

CHAPTER 4

OVERCOMING THE BUREAUCRATIC AND INSTITUTIONAL CHALLENGES IN SOUTH AFRICAN FOREIGN POLICY MAKING

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1 Introduction

In the 25 years since South Africa's return to the international fold, the world of international relations and diplomacy has changed significantly. First, international issues have become both more complex and diverse. They now include such issues as climate, digital governance and data localisation, humanitarian disasters and corruption and illicit financial flows, as well as the more traditional international economic issues and intra- and inter-state conflicts. Second, government officials and policy makers must now deal with the challenges posed by social media. These two factors have implications for how South Africa should organise its bureaucratic and institutional architecture in the 2020s.

These elements are further complicated by the rapidly changing global geopolitical landscape and South Africa's own difficult domestic political and economic situation. These elements constrain South Africa's foreign policy options, limiting its ability to take advantage of its status as a global middle power and a leading power in Africa.¹ They also complicate its search for greater coherence in articulating and structuring a post-apartheid foreign policy that integrates national security, development strategy and economic diplomacy. In addition, South Africa's ability to make effective foreign policy has been undercut by deficiencies in the country's institutional arrangements for making and implementing foreign policy.

1 Alden C & Schoeman M, 'South Africa in the company of giants', *International Affairs*, 89, 1, 2013, pp. 111–129; Prinsloo BL, 'South Africa's efforts to project influence and power in Africa (2000 to 2017)', *Strategic Review for Southern Africa*, 41, 1, 2019.

The result is that South Africa's foreign policy objectives and priorities have been criticised for being based on eclectic and inconsistent concepts and for responding in an *ad hoc* manner to critical situations.²

This chapter focuses on the institutional arrangements that shape the South African *party-state* foreign policy landscape. It explores the interplay between political leadership and the bureaucratic and institutional challenges to foreign policy making. The chapter is divided into five sections: 1) South African foreign policy inconsistency, 2) legislative frameworks, 3) the relationship between the government and the ruling political party, 4) the role of other actors in foreign policy making, and 5) suggestions for changes to the foreign policy architecture and institutions that can improve foreign policy making in South Africa.

2 South African foreign policy strategic inconsistency

While some South African foreign policy initiatives have resulted in new foreign policy opportunities for South Africa, the country has not always been able to effectively exploit these opportunities. For example, President Zuma's administration is credited with brokering South Africa's entrance into the BRICS forum. However, perhaps because of Zuma's focus on his personal 'policy' agendas, South Africa has been unable to effectively leverage its participation in this group to gain any significant advantages in international affairs. Similarly, South Africa gained membership in the Indian Ocean Naval Symposium (IONS), and, in 2018, chaired the Indian Ocean Rim Association (IORA). However, South Africa appeared unable to articulate a clear strategy for the group or to effectively challenge India's IORA dominance. Finally, although South Africa has played an active role in China's Forum on China-Africa Cooperation (FOCAC), it does not appear to have been able to influence China's multi-bilateralism in its dealings with individual African states.

The common theme connecting these three examples is that in each case South Africa was unable to leverage the opportunities created by these Southern forums to build its profile as a significant international player. A key contributing factor to this failure is that the country has been

2 Akokpari J, 'Consistency in inconsistency: South Africa's foreign policies in international organizations', in Warner J & Shaw T (eds), *African Foreign Policies in International Institutions*. New York: Palgrave Macmillan, 2018, p. 247; Nathan L, 'Consistency and inconsistency in South African foreign policy', *International Affairs*, 81, 2, 2005, p. 361.

unable to consistently coordinate its grand strategy with the operation of the key foreign policy bureaucratic and institutional actors.

In addition, the South African government's foreign policy making is heavily entangled with the positions of the ANC. The latter's approach to foreign policy has not been fully revised since it came to power and thus is now an incoherent mix of solidarity diplomacy, neoliberal economic policies and a Global South orientation. To date, it is not clear if South Africa could articulate and implement a foreign policy that is independent of the ANC.

The personality and vision of the president are also significant in determining the particular foreign policy priorities and interests. Since 2018 when President Ramaphosa assumed office, he has taken considerable steps towards reviving South Africa's soft power image through its economic diplomacy. The country signed the African Continental Free Trade Agreement (AfCFTA) at the mid-year 2018 AU Summit and supported further development of the Tripartite Free Trade Agreement between the Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC) and Southern African Development Community (SADC). Under Ramaphosa, South Africa's bureaucratic architecture and institutional enabling mechanisms still need amending in order for policy makers to react timeously and to limit reactionary, *ad hoc* decisions, and to recover the ground lost in the foreign policy – national security – economic diplomacy nexus.

The result has been policy inconsistencies that create institutional frictions. For example, during the Zuma administration the lack of clarity about policy priorities allowed individual ministers to drive their own interpretations of foreign policy priorities and resulted in bureaucratic silos and inter-departmental tensions. It also caused there to be a lack of transparency and clandestine-ness in the process of strategy formation and policy-making. In addition, it created the impression that South African foreign policy makers had a hard time making decisions and that those decisions they did make were *ad hoc*, contradictory and/or stuck in the policies adopted during the liberation struggle era.

However, time does not favour South Africa. The gap between the foreign policy reality and the country's aspirations is growing. The next sections in this chapter seek to identify ways in which this gap can be narrowed.

3 Legislative frameworks in support of foreign policy

South Africa boasts a robust legal framework for foreign policy making. It consists of the Constitution of the Republic of South Africa Act 108 of 1996 and the Public Service Act 103 of 1994. It is complemented by important policy documents, including the National Development Plan (2012) and the White Paper on South African's Foreign Policy (2011).

3.1 Key legislation

As in all areas of South African policy making, the starting point for foreign policy making is the Constitution. Pursuant to this legal instrument, the president is responsible for providing the overall strategic direction of the country's foreign policy and international relations, as well as for appointing South African diplomatic representatives and receiving foreign diplomatic and consular representatives. In implementing these responsibilities, the president must comply with all applicable domestic law requirements and principles of international law.³ The president's discretion in implementing foreign policy will be impacted by the political party he/she represents and his/her cabinet of ministers.⁴ In fact, even though there is a legally mandated separation between the state and the ruling political party, it is unavoidable that the party will exercise considerable influence over policy-making and its bureaucratic implementation. This means that the direction of policy will be influenced by inputs from presidential advisers, politically influential cabinet ministers and their advisers and the provincial premiers. It also means that there is policy space for inputs from academia, civil society and business.⁵

The National Development Plan attempted to organise these diverse inputs into a coherent and implementable foreign policy.

3.2 A new(er) development plan

The National Planning Commission (NPC) was established in May 2010 to develop a vision and strategic plan that would drive South Africa's long-

3 Constitution of the Republic of South Africa, Act 108 of 1996.

4 Prah A, 'Think tanks and South Africa's peace diplomacy', in Masters L & van Wyk J (eds), *South Africa Foreign Policy Review Volume 3*. Pretoria: AISA (Africa Institute of South Africa), 2019, p. 84.

5 Van Wyk J, 'Special advisors and South Africa's foreign policy', in Masters L & van Wyk J, *op. cit.*, p. 99.

term development. It recommended that the government should approach national objectives, including foreign policy objectives, holistically. However, the ruling tripartite alliance expressed reservations about the plan's neoliberal approach, arguing that the plan would not bring about the sustainable and equitable development that South Africa requires. They also less openly suggested that the NDP would threaten the governance status quo.⁶ This suggests that a priority for President Ramaphosa is to adopt policies that ensure that confidence is restored in South Africa's ability to implement positive socio-economic change.

The NDP discusses foreign policy in chapters 7 and 13. Chapter 7 discusses economic diplomacy as part of its focus on Africa. The NDP document suggests a reconsideration of how continental integration should be approached.⁷ The previous approach is set out in the Abuja Treaty, to which South Africa is a signatory. It prescribes six stages to continental integration, each lasting three to four years. The NDP suggests that this approach may be too ambitious and recommends taking a more pragmatic position towards continental integration. In other words, it suggests that South Africa may be better served by a slower more cautious approach. It is unclear how this approach can be reconciled with the recent AfCFTA, which South Africa has signed and ratified. At the same time, this cautious approach has to be reconciled with the need for Africa to increase intra-regional trade and investment expeditiously. It should be noted however that this chapter of the NDP does not explore the issue of security or how South African national strategy may complement or fit into approaches of security on the continent and beyond. The limited discussion of security issues, which have become more complex since the NDP was published, may help explain the cautious approach suggested in this chapter of the NDP.

Although the NDP is intended to set out a strategic vision for the country's development, it shies away from making clear commitments and recommendations. Consequently, policy makers still have the responsibility to clarify South Africa's vision of African integration and how it should be implemented. Key government departments like DIRCO

6 Hlongwane S, 'Daily Maverick analysis: How the National Planning Commission plans to save SA's economy', *Daily Maverick*, 14 November 2011, <https://www.dailymaverick.co.za/article/2011-11-14-analysis-how-the-national-planning-commission-plans-to-save-sas-economy/> (accessed 6 June 2019); Whittles G, 'Radebe sticks to his NDP guns', *Mail & Guardian*, 2 July 2017, <https://mg.co.za/article/2017-07-02-00-radebe-sticks-to-his-ndp-guns> (accessed 6 June 2019).

7 National Planning Commission, 'National Development Plan 2030: Our Future – Make it Work', 2011, pp. 239-240, <https://www.gov.za/issues/national-development-plan-2030> (accessed 5 November 2019).

will also need to articulate how they plan to address the continent's peace and security challenges.

Chapter 13 focuses on implementation of the NDP's vision. It underscores the critical role that the public service should play in the NDP and calls for a professionalised public service at all three levels of government: national, provincial and local. Such a public service could begin to address the tensions that naturally can exist between political and administrative actors; and can contribute to the state having a robust administrative leadership.⁸ It is an important contributor to the implementation of the political vision of the national executive.

The NDP makes clear that an effective foreign policy requires both a pragmatic view of South Africa's international relations posture and a professionalised public service. The latter requires a general concern with governmental capacity and the relationship between different government departments.

3.3 The white paper on South African foreign policy

The key principles guiding South African foreign policy are enshrined in the white paper (2011), also referred to as the Diplomacy of Ubuntu. This document notes that 'South Africa's vision for 2025 is to be a successful and influential member of the international community, supported by a globally competitive economy on a sustained growth path ... In a rapidly evolving environment, South Africa will more frequently be faced with key strategic decision points. Its response to these will determine its success in the future.'⁹ In addition, this document outlines a number of ministerial and departmental bureaucratic functions that are required for effective foreign policy making. For example, the Minister of International Relations and Cooperation is 'tasked to formulate, promote and execute South Africa's foreign policy'.¹⁰ DIRCO is assigned a prominent role in the implementation of this policy. It is responsible for coordinating and managing the operationalisation of the policy, monitoring international developments and trends, protecting sovereignty and territorial integrity, conducting economic diplomacy and public diplomacy, establishing and managing matters on development cooperation and partnerships, advising

8 National Planning Commission, 'National Development Plan 2030: Our Future – Make it Work', 2011, pp. 407–410, <https://www.gov.za/issues/national-development-plan-2030> (accessed 5 November 2019).

9 DIRCO (Department of International Relations and Cooperation), 'White Paper on South African Foreign Policy: Building a Better World, the Diplomacy of Ubuntu'. Pretoria: Government Printer, 2011.

10 *Ibid.*

on international law, acting as custodian of international agreements, providing consular services, and formulating foreign policy options.¹¹

The white paper is consistent with the values reflected in the Constitution, with the NDP, the government's overall domestic priorities, as well as with the general direction of South African foreign policy. The paper identifies a number of key areas, like education, health, rural development, creation of jobs and crime prevention that are conducive to international cooperation. This can take the form of international partnerships and investment, and thereby can have a positive impact on structural inequality.

The white paper articulates a clear vision for how foreign policy can be taken forward through '[strengthening and formalising] management and coordination', better strategic liaison with missions abroad, closer cooperation with academia and think tanks, business and civil society through formalised coordinating bodies like the Consultative Forum on International Relations (CFIR), and the now defunct South African Council on International Relations (SACOIR). It also discusses the establishment of the South African Development Partnership Agency (SADPA), which has yet to be established.

4 Key governmental departments and parliament

This section explores the actors providing specialised functions and knowledge for South Africa's foreign policy. Some of them operate in key departments, such as International Relations and Cooperation. It also discusses the role of parliament and its portfolio committees and the relationship between the key governmental departments dealing with the country's foreign policy and the governing party.

4.1 Key departmental support

The Department of International Relations and Cooperation (DIRCO) takes a lead role in foreign policy. It supports the Minister's strategic vision by articulating and then implementing the vision. It does this through its activities relating to the promotion of the country's foreign relations priorities and participating in international organisations and institutions. DIRCO and the Minister are supported by all other relevant

11 *Ibid.*

national departments.¹² The relevant departments and ministries are able to assist DIRCO in regard to the country's international relations through the government's integrated clustering approach. The cluster groups include government departments at national and provincial level with cross-cutting programmes that relate to the design, articulation, and implementation of foreign policy. This cluster approach has had a positive impact on South African soft power and enabled coordination of smart power capabilities.¹³ In addition, DIRCO contributes to an overarching International Cooperation, Trade and Security cluster.

The main functions of the clusters are to ensure the alignment of government-wide priorities, to facilitate and monitor the implementation of priority programmes and to provide a consultative platform on cross-cutting priorities and matters being taken to cabinet. The clustering of bureaucratic and institutional efforts was a popular strategy from the time of Mbeki's presidency. The International Cooperation, Trade and Security cluster consists of the Ministries of Defence and Military Veterans, Telecommunications and Postal Services, International Relations and Cooperation, Finance, State Security, Tourism, Trade and Industry, and Environmental Affairs.

The Zuma administration was responsible for the official name change from the Department and Ministry of Foreign Affairs to the Department and Ministry of International Relations and Cooperation. This decision was taken by the ANC during the 2007 ANC policy conference. Maite Nkoana-Mashabane, Minister of International Relations and Cooperation from 2009 to 2018, explained in a statement that the name change was aimed at making the 'state machinery more efficient and service-delivery oriented', provide more clarity on DIRCO's role, as well as promoting global understanding of the functions of the department and ministry. However, a clearer mandate involving working agreements with other departments seems not to have been effectively achieved. This seems to have been further exacerbated by cadre or political appointees arriving with a limited agenda and is 'resulting in falling professional standards and unfilled vacancies in numerous middle management positions'.¹⁴ This has also had an impact on the strategic role, efficiency and promotion of career diplomats.

12 DIRCO, *Annual Report 2018/19*, 2019, http://www.dirco.gov.za/department/report_2018-2019/annual_report2018_2019.pdf (accessed 25 November 2019).

13 Joseph Nye defines smart power as the ability to combine hard and soft power into effective strategies in varying contexts. See Nye J, *The Future of Power*. New York: Public Affairs, 2011.

14 International Institute for Strategic Studies, 'The unwinding of South Africa's foreign policy', *Strategic Comments*, 23, 8, 2017, pp. i-ii.

Its budget management has also not been effective, with the department receiving a qualified audit several years in a row. For example, in the 2016/17 financial year, the auditor-general reported R 402 million in unauthorised, irregular and fruitless expenditure.¹⁵

In 2018, the then Minister of International Relations and Cooperation, Ms Lindiwe Sisulu, initiated a ministerial review of South African foreign policy.¹⁶ This was an acknowledgement that foreign policy was not performing to its potential. The highly anticipated review was a disappointment as it failed to demonstrate that a rigorous and critical discussion of the shortcomings in the country's foreign policy had taken place. Moreover, the full report was not released, and the redacted report seemed to confirm DIRCO's tendency to be opaque and unoriginal. The review largely reflected on the same issues that are discussed in the white paper, annual reports and in academic writing. Nevertheless, the review briefly acknowledged the impact of Zuma's mis-governance, and the positive inputs made by the civil service.

One example of the institutional challenges in regard to foreign policy is the long-standing rivalry between the Department of Trade and Industry and DIRCO on economic diplomacy through trade and investment. Tensions often arise when dti makes recommendations on trade and investment, and training of government personnel on trade and investment-related issues and they are not taken into account by DIRCO. This is despite the fact that there is an understanding that DIRCO is mandated to take the lead on these issues.¹⁷ Economic diplomacy has been highlighted as an essential element of the country's international relations in various departmental five-year reviews as well as in the National Development Plan. However, progress has been limited. Consideration should be given to closer collaboration between the dti and DIRCO for more successful trade and investment promotion. There are a number of economic offices around the world in economically important countries that the dti staffs. For example, in 2017/18, there were economic counsellors in eight African and three Middle Eastern countries, two in China, one each in India, Brazil and Russia, two in the US, one in Brussels (EU), and one

15 Qobo M, 'A new era for South Africa's foreign policy', *Daily Maverick*, 13 March 2018, <https://www.dailymaverick.co.za/opinionista/2018-03-13-a-new-era-for-south-africas-foreign-policy/> (accessed 5 June 2019).

16 DIRCO, 'Foreign Policy Review Report', 2019, http://www.dirco.gov.za/docs/2019/foreign_policy_review_report0417.pdf (accessed 6 June 2019).

17 PMG (Parliamentary Monitoring Group), 'Foreign Service Bill: Input by Department of Trade and Industry', 1 March 2017, <https://pmg.org.za/committee-meeting/24064/> (accessed 25 September 2018).

each in London and Berlin. South Africa's mission to the WTO in Geneva is staffed by dti officials.¹⁸

The National Treasury is the lead economic department. Thus, it sets economic targets, manages funding and leads on economic policy. It also plays a substantial role in foreign policy.¹⁹ Its international engagement is particularly significant in the global economic governance sphere. It leads in the finance track of the G20, and its officials represent South Africa in the Bretton Woods institutions and in other multilateral development banks such as the African Development Bank. South Africa's ambassador to the OECD, another important international organisation with which the country engages, is from DIRCO. However, many of the issues on the OECD agenda are taken up by the National Treasury.

In the security area, the Department of Defence (DoD) and the South African National Defence Force (SANDF) view their role as supporting the diplomatic role that DIRCO performs. They are crucial elements in supporting South Africa's conflict resolution role in the continent, including its ability to deploy troops under the UN or AU banner. Hard power instruments, such as the SANDF, working together with diplomacy, are essential in projecting smart power, that could be useful in reaching and implementing regional, continental and international solutions relating to the challenges of promoting economic development in peace keeping and building.²⁰

The South African State Security Agency (SSA) has an essential role in the formulation of foreign policy. It is to be expected that its work entails some overlap with the activities of DIRCO and the DoD.²¹ Notably, the ways in which these agencies interact in the design and implementation of these activities are rarely disclosed. Consequently, it is difficult to know to what extent these departments collaborate or compete in these activities. This situation is unlikely to change. Under section 14, the Foreign Service

18 dti (Department of Trade and Industry), *The dti Annual Report 2017/2018*, 2018, https://www.gov.za/sites/default/files/gcis_document/201810/dti-ar1718.pdf (accessed 20 March 2019).

19 SAIIA (South African Institute for International Affairs), 'Consolidating South African foreign policy', *South African Foreign Policy Monitor*, August/September 2006, https://www.saiia.org.za/wp-content/uploads/2008/04/FPM_Aug_2006.pdf (accessed 5 March 2019).

20 PMG, 'Foreign Service Bill: Labour, Agriculture & Health Departments Input', 1 November 2017, <https://pmg.org.za/committee-meeting/25370/> (accessed 25 September 2018).

21 PMG, 'SA foreign policy execution: expert analysis: DIRCO performance analysis by DPME', 19 October 2016, <https://pmg.org.za/committee-meeting/23471/> (accessed 25 September 2018); PMG, 'Foreign Service Bill: Input by Department of Home Affairs', 22 February 2017, <https://pmg.org.za/committee-meeting/24004/> (accessed 25 September 2018).

Act 26 of 2019²² gives DIRCO permission for the Minister to withhold information on grounds of state security. While the Act provides a legislative framework for the management, administration, accountability, and overall functioning of the South African foreign service, this section may create an impression that foreign policy making is opaque and unduly politicised. In 2018 President Ramaphosa announced that the intelligence service would be revitalised, focusing on national and international dynamics, and a year later he announced that the National Security Council, which had been disposed of under President Zuma, would be re-established to improve coordination of South Africa's intelligence and security-related functions. Such a council would need to focus on both domestic and global threats, and would thus play a crucial role in how the country's foreign policy evolves in the 2020s. It should be noted that it is not clear this is its purpose. Both the establishment of the council and the restructuring of the State Security Agency, following the report of the review panel on intelligence in 2018, would be a positive step away from the secretive manner that prevailed under Zuma. Previously, the intelligence community was highly politicised and factionalised, and openly admitted to disregarding legislation and policy in favour of personal interests of individuals.²³

The Department of Transport (DoT) and the Department of Public Works (DPW) are also key to a workable foreign policy strategy because of their role in helping to construct infrastructure for a growing population and to attract more investment for the country. This issue too was highlighted in the NDP.

The Department of Home Affairs (DHA) sets and implements the immigration regulations. The country's migration policy²⁴ is a factor in how South Africa is perceived especially in Africa.

Next, the Department for Higher Education and Training (DHET) establishes the standards for accrediting courses offered by DIRCO's diplomatic training academy. The academy has unfortunately, become a source of controversy. DIRCO has indicated that it would be in charge

22 The Foreign Service Act focuses on administration, improving the efficiency of DIRCO by streamlining its operations, rationalising foreign missions and regulating benefits and allowances for the foreign service abroad.

23 Quintal G, 'Cyril Ramaphosa announces plan to reform national intelligence services', *Business Day*, 7 February 2019, <https://www.businesslive.co.za/bd/national/2019-02-07-cyril-ramaphosa-announces-plan-to-reform-national-intelligence-services/> (accessed 6 June 2019); High-level Review Panel on the SSA, 'Report of the High-Level Review Panel on the State Security Agency', December 2018, https://www.gov.za/sites/default/files/gcis_document/201903/high-level-review-panel-state-security-agency.pdf (accessed 6 June 2019).

24 PMG, 22 February 2017, *op. cit.*

of the training offered by the academy. DHET has countered that it is their mandate to approve or provide education and training at nationally approved levels. Furthermore, South Africa's higher education system is one of the elements of the country's soft power. Another relevant department is the Department of Tourism (DoT). Tourism is both a source of soft power and an important contributor to national revenue.

Lastly, the departments of Mineral Resources and Energy; Human Settlements, Water and Sanitation; Environmental Affairs; and Public Enterprises should participate more actively in foreign policy consultations, given that they lead on specific global debates and on negotiations such as the UNFCCC or UN Habitat. Their potential contribution to achieving South Africa's strategic geopolitical aspirations and national priorities in terms of the NDP do not receive adequate attention. They have a role to play regarding both international economic relations and national security. Although these specialised departments have the capacity to work within the international relations and cooperation cluster the discussions are often about administrative issues such as personnel and asset management, rather than foreign policy formulation and implementation. Thus the clustered approach, although it is workable in certain cases, also duplicates bureaucratic activities and appears to be inconsistent in its discussions with other states. It also can blur the lines of who makes foreign policy in South Africa.

4.2 The role of parliament and portfolio committees

Parliament, elected nationally through a proportional representation system every five years, is ultimately responsible for passing any legislation dealing with the making and implementation of foreign policy. The parliamentary Portfolio Committee on International Relations and Cooperation (PCIRC) oversees DIRCO, the activities of the African Renaissance Fund, and the activities of South African missions abroad.²⁵ There is a natural tension between the policy making and implementing role of the National Executive Authority (consisting of the president, deputy president and cabinet) and the oversight role of parliament. The latter also allows space for the representatives of other political parties to play some role in regard to foreign policy. Nevertheless, it is important to note that the ruling party plays a more significant role in making foreign policy than parliament and the PCIRC. The ANC NEC resolutions and party members have dominated the policy and leadership landscape

25 Van Wyk J, 'Between Plein Street and Soutpansberg Road: Parliament and foreign policy during the Zuma Presidency', in Landsberg C & Masters L (eds), *From the Outside In: Domestic Actors and Foreign Policy*. Johannesburg: Fanele, 2010, p. 79.

which suggests that South Africa's foreign policy is in essence an ANC resolutions-based foreign policy.

One example of parliament's role in regard to foreign policy is that the PCIRC reported in 2016 that there was 'a lack of leadership in the Department', and that it had concerns relating to the Department's audit reports and budgeting and supply chain management. It noted that foreign missions had not accounted accurately for the assets that were procured and disposed of, and that there were problems relating to their budgets.²⁶ More recently the PCIRC again sought to hold accountable DIRCO's chief financial officer for irregular expenditures reported in the audited financial statements,²⁷ albeit not successfully.²⁸ The PRIRC has not proved to be effective in contributing to the formulation of strategic thinking about foreign policy. On the whole it has been very reactive, responding to issues and policy rather than taking the initiative.²⁹

4.3 Official advisory units

Pursuant to the Constitution, the role of the President is paramount in articulating a vision for foreign policy. However, this requirement does not clarify how the president should balance the office's governmental responsibilities with party political considerations. The primacy of the ANC in post-apartheid foreign policy making has grown over time. However, it has also become more evident over the last 25 years that the ANC does not have a unified view of foreign policy. As a result, each president has developed his (they have all been men) own foreign policy which has impacted on the support structures and the nature of foreign policy making.

Thus, Mandela focused on policy reform and on laying the groundwork for the ANC party and leadership to continue developing a more thought-out geostrategy. During Thabo Mbeki's tenure as deputy president in the Mandela administration, he began emphasising South Africa's strategic positioning and potential in Africa, and Africa's importance to the world. He also established an advisory council, referred to as the Consultative

26 PMG, 19 October 2016, *op. cit.*

27 Parliament of the Republic of South Africa, 'Committee on IR to scrutinise DIRCO's irregular expenditure and recurring audit outcomes', Press Release, 29 October 2019, <https://www.parliament.gov.za/press-releases/committee-ir-scrutinise-dirco-irregular-expenditure-and-recurring-audit-outcomes> (accessed 25 January 2020).

28 DA, 'DIRCO CFO once again evades committee in favour of undisclosed overseas junket', 13 November 2019, <https://www.da.org.za/2019/11/dirco-cfo-once-again-evades-committee-in-favour-of-undisclosed-overseas-junket> (accessed 25 January 2020).

29 Van Wyk J, *op. cit.*, p. 79.

Council. A variety of key sectors were represented on this Council, including the former Department of Safety and Security, the Ministry Of Defence, the Congress of South African Trade Unions (COSATU), the City Press editor, parliamentary counsellor Essop Pahad, the National Olympic Committee of South Africa, academics and lawyers, and members of the black business community. The Council's members were reluctant to discuss it openly and indicated that its role was to provide Mbeki with South African, rather than ANC, perspectives on foreign policy.³⁰

While the Council was criticised, it demonstrated that advisory bodies containing a diversity of views could play a useful role. As a result, when South Africa went through its second wave of planning reform from 2001 to 2008 that focused on driving coordination and intergovernmental cooperation analogous bodies were created. For example it was during this period that the government created the Policy Coordination and Advisory Services (PCAS), and the Presidential Support Unit that focused exclusively on foreign policy.³¹ The latter, which replaced the Coordination and Implementation Unit, mirrored the five chief directorates of cabinet committees.³²

The Mbeki presidency, from 1999 to 2008, was characterised by an Afro-centred approach and a coherence and strategic logic in terms of foreign policy content and priorities. The PCAS typically provided information on development indicators, policy inputs and outputs, scenario planning in the form of advisory memoranda for cabinet meetings, developed a five-year strategy and monitored its implementation.³³ In 2003, the Policy Research and Analysis Unit (PRAU) was created within the Ministry of Foreign Affairs, which aimed to streamline interactions with academia and think tanks in terms of foreign policy inputs. This unit held regular and critical interactions with academia and the foreign affairs community. Although it was considered a significant unit within the ministry, it still depended on a staff and ministerial leadership for strategic direction.³⁴

30 *Mail & Guardian*, 'Who's who in Mbeki's private think-tank', 19 July 1996, <https://mg.co.za/article/1996-07-19-whos-who-in-mbekis-private-think-tank> (accessed 8 November 2019).

31 Department of Planning, Monitoring and Evaluation, 'Presentation to the Portfolio Committee on Public Service and Administration, Planning, Monitoring and Evaluation', Cape Town, 2018.

32 Siko J, *Inside South Africa's Foreign Policy: Diplomacy in Africa from Smuts to Mbeki*. London: IB Tauris, 2014, p. 222.

33 Hirsch A, 'South Africa has a new presidential advisory unit. Will it improve policy?', *The Conversation*, 17 May 2019, <https://www.polity.org.za/article/south-africa-has-a-new-presidential-advisory-unit-will-it-improve-policy-2019-05-17> (accessed 4 December 2019).

34 Siko J, *op. cit.*, pp. 125–126.

However, the policy making structures were not fully matured and embedded by the end of the Mbeki era. As a result, several elements were dismantled. For example, following the resignation of the Director-General of PCAS, Joel Netshitenzhe, the PCAS was dismantled and its functions were devolved to other departments like the Department of Performance, Monitoring and Evaluation.³⁵

During Jacob Zuma's time as president, from 2009 to 2018, the prestige of the remaining foreign policy advisory units diminished and they played a less active role in foreign policy making.

The situation began to change with the advent of the Ramaphosa presidency. One of his priorities has been to re-establish the government's policy capacity. He has created a Policy Analysis and Research Services (PARS) that is intended to coordinate policy making across all spheres of government. It acts as the overarching coordinator for all the policy and advisory bodies that serve the presidency. The credibility and efficacy of the staff of the PARS depends on the intellectual quality and bureaucratic skills of its contributors, such as public intellectuals and former contributors to advisory bodies. Its staff consists of many former PCAS staff. One objective of the PARS is to mitigate the tendency for officials to work in policy silos. Consequently, it has the potential to strengthen the connections between foreign policy making and the formulation and implementation of other national policy objectives.

5 'We shall overcome' – Someday, whenever ...

It is possible to paint a bleak picture of the current state of South African foreign policy making. The cluster system that existed during the Zuma years was not an effective mechanism for coordinating inter-departmental and inter-ministerial relations. As a result of the changes that have occurred with each change of office holder, the South African presidency has not built up enough institutional capacity to develop and pursue a strategic foreign policy agenda. One reason for this situation is that the PCAS unit, developed by Mbeki, was dismantled during the Jacob Zuma presidency. This resulted in weakened executive discipline over cabinet and departments. These capacities are having to be re-established during the Ramaphosa presidency.

35 The presidency, 'Resignation of Director-General of Policy Coordination and Advisory Services (PCAS) in The Presidency', 2009, <http://www.thepresidency.gov.za/content/resignation-director-general-policy-coordination-and-advisory-services-pcas-presidency> (accessed 14 November 2019); Rossouw, M, 'Govt policy guru Netshitenzhe resigns,' 20 October 2009, <https://mg.co.za/article/2009-10-20-govt-policy-guru-netshitenzhe-resigns> (accessed 14 November 2019); Hirsch A, *op. cit.*

5.1 The Foreign Service Act

In 2015, DIRCO drafted a Foreign Service Bill, the purpose of which was to streamline foreign policy making and implementation. Briefly, the Bill addresses the management, administration, accountability and functioning of South Africa's foreign service. It also sought to establish a diplomatic training academy. However, parliamentarians and other departments expressed concerns about the Bill. Among the problems with the Bill were that the vision it articulated was vague, and there was a need for more precision in the definitions in the Bill. In addition, the functions and responsibilities of the minister namely, to make '... any policy, code, prescribe any ancillary or incidental administrative or procedural matter that is necessary to prescribe the proper administration and management of its foreign service and its members which is not inconsistent with this act and subject to any collective agreement applicable to the foreign service' were too broad. There was also concern about how much oversight the Department of Public Service and Administration would be able to exercise over DIRCO. Participants in the meetings of the parliamentary Committee on International Relations on the Bill, expressed concerns about the lack of provisions addressing the need for other departments to be consulted regarding foreign policy making relating to issues of relevance to them. There was also concern expressed about the overlap between departmental responsibilities in terms of assets, staffing and economic partnerships.

The bill was passed by the National Assembly in 2018. The National Council of Provinces (NCOP) rejected the proposed bill in 2019 and returned it to the National Assembly requesting amendments. The Bill subsequently lapsed when parliament was dissolved before the 2019 national elections.

The Bill was passed into law in June 2020. DIRCO's activities have been expanded to act as the official custodian of South African foreign policy while still dealing with foreign policy coordination, administration, staffing and management of foreign missions, rendering consular services, and conducting communications. The Act emphasises the role of training that contributes to the tightening of missions abroad and at headquarters, thus addressing the critique of cadre deployments over career diplomats.

5.2 Strengthened institutions through strategic advisory bodies, the potential for a national strategy and development council

Another approach would be to make more effective use of advisory bodies. President Ramaphosa's revival of the PCAS is a good sign that these bodies could play a greater role in the future. However, it is not yet clear if this new PCAS will be built into a robust executive referee in the policy formulating and implementing process for the newly streamlined cabinet.

President Ramaphosa has also revived the 'National Security Council' that President Mbeki created but which became dormant under Zuma. However, it appears designed to focus more on state security than to serve as the apex of a national security and development architecture. Thus while it should assist the presidency in gaining greater leverage over what has been an out-of-control and highly politicised intelligence sector, it is not clear that it will help improve inter-departmental foreign and domestic policy coordination and implementation. (A revived National Security Council was an outcome of the presidential review of the security sector but did not expand its remit.) As a result, it is unlikely to be an effective mechanism for addressing the magnitude of challenges faced by South Africa.

As indicated earlier, more effective institutional strengthening of the presidency is imperative. This, for example, would require creating a 'National Strategy and Development' Council, that could include a Policy Analysis and Research Service. However, this would likely require legislation so that such a beefed-up structure would be entrenched and could not easily be dismantled by a future occupant of the Union Building. This council, operating closely with Treasury, and other clusters would help integrate all departmental initiatives into a 'grand strategy' for the country. Foreign policy and developmental national security strategy would be part of this grand strategy. The cluster system could still be used by converting them into PCAS policy and research directorates within the council linked to the NPC. A big factor is President Ramaphosa's downsizing and reconfiguring of government and public service. This could result in both a mooted economic 'super ministry' and increased capacity in the presidency and DIRCO. The NPC, within such a *legislated* national strategy and development council framework, would have to operate as a strategic planning and coordinating filter in overcoming the 'silo' tendencies of ministries and departments to initiate and/or undertake policies and actions that are out of sync with other sectors of government. Such a 'National Strategy and Development Council' could address the

need for a robust coordinating and long-term planning architecture within the presidency.

This structure could be complemented by a government public policy think tank that is professionally capacitated, and that provides the government with policy-relevant research and analysis, and education and training in international relations, security studies and economics. This think tank could be further supported by non-governmental think tanks and universities.

Similarly, DIRCO could utilise this think tank, supplemented by its own policy planning staff, in shaping foreign policy. One way to implement this capacity would be to utilise a revived PRAU to liaise with the think tank in the presidency and with its counterparts in DoD, the Department of Trade and Industry, the Department of Economic Development, and National Treasury. In addition, an independent non-governmental World Affairs Council system based in major cities could be the replacement of SACOIR. This could offer avenues for business, civil society and academic institutions as well as think tanks to engage more actively with DIRCO and the making of foreign policy.

6 Conclusion

Achieving strategic coherence in South African foreign policy is in the national interest. South Africa's institutional and bureaucratic architecture in foreign policy making will have to evolve away from the existing monopoly of governing one-party dominance and towards a more inclusive process of policy-political discourse engaging other parties and all society's major stakeholders. This means that, within the bureaucratic and institutional realms, there needs to be an emphasis on professionalisation rather than on politicisation in the dominant political culture. And this, in turn, means a greater interplay between the governing party-state, opposition parties and the private and non-governmental sectors of society in a national dialogue on foreign policy, national security and development.

Some recommendations that could facilitate this development are to:

- transform the liberation struggle's 'solidarity diplomacy' into a diplomacy of strategic autonomy and nonalignment, which prioritises regional integration and a pan-African continentalist agenda.
- establish a National Strategy and Development Council with formalised multi-party representation within the presidency instead of a purely state security revival of the National Security Council. A component of this council should be the establishment of an

International Relations, Peace and Security and Foreign Trade Commission (offsetting an Economic, Innovation and Social Development Commission).

- combine the trade function of the dti with DIRCO. This would allow an enhanced policy unit, supported by a robust PRAU and Trade and Industrial Policy Strategies (TIPS), to be established in the minister's office. It could serve as the chief policy-planning and liaising interface within and outside government. All foreign affairs related units within other departments may have the opportunity and infrastructure to coordinate their initiatives through PRAU and all track 2 diplomatic initiatives like South African BRICS Think Tank Council and the IORA research cluster would be under the management and oversight of this unit. It could also convene a quadrennial 'Grand Strategy' conference involving the presidency, Defence, dti, other departments, external think tanks and the international relations committees of political parties represented in parliament and on its portfolio committees. This approach could help move foreign policy makers towards a multi-stakeholder engagement model that could facilitate an expanded and inclusive dialogue on South African foreign policy and economic diplomacy that transcends ideological and partisan divides. Although SACOIR initially had such a function, such a revived organisation would be open to wider participation and it could provide more dynamic policy inputs.