

OPINION & ANALYSIS

EBRAHIM HARVEY | It's time to confront SA's race classification system

By replicating the Nats' method the ANC has created a tiny elite and done nothing to overcome disparities



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HISTORY MAKER Glen Snyman, founder of People Against Race Classification, recently identified himself as 'African' in an application for a principal's position. He was unsuccessful and subsequently charged with fraud.
Image: People Against Race Classification/Facebook

Glen Snyman, a “coloured” teacher from Oudtshoorn, in the Western Cape, will go down in our history as the first person to take a principled stand, rally support and organise against the government’s outdated, contradictory and arguably not only racist but racist and unconstitutional race classification system. Snyman, significantly, is the founder of People Against Race Classification, a group dedicated to campaigning against this system, and has been active in this regard since 2010.

He faced disciplinary action for identifying himself as “African”, to allegedly gain an advantage when he applied for a principal post at a school in 2017. But, bizarrely, his application was not only unsuccessful, and he was also subsequently charged with fraud by the department of education in the Western Cape. Provincial MEC Debbie Schäfer has since intervened and condemned the decision to charge him.

This is a typical case of double tragedy: his application was rejected and he was penalised for identifying himself as “African”. A major consideration in this matter – aside from the obvious contradiction between the constitution’s commitment to nonracialism and the overt and arguably unconstitutional emphasis on “race” as the chief criterion upon which he was disqualified for applying for the post and thereafter charged with fraud – is the evident criminalisation of the refusal by Snyman to comply with and pander to an affirmative action (AA) framework, which is arguably racialist and racist.

There are serious constitutional problems in this and all similar cases, especially since the constitution is regarded as the supreme legislation in the country. Surely, if that is the case, the constitution should enjoy the highest moral authority in the adjudication and interpretation of such contentious cases.

But to understand the roots of this problem we must go back to the nature of the political settlement and the AA legislation of the 1990s. Undoubtedly, there is a direct contradiction between the ethos of nonracialism and antiracism, which lies at the heart of the centuries-long struggles for the emancipation of this country and therefore enjoys prominence in our constitution as a guiding principle, and AA legislation, which frames the decision by the ANC government to fully replicate the apartheid-era racist classification system after 1994.

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The argument that there was no alternative to using the apartheid-era classification system to overcome the systemic disparities of that past is untrue. The late Neville Alexander, Jonathan Jansen and many other writers and thinkers have challenged that wrong, misleading and dangerous rationale. Gerhard Mare dedicated a book, *Declassified*, to a systematic and withering critique of AA, which he points out has mainly benefited the small black elite and middle class in government and the corporate world.

The truth is, the ANC did not seriously explore alternative models of redress after 1994. There is no doubt that alternatives which stress social and class criteria for redress exist, especially since such an approach will still ultimately be coloured by “race”, which in our history has been largely synonymous with class.

But it is certainly not the majority black (African, coloured and Indian) working-class, who bore the brunt of apartheid who have benefited from AA. To the contrary, the poverty, unemployment and social inequalities confronting them have worsened, which has also made them more vulnerable to the social devastation wrought by the Covid-19 pandemic.

However, a close study of AA will reveal that it is not only a hierarchical inversion of the apartheid-era racial pecking order, but has also spawned a narrow and discriminatory Africanist majoritarian chauvinism in applications for posts in government and the private sector. In other words, “African” applicants, disregarding skill, qualifications and experience, are given preference for the simple reason that they ethnically belong to the demographic majority. But this is a gross distortion of what the liberation of black people, who were oppressed and exploited for centuries, was meant to be in a post-apartheid SA.

Besides, this is an inversion of what the racist Nationalist Party did under apartheid, by overtly favouring white Afrikaners for work in government and much of the private sector, except for the most menial jobs, which were reserved for black people. The only differences are that it is the ANC, under a black majority government, doing today what the NP did in the interests of the white minority under apartheid.

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Snyman's job application was probably unsuccessful not because he lacked the skills, qualifications and experience for the post. There is no report anywhere that I am aware of which states he was unsuccessful for competency reasons. The clear implication is that he was not in the first place considered an application candidate for the post because he disqualified himself by misrepresenting his racial classification.

He was in all likelihood disqualified on the grounds of "race": that he was classified as "coloured", which was arguably the most false, traumatised and divisive racial identity the white racist rulers of the past conjured up in the old Cape slave colony. But to then, on top of suffering overt discrimination, charge him with fraud is the height of incredulity, besides the searing irony that this system is arguably false and fraudulent by making unjustifiable claims about "race".

But the ANC fought tooth and nail in the 1990s to retain the apartheid-era racialist classification system against many, including leaders in the SACP, who argued vigorously against it. But the ANC's decision prevailed then for the same reason it prevails today: that the "African" people demographically happen to be the vast majority of the population, which automatically disqualified Snyman who is "coloured".

The tiny black elite of today was created upon that same perversely convenient demographic basis, but today they are socially separated by a chasm from the impoverished and unemployed "African" majority. That is another ultimately class bias inherent in AA and its corollary, BEE, and why intra-racial class differentiation after 1994 has outstripped, by far, the interracial inequalities we inherited from apartheid. This is why the argument that class apartheid has replaced pre-1994 race-based apartheid is powerful and compelling.

But the indisputable fact is that the ANC has been chiefly and ironically instrumental in the retention of the apartheid-era classification system in the calculated interests of the creation of a tiny black elite and more numerous black middle class at the expense of the interests and needs of the black working-class majority. That is why we have had an unstoppable explosion of militant black township protests by ordinary people since June 2004, which began in the Free State.

The stand Snyman has taken and the activism he has engaged in to fight against the existing discriminatory racial classification system which arbitrarily denied him an opportunity to apply for a post must be saluted. This is such a noble and important cause, and with so much at stake, that I strongly believe it must be fought and supported right to the Constitutional Court.

What makes this whole saga more reprehensible is that who is an "African" in this country is a disputable and controversial matter. In a column in the Mail & Guardian in 1999 I penned a piece, "Dispel the myth of a black African identity". In it I argued: "If a true African identity means more than just geography and country of birth then let us spell out what these criteria are – whether it be cultural, social, ideological or historical aspects which distinguish 'real' Africans from others who have lived on this continent for more than 300 years."

• Ebrahim Harvey is a political writer, analyst and author, whose new book on race, class and gender under ANC rule will be published in January.