

Protecting The Public

WHEN advocate Thuli Madonsela was appointed public protector, The Mercury lauded the move. A few months down the line, Madonsela is certainly making her mark.

We predicted then that Madonsela was not about to kowtow to anyone, as was the case with some of her predecessors. Given the cases she has investigated thus far, Madonsela appears determined to protect the public without fear or favour.

This week she publicly challenged a "false statement" made by Home Affairs ministry spokesman Ronnie Mamoepa and suggested he give up his own ID until each one of the outstanding duplicate ID matters was resolved by his department.

Madonsela was unequivocal that it was cold comfort for a person waiting for an ID for years to be told that "you are one of the 38 000 and that they will be dealt with at an undetermined future".

Good for her: Perhaps Home Affairs Minister Nkosazana Dlamini-Zuma will finally find the time to meet Madonsela, instead of hiding behind spin doctors who appear to be more inclined to protect their principles than the public.

Madonsela noted in a recent interview that successive executives had failed to implement recommendations made by her predecessors.

Barely four months in office she too knows what it is like to have her own deadlines ignored by both cabinet and Parliament, as was the case with the sanctions for President Jacob Zuma's late financial disclosure.

Yesterday, the cabinet finally announced interim fines for members of the executive, including the president, who breached the ethics code.

Madonsela is understandably frustrated. She knows the National Assembly's justice committee lacks the authority to ensure that government departments and other state institutions implement the changes necessary to ensure proper service delivery. The solution she believes is that a powerful parliamentary committee should be established to enforce her office's recommendations without delay.

For when her reports are ignored it is the lives of ordinary people that get shattered without much consequence for officials. Madonsela is right and MPs must act fast to ensure her office gets the support it needs.

Now that would be protecting the public and strengthening our constitutional democracy

The People Must Know

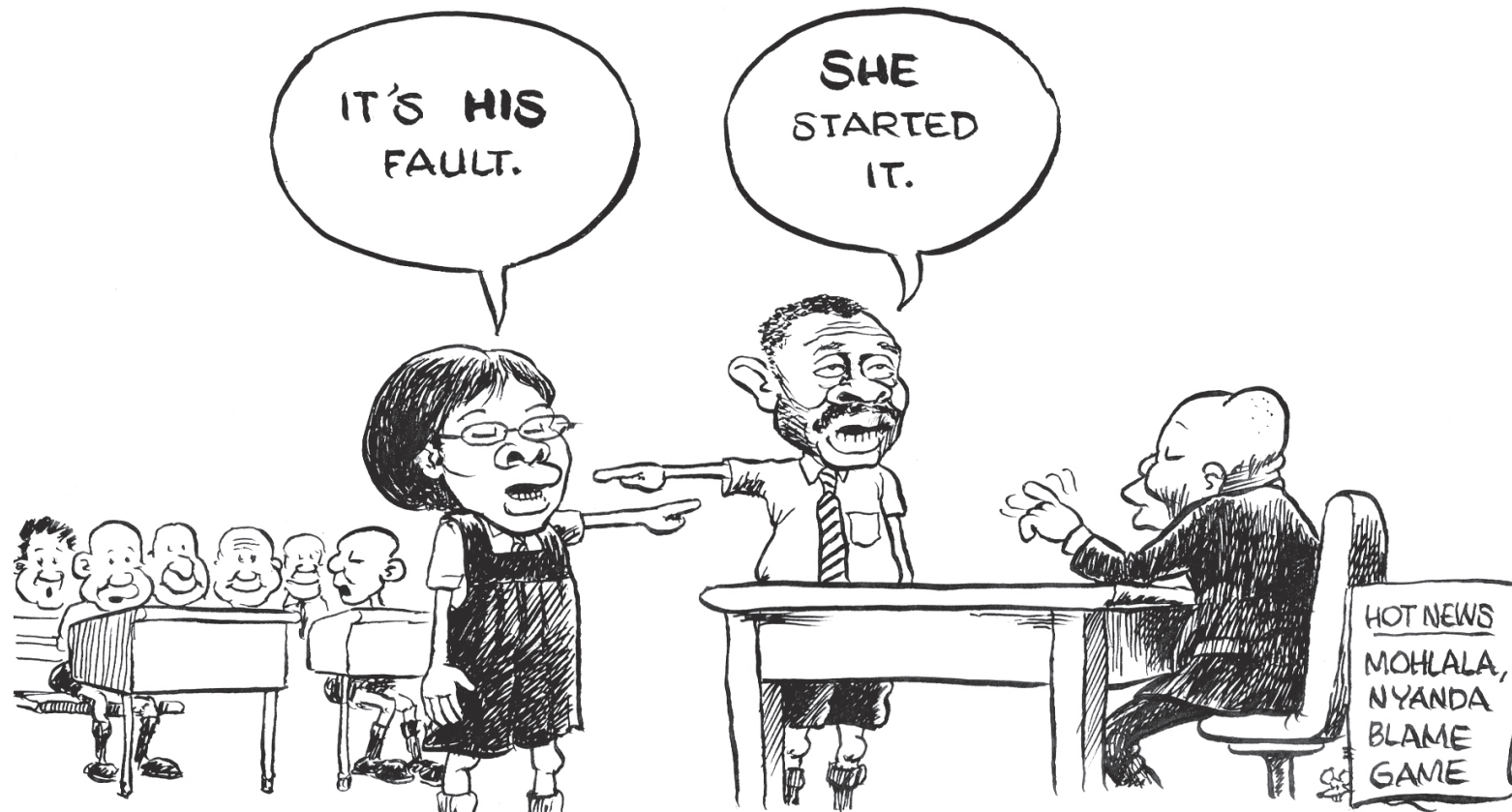
THIS week's release of thousands of classified documents by WikiLeaks has fired up those who believe that secrecy fosters security.

Are the US and its allies best served by secrecy or debate? The answer is obvious: no democracy should fight a war without the consent of its people, and that consent is only meaningful if it is predicated on real information.

That is not to say classified material should be published in haste or with indifference. Thankfully, WikiLeaks and its media colleagues appear to have behaved thoughtfully in their handling of these documents.

In 1971, the Supreme Court rebuffed Nixon's attempt to thwart publication of the Pentagon Papers, and Justice Hugo Black concurred with an opinion that offers timely rebuttal to those who deplore the publication of these latest documents. In crafting the First Amendment, Black wrote, the founders understood that security was not best protected by secrecy but by scrutiny.

"Only a free and unrestrained press can effectively expose deception in government," Black said. "And paramount among the responsibilities of a free press is the duty to prevent... the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell." - The Los Angeles Times



MANGOSUTHU
HOT NEWS
28-7-10



You & Me
ROD SMITH

Q: "MY BROTHER, 19, just got out of jail and has nowhere to go because our mother has kicked him out for good. He walked to my dad who, with loving arms, opened his home to him. He has been with us for four weeks, but after two weeks he resumed his former lifestyle - smoking pot, stealing money from us, lying, not coming home, and more lying.

"My mother (our parents are divorced) catered to this lifestyle for about two years until she had nothing left. I cannot bear to see this happen to my dad. My brother is the sweetest person, but a habitual liar and a thief. I have begged my dad to kick him out, but he is still under the illusion that his son might change."

A: You have as much power over your dad as all of you have over your brother. It took your mother two years to reach a point that you want for your father to reach in a month.

Until your brother sees the light and your father sees his enabling role, all of you had better lock up your valuables.

□ Rod Smith is a family therapist who lives in the US. E-mail questions to Rod@DifficultRelationships.com

A burning issue of communication

News of a community setting schools alight points not so much to frustration over poor service, but to rage over not being consulted

RECENTLY we heard shocking news about a community in the North West that went about burning schools because they were unhappy with a gravel road that was meant to be tarred.

To make matters worse, schoolchildren were prevented from going to school, in an attempt at getting the local authority to act. Now, 16 years into democracy, this is very difficult to understand. Why would a community behave this way?

Should the government respond by saying that those schools will not be rebuilt? Surely actions should have consequences.

Former trade union leader and government minister Jay Naidoo, speaking in the context of the launch of his book, *Fighting for Justice*, said that burning a school was criminal. Not many people will disagree with Naidoo, but the situation demands that we attempt a deeper understanding of what would possess a community to burn schools and jeopardise the future of thousands of children.

No doubt, education remains the only hope in a country with gross inequality and

an unskilled base. But just dismissing the misdirected anger of the poor as criminal does not help us to understand it.

During the 1980s, the burning of schools was a fairly common occurrence in South Africa. But of course the context was different and then the overriding, and certainly damaging, call was "liberation before education".

Clearly, our context has changed dramatically. In explaining the burning of schools, Zwelinzima Vavi, Cosatu's secretary general, offered one line of analysis.

He spoke of a social gap and the fact that townships had lost their leadership. Many township leaders had moved into middle-class suburbia, thus leaving a serious leadership vacuum, resulting in incidents like the burning of schools. This is a problematic and reactionary argument as it assumes that the poor need to be under a form of middle-class control.

An explanation that demands greater attention is the idea that communities are seriously and even desperately frustrated, as they feel that they are not being listened to.

If we pay attention to the



IMRAAN BUCCUS

thinking of people organising and participating in unfortunate incidents like burning schools and libraries, one thing becomes immediately clear - these protests are in response to a crisis of local democracy rather than what has often been referred to as a crisis of service delivery.

It is true enough that in most instances, failed service or misguided delivery is where things begin to go wrong. But even here the problems with service are often because of a lack of democratic public participation in decision-making. For instance, if people are not consulted about issues like the tarring of roads and the building of low-cost housing, protest is likely even though service delivery is happening.

For as long as government officials continue to assume that a mandate at the polls gives them a mandate to act in a unilateral and top-down manner for five years, these protests will continue.

Ordinary South Africans had a taste of popular democracy in the great democratic upsurge of the 1980s and expect the post-liberation democracy to take the same popular form - to be ruled by the people rather than by experts.

Of course, protests take various forms. The wave of popular protest that has convulsed the country since 2004 has operated within and without of the ruling party. In some cases the key tactic has been the march, usually aimed at the local councillors. In others it has been that time-honoured tactic of the unemployed - the road blockade. In some cases, protest has led to short explosions of rage and in one case it has led to the development of the largest and best-organised social movement in the country.

In a few cases there have been attacks on public property. While it is regrettable when public property is damaged, there is a reason why

popular protest - from Paris in 2005 to London in 1981 and Johannesburg in 1976 - often targets government property.

Protest, to be effective, has to aim for an accessible target with the appropriate symbolic value. When rage is felt against a government, then government property will always be a potential target for protest.

Naturally, these levels of intense social conflict are potentially very damaging and extremely embarrassing 16 years into democracy.

Imagine what the world must think when their eyes turn to us to see an action replay of the 1980s with burning tyres, teargas, rubber bullets and pitched battles between the very poor and the police in our streets. Protests and burning of schools and other state property are an indication of the deep levels of frustration in communities and clearly about a deep crisis of local democracy.

The logical resolution to this crisis is not that the poor need middle-class stewardship from township leaders, civil society or any of the competing middle class leftist sects. The resolution to this crisis is a genuine change in

the nature of local democracy. The government needs to recognise that ordinary people have every right to be part of the deliberations and decision-making that will affect their lives.

And commentators and experts, be they in the media, NGOs or the academy, need to learn that they should listen carefully to the voice of the poor rather than just make easy assumptions about what they think people are saying. In some cases, the Left has just as far to go to learn this lesson as anyone else.

Experts would like this crisis to only be about service because then the response to it would be to bring in more expertise. But a crisis of local democracy means less reliance on experts and taking the intelligence and experience of ordinary people more seriously. Then, perhaps people will not resort to doing the unthinkable.

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EVERYONE SHOULD VISIT DURBAN - WHAT A PLACE!

I WAS nine in 1974 when I watched my first World Cup on television. Every four years I would look on in wonder at the greatest sporting event in the world, always from an armchair.

But this year, I travelled to South Africa to see the semi-finals of the 2010 World Cup, arriving via Cape Town for the first semi-final.

The flight to Durban was delayed for over five hours, one of many that day. However, we were the lucky

ones and finally landed at Durban's King Shaka airport with less than three hours to go before kick-off.

As the roads were busy, we decided to go straight to the Moses Mabhida Stadium and find our hotel later.

We arrived with less than an hour to spare - with just enough time to soak up the atmosphere and admire the amazing structure and its impressive arch. Although Green Point is

beautiful, Durban gets my vote for the most spectacular stadium in the 2010 World Cup.

The German and Spanish fans made more noise than the night before and it was a thrilling contest with Puyol's goal a perfect way to settle it.

On Thursday I woke in the Blue Waters Hotel to a marvellous view of the Indian Ocean. The sun was shining and the sea was warm, which comes as surprise if you have

spent most of your holidays in Donegal.

A swim in the surf recharged my batteries and we were soon on our way back home.

It was an amazing trip. What I saw was wonderful and the people I met were warm and friendly.

I am telling everyone to visit South Africa, especially Durban. I hope to return again soon. And I will watch future World Cups on television at home happy in the

knowledge that I was a fan at one of the best.

KEVIN McVEIGH

Belfast

PS: My late uncle Bob Nagle was from Durban. He married Vera Cassidy and they lived for many years in Edinburgh. I would be very pleased to hear from any members of Bob's family. I can be e-mailed at Kevin.McVeigh@edglegal.com

Zuma's 'advice' seems a bid to get Shenge out of the way

WHAT total crock "Zuma's advice to Shenge: Quit" (The Mercury, July 26)! If it were that insults should force a leader to step down, then why did Jacob Zuma pursue the presidency, despite the arms deal "insults" as well as the shower debacle?

It sounds like a desperate measure to get Mangosuthu Buthelezi out of the way.

One wonders what threat the sound policies of the IFP hold for this democracy? They are not based on race and have far more fiscal advantages for business and the man in the

street, coupled with excellent health care, education, safety, and security of employment, to be buried in the polls.

What an affront to Shenge! This regime has a "do not interfere" policy when asked to speak to Robert Mugabe about human rights transgressions, but when it comes to the IFP, Tokyo Sexwale, the Women's League, the vuvuzela brigade, and the president all see fit to advise Buthelezi to step down

DIZZY BAWDEN
Pinetown

How can the ANC call itself party of the poor?

THE EDITORIAL "Profligacy must stop" (The Mercury, July 20) is an essential call the cabinet would do well to heed if it wishes to retain its integrity.

The problem is that they do not believe their lavish lifestyles are out of place. ANC spokesman Jackson Mthembu, delegated to defend the expenditure, clearly lost the plot when he demanded to

know whether the media expected ministers to conduct their business from the boot of their cars. The ANC's claim to be the "party of the poor" has been compromised with continuing exposure of inappropriate expenditure by the leadership.

Hillcrest

RL LEGG

ICC welcomes all input from visitors

THE International Conventional Centre welcomes all feedback that can assist in improving the experiences of our guests and clients. We would, however, like to clarify the following points regarding the hugely successful Bryan Adams concert held on July 16.

Our point of sales system network went down for a short period.

We therefore resorted to manual documents to continue

our beverage and food sales. This would have caused delays, for which we apologise. Health and safety regulations dictate that we stop selling alcohol one hour before the end of the show.

Patrons may have been under the impression that the closure of the bars meant that we had run out of stock - this was not the case.

We would love to continue selling alcohol; however, we

must ensure the safety of our patrons.

The congestion and cleanliness levels in the toilets was caused by the large number of patrons using the toilets on the west side of the building in particular.

The toilet tissue in this set of toilets ran out extremely quickly. While we were replenishing the supplies, patrons started using the paper towels, which clogged the loos.

We are working on solutions to this particular issue and apologise for any inconvenience caused.

Note that there are sufficient toilets on the east (beach) side of the foyer and on the upstairs levels.

The ICC is grateful to the people of Durban and KwaZulu-Natal who have been supporting the shows our promoters have brought to the ICC Arena lately - this is

making Durban an important stop on the tour schedule of entertainers.

The ICC Arena is a covered venue, meaning that shows can be enjoyed regardless of the weather.

The more we support these shows, the more shows will come to our city.

SANDY LE BRASSE
International Convention Centre, Durban

Noise ban in place for years

IN REPLY to "SA Rugby's blasted ban strikes a sour note" (The Mercury, July 20), I take it that writer Steve Chatteris has never been to Absa (Kings Park) Stadium to watch rugby.

He would have noticed signs that have been there for 15-plus years, stating that horns, bugles and trumpets are not permitted, well before the birth of the vuvuzela.

JOP FOURIE
Durban