

Review

Mandla Seleokane and Ben Mokoena (2015) *Reflections on the Freedom Charter*. Pretoria: Ears

Steven Friedman

SFriedman@uj.ac.za

The conventions which determine whether work passes academic muster are occasionally challenged – but the critique is not sustained enough to prevent the drawing of arbitrary boundaries which may cut scholars off from useful work.

A case in point may well be Mandla Seleokane and Ben Mokoena's *Reflections on the Freedom Charter*, which appeared last year, the 60th anniversary of the Charter's adoption at the Congress of the People in Kliptown, Johannesburg. The book faces some formidable obstacles which have relegated it to the outer margins of public consciousness. It was not published by an academic or even a mainstream non-academic publisher but by a small company established by Seleokane himself. It does not appear in bookstores because, according to Seleokane, they refuse to stock it (whether because they don't carry self-published books or because they don't think it will sell is unclear).

Its content is also outside the current consensus since it offers not a defence but a trenchant critique of the charter which, of course, has achieved near iconic status among both ANC supporters and those critics who operate within the currently reigning paradigm. And so, while two other publications on the Charter which appeared last year, Gauteng Transport MEC Ismail Vadi's *The Congress of the People and Freedom Charter: a people's history* and activist and writer Dale McKinley's *60 Years of the Freedom Charter – no cause to celebrate for the working class*, also did not make it into the publishing mainstream, both were written for mainstream constituencies: Vadi's for current and former ANC supporters, McKinley's

for the left of the labour movement and social movements. Seleoane and Mokoena's likely audience is the Black Consciousness (BC) movement which is, of course, politically marginal (although a revival, albeit in new organisational guise, is certainly a possibility).

The book's authors are not exactly household names in the academy. Seleoane, although based at the Tshwane University of Technology, is better known as a former trade unionist and BC activist. Mokoena was the first post-1994 mayor of Middelburg in Mpumalanga, where he became known for his commitment to working with grassroots citizens: while he then represented the ANC, he has become an articulate critic of his former political home. Its ability to attract academic audiences is also limited by the book's style which does not conform fully to current academic convention. All of these circumstances seem likely to consign it to permanent oblivion, which may well be its likeliest fate. This review is a small attempt to prevent this by arguing that *Reflections on the Freedom Charter* deserves serious academic consideration because its current marginal status is a consequence of convention and the political balance of power, not a consequence of the merits of the work. By implication, this invites reflection on the degree to which current understandings of what constitutes a valid academic work cuts us off from ideas and insights which add to our understanding of society and politics.

An obvious reason for taking the book seriously is precisely that it offers a perspective which is rarely heard. A halo currently surrounds the Charter, but it was not always thus – the document was rejected by the Africanist wing of the ANC and by the BC movement, primarily because it was seen as a rationale for 'multi-racialism' rather than 'non-racialism' and was thus branded a legitimator of white privilege. The divide was significant enough to define the two competing constituencies within 'liberation politics', particularly in the 1980s: battles were fought between Charterists and their Africanist or black consciousness opponents. For the latter the Charter was less a vehicle of freedom than a weapon of war which was used to impose conformity: Seleoane observes that: 'Although the ANC does not seem to conduct its affairs strictly in accordance with the document, it does every now and then beat people on the head with it' (Seleoane and Mokoena 2015:18). Not surprisingly, his critique of the Charter seeks to challenge its claim to speak for all South Africans (or at least all those dominated by minority rule) rather than to offer a particular political perspective. So the Charter has always been contested and critiques such as this one serve as

an important corrective to the notion that the Charter's approach offers the only viable escape from racial domination.

This is particularly so because, while the Charterists won the battle for political power, the battle of ideas is far from resolved. An important current trend, expressed on campuses in the Rhodes Must Fall protests, and off them in a growing unease within the black middle class, is the complaint that the implied contract of 1994 did not offer the freedom from racial domination which it promised. The racial content of the consensus which has reigned for two decades now faces critical scrutiny and many voices urge a revisiting of the racial bargain which was purportedly struck then. There is a very real possibility – indeed a probability – that the bargain will be renegotiated (although not in a formal forum) and that something new will emerge. Critiques of the Charter, and its racial demands in particular, enrich the discussion of possible alternatives.

A less obvious reason is that, despite the absence of more than a handful of footnotes or a lengthy bibliography and a style which ignores current academic convention, Seleokane and Mokoena do offer a coherent and well-argued critique of the Charter. It could be argued that they offer two critiques – this is a co-authored book of a special type for it is not jointly written: each chapter is written by one of the authors. There is also a clear division of labour: Seleokane, the black consciousness intellectual, develops a BC-inspired critique of the Charter's theoretical and normative underpinnings. Mokoena, the former mayor, attempts a policy analysis which aims to show that the Charter cannot be a useful guide to policy options. It could be argued that Seleokane's is the more significant task because the Charter was meant as a source of inspiration, not a policy blueprint, and that the interesting question is, therefore, whether its broad vision offers a viable response to racial domination, not whether it provides a set of implementable policies. But this does not render a critique of the Charter's policy prescriptions irrelevant because they do express a way of thinking which has shaped much policy-making after 1994. Taken together, they offer two complementary critiques, both of which speak to contemporary issues.

Seleokane's critique follows broadly the approach of Charter's the Africanist and BC critics although it presents it in a more systematic way than the norm and adds some fresh ideas. Since he is one of those who has been beaten over the head by the Charter, his goal is, he writes, to 'understand what exactly the organisation is beating our heads with, and to what end' (18). A key target is the Charter's claim that 'South Africa belongs to all who live

in it, black and white' (14). This, he points out, was the prime reason the PAC broke with the ANC. Its meaning, he argues, is '... that the robber and the robbed are equal owners of the loot' (14). This critique is frequently misread as a claim that whites have no place here— but, as Seleoane shows, it is about the right of whites to hold onto what they gained from apartheid, not their right to live here.

The key phrase here is 'belongs'. For Seleoane, this has nothing to do with whether whites are entitled to citizenship rights – belonging in this understanding establishes a claim to property and thus to privilege. The Charter, he argues, therefore establishes for whites a claim to equal property rights which means, in effect, the right to hold onto that which was gained illegitimately under apartheid. At first glance, this seems like an abstract, almost utopian position, since it seems to suggest that the Charter, rather than the prevailing balance of power, is the reason why white privilege has been maintained after 1994. The implied policy prescription, seizing white property, is then easily dismissed as an extremist dream. But, while Seleoane is far more concerned to offer a critique of the Charter than to propose alternatives, his view could equally well justify a process of incremental economic reform which seeks, perhaps in negotiation, to dismantle key aspects of the privilege bestowed on whites by apartheid, a project which is capable of implementation even if there is no shift in the prevailing economic and social power balance.

A further critique, central to the BC and Africanist position (and much misunderstood by its critics) is the Charter's understanding of race. It was customary during the 1980s to portray the Charter as a 'non-racial' alternative to its racially conscious rivals, a view reinforced by the prominent role which racial minorities played in the 'Charterist' movement. Seleoane, following critics at the time the Charter was adopted, turns this on its head, criticising it for taking 'race' at face value: he argues that the concept was foisted on Africans by Europeans but is kept alive by the Charter. This is, of course, a reference to the Charter's promise that 'All National Groups Shall Have Equal Rights'. For Seleoane (and for others who question the Charter's non-racialism), this perpetuates racial separation since it is people, not 'national groups', who enjoy rights. In this view, the Charter endorses 'multi-racialism' rather than the 'non-racialism' endorsed by its critics.

In practice, this critique seems far more compatible with an Africanist than a BC position: Africanists place no racial barriers on admission to movements but insist that whites give priority to Africa which, in effect may mean a

refusal to demand special privileges: this is contrasted to the Charterist model in which minorities are said to enjoy a particular status purely because they are minorities. BC, on the other hand, restricts membership to blacks which is harder to square with the notion that the only race is the human race. BC intellectuals have traditionally responded by portraying this stance as tactical rather than one of principle. In both strains, however, the critique of race is, like Seleokane's critique of white property rights, aimed not at white people but at racial power and privilege: under current conditions, it suggests, whiteness confers advantages which the new democracy has failed to challenge. The Charter's 'multi-racialism' is seen to have laid the intellectual foundation for this. This, of course, cuts to the heart of current debates on minority power and privilege in post-1994 South Africa.

Mokoena's policy analysis is as critical of the Charter as Seleokane's theoretical critique but on very different grounds. His aim is to demonstrate the degree to which the Charter adopts an abstract view of policy challenges which lays the ground for failures when the ANC is able to govern. He discusses, for example, the much contested economic clauses which are seen by some as a call for socialism, others as a demand for non-racial capitalism. Mokoena does not seek to resolve this debate but he shows that the Charter does advocate nationalisation. ANC theorists would acknowledge this but would point out that the goal was not to eliminate private property but to redress racial exclusion. This is consistent with the theory of national democratic revolution which was dominant at the time the Charter was adopted and which predicted that a post-apartheid government would be forced to adopt measures such as nationalisation to break white economic power and to create a non-racial capitalism. This, he argues, is out of touch with current realities and prompts contortions in the ANC, which expects investors to take seriously what it says to them, not what the Charter says (while, of course, still professing loyalty to the Charter).

On the surface, this appears to be a familiar conservative critique, arguing that the ANC does not understand the centrality of markets to efficient economic organisation. But Mokoena is making a more complex point: that the Charter's abstract reasoning left the new government ill-equipped to face the challenges of governing a market economy in a world where economic power relations are heavily stacked in favour of the owners of private property. Without a workable theory of change, it was reduced to administering and trying to deracialise what exists rather creating a new reality. In this view, this is the reason why economic policy since 1994 has

not made serious inroads into the economic power relationships which existed then.

This critique sets the stage for a detailed discussion of sectoral policy on land, labour and education. The theme is that the Charter is riddled with contradictions and impracticalities – again the implied critique is of a policy approach based on abstract reasoning rather than concrete connection with reality. On one level, this may seem like an obvious but pointless critique. The Charter was drafted by intellectuals in a movement which had no familiarity at all with the details of governing: it would have been surprising if they had offered anything more than abstract reasoning. But, by linking the critique to realities after the ANC entered government, Mokoena suggests that the problem did not end in the mid-1950s: it informed approaches to governing in many areas and is at least one reason why policy has had such a limited effect.

Like all interesting perspectives, Mokoena's view, like Seleoane's, is obviously open to challenge. But that, of course, is precisely why this book needs to be rescued from obscurity. It presents perspectives which reflect on current realities in a manner which should trigger heated and productive debate. It is well-argued, intelligent and provocative and so it has more to offer than many works which meticulously follow convention, are thus much cited and often prescribed, but which add far less to our understanding.