



ANC PARLIAMENTARY Caucus

Newsletter

MAY 2025

BALANCING CLIMATE AMBITION WITH SOCIO-ECONOMIC REALITIES AT THE G20

As the first African nation to preside over the G20, South Africa has placed climate change firmly on the agenda, championing a just transition to a low-carbon, climate-resilient society. This approach prioritises renewable energy, climate finance, and adaptation strategies, while remaining committed to a fair and just transition that does not hinder development and honours Paris Agreement obligations.

The cost of transition

Our commitment to a carbon-neutral economy is evident in the Climate Change Act, mandating Nationally Determined Contributions (NDCs), sectoral emission targets and carbon budgets. The ongoing update of our NDC towards 2035 underscores this



Cde N Gantsho

proactive stance. The goal is to achieve carbon neutrality by 2050, which requires substantial financial investment estimated at US\$ 321 billion (R5–6 trillion) for overall neutrality and R1.5 trillion (US\$ 98.7 billion) for 2030 targets, while the energy sector alone needs R1.5 trillion. However,

the reality is a significant funding gap. Only 13 per cent (US\$ 12.8 billion ~ R234 billion) of the energy sector's needs have been secured through pledges under the Just Energy Transition Investment Plan. This raises critical questions about the affordability of our ambitions and the risks of relying on external funding versus prioritising available domestic resources.

Worryingly, 79 per cent of the US\$ 12.8 billion pledged is in loans, followed by 15 per cent in export credits, and a mere 6 per cent in grants. South Africa advocates for grants, aligning with the Paris Agreement's spirit, as the burden of repayable loans exacerbates our existing debt and poses affordability challenges amidst competing priorities. The current financing model raises



critical questions about whether we should base our plans on the uncertain availability of external funding or prioritise our limited resources to maintain sovereignty and control. It is baffling that developed nations primarily contributed to greenhouse gas emissions during their industrialisation phase. Now, they provide loans to developing countries for climate mitigation and adaptation efforts. This leads to the question of who ultimately finances climate action.

Socio-economic realities

Beyond the purely financial considerations, our just transition is inextricably linked to our unique socio-economic landscape, characterised by high levels of unemployment and deep-seated inequalities, particularly among our youth. While crucial for long-term sustainability, the energy transition carries the potential for significant disruptions, especially in regions heavily reliant on the coal industry, such as the Nkangala and Gert Sibande districts of Mpumalanga province.

The decommissioning of the Komati Power Station in October 2022 is a stark reminder of these challenges. Despite promises of job creation in alternative sectors, there has been repeated revisions and postponed implementation, failing to materialise the promised employment opportunities. The fear is that the decommissioning of Komati and other planned coal-fired power stations, driven by air quality regulations and climate action, will exacerbate poverty, unemployment, and inequality in Mpumalanga and the nation.

The vulnerability of the 100,000 jobs directly supported by the coal value chain to international and local market shifts further compounds this concern. While research institutions may project a net positive employment outcome in the long term, they often concede that this will involve a painful relocation of poverty and unemployment. Based on our history of inadequate policy implementation, many of these jobs may never be realised or, at best, could be temporary. A just transition necessitates acknowledging these realities and establishing feasible solutions that can be tested before complete decommissioning is considered. The African National Congress must actively engage in these discussions to ensure that international climate mitigation mechanisms do not inadvertently impede development or worsen existing inequalities.

Climate action and global trade

International climate mechanisms, such as the EU's Carbon Border Adjustment Mechanism (CBAM), must not hinder development or exacerbate inequalities. We view the CBAM in its current form as unfair, potentially jeopardising US\$1.5 billion (R28 billion) in exports. Key industries like aluminium, steel, and cement, crucial for jobs and economic stability, require support to decarbonise effectively. A blanket application of the CBAM ignores the capacity gaps between developed and developing nations. There should be a complete CBAM exemption for African countries in the initial phase and substantial capacity-building support. The current three-year compliance timeframe is insufficient for technological and infrastructural investments. A fair CBAM must differentiate between developed and developing nations through lower rates, exemptions, or extended timelines, potentially to 2030 for African countries, alongside grant-based support. Expecting South Africa's carbon tax to match EU rates is unrealistic given our industrial reliance and socio-economic risks. The Paris Agreement's principle of Common but Differentiated Responsibilities (CBDR) must be adequately considered to avoid discriminatory trade measures and carbon leakage.

Climate resilience

South Africa is already experiencing the devastating impacts of climate change,

and more frequent and intense disasters are expected to strain the economy, threaten food security, deplete natural resources, hamper the biodiversity sector, and potentially drive migration. The recently enacted Climate Change Act is crucial in improving disaster response and coordination, including preparedness and building resilience in vulnerable communities and supporting municipal adaptation plans. Investments in infrastructure and community resilience are essential to reducing vulnerability and managing the human costs of climate change. The country's current climate adaptation plans require an estimated R2.2 trillion (US\$ 122 billion) in funding, which is projected to increase to US\$ 375 billion by 2030 due to the expectation of more disasters. Thus, it becomes clear that climate inaction will be more costly. The G20 Risk Atlas report predicts South Africa could forfeit 5 per cent of its GDP by 2050 and 13 per cent by 2100 if immediate climate action is not taken. To put this figure into perspective, social grants currently account for 3.6 per cent of our GDP, indicating that climate change could devastate the programmes the state can afford.

A call to the G20

South Africa's climate leadership at the G20 highlights the interconnectedness of environmental action and social justice. The country's experience underscores the importance of tailored,

equitable approaches to the global climate transition. As climate impacts accelerate, the need for solidarity, fairness, and international cooperation becomes more urgent. South Africa's presidency of the G20 is an opportunity to urge global leaders to:

1. Prioritise grants over loans in climate finance to prevent unsustainable debt burdens. For developing nations like us, relying heavily on loans, even concessional ones, to finance climate mitigation and adaptation efforts risks worsening existing debt vulnerabilities, potentially hindering long-term sustainable development and diverting resources from other critical social and economic needs.

2. Implement fair trade policies reflecting CBDR and not penalising developing economies. International trade mechanisms, such as the Carbon Border Adjustment Mechanism, must be carefully designed to acknowledge the principle of Common but Differentiated Responsibilities and Respective Capabilities, ensuring that they do not disproportionately burden developing economies with additional costs or impede their industrial development as they transition towards lower-carbon pathways.

3. Support national just transition plans with funding for retraining, social protection, and economic diversification. To ensure a truly just transition, it is

crucial to provide dedicated financial resources for initiatives that support workers and communities affected by the shift away from carbon-intensive industries, including retraining programmes for new job opportunities, robust social safety nets to cushion economic shocks, and investments in diversifying regional economies to create sustainable alternatives, particularly in Gert Sibande and Nkangala District Municipalities.

4. Invest in climate adaptation to protect vulnerable communities. Recognising that developing countries such as South Africa are often disproportionately affected by the impacts of climate change, significant financial investments are essential to support climate adaptation measures, such as resilient infrastructure, early warning systems, and sustainable agricultural practices. This will safeguard vulnerable communities and build their capacity to withstand climate-related shocks.

5. Strengthen the oversight role of parliaments to ensure inclusive and equitable policy outcomes. National parliaments play a vital role in scrutinising climate policies and financial mechanisms to guarantee transparency, accountability, and inclusivity, ensuring that the voices of all stakeholders are heard and that the transition pathways adopted are equitable and do not exacerbate existing social and economic disparities.

ENHANCEMENT OF TECHNOLOGY ON BORDER MANAGEMENT AUTHORITY IN SOUTH AFRICA

Post the 1994 democratic breakthrough the ANC lead Government inherited a fragmented approach of border management that contributed to several inefficiencies and poor outcomes in the border environment. A record of about 8891 state officials from at least 5 organs of state (Department of Home Affairs (DHA), South African Revenue Authority (SARS), Department of Forestry, Fisheries and the Environment (DFFE), South African Police Service (SAPS), National Department of Health (DoH) were working at the country's 72 Ports of Entry. Their working modalities included different conditions of service, implementing distinct Departmental mandates in at least 58 pieces of legislation, with competing priorities and deliverables, having dissimilar tools of trade and equipment, with some systems that were not automated which limited sharing of information, lacking a single management, command and control structures.

As a country, South Africa had to bear the consequences of the above fragmentation and those included the following- non-aligned and often poor border



Cde M Chabane

control-related service delivery, ineffective facilitation of the movement of persons and goods, compromised joint efforts and inability to enforce a standard approach in dealing with border law enforcement transgressions.

In response to the challenges of multi-agency approach, the ANC led government had to facilitate various initiatives undertaken since 1994 to enhance border



are moving away from the use of multi-agency approach into an integrated border management model with initiatives of exploring technology to secure their territory.

In the same vein, to enhance the success and functionality of the BMA, the ANC led government in the 6th administration, with limited resources, increased investment in technology to ensure the effective implementation of the border management responsibilities, which present a mix of solutions to the current porous nature of our borders. While recognising that technology and its potential deployment is essential, their employment without a basket of supporting initiatives, such as closing legislative gaps, building an ethical and capable state and combating corruption will render the investment in technology futile.

In the quest for injecting more funding, the BMA developed a comprehensive business case requesting additional funding from the Criminal Asset Recovery Account (CARA). This was specifically done to ensure the procurement of some key tools of trade and an amount of R150 million was secured from the CARA.

This amount has been used to procure the prison carriers, the buses, speed boats, arms and ammunition, the body worn cameras, and more importantly the drones with the intention to enhance the work on the ground. The collaboration between ARM COR and BMA in facilitating the procurement of

management, that includes the establishment of the various border management coordinating structures and Border Affairs Coordinating Committee (1996); National Interdepartmental Structure ("NIDS") for Border Control (1997); Border Control Operational Coordinating Committee (2001); and Inter-Agency Clearing Forum ("IACF") (2010). All these interventions where not addressing the institutional, systematic and structural fragmentation in the border management environment.

The 53rd ANC Conference having assessed these realities of cross-departmental responsibility and competencies for border management that created duplication of tasks; weak data collection and control including porous borders, resolved on the

policy formulation to initiate a legislation for the establishment of a single institution, the border management authority. This initiative has been guided by the ANC since the 5th administration and adopted by Parliament for assent by President Ramaphosa in the beginning of the 6th administration. This initiative was occasioned with the international experience of implementing an integrated border management model.

In Canada, the CBSA established in 2003 is responsible for overseeing the implementation of various functions at the 117 land borders, 13 international airports and their major marine ports and it has recorded successes of mending land, air and sea borderlines with advance technology This demonstrates that many countries in the world



technological tools yielded results in mending the borderlines. With these initiatives we have further witnessed the delivery of about 40 body worn cameras and drones which were deployed at the selected ports during the 2025 Easter operations. With the help of the drones, the BMA has been able to intercept 6200 individuals in a period of 10 days while attempting to either enter or exit South Africa illegally. More importantly, the drones helped the BMA operatives to identify about 112 facilitators who were aiding the movement of illegal migrants into South Africa.

In addition to the deployment of the drones and body worn cameras, the BMA piloted the use of push-to-talk devices which enabled an effective communication between the officials at the Control Centre and the Border Guards deployed on the ground. As such, the Border Guards are directed to the exact location where the individuals would be attempting to enter or exit the country illegally. This presents an efficient and cost-

effective approach with high interception rate.

Therefore, there is no doubt about the critical use of technology in the implementation of border management work. It is for this reason that the ANC calls for the National Treasury to allocate some additional funding to the BMA in order to enable them to procure additional technological devices for the realisation of better border management work.

In this year 2025, the BMA and Home Affairs will unveil the Public Private Partners (PPP) that will redevelop and redesign all top six land commercial ports (Beit Bridge, Lebombo, Oshoek, Kopfontein, Maseru and Ficksburg). This resolve was taken by the 55th ANC conference as part of mitigating the crisis of porous borders to establish a One Stop Border Post which will include relocation of refugee centers. In this 7th administration, the ANC can account on its engaged commitment to implement all programs since 6th administration.

In the path of enhancing the technology, BMA hosted a Conference in November 2024 to explore and reflect on the latest trends in technology product and services within border environment. It further reflected on the role of border management in protecting national security, including challenges posed by terrorism, trafficking and organised crimes.

The challenge remains of under-funding the Border Management Authority which undermines the role technology can play in securing our borders. This decision, if not re-examined will cripple the authority and render the deployment of the basic technology ineffective. The BMA has currently only received 10% of its required budget and most of those funds are for payment of salaries. Such an unfunded mandate means that the agency can only implement technology at a minimal scale •

THE PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY AMENDMENT BILL TO STRENGTHEN COMPLIANCE AND OVERSIGHT OVER THE PRIVATE SECURITY INDUSTRY

In accordance with the provisions of section 35 of the Private Security Industry Regulations Act, 2001 (Act No.56 of 2001), the Minister of police gazetted new regulations for PSIRA and invited the public to make submission on the proposed amendments.¹ It is in light of these realities and developments that I provide an analysis of the proposed Private Security Regulatory Authority Amendment Bill.

The primary objectives of PSIRA are to regulate the private security industry and to exercise efficient control over service providers so as to determine and enforce minimum standards of occupational conduct amongst service providers in order to promote efficiency and responsibility in the rendering of security services.²

The objectives of the proposed



Cde J Mananiso

amendments seek to introduce stricter firearm control measures as it relates to the use and storage, loss, misuse, and abuse of firearms. The amendments seek to further align the regulation to meet the SAPS standard as it relates to compliance with the Firearms Control Act and collaborations for SAPS.³ This is in line with the vision of creating a single policing force and for departments and the entity to work in tandem to eliminate

duplication in roles and achieve a greater service output. By strengthening the firearms control, the regulation aims to professionalise the industry and ensure that only authorised personnel are permitted to handle firearms.

However, before any bill can be signed into law it is mandatory for parliament to facilitate a public participation process where interested parties can make submissions on the proposed amendments. This position was determined in *South African Iron and Steel Institute and Others v Speaker of the National Assembly and Others* (CCT240/22) [2023] ZACC 18 where the Constitutional Court determined that “ parties interested in legislation should feel that they have been given a real opportunity to have their say, that they are taken seriously as citizens and that their views matter and will receive due consideration at the moments when they could

¹ Government Gazette, 28 March 2025 Notice 2088 of 2025.

² Private Security Industry Regulation Act, 2001.

³ Note 1 above.

possibly influence decision making.⁴ The court held that Parliament has an obligation to facilitate public participation on the amendments following the original bill.⁵

Gathering from the public participation exercise, it is important to clarify the general public misconception that the amendment seeks to disarm and weaken the private security personnel. That is not the intention of the provision, but the amendment seeks rather to introduce specific conditions under which certain calibres of firearms may be used with the aim of enhancing oversight and not restricting lawful operations. In the growing climate of violent crimes, we welcome this positive step towards the clamping down of illicit firearms and the determination towards working to realise the African Union vision of silencing the guns by 2030.

In the past few weeks, South Africans were overwhelmed by concerns by most private security companies regarding the proposed private security industry regulatory amendment bill.

In a country under siege with the high rates of crime and criminality and where safety and security is a constitutional right, the un-regulation of such activities that PSiRA seeks to regulate should not even be up for debate or be received as an

attempt to interfere with the



industry, or be perceived as an attempt to kill the industry given the number of people it employs. By all accounts, most of the employees in this industry happen to be foreigners

The private security companies remain vexed about the proposed amendments to the Private Security Industry Regulations, despite the Private Security Industry Regulatory Authority (PSiRA) allaying fears that this will not trigger jobs

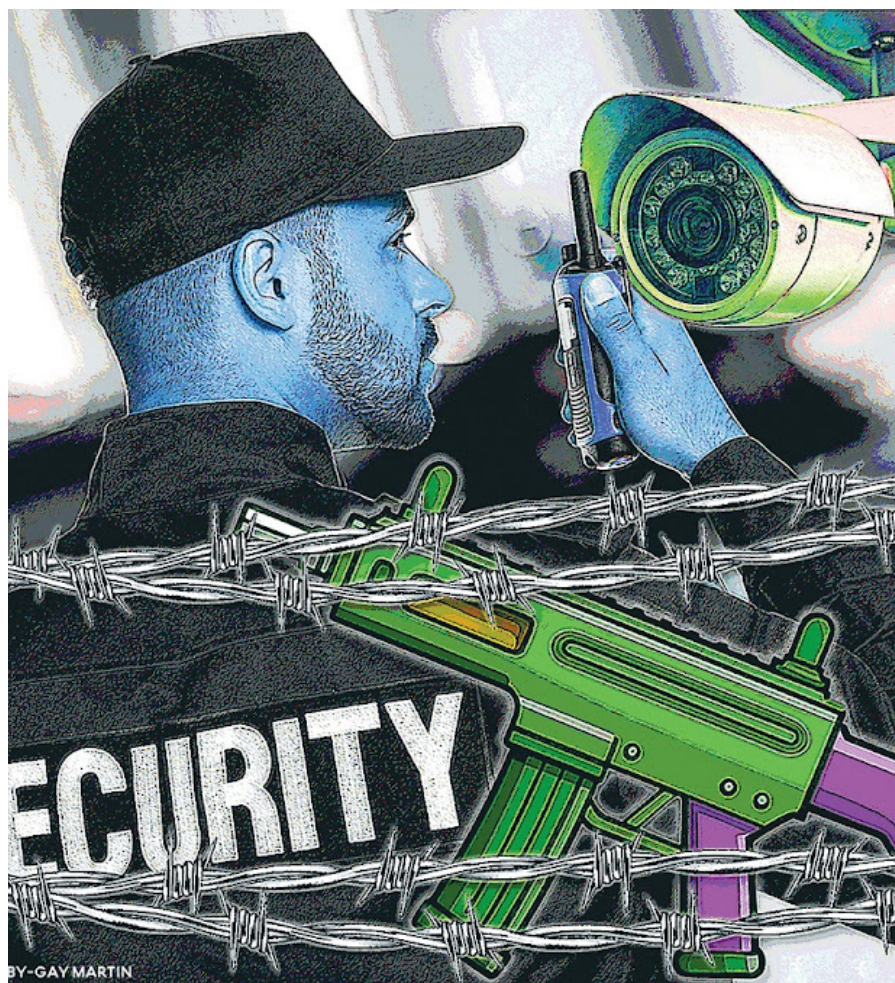
losses. According to owners of private security companies, if implemented, the amendments would include a ban on armed security in public spaces unless specific, unclear requirements and limits on ammunition without clear standards. The question is, in a country with weapons being used in major crimes, should not there be efforts to ensure the removal of guns in public spaces and equip the police who have a national responsibility rather than private entities without such a responsibility?

Further, they claimed the amendments would shut down firms under investigation, without due process and require firearm tracking devices that currently do not exist. This has angered the owners of small and established security companies, who have come out guns blazing against the proposed amendments.

Again, do you need to carry heavy weapons in public and indirectly put other innocent lives at danger in order for these companies to exist? The answer is no. The regulations do not prohibit companies from owning whatever type of weapon they wish to have.

Another concern South Africans should have, is that with 608 977 registered, active security officers compared to just 150 388 employees registered in terms of the South African Police

⁴ *Sout African Iron and Steel Institute and Others V Speaker of the National Assembly and Others (CCT240/22) [2023] ZACC 12.*
⁵ *Ibid.*



Service Act, our private security industry is four times larger than our police service. Yet this massive — and lucrative — industry operates with minimal oversight and control, flying well below the radar. With this in mind, the recently published draft regulations for South Africa's private security industry are a much-needed step toward addressing a regulatory gap that has persisted for far too long.

This imbalance between the private security industry and the police is particularly glaring, given South Africa's rising crime rate. While the security industry has grown by 35% (from 451 565 guards in 2014-15 to 608 977 in 2023-24), the country has seen

a 62% increase in murder (from 17 023 in 2013-14 to 27 494 in 2022-23) and an almost 50% increase in attempted murder (from 16 989 to 25 131) during a similar period. This stark contrast raises questions about the industry's effectiveness in addressing crime.

Furthermore, it must be borne in mind that, the scourge of violent crimes in the country including murder, armed robbery, gender-based violence and femicide have compelled Parliament through its JCPCS cluster to reconsider some of the laws within the security framework to enhance greater implementation accountability and oversight.

The global initiative against transnational organized crime reports that there are over 3.8 million unregistered firearms in circulation in the SADC between South Africa, Mozambique, and Zimbabwe. With global wars ranging on in the Middle East, Ukraine, the Sudan, Easter DRC, India and Pakistan, Yemen and so on. Possibilities of these arms reaching our shores cannot be ruled out and therefore regulating the industry is important. Further, this goes against the backdrop of the annual reported crime statistics which revealed an increase in unlawful firearms confiscated by police personnel during the 2024/25 year. The rampant flow of firearms that cannot be accounted for; coupled with the mass shootings the country has witnessed across the provinces have signalled the alarm for stricter legislative and other measures to ensure public safety.

Lastly, the ever growing privatisation of security does not bode well with the democratic spirit South Africa is striving for. It is important that South Africa through its public institutions invest more in reducing crime and make South Africans feel safe and free so that the growth of private security industry can be reduced. Its growth does not symbolise stability and security but a symbol of an unsafe nation where the government cannot protect its citizens. The erosion of the authority of the state is more represented by the privatisation of security and this state of affairs should not be allowed.

TOWARDS INCLUSIVE FISCAL PLANNING IN SOUTH AFRICA: BUILDING TRUST THROUGH TRANSPARENCY AND DEVELOPMENT

South Africa stands at a critical juncture where fiscal policy must do more than balance books—it must actively dismantle the deep-rooted challenges of poverty, unemployment, and inequality. As the government charts its fiscal course, inclusive and development-oriented planning has become not just desirable, but necessary for sustainable growth and social stability. Fiscal choices must reflect the priorities of the people, ensuring that every rand spent promotes equity, uplifts the marginalized, and restores public confidence in the state’s capacity to deliver.

For years, the South African government has acknowledged the centrality of addressing the triple challenges of poverty, unemployment, and inequality. Yet, despite this commitment, structural obstacles persist. At the heart of these challenges lies the government’s constrained fiscal space, worsened by periods of austerity and under-expenditure in critical sectors. While fiscal discipline is important, austerity measures often come at the



Cde S Ndhlovu

cost of essential public services. Budget cuts to education, health, housing, and social protection disproportionately affect the poor and vulnerable, widening the inequality gap and deepening societal disillusionment.

Austerity not only stifles growth but directly undermines the government’s ability to meet its constitutional obligations. When funds are slashed in departments responsible for service delivery, the outcomes are visible and immediate: overcrowded hospitals, deteriorating public





Moreover, fiscal transparency helps combat inefficiency and corruption, ensuring that limited resources reach their intended beneficiaries. Government must consistently publish accessible, comprehensible budget data, and provide regular reports on expenditure outcomes. Institutions like the Auditor-General and Parliament's Standing Committee on Public Accounts (SCOPA) play a vital role in this accountability chain and must be strengthened.

Importantly, inclusive fiscal planning should be aligned with South Africa's broader development frameworks, such as the National Development Plan (NDP) and Sustainable Development Goals (SDGs). These frameworks emphasize not just economic growth, but equitable development that uplifts the poorest and most marginalized. Fiscal policy should thus be used as a redistributive tool, bridging the gap between wealth and want, and creating the foundation for a fairer society.

In conclusion, South Africa's path to inclusive development requires bold fiscal choices grounded in equity, transparency, and participatory governance. Austerity measures that restrict public investment in essential services are counterproductive in a society already scarred by inequality and exclusion. The government must resist short-term fiscal conservatism in favour of a long-term developmental vision—one that puts people first, restores trust in institutions, and builds a more just and inclusive future for all.

infrastructure, understaffed schools, and growing dissatisfaction among citizens. This failure to meet basic needs leads to a legitimacy crisis, eroding trust in public institutions and weakening the social contract.

Instead, South Africa must adopt a developmental and transparent approach to budgeting. Development-oriented fiscal planning prioritizes long-term investment in human capital, infrastructure, and social services. It involves strategic spending that boosts economic participation, especially among the youth and historically marginalized communities. For example, targeted funding towards skills development, early childhood

education, and township economy support programmes can stimulate employment while addressing inequality in a structural way.

However, such a developmental state model is only possible if public finance management is transparent, participatory, and accountable. Citizens have a right to know how resources are allocated and used, and they must be meaningfully involved in decisions that affect their lives. The budgeting process must move beyond closed-door negotiations to one that is open and inclusive, where community inputs inform resource allocation. Tools such as participatory budgeting and citizen monitoring of expenditures can greatly enhance this process.

GOOD GOVERNANCE, PRINCIPLES AND VALUES IN OUR SPORTING FEDERATIONS

The South African sport and recreation sector presented an unprecedented and rocky start for the seventh administration. In August of 2024, the South African Basketball Federation was due to host 12 countries for the international biennial Afrobasket tournament in South Africa. About a week before the tournament, it was revealed that Basketball South Africa (BSA) had not organized any plans, venues, or logistics to host the tournament, nor to accommodate the participating countries. This led to the Department of Sports, Arts, and Culture seeking an emergency service provider to ensure that logistics are in place to ensure that the tournament goes ahead without hassles, thereby preventing an embarrassment to a nation that has built a strong reputation in hosting successful international sporting events such as the 2010 FIFA World Cup.

It was later revealed that BSA had committed to the tournament which would cost anything between R12 and R20 million yet had no financial resources to host the tournament. The federation was in dire financial straits with



Cde M Feni

over R5 million in liabilities. This does not end there, in December of 2024 the Minister of Sport, Arts and Culture provided the South African Football Association (SAFA) with an advance of R5 million from its 2025 grant to pay salaries of the senior national teams and staff members as the federation has been struggling to attract sponsors and other revenue streams.

Athletics South Africa (ASA) was recently deregistered by the CIPC after failure to submit their annual returns, despite receiving several warnings. In the area of transformation and representation in sport, the nation had to overcome a disappointment where only one Black African player formed

part of the 15-man squad to the 2024 T20 Cricket World Cup, despite Cricket South Africa having over 70 hubs in townships and rural areas.

With the few examples stated above, the following questions remain; why did BSA agree to host an international tournament without having the necessary financial means to fund such a project? Why is SAFA having challenges in attracting sponsors and unable to diversify its revenue streams despite football being the most popular sport in the country? Why did ASA fail to submit its annual returns and pay company fees to the CIPC?

Why is Cricket South Africa still failing to field Black African Players at a national team level, despite having cricket hubs throughout the country's historically disadvantaged areas? Do these hubs provide a meaningful developmental pathway for Black African players to progress to the national level, or are they only existing for compliance? Are federations complying with the national transformation charter or is it another document that is set aside to gather dust? Are federations responsive to the needs of athletes and the



nation in general? An answer to all these questions can be summed up to two words "Poor Governance".

United Nations Development Programme (UNDP) defined Governance as the exercise of economic, political, and administrative authority in the handling or management of the nation's affairs at all levels. Good Governance promotes accountability, and transparency, and is participatory. This coincides with the work of parliamentary committees which are mandated to hold the federations accountable for the administration of sport in the country. Following consultations with citizens, parliamentary committees further provide political direction to ensure that sports federations respond to the needs of the athletes and that good governance principles

are upheld and transparent. Therefore, parliament has the responsibility to ensure that all 80+ national sports federations abide by the principles of good governance by ensuring the following:

- Federations must have democratically elected board members tasked with ensuring accountability, transparency, and efficiency in the work of the federation.
- Athlete representatives must form part of the board of directors in all federations to highlight the needs of athletes.
- Federations must have competent and qualified administrative staff appointed on a full-time basis to manage the programmes of the federation, rather than only relying on volunteers who may have other full-time commitments.
- Federations must have

sound financial health and have multiple revenue streams rather than solely relying on government funding to support their programmes.

- Federations must adhere to the transformation chart and ensure that sports are inclusive, and representation should reflect the demographics of the country.
- Federations should have systems in place to prevent fraud, corruption, and maladministration.

In conclusion, sports federations must adhere to principles of good governance to ensure that they can gain the trust of funders, athletes, and citizens more broadly.

DEAR COMRADE PRESIDENT

Oliver Tambo and the Foundations of South Africa's Constitution

BOOK REVIEW

Cde Saul Pelle

Book Review

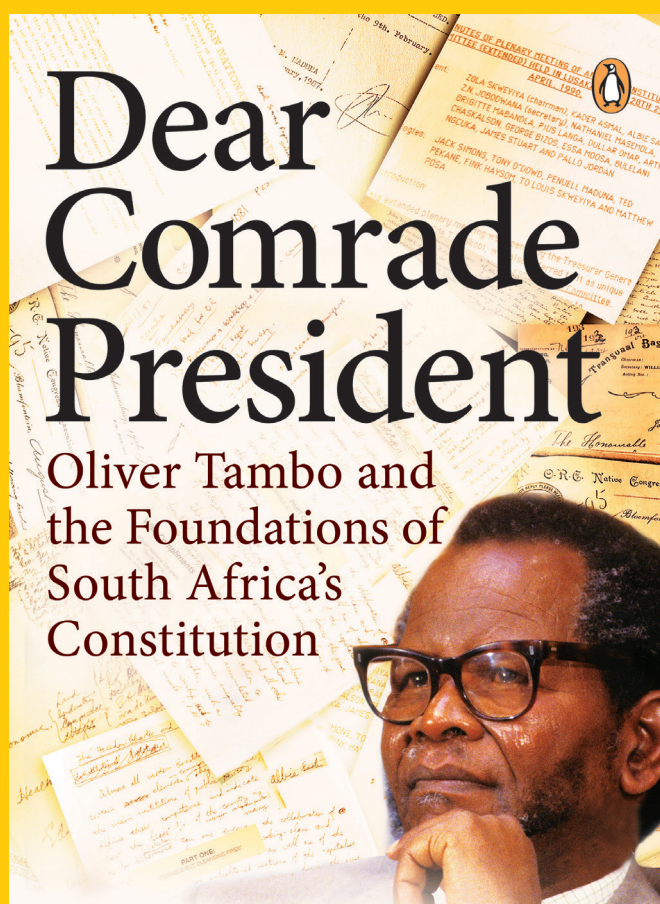
Dear Comrade President – Oliver Tambo and the Foundations of South Africa's Constitution By Andre Odendaal

"We in the African National Congress submit to the people of South Africa, and to all those throughout the world who wish to see an end to apartheid, our basic guidelines for the foundations of government in a post-apartheid South Africa. Extensive and democratic debate on these guidelines will mobilise the widest sections of the population to achieve agreement on how to put an end to the tyranny and oppression under which our people live, thus enabling them to lead normal and decent lives as free citizens in a free country."

From the Constitutional Guidelines for a Democratic South Africa – Discussion paper published by the ANC in August 1988

The signing of the Nkomati Accord (between the President of Mozambique Samora Machel and PW Botha, then President of apartheid South Africa) in 1984 posed a new kind of challenge to the ANC. After the signing, ANC President OR Tambo appointed a subcommittee made up of Pallo Jordan (convenor, Thabo Mbeki, Simon Makana, and Hermanus Loots (aka James Stewart) to look into the question of negotiations. This sub-committee recommended that it would be prudent for the ANC to set up a 'constitutional "think tank" under the supervision of the sub-committee' that would enable the ANC to develop its own set of concrete proposals.

Meanwhile, in the ANC's annual 8 January address, OR Tambo pronounced that 1986 would be the Year of Umkhonto we Sizwe – the people's Army. Tambo's message was for South Africa to make



apartheid unworkable and South Africa ungovernable through four pillars of struggle: armed action, mass mobilisation, underground work and international pressure. But, unknown to the world, he had also set more discreet plans in motion. On that very day, he launched a secret seven-member think tank in Lusaka. He named it the Constitution Committee and assigned it an 'ad hoc unique exercise' that had no precedent in the history of the movement. Tambo instructed this new think tank to formulate the principles and draft the outlines of a constitution for a future non-racial, democratic South Africa.

In their book, “Breakthrough – The struggles and Secret Talks that brought apartheid South Africa to the Negotiating Table”, Mac Maharaj and Zallo Jordan give us a glimpse of OR’s thinking on this issue: OR Tambo “carefully outlined the challenge facing the movement. Apartheid South Africa, the United States and the United Kingdom were looking at the idea of a constitution for South Africa that would avoid a future envisaged in the Freedom Charter. The ANC should not be caught unprepared by the recommendations of the research groups and think-tanks set up by the regime.

The Constitution Committee was therefore, required to investigate various constitutional proposals and look beyond the Freedom Charter. They would be expected to draw up a constitutional framework which shall be a blueprint prescription of the future constitution of South Africa.”

The Constitution Committee was made up of the following comrades: Brigitte Mabandla, Jack Simons Zola Skweyiya, Shadrack ‘Teddy’ Pekane, Kader Asmal, Albie Sachs, Ntozintle ‘Jobs’ Jobodwana and Penuel Mpapa Maduna.

The newly formed Constitution Committee’s work was kept confidential between itself and the National Executive Committee (NEC). They regularly reported directly to OR Tambo, typically starting their correspondence with the words ‘Dear Comrade President’.

This then is the context of author Andre Odendaal’s well researched book, Dear Comrade President – Oliver Tambo and the Foundations of South Africa’s Constitution. It meticulously documents the work of the seven brave, dedicated and unassuming heroes of our struggle.

The outcome of the Committee’s work was profound. It helped to lay the conceptual foundations of the country’s constitutional democracy. Tambo saw to it that attention would be focused on the ‘central drama of the South African constitution-making process.

Dear Comrade President deals mainly with the first phase of this remarkable ten-year journey between 1986 and 1996. The release of Mandela and the return of Tambo back home brought to an end the first phase of focused constitutional planning for a free South Africa by the ANC and its allies.

In early 1988, the Constitution Committee and the ANC NEC finalised a text now titled ‘Constitutional Guidelines for a Democratic South Africa’. After 33 months of internal discussions, the Guidelines became part of the process of talks about the possibility of official ‘talks about talks’.

Finally, a special drafting team working closely with OR came out with the Harare Declaration in August 1989.

Though it became public knowledge that the driving force behind the Harare Declaration was the ANC, the proposal was put together in such a way that none of these powerful agencies found cause to make any substantive changes to it. The Declaration succinctly spelt out the goal of negotiations as a united, democratic and non-racial state based on a multiparty system with universal human rights protected in an entrenched bill of rights.

It envisaged a South Africa with an independent judiciary, founded on an economic order that would promote and advance the well being of all South Africans. The Declaration demanded that Pretoria create the necessary climate for

negotiations to take place.

Furthermore, the Declaration included a section on Guidelines for the process of negotiations as well as a Programme of Action. The Harare Declaration became South Africa’s roadmap to democracy.

OR Tambo adroitly took an active interest in the process and steered it with an acute appreciation of the need to make the ANC the strategic centre of the negotiations when the moment arrived.

This book let it be known that there was a narrative doing the rounds, claiming that it was famous enlightened individuals, or the regime, or anti-communists in the Soviet Union, who were the key catalysts and main drivers of change in creating a new country. Through his book, he debunks that notion. It was Africans, he said, who were the main force for change.

This is the account of how South Africa’s transition from apartheid to democracy was engineered through African initiative and agency, and how the template for the 1996 Constitution was forged, well before the negotiations of the 1990’s, providing a new explanatory framework for the momentous changes at the time.

Dear Comrade President is divided into seven parts, the last being ‘Coming Home’, dealing with, among other issues, Return of the first exiles and ‘The last Meeting of the Constitution Committee in Lusaka. It was published by Penguin Random House in 2022. A must read, especially for those Members of Parliament dealing with constitutional and related matters, this book is a treasure trove, opening new ground for understanding the genesis of democratic South Africa’s Constitution.