrastructure and technologies, drivers of power and governance at local, national and international levels, socioeconomic characteristics such as skills and patriarchy, and demographic changes such as health systems and the effects of global pandemics (Van Berkum et al., 2018).

The analytical framework includes the institutions, values and cultures that influence preferences and choices in the food system, along with the capitals (combinations of financial, natural, physical, human and social assets used to produce or acquire food), the biological and ecological realms available to the system and the activities carried out by the various actors in the system. The principle of "farm to fork" is present, with food waste and loss occurring at each stage. These activities of a food system may be organised as value chains that are short (low-input subsistence farmer to her family) or long (agro-chemical company to urban consumer via industrialised farms and multinational retail corporations) (Van Berkum et al., 2018).

The food system impacts on three conditions/goals essential for human existence and has the potential to guide policies that address all three objectives: security of access to food and nutrition; rural and urban livelihoods, and specifically rural development; and environmental sustainability.

The conceptual framework proposes capitals that are relevant to food systems, including political and cultural capitals. Recently digital capital has been identified as a potential new asset that brings together access and use of information and communication technologies (FSNet-Africa, 2021).

The model also focuses attention on the interconnected components of the physical environment within which a specific food system operates and includes the atmosphere, hydrosphere, biosphere and lithosphere (Van Berkum et al., 2018).

The environment in which food is produced, the environment in which it is consumed, the value chains connecting them, and the waste that occurs are all parts of the food system. When these components are analysed, supply-oriented

assessments that concentrate on increasing food production in the face of demographic and climatic pressures may be included.

The value chain, which connects supply (production) and demand (consumption), is the subject of midstream-oriented analysis. Here, better institutions and markets as well as lower transaction costs and risks are the keys to improving performance.

Demand-oriented strategies place special emphasis on consumer behaviour, food access and cost, and balanced diets. Last but not least, system-wide approaches focus on developing responsive, adaptable food systems through better governance to resolve trade-offs and make use of synergies (Van Berkum et al., 2018).

Social institutions are acknowledged as being a part of the food system, although only being tangentially related to food demand/production and food supply/consumption. Instead of organisational structures, institutions in this case are the official and informal rules that govern behaviour. The Framework for Researching African Food Systems identifies these as regulative, normative and cognitive establishments. Regulative institutions refer to public sector conventions, policies and procedures. Normative institutions are not as formal as regulative institutions and are morally controlled. Cognitive institutions guide what is culturally or conceptually acceptable to actors and include priorities, problem agendas, beliefs, paradigms, models of reality and language (Van Berkum et al., 2018).

The Framework's objective was to critically translate evidence generated from the research findings into policy solutions that are feasible and practical interventions aimed at supporting the attainment of Africa's SDGs. The achievement of the SDGs is viewed as the primary transformative function of the African food system. That is the scope of the transformation's paths for institutional, social and environmental change, as well as its sustained elimination of famine and universal access to affordable, safe, healthy and nourishing food (SDG 2). This idea emphasises the potential for food systems to improve inclusive and fair livelihood options towards eradicating poverty (SDGs 1, 8 and 10). As a result, dismal developments could result in loss of livelihoods, especially for the most vulnerable individuals, hence escalating inequality and environmental devastation. The realisation of SDGs 12, 14 and 15 depends on the reparative effects of food systems transition on biodiversity and natural resources.

Increased resilience and adaptation to risks and shocks at all levels are essential for addressing the challenge of climate change (SDG 13). Promoting demand restraint (i.e. encouraging consumers to choose fewer items of higher nutritional quality over more items of lower quality) and improving governance, coordination, accountability and

stakeholder agency are other methods to realise transformative paths (FSNet-Africa, 2021).

Regarding African food systems, the continent comprises diverse food cultures and food environments owing to its heterogeneity, with over 2,000 languages and 3,000 ethnic groups across 54 countries. As a result, the biosphere, the globalising political economy and the globalisation of culture are all included in the global food regime, which includes the drivers and mechanisms of a food system.

However, the concept of African food systems acknowledges, among other things, the common history of colonialism and underdevelopment and its detrimental effects on Africa's integration into the global food system and the investments, international partnerships and laws made under the auspices of pan-African governance and institutional experiments, such as the African Union (AU) and ARUA. Other examples include the growing integration of African nations as trading partners, investors, farmers, workers and consumers, which is prioritised by programmes such as the Africa Continental Free Trade Area (AfCFTA) and the shared understanding of the opportunities and challenges that face African governments and citizens as well as how to address them, as encapsulated by Agenda 2063, the Comprehensive Africa Agriculture Development Programme (CAADP) and the One Africa Voice initiative (FSNet- Africa, 2021).

Developments in the African food system indicate a declining employment and agricultural share as well as a slow performance when compared to other regions. The environment for producing food on a worldwide scale has evolved from family farms to industrialised commodity production and ultra-processing (sold through fresh produce marketplaces and small businesses). Food consumption based on mass distribution, globalised trade, etc. are further characteristics of this. Similar structural change is taking place in Africa, and it has improved overall wellbeing while reducing rural poverty (FSNet-Africa, 2021).

However, those who work in the food industry are disproportionately affected by poverty, hunger and significant food insecurity. Unfortunately, smallholder farmers have diminishing access to land and receive inadequate compensation as a result of the current trends of capital-intensive, industrialised and large-scale commercial and farmland consolidation. Insecure employment on industrial farms and rural-to-urban migration in pursuit of employment prospects are other detrimental effects. Small-scale enterprises, insufficient utilisation of non-organic inputs and technology, condensed local supply chains and spot-exchange-based market transactions are the main characteristics of many African food systems. However, 60% of the world's uncultivated arable land is found in Africa, with only 8% of this land area being used for crop production, while its people are overly reliant on agriculture for a living (FSNet-Africa, 2021).

The majority of food produced in Africa is produced by small and medium-sized businesses along all value chains, including street vendors in the unorganised sector. This exemplifies how the African food system is represented in context. In spite of this, African food systems and their outcomes are evolving quickly. Over the past three decades, supply linkages between rural and urban areas have grown by 600-800%, which has boosted food availability and accessibility.

Between 1990-92 and 2014-16, the prevalence of undernutrition in Africa, which is defined as having insufficient food consumption to meet nutritional energy requirements, decreased from 33% to 23.2% (FSNet-Africa, 2021).

Changes are occurring in all areas of food production and consumption in Africa with regard to the food ecosystems, though the effects on changes in poverty, food and nutrition security, and livelihoods are uneven.

African food markets are expected to rise sixfold by 2025, with urban demand for processed staples driving the majority of the growth. Between 2010 and 2040, this is anticipated to increase five to tenfold, having a substantial influence on the continent (FSNet-Africa, 2021).

FSNet-Africa has proposed certain evidence-based interventions that are essential for aiding stakeholders in the food system to make decisions that are well-informed. This calls for "mapping food systems," "mapping the policy landscape" and "understanding paths to the plate" across the priority nations of FSNet-Africa. The many functions of

participants in the informal food economy, which are largely disregarded by policy, should receive due consideration. The project highlights the necessity for research into the processes by which better agribusinesses and lucrative jobs are created and lost, and why. It also emphasises the necessity of recalibrating the assistance required by players in the formal and informal food sectors to encourage workforce development, small, medium and microenterprises, and the employment of young people (FSNet-Africa, 2021).

Conclusion

In conclusion, the primary trends influencing African food systems and economies include rapid urbanisation, rising incomes and a growing middle class. These trends work in concert to affect consumer demand and alter consumer lifestyles, tastes and choices. Trends in the supply of staples and increased processed food consumption have westernised African food supply systems and altered the makeup of the labour market in terms of the shares of non-agricultural jobs in country regions. In the same way structural transformation patterns have been reinforced. Building resilient food systems that can withstand risks of climate change and safeguarding the livelihoods of underprivileged and marginalised food stakeholders are among the challenges facing African food systems. Therefore, improved sector governance and integrated African food systems are crucial to the viability of changing to sustainable food systems in Africa. The territorial balance between urban and rural areas, as well as across administrative and related boundaries, should serve as the basis for this.

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ASSESSING DEVELOPMENT AS A MORAL IMPERATIVE IN AFRICA: GYEKYE'S MODEL OF DEVELOPMENT IN PERSPECTIVE

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by Dr Aderonke Ajiboro

Abstract

One of the topical issues in the socio-political re-organisation of Africa in the 20th century is development, and most recently, sustainable development. Oftentimes, this issue is discussed against the backdrop of the unnerving consequences of the colonial, postcolonial and neocolonial periods in the history of Africa. But why should any society engage in a conscious effort towards development? What will such an effort entail? And why does the attainment of development become needful, especially in Africa? These are some of the questions that are addressed in this paper. The paper aligns with Kwame Gyekye's functionalist conception of development and tries to examine some recent objections to it. This paper affirms that development is a necessity in any human society, not just as a psychological and historical phenomenon but also as an economic prerogative of any African society in the 21st century. It also gives a critical assessment of the conception of development as exhibited in some African countries.

What is Development?

The above question is a generic one. As Kwame Gyekye puts it, the concept of development is a 'multifaceted' one. It is a deeply philosophical one such as 'what is knowledge?', 'what is truth?' or 'what is value?' (Gyekye, 1988: 14). In which case, there is a need to conceive the term 'development' in a wholistic and universally acceptable way, for it to be understood and exemplified in an objective manner. Hence, the question can also be asked, what are the general defining exemplifications of a society that has development or is developed?

For Gyekye, there is the constant desire of governments to attain what is called development. This desire in the African situation was also very intense in the wake of the call for independence of African states as well as Third World countries. It is pertinent to note that the appellation of 'Third World' stems from the Age of Enlightenment and Industrialisation, where inventions and discoveries of new means and methods of addressing human societal challenges

were made in the West. Any society that lacked such indices as those that produced development in the West were summarily classified as not exhibiting the features of development, or basically, as underdeveloped. For Gyekye, "the choice of effective approaches to development is what most people in Africa and other Third World countries are talking about; it is the goal of every government in the Third World ... since development has been identified with economic growth" (Gyekye, 1988: 15).

Economic growth is a species of development. There are political, social, moral, business, academic development and so on, which are all parts of the genus development, though they may not have a logical relation to development as a whole. The human society is a dynamic one. The flow of thought and deeds in the human society are influenced and bound by circumstances that are beyond individual preferences. Therefore, the ability to attain a uniform or unified standard of a conception of development wellbeing may be difficult. This poses a problem for the conception of development in the society. A collective definitive approach to

a particular cause may not be achievable, although the aggregation of common views may be an index for taking a particular view. This, therefore, puts man as the responsible agent for any action that is to be carried out in the society. As Awolowo puts it, "man is the sole creative purpose of the universe" (Awolowo, 1976: 53).

In other words, whatever conception or indication of development that is to be evident in any society is ultimately dependent on the organisation of the human fabric that establishes it. This is closely linked with Gyekye's conception of development. One major point is how his conception of development puts man at the initiating and receptive stages of development. This closely aligns with Nyerere's idea of freedom and development; in the Arusha Declaration, Nyerere affirms that all proposals made by all socio-political ideologies directed at development should be geared towards the attainment of wellbeing of the people (of Tanzania) (Nyerere, 1968). This implies that whatever purpose development is to serve, it must be to the desirable state of existence for the people.

It is therefore appreciable that Gyekye conceives of development in the functionalist way. For him, "to be developed is to have the capability to perform the functions appropriate to the object, such as society or institution, said to be developed. The nature and purpose of the object will determine its specific function. Thus, the functions of the human mind are related to its nature and purpose and would therefore not be the same as those of a political institution, for instance. The functions of the various objects that are said to be developed thus do differ. This is what is intended by my use of the word 'appropriate' in the definition just formulated" (Gyekye, 1988: 17).

Gyekye opposes an economistic conception of development because it is lopsided and inadequate. It is a view of development that is conceived in terms of the production and increase of the material capacity of the society, such as food production, construction of buildings and roads, good and improved healthcare and so on. There is the tendency to misapply Gyekye's notion of development to these material outputs as functions that are derivatives of a society experiencing development. However, Gyekye notes that these (material) economic entities are tools to indicate that more fundamental processes of development may not be immediately accessible to a particular society or its critics.

A little bit of economic history lends support to this view. Akin Mabogunje notes that there was a buoyant economic landscape in Nigeria before it was tampered with in the late 19th and early 20th centuries by the colonial powers: "The important point to be made here is that a system of towns and cities had developed in Nigeria before the 19th century in response to social, political, and economic forces operating in the country over a long time. Trade was paramount to their existence, and it was trade limited not so much by the

distance to be covered as by the amount of goods and services that could be effectively carried over that distance during given intervals of time. In other words, people did cover considerable distances in pursuit of their trade. But since the means of carriage was usually by head portage or donkeys, the amount that could be moved at any one time was limited. Similarly, since the traders had to trek, the distance that they could cover on one trip to market was circumscribed. In consequence there emerged specialised centres of trading, holding at specific intervals to allow for the time required to move around. Much of this trade was for internal consumption, and only a limited portion of it found its way outside of the country, either to North Africa or through the coastal centres to Europe and the Americas" (Mabogunje, 1965).

In the above, Mabogunje paints a picture of a Nigerian society that tried to address its socio-economic challenges given the means available to them. The question of "appropriateness" to the challenge may be raised and not immediately answered, bearing in mind that trade exports may not have been one of the desirable goals in the centuries in question. Also, with the trade economy described above, one could see that there are limitations arising from the influence of Europe – even as an avenue for export – on the economic development of Nigeria, and the decisions of the traders and modes of trading were germane to the trend that the economy will follow. Obviously, the limitations should dispel any notion of trying to create an equating of development per se and economic development on any level. This is not to say that development in the objective sense does not have limitations.

In a later work, Aderanti Adepoku (1976) also wrote on an index of development expressed in environmental development. For him, the socio-economic development that is experienced in Nigeria is of a slow pace because of the non-attentiveness of socio-political organisation to the rural areas in embarking on developmental projects and lack of adequate statistics. All these species of development can be regarded as a measure of development in the society. A measure of development, hence, is not synonymous with development itself. In fact, the measure of a thing is external to that thing; it is only an applied entity on what is being measured. If this is granted, Gyekye's functionalist account may be seen as problematic, because the functions that are meant to be derived from acts produced from development may also be argued as being manifestations of development. However, it is pertinent to note that as much as the functions that Gyekye portrays are not in such a way that it is distinguishable from it. At least a manifestation of an act establishes the occurrence of that act, if it is not the act itself.

Furthermore, Ani raises three objections to Gyekye's conception of development and argues that the conception can be questioned: The first objection is that the ultimate goal

of development is economic development. The second is that development is a process that is continuous. The third is that no society can be described as developed if development is a continuous process (Ani, 2017).

It is apt to note that Gyekye's functionalist conception of development is integrative, as Ani concedes. By no means did Gyekye divest economic development or growth from the functionalist conception. The view he emphasises is that economic development does not, in any way, describe the general or objective view that development, as a concept, should be understood. The other two objections raised by Ani are shaky. Continuity and the status of being 'developed' does not deny the strength of Gyekye's argument. Although Gyekye implies that development conceived in the functionalist/behavioural/evolutionary model of the insect is a non-continuous process, it does not expressly suggest that the process is terminal. A state of equilibrium can be attained where a nation can be termed as 'developed'. The continuous creation of goals, needs and existential challenges of the society, as Ani rightly notes, will always be present. However, this does not imply that the state of being 'developed' puts a stop to it.

Of what nature then is development? The core idea of development arose as a means of tackling the ever-present challenges of the society and that is why the products of development go beyond a particular sector or problem of the society. It should be aimed at solving or addressing even the predictable or unforeseen one; hence, it is more of an ideological thinking put into practice.

This is evident in Nyerere's view of development as freedom. For Nyerere, freedom is, in a way, a product of development and development arises out of the exercise of total freedom of people in the society. For him, "freedom and development are completely linked together as are chicken and eggs! Without chickens, you get no eggs; and without eggs you soon have no chickens. Similarly. Without freedom you get no development and without development you very soon lose your freedom" (Nyerere, 1973: 25).

Although to a large extent the reference that Nyerere makes to development can be seen to be in terms of social and economic development, he is also of the view that these are mere indices to how development should be evident in the society. "For the truth is that development is development of the people. Roads, building, increases of crop output, and other things of this nature, are not development; they are only tools of development. A new road extends a man's freedom only if he travels upon it. An increase in the number of school buildings is development only if those buildings can be and are being used to develop the minds and the understandings of people ... Development which is not development of people ... is irrelevant to the kind of future which is created" (Nyerere, 1973: 26).

Hence, the nature of development for Nyerere is man-centred; if any proposal for development is not geared towards the freedom and development of the people in the society, that proposal fails as a development strategy. Just as for Gyekye that development cannot be divested of human creative ability (Gyekye, 1988: 43), for Nyerere, development cannot be divested of freedom. A society where freedom is not evident, even if all economic and material resources are available, will not count as a developed society. This suggests that the human intellect, and the ideologies it creates, is central to the kinds of development strategy it proposes and ultimately carries out. Thus, the nature of development is to be seen by its means of conception not necessarily by the means of manifestation and then the impact it has on the creative intellect of the people in the society.

The Need for Development in Society

In every human society there is the evolution of life and history, existential challenges that spur people on to think about their survival and sustenance. This, in itself, is an issue that attracts deep thought. It is not clear if there is any human society without a goal of common sustenance at any point in time in the history of societies. The goal and/or the means of attaining the goal may be inadequate or unjust but there, at least, will be a propelling act to arrive at an end. Thus, development in every society is a need just as individuals have needs to satisfy; it is a need that arises out of the creative ability of the people to reflect on their mode of interactive existence and provide solutions to challenging situations.

For Gyekye, "development is a directed and purposive activity; it also implies the need for, or the existence of, a human subject as the agent to undertake the developing activity. The reason is that what may be regarded as the trappings or symbols of development such as high industrial output ... do not occur fortuitously: they are thought out, deliberated upon, planned and produced by human beings. And this means that, undoubtedly development is a creative act, essentially involving, as it must, the activity of the human intellect" (Gyekye, 1988: 43).

The above view is also implied in J.C. Chukwuokolo's examination of the concept of development. For him, "the developmental stance of any group of people is a product of their perception of the ultimate reality" (Chukwuokolo, 2012). Development therefore has an essential link to the human nature. To be developed or not to be is directly dependent on the people. Ani, however, makes a far-reaching statement by claiming that the African society had no inclination towards development until the modern era (Ani, 2017). Mabogunje's view, as noted in the last section, shows that the economic history and trade development history established the idea that long before the modern era, the people living in Nigeria have always sought out means to address challenges in their existential conditions (Mabogunje, 1965).

The African situation is a particularly interesting one as regards the developmental history of societies. Unlike in the West where Marx tried to fashion out the history of society based on the Communalism to Communism model, Africa traces her history from a traditional/indigenous era to postcolonial/neocolonial era. This goes a long way in affecting the thought patterns of people in the African society.

As earlier noted, any development proposal in a society cannot be made outside of the ideological thinking of the people of that society. So, it is by the predominating idea in the society that a development strategy is put into practice. "Any people that see the ultimate reality in terms of idea will over-emphasise aspects of the society that promote idealism. So also is any society that lay much emphasis on matter as the ultimate reality. Such a society will tend to develop material aspects of society at the expense of the other dimensions of reality" (Chukwuokolo, 2012).

If this is granted, at least one implication can be deduced from this: No external society has the moral or existential right to dictate or prescribe to another society what the focus of development in its society should be. This is because the lived experience of a people determines their existential needs. Whichever way the nature of their development occurs is dependent on their creative ability to understand and produce their wellbeing out of their perception of reality. Such a society that achieves the goal of development by this means cannot be denied the status. A point that arises out of this implication is that the indices for development in societies may differ, where society A has economic indices for its mark of development, society B may have moral or education indices. Underlying this, and most fundamental, is that the unbound creative ability of the people in the society should be geared towards producing a state of general wellbeing for the people such that is expressive in the development strategies in socio-political organisation.

Development as a Moral Goal in Africa

Gyekye indicates that development is a moral goal that should be taken seriously in any society (Gyekye, 1988: 42). The ability of the socio-political institution to function satisfactorily in the provision of basic existential needs of its citizens is a moral burden for any political institution. The history of societies in Africa, as earlier noted, is often characterised by the influence of the colonisers and their prescriptions of socio-political and economic organisation after the Africans were left to 'self-rule'. It is not surprising therefore that the majority of the development proposals that African countries make either individually as a nation or as a continent are not in any way addressing fundamental issues of existence in the continent.

The term 'underdeveloped' or 'developing' is still used to describe the majority of the countries on the continent. This is so, because the human creative impact is bounded by

forces internal and external to its society. It is often noted by a lot of African scholars that the development of a society starts with an ideological thinking, where the boundless thoughts of man are given freedom to explore the numerous possibilities of addressing his/her existential challenges. Gyekye affirms that, "ideas are the products of individuals, that is, individual intellects. For this reason, the creative activity, if it is to succeed, requires that free rein be given to the exercise by individual human beings of their initiative, capacity and ingenuity. But the seminal ideas of individuals in the context of societal development, require the participation of others in order to bring them to concrete realisation" (Gyekye, 1988: 43).

Political institutions in Africa in postcolonial times have often made their agenda attractive by putting forward the idea of development of the society. A lot of strategies and partnerships are made all in the bid to achieve the development goals. But they seem to be less bothered about the lived experience of the masses; people whose demography make the society or community whatever name it is called. There is a lack of participatory governance as Nyerere proposed, which is a hallmark of personal and societal freedom that foster development. The rush for the 'exhibition' of material infrastructures that are of little or no impact on the development of the people robs them of their creative intellect to approach their existential needs with enthusiasm.

Amartya Sen is of the view that, "what would be most damaging would be the neglect ... of centrally relevant concerns because of a lack of interest in the freedoms of the people involved. An adequately broad view of development is (should be) sought in order to focus the evaluative scrutiny on things that really matter and in particular avoid the neglect of crucially important subjects" (Sen, 1999: 33-34).

One interesting point to note is that the result of the agitation for self-rule by Africans in the colonial times did not produce freedom of Africans. In recent times, African leaders have exhibited the acts of dominance that deprive citizens of their freedom, and which ultimately lead to a hindrance of development. A good political institution, as the existential needs of the masses will require, needs to be aware of the compelling needs of the people and equip the people for participation in their development for the wholistic wellbeing of the society. Political officeholders exhibit their freedom to the detriment of other citizens, which is an untoward act. Individual freedom should be geared towards a social commitment and "development should be a process of expanding the real freedoms that people enjoy" (Sen, 1999: 3).

Conclusion

Human nature is averse to immobility, of thought or physical action. It is regarded as an abnormality for an individual to be in a state of inertia such as matter. Humans should be

allowed to exhibit the activity of their intellect in society even where there may be need for caution and moderation. Even when development is conceived in terms of growth in the biological sense, it is more appreciable to say that an organism has developed rather than say it has merely grown. Many of the societies that are regarded as developed today can be seen to employ strategies that allow for the participation of the individual in the policies of the socio-political institutions. There is an understanding of the creative intellect of the human mind to proffer solutions to existential needs on the individual and societal scale.

Most of the proposals to gear Africa towards being developed point at education and leadership as the two main points. The liberation of the human mind is priceless when it is allowed to explore the gifts of nature of societal growth. The framing and understanding of political ideologies are better applied when individuals can, of their own thinking, evaluate and conceive

the impact of those ideologies as individuals in a society. There will be no 'parade' of the material things as the hub of development for the populace.

Africa has for so long treated development as an external conferment by the developed countries. Political leaders have yet to understand that importation of gadgets and machines will not solve the development problem of Africa if the people are not involved in governance and are not listened to. Most African countries are in a dilemma of feasting on the development of other societies and living in an existential state that is, if not against human nature, not geared toward human flourishing. Given the political climate, which is full of anomalies but unfortunately celebrated by those who need intellectual liberation, the development in Africa must be an end that is desired, not just for the economic interest but also that it is morally sought after as a good.

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by Dr Klaus Kotzé

Abstract

"The Constitution belongs to all of us, not just the ruling party, or one section of South Africa. We all wrote this collectively with our blood, some with their lives, with our tears and with our sweat. We claim it as ours, it enshrines the rights that make us live as South Africans, and we will protect it because it belongs to us"
(Ramaphosa, 2012).

Introduction

South African governance is coming under greater criticism for being poor and ineffective. Instead of expounding on its failures, this paper explores the concept of governance in South Africa and proposes preferential pathways whereby improvement can be found. When governance replaced government at the onset of democratic South Africa, it was a corrective measure responding to the preceding order. Thereby pursuing justice and democracy. Today, a similar, corrective approach is required to intervene and set the country on a better path. Unlike the turn to democracy, today the country is endowed with an instructive Constitution.

This paper critically explores the concept and process of governance. It undertakes an exploratory dive into the conceptual meaning of governance in South Africa by looking at how contemporary governance has been shaped by local and global power. It also looks at how the enactment of Constitutional supremacy (rule of law) relates to the preceding system of government, or Parliamentary supremacy (rule by law). It then turns to explore the national loadstar, the Constitution, for perception and guidance as to the ideal processes and practices of governing. Of particular interest is the enactment of Constitutional supremacy through the relationships between the state and citizens.

From Government to Governance

To perceive contemporary governance, it is useful to contrast it to the previous order. Today, instead of living under the dictat of politicians or institutions, it is the Constitution that directs all subjects of the state (both officials and citizens) to be guided by and give expression to its principles and values. The Constitution provides foundational insight and direction as to the ways and ends of democracy. It guides the re-imagining of governance by strategically charging both leaders and citizens with the responsibility to forge constructive relationships. This interaction forms the pathway to successful, responsive and resolute democracy. For South African governance to succeed, this study highlights that the roles of and relationship between the state and its citizens are indispensable. While much can be and has been said about the failures of the state administration, the citizenry too has been inadequate in constructively discharging its Constitutional. It is, therefore, not only that a re-imagining of public leadership is needed, but a re-imagination of active citizenry; a republican ethos.

Governance is not a universal concept that is independent of context and history. To discern South African governance, it must be conceptually located. Under the Parliamentary system in place before the non-racial, democratic era, the concept of 'rule by law' reigned. It saw to it that the governing

authority and its institutions were able to create and execute laws as it saw fit. Rule by law is thus a “method that governments and people in power use to shape the behaviour of people...this usually has the end goal of psychologically or forcefully persuading people to agree with policy decisions they otherwise would not agree with” (Van Norman Law, 2017). The authority and the people are separated by law. Law is applied by power as tools. Power is imposed upon a people. The concept of power is the individual (or institution) wielding such power.

Under the rule of law, the counterpart to rule by law, power is abstracted and resides in philosophical and moral concepts. It is not in institutions, but in concepts, captured in principles such as human dignity and equality, where power lies. These are not ineffable concepts but require people to instil and interpret meaning. The abstraction of power sees to it that it belongs to no-one, yet it prevails over everyone in the state – with the law being circumscribed by the physical borders of the state and its obligations under international law. Laws and ethics are thus captured in a public framework, a loadstar such as the national Constitution. Rule of law is thus the great equaliser. Every citizen is subject to the reign of Constitutional principles. Constitutional supremacy is thus where people pursue and enact the Constitutional ideas and values. These ends (human dignity, equality, etc.) determine and justify the ways they are pursued.

As the subjects of the Constitutional state, the citizens are accordingly not ruled over by a prescriptive government. Instead, they have the primary (and note merely latent) responsibility to be the exponents of the Constitutional precepts. An effective and capable Constitutional state rests first on its citizens internalising and then executing its value-based arrangement. They have a secondary charge to ensure that the state representatives pursue the Constitutional ends.

Under the rule of law, the role of the state is administrative and bureaucratic. Foucault's use of governmentality to describe the change from order by law to administrative proceduralism is useful. The conduct of conduct, according to Foucault indicates how “the exercise of power consists in guiding the possibility of conduct and putting in order the possible outcomes” (Foucault, 1982: 789). Governmentality refers to the guidance of behaviour through productive and positive, rather than restrictive means. A more horizontal system whereby citizens engage each other and the institutions. Where citizens willingly give consent and where individuals participate in the process of governance. As such, “governing is an art involving the imaginative application of intuition, knowledge, and skills to administration and management” (Huff, n.d.).

In such a system, it is not the administrative state that governs, but the raft of categories and realm of possibilities that citizens are delineated to and provided. We see that

governance, from its Greek origin, 'kybenan', which means to steer or guide, is premised upon a clear understanding of ends and the pathways towards these ends.

The governing role of global power

Global power and norms influence the pursuit of the national order. The timing and context of South Africa's progression to non-racial democracy have played a determining role in shaping domestic governance. A child of the liberal, democratic era, South Africa has been moulded by global power. Its progression to democracy occurred during what is often referred to as the third wave of democracy. During the 1980's vast swathes of Latin America and the Asia-Pacific became democratic. After the Soviet Union imploded, Eastern Europe and much of sub-Saharan Africa departed from their Soviet-inspired approaches. With the collapse of a guiding alternative, most of the newly democratic states assumed a normative political framework as influenced by Western liberalism. Whereas the liberation movement led by the African National Congress preferred the redistributive mechanisms inspired by the Soviet Union, the globalised Western dogma persuaded it to follow suit. Together with most of the world, South Africa assumed the guiding norms and practices suggested by the Western-led world. It did so to benefit from the privileges of the international order, but also because of the persuasion of predominant norms. In so doing, democratic South Africa commenced from what can be termed: partial sovereignty. Whereas the Constitution has been central to framing procedural governance, the carrot and stick of global dogma played the central guiding role. Partial sovereignty means that South Africa has led by following the models and processes suggested to it (and the world). According to late Stellenbosch University scholar, Sampie Terreblanche, South Africa acquiesced to the “American economic model” of “anti-statism, deregulation, privatisation, fiscal austerity, market fundamentalism and free trade” (Terreblanche, 2018).

The concern raised here is not about which policy is better (or worse). Instead, it is about policy independence and the lessons and maturities that stem from critically pursuing policy selection; what today is referred to as finding local solutions for local problems. Sovereignty has traditionally been understood as absolute. A state is either sovereign and thus steers its own polity and policy, or it is not. If true sovereignty cannot be partial, then partial sovereignty is not fully sovereign.

Democratic South Africa has largely aligned its administration to the global orthodoxy of good governance. According to the World Bank, good governance refers to “predictable, open and enlightened policymaking” (World Bank, 1994). “Good governance refers to a prescribed set of international characteristics which guide public institutions to behave in a manner that advances (Western) human rights and a liberal, democratic rule of law” (Kotze, 2020). Such a detached,

global perception is emblematic of the singular, hegemonic approach to governance. The political affairs of a time sans time, the 'end of history': a time when all alternatives collapse into the prevailing and superior (western liberal) model.

Again, the purpose is not to criticise any indicator of good governance. It would be unjustifiable to criticise transparency, responsibility, accountability and responsiveness, the good governance attributes identified by the United Nations' Human Rights Council. Instead, the concern is of an imposed set of perceptions that are normatively charged to be locally internalised. Instead, the basis of any type of 'good' governance is always first the local or national condition. The issues and prevalences on the ground. Not an arrogated proposition of (often elitist) perspectives that emerge from foreign realities. For state sovereignty to be full, not partial, the decisions must be guided by domestic realities, perceived through domestic intelligence and operationalised by local interpreters. This, as is slowly emerging, would resemble an enlightened perception. Instead of a preponderance of ideas that are en vogue, a rigorous approach must emerge as to how to strategically deal with domestic realities.

When South Africa submitted to the standardised set of international norms it may have joined what was at that point the 'right side of history', but it failed the strategic task at hand. To develop an indigenous approach to governance, one which would assertively deal with the national condition as consigned by the separate development which preceded it. When the national strategy of Reconstruction and Development was shelved in favour of a growth-oriented approach, South Africa capitulated to the international zeitgeist.

Partial sovereignty, which enacts an assumed or foisted upon guiding protocol, cannot see the forest for the trees. It denies fully exploring and developing a system fit for the national condition. As a plant will not mature when planted in alien territory, so a polity cannot mature when it is interpreting itself through the tools and views of another. Governance is an intimately spatial and operational practice. Not only are its ends determined by culture and history, but its pathways must also accord to domestic perceptions. Approaches emerge locally and must give expression to the local reality. Objectives are pursued within a specific (cultural and historic) realm. Successful governance is that which attends to the desires and needs of the people through actions that principally align to the Constitution. Here, both civil servants and citizens alike are the enabling agents tasked to operationalise the work processes and rules of governmentality. In doing so they implement the categories tasked to them. On the other hand, when either the governing administration or the citizens decline their agency. Or when either assumes external norms, governance fails.

Governance: lessons from our COVID experience

Understanding emerges when things change. If the transition from government to global-inspired governance presents the first turn from which to draw, the return to rule by law during the COVID-19 pandemic offers another. When President Ramaphosa invoked the Disaster Management Act on 15 March 2020, he paused the sovereignty of principles and claimed power in the Executive. While the Constitution provides for such an exception, the contradiction of both government and governance existing at the same time ensured an uneasy synthesis. One that recalls the concept of partial sovereignty. "The form of authority during South Africa's Disaster presents a synthesis of both claiming and rejecting power. As the exception exists within the norm, an irreconcilability persists which to Schmitt's (1996) critique of liberalism is captured as impotency. South Africa's execution of the Act presents a case of both claiming contingent power while resigning to an overriding perception of authority" (Kotze, 2020). The former is expressed in the drafting and implementation of regulations, the latter arises from the external guidance from global institutions and specialists.

Ramaphosa strategically seized upon the occasion to invoke the exception to the guiding 'norm' by rhetorically giving expression to the current reality and by inspiring the nation to play their part. During the period under the Disaster Management Act, the Act became the temporary national loadstar. A mechanism "to guide", "manage", "facilitate disaster management capacity building, training and education"; and "to provide key performance indicators in respect of the various aspects of disaster management" (Government Gazette, 2003). Like the singular perceptions emergent after the Cold War prompted South Africa (and others) to follow their logics, the novel nature of the pandemic did the same. South Africa (and others) followed a containment protocol that was charted by (select) global authorities. It is not unexpected or even random that the approach that eventually cascaded ever more dramatically under the equally cascading dependence of data, proposed an approach that sought to contain and control. In China, the state where the virus was first detected, the guiding maxim of power and thus the very expression of culture is control. It is not unlikely, had the virus exploded in northern Europe, for example, that the initial and subsequent approaches and consequences would have been different. With a very long history and an independent cultural ethos, a state like China is sovereign. Its sovereignty comes from its own sense and expression of self. Sovereignty is claimed, never bestowed. It is enacted when a state and the people practice the values and principles of the political myths, usually captured in a loadstar such as the Constitution or in the national plans. In a partially sovereign state where national myths or political mores are not accepted or pursued, governance is equally circumscribed. While novel and epidemiological dimensions to the COVID pandemic did shape its response, the global reach

of governance norms that were not emergent from societies that implemented them were apparent. Most states followed a similar pathway. One which was not intrinsic to its national mores.

COVID governance illuminated the sovereign tension in South Africa. The government deployed the accompanying rule-by-law fiat afforded to it by the Disaster Management Act. The abnormal response to the abnormal situation saw to it that the South African government used a combat narrative and war-like response. It imposed curfews and limitations of movement. It deployed the South African Defence Force. Security measures were not taken against the virus but to protect the state from people not following the laws. Public and even private life was controlled and disciplined. Though government implemented norms from abroad, it did so by giving expression to the current reality and through the mechanisms that were provided for it in the Constitution.

The end of the disaster-induced exception opened a new chapter to South African governance. While the experience of implementing the exception may not directly serve its counterpart, it is conceptually illustrative. As the regulations were created to respond to the situation at hand. As government pursued and prosecuted the regulations after providing the citizens with categories and the realms of possibility. And, as the citizens observed the regulations, becoming good followers of leadership. So too governance measures should be conceptualised and internalised. Responding to the everyday conditions threatening the nation.

Re-imagining governance in South Africa

To conclude this paper, it will focus on several approaches where governance can give greater expression to the Constitution.

The Preamble of the Constitution 'walks before' the subsequent text. It guides the signification of the Constitution and how it should be read. The first thing the Preamble does is to nullify the previous order of differentiation. The first words state: "We, the people of South Africa". Instead of simply being a cursory phrase, this is a powerful expression of being. It unites all in South Africa. Not only as equals under law, but in the responsibility of purpose. The second directive is the building of a transformative society. One where the past is recognised ("Honour those who suffered for justice and freedom in our land; Respect those who have worked to build and develop our country") and a just and equal society is collectively built ("Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights") (The Constitution of the Republic of South Africa, 1996). The transformative nature of the Constitution is such that progress is built over time and through the relationship between citizens.

One of the goals set in the Preamble is the improvement in the quality of life of citizens. The current administration has admitted that the state has failed in this regard. It has (rhetorically) committed to become effective, so as to improve the lives of citizens. "To achieve any progress", said President Ramaphosa in his 2023 State of the Nation address, "we need a capable and effective State. Our greatest weaknesses are in state-owned enterprises and local government" (Ramaphosa, 2023). Mathebula (2023) points to state capability being both human and institutional. According to him, "the Constitution settles the duality of where state capability is located by providing that an organ of the state is any state department, administration, institution, or any other functionary in all spheres of government which exercises power or performs a public function in terms of the Constitution or legislation. In terms of this provision, all public servants are as much an organ of the state as the institutions...This means the most significant focus of any capacity-building interventions should be targeted at the bottom of the pyramid of state personnel" (Mathebula, 2023). Mathebula's interpretation of the state official as the direct representation of government offers an interesting take on subsidiarity.

Usually, subsidiarity, the principle that government should be active where it has maximum effect, is interpreted as the citizen's engagement with local or municipal government. In South Africa subsidiarity is interpreted from Section 156(4) of the Constitution, that the national and provincial government must assign to the municipality the administration of any matter "that would most effectively be administered locally" (The Constitution of the Republic of South Africa, 1996). According to De Visser, the "argument is that lower levels of government are closer to the citizen and can therefore make more intelligent decisions on what citizens want" (De Visser, 2010). The governing administration is, therefore, obliged to devolve governance as close as possible to the citizens. Subsidiarity is further "translated into the protection of lower levels of government against undue interference by national government...The argument is that lower levels of government are closer to the citizen and can therefore make more 'intelligent' decisions on what the citizens want" (De Visser, 2010). With trust at its core, the principle manifests in the relationship between the citizens and the civil service.

If subsidiarity relates to the structure of power relations, servant leadership can be seen as a human and cultural counterpart. Servant leadership refers to a style of leadership (or governance) that builds faith and authority through positive interactions. It lends to a governance approach whereby the official does not only occupy their public office but instead takes responsibility and accountability as they are rooted in a specific community. As a community member, first, the official does not elevate themselves above the community as is often seen, but rather serves as a servant to the people. A return to and re-imagining of Constitutional

governance will also allow for a lucid and new interpretation of the batho pele (people first) principles as first proposed in the 1997 White Paper on Transforming Public Service Delivery. Batho Pele is designed to give expression to the Constitutional ideals. It is described by then President Mandela as “the relentless search for increased efficiency” and the desire to “turn words into action”.

It is through turning words into action that perceptions change and the state is experienced as capable. A central problem in governance is the perception of ineptitude, corruption and other ills. Whereas a style of leadership does not directly address faults that require intervention, what it does do is admit where faults are made and seek to return trust and rekindle the relationship between state and citizenry. Servant leadership presents a governance style that contrasts with a self-serving one. By seeking to take responsibility and accountability, the state, through its officials and institutions, addresses the breakdown of trust at its most immediate (and thus persuasive) point, the face-to-face interaction. Servant leadership displays an aspirational style of governance that is found in the desire to recognize and attend to the priorities of others. It is an approach to governance that supports Mathebula’s claim, that the Constitution “should be elevated to be the most crucial document and conceptualization of civic education” (Mathebula, 2023). By returning to the Constitution as the source of guidance, the state and its officials attend to their Constitutional mandate of service delivery.

Preferred service delivery, as has previously been mentioned, is not a top-down, but a relational system. Chapter three of the Constitution lays out co-operative governance. Section 41(1) delineates the principles whereby all spheres of government must co-operate with the people. These principles are, therefore, the means and ways whereby government enter into a relationship with the citizenry to transform the society. In such a cooperative democracy, governance takes place by discussion. Deliberation remains a crucial modality of South African democracy. The orations of leaders such as Desmond Tutu played a central role in rejecting the structure of the state under Apartheid and in determining what kind of country South Africa would aspire to become. It was through the extensive inputs from various sectors of society that the Constitutional Assembly process and the final Constitution of 1996 gained legitimacy. To ensure stayed legitimacy, Section 152 requires the participation of citizens and civil society in the governance processes. These should not be mere tick-box exercises but allow for genuine engagement between the government and the people. It is through these exercises that a better understanding develops. So that services are rendered where they are most needed and in an appropriate manner.

A cooperative democracy is thus one where the government can work with the people as there is a common understanding

and where relations are cultivated through discourse. It is when the communication channels are open, the goals are common and synchronised, and where the state positions itself as an activator or a coordinator. It does so by doing its job. By mobilising society behind its long-term vision through efficient bureaucracy and effective administration. Whereas, the National Development Plan presents a vision, rather than a plan, it does offer a range of approaches towards achieving the Constitutional goals. It encourages South Africans to enact their belonging. To become active stakeholders in the national pursuit. To see their futures linked to the future of the state. To embrace its opportunities and to invest in their different forms of capital; the success of the state is their success. The dividends of such an approach are manifold.

Such an entrepreneurial approach would lend to improved governance. The entrepreneurial state is not a foreign concept in South Africa. When South Africa transitioned to democracy in the early 1990s it undertook a largely entrepreneurial approach. Its leaders and citizens cooperatively proposed and then discussed the various means, ways and ends towards democracy. Whereas the novelty of the situation and the variety of actors ensured entrepreneurialism, the same spirit and approach can again be utilized in a goal-oriented pursuit of positive change. As before, dialogue, cooperation and compromise between different sectors of society is imperative. In toto, a new consensus must be brought about through the active engagement of all citizens.

The entrepreneurial vision of the early 1990s advanced the Freedom Charter’s call: “the people shall govern”. For governance to be legitimate, the people expressing their will must be central. Through programmes (such as Reconstruction and Development) and visions (such as Batho Pele), the state has taken a people-centred approach. “While noble and just in their orientation, these programmes have centred power inwards into the administration. It has led to delivery dependency” (Kotze, 2022). The phrase, “the people shall govern”, recalls Abraham Lincoln’s famous line that democracy entails “government of the people, for the people, by the people”. The citizens must claim the state as their own. In his piece: “The problem in South Africa is not democracy but a lack of democrats”, Bailie (2022) draws our attention to the need to cultivate strong followership. In the absence of capable and inspirational government, the loadstar to the people, the Constitution must inspire society to be capable. Courageous followership is needed in the form of “the courage to assume responsibility, the courage to serve, the courage to challenge, the courage to participate in transformation and the courage to take moral action” (Bailie, 2022). Each of these dimensions directs citizens to exercise their responsibility as co-creators of a capable state. Through public reasoning, through engaging the public service and through putting the Constitution into action, a new consensus compounds and the nation is built.

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THE SIGNIFICANCE OF MAX PRICE'S 'STATUES AND STORMS. LEADING THROUGH CHANGE' FOR HIGHER EDUCATION PUBLIC POLICY IN SOUTH AFRICA

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by Dr Douglas Blackmur

Abstract

The events of the FeesMustFall (FMF) challenge to the South African government's higher education policies, through its assault on individual universities and the higher education system during the period 2015 to 2017, have seen the emergence of a relatively extensive and varied academic literature. At the time of writing this article – January/February 2024 – the most recent addition is the book by Max Price, "Statues and Storms. Leading through change" (hereinafter Statues and Storms) (Price, 2023). Price was the Vice Chancellor of the University of Cape Town (UCT) from 2008 to 2018. Statues and Storms arguably contains much that is relevant to the quality and development of higher education public policy in South Africa, matters that, however, were not Price's explicit purpose to address. This article, on the other hand, using Statues and Storms as the point of departure, explores the national public policy significance of certain of the issues and events it documents. Some of the discussion in this article is, at times, speculative and/or conjectural. The article is a preliminary enquiry which raises certain public policy issues without always offering a final judgement on their significance. It is thus an invitation to scholars to conduct further research which will hopefully both assess the quality of the analysis in this article and unearth further matters not considered here at all.

Introduction

The events of the FeesMustFall challenge to the South African government's higher education policies, through its assault on individual universities and the higher education system during the period 2015 to 2017, have seen the emergence of a relatively extensive and varied academic literature. A few examples include Habib (2019), Jansen (2017), Booysen (2016), Chikane (2018), and Benatar (2021). Some of this literature has been discussed previously (see, for example, Blackmur, 2019, 2021, 2023).

At the time of writing this article – January/February 2024 – the most recent addition is the book by Max Price, "Statues and Storms. Leading through change" (hereinafter Statues and Storms) (Price, 2023). Price was the Vice Chancellor of the University of Cape Town (UCT) from 2008 to 2018. Both

Habib and Jansen were former Vice Chancellors whose books, in common with Price's, employ a participant observation and engagement method of analysis, as does the book by Chikane, a prominent leader in the FMF movement. Statues and Storms arguably contains much that is relevant to the quality and development of higher education public policy in South Africa, matters that, however, were not Price's explicit purpose to address. This article, on the other hand, using Statues and Storms as the point of departure, explores the national public policy significance of certain of the issues and events it documents.

The waves of protests that erupted in 2015 constituted a national phenomenon not seen in universities since 1994. It contained a wide range of demands of which reduced fees – and ultimately free higher education to students – and fundamental changes to curricular were the most important.

The years between 1994 and 2015 were, however, far from a haven of complete tranquility in South African universities. Concerns over several specific events, such as initiation ceremonies, were prominent in public debate. Any suggestions, however, that these tensions were clear portents of what ultimately became a serious and often violent national challenge to government higher education policy, through rendering the universities ungovernable (Price, 2023: 168), would be a paradigm case of hindsight bias.

On the surface, despite these ongoing tensions in the period leading up to 2015, the atmosphere at universities such as UCT nevertheless seemed within the bounds of normality. This is captured in Price's remarks about UCT graduation ceremonies:

"... I would meet three generations of family members - all of whom took enormous pride in having studied at and graduated from UCT. ... more moving was the regular experience of being introduced by a first-generation graduate to her parents from a rural village, ... They could not contain their emotions about graduation – their son or daughter now a doctor, accountant, lawyer or engineer. This was the visible evidence that UCT was playing a role in transforming ... lives..." (Price, 2023: 9).

By 2014, on the other hand, the South African Human Rights Commission (SAHRC) had concluded that progress in the higher education transformation project left a great deal to be desired. It decided that, on the basis of "a number of complaints on transformation issues in universities", it would conduct "a holistic examination of transformation in institutions of higher learning in South Africa". (SAHRC, 2017: vii).

The final Report, issued on 9 December 2016, although overtaken by events in some respects, argued, on the basis of evidence belonging to the period before 2015, that transformation in higher education was unduly slow for a wide range of reasons. These included a lack of a shared understanding of what was meant by 'transformation' in the South African higher education context; a lack of institutional will to address transformation issues; lack of commitment to multilingualism; slow progress in changing student and staff demographics; inadequate accommodation, which hindered racial integration in university residences; governance failures; underfunding of universities by the state; ineffective complaints handling systems; subcultures of discrimination and domination within universities; and a lack of adequate oversight by the Department of Higher Education and Training (DHET) to ensure that institutions of higher learning did in fact transform (SAHRC, 2017: viii-ix).

Max Price's book exposes many policy issues that are not considered in this article. Had space permitted, government policy with respect to the outsourcing of various university services; the politisation of the university; the evolution of the

'welfare university'; the massification of higher education; the 'missing middle' in fees' policy; and labour law issues in universities would have been analysed in some detail. Three significant public policy areas arising out of Statues and Storms are discussed in this article: the quality of the information and analysis available to the government on the performance of the higher education system; FMF Mark 2 and the adequacy of current public higher education funding policy; and some public policy issues in the decolonisation of higher education curricular. Concluding remarks follow.

The quality of the information and analysis available to the government regarding the state of the South African universities and the FMF challenge

The evidence collected by the SAHRC in its 2014 enquiry (evidence had also been assembled in 2008, 2010, and 2012 by other public investigations) suggested that all was not well in the South African university system albeit not at or near boiling point. But presumably the full picture was more complex.

Max Price later referred to the "colonial institutional landscape and culture of UCT" (Price, 2023: 197). Earlier critics had alleged a racist institutional culture at UCT and in other universities (Chikane, 2018: 25, 37, 39). Such a culture (this term also needs clear definition) does not, however, emerge overnight and was arguably present when Price conducted his due diligence before accepting the post of Vice Chancellor. It was still present eight years into his appointment.

This suggests important research questions. Do the records reveal – in the years leading up to the FMF challenge to the university system and to the government – any individual students, any student body, alumni, convocation, staff association, and/or any trade union making submissions on matters that subsequently informed the demands of FMF, to the appropriate senior UCT university management, council, senate, institutional forum, and especially the UCT Ombud, a major source of information and advice to the UCT Council (Mpati et al, 2023)? Were, furthermore, such submissions made to state bodies such as the South African Qualifications Authority (SAQA), Council on Higher Education (CHE), Higher Education Quality Committee (HEQC), DHET, Minister and Ministry of Higher Education and Training, Parliamentary Portfolio Committee on Higher Education, Science and Innovation, opposition parties, and the media? Did the South African State Security Agency (SSA) offer assessments to the government of the levels of volatility of student politics – accusations were made during the FMF protests of security service, foreign and domestic, involvement (Price, 2023: 301-302)? Did ANC-affiliated student bodies provide similar intelligence?

If even a reasonable amount of this communication on the state of the universities was managed and analysed

effectively, the principal decision-makers seem not to have taken it seriously, or not to have converted it into concrete policy decisions including plans for timely implementation. Jansen argues that “the universities themselves were caught napping, unprepared for the sudden backlash for which they had neither the resources to meet student demands, the skill to negotiate the new politics, nor the security to protect campus lives and property” (Jansen, 2017: 1).

Paradoxically, however, university vice chancellors were excused from this criticism. They, according to Jansen, had for several years warned the African National Congress (ANC) national government of the “dangers of the decline in government subsidies and the steady increase in student fees” (Jansen, 2017: 2; Habib, 2019: x, xii; Price, 2023: 96-105). Perhaps these warnings lacked sufficient credibility: maybe the government believed that they contained an element of crying wolf. And ‘dangers’ could refer to a wide variety of more or less likely financial possibilities.

The reasons the government was apparently so poorly informed regarding the very wide range of pressures within the university system in the mid-2000s require identification, analysis and reform of some, perhaps all, of the means by which it develops and implements public higher education policy. A national enquiry into these matters, in order to effectively minimise the chances of being caught again by surprise, is indicated. There may, indeed, be a systemic proneness in government decision-making processes and structures to being “caught napping” across a range of policy matters, which needs to be addressed quickly. The literature on surprise attacks might be drawn upon in this regard. It discusses the risks of an “absence of a mechanism for aggregating, sifting, and analysing warning information flowing in from many sources and for pushing it up to the decision-making level of government” (Posner, 2009: 123).

An enquiry arguably should commence with an examination of the quality of the work over the last 15 or so years of the higher education regulatory bodies, CHE and HEQC – its terms of reference must embrace examining the possibility that either or both bodies may have experienced regulatory capture. Surely such bodies ought to have kept, and keep, a watching brief on the changing environment and nature of South African universities, thereby to act as an early warning system to government of stresses in the system that may require a sometimes urgent policy response.

At the individual university level, government might amend institutional statutes to require that ‘the skill to negotiate the new politics’ forms part of the selection criteria, and performance contracts, for senior university management including vice chancellors. A further provision consistent with improving public confidence in managerial integrity would be to require all university academics, at and above the position of Dean, and equivalent administrative staff, to display their up-to-date curricula vitae, and copies of their postgraduate

thesis(es), on the appropriate website. The legislation governing the activities and responsibilities of the regulatory agencies, moreover, might be amended to endow them with defined, but wide, powers as an economic regulator, with an emphasis on higher education costs, revenues and fees (and any other higher education economic matters they select, or are referred to them by government or other stakeholders).

FMF Mark 2? Will current public higher education funding policy survive?

Assuming that there is a significant limit in the not-too-distant future to the resources taxpayers (Blackmur, 2023: 42) are prepared to see allocated to higher education, then the cost/revenue pressures that contributed to the massive disruption of the universities by FMF could again become of concern. A repeat performance of the FMF response is arguably thus within the realm of possibility.

Even now there are straws in the wind such as a scathing report on the quality of governance and racial issues at UCT, investigations into accusations of inappropriate university initiation ceremonies, allegations of inadequate university student accommodation, and protests over the arguably appalling performance of the National Student Financial Aid Scheme (NSFAS) (Mpati et al, 2023; Hlati, 2024; Kahn, 2024). This helps make the case for major, and urgent, public enquiries into both the costs of the higher education system and its component universities, and the economics of non-taxpayer funding options.

These enquiries arguably must, amongst other things, challenge several fallacious sacred cows such as the principle of the desirability of undiluted institutional autonomy, arguments that higher education must not be ‘commodified’, and also is a ‘public good’ – it isn’t (Blackmur, 2023: 43-44). The concept of a ‘public good’ originated in Economics (Backhouse, 2023: 354-355) and is associated with scholars such as Paul Samuelson. It has arguably been over-simplified by a wide variety of non-economists to justify a political position in favour of taxpayer funding of higher education. In this context, a public policy that permits all students to take loans that can cover all the costs of obtaining a qualification arguably ranks highly amongst the options for consideration by an enquiry (Blackmur, 2023). It would, amongst other things, dispose of the concept of the ‘missing middle’, an artifact of a certain specific financial plan, which has distorted public debate and policy thinking (Price, 2023: 108).

The element of urgency in these proposals arises because of recent, current, and likely future significant upward pressures on the costs of providing higher education qualifications and other university functions. This is a huge field of analysis (essential reading includes: Moodie, 2016, especially chapters 1 and 2) and only a few issues can be explored even briefly in this article. General inflation is one of these pressures, exchange rate weakness is another.

Jonathan Jansen has developed the concept of the 'welfare university' (Jansen, 2017: 9-10, 172-193). He has expanded earlier ideas advanced by Charles van Onselen that South African governments were "in danger of confusing ... welfare and educational responsibilities to the detriment of both" (Jansen, 2017: 172). This has come to pass. Jansen concludes that "in recent years South African universities have gradually taken on more and more social welfare functions that stretch way beyond what was previously expected from a modern university" (Jansen, 2017: 177). The costs of managing these functions have included those associated with the often significant related expansion of university administrative systems, the costs of many of which are not accommodated in taxpayer subsidies to higher education (Jansen, 2017: 187; Price, 2023: 73, 87, 91).

And the prospects for the future are for greater welfarisation in terms of cost and scope (Jansen, 2017: 180, 181, 189). A harbinger of this can be found in the United Kingdom where recent research has examined the "effects of the cost-of-living crisis on students" (Freeman, 2023: 1). This reveals that "universities are being forced to take steps which would have been unthinkable" just a few years ago: "university leaders and students' union officers have pushed boundaries to get students more help" (Freeman, 2023: 2). The additional costs of such assistance is, however, unsustainable (Freeman, 2023: 3).

The terms of reference of the enquiry into the costs and revenues of the university system that this article has advocated would arguably need to include the future of the welfare university in South Africa and the possible consequences of its failure. Thinking about the balance sheet issues facing South African universities would also need to embrace matters such as policies needed to improve staff and capital productivity. Structural issues are also relevant. Higher education debates in South Africa are conducted on the assumption that the vertically integrated structure of qualifications' production is permanent (design, delivery, assessment, certification). At some point, however, public policy may well need to question the utility of this assumption. Costs may be reduced, and benefits increased, if, for example, the design and/or assessment stages were conducted in independent institutions.

Several South African universities suffer certain major adverse pressures on their costs and income that can only possibly be alleviated and reversed through major public policy interventions – of types that do not offend against Rawlsian principles of social justice (Blackmur, 2023: p.42). The source of some of these pressures is to be found in serious corruption in these universities.

The evidence for this state of affairs is analysed in Jonathan Jansen's book "Corrupted. A study of chronic dysfunction in South African universities" (Jansen, 2023). He showed that in some universities there exists looting of "institutional

resources on an industrial scale", some of which is linked to the growth of the welfare university (Jansen, 2023: 5; Price, 2023: 73). Jansen drew attention to the consequent "high costs of institutional instability for staff and students, as well as for the disadvantaged communities surrounding the campus" (Jansen, 2023: 3). Put succinctly, corruption diverts financial and human resources from the academic project, inflates costs, and reduces income, which infusions of additional taxpayer funds can only make worse.

A key public policy question is why, as it seems, the national government was unaware of the extent of this systemic malaise. This reinforces the major importance of the earlier proposal here for an urgent national enquiry (with judicial status?) into the methods and performance of the government's key higher education regulators and advisers such as CHE, HEQC, SAQA, and DHET. Regulatory failure may be one of many possible egregious systemic failures in higher education. There have, to be sure, been ministerial and other interventions in some university activities – since 1998 at least (Jansen, 2023: 254-256). These have been piecemeal examinations on a case-by-case basis: systemic implications, and the extent to which South Africa's higher education legislation has enabled (or not addressed) opportunities for corruption and other deviations from the purposes of higher education, have been underemphasised.

The probable adverse impact of these circumstances on the reputation of the South African higher education system is unlikely to be trivial. Potential consequences are especially important for university revenues. Some university systems, such as that of Australia, for example, earn income from exports of higher education services, which is of national economic significance (Universities Australia, 2020, 2023; Rhodes University Business School, 2023). Such an opportunity will be denied to South Africa under current conditions. Even relatively high performing universities will suffer some collateral damage given that the system's quality is compromised, and not only to their international activities but also to the acceptability of their qualifications globally.

In addition to the problems already raised, seizing these opportunities requires that certain other issues be addressed by South African policymakers. They include ensuring that all South African higher education qualifications are internationally competitive in terms of scholarly and intellectual standards; removing any visa barriers; combatting xenophobia; resisting hostile attitudes in some university quarters to entrepreneurial activity; and insisting on regulation that is hospitable to international trade and investment in higher education.

Objections will, of course, be raised to some of these policies. They can, however, be designed and implemented in ways sensitive to some alternative conceptions of the purposes of universities. The extent to which the South African higher education system might benefit from income generated by

the export of qualifications will largely depend, however, on the nature of such compromises and whether they discourage international students. If sufficient numbers were deterred this would result in South Africa, perhaps inadvertently, pursuing a policy of autarky in higher education.

The extent of any legislative and/or regulatory impediments to innovation in qualifications, and the marketing of higher education services more generally, needs to be identified by appropriate public enquiries. Intelligent removal of such impediments can enhance the flow of third-stream net income. Two examples are offered for consideration. Universities may offer a fee-for-service "walk in" assessment and certification of a person's knowledge of, say, Strategic Management. Costs would be minimised by employing existing processes. There would be no entry rules, thereby eliminating costs on this account. This is a form of Recognition of Prior Learning (or of recognition of existing skills) without, however, the costs associated with the traditional rule-bound model.

Consideration might also be given to allowing students to design some or all of their degree programmes. Such degrees would be issued by, say, the national higher education department, or an appropriate regulatory authority, or a university body such as Universities South Africa. This qualifications' model could be built on the Massive Open Online Courses (MOOC) system. A major advantage of this system is the relatively low fees, which include the costs of existing, highly credible quality assurance and assessment processes. Appropriate regulation would nevertheless clearly be necessary, as would negotiations with international (and domestic) high reputation universities.

This is not, however, the place to present a fully specified MOOC degree model. The important point is that South African higher education public policy, regulation and legislation would require significant amendment if this model were to be awarded a place in the higher education system. The key question is whether, if fully implemented, this model would allow significant numbers of South African tertiary students to obtain high quality degrees at a fraction of current costs. Given the vital importance of this, as demonstrated by the FMF protests and sometimes physically violent agitation, evaluation of a fully specified model is arguably an immediate priority for the national government.

Serious opposition to these proposals, however, is predictable to the extent that the MOOC model might attract students away from existing universities. They may be tempted to protect their existing position and status by means that include political pressure, possibly in an informal alliance with HEC and HEQC. These bodies in the past have erected various barriers to entry against international universities attempting to operate in South Africa (Blackmur, 2004; Blackmur, 2006).

This brief discussion of some of the cost and revenue pressures in the South African higher education system maintains that there is an element of urgency in conducting the various enquiries that have been recommended (Moodie, 2016). The durability of the 2016-17 settlement with FMF is not guaranteed, indeed it looks increasingly fragile. And there is a wider context in which the future of higher education will be determined. William Gumede has argued that the essential dimensions of this context are "corruption, incompetence and policy populism", which together may precipitate an economic crisis in which "higher education subsidies, for institutions and students, will have to be scrapped" (Gumede, 2023). Should this come to pass, student reactions are unlikely to be mild or delicate.

Decolonisation of higher education curricular: some public policy issues

Statues and Storms addressed many aspects of FMF's insistence that students receive 'free, quality, decolonised' higher education (Price, 2023: 69-86, 146, 201-202, 229, 265-6, 283). The notion of decolonised higher education embraces an extremely wide range of concepts and issues, much of which is disputed. Himonga and Diallo assert that "the definition of decolonisation is unsettled, if not contested" (Himonga & Diallo, 2017). They cite Price and Ally in this context as arguing that "decolonisation ... should certainly not be reduced to some naïve ... desire to return to a pristine, unblemished Africa before the arrival of the settlers" (Himonga & Diallo, 2017). Even this assessment, however, would be considered controversial in some quarters by its use of the word 'settlers': just who are the settlers in the long sweep of southern African history?

A model of curriculum de-colonisation has been presented by Conrad Hughes, the Campus and Secondary Principal at the International School of Geneva (Hughes, 2021). It repays study as part of the process of getting to grips with some difficult definitional and content matters. It stimulates, amongst other things, certain questions (with few direct answers), for example, about the study of historical writing and analysis in a de-colonised curriculum. Would this deal with slavery in all societies and across all times including modern slavery; with empires and imperialism in similar vein; with the status of women everywhere; with religion; with racial prejudice; with monarchy; with exploitation in all its forms and in every society; and with 'myths' in all societies?

In common with traditional social science and humanities disciplines, Hughes's article contains extensive jargon and, particularly to the uninitiated, opaque concepts. What methods of enquiry, furthermore, would be approved? Will Critical Race Theory be adopted as paradigmatic? Does Hughes ask if concepts such as 'whiteness' and 'blackness' possess any epistemological integrity? 'Great person' approaches to historical writing are rejected by Hughes on a

priori grounds. Michel Foucault, Jacques Derrida, Julia Kristeva, and Gilles Deleuze are embraced almost uncritically.

A principal objection to the Hughes' model, however, is that he rejects the concept of standards in intellectual and scholarly enquiry (and presumably everywhere else). If this were ultimately to inform the redesign of curricular in South African higher education, then fundamental questions about the value, relevance, credibility, reputation, and future of the universities would be at the top of the public policy agenda, and not only in South Africa.

Claims that decolonisation of the curriculum in universities (variously and widely conceptualised) was a "good thing" were certainly a major component of the extensive higher education transformation agenda of FMF. A key question for this article is whether there is a role for government in a process of major curriculum change. Is the nature of university curricular a proper subject for public regulation? Assuming that it is for purposes of discussion, what matters would have to be taken into account if the South African government were contemplating using its powers in this regard? Issues to do with academic freedom (constitutionally protected in South Africa) and institutional autonomy would certainly be raised. These are two of the sacred cows in South African higher education, although arguably rarely respected in principle and/or practice by FMF and some academic staff.

To the extent that the FMF assertions regarding, for example, the "toxic" nature of the "institutional culture" in many South African universities were accurate, it may be relevant to observe that such apartheid characteristics apparently continued post-1994 under circumstances ostensibly of academic freedom and institutional autonomy. Both of these thus may well be candidates for a comprehensive reassessment by the government and the regulators of their appropriateness to contemporary and future South African higher education.

Given the complex issues associated with definitions of decolonisation, and the wide and often contentious nature of what decolonised curricular might look like, there is a case for government to require that regulators audit samples of redesigned, decolonised curricular against certain principles which, of course, will no doubt be questioned by some. Such curricular samples will, amongst other things, thus be expected to explain and justify their definitions, educational philosophies, and operational details together with analyses of their particular pros and cons. A range of exemplars might thereby be developed over time, from which decolonisation projects might benefit. Such regulation would necessarily have to be conducted in terms of the principles of efficient regulation, which may well require closer public evaluation and supervision of the performance of the regulators themselves.

One further advantage of public regulation would be to add credibility to the decolonisation process without stultifying innovation in curriculum design. How do we know, for example, that 'inappropriate' colonial thought wouldn't simply be replaced by, say, "pseudo-Fanonist political ideology" or ScienceMustFall nostrums (Price, 2023: 146, 265-266, 283), or by curricular consistent with universities operating more like party political schools than as specified in their legislated purposes (Habib, 2019: 201-204), if each university were to have final authority over the design of decolonised curricular?

Matters of academic freedom and institutional autonomy come to the fore here, but as noted earlier, these values have not always commanded respect in the past in all parts of the South African higher education system. Just who might be involved in creating (and eventually revising) decolonised curricular is clearly an important policy matter for government. This decision arguably cannot be left to internal university processes alone: something as revolutionary as the curriculum decolonisation process must be conducted under the protection of a complex of safeguards of the global credibility of South African university qualifications.

This discussion by no means exhausts the list of matters that a government considering forms of public intervention, or specific input into certain aspects of university curriculum decolonisation, needs to consider. Other matters include recognising the massive complexity of the decolonisation enterprise in that "good learning design aligns learning goals, learning activities, and assessment", while culture, careers, and knowledge are "useful concepts for encapsulating three central aspects of university curriculum" (Moodie, 2016: 63-65, 68, 71, 73, 81).

To what extent, moreover, are employers' and students' views concerning curriculum change to be accepted as dominant contributions; are current structures of subjects, courses, semesters, and assessments to be considered sacrosanct; is the internationalism of curricular an acceptable objective; is it lawful for academics to be assigned 'decolonial scores' by students (Price, 2023: 229); are 'Western' sports such as soccer to be banned from university campuses; and how are the inevitable conflicts over these, and a multitude of other issues, to be resolved? And unintended consequences and black swans will almost certainly complicate decision-making and execution, perhaps beyond any reasonable expectations.

One conclusion is certain. A 'revolutionary' reform of higher education curricular, however desirable in itself, will not just be extremely complex. It is likely to be exceptionally costly as well. And perhaps more costly than it could be, given that it is politically impossible in South Africa to contract with private bodies, however well qualified, to participate in the curriculum re-design process.

The analysis in this article is, in a sense, back where it started: what should be the sources of funding for the costs

associated with the decolonisation of the curriculum? Universities are presumably unable to provide funding from internal sources. Should the taxpayer provide the necessary resources? Does government have the fiscal and political capacity to increase certain taxes, borrow the funds, or redirect public expenditures from other budgets for, say, social grants and/or expanding early childhood education?

All of these, especially the latter, raise serious matters of equity and fairness (Blackmur, 2023: 41-43): why should taxpayer funds be devoted to financing curriculum change the benefits of which will accrue almost exclusively to university graduates? Curriculum reform pressures may, moreover, extend beyond issues of decolonisation. Demands may be made to, say, de-gender, or to de-ableist, the curriculum. Responding to these would clearly have major cost implications.

Conclusion

A paradox confronts researchers of the FMF movement (and all other fallist movements in South African higher education). On the one hand, UCT – and many other universities – was accused of being tainted by a long-standing toxic culture of institutional racism and an inappropriate colonial curriculum. On the other, it seems that more and more students from historically disadvantaged families were increasingly anxious to enrol in degree studies there, even though presumably more culturally appropriate alternatives such as the University of the Western Cape were available.

Price's accounts of proud parents and graduates invites the question as to why such students would wish to study under UCT's allegedly toxic conditions. And, perhaps more to the point, why were national governments apparently relatively complacent with respect to this culture in what was often called Africa's premier university? The accusations were not made in secret! The paradox, however, may be more apparent than real. It may well oversimplify extremely complex patterns of decisions and events. It nevertheless stimulates some useful questions and ideas.

In addition to the public policy issues raised in this article, others of relevance emanating from the material in Statues and Storms include the nature of government attitudes and policies towards universities as corporate entities, and some of their staff, acting as partisan advocates of specific political, economic, social, religious, cultural, and other ideologies in ways inconsistent with liberal values such as those found in the South African Constitution. Another concerns the extent to which the government is prepared to tolerate the use of violence (physical and/or mental) in the determination of public policy in a democracy, and the proper role of the police on university campuses.

If there is a significant possibility that a FMF Mark 2 will challenge the national government in the foreseeable future

in ways reminiscent of 2015/17, then government arguably ought to be better prepared than previously. This article argues that such preparation requires, amongst other things, a public enquiry into the quality of the government's methods of developing higher education public policy and especially into the efficiency of the relevant regulators in providing information and advice on changes in the functioning of the university system.

The addition of a University Complaints Regulator to the institutional structure, either as a separate entity or as part of revising existing arrangements, might be the best way of creating an early warning system regarding emerging instabilities in the universities. Such a body might liaise closely with a University Economic Regulator. This would mean that individual university councils would be deprived of their final authority to determine student fees.

Other public enquiries advocated in this article include major, and urgent, public examinations of both the costs of the higher education system and its component universities, and the economics of non-taxpayer funding options. This latter is important because it would necessarily expose the model of a full cost student loan system to public analysis and further review beyond that contained in the Heher report (The Presidency, 2017). An essential dimension of this model is typically ignored in public debate: a critical source of funding the current costs of obtaining university qualifications is the future income that graduates earn as a result of their university qualifications.

This article has suggested that a review of higher education legislation is also warranted to determine if there are any statutory barriers to the proper functioning of the university system, especially to innovation in qualifications and the development of extra sources of third-stream income. The model for this could be the exhaustive analysis of state and national legislation in Australia in the 1990s as part of a National Competition Policy.

There is arguably a place for government engagement in any process of curriculum reform in South African universities. Students, academics, and a host of other stakeholders clearly have vital roles to play. But control of the agenda and of who participates in the process, and especially the making of final decisions, cannot be left exclusively to them: there are risks of conflicts of interest, serious disputes over, say, ideological issues, as well as cost considerations all of which establish a vital public interest, and therefore the major role for government, in the outcomes of curriculum reform.

Perhaps the most important of these is the effect of reformed curricular on the international reputation of South African higher education qualifications. A high reputation is an extremely significant national asset. Curriculum matters are, of course, not the only determinant of reputation. The nature and performance of the higher education system is the

ultimate influence, and intelligent national higher education public policy, informed by an appropriate historical perspective, is a key to success.

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