



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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Interviewers: Tumi MAKGETLA, Daniel Scher

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Innovations for Successful Societies, Bobst Center for Peace and Justice
Princeton University, 83 Prospect Avenue, Princeton, New Jersey, 08544, USA
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MAKGETLA: My name is Tumi Makgetla. It's the 9th of February, 2010. I'm in Johannesburg, South Africa, here with Mr. Roelf Meyer, who played an important role in the negotiations process before the 1994 elections representing the government, and was appointed Minister for Provincial Affairs and Constitutional Development in the Government of National Unity. Thank you very much for joining and consenting to be part of this interview.

MEYER: *It's fine. Thank you very much.*

MAKGETLA: Could we begin with you giving us a brief overview of your career, and how you came to be appointed Minister of Provincial Affairs and Constitutional Development?

MEYER: *I entered politics in 1979 as a member of Parliament for the then National Party. We had constituency-based elections at that stage, so my constituency was right in the middle of Johannesburg. I was from day one confronted with ongoing challenges about the unfolding of resistance against the apartheid system, etc., because the area that I represented was part of the area formally occupied by particularly members of the Indian communities of Africa. They were later on to be removed from there. There was a lot of resistance against that in terms of the policies of those days. The area was called Pageview. I think that's still the name. The same happened in the adjacent areas: Mayfair, Fordsburg, and those. So all I'm really saying is that, right from the early days of my political experience, I was exposed to challenges against the system as it was.*

I think I can say, also, I was part of the reform group within the National Party right from the beginning, those that wanted to see changes happening. But it was a slow process. It was not happening overnight, as we all know. The changes actually only started to begin happening ten, eleven years later after I entered the political scene.

I was appointed first to government in 1986 as Deputy Minister of Police. I often look back at that as a very specific experience in my own reform process and my own transformation, simply because as part of my job then, I was responsible for the management of the national state of emergency that was implemented by the government in 1986. So it was part of my job to try and find out what went wrong in every township and every area where there was unrest and violence, and also to try to settle the reasons for the violence.

So I was under a lot of pressure in that particular period when I was deputy minister, traveling to all these so-called hot spots around the country, and in the process getting exposed to real life in the townships, more than any of my colleagues at the time. I keep on thinking that it was a very informative period, in fact, for me too. It helped me to get a better understanding, not only of what was happening in the townships and the reasons for people to resist what was policy at that stage, but also to come to the very clear understanding that inasmuch as the intent of government was to settle scores by means attaining to service delivery, etc., it was about one thing only, and that was politics and the need for democratization of the country.

That helped me in my own personal transformation to the extent that by the time that the process started in 1990, I think I can truly say that I was already transformed myself. I concluded my paradigm shift by then, and it was, in my judgment, support for my own role that I had to play later on as negotiator and chief negotiator for the government from 1992 onwards. That is it, in a nutshell, where I was coming from.

MAKGETLA: We would like to pick up from that point after '94, when the new provinces had been established, and there's been this great constitutional shift or change to the country's structure. What for you, as a minister, were the main challenges that you faced with respect to these new provincial structures?

MEYER: *I'll have to go a little bit more in-depth into the question to get an understanding of what we're talking about. The ANC [African National Congress] started off the negotiations on a very strong belief that we should not only be a unitary state, but also with a very centralist type of structure in terms of governance, therefore resisting any notion of a federal system and/or dividing the country into provinces even. The National Party, at that stage, as part of its negotiating strategy, was that we should opt for the strongest system of the division of power. And there were even parties that felt much stronger about this, like the IFP [Inkatha Freedom Party] and others, for their own political purposes more than for the reasons of good government, I might say.*

There was the belief that if we devolve powers and competencies to the lowest level, particularly the regional level, then that would enable them to become a very strong federal state, in the case of Kwa-Zulu Natal. There were even advisors from outside that gave the IFP very strong advice in that regard. Some with some credibility, too, that advised them, in that regard, to the extent that there were some that argued during the negotiations almost for a confederal model, more than for even a federal model in the process.

What we ended up with can be called—and that was both in the interim constitution as well as in the final constitution—probably more of a unitary state with devolved powers to the regions than a federal state. We're still not a federal state in that sense. But at the same time there are competencies that have been designed specifically for the provinces, and according to the constitution they have the right to exercise those. I think what we can say today is we probably are still in the phase of a federal state that can potentially develop into that over a period of time, depending on how the politics move and change. But at the same time, there's not, in what I observe, much tension about the issue right now in the country. At the same time, I think it's important to note that—and that's why I'm saying "still"; the call on this is "still"—it's still open, because we have political structures in the provinces. We have some competencies developed in the provinces. All of those mean that it will not easily go away. I would tend to think that anybody who wants, at this stage, to close the book on the provincial system in South Africa will not have a strong chance of success. I think the provinces are there to stay, be it that eight of the nine provinces are under the ruling party's authority. Even that being the case, I don't think that there's much chance for the whole system of provincial government to be just dismantled at this point of time.

MAKGETLA: Just moving back briefly to that period of negotiations when these issues were being threshed out, you raised the point that the IFP was looking to create a sphere that they might have some political control over. As a negotiator, how did you engage those issues? Or another way to put it: were there any compromises or bargains that the negotiating parties came out with that would prevent regional actors creating too much of a local identity and steering those provinces away from the national government?

MEYER: *I think the problem was, the people that argued strongly in favor of regional and/or federal system were doing it for the wrong reasons. They were doing it for their own political vantage, or advantage and benefit, and not so much for the real issue that was relevant, namely strong regional government in order to*

deliver better services to the people. I think if they took that line of thinking, it might have been advantageous for their own negotiating positions, but everybody knew that at the back of it was a case of how they could gain as much political position in the whole situation.

So the reality is that South Africa was a country—was then like that and still is—a country where the wealth of the country is being concentrated in one province, mainly. And that is the one where we are sitting currently, with more than 30% of the wealth of the nation being generated here. If you look at a true federal system, in my mind, it means that there has to be a better distribution of wealth so as to enable provinces or regional government to have their own taxing abilities, etc.

In this case, we would have had a situation. If we had a true federal system in terms of a revenue base, you would have seen certain provinces just not making it, just not surviving, just not being able to carry their responsibility. I'm thinking here of particularly Northern Cape, Free State, North West, and probably Limpopo. You can name them. It's all around. Out of the total nine provinces, only probably three would have been able to sustain it if they had to make it on the basis of their own revenue.

So, you know, the basis for us to have a system of true regional and/or provincial federal government in South Africa was not at that stage truly relevant, and even now today.

But, on the other hand, the system of devolved government for the sake of bringing government closer to the people, I think, is not only a South African phenomenon; I think it prevails everywhere in the world. And I think for that reason, we have designed a system that is closer to what we need. The big debate at this point is, rather, where does the authority lie between provincial and local? And that is a debate that is of a different nature.

MAKGETLA: *As you mentioned, some of these provinces were set up for political reasons, not necessarily because they were financially viable. When you became the minister, and you were now responsible for overseeing the construction of administrations in this diverse range of provinces, what did you regard as the most important things that needed to be done, or the biggest challenges in that area?*

MEYER: *Our main focus during the first year was actually to attend to the subject of what is called cooperative governance. The department is called the Department of Cooperative Governance, and that I think is very fit and appropriate. During the period that I was minister in the Government of National Unity, our main focus and emphasis was on that—in other words, to set up provincial structures that could work in cooperation with national government. For that reason we also formed what was called MinMecs [Ministers/Members of Executive Councils]: ministerial and executive committees for the provinces together. We had regular meetings under the guidance of the National Department with the premiers, at the time, on a regular basis so as to help us to bring about stability in terms of this relationship issue, but also in terms of the provincial governments that had to start from scratch at that stage.*

Just remember, before that moment South Africa was divided into four provinces and nine, if I remember correctly, homelands. All of those had to be, first of all, reconstructed in terms of one unitary state, but then also again divided into nine new provinces with new boundaries, so all of that. This was a period of implementation and at which—when we talk about that phase immediately after

the transition in 1994—it was about implementation of what the constitution had given us that we all had agreed to. But it was a matter of implementation and making it, in practice, work.

I must say it was a very enjoyable experience from my angle as national minister responsible for that. I came to know my colleagues as provincial premiers very, very closely at that stage. We had a wonderful working relationship with all of them. I can truly say even up to this day, I am a friend of each and every one of them, because of that period of us working together. It was a happy experience, to me, at least.

What was a more complicated facet, still not being totally resolved in all of this, is the position of traditional leaders and traditional affairs. As you can imagine, up to that point, the traditional leaders were mainly taken care of in their own homeland concept. They were specifically based in the rural areas of South Africa which were homelands: KwaZulu-Natal, Eastern Cape, Transkei, Ciskei, Limpopo, it was, and many, many others all around the country. In Free State it was Qwaqwa and those. So they were almost removed from the scene into the homelands for all time, and suddenly they were now part of the national scene. It was then a question: how do you deal with democratic government and the traditional system at the same time?

That was a very complicated part of my portfolio at the time, I must admit, where I had, fortunately, the very special assistance of the president then, [Nelson] Mandela, because of his ability to interact and to communicate with the traditional leaders. Many of them called themselves kings. Whenever I had a problem in that regard, especially as a white person dealing with them, it was not that easy. But Mandela went very often with me to meetings and took full responsibility for conducting those meetings with the traditional leaders in persuading them to accept the democratic model, and also their role within that as the traditional leaders.

As I said, I think even up to this day, that situation is not being completely resolved. Just purely from the position where they officiate as traditional leaders, their responsibility is much closer to what happens at the local government level than what is happening at the national or even provincial levels.

Again, I think the department that is responsible which is now [...] called Department of Cooperative Governance and Traditional Affairs—I think clearly shows where the responsibility lies.

MAKGETLA: *Could you tell us a bit more about what the situation was after '94, with respect to what sort of interim constitutional provisions there were for the way traditional authorities related to the various spheres of government?*

MEYER: *It was not all that clear in the constitution. The provision was made for traditional leaders to be there. Their authority was recognized, but how, exactly, was a complicated issue meant to be worked out further in terms of the Local Government Act that came into being in '95, if I remember correctly. So it was part of that phasing-in process, but wasn't totally clear to us in our minds. Because, just think about it: you have elected local government. You have elected provincial government. You have elected national government, and then the traditional authorities with no democratic base, so to speak. How do you relate to them? I think in the Interim Government or Local Government act, there was a special provision—I'm a little bit vague on this now, because it was fifteen years ago—but I think it was a special provision in terms of how local authorities*

had to interact with the traditional authorities in their areas, and so on. That was a more complicated part and not an easy one to deal with, especially from the point of view that I was there as minister responsible under the government of National Unity. Many of these traditional leaders think of themselves as elders. Who's this white man to come and tell them what to do? That was the charge. That's why I am saying Mandela was often there. Not so much in technical terms, but just as a father respected also by traditional leaders. That helped me carry clout.

MAKGETLA: Can you identify some of the key debates at the time, and who was representing those interests from the traditional leaders' side? What were the demands that were being made, and who were the people who were making demands for traditional leaders to be more involved with state functions?

MEYER: *My impression has always been, and I think it's still the case, that traditional leaders are more working in terms of their self-interest and their local interest than at the national level. You would hardly find a traditional leader, whether it's a king or not from a particular area, in agreement with one from another area, because his specific interests are hugely different. The king of the Zulus, for instance, thinks about the Zulu nation, and that's all. The same you would find for those representing the people in the Eastern Cape. If I remember correctly, there were like six different traditional leaders who called themselves kings in the Eastern Cape region. You would find the same in Limpopo, not as many, but also different ones.*

MAKGETLA: This is very interesting, because it really does show the conflict between ideas of democratic representation and another source of authority that perhaps isn't as accountable in the same sense. How did the department—or as minister—did you begin to develop strategies or ways you could incorporate them without allowing them to abuse their authority or develop their own sphere?

MEYER: *I was not there long enough to see the outcome. But my impression was that we tried to keep a peaceful relationship, and I think we succeeded to a great extent in helping to prevent the development of a situation that could have been potentially tense—by not moving in that direction, by meeting with them, by talking to them, by listening to them and giving them almost what they needed in terms of their personal requirements. But in the bigger picture, in terms of real democratic decision making, they were not as freely participating, and I don't think they really were concerned too much about that.*

From our point of view it was, you know, building a democratic state more than anything else. If we had to allow ourselves to be taken on a detour too much, as far as the requirements of the division of authorities are concerned, we would not have been able to build stable democratic government.

I think the biggest tensions in that regard came about probably in KwaZulu-Natal. I keep on thinking today that the role that Jacob Zuma and others played in KwaZulu-Natal to calm down the aspirations, so to speak, of the traditional communities in KwaZulu-Natal, was very fundamental in realizing a peaceful transition in that province. What I'm saying is, I think many of the IFP leadership at the time were often determined to try and utilize that base to create confrontation with national government, but also at the provincial level. The way in which Jacob Zuma and others persuaded people to stay calm and to accept democratic rule, I think, was a very important role that they played there, before the transition, and especially in the period that followed after '94. Remember, he was deemed specifically a MEC [Member of Executive Council] in KwaZulu-

Natal. I think his role in that regard was of particular importance from a political angle.

It was not so much a constitutional issue because the constitution was not too clear on the subject; it was not too specific on this, knowing that here is a gray area. So it was one of political management more than anything else. I think that the message that one takes out of this is that in a situation like this, you need leadership, you need guidance, you have to have people who are prepared to sit down and consult and listen, but also give guidance. I think that is what primarily happened in that particular case, as a case in point.

SCHER: As you said, it was quite clear to you and some of the other negotiating partners that these sorts of demands were coming not from a demand or desire for good governance, but for sort of political expediency in some ways. I was wondering how, as a negotiating partner, you reacted to that or were able to deal with those concerns, knowing that the motives being presented were perhaps not the real driving force. How did you manage those personal demands?

MEYER: *If I can look at the broader context—not only specifically in terms of provincial and/or local government and/or traditional authorities—but in a broader context, we must remember that the main settlement in South Africa had to come about between those that were in power and those that were most likely going to take power. And those that were mainly going to take power were represented mainly by the ANC, and therefore the actual negotiations had to happen. Let me put it differently. The actual settlement had to come about with an agreement between the National Party Government and the ANC. When I say this, it doesn't mean that we intended to exclude any party from the negotiations. I keep on thinking that part of our success in South Africa was the fact that we succeeded in bringing everybody to the table, or at least created a table where everybody could be and was welcome to be. If they do not join the table of negotiations, it was their own choice. That was probably easier said than done, because there were key moments where a settlement potentially in the making between the government and the ANC was at the time not being approved by others that were standing outside. That IFP is a very important case in point as far as this example is concerned.*

We had, for instance, the breakdown of the negotiations, in 1992, between all the parties, but in the end also between the ANC and the National Party. That was after the Boipatong Massacre. The way to get us back on track was that we had to have a one-on-one, almost, bilateral set of talks between the ANC and the National Party Government, which happened for a three-month period. [...] and I were sitting across the table almost on a day-and-night basis. In the end, it resulted in us coming to an agreement that was recorded as the Record of Understanding, in September of '92. Immediately, once that Record of Understanding was signed between Mandela and [Frederik Willem] De Klerk, the IFP turned on us, on both sides, and said, "You excluded us. We walk away. We're not going to participate in multi-party talks."

We struggled for six months or more to get them back to the table, and that was not on the issue of provincial government or traditional authority, or whatever. That was on the main issue, and that was, they felt left out of this deal that the government and ANC made. On the other hand—and this was the complicated part in this—we all knew, between the government and the ANC, if we didn't make that agreement between them and us, we would not have progressed with the negotiations at all. It was in the interest of the country, of the bigger picture, that we made that agreement, because otherwise there would have been no

progress. But now here was a group representing a specific section of the community that had to be persuaded to come back to the table. Although the table was always open for them, they were not there.

In this process, they persuaded some of the right-wing elements, some of the right-wing Afrikaners, to join forces with them. They formed an organization called COSAG as a result of that. Then suddenly this whole subject of strong demands for devolution of power was the main agenda point for the IFP and the right-wingers. Still to this day you will hear them talk about that.

The right-wingers came with the demand from a different perspective. They didn't have exactly the same objective as the IFP had, but they wanted to protect minority rights for the whites in South Africa. They linked forces with the IFP on that basis, and that's the result of which they formed their current position in this organization called COSAG. Suddenly the main debate from their side was, "Give us more powers, either at the regional level or in terms of minority right protection. It took us more than six months to get them all back to the table, which only happened in March of the following year. Then soon after that, we had the terrible incident, the assassination of Chris Hani, which almost spoiled the whole effort to get everybody back to the table.

The outcome of the Chris Hani assassination was that there was then a consensus between the government and the ANC that they would have to move forward very quickly as a reaction to the assassination. If we didn't do that, the masses would have taken to the streets and demanded immediate takeover. So we certainly had to manage a new situation from that angle to say, "Carry on with the negotiations as quickly as possible, so that we can get to an agreement on an interim constitution, so that we can have an election as early as possible". The date was then fixed for 27th April 1994. A year in advance the date was fixed, knowing that if we didn't do that—if we didn't say to the masses the date was fixed; you can rest assured about that—there would not have been peace in South Africa.

That scared off the demands of the IFP and their cohorts at that stage. So after a while they left the table again, because every little bit of progress that we were making in the negotiations—in the multi-party negotiations at the time—they were resisting them, because they didn't want to see progress, because they thought it would take away any chance for them to make an impact. So they walked out in June 1993, and they never came back. We went on and finalized the negotiations, got agreement on the interim constitution by November of that year.

And it was only six weeks before the election that the IFP, knowing that there was no alternative but missing out on the content of the interim constitution and the participation in that—but knowing certainly that if they didn't participate in the election they would be nowhere—they came back to us and asked how they could participate. And you will recall that it was after the ballot papers were already printed.

So what is in this message? I think the message is, if there's an opportunity to participate, don't let it go by. That is often what is happening in other conflict situations as well which I've observed.

SCHER: Were you fairly confident that they would rejoin the process, or were there some concerns that they would remain outside of this progress that was being made?

MEYER: *That's difficult to say. I think the dominant factor in our minds was that we realized that if we didn't progress it wouldn't go ahead. Towards the election, there would have been blood in the streets in South Africa. I think that calculated decision, therefore, was almost, "Let's go ahead and do this." We were satisfied with the content of the interim constitution. ANC was satisfied, so let's go ahead and do it, since not only the two parties, but also many others were still at the negotiating table. There were, at all given moments, more than twenty different parties at the negotiating table, excluding the IFP and those that walked out with them. We were confident that we had sufficient reason to go ahead on the basis of what was called "sufficient consensus". It was a calculated decision to say, it's either this or bloodshed, a return to something that nobody could contemplate at that stage. That is why we went ahead. The policies, I think—the IFP realized that they had very little option.*

Just to fill you in on that: there was an international attempt to put pressure on the South African government and the ANC at the time to delay the election. There was a seven-person team that was sent here under the leadership of [Henry] Kissinger and [Peter] Carrington, Lord Carrington from the UK and Kissinger from the US. They arrived here probably just about a month before the election. They arrived here with the clear intention to persuade us to hold back on the election so that we could bring the IFP on board. That was sort of their mandate.

In the very first meeting I had with them, I said to them, "I'm sorry, you're missing the point. You're wasting your time. We're not going to have the election [...] You came to cause a conflict in South Africa that we've never had before." I could see in their faces—both Kissinger and Carrington—how taken aback they were at this arrogance, saying to them, "You're missing the point. You're not going to get what your mandate is". I guess the ANC said to them the same. [...]

A day and half later, Kissinger called me and said, "We're packing our bags. We're off, because you're right." They realized that through talking to others, of course. So they left that same day. And it was literally at the airport—[Mangosuthu] Buthelezi rushing after them—that this man from Kenya, Washington Akuma, was the only one of that seven left still behind. Buthelezi said to him, "What can I do now?" Because he had been hoping that this would be his big moment, and there they go. And Washington Akuma said to him, "Let's go and talk to Mandela and De Klerk and see whether they can accommodate you on the ballot paper."

That's how it happened. They came to us. They saw us in Pretoria. Mandela and De Klerk were there, and they were I think generous, saying, "OK, we will accommodate you." That's how almost simple it was, in the end. Buthelezi realizing that all his demands were not going to go anywhere, because the bigger picture was more important than living out the Inkatha, sort to speak.

MAKGETLA: *Fascinating. I was interested also in just trying to understand—. You mentioned earlier that some of these provinces incorporated different administrations. You said you had regular meetings with the premiers. How were decisions about setting up the new provincial administrations taken? Was that something that you gave a lot of input to? Did they primarily drive it, they being the premiers? How did that process go forward?*

MEYER: *Well, obviously, the interim constitution gave some guidance in that regard in terms of the formats of the provincial structures having their own executives, having their own administrations, etc. That was contained in the chapter on*

provincial government in the interim constitution. We had to go by that. As a result, we had to ensure, and we worked it out in a very cooperative way, that each province set up its own administration and its own government and so forth. That, to my mind, was not a difficult process, but it took some time before actual governments kicked in, making sure that it was not only a political exercise but also really something that could deliver.

Quite frankly, in that regard, I think we had made some mistakes in our original design. Probably later on, those mistakes are still visible, even today. I think, for instance, we have created too big government administrations at the provincial level. Personally, I don't think there's a need for ten MECs in each province, taking into account the liability it puts on the fiscus and state funding. As I said earlier, many of these provinces are just relying on national funding for their own administrations and so forth. That means it puts an extra burden on government expenditure that could be reduced. Still, that option is there.

This is also why some people would argue there's no space for provincial government; cut it all out so that we can save them money. I don't think that's the answer. I think it's a question of looking at slimmer administration, because there's no reason why certain departments and/or ministry executives at the provincial level can't take responsibility for more than one of its current portfolios, for instance. That type of thing.

Obviously, I would like to see—again from my personal angle—I would like to see rather a focus at the provincial level of certain portfolios that are really, really relevant to service delivery. I can immediately think of education and health, more important than economic services. Of course economic services and so forth are national issues to a great extent. You don't need a MEC for sport in the province—they are there in some cases—or culture and those types of things. What really matters to the people in the provinces is probably education, health, and good local government services. My experience, even today still, is that decisions at those levels are not necessarily being taken, are not forthcoming.

MAKGETLA: So why were those portfolios given to provincial government if, as you say, the rationale doesn't suggest that that is necessary for the structure of government?

MEYER: *I think it was more a political thing than anything else. I don't walk away from the decisions. I think that's the kind of mistake that we have made at that point of time, not totally certain as to what we should be looking at and how we should be creating this. This is probably where the compromise was created.*

If you look at the competencies as designed in the constitution, some of those competencies you would ask questions about and say, "What are they? Is this really necessary?" But it was part of that compromise. ANC would say today that those guys who wanted federal government demanded that, so we gave it to them so that they can be happy. Look at the essence of content. It's not really serious federal powers even from that angle. But it was a way to pacify people and to make them happy and find a compromise.

Even in the final constitution that was the case. Look at the content, the devolvement of competencies in the final constitution. It's the same thing. So it was more political than need, I would say.

MAKGETLA: I've heard people talk about the rationalization that took place in this period where, for example, if you had the Eastern Cape and you had the former Ciskei administration, the former Transkei administration, the former provincial

administration being brought together, you had a number of director generals and deputy director generals and departments that suddenly became redundant. Did your ministry, or did you as minister, engage with those issues? And what was some of the strategy to deal with that abundance of personnel?

MEYER: *That was obviously a problem. In some departments it was easier because they were more of a national nature. Let's say, for instance, defense as an example. There were no defense structures in the new provinces, so the defense forces that belonged to the former Transkei and Ciskei were immediately consumed into the national defense structure, that department. Police would have been the same, and so forth. When it came down to health and education and so forth, it was more complicated, because we now had to create new provincial structures for those departments that didn't exist before, and also create the right organizational relationships with the national. That was part of the very complicated exercise that happened in that period of installing provincial government in South Africa.*

I'm probably not the best expert to talk about that, because I handled it at the political level, but if you look at how those structures came into being it would probably be better to talk to the people who were really responsible for that in the different departments. It was not an easy exercise and I think we just don't have the force today, to a great extent.

I was talking to the minister of local government just two weeks ago about the subject of service delivery at the local government level. He quite frankly says it's two problems that they're mainly facing at the moment. I'm speaking now secondhand, and I should not speak on his behalf, but I think that the problems were there right from the beginning. The two problems being that the provincial structure was not knowing exactly how to conduct its authority over local authority administrations, and the other is the political problem: people being appointed now as political heads of local authorities, as mayors and/or town managers, city managers from a political angle, because they're serving the party's [...] and not because they are the best administrators.

All of this has not been ironed out completely yet, even up to this day. I think we have to revisit some of those. I know there's a bill coming up to Parliament to look at this and to address this. I believe the minister will speak about it soon. This is to my mind something that has to be ironed out. I'm talking here about the area of local government I understand a little bit about. I can imagine with health and education you would find the same problem.

Take education, for instance. Service delivery at the education level is a hugely complicated issue, because national is responsible for policy, but provincial is responsible for execution. Now one can ask the question, where does the dysfunctionality problem in our schools rate, in terms of responsibility. You know that South Africa's education problem is huge, with more than 80% of our public schools being dysfunctional, meaning teachers not in classrooms when they should be there, inter alia. Is that a function of national, or is it provincial? The answer is immediately provincial, because of the natural consequence of the constitution. But if provincial is not taking care of that, you may have to address it from another level.

MAKGETLA: Given that these provincial structures were made responsible for such important areas of service delivery, such as implementation of education policy, when they were being set up, was anything being done to provide skills training or management capacity at those levels?

MEYER: *I think one can say, yes, there was, but probably not sufficiently, because it was also the integration of an integration system that didn't exist before. To be frank about it, I think the biggest damage that apartheid brought to this country was in the area of education, more than anything else. I think we're suffering from that, and we will suffer—unfortunately, it seems—for generations, because of the huge divisions between ways of educating people in the public system. We had homeland schools. We had so called independent schools within independent homelands. And all of those had to be integrated with the national education department that existed at that point of time, with four provinces that also existed at that time.*

It was a very complicated exercise, and probably the integration of all those took more attention than the actual teaching in the classrooms. I don't think we've overcome that problem. When you ask me whether there was sufficient training happening, probably not, because it was assumed that the teachers that are in the classrooms from the previous homelands were qualified teachers. Some of them would have been and others would not have been. And that is still the price we're paying at the moment.

MAKGETLA: *As these provincial administrations were being set up in different provinces, do you recall any examples of cases where premiers or the provincial administration as a whole were successfully introducing strategies or mechanisms to deal with some of these issues around integration, around the quality of the incoming administration from the previous administrations?*

MEYER: *I think there was a willingness to deal with it from that perspective, and that was my experience. It was not as if any of the provincial administrations in my experience were trying to overthrow everything that existed before. It was rather accommodating and integrating, of course accepting that we now have a new democratic government.*

Let me take one step back. The process of negotiations, up to the point of the interim constitution, was less than four years, which was relatively a short period of time. Those negotiations were aimed at finding a political settlement for South Africa, which resulted in the interim constitution and ending in the final constitution. But those negotiations were not primarily about setting up new administrations and things like that. It was almost the result of the transition that had to take care of that.

We had a transitional executive council [TEC], as you might recall, in the period leading up the transition of 1994, but that TEC only existed for about four months, a very short period of time. Its aim was to ensure a proper takeover from the old to the new, and it did a good job within that space of time. But it was too limited a time to attend to everything. And then the transition happened, which was a political takeover. Democratization kicked in.

Quite frankly, at that moment, I said to myself that it will take us fifteen years to complete the transformation, the actual transformation of what we have created. Now it's fifteen years, and if you ask me today where are we with transformation, I would say another fifteen years. Probably after that, another fifteen years. It's an ongoing process. One could not expect everything to be in place right from the start and all the right things to be done.

In some areas, I think we neglected ourselves in terms of our responsibilities. In other areas I think we did a damn good job, and I can name, definitely, a whole

range of departments and a whole range of areas where we did a good job. I'm not talking about me. I'm talking about the new administration that took over after 1994. We're still falling short of complying with our responsibility in many areas, and we're paying the price. The biggest concern to me is education.

How we did it exactly at that stage was to bring about, first of all, the education of the total nation as far as administration is concerned, as far as governance is concerned. I think we succeeded in a broad sense in that way, by actual implementation, getting people to do their job in the right way.

You would hear many voices today saying, the new administration let us down because they fired all the experienced people and brought new ones in. To some extent that was the result of affirmative action and so forth, which was a provision of the constitution. It probably could have been managed better in some ways. On the other hand, there was no other way to get the imbalances of the past corrected. We needed affirmative action. It was an absolute fundamental requirement in our situation. You needed new people to come in with less experience to take responsibility. It was a relatively fast changeover, and we're still seeing the results of that.

MAKGETLA: As we begin to wrap up, I would like to ask quickly about the Commission on Provincial Government, and how you regarded its function, and what its relationship was to your Ministry?

MEYER: *They were based in the ministry—or in the department, at the time. The whole idea for them was to actually help and assist with the changeover, with the transformation from the old to the new. I think they played a constructive role in that regard, and we worked very, very closely. We had a good relationship. We had a good understanding. Thozamile Botha was the chairperson, together with [...] The two of them worked very well together and came with a lot of experience, and so forth, in terms of provincial administration.*

Again, the challenge was probably bigger than we realized. From that perspective, we had a good relationship, and we managed, I think, pretty well in terms of that. But the demands of the jobs were much bigger than what a commission or a department could do.

MAKGETLA: For other people learning from this experience and the decision to set up a structure like that, what would you suggest could have been done differently to strengthen the role that it would play?

MEYER: *It's even difficult from hindsight to speak about this, because I don't think there are very clear experiences we can carry over from that and relate to others, because every situation will be different. All the other conflict areas that I've been involved with have their own demands and needs.*

I think what we should have done, probably, was to start up with a process of real planning in terms of this, in conjunction or parallel to the negotiating process. In that regard, we failed ourselves by only doing this within the last period of time, before the transition. I think we were so consumed, all of us, in our negotiations on finding a constitutional settlement that we didn't think about the bigger consequences of what we were doing about creating a new state, creating a new administration at the national as well as at the provincial level. That is the one thing I think we can take as a lesson from that. If you find yourself in a situation similar to that of South Africa, where you're bringing about, literally, a new state, like that on the 27th of April, on one day, in one year, then it's a big momentum.

You need a proper process of planning to make it happen, which goes much deeper than the political settlement and the political negotiations. Probably we should have realized that at a much earlier phase and done the necessary planning in Africa.

The second point is, for those that became the ruling party after the transition, there was obviously a lot of excitement. The focus immediately was at the national level. Those that didn't go from the struggle straight into national government actually went off to become businesspeople, seeking benefits from that angle. I don't think there was sufficient attention given at the lower levels of government as to ensuring qualified people to get on with the jobs at those levels. I'm not talking about politicians; I'm talking about administrators.

I think that the other lesson that we should bear in mind is that if you complete the process like this, which was a political process mainly, you immediately have to think about how you deploy—to use the popular word—how do you deploy people in administrations that really take responsibility for the delivery of services? That is something where I think we also failed ourselves to a great extent.

That is why you're still seeing problems at the local level. Some of the municipalities just don't have the capacity, today even, to administer what they're supposed to administer. Some of them have bigger budgets than provinces, like the metropolitan structures. I think that is something that one should keep in mind, and that is also the measure of real planning that is required.

Let me immediately say, I think there are areas where South Africa has performed itself better than what we expected. I really think so, if I look at how infrastructure has been managed at the broad level. Our road system is one of the best in the emerging world. Compare it with other countries in the emerging world, and we outperform them by far in our infrastructure. And those are also responsibilities at the provincial level. It's not only a responsibility at the national level. I'm using that as an example to say, what we're talking about is not all negative and bad. There are certainly areas the government realizes today that we have to do more about, and that's particularly education and health.

MAKGETLA: Thank you very much for taking the time to share your thoughts with us. As you mentioned, this is designed to allow people such as yourself with this great experience to share your experience in addressing challenges that you faced.