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**Paradiplomacy: A Comparative Analysis of the International
Relations of South Africa's Gauteng, North West and Western Cape
Provinces**

By

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Thesis submitted in fulfilment of the requirements for the degree

DLitt et Phil (Politics)



University of Johannesburg

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DECLARATION

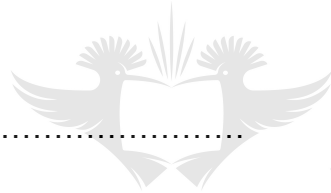
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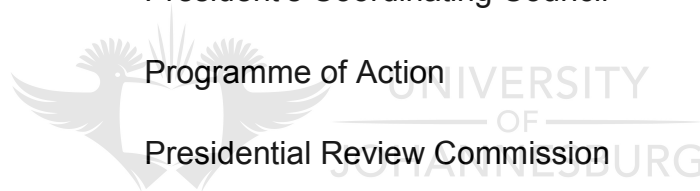
LIST OF ABBREVIATIONS AND ACRONYMS

ANC	African National Congress
BEE	Black Economic Empowerment
BRICS	Brazil, Russia, India, China, South Africa forum
CFIR	Consultative Forum on International Relations
CIDA	Canadian International Development Agency
COGTA	Cooperative Governance and Traditional Affairs
CPA	Commonwealth Parliamentary Association
DA	Democratic Alliance
DFA	Department of Foreign Affairs
DG	Director-General
DIRCO	Department of International Relations and Cooperation
DP	Democratic Party
DPLG	Department of Provincial and Local Government
DRC	Democratic Republic of Congo
EXCO	Executive Council, Provincial
EXTECH	Executive Technical Committee, Provincial
EU	European Union
FDI	Foreign Direct Investment

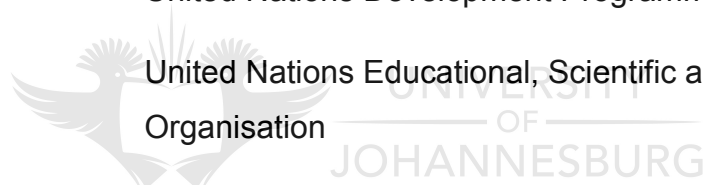
FET	Further Education and Training
FOSAD	Forum for South Africa's Directors-General
GDP	Gross Domestic Product
GEDA	Gauteng Economic Development Agency
GPG	Gauteng Provincial Government
HDI	Human Development Index
HOD	Head of Department
IBSA	India, Brazil, South Africa forum
ICFIR	Inter-Departmental Coordinating Forum on International Relations
ICTS	International Cooperation, Trade and Security cluster
IFP	Inkatha Freedom Party
IGOs	intergovernmental organisations
IG & IR	Intergovernmental and International Relations Directorate
INGOs	international non-governmental organisations
IPAC	Institute of Public Administration in Canada
JSE	Johannesburg Stock Exchange
MEC	Member of Executive Council, Provincial
MNCs	Multinational corporations
MOU	Memorandum of understanding
MPL	Member of Provincial Legislature



NAFTA	North Atlantic Free Trade Area
NCOP	National Council of Provinces
NEPAD	New Partnership for Africa's Development
NGOs	non-governmental organisations
NNP	New National Party
NP	National Party
NPC	National Planning Commission
NWPG	North West Provincial Government
PCC	Premier's Coordinating Council
PCC	President's Coordinating Council
POA	Programme of Action
PRC	Presidential Review Commission
PIACC	Provincial International Affairs Coordinating Committee
PIRCG	Provincial International Relations Coordinating Group
RLF	Regional Leaders Forum
RSA	Republic of South Africa
SCTIR	Select Committee on Trade and International Relations
SADPA	South African Development Partnership Agency
SMMEs	small, medium and micro enterprises
SNGs	sub-national governments



SACU	Southern African Customs Union
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
SALGA	South African Local Government Association
SOA	spheres of authority
SONA	State of the Nation Address
SOPA	State of the Province Address
TFCA	Transfrontier Conservation Areas
USAID	United States Agency for International Development
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund
WB	World Bank
WCPG	Western Cape Provincial Government
WHO	World Health Organisation
WRF	World Regions Forum
WTO	World Trade Organisation



ABSTRACT

South Africa's 1996 Constitution makes provision for relatively autonomous provincial administrations, which share responsibility with the national government for important functional areas while also exercising exclusive authority over others. Although the Constitution is not explicit on the distribution of foreign policy competence, the dominant interpretation among South African policy-makers is that this functional area is the exclusive domain of the national government. Consequently, the foreign policy-making process in the country has over the years been dominated by the national executive. Even so, since 1995 the interplay of a set of push and pull factors has encouraged all provinces to assume an active and direct international role, to the extent that provincial international relations or paradiplomacy has become an important feature of South Africa's international relations.

This study examines the paradiplomacy of the South African provinces of Gauteng, the North West and the Western Cape against the backdrop of a relatively weak scholarly and public discourse of the phenomenon in the country. Through an in-depth and empirically based analysis of the three case studies, the inquiry generates insight into the nature and meaning of paradiplomacy in South Africa, as a contribution to the development of alternative accounts of a phenomenon whose scholarship is still heavily dominated by Western perspectives.

The study finds that paradiplomacy has evolved in South Africa as a predominantly functional project, which has little significance for the authority of the national government over the country's foreign policy and international relations. The provincial governments in Gauteng, the North West and the Western Cape engage in international relations primarily as a strategy to harness the opportunities of globalisation and economic interdependence, in the interest of the socio-economic development of their respective jurisdictions. This 'developmental paradiplomacy' is conditioned to a large extent by the limited provincial powers on foreign affairs, strong centripetal forces in South Africa's political system, as well as the pervasive influence of the post-apartheid

discourse on socio-economic transformation. Thus, although all three provinces examined conduct their international relations with relative autonomy and in ways that have at times undermined the country's international reputation and attracted Pretoria's ire, these activities are consciously defined within the framework of the country's foreign policy and, in some cases, are executed in close collaboration with the national government. In a sense, therefore, provinces conceive of their international role as that of agents or champions of Pretoria's foreign policy agenda.

The key findings of this study, especially as they pertain to the nature and significance of paradiplomacy in South Africa, highlight the North-South geopolitical cleavage in the manifestation of the phenomenon. On the one hand, the South African case resonates with the experience in other developing countries like India, China, Malaysia and Argentina, where paradiplomacy evolves under the shadow of national foreign policy processes. On the other hand, the findings contrast with the experience in most countries in Europe and North America where questions of nationalism, sub-national identity and the sovereign authority for international representation have contributed to defining the international agency of sub-national governments.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

For nearly four centuries, coinciding with the birth and ascendancy of the modern state system, diplomacy and foreign policy were entrenched as the exclusive domain of the sovereign nation-state. This is reflected in, among other things, the fact that nation-states continue to be recognised as the primary subjects of public international law, although as Shaw (2008: 194-265) suggests, legal personality could be imputed to a host of other international actors. The hitherto dominant perception of diplomacy as the preserve of the sovereign state is also evident in the state-centric bias of traditional theories of international relations and foreign policy. However, as Cornago (2010a: 89-91) reminds us, the monopolisation of the diplomatic space by nation-states constitutes just one episode in an evolving history of diplomatic practice, which has been rich with a plurality of actors, methods and conventions. Over the past three decades, a combination of intensified globalisation and increasing economic interdependence, far-reaching technological innovations, as well as an ongoing revolution in ideas and norms on social and political organisation, have once again given salience to transnational interactions. Consequently, the nature of diplomacy as a process of communication, and even the study of foreign policy and international relations, have changed radically.

The extent of this development is such that foreign policy and diplomacy are no longer considered the exclusive preserve of national governments or departments of foreign affairs within national governments. Other functional government departments, sub-national governments (SNGs), an array of private and non-profit organisations, and even prominent individuals acting in their personal capacity, have increasingly become involved in foreign affairs and the practice of diplomacy. As sovereign states increasingly find themselves inept at shielding their constituents from the challenges of globalisation, many sub-state actors have responded by seeking direct access to global centres of power with a view to maximising the

opportunities of interdependence and mitigating the challenges. Thus, as Keohane and Nye (1977: 25-25) assert, traditional inter-state channels that once connected societies have now been supplanted by multiple channels, characterised by informal and formal relations involving an enlarged cast of state and non-state actors. To borrow from Cornago (2010a: 91) again, what is being witnessed is the re-pluralisation of the diplomatic realm as once-suppressed voices take advantage of a 'new era of global complexity and perforated sovereignties' to rediscover and in some cases develop new forms of transnational identities and linkages.

1.2 Problem Statement and Rationale for the Study

Until recently, academic discussions on the expanded cast of international relations actors have focused almost entirely on the international agency of transnational actors or what Rosenau (1988: 333) prefers to call 'sovereignty-free' actors such as international non-governmental organisations (INGOs), multinational corporations (MNCs) or terrorist networks (see, for example, Ataman, 2003; Wapmuk, 2012). This research orientation has been influenced to a great extent by Rosenau's 'two worlds of world politics' thesis, which argues in favour of a conceptual distinction between state or 'sovereignty-bound' actors on the one hand, and non-state or 'sovereignty-free' actors on the other hand. However, as Lecours (2002: 91-92) contends, these conceptual categories are ambiguous, as they conceal the emergence of a third force, in the form of SNGs (provinces, regions and local governments), whose prominence on the world stage is only beginning to be unravelled. As a result of their hybrid status that incorporates features of state and non-state actors, SNGs do not conform strictly to any of Rosenau's categories. Their international agency thus raises unique conceptual and practical challenges to the practice and understanding of diplomacy and international relations.

While this changing reality has received considerable attention from scholars of international politics, the literature review documented in the next section of this chapter suggests that the scholarship in this regard suffers from a Western bias. Not surprisingly, Western perspectives continue to dominate the interpretation and understanding of the phenomenon of SNGs becoming international actors. Most conspicuous is the dearth in attempts to study and understand the foreign relations of SNGs from an African perspective, even though as Cornago (2010b: 16-19) points

out, the trend of SNGs assuming an international role can be observed in virtually every region of the world. This study was thus motivated by the need to contribute to the development of alternative perspectives and conceptions of the phenomenon.

The central question that the research seeks to answer is: What is the nature and significance of the foreign relations of South African provinces? The sub-questions that guided the inquiry include:

- What accounts for the increased interest in international relations by South African provinces?
- How does the domestic environment encourage or constrain the international relations of South African provinces?
- Which instruments do South African provinces employ in their international relations, and what institutional mechanisms are used to coordinate these activities?
- What variations can be detected in the international relations strategies of the different provinces?
- What is the nature of the interface between paradiplomacy and South Africa's foreign policy, and to what extent does the former contribute to the democratisation of the latter?

1.3 Aim and Objectives of the Study

The overarching purpose of the present research is to conduct an in-depth and empirically-based analysis of the foreign relations of three South African provinces, with a view to appreciating the nature and significance of the phenomenon in an African context. The specific objectives of the study are to:

- Critically analyse the motives and goals of paradiplomacy in South Africa.
- Understand the dynamics in the domestic context that shape the paradiplomacy of South African provinces.
- Identify and analyse the instruments that provinces use in their international relations.

- Critically examine the institutional mechanisms employed to coordinate paradiplomacy at the provincial level.
- Ascertain the existence of, and explain, any variations in paradiplomacy across provinces.
- Appreciate how provinces define their foreign activities in relation to South Africa's foreign policy.
- Make an appraisal of the extent to which paradiplomacy contributes to the democratisation of South Africa's foreign policy and international relations.

1.4 Literature Review and Significance of the Study

A key feature that immediately surfaces from a review of the existing literature on the foreign relations of SNGs is the prevalence of conceptual ambiguities and terminological controversies. Whilst there is consensus in the literature on the global spread of this phenomenon (see for example Sharafutdinova, 2003; Cornago, 2005; Lecours, 2008), scholars differ on the meaning of the phenomenon, as well as the appropriate neologism that should be used to denote it. The term *paradiplomacy* or *parallel diplomacy* was introduced and promoted by Soldatos and Duchacek (quoted in Geldenhuys, 1998; Aguirre, 1999) to describe the phenomenon of SNGs (provinces, regions, or cities and local governments) developing their own international relations. However, scholars such as Hocking (1996) and Zobelzu (2006) have objected to the use of the term, arguing that it unnecessarily suggests conflict between the international activities of SNGs and the foreign policies of their national governments. A similar concern is shared by Kincaid (1990: 74, footnote 2) who argues that the term paradiplomacy exhibits a nation-state bias, implying that the international activities of SNGs are necessarily inferior to those of nation-states. Alternative terms such as *multilayered diplomacy* and *constituent diplomacy* have been suggested to denote the phenomenon (see Hocking, 1996: 41-42; Kincaid, 1990). A detailed assessment of the different conceptualisations is contained in chapter two of the thesis.

Generally, the scholarship on the international relations of SNGs can be placed in four broad categories, depending on the orientation of the authors. The vast majority of the writings on the subject have been empirical in nature, focusing on the

investigation and updating of individual case studies. In this respect, the foreign relations of Canadian provinces (Feldman and Feldman, 1990; Balthazar, 1999; Lachapelle and Paquin, 2003; Lejeune, 1990; Lecours, 2009), those of Belgian regions (Crikemans, 2006; 2008; 2010a; Bursens and Massart-Pierard, 2009) as well as the experience of Spanish regions (Ugalde, 1999; Lecours and Moreno, 2003; Aldecoa and Cornago, 2009) have attracted considerable attention. Other significant case studies identified are those of American and Australian states (Fry, 1990; 2009; Kincaid, 1999; Ravenhill, 1999; Twomey, 2009), German *Länder* (Michelmann, 1990a; Hrbek, 2009), Swiss cantons (Wildhaber, 1990; Thurer and Maclaren, 2009), Russian regions (Makarychev, 1999; Sharafutdinova, 2003), Chinese provinces (Zhimin, 2005; Cheung and Tang, 2001; Zhimin and Junbo, 2009), Brazilian and Indian states (Salomon, 2009; Jenkins, 2003; Sridharan, 2003; Mattoo and Jacob, 2009) and Argentinean provinces (Zubelzu, 2006; Iglesias *et al*, 2009). Four major themes run across these case studies: the reasons and motivations for the foreign relations of the studied units, the strategies and forms of their international activities, the constitutional and institutional contexts that support their paradiplomacy, as well as the implications of these activities for the cohesion of the foreign policies of their respective countries.

The second category of literature is more theoretical in nature and attempts to develop general frameworks and theoretical perspectives for explaining and understanding the phenomenon. The seminal works of Duchacek and Soldatos can be identified in this category. Duchacek (1990: 15-27) for example introduced a four-type framework for classifying the international relations of regions, based on their geopolitical dimensions. Within the same research orientation, Soldatos (1990) has developed an explanatory framework which makes a distinction between domestic and external causes of paradiplomacy. Building on Soldatos' classification, Lecours (2002) has come up with a multi-level explanatory framework, which explains how regional political systems, national structures, continental regimes and the global system work together to condition the international agency of provincial or regional governments. In the same tradition, Paquin and Lachapelle (2005) try to answer the question of why SNGs develop an international agency by highlighting three macro-level explanatory variables: globalisation, nationalism and internationalisation. A recent addition to this group of scholarship on the diplomacy of SNGs comes from

Bursens and Deforche (2010) who make a strong and elaborate case for the use of historical institutionalism as a complementary perspective for explaining how SNGs acquire and exercise their international agency.

Studies of the international relations of SNGs that do not focus on case studies or attempt to develop analytical and explanatory frameworks have largely been dedicated to making sense of this phenomenon, especially its implications for the study and practice of international politics. Here, two opposing perspectives have emerged. The one, espoused by scholars such as Cornago (2010a), Wolff (2007), Criekemans (2010b) and Kincaid (1990; 2001), has interpreted paradiplomacy, or constituent diplomacy as Kincaid would prefer to call it, as yet another challenge to the authority of the nation-state as the sole international representative of its constituents. The other perspective is championed by Hocking (1996; 1999). It interprets the diplomacy of SNGs not as a separate process that is at logger-heads with traditional state foreign policy, but as an integral part of a new multilayered or catalytic diplomacy characterised by different types of actors forging new linkages that cut across regional, national and international arenas in a bid to meet the challenges posed by the new geopolitical order. These different and somewhat competing conceptualisations are elaborated in the next chapter.

In recent years, as the foreign relations of SNGs have grown in quantity and quality, the focus of the scholarship on the phenomenon appears to have shifted to comparative and thematic studies. Criekemans' (2010b) comparative study of the foreign relations of six SNGs in Europe and North America, Paquin's (2010) analysis of the interface between paradiplomacy and the making and compliance with international treaties in Belgium and Canada, as well as Huijgh's (2010) discussion on the use of public diplomacy by SNGs, embody this scholarly trend. Other important scholarship that falls into this category includes the work of Happaerts *et al* (2011), which examines the role of networks of SNGs in shaping global policy debates on sustainable development; Koehn's (2008) article comparing US and Chinese SNGs' policy initiatives having an impact on the global debate on climate change; Cornago's (1999) and Pereira's (2006) essays on the nexus between paradiplomacy and international security; and most recently Chaloux and Paquin's (2012) paper examining the interface between paradiplomacy and water resource

management in North America. What this category of literature highlights is the growing sophistication and influence (both actual and potential) of the role of SNGs as international actors.

Despite its impressive growth over a relatively short period of time, the literature on the foreign relations of SNGs exhibits a major shortcoming, associated primarily with its geographical focus and distribution. As the preceding review illustrates, most of the scholarship in this sub-field of foreign policy and international relations has been undertaken within the European and North American contexts, with significant implications for our understanding of the international involvement of SNGs. A notable consequence of the Western bias of the current literature on paradiplomacy is the pre-eminence given to variables such as nationalism, decentralisation, regionalisation and identity politics in explaining how SNGs acquire and exercise their international agency (see for example Lecours and Moreno, 2003; Kuznetsov, 2009). As Makarychev (1999: 501) correctly notes, the preference for such an explanatory framework, coupled with the dominant revisionist interpretation of the international agency of SNGs, cannot be dissociated from the political contexts within which this scholarship is conducted. As he points out, studies of the phenomenon in the Western world are first and foremost conditioned by the nature of the prevailing political systems, which are mostly 'associative federations', that is, federal structures based on pre-existing autonomous political units. To this can be added the strong drive towards regional integration, especially in the European context, which together with the historical autonomy of sub-national polities, can be seen as constituting a challenge to the authority of the nation-state. In this context, the foreign relations of SNGs would directly or indirectly be imbued with the same struggle for political and cultural recognition and representation.

However, in other contexts like the African one, where the processes of decentralisation, democratisation and regionalisation are relatively new and weak, the accuracy and relevance of Western-inspired perspectives in explaining and understanding the foreign relations of SNGs cannot be taken for granted. Hypothetically, the international involvement of African SNGs could best be explained by looking into the same developmental agenda that preoccupies the contemporary diplomacy of African states. In other words, paradiplomacy in an

African context could be understood first and foremost as an expression or a subset of a new 'developmental diplomacy', which was defined by Williams (quoted in White, 2005: 394) as 'the process whereby [developing] countries attempt to negotiate improvements in their position in the international political economy'. The notion of developmental diplomacy was initially conceived as a process of inter-state bargaining within the framework of North-South relations. However, the emergence of alternative development models to the so-called Washington Consensus, coupled with the rise of new economic poles in the Global South, have made it possible to treat the concept as a multi-stakeholder process (see Saner, 2006), which also defies the traditional North-South divide.

It must be admitted, though, that while the literature on paradiplomacy continues to display a Western bias, recent years have witnessed the emergence of studies that seek to understand the phenomenon in Latin America and Asia (see for example, Zubelzu, 2006; Schiavon, 2010; Velazquez, 2009; Zhimin, 2005; Zhimin and Junbo, 2009; Salomon, 2009; Jenkins, 2003; Sridharan, 2003). What is emerging in these studies is a manifestation of paradiplomacy which does not resonate with the dominant interpretations of the phenomenon in the Global North. For example, writing from the perspective of the international experience of Chinese coastal provinces, Zhimin (2005) joins Hocking to argue that sub-national involvement in foreign affairs should not be conceived outside the parameters of the continued dominance of the nation-state in an evolving foreign policy milieu. He concludes his analysis by noting that 'while coastal provinces will become more influential in the Chinese political economy, they will still be unable and unwilling to challenge the dominance of the central government in the conduct of Chinese foreign relations' (Zhimin, 2005: 204). Similarly, recent studies by Schiavon (2010) and Mattoo and Jacob (2009) on the foreign relations of Mexican and Indian SNGs respectively, come to the conclusion that despite the growth of these activities in both countries, they continue to evolve under the shadow of national foreign policy processes. In the Indian case, Mattoo and Jacob (2009: 185) attributes the circumscribed foreign relations of SNGs primarily to centralising tendencies in the Indian polity, which predate the country's independence from British colonial rule.

The literature on the international relations of SNGs in Africa is virtually non-existent. The exception here is in South Africa, where a few exploratory studies were conducted in the late 1990s following the emergence of the phenomenon (see in this regard, De Villiers, 1995; Geldenhuys, 1998; Van Wyk, 1998). These preliminary studies contributed in terms of generating speculative insights and hypotheses, and mapped out possible areas and methods for future research, but fell short of providing a definite and satisfactory description of a phenomenon that was only beginning to be experienced in South Africa at the time. Limited scholarly interest in this research agenda, which mirrored the growth of the phenomenon in South Africa, was revived at the turn of the century. Steyler's (2003) analysis of the cross-border relations of South Africa's provinces, as well as Cornelissen's (2006; 2009) works on the efforts of South Africa's cities and urban provinces to achieve global economic competitiveness are worthy of note here. However, while these studies have been instructive in developing new perspectives on the foreign relations of SNGs, their contributions have been circumscribed by their limited thematic scope.

The work of Murray and Nakhjavani (2009) as well as that of Zondi (2012) on the foreign relations of South African provinces and municipalities constitute recent attempts to fill this gap by providing more general accounts of the international involvement of South Africa's SNGs. What is missing in the latter studies, however, is the nuance of the practice at the level of individual provinces. For example, Murray and Nakhjavani's study does not capture the recent change in political authority in the Western Cape and the implications of this development for the province's foreign relations. Similarly, because of its lack of depth, Zondi's account of the foreign relations of South Africa's provinces and municipalities fails to bring out the complex nature of the correlation between a weak regional integration project in Southern Africa and the cross-border relations of South Africa's SNGs. Without a close examination of the foreign relations of border provinces, the study takes for granted the assumption that regional integration schemes enable cross-border relations between SNGs. It then proceeds to argue that 'South Africa's strong emphasis on regional integration has inspired' border provinces like the North West to develop active and beneficial cross-border relations (Zondi, 2012: 50). This observation certainly has merit, especially if due regard is given to the fact that it results from a general overview of the foreign relations of SNGs in South Africa. However, it

obscures the constraining effects of a host of national and regional institutional barriers that limit the cross-border relations of South African provinces, and which could only be appreciated from a close examination of these relations.

While the present study builds on the insights and successes of this pioneering scholarship, its significance lies in the fact that it adopts a fresh approach in contributing to the understanding of the foreign relations of provinces in South Africa. In order to bring out the nuances of the phenomenon in the South African context, the study substitutes the macro-level analysis used in previous studies with a comparative case study approach, which allows for an in-depth analysis of purposefully sampled provinces, while also comparing experiences across provinces.

1.5 Research Design and Methodology

This is an interpretive qualitative study that also makes use of a comparative case study approach. The choice of the approach is informed by the purpose of the research, which is to make a novel contribution to understanding the nature and meaning of paradiplomacy in South Africa through an in-depth and context-based analysis of the experience in selected provinces. The interpretive approach is based on the ontological belief that reality is socially constructed, and can therefore only be understood by adopting an inter-subjective or interactional epistemological position and the use of qualitative research methods such as interviews and observations (Babbie and Mouton, 2004: 270-289). As Terre'Blanche and Durrheim (1999: 6) suggest, interpretive research approaches are suitable for in-depth analyses of this nature because they enable researchers to go beyond simply providing an objective description of social phenomena, to '[explaining the] subjective reasons and meanings that lie behind social action'.

As indicated above, the incorporation of the comparative case study approach into the research design makes it possible to unravel and appreciate the complexity of the phenomenon within specific contexts while also being able to compare experiences across provinces. Yin (2009: 18) refers to a case study as 'an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundary between the phenomenon and the context is

not clearly evident'. The use of a case study method is deemed essential when research enterprises are designed to answer the 'how' and 'why' of a social phenomenon, in order to obtain an extensive and in-depth description of that phenomenon (Yin, 2009: 4). Put differently, Gerring (2004: 342) defines a case study as 'an intensive study of a single unit for the purpose of understanding a larger class of (similar) units'. The strength of the case study method in this instance lies in the space it allows the researcher to analyse intervening and contextual variables and make inferences on how these variables exert causal influence in specific contexts. As Gerring (2004: 353) notes, 'case studies commonly afford multiple observations of a single case, thus providing firmer evidence of the factual accuracy of a given proposition than would be possible in the analogous cross-unit study'. A further advantage of the case study pointed out by Lijphart (1971: 691), and which also justifies the selection of the method for the present research, stems from the fact that the method allows for an intensive examination of specific units against the backdrop of limited resources on the part of the researcher.

As a scientific method, the use of case studies is not without its criticisms. There is acknowledgement that single case studies can form the descriptive basis for higher levels of explanation, or develop concepts and propositions that may be applicable in other settings (Landman, 2008: 25). Yet, a broad consensus exists among scholars that the scientific merits of the case study approach are limited by its deficiency in making valid generalisations (see for example Lijphart, 1971: 691; Gerring, 2004: 348; Bennett, 2002: 5). It is in a bid to offset this limitation that the comparative method is incorporated into the present study. As Landman (2008: 4) points out, when limited to the study of a few units, the comparative method combines the advantage of context description inherent in the single-case study with the 'ability to make generalisations about the likely outcomes in other units not included in the original comparison'. Also referred to as the comparative cases strategy or focused comparison, this approach, according to Landman (2008: 27), is appropriate for research projects that involve complex causal mechanisms, historical processes, and deeper meanings and understandings that are highly dependent on the contextual specificities of discrete cases. The greatest strength of the few-case comparative method is its ability to strike a balance between the challenge of making secure inferences from single-case studies and the difficulty to carry out contextual

analyses using the statistical method, which compares many cases. As Landman (2008: 28) argues, by allowing for the careful selection of units, the method enables the researcher to carry out an intensive description that brings out the nuances of each unit, while also being able to make relatively secure inferences using a middle level of conceptual abstraction.

With regard to the present study, the combination of the case study and the comparative methods was motivated mainly by the imperative to provide a scientific response to the key research question in the context of limited time and resources., This approach made it possible to realise the primary goal of appreciating the nature and meaning of paradiplomacy in South Africa, through an in-depth analysis, without necessarily studying the experiences of all nine provinces. The comparative case study approach ensured that while only a few carefully selected provinces could be studied, it was still possible to develop propositions and make inferences about the likely outcomes in other provinces.

The analysis focuses on three provinces, Gauteng, the North West and the Western Cape, which were purposefully selected to reflect the key 'objective segmentation' that characterises South African provinces (see the provincial profiles in chapter three of the thesis), and which in principle should have a bearing on the scope, style, intensity and focus of their international relations. While Gauteng is chosen to reflect the few provinces with high socio-economic indicators, the inclusion of the Western Cape is informed by its unique status as the only province not under the control of the ruling ANC. The selection of the North West takes into account its status as one of the poorest provinces in South Africa, as well as the fact that it is a border province.

The material for the study was collected from different primary and secondary sources using a variety of research methods. In the first instance, information was collected through a review of the official records of the international relations of the three provinces. These included copies of cooperation agreements signed with foreign partners, international relations policy documents, as well as internal reports on foreign trips and related activities. Additional documentary information for the study was gleaned from the websites of the three provincial governments as well as that of the national Department of International Relations and Cooperation (DIRCO).

In order to gain a deeper understanding of the international relations of the selected provinces, as well as the perspective of the national government, a series of in-depth interviews were conducted with current and former officials in both spheres of government. A total of 17 interviews were conducted and these took different forms over a three-year period. While the bulk of the conversations were carried out directly, others were conducted through email, Skype and telephonically. It should be borne in mind that paradiplomacy in South Africa remains a politically sensitive subject owing to the weaknesses demonstrated by most provinces in this area and the corresponding attitude of ambivalence of the national government. This context significantly influenced the nature of the interviews conducted for the research.

In the first instance, this sensitive setting, as well as other challenges, made it extremely difficult to conduct interviews with political authorities in the provinces, although a considerable effort was made in this regard. While an interview was conducted with a representative of the opposition Democratic Alliance (DA) in the National Council of Provinces (NCOP), the rest of the interviews were with provincial and national bureaucrats directly involved in paradiplomacy. In particular, interviews were conducted with officials in the international relations offices in the three provinces, as well as an official in the Intergovernmental Relations and Provincial Protocol Directorate at Department of International Relations and Cooperation. More interviews were conducted with representatives of the trade and investment promotion agencies in the three provinces, and in the case of the Western Cape, with an official in the provincial legislature. This is in addition to interviews conducted with former international relations officials from the three provinces as well as the former Department of Provincial and Local Government (DPLG).

Given the sensitive political context in which the research was carried out, it became necessary to make use of semi-structured interviews, and in some instances, unstructured conversations, in order to access important information. A related decision was to avoid the use of tape-recorders during the face-to-face interviews. These measures were intended to create an informal friendly atmosphere that was conducive for frank, open and confidential conversations. This approach also made it possible to set up follow-up meetings to solicit further insight or clarification on issues arising from previous interviews. In some cases, respondents, especially those who

were still serving in provincial administrations, were reluctant to divulge information on the subject, except on condition that they are not directly quoted in the thesis. As a result, a conscious attempt is made throughout the thesis not to directly attribute information of a sensitive nature to the officials who disclosed it.

More generally, access to relevant information for the study was very restricted, even though approval was granted by the Directors-General in the three provinces. It became evident in the course of the study that, in addition to a general reluctance on the part of provincial international relations practitioners to talk freely about their experiences, there was also a problem of poor record management systems in the provinces. This is even worse when it comes to record-keeping on provincial international relations. However, in addition to the primary data, a substantial amount of information was also collected from secondary sources such as books, journals and other periodicals, research reports and online media articles.

Given the interpretive nature of the study, the research process unfolded in such a way that data collection and analysis occurred concurrently. The merit of this approach was that new insights emerging from the data already analysed informed the process of additional data collection. As Terre'Blanche and Kelly (2002: 141) note, 'data gathering in interpretive research is not just a mindless technical exercise, but involves the development of ideas and theories about the phenomenon being studied', so that by the time it is completed, data analysis should already be underway. The study adopted the immersion/crystallisation technique to analyse the wealth of information collected from the different sources. In the words of Terre'Blanche and Kelly (2002: 140), the process entailed searching the data repeatedly and engaging in activities of breaking it down (or thematising and categorising it) and building it up again in new ways (or elaborating and interpreting it). Despite the emphasis on local experiences and perspective, the analysis was undertaken against the backdrop of conceptual insights that have emerged from studies of the phenomenon elsewhere. This approach borrowed from Kelly's (2002: 405) observation that 'good interpretive research should neither impose theoretical understandings on phenomena nor simply reproduce the phenomena uncritically'. In other words, the strength of interpretive analyses lies in the ability to judiciously reconcile context-specific meanings and interpretations with theoretical accounts of a

phenomenon. This makes it possible for one to gain a broader understanding and perspective of the phenomenon even in the local context.

Moreover, triangulation techniques were used to enhance the validity of the analysis and findings from the research. Thus, in addition to painstakingly comparing and corroborating information gathered from different sources, an attempt was also made to check the accuracy of interpretations by regularly presenting the findings at research meetings and discussing them with a host of individuals knowledgeable in the subject.

1.6 Delimitation of the Study

The study is limited to the analysis of the international experience of three of the nine provinces in South Africa (Gauteng, the North West and the Western Cape). However, it should be underlined that most national policies and interventions on paradiplomacy in South Africa apply to provinces and municipalities. Moreover, by virtue of their constitutional obligation to support local governments, some provincial governments like that of the North West see municipal international relations as an extension of their own paradiplomacy. As such, despite the focus on the paradiplomacy of three provinces, occasional reference is made in the thesis to the international experience of the country's municipalities. In terms of time, the analysis covers the period from South Africa's general elections in 1994 to the end of 2012.

1.7 Limitations of the Study

Although this study, through its in-depth analysis, makes a significant contribution to the understanding of the foreign relations of South African provinces, the restricted access to relevant information on the international activities of the studied provinces constitutes a major setback that limits the richness of some of the analyses contained in the thesis. However, this challenge, and the limitation it breeds, should not negate the major conclusions reached in the thesis. On the contrary, the difficulty in accessing relevant information for the study reinforces some of the shortcomings in the international relations of South African provinces identified in the different chapters of the thesis, especially as they relate to the weak institutionalisation of the phenomenon in the country.

The second limitation of the study stems from the selected research design. As indicated above, in order to undertake an in-depth analysis of the foreign relations of South African provinces within a reasonable period of time and available resources, the study adopted a case study design. This limited the scope of the analysis to three out of the nine provinces. In an attempt to mitigate the impact of this limitation on the general arguments and conclusions reached in the thesis, care was taken to ensure that the units of analysis that were selected reflect the different objective characteristics of South African provinces. Moreover, a range of general studies, reports and media comments on the foreign activities of provinces and municipalities were consulted to gain insight into the trend in other provinces. However, the possibility remains that some of the generalisations made in the thesis may not be accurate, given the unique circumstances and experiences of each province.

1.8 Ethical considerations

A conscientious effort was made throughout the research process to adhere to ethical guidelines in social science research. The main ethical issues that arose during the research relate to the sensitive nature of the information that was collected for the study. Given that some of the official documents that were used were of a confidential nature, all necessary measures were taken to prevent this information from being accessed by any unauthorised individuals. Besides, as earlier indicated, some of the informants interviewed for the study were not willing to have their identities directly associated with the views expressed or the information divulged, while others did not want to be identified at all. In view of this, considerable efforts are made in the thesis to guarantee the anonymity of such individuals where the need arises. In some cases, respondents requested and were granted access to excerpts of the thesis in which they were directly quoted, to allow them make an informed decision on whether their identities should be made public. In addition, care has been taken to properly cite material borrowed from other authors and reference the sources accordingly. Finally, the shortcomings of the study have been unambiguously communicated in the preceding section.

1.9 Structure of the Thesis

The thesis is structured into seven chapters, including this introductory chapter, which among other things justifies the need to undertake research of this nature, locates the study within the broader academic discourse on the foreign relations of SNGs, and reports on the methodology that was adopted in the research. Chapter two examines in greater detail the major themes, debates and approaches that stand out in the general scholarship on paradiplomacy and develops a conceptual and analytical framework that served as a guide for studying the phenomenon in South Africa. Chapter three represents an attempt to contextualise the study by examining the domestic legal, institutional and political environment in which South Africa's provinces conduct their international relations.

Chapters four, five and six draw on the analytical framework developed in chapter two to undertake an empirical analysis of the foreign relations of the South African provinces of Gauteng, the Western Cape and the North West. While chapter four examines the motives and goals of these activities, chapter five is dedicated to a critical analysis of the instruments that are used in paradiplomacy. Chapter six for its part focuses on the institutional mechanisms for coordinating international relations activities in the provinces.

Chapter seven draws conclusions from the research findings and attempts to answer the main research question, with reference to the sub-questions and the theoretical insights highlighted in chapters one and two respectively. This concluding chapter also contains a brief discussion on the future of paradiplomacy in South Africa, as well as a few policy recommendations and suggestions for future research on the subject.

CHAPTER TWO

CONCEPTUAL AND ANALYTICAL FRAMEWORK

2.1 Introduction

The purpose of this chapter is two-fold. Firstly, it seeks to locate the foreign relations of South African provinces within the broader discourse on the growing involvement of sub-national governments (SNGs) in the international realm. Secondly, the chapter draws from existing scholarship on this subject to develop a framework that will be used in analysing the international relations of the selected South African provinces. It proceeds with an attempt to conceptualise the foreign relations of SNGs before discussing the domestic and global opportunity structures that give rise to and determine the nature of the phenomenon. This is followed by a detailed analysis of the correlation between an SNG's international relations and the constitutional and institutional setting in which it finds itself, given the pre-eminence of the latter in conditioning and understanding the former. Bearing in mind the conceptual and practical challenges that this phenomenon poses to the traditional notions of foreign policy and diplomacy, the chapter also discusses the thorny issue of intergovernmental relations within the context of paradiplomacy. The final section of the chapter then develops a framework for analysing the international activities of the chosen South African provinces.

2.2 Conceptualising the Foreign Relations of SNGs

The international relations of SNGs have been subject to a myriad of conceptualisations and interpretations, as evident in the absence of a consensus among scholars on the appropriate neologism that should be used to denote this relatively new phenomenon. These conceptual ambiguities and terminological debates are for the most part a reflection of the diversity of sub-national entities, which defies attempts at comparisons and broad generalisations. The challenge to make sense of and collectively describe the foreign involvement of SNGs operating in different historical, constitutional, political and economic environments has given rise to predominantly context-specific scholarship of the phenomenon. Inevitably, most of the resultant conceptualisations tend to be biased towards one or two

explanatory variables, which are dominant in the study context, and thus only partially represent the phenomenon.

One of the very first terms used to denote the international activities of SNGs was *microdiplomacy*, introduced by Duchacek to differentiate the phenomenon from the traditional inter-state diplomacy, which he termed *macrodiplomacy*. The term was later sidelined because of its perceived derogatory connotation (Duchacek, 1990: 32). The concept of *paradiplomacy* or *parallel diplomacy* was introduced and promoted by Soldatos (1990) and Duchacek (1990) to describe the international activities of SNGs of both federal and non-federal states, which may conform with, run parallel to and at times conflict with the foreign policy of their central governments. A corollary of this conceptualisation is its interpretation of the international relations of SNGs as autonomous activities that challenge the state-dominated international system. In the words of Wolff (2007: 141), '...paradiplomacy comes with both conceptual and practical challenges. Conceptually, it questions the traditional view of international relations as the exclusive study of relations between states, and practically, it undermines states' claim to sovereignty'. It is worth mentioning here that a related term, *protodiplomacy*, was coined by Duchacek to describe the international activities of SNGs which are imbued with a more or less separatist message and serve as a vehicle to gain foreign support for an eventual declaration of independence.

The paradiplomacy school of thought has since been criticised by different scholars for its supposed conceptual ambiguity. One of the ardent critics in this regard is Kincaid, who conceptualises the international activities of SNGs, or what he prefers to call *constituent units*, as having the same prominence as those of nation-states. Consequently, he proceeds to introduce the notion of *constituent diplomacy*, arguing that it better 'captures the idea that states, provinces, cantons, *Länder*, and the like are constituent units of federal polities' and that in most cases these units 'are co-sovereign constitutional polities with the federal government, not sub-national governments' (Kincaid, 2001:1). Constituent diplomacy identifies the foreign relations of SNGs with the crisis of contested sovereignty in multi-national societies. It thus rejects the assumption that multi-national states are internally cohesive, making their central governments the sole legitimate international representatives of their polities.

From this perspective, constituent units are partners with their national governments in formulating and executing their state's foreign policy.

Although Kincaid (2001) concedes that the foreign relations of some SNGs, especially those in unitary states, could best be described as paradiplomacy or sub-national diplomacy, he goes on to argue elsewhere that:

such terms as micro-diplomacy or paradiplomacy that imply that constituent diplomacy is inferior to nation-state diplomacy exhibit a nation-state bias and necessarily assume that every nation-state is a legitimate and competent representative of the interests of the people who inhabit its territory. Many nationality groups and governments within nation-states would object to such characterisations of their efforts to gain international recognition of their autonomy claims (Kincaid, 1990: 74, endnote 2).

Lecours and Moreno (2003: 267-289) add another dimension to this debate with the emphasis they put on sub-state nationalism and identity politics as explanatory factors for the foreign relations of SNGs. They argue that the diplomacy of SNGs conceived in the context of multi-national states is more than the external manifestations of the domestic functions of these actors, as paradiplomacy partly suggests. In essence, it represents the purposeful projection of new actors on the world stage. The foreign relations of SNGs in this sense are seen as an integral component of a project concerned with identity and political legitimacy, as SNGs seek to actively develop an international personality that would resonate with their domestic quest for greater autonomy and the recognition of their distinctiveness. Whereas paradiplomacy treats conflict between central and non-central governments over foreign affairs mainly as the occasional manifestation of divergent priorities – which can easily be managed through effective mechanisms of coordination – proponents of constituent diplomacy and associated conceptions presuppose that, with its in-built quest for political autonomy and international representation, the diplomacy of SNGs is by its very nature conflictual (see Lecours and Moreno, 2003: 289).

Another challenge to the paradiplomacy paradigm comes from the notion of *plurinational diplomacy* introduced by Aldecoa (1999). This conceptualisation

borrowed from Putnam's thesis of 'two-level diplomacy'¹ to explain the transformation of diplomacy in plurinational or multicultural states, especially within the context of the European Union (EU). Aldecoa argues that concepts such as paradiplomacy or protodiplomacy are deficient in that they continue to echo the old political realism, discounting the transformation of diplomacy in the contemporary world. This is in addition to their failure to take into account the multinational realities of states, or the specific problems these complex states encounter in their external relations (Aldecoa, 1999:83). The notion of plurinational diplomacy presupposes that SNGs are not just preoccupied with projecting themselves onto the international stage, neither are their international activities indicative of a wish to transform themselves into states. Seen as a response to the challenge of shared sovereignty in the context of the construction of the EU, plurinational diplomacy not only describes the phenomenon of regions developing an active international presence. It also seeks to capture the efforts of regions in acquiring the competence to influence the foreign policies of their respective states, as well as participate in arriving at states' positions in the EU and in the application of European law (Aldecoa, 1999:89).

A similar revisionist conception of the international relations of SNGs can be construed from the latter-day scholarship of European scholars such as Crikemans and Cornago, albeit from different perspectives. For example, in a recent comparative study of the international agency of selected SNGs in North America and Europe, Crikemans (2010b) observes that the international activities of SNGs like Quebec in Canada, Flanders in Belgium, and Catalonia in Spain – all of which enjoy extensive constitutional autonomy in their respective federations – exhibit characteristics that are beginning to put them on par with traditional inter-state diplomacy. Crikemans' conclusion, which resonates with Kincaid's contention, is that there is a visible watering down of the boundaries between the international activities of sovereign states and those of their constituent governments. Likewise,

¹ Robert Putnam theorises that in an increasingly globalised and interdependent world, the scope of state action in foreign policy-making has been reduced to that of a manager of a diversity of forces inside the domestic sphere and outside the boundaries of the state. Consequently, the foreign policy of a state can only be understood through a thorough appreciation of how national policy makers attempt to solve the dilemma of balancing the logic and demands of the domestic and international environments, which are often in conflict. For more on this, see Putnam, R.D. (1988) 'Diplomacy and Domestic Politics: The Logic of Two-level Games', *International Organization*, Issue 42, pp. 427-460.

Cornago (2010a: 100) locates the growing involvement of SNGs in the international realm within the historical evolution of the practice of diplomacy to argue that the phenomenon 'can be seen as an innovative process, which produces its own recognizable practices, institutions and discourses, through which sub-national governments from all over the world seem to challenge, modestly at least, the conventional diplomacy of states'. Even though Cornago acknowledges that the foreign relations of SNGs tend to frequently reproduce the rhetoric, rigidity and formality of nation-state diplomacy, he nonetheless holds the view that the 'forms and contents [of the practice] are significant expressions of values that precisely question those other values that sustain the current centralisation of diplomacy as optimal' (Cornago, 2010a: 100).

For scholars such as Hocking, whose conception of the international agency of SNGs takes as a starting point the exigencies of globalisation and economic interdependence, the phenomenon is seen to be complementary to and not in contention with the foreign policy and external relations of central governments. In his treatises on *multi-layered diplomacy*, Hocking (1993; 1996; 1999) conceives of the diplomacy of SNGs as one dimension of an evolving and complex diplomatic environment in which nation-states have had to expand their foreign policy processes to maximise the benefits of cooperation with a variety of actors. He reasons that the imperative for cooperation and expediency in an increasingly complex policy environment has compelled nation-states to expand the foreign policy process vertically and horizontally to co-opt, or tap into the more fluid agency of actors such as SNGs (Hocking, 1999: 20). From this perspective, the international involvement of SNGs is conceptualised not as a process of autonomous actors that challenges the hegemony of the nation-state in foreign affairs, but as an integral part of a new multi-layered or catalytic diplomacy, which enables sovereign states to rationalise their foreign relations. In other words, Hocking (1993: 26) believes the foreign activities of SNGs or what he calls the 'localization of foreign policy, represents the expansion rather than the rejection of foreign policy'. More importantly, because it is jointly constructed with central governments, the international agency of SNGs is most often exercised in harmony with the foreign policy of the state (Hocking, 1996: 41-42).

Embedded in these conceptual ambiguities and terminological debates is the context-specific approach that has characterised scholarship on the international relations of SNGs. As already indicated, this research orientation has been influenced by the difficulty in making comparisons and broad generalisations of the international activities of sub-national units operating in different historical, constitutional, political and economic contexts. An assessment of the merits of the different conceptualisations would therefore be aided by an understanding of the variation in the legal and political environment that produces and gives power to the international agency of SNGs. Based on the constitutional allocation of powers and the pattern of intergovernmental relations, two extreme categories can be identified.

At the one end of the continuum is the situation in which the national government, based on a direct or indirect constitutional mandate, exercises complete monopoly over foreign affairs and the activities of SNGs are subordinate to its directions. This is the reality in most developing countries where a centralised state is seen as a prerequisite for nation-building and development, and the international agency of sub-national units is seen to be exercised only with the blessing of the national government. The pattern at the other end of the spectrum is characterised by a legal and political tradition that not only circumscribes the dominance of the national government in foreign affairs, but to some extent makes both levels of government partners in this regard. The international activities of some German *Länder*, Belgian regions and Spanish autonomous regions more or less conform to the latter pattern (see Michelmann, 2009: 331-346).

Armed with this critical knowledge of the contextual variation, it is not difficult to discern that the preceding conceptions of the international agency of SNGs are by no means mutually exclusive. In fact, in isolation, they present no more than partial pictures of the phenomenon, emphasising different explanatory variables and reflecting the unique contexts within which they are conceived. Collectively, however, they serve to bring out the different characteristics of the phenomenon, thus reinforcing its complex nature and enriching our understanding of its manifestation. For example, although Hocking's conceptualisation of a multilayered diplomacy perfectly captures the situation in most developing countries like China, India and even South Africa, it fails to account for the relatively autonomous foreign policy

capacities of SNGs like Baden-Württemberg, Quebec, Flanders and the Basque Country. In these latter cases, where the imperatives of decentralisation, nationalism and regionalisation in the EU have been the key determinants of the international involvement of sub-national units, the notions of constituent diplomacy and plurinational diplomacy become particularly relevant.

To the extent that the prefix 'para' denotes not only a parallel activity, but also one that is associated in a subsidiary or accessory capacity, the term *paradiplomacy* can assume a generic status encompassing both extremes of the phenomenon. Thus, while being conscious of the conceptual ambiguities and controversial philosophical interpretations that are implied in its use to denote the foreign relations of SNGs, paradiplomacy is retained in this study as a purely descriptive term that accurately captures the wide range of international roles that sub-national entities with different attributes and powers have assumed. Paradiplomacy, in this general sense, expresses the diplomatic activities of a broad range of non-state actors (SNGs, INGOs, terrorist groups, MNCs, stateless nations, etc.), which may run parallel to, are often coordinated with, are complementary to, and sometimes in conflict with traditional state-to-state diplomacy (Duchacek, 1990: 32). Of course, diplomacy in this context would mean the general process of communication through which international actors seek to negotiate their interests and resolve differences (White, 2005: 388).

However, in order to narrow the scope of the theoretical discourse and make the concept more relevant to the present study, paradiplomacy will be narrowly defined to denote the international activities of the second level of government (provinces, regions, cantons, *Länder* or states) in federal, quasi-federal and unitary states, distinct from those of local governments, cities or non-state actors of a non-territorial nature. It embodies all the permanent and *ad hoc*, formal and informal, functional and symbolic, as well as the direct and indirect international engagements undertaken by representatives of this level of government in their official capacity, with or without the support of their national governments.

2.2.1 The Concept of Sub-national Government

It is also important to clarify the use of the concept *sub-national government* in the thesis. While generally used to denote the constituent entities of nation-states, the term *sub-national* may become controversial when applied to so-called multi-national states. As Kincaid (1990: 74, 57-59) and Guibernau (1999) argue, in such polities nationalism is understood not within the framework of the Westphalian nation-state, but as an expression of a desire for self-rule by different groups trapped within existing states. It may therefore be illogical and even derogatory to talk of sub-national governments in reference to constituent governments which consider themselves as representatives of autonomous nations. However, in this study *sub-national government* is used as a descriptive term to denote lower tiers of governments, without any bias as far as their claims of autonomous nationality or co-sovereignty with national governments are concerned.

2.3 Theoretical Underpinnings of Paradiplomacy

The complexity of the phenomenon of SNGs developing an international presence, which is reflected in the multiple conceptions of the phenomenon, suggests that the practice is not open to explanation from a single theoretical perspective. This is particularly so because, in terms of the discipline of International Relations, the identity of the actors in question and the activities they are involved in straddle different levels of analysis; that is, the local, national and international levels. Thus, efforts to explain how SNGs acquire and exercise their international agency must borrow from different theoretical traditions, which highlight causal variables in all these levels of analysis, in order to fully appreciate the different contours of the phenomenon. For the purpose of this study, paradiplomacy is explained from three different theoretical perspectives: neo-liberal perspectives, the international relations theory of social constructivism, as well as historical institutionalism.

2.3.1 Neo-Liberal Theories

It can be deduced from the preceding conceptualisations that the increasing involvement of SNGs in international relations finds resonance largely in strands of the neo-liberal paradigm that depict the current global system as a changing arena,

characterised by the growing convergence of the domestic and foreign spheres. This trend has been discussed under different labels, including *complex interdependence* (Keohane and Nye, 1977), *glocalisation* (Robertson, 1995; Swyngedouw, 2004), *multilevel governance* (see Bache and Flinders, 2004) and *fraggmentation* (Rosenau, 1997). Among the many assumptions of the complex interdependence framework is the argument that 'politics does not stop at the water's edge'. According to Keohane and Nye (1977: 24-25), world affairs have been transformed to the extent that the traditional interstate channels that used to connect societies have been supplanted by multiple channels, characterised by informal and formal relations involving an enlarged cast of actors. Moreover, contemporary world politics no longer revolves around issues that are arranged in a clear or consistent hierarchy. In other words, the distinction between high politics (concerns with military security) and low politics (concerns with issues of the environment, welfare etc.) in world affairs is no longer warranted. Consequently, as more and more issues that used to be dealt with at the domestic level find their way onto the international agenda, the distinction between the domestic and foreign spheres is becoming blurred. Linkages as well as coordination between different actors within and across states have therefore become imperative in addressing diverse issues.

The implication of this trend for global governance and authority is the subject of the glocalisation and fraggmentation theories. The overarching argument of these theories is that the transforming global system has been accompanied by a reallocation of political authority upward, downward and sideways from nation-states. As Rosenau (1997) contends, the international stage today can best be conceptualised as a 'frontier' where domestic and foreign issues and interests converge to form a new and wider political space. This space is characterised by interactions among a diversity of globalising and localising forces as well as tendencies towards integration and fragmentation. According to Rosenau (1997: 39-41), governance along the frontier is more of a chaotic pattern than a fixed arrangement and is no longer the exclusive preserve of states and national governments. It is exercised in conjunction with, and in patterns of conflict and cooperation with, other territorial and non-territorial spheres of authority (SOA) such as SNGs, non-governmental organisations (NGOs), terrorist networks, MNCs and international regimes.

The changing global order that has seen the reallocation of political authority both vertically and horizontally is also captured in the concept of multilevel governance developed by Gary (quoted in Bache and Flinders, 2004) within the context of decision-making in the EU. Defined as 'a system of continuous negotiation among nested governments at several territorial tiers', the notion of multilevel governance collapses the traditional academic boundary between domestic and international politics and describes how 'supranational, national, regional and local governments are enmeshed in territorially overarching policy networks' (Bache and Flinders, 2004: 3). The concept of multilevel governance not only signals the increased interdependence of governments operating at different territorial levels, but also acknowledges the growing interdependence between governments and non-governmental actors at various territorial levels (Bache and Flinders, 2004: 3).

From the perspective of these neo-liberal postulations, the worldwide phenomenon of SNGs developing an international agency is simply a manifestation of the structural changes that characterise the present epoch. Paradiplomacy could thus be explained as a pragmatic response by SNGs to the imperatives of globalisation and economic interdependence, given the increasing inability of sovereign states to shield their constituents from the onslaught of these processes. This explains the largely functional orientation of the diplomacy of most SNGs as well as the centrality of economic concerns in these engagements. In the case of South Africa, for example, Cornelissen (2006: 125-136) identifies the growing international economic activities of the country's major provincial and local governments with the restructuring of the global political economy, which has resulted in regions and cities becoming important sites for regulating economic activity.

2.3.2 Social Constructivism

Relying exclusively on neo-liberal perspectives to explain paradiplomacy runs the risk of oversimplifying the phenomenon and misrepresenting aspects of its manifestation. In this regard, some scholars have found it more appropriate to borrow from the analytical tools offered by the international relations theory of social constructivism to explain the political and symbolic manifestations of paradiplomacy. With its focus on the role of identities and collective norms in shaping actors' interests and behaviour, constructivism offers a theoretical lens through which some

of the foreign relations of SNGs could be interpreted as a form of identity politics used by regional elites to construct and seek recognition for a distinct personality for their region. From a constructivist point of view, paradiplomacy conceived as part of an identity-building project would vary in intensity depending on the ultimate goals of regional elites. These could range from a sheer desire to keep alive a given culture to maximising the political autonomy of a sub-national entity. In some extreme cases, paradiplomacy associated with an identity-building project could take the form of preparing the way for an envisioned independence (Sharafutdinova, 2003: 615-616).

2.3.3 Historical Institutionalism

The shift in focus from the global to the domestic level, in explaining how SNGs acquire and exercise their international agency, also gives relevance to the theory of historical institutionalism in the study of paradiplomacy. Institutionalists argue that the preferences and strategies of actors in major political settings are mediated by the prevailing institutions – that is, formal and informal rules, norms and political standards (Steinmo, 2001; Lecours, 2002: 27). Historical institutionalism therefore offers an alternative perspective through which the domestic roots of paradiplomacy can be fathomed. For scholars like Bursens and Deforche (2010), the foreign relations of sub-national governments can best be understood and explained as products of certain institutional developments and contexts, which explain the extensive variations in the manifestation of the phenomenon. As Lecours (2002: 96) argues, the interaction of regional actors on the one hand and national and regional institutions on the other hand creates a kind of agency-structure dynamic that is key in providing an enabling environment for SNGs to develop an international presence. What is more, these institutions play a major intervening role in determining the degree of manoeuvring open to regional actors in their paradiplomacy. From an institutionalist point of view, South Africa's transition from apartheid to a democratic dispensation in the 1990s, and in particular the institutional re-configurations that accompanied it, is crucial in explaining how and why the country's SNGs acquired their international agency, as well as the nature and significance of this agency.

2.4 Determinants of Paradiplomacy

The fusion of perspectives from neo-liberalism and constructivism, coupled with theoretical insights from historical institutionalism, comes in handy in explaining how SNGs become international agents, as well as the circumstances that shape the form, intensity, frequency and goals of their international activities. As early as 1990, Soldatos (1990: 34-53) had recognised the interplay of domestic and international institutional settings in providing opportunities for and imposing constraints on the international agency of SNGs when he distinguished between domestic and external causes of paradiplomacy. In its most refined form, as developed by Lecours (2002), this multi-level explanatory framework suggests that the opportunity structures that determine paradiplomacy are found in regional political systems, national structures, continental regimes as well as the global system.

2.4.1 Drivers of Paradiplomacy in the Sub-national Political System

At the regional level, nationalism is the single most important variable determining the international relations of SNGs. As demonstrated in the cases of Quebec under the leadership of the *parti Québécois* (Balthazar, 1999: 153-169) and the Basque autonomous region ruled by the Basque Nationalist Party (Lecours and Moreno, 2003: 276-292), SNGs dominated by nationalist parties are more inclined to seek an international presence than others. This is also the case when there is a focus within the regional political system on the preservation of a distinct culture or language, which then translates into an inclination to forge strategic cooperation with other centres of this culture or language (Lecours, 2002: 102). More importantly, the international activities of SNGs with a nationalist predisposition – be they political, economic or cultural – often carry messages that plead for some form of external recognition and are more likely to degenerate into thorny intergovernmental relations.

Closely related to the influence of nationalism in determining paradiplomacy are the objective and perceptual differences that distinguish sub-national units from one another. Although this geographic, political, cultural or religious uniqueness may not in all cases contribute to outright nationalism, it may however induce a feeling of separateness or what Rosenau (1997: 50) has termed 'subgroupism'. In such

conditions, SNGs may judge the central foreign policy mechanism to be ill-suited to serving their parochial interests. There would therefore be an urge for direct and more autonomous external activity at this level of government. As Soldatos (1990: 46) has argued, this tendency may be reinforced in situations where asymmetry among regions gives rise to the perception by some that the national foreign policy is a reflection of the interests of dominant elites situated in the more economically or politically powerful units.

2.4.2 Variables Influencing Paradiplomacy at the National Level

Structural determinants of paradiplomacy at the national level are situated primarily in the constitutional framework of the state. The distribution of formal powers in any given state plays a significant role in conditioning the international agency of its sub-national units. Studies have established that SNGs in decentralised federal systems and those to which considerable autonomy has been devolved, such as Quebec in Canada, Flanders in Belgium and the Basque Country in Spain, are more likely to acquire a very active international role. Unlike their counterparts in more centralised federations like Mexico or the USA (Schiavon, 2009; Fry, 1990: 276-298; Lecours and Moreno, 2003: 274) or quasi-federal systems like India, South Africa and Argentina (Jenkins, 2003; Zubezu, 2006), the diplomacy of such units is often distinguished by the development of an independent foreign policy capacity and the use of sophisticated strategies (see Balthazar, 1999; Criekemans, 2006; Lecours and Moreno, 2003).

Another dimension to this correlation has to do with the kinds of powers that are devolved to SNGs. In most federal and decentralised states, matters of education, culture and local economic development, with significant international implications, are the competence of SNGs. Such allocation of competence has the potential of projecting these governments onto the international stage. As Lecours (2002:102) has pointed out, SNGs 'can use the federal logic of divided sovereignty to argue that certain matters over which they have jurisdiction naturally extend beyond national borders'.

The constitutional allocation of foreign relations competence in any given institutional setup is another important domestic variable that conditions the diplomacy of SNGs.

In conformity with traditional conceptions of international relations as the exclusive domain of sovereign states, most constitutions (federal and non-federal alike) tend to make international affairs the reserved domain of the central government. Some constitutions have however been exceptionally generous in this regard, giving SNGs considerable powers over foreign affairs. As exemplified in the Belgian case (see Peeters, 1998: 345-376; Criekemans, 2006; Bursens and Massart-Pierard, 2009), SNGs with constitutionally-entrenched foreign affairs competence are more likely to develop a sophisticated international presence. At the other end of the spectrum are SNGs whose international manoeuvres are severely constrained by strict constitutional frameworks. Such is the case in countries like Mexico, China and South Africa where the constitution gives the national executive exclusive control over matters of foreign policy and international relations. As will be demonstrated in the South African case, the international activities of SNGs in such countries are generally low-key and are usually interpreted as an extension of their domestic jurisdiction over issues such as culture, education and economic development.

Other determinants of paradiplomacy at the national level of analysis include the nature of intergovernmental relations, the availability of national institutions representing SNGs' international interests, as well as the national foreign policy agenda. Citing the cases of Quebec in Canada and the Basque and Catalan governments in Spain, Lecours (2002: 102) argues that political systems characterised by conflictual patterns of relationships between levels of government, especially over areas of jurisdiction, generate incentives for SNGs to develop a high level of international presence. Conversely, when intergovernmental relations are characterised by cooperation, SNGs tend to be reluctant in developing an active international agency. Thus, although the largest province in Canada, Ontario's international activities have been quite modest (driven mainly by economic interests and often at the behest of Ottawa) owing to the high levels of cooperation between the province and the central government in Ottawa (see Feldman and Feldman, 1990:182; see also Lecours, 2009: 131).

Tied to the influence of intergovernmental relations is the role of the prevailing party system. Evidence from a number of case studies suggests that a country in which a single party dominates politics at all levels of government is least amenable to its

SNGs developing an international presence. Conversely, the likelihood of SNGs becoming internationally active is enhanced when the national and sub-national governments are ruled by opposing political parties (Michelmann, 2009: 331; Ravenhill, 1990:77-123; Dossani and Vijaykumar, 2006).

Institutional gaps at the national level, according to Soldatos (1990), also provide opportunities for SNGs to go abroad to promote their interests. He conceptualises the international agency of SNGs as the outcome of a process of vertical or territorial segmentation of foreign policy, which comprises four different levels. The first is objective segmentation, which refers to a variety of characteristics (economic, geographic, political, linguistic, culture or religious) differentiating territorial units, and which could shape their international interests. This is followed by perceptual segmentation, which to a large extent is informed by the reality of objective segmentation and is defined by the segmentation of attitudes, loyalties or conceptions of interest of regional elites and populations. The result of the first two levels is policy segmentation, which leads to a variety of positions or 'many voices' in foreign policy. The previous levels of segmentation then give rise to actor segmentation as SNGs are induced to become foreign policy actors, using their own institutional machinery to develop an international presence (Soldatos, 1990: 36-37).

However, according to Soldatos (1990: 37), policy segmentation would not result in actor segmentation or it can be reduced to a minimum when regions and their interests are accommodated in national institutional structures with significant influence on foreign policy. A prominent example is Germany where Michelmann (1990a: 211-244) has noted that the system of *Länder* representation in the *Bundesrat* and the Lindau Convention procedures have been quite effective in institutionalising relations between the federal government and the *Länder* to the extent that the most visible international role has been that of the federal government. In contrast, the absence of such institutional mechanisms in Canada (Lecours, 2002: 102; Soldatos, 1990: 47) or their ineffectiveness in Australia (Ravenhill, 1990: 92-95) has resulted in the development of active paradiplomacy on the part of some of their respective SNGs.

The domestication of foreign policy, that is, the increased tendency for issues that fall within the constitutional competence of SNGs to be legislated at the international

level, also encourages paradiplomacy. Thus, countries that continue to expand their foreign policy agenda to embrace traditional 'low politics' issues such as culture, the environment, or economic development would find it very difficult to keep their constituent units out of the international realm. As Soldatos (1990: 48) puts it, when states enter into international agreements on domestic issues, they are indirectly inviting SNGs 'to enter the foreign policy arena [in order to] deal with these issues of domestic relevance at the international level.' Such is the case in Australia where the international agency of the constituent states has been provoked to some extent by the tendency of the Commonwealth government to use its international prerogatives to attempt to legislate in areas where it does not normally have competence (Ravenhill, 1990: 76-123).

2.4.3 Regional Opportunity Structures for Paradiplomacy

The international agency of SNGs is also determined in part by the existence or absence of continental regimes. For example, the emergence of transnational political and economic regimes such as the European Union (EU) and the North Atlantic Free Trade Area (NAFTA) has created significant opportunities for SNGs in Europe and North America to become internationally active. The unprecedented shift in political power from sovereign states to the institutions of the EU, in particular, has made SNGs in European states become pioneers in what Duran *et al* (2010) have termed a 'third wave' in paradiplomacy, as they seek to influence EU policies and decisions that impinge on their domestic competences.

Besides, as economic regimes that champion trade liberalisation, the EU and NAFTA have contributed to the erosion of the economic capacity of states by transferring economic power from states to markets. As globalisation theorists would suggest, this trend has been accompanied by a corresponding importance in the economic role of SNGs. One manifestation of this responsibility is the development of an international economic voice in order to deal with the challenges and opportunities of the market-led economy (Lecours, 2002: 103; Lecours and Moreno, 2003: 275).

Continental structures such as the EU, NAFTA, and, closer to home, the Southern African Development Community (SADC), also engender and condition the

international agency of SNGs through their regional integration tendencies. As member-states become interwoven, national borders become porous, favouring what Duchacek (1990: 16) has termed 'transborder regional paradiplomacy'. In regions like Europe and North America where regional integration is at an advanced stage, a number of cross-border cooperation initiatives have emerged among SNGs to deal with common economic, cultural or environmental problems (Keating, 1999: 8-10).

2.4.4 Global Opportunity Structures for Paradiplomacy

Paradiplomacy can also be accounted for by looking into the transforming global system. Although international rules and practices were in the past not friendly to the idea of SNGs becoming internationally active, this is significantly fading away. Cultural and linguistic intergovernmental organisations (IGOs) like *La Francophonie* and even global IGOs such as the United Nations Educational, Scientific and Cultural Organization (UNESCO) have become more inclined to accepting the membership of SNGs. Some sovereign states like France, Japan and South Africa have also become more willing to enter into cooperation with SNGs (see Lecours and Moreno, 2003: 276; Kincaid, 2002: 79). As one would expect, SNGs have embraced these emergent cracks in the state-dominated world order to gain new legitimacy and develop their international agency.

Equally important in the development of the international agency of SNGs is the network of bilateral and multilateral relations between SNGs, which is emerging and taking root alongside the traditional nation-state system. Cornago (2010b: 27-28) captures this trend in his notion of 'normalisation as reflective adaptation', which highlights the increased relevance and legitimacy of paradiplomacy brought about by growing cooperation among diverse SNGs. As Lecours (2002: 103) also argues, cooperation among SNGs themselves has the potential of triggering a dynamic process that not only encourages new SNGs to become international actors, but also contributes to nurturing this agency once it has been initiated.

Finally, economic globalisation and its attendant reallocation of economic power from the state to liberal market forces have also served to pull SNGs onto the international stage. As national economies become integrated and nation-states gradually lose the capacity to determine the flow and direction of economic activities within their

borders, it has become imperative for individual SNGs to assume primary responsibility for harnessing the opportunities of interdependence and mitigating its negative effects on their respective polities. This has given rise to what Ohmae (quoted in Guibernau, 1999: 170-171) refers to as 'region states', that is, territorial economic spaces within nation-states, driven by the need to become competitive in a globally-oriented economy, with the ultimate goal 'to improve the quality of life of their people'. A significant manifestation of this economic consciousness is the development of a direct international presence by SNGs, designed chiefly to negotiate market access for their goods as well as promote their territories as favourable destinations for foreign investments and tourists (Soldatos, 1990: 48; Lecours, 2002: 104).

2.4.5 Other Factors Conditioning Paradiplomacy

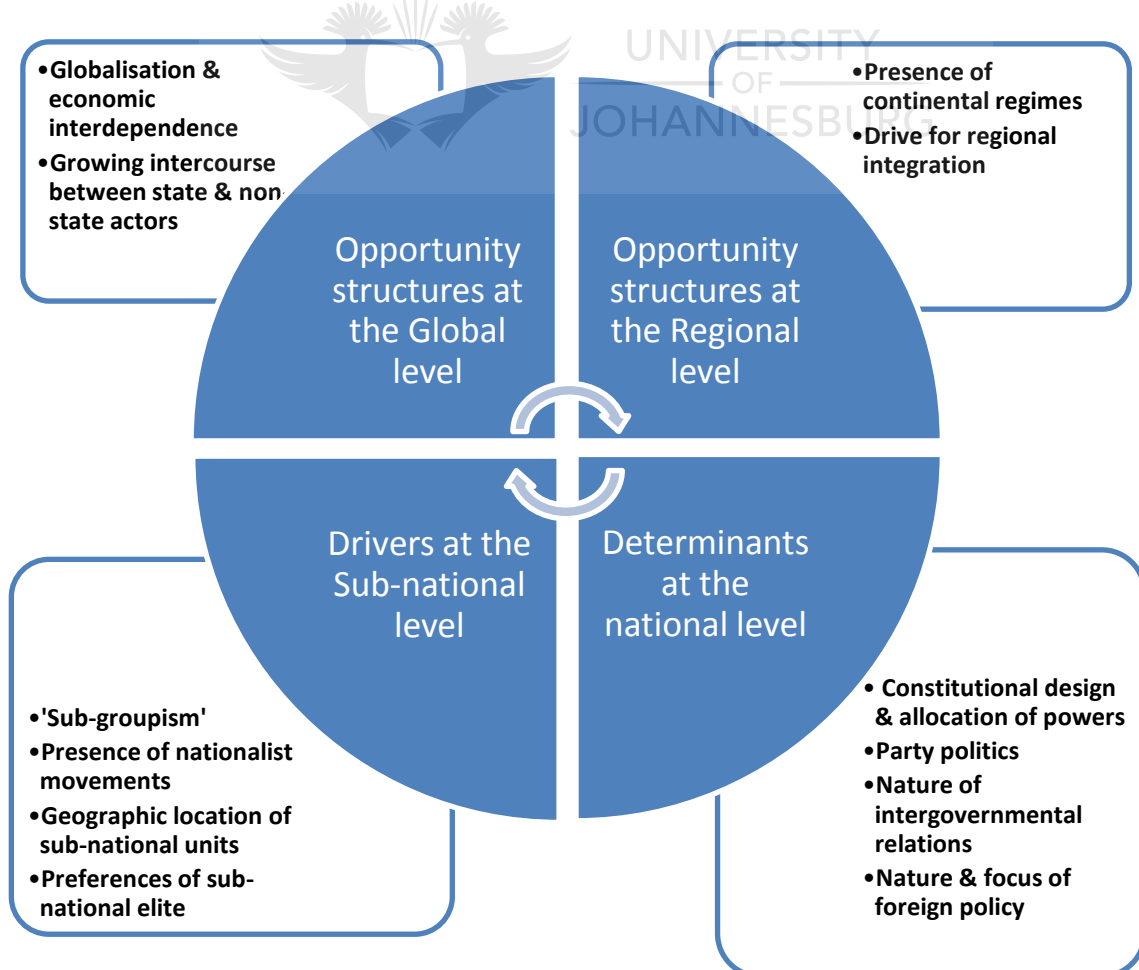
There is equally a host of economic, geographic and historical variables that play a role in determining the likelihood of an SNG becoming internationally active, as well as in shaping the scope, direction and intensity of these activities. According to Michelmann (2009), there is a positive correlation between a country's level of economic development and relative wealth and the extent of the foreign relations of its SNGs. This partly explains the lead taken by SNGs in the wealthy industrialised states of Europe and North America to develop an active international agency compared to their counterparts in the less developed world. The variation in paradiplomacy induced by differences in the level of economic development is also applicable to sub-national units of the same country. Evidence suggests that wealthier regions are usually more highly integrated into the global economy and more active in paradiplomacy than their counterparts in the same country with lower levels of economic development (Michelmann, 2009: 325-326; see also Schiavon, 2009).

The geographic location of a region is another variable that may play a role in determining its likelihood to become internationally active. All things being equal, regions located at international borders should have a higher propensity to engage in external relations than their inland counterparts. The paradiplomacy of border regions, be they wealthy or not, is also theoretically more intense and frequent owing

to the imperative to perform 'housekeeping' functions and administer common regional projects (see Michelmann, 2009: 327-328).

The chances of a sub-national unit becoming internationally active can also be determined by its specific history and that of the country at large. Regional entities with a historical legacy as autonomous or semi-autonomous political units before a union have been noted to possess a sense of national identity that often seeks to express itself through paradiplomacy. A legacy of international isolation, as was the case of South Africa prior to 1994, and inward-looking economic policies by some countries may also account for the hesitant and late entry into foreign relations by their constituent units. Besides, a history of enmity between two neighbouring states can significantly impede any meaningful cooperation between their bordering constituent units (Michelmann, 2009: 330-331). Figure 1 below provides a summary of the major opportunity structures and determinants of paradiplomacy discussed in this section.

Figure 1: Opportunity structures and determinants of paradiplomacy



2.5 The Legal and Institutional Context of Paradiplomacy

A major challenge identified in the scholarship on paradiplomacy is related to the difficulty of making comparisons and broad generalisations of the international relations of SNGs in different countries. This has been attributed to the huge variation that exists in the constitutional and institutional environments in which these governments operate. The legal and institutional setting thus represents a very important variable that provides insight into the nature and scope of an SNG's international relations. It is for this reason that although the correlation between constitutional stipulations and paradiplomacy has already been established above, it is imperative to further explore it here.

Empirically, two broad patterns of the constitutional foundation of the international agency of SNGs can be identified. In the first model, which is mostly discernible in unitary states and highly centralised federations, the international activities of SNGs are not directly sanctioned by the constitution. In principle, the constitution in this case assigns responsibility for foreign affairs exclusively to the national government, depriving SNGs of any firm legal basis to justify their international exploits (see for example Mattoo and Jacob, 2009: 173-175; Wah Loh, 2009: 194-196). In some instances, including in South Africa, the constitutional allocation of powers in the domain of foreign policy is pretty ambiguous, falling short of explicitly permitting or denying SNGs a role in external relations. Even here, judicial interpretations have most often provided the legal basis to frustrate or constrain the international ambitions of SNGs (see Lecours, 2009: 119-122; Ravenhill, 1990: 82-83; Michelmann, 2009: 332).

While some SNGs may not have a direct constitutional mandate for external relations, they can still take advantage of other constitutional provisions or institutional arrangements to validate their involvement in international affairs. The first of such indirect legal avenues is the domestic constitutional distribution of powers. As already indicated, most federal constitutions tend to give SNGs responsibility over matters such as education, culture and economic development, all of which are today impacted upon by international developments. As Lecours (2002: 102) puts it, 'regional governments can use the federal logic of divided sovereignty to

argue that certain matters over which they have jurisdiction naturally extend beyond national borders’.

While unitary constitutions do not cater for such power distribution, the example of China suggests that pragmatic considerations may force the national government to devolve some of its responsibilities to SNGs. The need to effectively execute this seemingly domestic mandate may equally be construed as an indirect permission to develop international relations. However, unlike the case in federal constitutions, the paradiplomacy of SNGs in unitary states mostly comes across as an extension of the national foreign policy and their foreign affairs powers can easily be revoked when exercised in conflict with the national position, without any worry of triggering a constitutional wrangle (Zhimin and Junbo, 2009:4).

Besides, constitutional provisions that prescribe principles for cooperation and coordination of the activities of different spheres of government, as prescribed by Chapter 3 of South Africa’s 1996 Constitution, can also provide a legal basis for SNGs to demand a role in international affairs. Thus, even when the constitution does not directly make provision for consulting SNGs on the negotiation of treaties or other foreign matters, the constitutional requirement for a harmonious and cooperative government can be invoked by these governments to solicit greater involvement in these matters (Michelmann, 2009: 336).

The second model for the legal basis of paradiplomacy is distinguished by SNGs receiving a direct constitutional mandate to be involved in some form of international relations. This authority, which is often conferred on SNGs in decentralised federations, may differ from one environment to another. It may range from extensive powers to negotiate and sign treaties without the oversight of the national government as is the case in Belgium (see Bursens and Massart-Pierard, 2009: 95-97), to the power to sign agreements of a limited scope, albeit with the consent and approval of the national government, as exemplified by Germany. In the latter case, there is always a constitutional safeguard, which requires that agreements contemplated by SNGs do not contradict the national foreign policy (Hrbek, 2009: 146-150; Iglesias, 2009: 14-17).

Considering that SNGs operating within this second model are more or less foreign policy partners with their national governments, it is only reasonable that certain legal safeguards are put in place to protect their foreign affairs powers. To this effect, most constitutions in this category mandate national governments to consult their SNGs when negotiating or before signing any international treaty that may affect the latter's jurisdiction. It is here that domestic institutional structures may gain significant prominence in paradiplomacy. One such arrangement is the upper chamber of parliament, which is most often an institution composed of sub-national units' representatives. Upper houses of parliament legally afford SNGs a direct opportunity to participate in and influence the formulation of national foreign policy, including the making of treaties. This can be achieved either by making inputs into the deliberations of the houses' committees on foreign relations or by taking advantage of the houses' constitutional mandate to ratify treaties (Michelman, 2009: 335-336).

While upper chambers of parliament may provide significant constitutional forums for SNGs to develop their international agency, their role in this regard cannot be taken for granted. The effectiveness of this constitutional provision can be compromised in an environment where a single party dominates politics at both the national and sub-national levels. This is the case in South Africa where the dominance of the ruling African National Congress (ANC) in the National Council of Provinces (NCOP) has made it extremely difficult for provinces to use the house to influence national foreign policy. Conversely, as Michelman (2009: 335-336) observes, the value of upper houses for SNGs' international role can be significantly improved when representation is by political executives or legislators accountable to SNGs. Where sub-national representatives to these bodies are either appointed or directly elected, there is always a possibility that the positions they espouse would not correspond to the official standpoint of the SNG.

The usefulness of upper houses as direct foreign policy avenues for SNGs would also depend on the kinds of powers they are allowed in the constitution. While some chambers may have extensive powers to vote on all matters of foreign policy and must consent to all treaties before they are signed, others, like South Africa's NCOP, have authority to approve only those treaties that affect the jurisdiction of SNGs. This consideration introduces yet another constraint even when SNGs are directly

represented. Because any given group of delegates would generally represent the specific views and interests of its government, there is no guarantee that SNGs of a given country would speak with the one voice necessary to influence or counter certain foreign policy actions contemplated by the national government (Michelmann, 2009: 335-336).

2.6 Intergovernmental Relations in Foreign Affairs

A defining feature of political interactions is the prevalence of conflictual tendencies even in the most harmonious systems. Relations between different levels of government in federal, quasi-federal or unitary polities are no exception. If anything, they can be expected to be more prone to conflict considering that in most instances the different actors are called upon to exercise authority within separate but also interlocking jurisdictions. When the ambiguous international identity of SNGs and the sensitive nature of foreign policy are brought into the picture, intergovernmental relations can be expected to be a very thorny issue.

This, however, is not a contention that paradiplomacy is not amenable to cooperation. For, theoretically, there is broad consensus among scholars that the foreign relations of SNGs evolve in patterns of conflict and cooperation with national institutions and policies. This view is supported by the argument that the international activities of SNGs are not necessarily motivated by efforts to undermine the authority and foreign policy of central governments, but largely stem from concerns that cannot be ignored. As most scholars of paradiplomacy have noted (see in this regard Hocking, 1996; Zubelzu, 2006: 115; Lecours, 2008; Wolff, 2007; Kincaid, 2002), the international activities of SNGs generally entail a pragmatic response to changing global realities and domestic institutional deficiencies. These include the challenges and opportunities of globalisation, the growing domestication of foreign policy, and the inability of national foreign policy bureaucrats to adequately and efficiently represent the interests of diverse and asymmetrical sub-national units.

As Wolff (2007: 142) asserts, paradiplomacy can serve as a useful mechanism for 'managing and ultimately resolving what might otherwise be protracted self-determination conflicts' in multinational states. In today's fast-paced world, it also provides the flexibility to respond to economic and other opportunities abroad, which

would not be the case if external affairs were monopolised by national authorities. In addition to engendering increased citizen awareness of and participation in international affairs, paradiplomacy can also enrich the national foreign policy mechanism with the technical expertise needed to address international issues relevant to domestic constituencies (Michelmann, 1990b: 312-314).

SNGs can also act as foreign policy partners of the national government, using their international activities to advance the overall foreign policy goals of the country. This is exemplified in China where the provinces play a key role in executing Beijing's development aid programmes and cooperation agreements in Africa. Besides, through their sister-city relationships and various cultural exchange programmes, Chinese provinces are also reaching out to the SNGs and general public in Africa, thereby helping to consolidate a grassroots presence necessary for deepening Sino-African relations (Zhimin and Junbo, 2009: 16). In this respect, paradiplomacy, even with its occasional outbursts of conflict and embarrassments, becomes a positive and welcome development that can give density and intensity to a state's foreign policy and strengthen intergovernmental relations.

There is no denying, though, that the foreign relations of SNGs also come with the potential of complicating a state's foreign policy or disturbing its internal political order. As Kincaid (2002: 158) and Criekemans (2008: 13-14) have observed, this is especially the case when the sub-national and central governments are ruled by different political parties, or when a nationalist movement is present in a sub-national unit, at least at the level of the elites. Empirical evidence confirms this line of theorising. A review of the international activities of SNGs in Europe, North America and Asia suggests that at some given point, paradiplomacy can become a vehicle for foreign interference and exploitation or a source of domestic political turmoil. The foreign relations of the Canadian province of Quebec cited above are a classic example of how paradiplomacy, if not properly managed, can threaten the territorial integrity of a state.

Ravenhill (1990: 104-112) also gives an account of the concerns of the Commonwealth government in Australia over the insensitivity of its constituent states to the divisive and exploitative tendencies of Japanese MNCs wooed by Australian states. Similarly, Segal (1994: 344-345) and Zhimin (2005: 202-203) report how the

foreign economic activities of Chinese coastal provinces in the years immediately after the 1978 economic reform made Beijing vulnerable to the influence of forces from outside China. This is in addition to the numerous embarrassments caused to the Chinese government by provincial construction and manufacturing companies scrambling all over Africa (Zhimin and Junbo, 2009: 17-18). From this perspective, paradiplomacy can be viewed as a potential source of friction in the relations between the two levels of government.

On balance, therefore, the international agency of SNGs poses serious dilemmas and practical challenges for the nation-state insofar as intergovernmental relations and the conduct of foreign policy are concerned. On the one hand, states are increasingly inclined to rein in this development in order to maintain a coherent and efficient foreign policy. On the other hand, they must come to terms with the reality that sub-national international involvement is inevitable, if not desirable. Therefore, as Cornago (2010b: 28-34) argues with his concept of 'normalisation as contentious regulation', the answer lies not in overlooking or resorting to legal approaches to attempt to suppress the international activities of SNGs, but in devising more flexible political mechanisms to manage the practice, in recognition of the transformative forces that underpin it.

It is within this same framework that Soldatos (1990) argued that the policy and actor segmentation that characterises paradiplomacy and which is the major concern of national governments can be mainly reduced to segmentation of actors only, with minimal effects on the cohesion and efficiency of a state's foreign policy. Such a coordinated decentralised foreign policy process becomes possible when a national government joins forces with SNGs, coordinates or monitors their international initiatives, and manages to harmonise their various international activities with its own policies. 'In an era of specialisation, of need for cost efficiency, of limited resources, and of international interdependence, the combined efforts of the two levels of government could constitute, under certain conditions, an improvement of a state's foreign policy' (Soldatos, 1990: 42).

Soldatos is in no way oblivious to the challenges that would be encountered in trying to harmonise the foreign activities of national and sub-national governments in a chaotic world. He is, however, optimistic that such coordinated efforts could

transform the crisis of multiple foreign policy voices into a process of rationalisation whereby actor segmentation does not become policy segmentation and the international activities of SNGs help to enhance unity and efficiency in a state's external relations. Success in this regard would depend on the ability of foreign policy elites 'to adapt and respond to actor segmentation with a conflict-resolution mechanism, coherent machinery for the articulation and aggregation of interests, and a process of development of complementarities in foreign action' (Soldatos, 1990: 42).

Empirical evidence, however, suggests that this has not always been the case. A review of twelve federal and semi-federal polities by Michelmann (2009: 339) established the predominance of two extreme models of intergovernmental relations, with a third model of the practice falling more or less in-between. The first pattern is characterised by a largely informal interaction between national and sub-national governments, often at the bureaucratic level and with little political involvement. This is mostly the case when SNGs lack a clear constitutional mandate to develop an international agency. In the absence of a direct legal basis for international relations, whatever structures and processes that may exist for interacting on the subject largely serve the national government's purpose of overseeing the external activities of SNGs. Such a system of intergovernmental relations leaves SNGs with very limited space to influence the national foreign policy regardless of how this affects their jurisdiction.

In a system where a single party dominates politics at all levels of government, the one-sided interactions on matters of foreign affairs can cause very little friction in the overall relations between the national and sub-national levels of government. However, where both levels of government are run by different political parties, this institutional gap in intergovernmental relations on foreign affairs may result in the SNG developing an active international presence and advocating alternative foreign policy positions. As Criekemans (2008: 13) has noted, it is under such conditions that intergovernmental relations tend to sway in the direction of conflict. With an overriding constitutional authority over foreign affairs, it is often the case that the national government would attempt to rein in the 'renegade' activities of its sub-national counterparts. However, as Fry (1990: 280) suggests, certain pragmatic and

political considerations may at times necessitate the need to strike a fair balance between what is constitutionally permissible and that which is politically expedient.

Besides the absence of a direct constitutional mandate for foreign affairs and the effects of one-party dominance, other factors tend to weigh against robust and balanced consultations on external relations in this model. Inadequate resources and the lack of relevant expertise may greatly affect the quality of an SNG's international agency and by extension reduce its capacity to effectively engage with the national government on external matters (Michelmann, 2009: 344). Likewise, the absence of a coordinated effort among SNGs of a given country tends to negatively affect their ability to counter the domination of the national government in international relations.

At the other extreme is a pattern of intergovernmental relations fashioned chiefly by the constitutional entitlements of SNGs as well as the intensity of their international engagements. These two conditions make conflict between the two levels of government virtually inevitable and thus dictate the need for workable mechanisms for coordination and consultation. Unlike in the first model, interactions between the national and sub-national governments on foreign affairs occur mainly within formal and statutory structures and processes. More importantly, coordination and consultation on external relations take place largely at the political level, although the role of senior officials is equally crucial.

An important feature of intergovernmental relations in this model is the use of formal cooperation agreements or memoranda of understanding to resolve constitutional uncertainties. These gentlemen's agreements, or 'soft law' as Kincaid (1990: 71-72) refers to them, provide a pragmatic way of diluting tension between national and sub-national governments stemming from the latter's foreign relations, thereby avoiding drawn-out legal wrangles that may upset the domestic political order.

2.7 Analytical Framework

As conceptualised above, SNGs can exercise their international agency either directly or indirectly. The latter occurs when SNGs attempt to influence international processes and outcomes from within the borders of their host countries (Geldenhuys, 1998: 33). The indirect or domestic manifestation of paradiplomacy

takes on different forms. First, SNGs often try to influence the negotiation and signing of international treaties and agreements whose implementation may affect their specific areas of jurisdiction. They may do so by seeking representation in national delegations charged with negotiating a particular treaty or agreement or by using national structures and processes to make submissions with a view to influencing the national position. At other times, influencing the international agenda from within may mean using constitutionally-guaranteed representations to obstruct the ratification of an international treaty or agreement that may be adverse to their interests (see Michelmann, 2009: 335-336).

Similarly, SNGs can exercise their international agency domestically by undertaking independent actions and adopting separate policies that may at times contradict the international commitments or positions of their central governments. Notable examples are the unwillingness of Chinese provinces to enforce China's World Trade Organization (WTO) commitments, the move by some US states to impose sanctions on companies doing business with the apartheid government in South Africa, as well as the vote by some US states to support and uphold the environmental standards of the Kyoto Protocol, contrary to the position of Washington on the treaty (see Zhimin, 2005: 203; Fry, 1990: 280; Fry, 2009: 313). The modalities and mechanisms for coordinating and accommodating the foreign policy inputs of SNGs have already been presented in the section dealing with intergovernmental relations in foreign affairs. What follows in this section is an attempt to develop a framework that will be used to analyse the direct international relations activities of the selected South African provinces. While the analytical framework borrows from the work of other scholars in this area, it will be adapted to respond to the specific questions that guided this inquiry.

Scholars have used different frameworks to analyse the direct international relations activities of SNGs. One of the earliest approaches was developed by Duchacek (1990) who analysed the foreign relations of SNGs from the perspective of the geopolitical reach of these activities. In his analytical framework, Duchacek (1990) identifies four categories of paradiplomacy. The first category is what he referred to as *transborder regional paradiplomacy*, which encompasses the formal and informal interactions between bordering provinces, *Länder*, cantons or regions. This form of

international engagement is 'conditioned by geographic proximity and the resulting similarity in the nature of common problems and their possible solution' (Duchacek, 1990: 20). Examples are the cross-border contacts between US states and their Mexican and Canadian counterparts, as well as the numerous regional associations in Europe such as the Euro-region, the Four Motors of Europe, the Working Group of the Pyrenees, the Conference of Peripheral and Maritime Regions, and the European Association of Border Regions (Kincaid, 2002: 82). *Transregional paradiplomacy* is the term used by Duchacek to denote the international engagements between SNGs that are not neighbours but whose national governments share a common border. Unlike transborder regional paradiplomacy, this form of paradiplomacy is more formal in nature and is usually motivated by economic concerns (Duchacek, 1990: 25-26).

The third form of paradiplomacy, from a geopolitical perspective, is referred to as *global paradiplomacy*. This entails direct links between distant SNGs and between SNGs and foreign national governments and their agencies. It can also be expanded to include SNGs' engagement in the work of multilateral organisations and their programmes (Manojlovic and Thorheim, 2007: 21). Finally, the international activities of SNGs may occasionally take the form of what Duchacek refers to as *protodiplomacy*. In this case, SNGs aspiring for statehood use their international economic, social and cultural links to gain foreign support for an eventual declaration of independence. Unlike the more common forms of paradiplomacy, protodiplomacy explicitly involves attempts at influencing the foreign policies of sovereign states. The international activities of the Canadian province of Quebec prior to 1986 fit into this category (Duchacek, 1990: 27; Lecours, 2002: 107).

Although Duchacek's framework offers useful insights into understanding the different manifestations of an SNG's international agency, its analytical relevance is limited by its geopolitical approach. While the framework could be a very useful tool in describing the scope of an SNG's international relations, it is weak in bringing out the qualitative aspects of these activities. An alternative framework with greater analytical merit is that used by Criekemans (2010b) to study the foreign relations of six SNGs in Europe and North America. Criekemans' framework, which is more suitable for an in-depth study of this nature, analyses paradiplomacy from four

dimensions: how SNGs define their 'foreign policy'; the diplomatic instruments utilised; the organisational structure and operation of the 'foreign affairs' of SNGs; and the character of an SNG's representation abroad. Notwithstanding its analytical strength, Criekemans' framework will be modified to take into account the South African context, which differs considerably from those in North America and Europe, as well as the purpose of the study. Firstly, to reflect the limited foreign relations competence of South African provinces, the first dimension will focus on analysing the motives and goals of paradiplomacy and not necessarily how provinces define their 'foreign policy'. Secondly, the fourth dimension, which is designed to analyse the character of an SNG's representation abroad will be dropped from the analytical framework of this study as it is currently not applicable to the South African case. None of the nine provinces in South Africa has a permanent representation abroad. Consequently, the foreign relations of the three South African provinces under study will be analysed under three categories: *the motives and goals of paradiplomacy*; *the instruments of paradiplomacy*; and *the institutional frameworks for coordinating paradiplomacy*. Each of these analytical focuses is briefly discussed in the next sections of the chapter.

2.7.1 Motives and Goals of Paradiplomacy

Paradiplomacy is often geared towards the realisation of a set of economic, political and socio-cultural goals. As an analytical focus, the motives and goals of a sub-state's diplomacy offer a good entry point to start appreciating the nature and significance of that particular unit's international agency. By studying the motives that underpin an SNG's foreign relations and the corresponding goals that provincial officials seek to achieve in their international engagements, one is able to gain valuable insight into how a given SNG interprets its actual and potential international role. For example, after analysing the functional and policy areas that form the core business of six regions with legislative powers, Criekemans (2010b: 40) is able to come to the conclusion that German SNGs, even the most developed ones like Bavaria, do not interpret their foreign relations as constituting foreign policy. With a focus on technical cooperation, cross-border cooperation and European affairs, these units see themselves as conducting external relations, distinct from the foreign policy prerogative of the central government in Berlin.

The major objectives of the foreign relations of SNGs are briefly discussed below. It should be noted, though, that these categories are for analytical purposes only. In reality, it is sometimes not possible to draw neat lines between paradiplomacy undertaken exclusively for one of the goals outlined below. For example, what might appear to be a purely altruistic activity on the surface may have significant economic benefits upon closer scrutiny. Michelmann (1990a: 233) has convincingly argued that when SNGs in developed countries provide development assistance to their counterparts in the developing world, as part of technical cooperation, this is not always motivated by altruism. Economic and partisan political motivations may also be at play. This argument is substantiated by the logic that technical assistance often has economic and political spin-offs for the donor entity in terms of the goodwill and long-term relationships that they forge.

2.7.1.1 Promotion of Economic Interests

Empirical evidence suggests that economic motives are the primary reasons for most SNGs to develop an international presence. SNGs use their international agency to lure foreign companies into their region, promote themselves as tourist destinations and secure markets for their products (Cornago, 2005; Keating, 1999: 4). In the pursuit of their foreign economic goals, sub-national units employ a number of strategies including improving infrastructure to attract foreign direct investments (FDI), providing tax and financial incentives to foreign investors as well as providing direct subsidies. Wealthier sub-national units have also been noted to establish representative offices abroad as part of their strategy to support the development of the domestic business sector. Although such foreign offices may serve other purposes, their predominant functions have been to seek investments, promote exports and tourism, and gather economic intelligence that would benefit the economy of the sub-national unit.

For SNGs seeking efficiency in their economic diplomacy yet mindful of the enormous costs entailed in running foreign offices and gathering economic intelligence, a more effective option has been to sub-contract these services to specialised agencies at home or abroad. Another widely used instrument for economic diplomacy involves overseas trade missions led by heads of SNGs or other senior politicians and often comprising representatives of the business sector

(Michelmann, 2009: 347-348). Michelmann (1990: 300-301) argues that whereas there is a positive correlation between an SNG's level of economic development and the sophistication of its economic diplomacy, other variables tend to interfere with this relationship. One such variable is the existence of a strong private sector with significant experience of foreign economic activities. Under such circumstances, economic diplomacy by SNGs becomes less necessary as local firms already possess enough networks and expertise to undertake their own foreign exploits.

In principle, paradiplomacy driven primarily by the pursuit of economic interests generates very little resistance from national governments and in most cases is often undertaken with the support of the latter. There can, however, be instances where this activity could result in strained intergovernmental relations. This may be the case when SNGs of the same country compete with one another for foreign investments or when the international economic relations of SNGs threaten to render the state vulnerable to external influences and exploitation (see Ravenhill, 1990: 105; Segal, 1994: 344-346).

2.7.1.2 Paradiplomacy for Political Ends

Paradiplomacy could sometimes be motivated by political concerns, which may take on different forms depending on the nature of its intended goals. As noted above, the most ambitious form of paradiplomacy with a political motive (commonly referred to as protodiplomacy) seeks to pave the way for external recognition for an eventual declaration of independence. The most widely documented example of this kind of paradiplomacy was the efforts of the government of Quebec under the rule of the *parti Quebecois* (see Lecours, 2002: 107). Paradiplomacy tied to an independence project often makes use of publicised political statements and high-profile visits. Relations with sovereign states and participation in state-dominated forums are also highly preferred and cherished, owing to their symbolic value in conferring on the aspirant SNG a sense of statehood.

Protodiplomacy is, however, not the only type of paradiplomacy with political objectives. As Keating (1999:13) has pointed out, paradiplomacy can also serve a

political function when used 'as an element in a stateless nation-building,² a strategy to acquire as much as possible of the substance of national independence, without worrying too much about the formal status.' This political logic is better captured in the statement of a onetime President of the Basque Nationalist Party, Xabier Arzalluz: 'We renounce sovereignty but not political power itself' (quoted in Aldecoa, 1999: 85). In this sense, paradiplomacy serves as a strategy to gain greater political autonomy as it gives sub-national units the opportunity to engage directly with the outside world in promoting and enhancing their distinct identity and culture (Sharafutdinova, 2003). Other political goals, for which paradiplomacy can be employed by SNGs with no nationalist ambitions, include influencing the behaviour of foreign countries, satisfying domestic political interests, as well as developing the domestic political profile of sub-national leaders and their parties. It may also serve as a strategy for sub-national units with distinct historical and cultural identities to 'use Diasporas to enhance their political influence in other countries and to mobilize resources' (Keating, 1999: 5).

Owing to its potential to complicate a state's foreign policy or disturb its internal political order, politically motivated paradiplomacy is most often a source of tension between sub-national and national governments. In some instances, though, paradiplomacy with political objectives may be welcome and actively supported by national governments. This is when SNGs act as informal channels of diplomacy through direct contacts with sovereign states or their sub-national units in cases where formal inter-state diplomatic relations are absent or strained. For example, the foreign relations of US and Canadian border-states and provinces have been instrumental in diluting tensions between Washington and Ottawa over acid emissions, produced in the US industrial states and blown by winds across the border into neighbouring Canadian provinces (Michelmann, 1990b: 238, 306).

² A stateless nation in this case would refer to national minorities within independent states who not only identify with a section of the national territory, but more importantly are bound by the feeling of sharing a common language, history or religion. Developing and preserving the distinct culture and identity of this 'nation' often becomes the priority of its political elites.

2.7.1.3 Paradiplomacy as a Vehicle for Development Assistance

Paradiplomacy also serves as a vehicle for development cooperation, defined here as the transfer of technical and managerial skills, technology and related resources from one foreign government to another for the purposes of facilitating policy reforms, capacity development or the implementation of specific socio-economic investment projects (OECD, 2007: 779). For example, a foreign partner may make available financial resources and skills for the specialised training of government personnel, as part of efforts to improve the governance capacity of the recipient SNG. In most developed countries, these activities are undertaken as partnerships between national and sub-national governments, with the former helping to provide funding while the latter provides the expertise (Michelmann, 2009: 350). Similarly, technical cooperation has proven to be the most attractive form of paradiplomacy for SNGs in the developing world, owing to its potential to contribute to development efforts in these countries with minimal cost. In fact, as Michelmann (1990b: 230) has pointed out, the terms 'exchanges' and 'cooperation' are probably misnomers when talking about this form of paradiplomacy. This is because these interactions are largely a one-way flow of resources from SNGs in the developed world to their counterparts in developing countries. This observation does not, however, discount the increasing technical cooperation among SNGs in developing countries, which has become an integral component of the emerging drive for improved South-South cooperation. Neither is it oblivious of the sometimes hidden political, economic and environmental benefits that Western governments tend to derive from some of their 'donations' to sub-national polities in the developing world.

2.7.1.4 Promoting Socio-Cultural Exchanges

The international activities of SNGs can also take the form of socio-cultural exchanges. This kind of paradiplomacy is motivated by the need to promote and strengthen a sub-national unit's distinct culture and language. In this respect, paradiplomacy not only becomes a vehicle for solidifying ties with foreign communities sharing the same culture or language, but also provides a conduit for scientific, cultural, educational and sporting exchanges. The Canadian province of Quebec, the Belgian region of Flanders, the Spanish region of Catalonia, the

German *Land* of Baden-Württemberg and the French region of Rhône-Alpes are notable examples of SNGs whose international activities are partially motivated by cultural and linguistic concerns (Lecours, 2008: 3). Arguably, paradiplomacy that is dedicated to promoting socio-cultural cooperation presents the least source of conflict between sub-national and national governments. It is also the form of paradiplomacy that has the most potential to bring international relations closer to the people at the grassroots.

2.7.1.5 Addressing Common Cross-Border Issues

Cross-border relations are perhaps the oldest and most common form of paradiplomacy. As already mentioned, this type of paradiplomacy is conditioned by geographic proximity and the resulting similarity in the nature of common problems faced by neighbouring sub-national units. As Kincaid (2002: 82) has observed, these common problems motivate SNGs to undertake what he calls 'housekeeping' functions. That is, paradiplomacy becomes a means for contiguous sub-national units divided by an international border to cooperate on common problems and opportunities in a number of areas, including economic and infrastructure development, environment, immigration regulation, traffic control, or cultural promotion.

This form of paradiplomacy manifests itself through bilateral transborder cooperative agreements that connect neighbouring sub-national units, as well as multilateral frameworks of contiguous sub-national units. A prominent manifestation of cross-border cooperation is what Duchacek (1990: 20) has called 'informal inter-elite networks'. These take the form of telephone calls or 'dial-direct diplomacy', improvised meetings, and luncheon appointments, and provide the means for officials on both sides of the border to pool resources and share information while escaping the direct control of their respective national governments.

Keating (1999) identifies two main factors that intensify cross-border relations: cultural affinity of sub-national units on either side of the border and the presence of regional organisations or regimes that increase the permeability of national borders. On the other hand, the success of cross-border initiatives can be hampered by a number of factors, including an asymmetry of assets and resources on either side of

the border, the lack of political will and common interests in pursuing initiatives, as well as incompatibility of legal and administrative systems on each side of the border (Keating, 1999: 9-10).

2.7.1.6 Influencing Global Policy Debates

In recent times, the international activism of some SNGs has also been motivated by the need to influence global policy debates on issues such as climate change and sustainable development, the promotion and respect for cultural diversity, as well as the management of the global economy. As Criekemans (2010a: 23) points out, SNGs often engage with multilateral organisations to access important policy debates which affect their internal competencies. In other words, they seek to regain 'degrees of freedom' which they lost as a result of economic, cultural and political globalisation. For example, as part of efforts to defend their cultural and educational interests, Belgian and German sub-national units share representation with their federal governments in UNESCO, and Quebec has successfully secured permanent membership in the Canadian delegation to the organisation (Michelmann, 2009: 350). Similarly, Happaerts *et al* (2010) describe how SNGs are coming together in transnational networks to represent their members in international organisations and influence multilateral decision-making on issues relating to sustainable development.

2.7.2 Instruments of Paradiplomacy

SNGs employ a diverse set of diplomatic instruments to achieve their objectives in the international arena and, as Criekemans (2010: 44) notes, these have become more and more sophisticated and refined in recent times. These instruments have been studied and updated over the years by different scholars, including Duchacek (1990) and Blatter *et al* (2008). The most recent account of the instruments of paradiplomacy is provided by Criekemans (2010) in his comparative analysis of the foreign relations of selected SNGs in Europe and North America. The review highlights the increasing sophistication of these instruments, which is associated with the growth in paradiplomacy in recent times. More importantly, Criekeman's analysis of contemporary instruments of paradiplomacy suggests a strong correlation between an SNG's legal and institutional context on the one hand, and the choice and sophistication of its international relations instruments on the other. Another

important insight is provided by Michelmann (2009: 347-348), who notes a connection between an SNG's level of economic development and the choice of its paradiplomatic instruments. The most widely used instruments of paradiplomacy are briefly discussed below. It should be underscored that the list presented is indicative only and does not exhaust all the instruments which are available to SNGs in the conduct of their foreign relations.

2.7.2.1 Establishing Representative Offices Abroad

SNGs in countries like Belgium, Spain and Canada, which have extensive constitutional powers in the domain of foreign affairs, tend to use representational offices abroad in pursuit of their international relations goals. As Crikemans (2010b: 45) observes, the use of political representation by an SNG suggests an elevation and deepening of its relations with its host partner. Michelmann (2009: 348) also argues that, because they are very expensive to establish and maintain, foreign offices are used only by a select group of SNGs which have the resources and capacity to operate them. More importantly, these offices serve a wide variety of purposes including political representation, promoting the economic interests of their home regions, as well as maintaining and furthering cultural and educational ties. Duchacek (1990: 14) notes that foreign offices are also used by SNGs to undertake lobbying activities in foreign capitals.

2.7.2.2 Signing of International Treaties

Some SNGs conduct their foreign relations by signing binding international treaties. Similar to the establishment of foreign offices, the use of this instrument in paradiplomacy is very limited because it is only permissible in particular legal and institutional contexts. In reality, only a few SNGs in countries like Belgium, Switzerland, Austria and Germany have legal powers to sign binding international treaties, with or without the consent of their national governments. According to Crikemans (2010b: 48-49), SNGs make use of treaties not only to promote functional cooperation, but also symbolically; 'to try to transfer to a "higher division" in the international pecking order, being as capable as small states, but not quite the same'. It is perhaps for this reason that these SNGs do not limit their treating-making practice to other SNGs, but extend this activity to sovereign states and international

organisations. As Michelmann (2009:335) points out, the use of treaties as an instrument in paradiplomacy is often the source of political tension in those countries where it is permitted, requiring extensive intergovernmental mechanisms to prevent and resolve conflict.

2.7.2.3 Signing of Non-binding Cooperation Agreements

Non-binding cooperation agreements have become an alternative tool used especially by SNGs with limited international relations competencies to enter into partnerships with their foreign counterparts. As already explained above, these cooperation agreements are sometimes referred to by different names such as memorandum of understanding (MOU), declaration of intent or technical agreement. Unlike the case with international treaties, these agreements, which customarily cover a wide range of areas for cooperation, are very flexible and do not impose any legal obligations on the contracting parties. As Criekemans (2010b: 45) correctly observes, the non-binding nature of this instrument of paradiplomacy means that cooperation agreements often go unenforced.

2.7.2.4 Participation in and Partnerships with International Organisations

SNGs also exercise their international agency by collaborating with and operating within multilateral organisations such as UNESCO, the World Bank (WB) and the World Health Organization (WHO). Such collaboration is motivated by various concerns and takes different forms. As noted earlier, a number of Canadian, Belgian and German SNGs actively participate in the work of UNESCO to defend and promote the cultural and educational interests of their regions (Criekemans, 2010a: 23; Michelmann, 2009: 350).

For some SNGs, involvement with intergovernmental organisations takes the form of making contributions to the development activities of the latter, either financially or through the provision of technical support (see for example Aldecoa and Cornago, 2009: 261). The reverse is usually the case when the focus shifts to SNGs in the developing world. Here, interactions with international organisations are largely defined by agreements and partnerships that put SNGs at the receiving end of

financial packages and/or development assistance. For example, a number of Indian states negotiate directly with and receive loans and assistance from international agencies and organisations such as the WB, the Asian Development Bank, the United Nations Children’s Fund (UNICEF) and the United Nations Development Programme (UNDP) (see Mattoo and Jacob, 2009: 177-178).

2.7.2.5 Participation in Transnational Networks of SNGs

A related instrument employed by SNGs in their foreign relations is their participation in regional or global networks of like-minded SNGs. As pointed out earlier, these networks afford SNGs the opportunity to collectively influence relevant international policy debates, while also creating a framework for multilateral cooperation and peer learning among regions with similar or different experiences (Criekemans, 2010b: 46). As Cornago (2010b: 27-28) argues through his concept of ‘normalization as reflective adaption’, the mutual policy learning and diffusion that takes place in these networks is instrumental in imbuing confidence in the international agency of individual SNGs while also contributing to legitimising their international role.

2.7.2.6 Foreign Trips



Perhaps one of the most publicised instruments of paradiplomacy is the foreign visits undertaken by SNG politicians and other officials. Foreign trade missions, which are often led by senior political leaders of SNGs and typically involve representatives of the business community, are common features of paradiplomacy in a variety of countries (Michelmann, 2009: 347). According to Duchacek (1990: 14), foreign trips by SNGs also take the form of study tours, or what he refers to as ‘short-term, professional fact-finding missions’.

2.7.2.7 Public Diplomacy

In his study of the instruments of the paradiplomacy of selected European and North American SNGs, Criekemans (2010b: 46, 56) also identifies a growing trend of these units developing public diplomacy initiatives as part of their international activities. Public diplomacy as an instrument of paradiplomacy is understood as efforts to ‘give the broader domestic and international public a nuanced picture of the position and choices of [an SNG’s international role], and to allow for debate and dialogue’.

Alternatively, public diplomacy takes the form of rebranding or strengthening an SNG's international image with the ultimate end of making it an ideal destination for foreign investments or tourists, while also encouraging its exports to be viewed in a positive light abroad.

2.7.3 Institutional Frameworks for Coordinating Paradiplomacy

A third dimension that will be used to analyse the foreign relations of the selected South African provinces is the organisational structure that supports these activities. This analytical focus is especially important in the case of South Africa where the sub-national entities under study have been in existence for less than two decades, and the institutional environment in these units is still largely underdeveloped. In this context, a critical appreciation of the development and significance of the international agency of SNGs cannot be possible outside a framework that gives due consideration to the capacity and efforts of these units to coordinate their foreign activities. Duran, Criekemans and Melissen (2010: 51) have noted a strong correlation between an SNG's foreign affairs powers and the nature of the organisational structure that underpins its international relations. For SNGs with a formal and extensive constitutional mandate for external relations, paradiplomacy is more likely to evolve in a vertical and centralised structure. Here, while a number of departments and agencies may be involved, there is a tendency for their different international activities to be planned, directed and coordinated from a single centre. This is hardly the case with SNGs having less formal powers in international relations. The tendency to act mostly in response to perceived opportunities and on a more *ad hoc* basis makes a horizontal and decentralised structure more feasible.

According to Michelmann (1990: 308), the economic base of an SNG is an equally important factor that determines its organisational structure for paradiplomacy. Less wealthy SNGs often lack the large and highly specialised bureaucratic apparatus enjoyed by their wealthier counterparts. Of more importance, however, is the correlation that can be established between the nature of an SNG's international relations apparatus and the quality of its international activities. A combination of limited personnel and low levels of professionalisation often translate into meagre institutional resources, which in turn limit the ability for an SNG to effectively engage in international relations, either directly or indirectly.

2.7.3.1 Democratic Participation and Accountability in Paradiplomacy

An important corollary of the institutionalisation of paradiplomacy, which will be given particular attention in the study of the foreign relations of South African provinces, is the extent to which this practice encourages democratic participation and accountability in foreign policy. Duchacek (1990:3) has argued that federalism is the territorial twin of democracy. In other words, there can be no effective democracy without some form of decentralisation in decision-making. This logic has informed part of the argument for an improved international agency for SNGs. As Michelmann (1990: 313) and Lecours (2008: 12) note, paradiplomacy or the territorial decentralisation of foreign policy can engender increased citizen awareness of and participation in international affairs, a development that is conducive to democracy.

There is, however, an aspect of this logic that is often ignored or taken for granted. That is, federalism or territorial decentralisation would equally be utterly meaningless, and in some cases counterproductive, if devoid of democratic practices and processes. Pertaining to the present discourse, Lecours (2008: 12) has argued that the territorial decentralisation of elements of foreign policy would only be amenable to democracy if accompanied by a decentralisation of deliberative and representational spaces at the sub-national level. This is because SNGs are the formal, but not the only, representatives of their citizens. As such, the international positions espoused by the elected representatives may not conform to those shared by certain segments of the sub-national population, organised in opposition parties, NGOs and other civil society bodies (Kincaid, 2002: 91). This necessitates workable and diverse channels and forums for public consultation, accountability and official justification for sub-national international activities.

This is not always the case, though. The territorial decentralisation of foreign policy in some countries is often not accompanied by a corresponding citizenry awareness of this political reality. For example, Lecours (2008: 12) argues that most people are still glued to the idea that international relations are the exclusive domain of the national government, presuming that all debates and discussions on this policy-issue are only relevant at the national level. Thus, while most people would not hesitate to

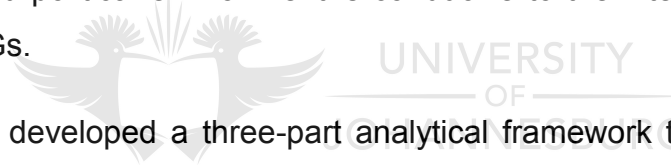
use all available channels to engage their SNGs on seeming domestic issues, very few people are conscious of the equal responsibility to hold their elected representatives accountable for their international role.

Even when there is an awareness of the international role of SNGs, there is evidence to suggest that most citizens at the grassroots level simply lack the capacity to appreciate the linkage between domestic and foreign affairs, a deficiency that breeds indifference to the latter (see for example Thurer and MacLaren, 2009: 287). In the absence of a strong political will on the part of an SNG to arouse grassroots awareness and interest in its foreign activities, paradiplomacy would become an elitist pursuit, with sub-national executives monopolising external relations to the detriment of other groups and interests. Thus, instead of contributing to the democratisation of foreign policy, paradiplomacy would under such conditions only result in the transfer of foreign policy prerogatives from national elites to their sub-national counterparts.

2.8 Conclusion

The preceding discussion constitutes an attempt to map out a conceptual and analytical framework that will guide the analysis of the international relations of the selected South African provinces. An appraisal of the different conceptualisations of the foreign relations of SNGs leads to the conclusion that no single concept or interpretation can express the totality of the phenomenon without sacrificing accuracy. This apparent shortcoming reflects the challenge involved in studying actors whose very nature as international agents is shrouded in ambiguity and which operate with varying degrees of legal, political and economic freedom. While being accurate in the respective contexts in which they are conceived, concepts such as constituent diplomacy, plurinational diplomacy or multi-layered diplomacy provide only partial accounts of the phenomenon. It is also important to underline that some of the conceptions and labels used to denote the international relations of SNGs reflect the normative biases of their proponents. Thus, despite the ambiguity and controversy associated with the term, *paradiplomacy* is retained in this study because of its descriptive value in denoting the international roles and activities of a broad range of SNGs.

With the help of theoretical insights from neo-liberalism, constructivism and historical institutionalism, the chapter also examined the domestic and international opportunity structures that give rise to and determine the form and intensity of an SNG's international engagements. The analysis presented in this section is expected to assist in uncovering the specific drivers of the phenomenon in the selected provinces, as well as the rationale behind the choices that provincial government officials make in their international endeavours. Paramount among the determinants analysed in the chapter is the constitutional and institutional environment within which SNGs exercise their international agency. The importance of this single variable cannot be overemphasised considering that, as territorial non-state actors, SNGs cannot be expected to express their international agency with the same latitude open to other non-state actors such as NGOs and MNCs. Theirs is an 'actorness' that is strictly tied to the domestic political order of their respective states. Consequently, an analysis of the foreign relations of the selected South African provinces would have to be sensitive, first and foremost, to the degree to which the domestic legal and political environment is conducive to the international agency of the country's SNGs.



The chapter also developed a three-part analytical framework that will be used to analyse the phenomenon in the selected South African provinces. The first element of this framework examines the motives and goals of paradiplomacy, and is expected to provide insight into and contribute to an understanding of how South African provinces define or interpret their international role, especially in relation to the country's foreign policy. The second part of the analytical framework focuses on the instruments used by SNGs in their international relations, and highlights the existence of a strong correlation between an SNG's legal and institutional context on the one hand, and the choice of instruments it uses in its international relations on the other. The third analytical focus that will inform the study of paradiplomacy in South Africa relates to the organisational structures or institutional frameworks that are used to coordinate these activities, and which can significantly enhance or inhibit an SNG's capacity to effectively engage on the global stage or influence the foreign policy of its country. An important dimension of the institutionalisation of paradiplomacy, which is discussed in the chapter, relates to the extent to which democratic participation and accountability is supported in this practice. Here, it was

underscored that although paradiplomacy is seen by scholars such as Cornago (2010a) as epitomising the return of a 'plurality of voices' to diplomatic practice, its democratic qualities cannot be taken for granted. Without a conscious effort by sub-national officials to promote democratic participation and accountability in their foreign activities, paradiplomacy would retain the elitist character of conventional nation-state diplomacy.

Drawn from the global experience with paradiplomacy and the emerging theoretical insights, the conceptual and analytical framework thus presented provides a guide for the study of the international relations of the selected South African provinces. It serves as an instructive tool for identifying and appreciating the motives and strategies employed for provincial international relations. This is in addition to drawing attention to the mix of internal and external factors and institutions whose interplay may serve to either enable or restrain the foreign endeavours of the provinces under consideration. As useful as it may be, the framework nonetheless provides a highly abstract perspective that on its own would not be sufficient to guide an investigation into the international relations of South African provinces. This is because, as discussed earlier, paradiplomacy is in a sense mediated by specific domestic imperatives that vary from one country to another, making it difficult for local experiences to be perfectly accounted for solely with the assistance of global perspectives. In addition to global insights, therefore, an understanding of the domestic environment becomes indispensable in making sense of the international agency of any given set of SNGs. Consequently, the next chapter of the thesis analyses the domestic context in which South African provinces conduct their international relations.

CHAPTER THREE

THE DOMESTIC CONTEXT OF PARADIPLOMACY IN SOUTH AFRICA

3.1 Introduction

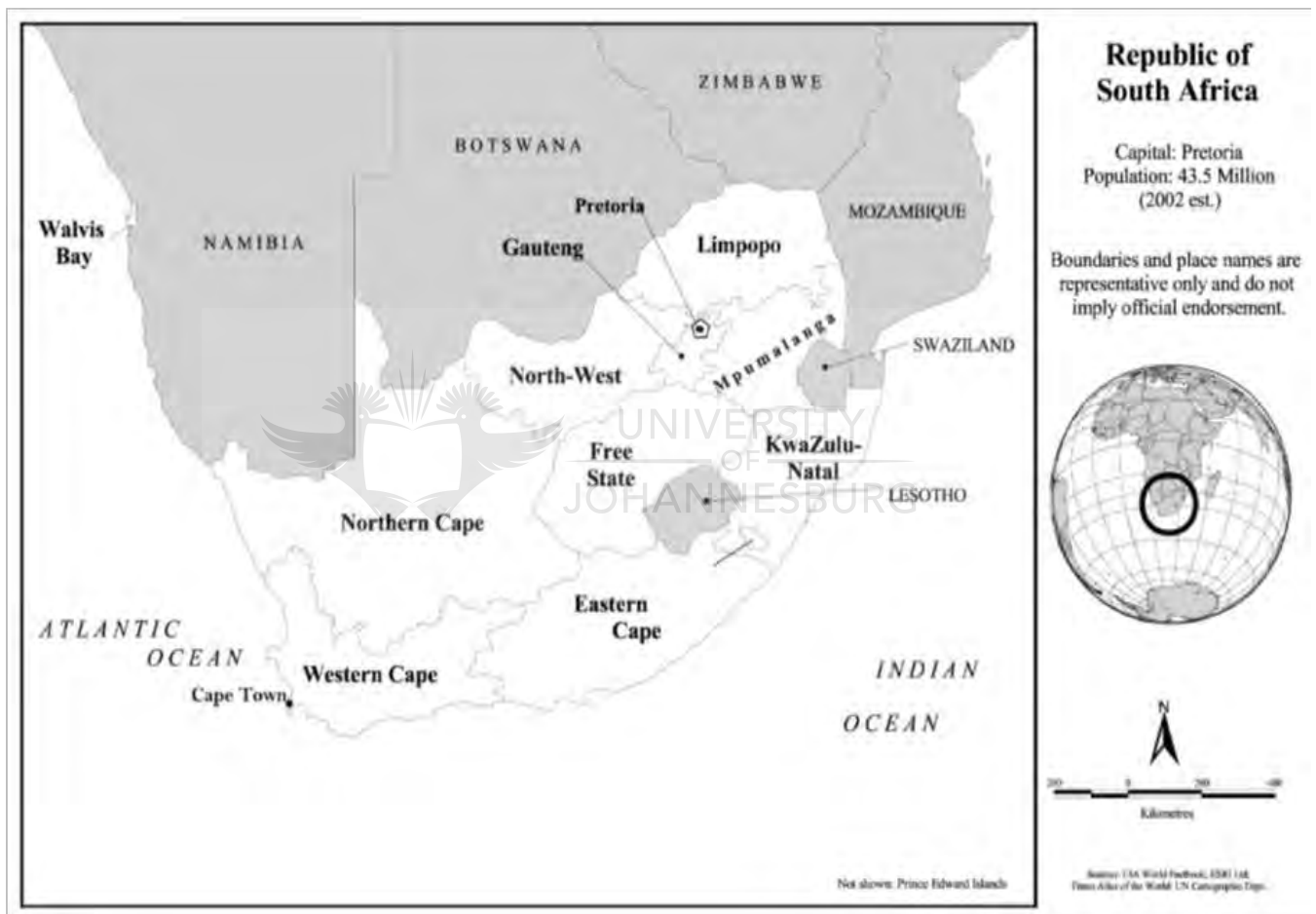
Having established the theoretical parameters within which inquiries into the international agency of SNGs should evolve, it is only logical at this juncture to examine the dynamics of the specific context of the units under study. This will ensure that, while being enriched by the emerging theoretical insights, the analysis of the international relations of South Africa's provinces will remain sensitive to the unique circumstances of this set of sub-national units. The goal of this chapter is therefore to analyse the socio-political, economic and cultural conditions in South Africa, with a particular emphasis on how this context may enable or constrain the international agency of the provinces. This will be achieved by paying heed to the following: the federal features of South Africa's constitution and the dynamic intergovernmental relations that have evolved from them; a brief socio-political, economic and cultural profile of the country's nine provinces; as well as the general orientation of South Africa's foreign policy. Before delving into all these, the chapter will first of all present a brief overview of the geography, people, economy and political history of South Africa.

3.2 South Africa: An Overview

South Africa is located at the southern tip of Africa. With a total land surface of 12 19 092 km², it is the ninth largest country on the African continent. South Africa is bordered in the north by two landlocked countries, Zimbabwe and Botswana; in the north-east by Mozambique and Swaziland; and in the north-west by Namibia. It completely encloses the Kingdom of Lesotho. South Africa is also bordered by the Atlantic Ocean on the west and the Indian Ocean on the south-east, leaving it with an extensive coastline of about 3 000 km (South African Yearbook, 2008/09: 6). From a geo-political standpoint, it should be underlined that South Africa is surrounded by states with highly centralised political systems. Thus, even though most of its provinces share a border with neighbouring states, and Pretoria has taken

the lead in promoting a regional integration scheme through the Southern African Development Community (SADC), their cross-border relations tend to fall prey to the constraints of disparities in legal and administrative systems. Conversely, some of South Africa's official languages, including Setswana, Sesotho and SiSwati, are shared with neighbouring countries such as Botswana, Lesotho and Swaziland, creating an enabling environment for cross-border paradiplomacy with a cultural focus.

Figure 2: Map of South Africa showing geographical location of the nine provinces



(Source: Forum of Federations)

With a total population of approximately 52 million people,³ South Africa prides itself on being a truly multiracial, multicultural and multilingual society. About 79% of the country's population is classified as black Africans, 9,6% as white, and 8,6% as

³ Statistics South Africa, 2011 Census results.

coloured.⁴ An estimated 2,5% of South Africans are believed to be of Asian descent. More than ten different ethnic groups co-exist alongside each other in South Africa, prominent among which are Zulus, Afrikaners, Indians, Xhosas, Tswana, Venda and the Khoisan. The multicultural nature of the South African society is also reflected in the 11 official languages of the country (South African Yearbook, 2008/09: 2).

Compared to the rest of the continent, South Africa's economy is the most highly developed, contributing more than a third of Africa's gross domestic product (GDP) (Butler, 2009: 56). Its GDP for 2008 stood at US\$ 276 764 million (World Bank, 2009). As a middle-income emerging economy, the country boasts sophisticated manufacturing and services sectors, while still clinging to its rich mining origins. At the same time, South Africa is beset with enormous economic and development challenges that put it on a par with other countries in Africa and the developing South. The legacy of apartheid's discriminatory policies coupled with the 'jobless growth' path followed by post-apartheid economic policies has entrenched poverty and inequality in the South African society. The country is rated as one of the most unequal societies in the world in terms of income (Butler, 2009: 56, 87, 89).

The stubbornness with which poverty and deprivation have persisted alongside a relatively affluent middle-income growing economy is captured in former President Thabo Mbeki's conceptualisation of South Africa as a country with two economies (see Aliber *et al*, 2006). Concealed in Mbeki's dual economy thesis, however, is a post-apartheid reality in which income inequality is multifaceted, characterised by disparities between and within race groups, as well as the different regions of the country. Thus, despite the fact that they also exhibit internal distortions in economic well-being, wealthier and metropolitan provinces like Gauteng and the Western Cape tend to stand apart from predominantly rural provinces such as the North West and Eastern Cape where economic activity lags behind and poverty is widespread (HSRC, 2004).

⁴ 'Coloured' is a terminology used to denote South Africans of mixed race who make up about 8,6% of the population. An estimated 85% of coloureds live in the Western Cape and Northern Cape provinces and most of them speak Afrikaans as their first language. Historically, there has been very little affinity between the coloured population and the ruling ANC party. As demonstrated in the Western Cape where the majority of coloureds live, this group has been decisive in denying the ANC victory in the province (<http://www.country-data.com/cgi-bin/query/r-12120.html>).

There is no gainsaying that South Africa's foreign policy over the years, and by extension the paradiplomacy of its provinces, have been significantly driven by the pragmatic need to address the country's domestic socio-economic challenges. This tone was set in 1994 when the ruling ANC clearly enunciated that South Africa's future foreign policy would be 'an extension of national policy and interests', and would become a critical component of the government's efforts to bridge the development divide in the country and improve the lot of ordinary South Africans (ANC, 1994).

The political history of South Africa is as complex as its economic contours. The Republic of South Africa, as we know it today, is the product of a long history of struggle against foreign domination, racial discrimination and economic dispossession. The image of a *rainbow nation*, with which the country is today associated, wittingly conceals an unenviable past, characterised by agitations for racial supremacy by English colonialists and Dutch settlers on the one hand, and the defiant quest for survival and recognition by indigenous Africans on the other hand. A defining feature of this struggle was an attempt, at different times of the territory's history, to establish political structures that misrepresented social realities, but nonetheless facilitated domination. Thus by the mid-1950s, the British were able to complete the process of bringing together subdued African polities and Afrikaner republics in a political union that not only facilitated the exploitation of minerals, but also entrenched white supremacy and laid the groundwork for segregation and apartheid (Butler, 2009: 12; South African Yearbook, 2008/09: 32-34).

Unlike other colonies accorded the status of British dominions through similar processes, the 1910 South African Act of Union settled for a unitary state rather than a federation. Kotzé (1995) documents that the decision against a federal system of government was informed by concerns within the emerging Afrikaner nationalist community that such a system would undermine efforts at uniting the white minority to exercise continuous control over the native blacks.⁵ For historians like Beck (2000: 98), there was more to the objection to a federal system as proposed by the white

⁵ Concerns of this nature were brought to the fore following the 1906–1907 Zulu revolt in Natal. Provoked by issues of land, taxes and labour, Beck (2000: 98) argues, the bloody uprising served as a wake-up call for white South Africans to 'unite against the African threat to their dominance'.

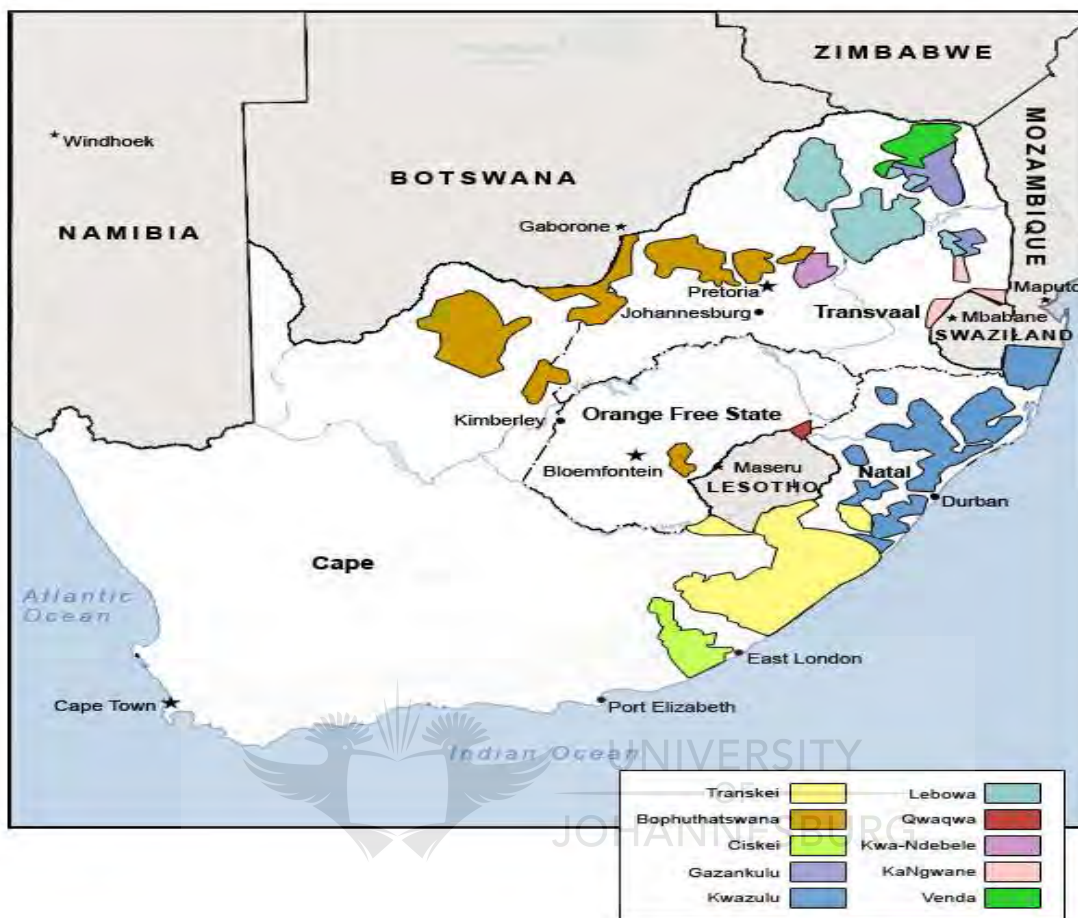
delegates who represented the former British colony of Natal in the 1908 National Convention that negotiated the Union constitution. Instituting a political system that would weaken the influence of imperial Britain in South Africa was an even greater consideration for the Afrikaner political elite. Consequently, a centralised government that reserved full legislative authority for the whites-only Union parliament was more agreeable, even though the new constituent units retained local powers.

In the heyday of Afrikaner nationalism, expressed through what became known as 'grand apartheid', South Africa's political landscape was defined primarily by the creation of a patchwork of ten semi-autonomous black units ('Bantu homelands' or 'Bantustans') within the apartheid state, covering 14% of the national territory. This experimentation with federalism was a reflection of the white minority government's policy of 'separate development' embodied in the 1959 Promotion of Bantu Self-Government Act. The idea was to confine the growing and 'threatening' Black population to designated territories in the country, each with separate political institutions and the prospects of 'independence'. Brought about through a process of social engineering and forced relocations, the partition project instituted by Hendrik Verwoerd⁶ failed to resonate with the emerging African elite and sections of the white business community. And although four of the Bantustans⁷ were eventually declared independent, they did not receive international recognition (Butler, 2009: 20-23; Louw, 2004: 62-64; South African Yearbook, 2008/09: 36).

⁶ Verwoerd became Prime Minister of South Africa in 1958. His premiership set in motion the second phase of apartheid or 'grand apartheid', which reflected his attempts to reconcile the prevailing 'winds of change' with his belief that an undiluted application of the principle of self-determination in South Africa would turn Afrikaners into a powerless minority in a black-dominated state.

⁷ The black homelands of Transkei, Bophuthatswana, Venda and Ciskei were accorded 'independent' status by the apartheid regime in 1976, 1977, 1979 and 1981 respectively, forming what became known as the TBVC states.

Figure 3: Map of South Africa before 1994 showing the four former provinces and the ten black 'homelands'



(Source: 'South Africa: Overcoming Apartheid, Building Democracy', available online at <http://overcomingapartheid.msu.edu/image.php?id=257>, accessed 9 October 2010)

The contemporary South African state emerged partly from the resistance put forth by African political groupings against the oppressive apartheid structure. Led by the ANC, this internal opposition fed into a worldwide campaign against white minority rule and a changing geo-political order to gradually dismantle the architecture of apartheid, and pave the way for a negotiated transition to a democratic dispensation. In an apparent attempt to completely reject the tyranny of the past, the new South African constitution that came into effect on 4 February 1997 incorporated a Bill of

Rights, designed to protect the rights and freedoms of all South Africans, regardless of their race. The post-apartheid constitution further makes provision for the creation of independent state institutions that would not only check the abuse of state power, but would equally protect and promote the diversity of the nation. Prominent among these are the South African Human Rights Commission (SAHRC) and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (RSA, 1996).

Administratively, the new constitution carved nine new provinces and 262 municipalities out of the former provinces and the abolished Bantustans. Unlike the four former provinces, the powers of the new sub-national units are explicitly protected in the constitution, giving the latter a federal tone. A profile of these semi-autonomous units is discussed in a later section of this chapter. What follows in the next section is a detailed analysis of the federal features of the current South African political system, with an ultimate focus on the foreign relations powers of the constituent units, as well as the relations between the national and provincial governments on foreign matters.

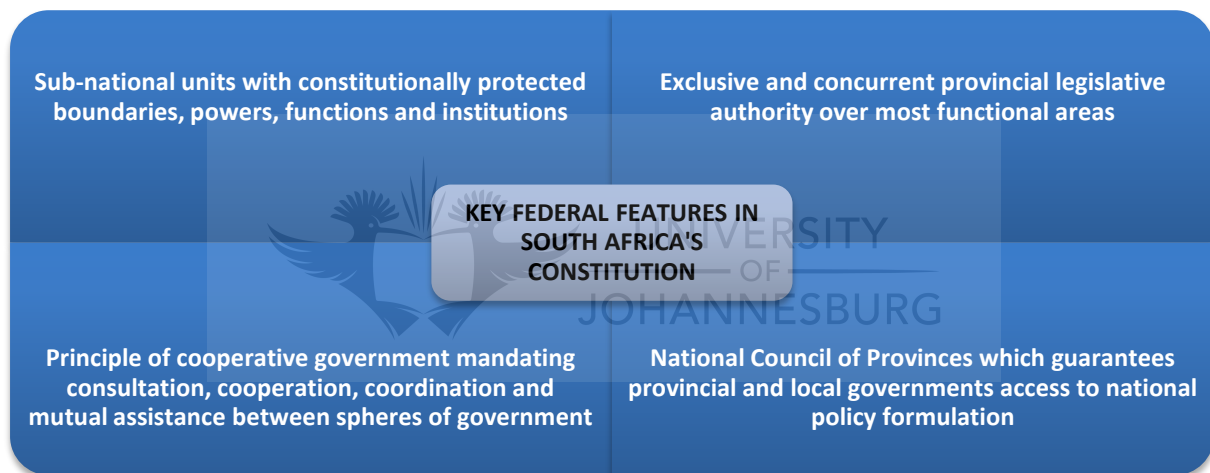
3.3 The Federal Features of South Africa's Political System

The form of state established under South Africa's post-apartheid constitution has been a subject of debate among scholars and politicians alike. Hayson (2001: 504) summarises the source of this controversy in his assertion that in establishing semi-autonomous units, the constitution gives form to a federal polity, while at the same time endorsing 'an integrated system of government in which national and sub-national governments are deeply implicated in each other's functioning'. The unitary versus federal tension that underlies the constitution is itself a reflection of the process of give-and-take that defined South Africa's negotiated transition to democracy. As most scholars have observed (see for example Kotzé, 1995; Hayson, 2001; Steytler and Mettler, 2001), both the 1993 interim constitution and the 1996 final constitution bear hallmarks of the fierce struggle by racial and ethnic minority forces such as the now defunct National Party (NP) and the Inkatha Freedom Party (IFP) to roll back the majority ANC's move to establish a highly centralised state. In this context, the adoption of federal principles alongside a commitment to centralised

government has been interpreted as a conflict resolution mechanism which helped South Africa make a peaceful transition to democracy.

Thus, although South Africa's political system fails to bear the federal label,⁸ and the practice of government has largely been in favour of a centralised system, in theory, the polity not only subscribes to federal ideas or principles, but more or less falls in the category of what Osaghae (2003: 214) refers to as full-fledged federations.⁹ The institutional arrangements through which South Africa's federal ideology is operationalised abound, but in the context of this study only those salient features that pertain to the territorial distribution of power between the national and provincial governments, as reflected in Figure 4, are dealt with.

Figure 4: Key federal features in South Africa's Constitution



⁸ The absence of a direct reference to federalism in the South African constitution, even though the latter contains substantial federal arrangements, has been attributed to the negative connotation that was attached to the term during the transitional negotiations. Since the ANC associated federalism with the separate development policies of apartheid and the divisive schemes of the IFP, negotiators had to agree to drop the term in order to make a breakthrough in the debate regarding the form of government. For more on this argument, consult Hayson (2001: 504-505) and Osaghae (2003: 217-218).

⁹ A federation in this context refers to a system of government in which there are at least two tiers of government and the relative autonomy of constituent units and their participation in central decision-making are constitutionally entrenched. The term is often used in contrast to federalism, which denotes the underlying ideology (and the corresponding principles) for marrying diversity and union, without necessarily establishing a full-fledged federal state.

The final South African constitution that was adopted in 1996 established nine sub-national political entities – referred to as provinces – with constitutionally-protected boundaries, powers, functions and institutions. Alterations to the provincial status quo, as set out in the Constitution, can only be effected after a constitutional amendment that requires the consent of at least two-thirds of the members in the National Assembly, as well as the support of at least six of the provinces (RSA, 1996: chapter 4, section 74(3b)). Where these amendments are targeted at a specific province or provinces, section 74(8) makes provision for the province or provinces concerned to assent to the contemplated changes before they could be adopted by the National Assembly. Provincial boundaries in South Africa, unlike the case with other culturally diverse federations, fail to coincide with racial or tribal divides, a conscious design that was meant to promote nation building and which has largely worked against the development of strong provincial loyalties. The nine provinces are constitutionally empowered to develop separate legislative and executive institutions, and are also endowed with the right to establish provincial constitutions. The latter must, however, be certified by the country's Constitutional Court, and to date only the Western Cape province has successfully exercised this right (Van der Westhuizen, 2005: 313-314).

The division of legislative powers between the national and provincial governments in the South African constitution reflects the preference for a centralised system of government, even if due recognition is also given to the decentralising imperatives of the society. Hence, Chapter Three of the Constitution talks of three 'spheres' rather than 'levels' of government, effectively rejecting the exclusive or rigid allocation of competences between national and provincial governments which is characteristic of most established federations. The South African system, which borrowed from the German model (Hayson, 2001: 507), is distinguished largely by the allocation of legislative and executive powers over most functional areas concurrently to the national and provincial governments. As Devenish (1998:169) argues, this reflects the intentions of the constitutional drafters to promote a model of cooperative federalism as opposed to the competitive version.

Thus, although Schedule 5 of the Constitution gives provinces exclusive legislative powers over a number of less important functional areas, in principle, and as set out

in Schedule 4, national and provincial governments in South Africa continue to have ongoing and full jurisdiction over most functional areas (Hayson, 2001: 508). By according both spheres of government simultaneous authority over functional areas and not specific matters, Rautenbach and Malherbe (2004: 250) explain that the South African constitution inadvertently creates room for the development of an asymmetrical political system with provinces enjoying different relationships with the national government. In other words, disparities in economic and human resources as well as political authority among provinces could result in differences in the extent of their legislative powers. Provinces lacking the requisite capacity or even political will to legislate on a concurrent functional area would enjoy less autonomy than their counterparts which are endowed otherwise.

Table 1: Functional areas of exclusive provincial legislative competence

<ul style="list-style-type: none"> • Abattoirs • Ambulance services • Archives other than national archives • Libraries other than national libraries • Liquor licences • Museums other than national museums • Provincial planning • Provincial cultural matters • Provincial recreation and amenities • Provincial sport • Provincial roads and traffic • Veterinary services, excluding regulation of the profession 	 <p>UNIVERSITY OF JOHANNESBURG</p>
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In the event of an inconsistency involving legislation adopted by both spheres of government in a given functional area of concurrent authority, section 44 (2) of the Constitution provides for national legislation to take precedence over the provincial version if the national government could establish certain overarching national priorities. Even so, Malherbe (2008a: 23) infers from section 149 of the Constitution that South Africa’s supremacy clauses do not in any way suggest a constitutional design that overtly compromises the legislative powers of the provinces. This is because they are based on a ‘conflict pre-emption’ and not a ‘field pre-emption’ doctrine.¹⁰ The supremacy clauses apply only when there is an inconsistency, with

¹⁰ In constitutional practice, conflict pre-emption doctrine speaks to a situation in which a provincial law, adopted within a rightful jurisdiction, contradicts or interferes with the enforcement of a national law, which

the effect that national legislation can only render its provincial counterpart inoperative. It cannot invalidate it. This leaves provincial governments with ample scope to legislate alongside the national government on any concurrent matter, provided they are astute enough to circumvent potential conflict.

However, Devenish (1998:174) observes that because the supremacy clauses are wide and vague, they in effect tilt the balance of power in favour of the national government. Together with the constitutional provision in section 100 – which empowers the national government to intervene and take over the affairs of a provincial government if the latter is found to be wanting in carrying out its constitutional and statutory obligations – the supremacy clauses open the South African constitution to an interpretation that undermines provincial autonomy and gives primacy to a centralised government.

The centralisation of fiscal power in the South African constitution is more overt than is the case with legislative authority. The constitution gives provinces minimal powers to raise their own revenue, with the latter receiving the bulk of their finances from revenues raised nationally. Sections 214 and 227 stipulate that provinces are entitled to an equitable share of national revenue to enable them to provide basic services and perform the functions allocated to them. The allocation of revenue to provinces must among other considerations be sensitive to their development needs and the economic inequalities within and among provinces. Under sections 228 and 230, provincial legislatures are also empowered to raise their own revenues through minimal taxes and loans, albeit under very strict conditions and regulations by the national parliament.

In giving effect to the cooperative model of shared rule it envisages, Chapter 3 of the South African Constitution introduces the principle of cooperative government that must guide relations between the different spheres of government. Despite the apparent centralisation of legislative and fiscal authority, the principle of cooperative government affirms the relative autonomy of the provinces in a three-sphere government whose components are 'distinctive, interdependent and interrelated'. As

then dictates a rethinking of the provincial law. On its part, the field pre-emption doctrine applies when the constitution gives the national government power to enact laws that in effect invalidate any provincial law that is contemplated in the same area.

Malherbe (2008a: 25) succinctly argues, the stipulations contained in this section of the Constitution would have been unwarranted had the framers been committed to the institution of a system of government observed in unitary states.

Table 2: Functional areas of concurrent national and provincial legislative competence

- | |
|--|
| <ul style="list-style-type: none"> • Administration of indigenous forests • Agriculture • Airports other than international and national airports • Animal control and diseases • Casinos, racing, gambling and wagering, excluding lotteries and sports pools • Consumer protection • Cultural matters • Disaster management • Education at all levels, excluding tertiary education • Environment • Health services • Housing • Indigenous law and customary law, subject to Chapter 12 of the Constitution • Industrial promotion • Language policy and the regulation of official languages to the extent that the provisions of section 6 of the Constitution expressly confer upon the provincial legislatures legislative competence • Media services directly controlled or provided by the provincial government, subject to section 192 • Nature conservation, excluding national parks, national botanical gardens and marine resources • Police to the extent that the provisions of Chapter 11 of the Constitution confer upon the provincial legislatures legislative competence • Pollution control • Population development • Property transfer fees • Provincial public enterprises in respect of the functional areas in Schedule 5 • Public transport • Public works only in respect of the needs of provincial government departments in the discharge of their responsibilities to administer functions specifically assigned to them in terms of the Constitution or any other law • Regional planning and development • Road traffic regulation • Soil conservation • Tourism • Trade • Traditional leadership, subject to Chapter 12 of the Constitution • Urban and rural development • Vehicle licensing • Welfare services |
|--|

While recognising the imperative for peace, national unity, and effective and coherent government, section 41 of the Constitution demands all spheres of government to ‘respect the constitutional status, institutions, powers and functions of government in the other spheres’. They must equally operate ‘in a manner that does

not encroach on the geographical, functional or institutional integrity of government in another sphere' (RSA, 1996).

In a bid to pre-empt possible government gridlock that may stem from competition and conflict between provinces and the national government, as well as among provinces, the Constitution also exhorts the different spheres of government to 'co-operate with one another in mutual trust and good faith'. This should take the form of mutual assistance and support, consultations on matters of common interest, information sharing and coordination of actions and legislation, adherence to agreed procedures, as well as preference for political rather than judicial mechanisms in settling intergovernmental disputes (RSA, 1996: section 41(1h)).

No structure better embodies the principle of cooperative government than the National Council of Provinces (NCOP), an upper chamber of parliament created by the constitution to represent the collective interests of provincial and local governments. Provinces are represented in the NCOP by a delegation of ten members drawn from political parties represented in the provincial legislature and headed by the Premier. The NCOP serves as a platform for provinces to participate in the formulation of national policy and ensures that the national government remains sensitive to provincial interests. To this end, any legislation contemplated by the National Assembly and which affects the interests of provinces must be approved by at least six of the provincial delegations to the NCOP for it to become law (see sections 68 and 76 of the Constitution).

Reaffirming the indispensability of effective cooperation, consultation and coordination to the success of South Africa's system of shared rule, section 41(2) of the Constitution mandates the National Assembly to establish other structures and processes that would promote healthy intergovernmental relations and facilitate the resolution of intergovernmental disputes. The structures and processes that regulate intergovernmental relations in the field of foreign relations are analysed in a subsequent section. In the meantime, the constitutional powers of the provinces in the functional area of foreign relations will be closely examined.

3.3.1 The Foreign Relations Powers of South Africa's Provinces

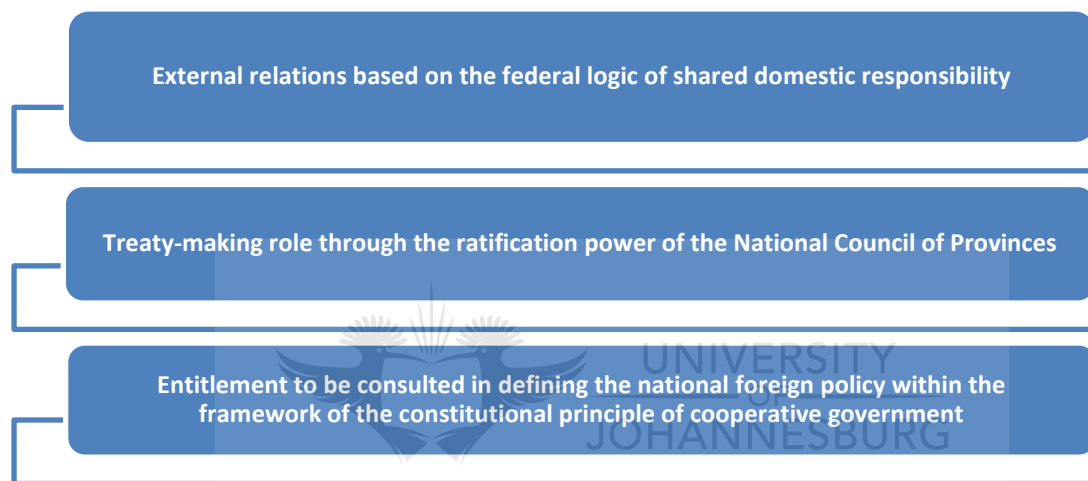
As a result of the system of concurrent competence, South Africa falls in the category of countries whose constitutional position on the international relations of sub-national governments is marked by uncertainty. As Figures 4 and 5 illustrate, neither of the two schedules outlining the concurrent and exclusive competences of provincial governments makes mention of foreign affairs, and as Devenish (1998: 170) observes, all residual powers, including that over foreign affairs, fall back to the national government. The supremacy of the national government over foreign affairs is explicitly underscored in section 231(1) of the Constitution, which affirms that the power to negotiate and sign all international treaties is the exclusive prerogative of the national executive. As Geldenhuys (1998:5) has pointed out, this provision falls short of recognising provinces as subjects of international law, with the implication that they are not empowered to sign treaties with foreign parties.

The above insight notwithstanding, a closer examination of some of the functions that provinces share with the national government leads to the conclusion that the Constitution indirectly creates room for provincial governments to develop an international agency. Concurrent policy fields such as education, tourism, health services, regional development, culture, the environment and trade, for instance, have significant implications for international relations. This is particularly true for relations with neighbouring polities and their sub-national entities. In any case, provinces can employ the federal logic of shared responsibility to argue for a role in international relations based on their domestic competence. It should be underlined, though, that the extent to which provinces can use the federal logic to engage in international relations can be significantly undermined by the national government by simply invoking the supremacy clause contained in section 146 of the Constitution (Geldenhuys, 1998: 6).

The ambiguity of the South African Constitution in assigning powers over foreign affairs between the national and provincial spheres of government is particularly observable in section 231. As already indicated, the Constitution confers on the national government the exclusive power to negotiate and sign all international treaties. However, section 231(2) mandates that international agreements that are not of a technical, administrative or executive nature, and those requiring ratification

or accession, must be approved by both the National Assembly and at least six of the nine provinces in the NCOP. Scholars like Murray and Nakhjavani (2009: 218) have inferred from this provision that the constitutional framers did not in any way contemplate shutting out the provinces from the foreign policy-making process of the state. This hypothesis is buttressed by the observation that ‘the veto power of the NCOP over international treaties extends to matters that fall outside the usual competence of provinces and is greater than the power the NCOP has over national legislation’.

Figure 5: Constitutional sources of the foreign relations powers of South Africa’s provinces



Even in the context of this apparent compromise, there is little doubt that the pre-eminence the Constitution accords to national policies in relation to their provincial equivalent extends to the foreign policy domain. With regard to the role of the NCOP in the ratification of international treaties, it should be noted that the Constitution fails to provide an unequivocal definition of agreements that would be subject to this scrutiny. While in theory the ultimate power to adjudicate on which agreements fall in this category lies with the Constitutional Court, in practice the distinction has always been made at the discretion of the national government (Murray and Nakhjavani, 2009: 218)¹¹. As Van Wyk (1998: 30) seems to suggest, the ambiguity that is

¹¹ National departments, in consultation with the Department of International Relations and Cooperation, and that of Justice and Constitutional Development, decide on which international agreements necessitate the attention and approval of the NCOP. They are guided in this task by national guidelines that define technical,

discernible in this provision is indicative of the possibility that the designers of the Constitution were preoccupied with circumscribing the international influence of the provinces in the interests of a coherent and efficient foreign policy process.

The allocation of jurisdiction over foreign affairs in South Africa does not, however, entirely sacrifice provincial autonomy and expediency, even as it prioritises a coherent and efficient government. The Constitution does recognise the fact that provinces would have to implement national legislation that falls within the concurrent functions, hence the emphasis on principles of cooperative government and intergovernmental relations. This provision gives provinces another entry point to become partners (and not just agents) with the national government in defining the foreign policy of the country. By virtue of their crucial mandate to implement international agreements, provinces are – in the spirit of cooperative government – entitled to be consulted when these agreements are being contemplated, even though, as Murray and Nakhjavani (2009: 219) have noted, ‘they cannot insist that their views be accepted’.

Finally, although section 230 of the 1996 Constitution makes provision for provincial governments to borrow from external sources, this permission is qualified by the requirement of national legislation to regulate the practice. In accordance with this requirement, the 1997 South African Public Finance Management Act completely outlawed the international borrowing of provinces (Murray and Nakhjavani, 2009: 220).

3.3.2 Intergovernmental Relations in Foreign Affairs

It is certainly befitting to preface our discussion of the interaction between the national and provincial governments on foreign affairs with a synopsis of the current state and direction of federalism and intergovernmental relations in South Africa. In consonance with the constitutional principles of cooperative government and intergovernmental relations, a mesh of structures and processes has emerged over the years to promote cooperative federalism in South Africa. In 2005 these structures

administrative and executive agreements as those international agreements ‘that are departmentally specific or politically insignificant or that carry no financial or domestic legal consequences’ (Murray and Nakhjavani, 2009: 218).

and processes were streamlined and given statutory status by the Intergovernmental Relations Act. Among the structures relevant to the present discussion is the President's Coordinating Council (PCC), which brings together the President and the premiers of the nine provinces, and assists in coordinating the affairs of national and provincial governments. The council, which is designed to meet at least twice a year, also serves as a forum for the President to consult with the provinces (Malan, 2005: 232).

Still at the political executive level, the Committees of Ministers and Members of Executive Councils or MinMECs provide a forum for national ministers and their provincial counterparts to cooperate and exchange views. These sectoral committees are supported at the administrative level by diverse forums that bring together officials of relevant national and provincial departments. Notable among these is the Forum for South Africa's Directors-General (FOSAD). The Intergovernmental Relations Act also makes provision for the establishment of inter-provincial forums that would bring together two or more premiers to promote and facilitate cooperation (Malan, 2005: 233-236).

As already indicated, the foremost legislative structure for cooperative government and intergovernmental relations in South Africa is the NCOP. The body provides a forum for provinces to be consulted and to influence national legislation, particularly those that are of concern to them. Simeon and Murray (2001:75) have observed that although the NCOP can suggest amendments to and even reject a bill passed by the National Assembly, its powers in this regard vary depending on the effect of the proposed legislation on provincial interests. For bills that do not directly affect the provinces, members of the council vote individually and the decision of the upper house can be overruled by a simple majority of the National Assembly. However, when a bill directly affects the shared or exclusive jurisdiction of the provinces, or in the case of an international agreement, provincial delegations cast their vote as a unit and such a bill requires the assent of at least six of the provinces. Any objection by the NCOP to this category of legislation can only be overruled by a two-thirds majority of the National Assembly, but this is only possible after the dispute has been unsuccessfully referred to a mediation committee (Simeon and Murray, 2001: 75; Murray and Nakhjavani, 2009: 218).

In principle, these structures should form the medium through which the entire spectrum of intergovernmental relations processes (information sharing and consultation; coordination of policies and actions; supervising and intervention; and conflict resolution) would evolve, giving shape to a solid system of shared rule in South Africa. However, as a number of scholars have noted (see for example Steytler and Mettler, 2001: 104-105; Simeon and Murray, 2001: 75; Osaghae, 2003: 215-217), the dynamism of the federal process is such that its success and future trajectory cannot be vouched for by simply establishing institutions. The interplay of other variables is decisive in determining the strength of federalism and the quality of the intergovernmental relations that would flow from it. These include the federal qualities of the society, the attitude of the political elite and the party system, as well as the origin of the federal arrangement. In other words, the working of a federal system is as good as the balance between centralising and decentralising forces that are embedded in the society and political system.

In the South African case, it appears that over the years the scales have tipped in favour of centripetal forces. The dominance of the ruling ANC in South African politics and its preference for a relatively centralised polity has been the single most significant factor that has worked against an effective federal system. It should be recalled that the ANC was opposed to the idea of strong SNGs from the outset, and only settled for a system of concurrent rule as a last-minute compromise. Thus since 1994, and with the help of the overwhelming majority it continues to wield in the national parliament and most of the provincial legislatures, as well as strong party discipline and loyalty, the party has been able to forge a centralised system that undermines the relative autonomy of the provinces (Lorimer, 2001; Simeon and Murray, 2001).

The enduring negative attitude of South Africa's ruling elite toward a federal system of government cannot solely account for the weak state of federalism in the country. Steytler and Mettler (2001: 93) contend that the erosion of the federal framework is also a natural consequence of the evaporation of the 'underlying conflicts and federal impetus' that triggered the federal process in South Africa. With a similar focus on the origins of South Africa's federal enterprise, Simeon and Murray (2001) as well as Lorimer (2001) have identified the weak political and administrative capacities found

in provincial governments as another major cause of the faltering state of federalism in South Africa. The fact that most of South Africa's sub-national units are new political institutions – coupled with the pervasive influence of national politicians in provincial politics – means that provincial governments have not been able to muster the administrative expertise and political clout necessary for the adoption and implementation of independent initiatives in a system of shared rule. In the absence of efficient administration and autonomous politics at the provincial level – partly engendered by the country's proportional representation electoral system – provincial governments have enjoyed very little loyalty from their electorate, a development that further tilts the balance in favour of a strong national government (Murray, 2006a: 31).

Figure 6: Centripetal influences on South Africa's system of shared rule



Other factors identified by Malherbe (2008b:47,50) as responsible for the smothering of provincial autonomy in South Africa include the provinces' financial dependence on the national government, as well as an emerging constitutional court jurisprudence that has been shy in curtailing the dominance of the national government. This is in addition to the emphasis in the Constitution on concurrency, which obliges provincial governments to implement national legislation in any

functional area over which both levels of government share responsibility. To this list can be added endemic corruption and mismanagement at the sub-national level that now and then provides Pretoria with an excuse to intervene, wholly or partially, in the administration of some provinces and local governments.

In the context of a relatively federal constitution on the one hand, and strong centripetal tendencies in the political system on the other hand, intergovernmental relations in South Africa have largely been characterised by the efforts of the national government to coordinate and supervise the actions of provinces. Very little consultation takes place in the many intergovernmental forums that have been established over the years. On the contrary, these forums, and the general constitutional stipulations for cooperative government, have been transformed by the national government into vehicles for usurping provincial powers and centralising decision-making (Malherbe, 2008b: 47-49). This is facilitated by the fact that as appointees of Luthuli House,¹² most provincial authorities see themselves mainly as agents of the national government and thus lack the political will to take independent initiative or question the policies and directives emanating from the centre. Even if they did, the weak human capacity at the provincial level of government makes it very difficult for these officials to participate meaningfully in the often complex and technical processes of intergovernmental relations (Malherbe, 2008b: 50; Murray, 2006a: 31).

Not even the functioning of the NCOP, which is seen as the symbol of South Africa's system of cooperative government, has been immune to the influence of centralising forces. Lacking the will and capacity to scrutinise national policies, provincial delegates to the NCOP have often been accused of rubber-stamping national legislation submitted to the house. The ineffectiveness of the NCOP as an intergovernmental relations forum is compounded by the disjuncture between the activities of its permanent members and those of provincial executives in other intergovernmental forums. In the absence of any mechanism that fuses the role of provincial delegates to the NCOP with that of their executive counterparts in the different MinMECs, for example, the influence of the former in the intergovernmental

¹² Luthuli House, the ANC headquarters in Johannesburg, is believed to be the source of the major decisions that are translated into government policy in South Africa.

framework has often been counteracted and undermined by the attitude of provincial executives, most of whom owe allegiance to the ruling party (Malherbe, 2008b: 51; Besdziek, 2006: 125; Simeon and Murray, 2001: 78).

There is, however, a need for caution when highlighting the dominance of the national government in intergovernmental processes in South Africa. A more nuanced analysis of the evolution of South Africa's post-apartheid federal system leaves the impression that the subordinate status of provincial governments in the intergovernmental relations framework has not always been cast in stone. In effect, past experiences and recent political developments attest to the prospects for greater provincial assertiveness, at least from some quarters.

In a reflection of the practice in other parts of the world, South African provinces led by national opposition parties have, in the past, not been shy to challenge the authority of the national government whenever the latter has sought to encroach on their competencies. Notable examples are the Western Cape and KwaZulu-Natal provinces under the leadership of the former NP and the IFP respectively. The former sought recourse to the Constitutional Court when the ANC-led national government attempted to regulate liquor licensing, which is an exclusive provincial competence. In the case of the latter, the same legal avenue was used to challenge the national government's move to regulate gambling, another exclusive provincial competence (Fessha and Kirkby, 2008: 263). In both cases, the Constitutional Court decided against the national government, setting a precedent¹³ that should incentivise provincial governments to realise that there is still enough space to exercise their rightful autonomy even in a largely centralising environment.

It may be argued that these cases of provincial assertiveness do not resonate with the current situation as their relevance was only as good as the incipient stages of South Africa's federal project, when the conflict that necessitated a system of shared rule still prevailed. As plausible as this argument may be, it must, however, be

¹³ Other rulings by the Constitutional Court on jurisdictional disputes between the national and provincial governments have, however, upheld the predominance of national policies. Some legal experts interpret this as an emerging jurisprudence that seeks to strike a balance between federalist values and the centralised cooperative model embodied in the Constitution. Others, however, suggest that the Constitutional Court leans in favour of a centralised system of government. For more on this debate, contrast the views of Simeon and Murray (2001: 70-80) with those of Malherbe (2008b: 50).

qualified with Watt's (quoted in Steytler and Mettler, 2001: 106) observation that even with the disappearance of the original forces driving the federal impulse, the lingering federal structures could develop a life of their own, unleashing political dynamics that nurture sub-national interests.

The coming to power of the Democratic Alliance (DA) in the Western Cape Province in April 2009 – 15 years after the institution of the current political architecture – validates this assertion in South Africa. The relative efficiency that has characterised the party's administration of the city of Cape Town seems to have generated some kind of regional loyalty unknown in other parts of South Africa. This not only has the potential of spilling over to the entire province, but may also turn South Africa into a *de facto* asymmetric federation.¹⁴ Coupled with the charisma and assertiveness of Helen Zille – the DA leader and Premier of the Western Cape Province – this development may just revolutionise the system of intergovernmental relations in South Africa.

Even the pervasiveness of the ANC in the political life of the country does not entirely close the door to the emergence of strong and autonomous provincial governments, as the cohesiveness of the former has not always been a given. There have been instances of individual ANC leaders exhibiting dissent and adopting independent provincial positions that are opposed to national policy (see Lorimer, 2001; Simeon and Murray, 2001: 77-79). Thus, as much as the national government is reputed for exploiting the culture of strong party discipline to control politics from the centre, the actual balance of power has at times been determined by the disposition of individual provincial leaderships. In the context of the recent jostling for power that has characterised President Jacob Zuma's ascension to power, regional ANC politicians with less influential comrades in Luthuli House could resort to creating a niche for themselves at the provincial level. As Lodge (quoted in Simeon and Murray, 2001: 77) suggests, vehemently defending the interests of the provinces – even when these collide with national policy – is not a matter of choice for such politicians if they are to preserve their power base and stay in the game.

¹⁴ The 2010 audit report by South Africa's Auditor-General confirmed the Western Cape as the best managed province in the country, while the North West emerged as the most poorly-governed of the nine provinces. See Boyle (2010).

Besides, the deficiency in administrative and political capacity at the sub-national level that has been partly blamed for the erosion of provincial autonomy in South Africa does not apply equally to all provinces. Spurred by their growth potential, metropolitan provinces like Gauteng and the Western Cape have distinguished themselves by developing advanced bureaucracies. This has not only provided the bedrock for a relatively efficient administration in these provinces, but has also inspired confidence in their respective political leaderships, which has been exceptionally assertive in attempting to roll back the frontiers of national control. Both provinces have been at the forefront of demands for greater financial autonomy for the provinces (Besdziej, 2006: 121-122; Pressly, 2007: 8). As Lorimer (2001) observes, growth in provincial capacity and confidence also means that provincial governments – which are key in the implementation of national policy – would be able to interpret these policies in ways suitable to their interests, especially in those cases where national policies come in the form of ‘framework legislation’ in which the national government sets norms and standards but leaves it to the provinces to fill in the details.

This enterprising spirit is yet to be seen in the area of foreign affairs, where intergovernmental relations have over the years been dominated by the national government. It was noted earlier that the South African Constitution gives provinces an important stake in the country’s international relations insofar as it assigns to them responsibilities with an international dimension. As far as intergovernmental relations are concerned, this should logically translate into sustained consultations and cooperation between the two levels of government in a spirit of mutual trust and good faith, as contemplated in the constitutional principles of cooperative government. However, thanks to the prevailing logic that foreign affairs are the preserve of the national government, very little official consultation takes place between provinces and the national government on South Africa’s foreign policy and international relations.

Ideally, the most important forum which affords provinces the opportunity to influence the national foreign policy is the NCOP, which is the upper house of parliament designed to represent provincial interests. Having been accorded the responsibility to ratify international agreements, it is only logical that the NCOP, together with the

National Assembly, should become a major role-player when such agreements are contemplated. However, the role of the NCOP in this regard has been found wanting. Not only is the NCOP shut out of the negotiation phase of international agreements which could affect provincial interests, but, once concluded, these agreements are often passed in the house without any comments (Murray and Nakhjavani, 2009: 223; Ahmed, 2009: 301).

Two main factors account for this lapse. First, South Africa's foreign policy process has over the years been monopolised by the national executive to the extent that the role of both the National Assembly and the NCOP has been virtually limited to conducting oversight on policy implementation. The actual formulation of foreign policy is most often deferred to the authority of the national executive so much that rubber-stamping international agreements and related legislation has become the uncritical *modus operandi* of both houses of parliament (Nel *et al*, 2004: 44-49; Ahmed, 2009: 298, 300-301). As one member of the NCOP's Select Committee on Trade and International Relations (SCTIR) has intimated, there is a shared understanding in the house that, with its focus on provincial interests, the NCOP should be concerned less with the making of foreign policy decisions and rather devote its energies to overseeing the implementation of these decisions in the provinces. Central to this thinking – which has guided the house's perfunctory treatment of international agreements tabled before it for ratification – is the argument that if there is any legislative role for parliament in treaty-making, this should be left to the lower house to avoid duplication (Su-Huei Chen, 2010: interview).

This perception can hardly be dissociated from the inadequate capacity found at the provincial level of government. It appears that the best way provincial 'lawmakers' have found to deal with their inability to scrutinise international agreements is to engage as little as possible in the policy-making process, choosing to become active only at the implementation phase. However, since the formulation phase affords stakeholders the most productive and strategic entry point to attune policies to their interests, an inability to engage in this phase means provinces always lose out on guarding their turf against foreign policy decisions that could be detrimental to their interests. This is particularly so given that, unlike their counterparts in established

federations like Germany or Spain, South African provinces are obliged to implement international agreements concluded by the national government, with or without their consent.

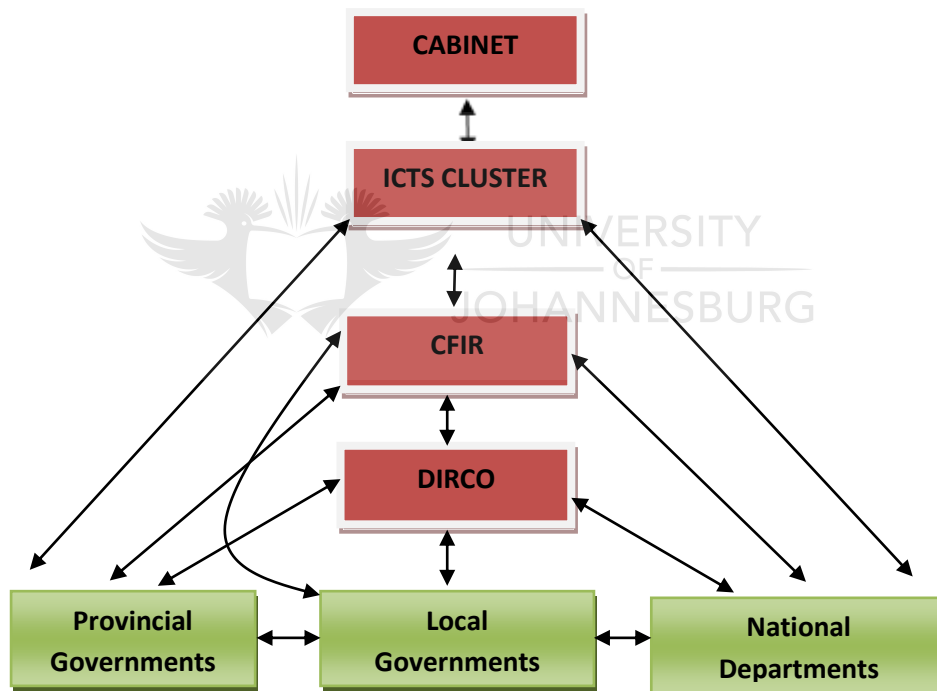
In the very rare cases where provincial representatives in the NCOP's SCTIR appear to have mustered the necessary competence and demonstrated interest in scrutinising international agreements, the NCOP's influence has been muted by the dominance of the ANC. Nine of the 13 members of the SCTIR belong to the ANC, ensuring that any objection or proposed amendment to a bill from opposition parties is easily overruled by the majority vote of ANC members. Even when a shared perception exists among members of the SCTIR that a given agreement threatens the collective interests of the provinces, the strong party discipline in the ANC still dissuades its members from acting against a policy position that has the backing of Luthuli House. Most of the dissent is expressed behind the scenes (Su-Huei Chen, 2010: interview).

The 2009 Agreement on the Promotion and Reciprocal Protection of Investments signed between Pretoria and Harare offers a cardinal illustration of the effect of the ANC's dominance on the effectiveness of the NCOP in influencing the formulation of South Africa's foreign policy. While the deal promises protection for South African investors in Zimbabwe, it only covers investments made from the time of signing, effectively shutting out many white South African farmers who have fallen prey to land seizures in Zimbabwe. When the agreement was tabled before the SCTIR, opposition parties are believed to have objected to the non-retrospective clause, requesting that the Minister of International Relations and Cooperation be invited to explain the national government's position. Both the request and objection were, however, overruled by the ANC representatives in the Committee, resulting in the agreement being ratified in its original form (Su-Huei Chen, 2010: interview).

Consultations between the national government and provinces on international relations are also very limited at the executive level. The International Cooperation, Trade and Security (ICTS) Cluster, a high-level inter-ministerial forum charged with formulating foreign policy, has no provincial representation. As Figure 7 suggests, the ICTS Cluster receives inputs from the Consultative Forum on International Relations (CFIR), an intergovernmental structure comprising senior officials from all

three spheres of government and other relevant stakeholders. Although provinces are represented in this forum, its limited mandate leaves them with little room, if any, to influence the national foreign policy. Reflecting the overall dominance of the national government (the national executive, to be more precise) in foreign affairs, the founding document of the CFIR states emphatically that the forum is not a policy-making mechanism. It can only serve an advisory role to the ICTS Cluster (DIRCO, 2008: 2-3). What is more, while the ICTS Cluster meets on a monthly basis, the CFIR meets only twice a year, to the effect that foreign policy matters are most often decided without any input from the CFIR.

Figure 7: International relations coordination structure in South Africa



(Source: DIRCO, 2008)

Relations between provincial departments and their national counterparts on international relations issues are not different. As pointed out earlier, provinces exercise concurrent responsibility with the national government over a number of policy areas such as health, agriculture, education and trade, which are increasingly

being internationalised. When matters relating to international relations arise in these fields, Murray and Nakhjavani (2009: 222, 220) note that, with the notable exception of environmental issues – where some provinces have demonstrated superior capacity in handling international environmental agreements – national departments hardly consult with their provincial counterparts.

Notwithstanding the absence, at the national level, of a culture of consulting with provinces on matters of international relations, there is no explicit objection to the direct foreign activities of the latter. In principle, the South African Department of International Relations and Cooperation (DIRCO) encourages provinces to enter into non-binding international agreements and engage in external cooperation that would contribute to the fulfilment of their constitutional mandate. A Protocol Training Manual produced by the then Department of Foreign Affairs (DFA) articulates that:

The position regarding the power of provinces to enter into international agreements as expounded by the previous South African Constitution (Act 200 of 1993) is maintained by the present Constitution (Act 108 of 1996). The present Constitution likewise does not permit provinces to enter into international agreements. The powers of provinces are limited to the functional areas listed in Schedules 4 and 5 of the Constitution. The conduct of foreign relations including the entry into international agreement is not listed in the Schedules. Such functional areas would therefore fall within the exclusive jurisdiction of the central government (DFA, 2005:111).

The manual then proceeds to acknowledge that:

It is important to note that provinces are not prohibited from entering into contracts with other entities abroad, provided they have the legal competency to do so, as this would not impinge on the conduct of foreign relations and as long as it falls within the functional areas of Schedules 4 and 5 of the Constitution...The other option is to enter into an informal arrangement including mutual intentions and goodwill but which does not entail a legally binding document (DFA, 2005:112).

Perhaps more accommodating of the paradiplomacy of South African provinces is the rhetoric coming from the ruling ANC, whose policy documents since 1997 have consistently argued in favour of the recognition of the foreign relations of sub-state actors including provinces, municipalities and legislatures as having the potential to

enrich South Africa's foreign policy and international relations. For example, the ANC's 2002 discussion document on international relations notes that:

Involvement in implementing the ANC international programme has largely been limited to headquarters and to the Department of Foreign Affairs and other national departments such as Trade and Industry, Defence, Finance and Public Enterprises... [However], approaches and relations develop among the world municipalities, between cities, towns and provincial governments in the world that lead to twinning agreements. South Africa did not benefit much from this long-standing practice during the apartheid era, due to its exclusion, sanctions and international isolation in the international body politic. With the democratic changes in our country and our integration into the world community, many of the cities, towns, municipalities and provinces have entered into governance cooperation or twinning agreements in areas of economic development, exchange programmes in arts, culture, science and technology, development, education, human resource, sports, safety and security (policing) etc (ANC, 2002: para. 27 and 31).

Despite this accommodating policy position, the extent to which the national government has in practice supported paradiplomacy has been largely defined by the enduring notion that international relations is the mandate of the national executive, with DIRCO serving as the main custodian of the 'formulation, promotion and execution of South Africa's foreign policy' (DIRCO, 2009: 6-7). Consequently, national officials appear to have developed an attitude of ambivalence towards paradiplomacy, which is reflected in a notable lack of enthusiasm in the efforts of national government departments meant to coordinate these activities. Over the years, these misgivings have been reinforced by the incompetence displayed by most provincial governments in the execution of their functions generally, and the conduct of foreign relations in particular. Coupled with problems of institutional coordination, leadership and capacity within the national government itself, this ambivalence has given rise to a situation whereby the support of the national government for the international efforts of provinces and municipalities has for the most part been intermittent, half-hearted and insufficient.

As early as 1996, each of the nine provincial governments was encouraged by the national government to establish international relations units, most of which are ideally located in the immediate office of the premier. As Murray and Nakhjavani

(2009: 221) have observed, besides coordinating the international engagements of different provincial departments, these units serve as 'entry points' for DIRCO to oversee the provinces' foreign relations. A directorate for intergovernmental relations and provincial protocol was also created at DIRCO to serve as a liaison office between the national and provincial governments on international affairs. However, despite undergoing a number of restructuring efforts over the years, the directorate has never had the requisite capacity or political backing to provide sufficient assistance to provinces in their international relations.

The efforts of other national government departments like that of Cooperative Governance and Traditional Affairs (COTGTA), formerly the Department of Provincial and Local Government (DPLG), to coordinate paradiplomacy experienced a similar fate. In 1996, the DPLG, in response to a spate of chaotic international activities undertaken by provinces and municipalities, took the initiative to establish a Provincial International Relations Coordinating Group (PIRCG). The forum was designed to bring together relevant national departments to provide support and guidance to provincial international relations practitioners. This initiative was complemented with the convening of a series of workshops for provincial and municipal officials on issues relating to their international relations. In subsequent years, a Municipal International Relations Policy Framework was produced by the DPLG and adopted by the national cabinet in 1999.

The initiatives of the DPLG had very little sustained influence on the coordination of paradiplomacy in South Africa for a number of reasons. Firstly, interviews conducted with government officials who would want to remain anonymous suggest that, just like the DFA, the DPLG had its own capacity problems and did not consider supporting the paradiplomacy of provinces and municipalities as a priority. This was the case even though it defined its role as that of empowering the latter to fulfil their constitutional mandate. Secondly, the efforts of the DPLG to assist provinces in their paradiplomacy were hampered by a weak culture of inter-departmental cooperation at the national level. Given that the DPLG lacked the technical expertise to provide substantive support and guidance to provinces in their foreign relations, it had to rely on the expertise in other departments, which were very reluctant to cooperate. This challenge was made worse by institutional tension between the DPLG and the DFA,

which saw the latter forestall an initiative by the former to draft and introduce legislation that would regulate paradiplomacy.

Moreover, although provincial officials demonstrated a keenness to cooperate with the initiatives of the DPLG, it appears that they did so having expectations that diverged from the priority of the national government. In other words, while Pretoria was concerned with bringing coherence to the country's international relations through improved coordination of paradiplomacy, provincial officials seemed to expect more than supervision and desired to be better capacitated to conduct their external relations. These divergent expectations also contributed in rendering redundant successive mechanisms and initiatives for coordinating paradiplomacy in South Africa.

In recent years, increased calls from the ANC for greater coordination of the foreign relations of all sub-state actors have provided renewed impetus for national government initiatives to coordinate paradiplomacy, led this time by DIRCO. For example, at its 2007 National Conference held in Polokwane, the provincial capital of Limpopo, the ANC reiterated its directive for policy guidelines to be developed on the signing and implementation of twinning agreements and MOUs by provinces, municipalities, parliament and provincial legislatures. It also called for a review of existing MOUs signed by municipalities and provinces, in addition to recommending training for all international relations practitioners as part of broader efforts to develop the capacity to conduct and monitor international relations (ANC, 2007: para. 30, 43 and 50).

The Polokwane conference and its implications for the management of paradiplomacy in South Africa are discussed in greater detail in chapter six of the thesis. It suffices here to note that not long after the conference, DIRCO drafted a set of *Measures and Guidelines for Enhanced Coordination of International Engagements*, which were approved by the national cabinet in November 2008. The measures, which were complemented with the creation of a Consultative Forum on International Relations (CFIR), sought to encourage greater coordination and accountability among all foreign policy stakeholders. As already indicated, the CFIR meets twice a year under the auspices of DIRCO, and is charged primarily with facilitating information sharing, foreign policy guidance, planning and coordinating

international visits, as well as conveying necessary feedback on key foreign policy issues (DIRCO, 2008:2).

It is fair to conclude with the observation that these new initiatives, including the creation of the CFIR, have brought about some improvements in the management of paradiplomacy in South Africa. However, their effectiveness and impact continue to be undermined by the same challenges that frustrated intergovernmental coordination in the past. For example, it was gathered from conversations with officials at DIRCO that the absence of a sustained commitment from the leadership of the department to promote paradiplomacy has seen participation at the CFIR decline over the years.

3.4 Profile of South Africa's Provinces¹⁵

South Africa has nine provinces carved out of the four colonial-era provinces and the ten black homelands or Bantustans. As semi-autonomous entities, South African provinces are not only administrative units tasked with facilitating the delivery of government services, but are equally entrusted with political authority. Political organisation at the provincial level mirrors the Westminster structure of the national government. Each provincial government is made up of a legislature and an executive authority composed of a Premier and Members of the Executive Council (MEC). The South African Constitution limits provincial legislatures to between 30 and 80 members, who are elected for five-year terms through closed-list proportional representation, an electoral system that is believed to have contributed to the weakening of provincial autonomy and loyalties (Besdziek, 2006: 114).

Provincial legislatures are empowered to pass legislation and play a major role in the making of provincial policy on matters falling within their jurisdiction (Devenish, 1998: 180). However, as the workings of the NCOP illustrate, conducting oversight over the executive has emerged as the primary role of lawmakers at the provincial level

¹⁵ Unless otherwise indicated, all facts and figures for the provincial profiles have been extracted from the following publications: Statistics South Africa's 2004 Provincial Profile; South African Government information online at <http://www.info.gov.za/aboutsa/provinces.htm>; Independent Electoral Commission of South Africa's results reports for the 1994, 1999, 2004 and 2009 provincial elections; Geldenhuys, D. *The foreign relations of South African provinces*, South African Institute of International Affairs, 1998, pp. 8-44; Butler, A., *Contemporary South Africa*, Palgrave Macmillan, 2009, pp. 44-49; provincial websites.

(Besdziek, 2006: 111; Butler, 2009: 129). As such, provincial legislatures have come to be identified with the oversight work of their portfolio or standing committees, which vary between provinces depending on how a particular province chooses to assign the different constitutionally-allocated competencies to its MECs.

Since provincial ministers or MECs are drawn from the legislature, the work of portfolio committees in provinces with smaller legislatures like the North West, Mpumalanga and Northern Cape is to some degree constrained by the small numbers of Members of Provincial Legislatures (MPL) that are available after up to ten of their peers are appointed into the executive (Besdziek, 2006: 110-111). According to Murray (2006b: 280), the oversight function of provincial portfolio committees is also hampered by the operation of a parliamentary system that concentrates power in the executive, as well as the ambiguous relationship between MPLs and MECs. Together with the premiers, the latter are constitutionally required to account first and foremost to their provincial legislatures. However, because MECs largely implement national legislation and policy, the prevailing tendency has been for them to ignore their colleagues in provincial legislatures and report to the national government. This is particularly the case in ANC-controlled provinces where provincial executives owe their appointment to Luthuli House.

In line with the notion that provincial governments are strategically placed to foster democracy, section 118 of the Constitution mandates provincial legislatures not just to conduct their business in public but also to facilitate meaningful public participation in the functioning of government (Devenish, 1998: 184; Rautenbach and Malherbe, 2004: 257). However, Murray (2006b: 279) writes that over the years effective public participation in the debates and deliberations of legislatures has become a rare occurrence in some provinces, not least because of low public trust in provincial governments.

The Constitution stipulates that a provincial executive may not have less than five MECs and not more than ten, even though the competencies allocated to provinces amount to more than ten portfolios. Consequently, the practice in most provinces has been to group these competencies into ten broader executive portfolios under the authority of MECs (Besdziek, 2006: 116). None of the nine provinces has an MEC dealing with international relations as is the case in SNGs with extensive autonomy

like Quebec in Canada and Flanders in Belgium. As noted above, this role is played by a small directorate ideally attached to the Office of the Premier in each of the provinces.

Constitutionally speaking, South African provinces are equal as they are entrusted with the same amount of authority and are expected to fulfil like functions. However, the nine provinces are differentiated by a variety of geographic, economic, social and political attributes. This objective segmentation leaves them with different interests and varying degrees of capacity, which may have a significant impact on the way they conduct their international relations. A brief profile of each of the nine provinces is presented below with two goals in mind. The first is to illustrate the diversity of South Africa's provinces which may help to account for any differences in the international engagements of provincial governments. Second, the presentation aims to highlight the similarities between the provinces that made it possible to identify the three case studies.

3.4.1 Eastern Cape Province

The Eastern Cape Province is located in the south-east of South Africa and combines part of the former Cape Province and the two black homelands of Transkei and Ciskei. With a total surface area of 169 580 km² (which represents 14% of South Africa's total area), the Eastern Cape is the second largest of the nine provinces. It shares an international border with the Kingdom of Lesotho.

The estimated population of the Eastern Cape in 2009 was 6 648 600 people, which constitutes 13,5% of South Africa's population. As much as 86% of the province's population is made up of black Africans, most of whom speak IsiXhosa. Afrikaans and English speakers are in the minority in the province, accounting for only 9,3% and 3,6% of the provincial population, respectively.

Despite its natural beauty and the fact that it has produced some of the country's most prominent politicians – former presidents Nelson Mandela and Thabo Mbeki are natives of the Eastern Cape – the province is considered the poorest in South Africa. Its economy is heavily dependent on the motor manufacturing industry, although it also boasts strong agriculture and forestry sectors, and has the potential

for a successful tourism industry. The Eastern Cape was the fourth largest contributor to the South African economy in 2004, accounting for 8,1% of the country's Gross Domestic Product (GDP). This nonetheless speaks little of the development challenges confronting the province. With a predominantly rural population, the Eastern Cape had an unemployment rate of 29,6% in 2004, which happened to be the highest in the country. During the same period, it also recorded the second lowest Human Development Index (HDI) in South Africa (0,51).

Since the end of apartheid, the ANC has dominated politics in the Eastern Cape. It currently occupies 44 seats in the 63-member provincial legislature. The Eastern Cape provincial government is hosted in the town of Bhisho, and is led by Premier Noxolo Kiviet.

3.4.2 Free State Province

The Free State is among the three South African provinces that share an international border with the Kingdom of Lesotho. Situated in the centre of the country, the Free State is entirely landlocked and is South Africa's fourth largest province, with a surface area of 129 480 km² (approximately 10,6% of the total area of the country). The provincial capital of Bloemfontein doubles as the seat of South Africa's Supreme Court.

The Free State is South Africa's second smallest province in terms of population size. In 2009, it had an estimated population of 2 902 400 inhabitants, amounting to 5,9% of the national total. Approximately 76% of the province's population is believed to be living in urban areas. As is the case with most of South Africa's provinces, black Africans account for most of the Free State's population (88%). Sotho-speaking people, who share a common ancestry with the Basotho in neighbouring Lesotho, predominate in the province (64,4%). Other languages spoken are Afrikaans (11,9%) and isiXhosa (9,1%).

Although the Free State has significant manufacturing and agricultural sectors, most of its income is derived from mining activities. The province is the world's fifth largest gold producer and also boasts a good number of productive diamond mines. Even with its significant mining activity, the Free State made the second smallest

contribution to the national GDP in 2004 (5,5%) and had the third highest unemployment rate (28,6%). Its HDI for the same period was 0,65, which stood below the national average. About 68% of the Free State's population is believed to be living in poverty, making it the third poorest province in South Africa.

The ANC continues to enjoy the overwhelming support of the Free State people, winning 22 of the 30 seats in the provincial legislature in the April 2009 polls. The province's executive council is led by Premier Ace Magashule.

3.4.3 Gauteng Province

Gauteng is the smallest yet most populous province in South Africa. The entirely landlocked province houses approximately 10 531 300 people on just 1,4% of South Africa's territory. Gauteng is inhabited by a mix of people of different cultural backgrounds from all over South Africa, and the economic prowess of its capital city, Johannesburg, has also attracted a significant number of foreign migrants, especially from neighbouring African countries. The predominantly black and urbanised population of the province has made isiZulu the most spoken language in Gauteng.

As the economic hub of South Africa, Gauteng is the largest contributor to the country's GDP (33,3% in 2004). Although the province is renowned for the discovery and mining of gold, its outward-looking economy is today the most diversified in South Africa. The most important economic sectors in Gauteng are the financial and business services, logistics and communications, manufacturing and mining. Gauteng, more precisely Johannesburg, is the financial capital of Africa, with more than 70 foreign banks having their head offices in the province. It is also home to the Johannesburg Stock Exchange (JSE), which is the 17th-largest stock exchange in the world by market capitalisation. As a landlocked province, far removed from South Africa's coast, Gauteng relies to a large extent on Mozambique's Maputo port for its exports and imports, leaving it with a very important stake in the Maputo Development Corridor.

With a per capita income of R327 111 and an HDI of 0,74 – the highest among the nine provinces – Gauteng is considered the richest and most developed province in South Africa. That notwithstanding, it is also hampered by the legacy of inequality

inherited from the apartheid era and in a sense is a magnifying glass of the dominant pattern in South Africa where affluence and poverty co-exist in close proximity. In Gauteng, wealthy suburbs befitting a well-developed and globally-integrated economy are just part of the picture which also features impoverished townships and informal settlements, as well as an underdeveloped informal economy.

As complex as its economy and demographics is the politics in Gauteng. In the April 2009 elections, the ANC won 47 of the 73 seats in the provincial legislature, while the Democratic Alliance (DA) retained its position as the official opposition in the province with 16 seats. Despite the ANC's majority, there is a general feeling that the political landscape of the province is characterised by two centres of power. In May 2010, Paul Mashatile, the former Premier of Gauteng and current Minister of Arts and Culture was re-elected as Chairman of the ANC in the province against the current Premier, Nomvula Mokonyane. Since government policies emanate from party decisions, the Premier and her administration are effectively subject to the authority of her rival, Mashatile – a situation that is bound to infuse tension in the running of the province.

The retention of Mashatile as Chairperson of the ANC in Gauteng is also indicative of tension between Luthuli House and the ANC in Gauteng. Although Mashatile had served as caretaker premier prior to the 2009 polls, he was sidelined for the position by the national leadership of the party in favour of Mokonyane who, as the contest for provincial party chairmanship has revealed, lacks the support of party structures in the province. Mashatile's victory has thus been construed as a direct snub of the ANC national leadership, and perhaps a demonstration of emerging autonomous politics in Gauteng (Mbanjwa, 2010).

3.4.4 KwaZulu-Natal Province

KwaZulu-Natal covers 92 100 km² or 7,2% of South Africa's total land surface and shares common international borders with Mozambique, Swaziland and Lesotho. With an estimated population of 10 449 300 people, it prides itself as the second most populous province in South Africa, accounting for 21,2% of the national figure. Although the province has a considerable number of Asians (8,5%) and whites (5,1%), it is primarily the home of members of the Zulu nation who make up about

80% of the provincial population. It is therefore not surprising that KwaZulu-Natal is the only South African province with a monarchy specifically provided for in the Constitution.

KwaZulu-Natal is the second largest contributor to South Africa's economy. In 2004, it contributed 16,7% of the country's GDP with most of the earnings coming from the manufacturing sector. Its economy is, however, considered one of the most diversified and dynamic in South Africa. In addition to manufacturing, the province also boasts well-developed financial, real estate, tourism, and wholesale and retail sectors.

As the traditional home of the Zulu nation, KwaZulu-Natal had been the stronghold of the IFP, which is one of only two ethnic-based political parties in South Africa. The other party in this regard is the Freedom Front Plus (FF+), an Afrikaner-based movement whose political fortunes, like those of the IFP, have waned considerably over the years. Until the third general elections in 2004, the IFP was the dominant partner in the coalition that governed the province. This, however, changed in 2004 when the ANC emerged as the leading partner in the coalition. The IFP was finally dislodged in the 2009 elections when the ANC won 51 out of the 80 seats in the provincial legislature, effectively becoming the ruling party in the province under the leadership of Premier Zweli Mkhize.

3.4.5 Limpopo Province

Formerly known as the Northern Province, Limpopo is made up of part of the former Transvaal Province and a number of apartheid-era Bantustans. It shares international borders with Zimbabwe, Botswana and Mozambique, and covers an area of 123 910 km² or 10,2% of South Africa's territory. Together with Mozambique and Zimbabwe, the province hosts the Great Limpopo Transfrontier Park, one of the many transfrontier parks and transfrontier conservation areas (TFCA) that have sprung up in Southern Africa in recent times. It is also the site of the Greater Mapungubwe TFCA, which cuts across South Africa, Botswana and Zimbabwe. The Limpopo Province is among the least urbanised provinces in South Africa, with approximately 89,3% of its 5 227 200 inhabitants residing in rural areas. It also has

the highest percentage of black Africans (97,2% of its population), principal among which are the Sepedi (52,1%), Tsonga (22,4%) and Venda (15,9%).

With an unemployment rate of 27,8%, Limpopo is considered to be on par with the Eastern Cape when it comes to poverty and underdevelopment. In 2004, 77% of its population was thought to be living in poverty. That notwithstanding, the province contributed 6,7% of South Africa's GDP in 2004, indicating the challenges that have been faced over the years in converting the province's economic potential into improved welfare for its people. Most of the province's income is derived from mining and agricultural activities.

The ANC occupies 43 out of the 49 seats in the Limpopo legislature, giving it control of the provincial administration under the leadership of Premier Cassel Mathale.

3.4.6 Mpumalanga Province

Literally meaning 'the place where the sun rises', Mpumalanga is located in the north-east of South Africa. It is the second smallest province, with a surface area of 74 490km², that is, 6% of the national territory. It is bordered in the east by Swaziland and Mozambique, a geographic advantage that puts it at the centre of one of the most important regional development projects in Southern Africa – the Maputo Development Corridor, a network of transport infrastructure which links South Africa's economic heartland with the strategically-located deep-water port in Maputo, Mozambique.

Approximately 60% of Mpumalanga's 3 606 800 inhabitants reside in rural areas, putting it in the category of predominantly rural provinces in South Africa. Black Africans account for 92% of the province's population, while the principal languages spoken include siSwati (31%), isiZulu (26%) and isiNdebele (12%).

While being famous for its production of citrus fruits, the economy of Mpumalanga is largely sustained by the mining of its huge coal reserves. The province is home to the country's major power stations, with the unenviable consequence of high levels of air pollution. In 2004, Mpumalanga was the fifth highest contributor to South Africa's economy, earning 6,8% of the country's GDP.

Here again, the ANC directs political affairs, controlling 27 of the 30 seats in the provincial legislature. The elections in April 2009 brought Premier David Mabuza to the helm of the provincial administration.

3.4.7 Northern Cape Province

The Northern Cape stands out as the largest province in South Africa, covering a total of 361 830 km². It shares international borders with Botswana and Namibia, making it part of two transfrontier parks – the Kgalagadi Transfontier Park with Botswana and the Ai-Ais-Richtersveld Transfontier Park with Namibia. While constituting almost one third of the total national territory, the Northern Cape is inhabited by a mere 2,3% of South Africa's population. Thus with an estimated population of 1 147 600 people, the province is the most sparsely populated in the country. About 80,7% of this population is believed to be living in urban areas.

Made up largely of the former Cape Province, the Northern Cape has a predominantly coloured population (52%), with black Africans accounting for only 29,9% of the province's population. The historic origin of the province is also reflected in the predominance of the Afrikaans language which is spoken by 68% of the population. Other principal languages in the province are Setswana (20,8%) and IsiXhosa (6,2%).

The economy of the Northern Cape is heavily reliant on the primary sector, with mining serving as the highest contributor to the economy. The province boasts rich diamond, iron, copper and manganese mines, especially in the capital city of Kimberley. In 2004, it contributed only 2,2% of South Africa's GDP, making it the least productive province in South Africa. It, however, has an unemployment rate of 24,5%, which is below the national average and is the second lowest among the nine provinces. As one of the least developed South African provinces, the HDI of the Northern Cape in 2004 was 0,64, which was below the national average of 0,68.

The distinctive racial and linguistic composition of the Northern Cape does not set it apart from the other provinces, politically speaking. Its 30-member parliament is dominated by the ruling ANC, which occupies 13 seats. Premier Hazel Jenkins leads the provincial executive council.

3.4.8 North West Province

The North West Province is made up of large parts of the former Bophuthatswana homeland and portions of the former Transvaal Province. It is bordered in the north by Botswana. With a land surface of 116 320 km², the province is the fifth largest in South Africa and is almost the size of the State of Pennsylvania in the United States. Most of the province's 3 450 400 inhabitants (accounting for 8% of South Africa's population) live in rural areas, leaving it with an urbanisation rate of 35%. As with the other provinces that incorporate vast portions of the former homelands, black Africans account for a majority of the North West's population (91%). The Batswana, an ethnic group with historical and cultural ties to the people of neighbouring Botswana, make up a larger part of the population, justifying the predominance of Setswana, which is the preferred language of more than two-thirds of the population. Other principal languages spoken in the province are Afrikaans and isiXhosa.

The economy of the North West is a virtual replica of those of other rural provinces in South Africa, with its heavy reliance on mining and agriculture and the concentration of economic activity in a few cities like Rustenburg. The province is considered the world's major exporter of platinum but is only able to contribute 6,3% of the country's GDP, which is the third lowest. Other indicators that identify the North West with South Africa's poor and underdeveloped provinces are its high unemployment rate of 28% and low HDI which stood at 0,66 in 2004.

Politics in the North West also conforms to the general trend characterised by the dominance of the ANC. The party won 25 of the 35 seats in the provincial legislature in the 2009 general elections. With three seats, the Democratic Alliance is the official opposition in the North West legislature. Reflecting the unstable political environment in the province, Premier Maureen Modiselle, who led the North West provincial government after the 2009 elections, was recalled in 2010 and replaced with Premier Thandi Modise.

3.4.9 Western Cape Province

Together with Gauteng, the Western Cape is one of only two South African provinces that do not border an independent state. Unlike landlocked Gauteng,

however, the province boasts an extensive coastline along the south-western tip of South Africa. Its surface area of 129 370 km², which is roughly the size of Greece, makes up 10,6% of South Africa's total land mass. With 5 356 900 inhabitants, the Western Cape hosts 10,9% of South Africa's population, which is the fourth largest. The Western Cape has a similar racial composition as the Northern Cape Province in that it also has a predominantly coloured population (54%). Black Africans account for just 26,7% of the provincial population, followed by whites who make up 18,4%. Consequently, Afrikaans is the dominant language in the province, followed by isiXhosa and English. The Western Cape also has a sizeable Muslim population, which over the years has attracted the attention of anti-terrorist authorities in the United States.

The economy of the Western Cape bears a resemblance to those of Gauteng and KwaZulu-Natal in terms of its diversity. Besides being rich in agriculture and fisheries, the province also derives substantial income from financial, real estate, tourism and hospitality, and insurance services. Many of South Africa's major insurance companies and banks are based in the Western Cape, and its buzzing capital city of Cape Town is home to the majority of the country's petroleum companies and printing and publishing establishments. After Gauteng and KwaZulu-Natal, the Western Cape's manufacturing sector is the third largest in South Africa. Its economy is also the third largest in the country, contributing 14,6% of the GDP.

The Western Cape's robust economy has unsurprisingly been accompanied by high socio-economic indicators. Its unemployment rate of 18,6% is the most enviable in the country, while the relatively improved quality of life of its population is reflected in its high HDI, which in 2004 stood at 0,70, well above the national average and second only to that of Gauteng.

While sharing similar economic traits with Gauteng and KwaZulu-Natal, and identifying with the racial composition of the Northern Cape, the political profile of the Western Cape sets it apart from every other province in South Africa. Central to the unique political dynamics in the province is the dominant Afrikaans-speaking coloured population, which although believed to be among the most militant and determined opponents of apartheid, enjoyed far more economic and political freedom than black Africans. Arguably, this has translated into a sense of aversion,

or to say the least, scepticism, towards the perceived corrupt and inexperienced black leadership in South Africa, which is also seen to be having disregard for the interests of the coloured community (see Esbach, 2007).

The electoral pattern in the province since 1994 bears out this argument. In the 1994 general elections, the vote of the coloured population was decisive in giving the renamed New National Party (NNP) – the architect of apartheid – victory over the ANC in the province. With the gradual demise of the NNP, the ANC started making inroads in the province. It won the 1999 and 2004 provincial elections but fell short of the required majority to form an exclusive government. In the 2009 polls, the ANC was once again returned to the opposition in the Western Cape, this time by the Democratic Alliance (DA). The DA occupies 22 of the 42 seats in the provincial legislature, making its charismatic leader, Helen Zille, the only premier in South Africa not under the control of Luthuli House.

Table 3: Summary of the major characteristics of South Africa's provinces

	Border province	Economy	Urban/Rural	Ruling Party	Incidence of poverty
Eastern Cape	Yes	Resource based	Rural	ANC	High
Free State	Yes	Resource based	Urban	ANC	High
Gauteng	No	Diversified	Urban	ANC	Low
KwaZulu-Natal	Yes	Diversified	Urban	ANC	High
Limpopo	Yes	Resource based	Rural	ANC	High
Mpumalanga	Yes	Resource based	Rural	ANC	High
Northern Cape	Yes	Resource based	Urban	ANC	High
North West	Yes	Resource based	Rural	ANC	High
Western Cape	No	Diversified	Urban	DA	Low

3.5 General Orientation of South Africa's Foreign Policy

South Africa's domestic transformation from apartheid to democracy was unsurprisingly accompanied by a reorientation of its international posture. This was essential considering that under apartheid the country had become an international pariah, deprived of active participation in most multilateral forums and having very

few bilateral engagements. The need for a post-apartheid foreign policy reconfiguration was even more urgent in its immediate Southern African region where relations with neighbouring states during apartheid were largely strained by the hostility and hegemonic ambitions of the apartheid regime. Besides, it was necessary to align the country's foreign policy with the new domestic constitutional order built on democratic institutions, civil liberties and the respect for human rights.

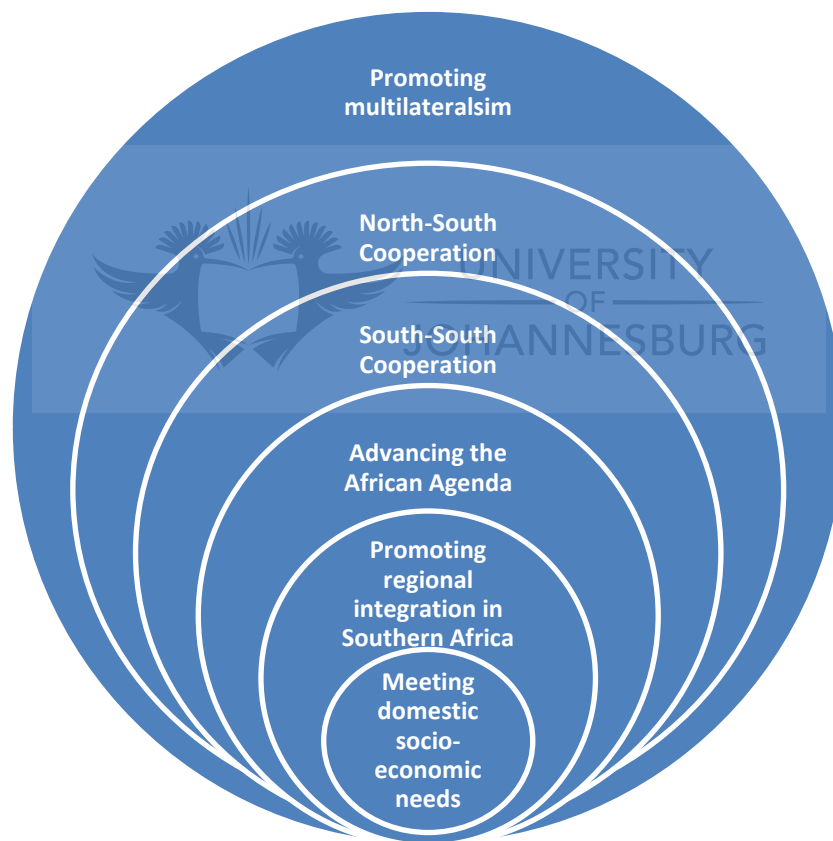
Post-apartheid South Africa's foreign policy was therefore laid on the foundation of a new personality which identifies it first with Africa, and then with the global South; and a set of values and principles that stress among other things the promotion of human rights and democracy, a strong belief in international law, justice and cooperation, as well as the peaceful resolution of conflicts (Mandela, 1993: 87). These cornerstones helped define South Africa's new international role as a champion of the interests of Africa, a strong advocate of South-South solidarity, as well as an ambitious reformer of the global system of governance (Sidiropoulos, 2008: 109). Over the years, however, domestic socio-economic challenges coupled with the exigencies and realities of the changing global order have also contributed to charting the course of South Africa's foreign policy, and at times have appeared to be the main drivers (Spence, 2004: 36-39).

Debates about contemporary South Africa's foreign policy have therefore come to be dominated by the perceived tensions between idealism and pragmatism. For the most part, this reflects the efforts of successive administrations to continue nurturing the country's high international profile by pursuing a principled and morally-oriented foreign policy while also satisfying the concerns of domestic constituencies as expressed in job creation and poverty reduction. Although continuity rather than change is widely expected to characterise the foreign policy focus of the administration of President Jacob Zuma, there is equally an emerging consensus that most of the principles and ideological concerns that dominated the first two decades of post-apartheid South Africa's foreign policy would have to give way to a more pragmatic and domestic-oriented foreign policy (Sidiropoulos, 2008; Alden and Le Pere, 2010; Landsberg, 2011).

The minister of the renamed Department of International Relations and Cooperation (DIRCO) made no secret of this when she underscored that the primary role of her

department is to contribute to the attainment of South Africa’s domestic priorities through international partnerships and cooperation (Nkoana-Mashabane, 2009). These priorities include the provision of quality education and health to all South Africans, rural development, fighting crime and corruption, economic growth that creates decent jobs and sustainable livelihoods, as well as human capacity development and the strengthening of democratic institutions. As Soldatos (1990) observed two decades ago, such an inward-looking foreign policy provides significant entry points for SNGs to become active on the world stage. The remainder of the chapter highlights aspects of South Africa’s foreign relations that are relevant to the international agency of the provinces.

Figure 8: Strategic focus of South Africa’s inward-looking foreign policy



3.5.1 Strategic Focus of South Africa’s External Relations

At the heart of South Africa’s external relations is a focus on the African continent and the Southern African region, in particular. South Africa enjoys a symbiotic relationship with Africa. While the continent depends on its leadership for peace and stability and for negotiating ‘its precarious position in the global political economy’,

South Africa for its part benefits from unequal access to African markets (Nieuwkerk, 2009: 12). Africa is South Africa's biggest export market and its investments are widespread on the continent, exceeding \$5.4 billion dollars in Southern Africa alone (Alden and Le Pere, 2010: 4). Another consideration here is the high number of economic migrants and asylum-seekers forced into South Africa by instability and poor governance in other African countries. These not only put a strain on South Africa's resources, but are also believed to compound the crime situation in the country. Not surprisingly, Pretoria has prioritised the advancement of Africa in its foreign policy, spearheading efforts at renewing continental and regional institutions of governance such as the African Union (AU) and the Southern African Development Community (SADC), and championing socio-economic development programmes such as the New Partnership for Africa's Development (NEPAD). It has also been at the forefront of peace and post-war reconstruction initiatives in Africa (DIRCO, 2009: 7).

South Africa's economic interests in Africa have also required it to support and work through a network of regional economic and trade arrangements. Prominent among these are the Southern African Customs Union (SACU), as well as the newly launched SADC Free Trade Area (DIRCO, 2009: 7). Through SADC structures and protocols, South Africa has also become involved in a network of regional cooperation initiatives covering education and training, wildlife conservation, shared water resources, joint infrastructural development and combating cross-border crime (SADC, 2008).

In addition to multilateral arrangements, South Africa's engagement with the continent is also served through strategic bilateral agreements and mechanisms. South Africa has signed 412 bilateral agreements with different African states, which are operationalised through 35 bilateral cooperation mechanisms. These agreements, which cover areas such as trade, investment, mining, infrastructure and technical cooperation, have become vehicles for South Africa's economic diplomacy on the continent (Ebrahim, 2009).

Although a recipient of official development assistance itself, South Africa has also joined the club of international donors, with its benevolence benefiting mainly African countries. In 2000, parliament approved a \$30 million African Renaissance and

International Cooperation Fund, which is supplemented by annual presidential appropriations of about \$18 million. Located in the Department of International Relations and Cooperation, the fund is used to 'enhance cooperation with other African countries, to promote democracy and good governance, and to assist with conflict resolution and socio-economic development'. The fund has financed projects such as elections in Zimbabwe, institutional capacity building in southern Sudan, humanitarian assistance in Western Sahara, and post-conflict reconstruction in the Democratic Republic of Congo (DRC) and Comoros (Alden and Le Pere, 2010: 6).

Plans are currently underway to incorporate the African Renaissance and International Cooperation Fund into the newly established South African Development Partnership Agency (SDPA). With a focus on integration and coordination, the new agency is expected to assume responsibility for all of South Africa's international development cooperation and assistance; including bilateral, trilateral and multilateral partnerships with like countries, development institutions, civil society and the business sector (Ebrahim, 2009).

South Africa's commitment to promoting South-South solidarity and cooperation has translated into prioritising increased partnerships with countries in Asia and South America through multilateral forums such as the G77, the India-Brazil-South Africa Dialogue Forum (IBSA) and the Brazil, Russia, India, China and South Africa forum or BRICS. This has established significant trade and investment ties between South Africa and countries in the southern hemisphere like Brazil, India and China. Given that South Africa shares almost the same political and socio-economic challenges as the countries of the South, its economic ties with these countries are supplemented by bilateral agreements that seek to maximise collaboration and exchanges on a wide variety of fields including education, health, and science and technology.

A similar drive underpins South Africa's engagement with the developed countries of the North. Through bilateral partnerships, South Africa cooperates with countries like the United States, Japan, Germany and the Nordic countries in a multitude of fields such as health sector development, education, skills development, trade, investment and job creation, and science and technology (DIRCO, 2009: 20-22). As part of its strategic partnership with the European Union (EU), South Africa is a proud participant in the EU's Framework Programmes for Research and Technology

Development, which makes available funds to South African entities for projects in areas such as health, food and agriculture, information and communication technology, and the environment (Ebrahim, 2009).

On the multilateral front, South Africa's long years of activism as an international norm-entrepreneur (see Geldenhuys, 2008) have secured it a seat at the table of most multilateral forums. In addition to its active engagement with international economic and financial institutions like the World Trade Organization (WTO) and the World Bank, Pretoria also enjoys a good working relationship with United Nations (UN) programmes and specialised agencies such as the World Health Organization (WHO), the UN Development Programme (UNDP), the UN High Commission for Refugees (UNHCR) and the UN Educational, Scientific and Cultural Organization (UNESCO) (DIRCO, 2009: 12-15).

2.6 Conclusion

Theoretically, South African provinces should be among the most active on the international stage, given the enormous opportunity structures they are presented with. From a legal standpoint, provinces are in a sense co-sovereign with the national government over important competences that extend beyond the country's borders. Together with the power given to the upper house of parliament to ratify international agreements, the constitutional allocation of powers not only encourages provinces to forge external relations, but also gives them an important stake in the country's foreign policy process.

Besides, the geographic location of the country places most of the provinces at the doorsteps of other sovereign states. This makes cross-border relations desirable, especially given the fact that some South African ethnic groups share the same ancestry with their counterparts in the immediate region. Also of major significance in creating a favourable environment for the international agency of the provinces is the active international posture that Pretoria has adopted since 1994 to counter the pariah status of the apartheid regime. With its dogmatic commitment to multilateralism and geared towards realising the country's domestic challenges, South Africa's new foreign policy prioritises cooperation with a wide variety of states and international organisations on cross-cutting issues which are central to the

interests of provinces. This again is an invitation for the latter to assume a functional role on the world stage.

However, as the analysis in this chapter also suggests, the historical and political context in South Africa poses significant challenges to the international agency of its sub-national units. Buoyed by the oppression and racial segregation of the apartheid era and the resulting need for transformation, the ruling ANC harbours a strong aversion to federalism. Besides being responsible for a less than federal constitution, this enduring attitude has over time created a political climate that has worked against an effective system of shared rule. With the help of its overwhelming majority in the National Assembly and eight of the nine provincial legislatures, as well as the preference for an electoral system based on proportional representation, the ANC has succeeded in stifling autonomous politics at the provincial level to the point where provinces see themselves merely as execution agents of the national government's policies. Coupled with the inadequate capacity found in most provincial administrations and the constitutional ambiguity regarding the allocation of powers over foreign affairs, the adverse political context means that, not only has the role of provinces in the formulation of South Africa's foreign policy been muted, but the support of the national government for their international activities has also not been without reservations. Thus, the analysis of the international activities of the selected provinces that follows in the next chapters evolves within the context of an enduring tension between sub-national constitutional autonomy on the one hand, and strong centripetal forces and tendencies in the political system, on the other hand.

CHAPTER FOUR

MOTIVES AND GOALS OF PARADIPLOMACY IN SOUTH AFRICA

4.1 Introduction

South Africa's post-apartheid Constitution gives the national executive authority over the conduct of the country's international relations. As highlighted in the previous chapter, this provision, coupled with the preference of the ruling ANC for a centralised system of government, has virtually shut provincial governments out of the country's foreign policy-making process. The fact that successive South African administrations have sought to concentrate foreign policy-making prerogatives in the Presidency, at the expense of other state institutions such as the national Parliament and even the national Department of Foreign Affairs, has made it even more difficult for provinces to influence the direction of the country's foreign policy. In contrast to their muted role in the formulation of South Africa's foreign policy, all nine provincial governments have since 1994 developed a direct international presence that has brought them in contact with diverse actors across the world. At a general level, the active international relations of South African provinces coincided with and have been inspired by major transformations both within South Africa and in the global environment. The reorganisation of social, economic and political relations at the regional and global levels has been central to this development. In particular, the liberalisation of diplomatic practice, as states became increasingly aware of the benefits of favouring new networks and processes involving a variety of actors beyond traditional state-to-state relations, served as a major opportunity structure that encouraged South African provinces to develop an active international presence.

This supportive global environment was complemented by a permissive domestic institutional and policy framework which was emerging from the transformation that accompanied the phasing out of the apartheid regime in South Africa. In addition to a new foreign policy that opened up democratic South Africa and its constituent units to the rest of the world in an unprecedented manner, the post-apartheid constitution reorganised the powers and administrative functions of the three spheres of government, conferring on provincial and local governments a new mandate for

socio-economic development. Thus, although foreign policy remained the guarded turf of the national executive, and despite the curtailed federalist spirit, the new institutional environment interfaced with changing global dynamics to create a set of compelling incentives for South African provinces to look beyond the borders of the country in the execution of their constitutional mandate.

In addition to these enabling global and domestic environments, the international agency of South African provinces is also motivated by shared and in some cases unique socio-economic, cultural, political and geographical circumstances that are embedded in the provinces themselves. This chapter of the thesis examines in greater detail the motives and goals of paradiplomacy in South Africa, with reference to the three provinces of Gauteng, the North West and the Western Cape. It proceeds from the premise that given the new developmental mandate of provincial governments, which is itself inspired by the apartheid legacy of unequal development, the international relations of South African provinces are largely driven by pragmatic socio-economic concerns, with provincial authorities seeking to leverage these engagements to further their regional development agendas.

4.2 External Relations to Promote Provincial Economic Interests

In line with the global trend, the promotion of economic interests appears to be at the top of the agenda in the international relations of South African provinces. As reflected in the previous chapter, South Africa's post-apartheid constitution not only devolved some measure of political authority to the country's sub-national units, but also laid the legal foundation for these new entities to become important actors in the country's economic development process. The national government gave a policy dimension to this new development orientation when it introduced the Spatial Development Initiatives in the mid 1990s, which 'aimed at unlocking the inherent and underutilised economic development potential of certain specific spatial locations in South Africa' (Rogerson, 2001:326). In the years that followed, provinces and municipalities, including the North West, Gauteng and the Western Cape, took steps to position themselves within this spatial development framework by designing growth and development strategies that sought to localise the goals and objectives of the plan.

As Cornelissen (2006:128-129) has pointed out, the new developmental mandate of South African provincial and local governments dovetailed with transformations in the global capitalist system, which have raised the international economic profile of local spaces. The growing recognition of regions as important milieus in a highly competitive global economy combined with domestic pressures for accelerated economic development to motivate South African provinces to develop an autonomous international presence dedicated to promoting their economic interests. Put differently, these compelling push and pull factors worked to transform provinces into what Cornelissen (2006) has termed 'entrepreneurial regions', as the different provinces attempt to convert their comparative advantages into a competitive edge that would position them favourably in an increasingly integrated and competitive global economy.

As would be expected, it is metropolitan provinces like Gauteng and the Western Cape, which boast relatively diversified and globally integrated economies, which have taken the lead in articulating strategic economic visions which are internationally oriented. Gauteng, for example, has over the years capitalised on its status as the economic hub of South Africa and the fourth largest economy in Africa to define its economic development in terms of an aspiration to become a 'globally competitive city region'. As the province's growth and development strategy asserts, the main thrust of the global city perspective is 'to facilitate internal co-operation and coherence for increased external competitiveness' (GPG, 2005:22). In particular, the province seeks to build on a number of comparative advantages to consolidate its position as the gateway for international firms wanting to do business in Africa. Some of these advantages include being home to most corporate headquarters of multinational corporations already active on the continent, as well as serving as a critical air transportation hub linking the Southern African region, Africa and the rest of the world through the world-class OR Tambo International Airport. In addition, Gauteng is a major role-player in road and rail transportation in Southern Africa, and provides major logistical support to businesses in the region. Its City Deep container depot serves as an important inland port, supporting trade in the region (GPG, 2005:4). The international economic activities of the Gauteng Provincial Government (GPG) therefore seek to leverage these regional advantages in order to strengthen the global competitiveness of the provincial economy.

Similarly, the Western Cape's development strategy is outward looking and anchored in an economic vision of the province as a competitive actor in the 21st century 'global knowledge economy'. While not having the same geographical and historical advantages that have contributed to putting Gauteng at the intersection of economic activity between Africa and the rest of the world, the Western Cape's economy is nonetheless tightly integrated with the global market. The province's economic fortunes are therefore dependent to a large extent on how well it promotes the global competitiveness of its key economic sectors. For example, tourism, agriculture and financial services, which are the main sectoral contributors to the province's economic output, rely on international markets for their profitability (WCPG, 2001:26-27). Furthermore, the Western Cape's strategy to enhance the diversification of its economic output is hinged on opening new export routes, especially in the Southern African region and the rest of the African continent. This is in addition to attracting foreign investment into the province, not only on account of the capital they bring but also in terms of their value in transferring to the province the requisite skills and technology (WCPG, 2001:30-31). It is within this context that a provincial White Paper outlining the Western Cape's socio-economic development vision and strategy makes a case for transforming the province into an 'International Cape'. Among other things, this would see the province become the 'most attractive place for investors and tourists in the Southern Hemisphere', while also gaining a reputation as 'one of the world's most famous brand names for quality design and environmentally friendly production' (WCPG, 2001: 41).

The economy of the North West may not be as integrated into the global economy as those of Gauteng and the Western Cape, but its productivity and future outlook are no less dependent on relations with external markets. Socio-economic development in the North West depends to a large extent on weaning the province's economy from the over-reliance on the primary sector, that is, mining and agriculture, which accounts for about 28% of the provincial output (Invest North West, 2007:51). The need to diversify the economy of the North West, which is made even stronger by the recurrent fluctuation of global mineral prices and the erratic weather patterns in the region, makes it imperative for the province to adopt an economic development trajectory that prioritises the stimulation of economic activity in the areas where it already has a comparative advantage such as mineral beneficiation, agro-processing

and tourism. This is in addition to unlocking the full economic potential of the manufacturing and services industries of specific regions in the province. With a poor human resource base and high levels of poverty, the North West cannot afford the amount of capital, skills, technology and consumer market to drive this economic expansion. An outward-looking economic development strategy, which creates linkages with and access to different centres of the regional and global market, is therefore a necessity for the province.

The pursuit of economic development through international relations and cooperation by the provinces of Gauteng, the Western Cape and the North West exhibits a number of common features. Firstly, international economic activity is conceived in all three provinces as an extension of the efforts of the respective provincial governments to address poverty, unemployment and social exclusion by supporting the growth of economic activity in targeted sectors of the provincial economies. In other words, there is a conscious attempt to align official foreign economic activities, which generally focus on securing export markets, attracting foreign direct investment and promoting tourism, with the development priorities and objectives outlined in provincial growth and development strategies. The rationale for this drive is found in the intractable poverty and inequality in contemporary South African society, which has prompted provincial governments to prioritise strategies that favour shared or inclusive economic growth in their development efforts. To this end, efforts to improve the performance of provincial economies, including those activities with an international dimension, need to be embedded within strategies that respond to the central government's transformation agenda, which is predominantly hinged on bridging the economic divide between the rich and the poor.

In all three provinces under review, employing commercial paradiplomacy to respond to the twin challenges of poverty and economic marginalisation usually takes the form of prioritising support for small and emerging businesses, especially those owned by individuals from so-called previously disadvantaged communities, using official channels and resources to facilitate their access to foreign markets. This is in addition to focusing on marketing the investment potential of and directing FDI to those sectors of the provincial economy that are labour-intensive. In this regard, the trade and investment agencies of the different provinces measure their foreign

performance not only in terms of their overall achievement in promoting and facilitating trade and investment, but also in terms of the number of jobs that procured investments are projected to create, as well as the percentage of small, medium and micro enterprises (SMMEs) and black economic empowerment (BEE) businesses that are assisted in accessing international markets (see for example GEDA, 2008; Invest North West, 2009; Wesgro, 2005).

Another defining characteristic of the commercial paradiplomacy of Gauteng, the Western Cape and the North West provinces, which also highlights attempts by their respective governments to use these activities to realise their agenda of socio-economic transformation, is the focus on promoting the creative industry. In South Africa, like elsewhere in the developing world, the creative industry is seen to be highly amenable to pro-poor economic growth strategies, given the fact that it can be easily accessed by the poor and marginalised in society, and in most cases participating in it requires limited formal academic or vocational training. Besides, the creative industry plays an important role in developing the tourism sector, which is also at the heart of economic development initiatives in all three provinces. There is therefore a conscious effort, most visible in the provinces of Gauteng and the Western Cape, to support the growth of businesses in this industry by strengthening their exposure to international opportunities. For example, the Western Cape government devotes significant effort and resources to promoting the international access and competitiveness of its film and crafts sectors, which are considered to be the pillars of the province's creative industry, and are central to the thriving tourism sector in the province (WCPG, 2012a: 112-112).

Secondly, the task of promoting the economic interests of the provinces internationally is shared between the provincial governments and their specialised agencies, in conjunction with the private business sector. In all three provinces, the international economic activities of the political leadership are complemented with vigorous initiatives by official agencies that have been created to promote trade, investment and tourism. These include Invest North West in the North West Province, the Gauteng Economic Development Agency (GEDA) in Gauteng, and Wesgro in the Western Cape. As Cornelissen (2006:130) has observed, these agencies are central to promoting the economic interests of their respective

provinces internationally through their efforts in scouting for investment opportunities, recruiting foreign investors, assisting South African businesses to access foreign markets, as well as through their marketing and branding initiatives. In addition to their trade and investment agencies, each of the three provinces has separate bodies (the North West Parks and Tourism Board, Gauteng Tourism Authority and the Western Cape Tourism Board), which play an important role in promoting the provinces as attractive destinations for international tourism.

A close examination of the international economic activities of the three provinces also reveals a strong African focus which is absent in other forms of paradiplomacy. For example, although at the time of writing the North West had no formal twinning agreement with an African counterpart, its official investment and trade agency, Invest North West, was actively involved in promoting the province's economic interests in African markets, particularly taking advantage of the regional integration scheme championed by South Africa in Southern Africa. In 2010, the agency reported that memoranda of understanding (MOU) signed with its counterparts in Botswana and Mozambique had resulted in increased market access in these countries for mining and dairy products from the province (Invest North West, 2010: 17).

The international economic activities of the Western Cape and Gauteng also reflect a growing focus on Africa, which, while reflecting the national and global trend to take advantage of promising economic opportunities on the continent, does not correspond to the weak political relations these provinces have with the rest of Africa. For example, since 2004 the Western Cape's trade and investment promotion agency, Wesgro, has anchored its trade promotion strategy in developing a trade corridor that gives businesses in the province access to emerging markets along the West African coast (Wesgro, 2005: 11). Similarly, as mentioned above, Gauteng has over the years articulated its external economic activities largely in terms of economic opportunities in other African countries (Prinsloo, 2009; GEDA, 2008: 6), although, as discussed below, this is often couched in language that purports a commitment to advancing economic development on the continent.

When juxtaposed with the predominantly informal and *ad hoc* political relations that Gauteng, the North West and the Western Cape provinces have with their

counterparts in other African countries, the focus on Africa in the promotion of their economic interests reveals strategic thinking in the foreign relations of these provinces that prioritises cooperation with Africa in economic terms. In other words, unlike other regions of the world, the engagement of South African provinces with Africa is predominantly driven by the economic interests of the former. This tendency could further be deduced from the observation that economic relations between these provinces and the rest of the continent are spearheaded and dominated by their respective trade and investment agencies. Thus, while showing a strong disposition to taking advantage of the economic opportunities in Africa, often invoking South Africa's diplomatic investments in the continent, there is an apparent reluctance on the part of the political leadership to commit their provinces to broader and more diversified cooperation with African partners.

This posture in the foreign relations of South African provinces cannot be understood outside the context of the dilemma that characterises the country's post-apartheid foreign policy. South Africa's political ambitions to project itself as a leader in Africa do not resonate with its modest domestic socio-economic base. South Africa's foreign policy prioritises support for Africa's development, and its former leader, Thabo Mbeki, virtually dedicated his presidency to achieving this cause. However, there has always been a strong domestic constituency that advocates restraint on pursuing the African vision, in favour of an enhanced focus on addressing domestic challenges. Proponents of this argument, which seems to have gained policy relevance both in the government and the ruling ANC since Mbeki left office, define the country's foreign relations, including with Africa, first and foremost as a vehicle for 'seeking trade and investment that generate growth and create jobs' (GHSi, 2012: 72).

4.3 International Relations for Development Assistance

Another major goal that inspired the early international relations of South African provinces, and which continues to serve as a central motivation for these activities even today, is the search for foreign partners who are able and willing to underwrite the ambitious social transformation agendas of the provinces. Decades of unequal development policies promoted by the apartheid regime left the new South African provinces, even the wealthiest ones like Gauteng and the Western Cape, with

massive developmental challenges associated with poverty and unequal access to basic services, inadequate socio-economic infrastructure, as well as a largely unskilled population that was not gainfully employed. While the new political order entrusted provincial governments with the responsibility to address these problems, this mandate was not commensurate with the resources put at their disposal. Moreover, the human and institutional capacity to deliver on this mandate was in short supply in the new political units. This was particularly the case in predominantly rural provinces like the North West, most of which owe their origins to the former black homelands with serious skills shortages and poorly developed administrative systems.

To complement the resources and capacity available domestically to deliver on the most pressing social needs of their populations, most notably the provision of houses, sanitation, education and healthcare, South African provinces were motivated to look beyond the country's borders in order to scout for potential aid donors or development partners. As a principal motivation for the first international exploits of South African provinces, the quest for development assistance was made an even more attractive goal by the renewed global friendliness towards a reforming South Africa. In other words, the need for development support on the part of the provinces was met globally with a corresponding disposition by foreign development organisations and governments, especially in Europe and North America, to enter into partnerships with a democratising South Africa and its entities.

Among the three provinces under study, the North West arguably presents the most classic example of a South African province whose early days as an international actor were largely defined by an attempt to access development assistance from the international community. It is also the only province, among the case studies, whose foreign relations continue to reflect a strong focus on development assistance after more than a decade. Interestingly, this goal has often been pursued under the ostensible mantras of mutual cooperation and the sharing of knowledge and experience. However, an analysis of the contents and actual implementation of the many agreements that emerge from these efforts reveals a pattern that is dominated by a one-way flow of resources and expertise, with the province almost always at the receiving end. The partnership between the North West province and the Dutch

province of Drenthe offers some insight into this reality. In principle, a 1997 MOU committed both sides to 'cooperate on areas of mutual interest', while also bringing together the Naledi Municipality in the North West and the Assen Municipality in Drenthe in a twinning arrangement. However, the only available indicators of the operationalisation of the eight-year partnership is the transfer of resources and expertise from the Dutch entities to their South African counterparts in the form of refuse removal equipment, waste management training, as well as a project to construct a care centre for HIV/AIDS victims in Koster in the North West (NWPG, 2009a).

The choice of the North West's international partners also bears out the argument that a significant component of its diplomacy has always been motivated by the need to scout for development assistance, and that the official line of 'mutual and beneficial cooperation' with overseas partners is simply a guise for this agenda. The North West's international relations framework document stipulates that the province's external relations flow from, and must at all times be aligned with, the foreign policy of South Africa (NWPG, 2002). And while Pretoria prioritises cooperation with other African countries in its foreign policy, the enduring focus on accessing development assistance means that over the years North West officials have preferred relations with mostly developed Western and Asian partners, which have active development aid programmes, rather than with its relatively poorer African neighbours. Although the North West has had *ad hoc* contacts with a number of African countries, the provincial government currently has no formal cooperation agreement with an African counterpart in the same way that it does with entities in Europe, North America or Asia. Ironically, the North West's trade and investment agency, Invest North West, has agreements with its counterparts in Botswana and Mozambique dedicated to promoting the province's commercial interests (Invest North West, 2010:17). An initiative launched by the provincial political leadership in 2002 to promote broader cooperation with other African partners has since fallen through the cracks.

This is not an argument that foreign partners always genuinely engage with the North West or other South African provinces from the standpoint of altruism. For, as Lecours (2008:4) has rightly observed, development assistance, especially in a

bilateral context, has a way of generating political goodwill that could later translate into economic and other opportunities for the donor party. In fact, most of the cooperation agreements which give form to the North West's intent to access financial and technical support for its development initiatives, also often contain dimensions which promise economic returns for the province's benefactors. The longstanding relations between the North West Province and the Canadian province of Manitoba best illustrate this argument. An initial MOU entered into by both parties has since 1994 created a channel for the North West to benefit from Canadian assistance in the areas of education, human and institutional capacity building, as well as sustainable development. The same framework has also been exploited by Manitoba to explore investment, trade and tourism opportunities for its businesses in the North West, as evident in an ancillary MOU signed in 2004 between the Manitoba Trade and Investment Corporation and Invest North West (NWPG, 2009b; see also Invest North West, 2004).

A poorly implemented agreement between the North West and the United Nations Development Programme (UNDP), which committed the latter to funding a programme on sustainable livelihoods in the North West, suggests the province has also attempted to directly pursue its development assistance agenda by targeting international development agencies (NWPG, 2009a). However, it is the wealthier provinces of Gauteng and the Western Cape that appear to have developed more focused inbound international development assistance programmes that are not necessarily conflated with other international relations objectives. Of course, just like the North West, these two provinces have also considered partnerships with their wealthier counterparts in Europe and North America as channels for accessing much needed resources and expertise for development purposes at home. For instance, through its partnerships with the government of Bavaria and the Principality of Monaco, the Western Cape has received substantial funding for social development projects, including funding for the construction of a multipurpose centre and Early Childhood Development Centres in the impoverished neighbourhoods of Khayelitsha, Masiphumele and De Doorns. In 2008 alone, it was reported that Monaco had set aside the sum of €70,000 (approximately R700 000) to fund social development projects in the Western Cape (WCPG, 2008a).

Gauteng's international relations and cooperation framework document is quite explicit on how the province sees the relationship between twinning arrangements with sister regions and the drive to access development assistance. In justifying the need for twinning arrangements, it makes a case that '...opportunities to access European funds may require the creation of partnerships' (GPG, 2011a: 34). The province's friendship with its longstanding French partner, the Île-de-France Region, is also illustrative of the tendency among South African provinces to capitalise on bilateral sisterhood partnerships to access development assistance. As pointed out by the president of Île-de-France, Jean-Paul Huchon, when he visited Gauteng in July 2007, the 15-year-old partnership provides a platform for both parties to learn from each other, while also being leveraged by Île-de-France to promote its commercial interests in Africa, using Gauteng as a gateway (Matlala, 2007). There is little doubt that the value of the partnership for Gauteng is largely in the financial and technical support that the province receives from Île-de-France, most of which is directed towards social development programmes. Among other forms of assistance, Île-de-France is credited for sponsoring exhibitions at Gauteng's Sci-Bono Discovery Centre, funding HIV/AIDS programmes in the province, as well as sponsoring a sports programme which provides an opportunity for youth from Gauteng to be trained in the French region (French Embassy in South Africa, 2007). The primacy of development assistance in Gauteng's cooperation with Île-de-France is further underscored by a 2010 review of the province's sisterhood agreements, which among other things identified continued funding from the French region to be central to efforts at promoting quality education in the province (GPG, 2010).

As indicated above, a noticeable feature in the drive by Gauteng and the Western Cape to leverage international relations to access development assistance, which does not seem to have been well developed by the North West, is the direct and targeted effort to court development aid agencies. This is particularly noticeable in the Western Cape, which has over the years developed a tradition of using foreign trips to engage with different stakeholders in the sphere of development assistance. For example, during his tenure as premier of the Western Cape, Marthinus van Schalkwyk is credited with initiating negotiations with global health and humanitarian agencies on funding health programmes in the province. One such dialogue with the Geneva-based Global Aids Fund involved a donation of approximately R455 million

for a period of five years to fight HIV/AIDS in the Western Cape. Successive premiers appeared to have followed in his footsteps, as evidenced by the international activities of the current premier, Helen Zille. In her maiden foreign trip as premier of the Western Cape in 2009, Zille's itinerary included meetings with officials of German development aid agencies, which, according to the provincial government, contributed to enhancing relations with German *Stiftungen* (foundations) operating in the Western Cape (WCPG, 2004: 2; WCPG, 2010: 2-3).

As a result of the challenge of accessing relevant data from the provinces, which is detailed in the introductory chapter of the thesis, it was not possible to find records confirming that Gauteng has been engaging directly with development aid agencies. Even so, it can be inferred from Gauteng's international relations and cooperation framework document that the provincial government prioritises the direct pursuit of development assistance as part of its international relations. Although the document does not outline a clear strategy on how development assistance could be pursued, it encourages building relations with certain regions and countries such as the European Union and Japan partly because of their official development assistance programmes, which could be used to access 'alternative funding' for the province's development initiatives (GPG, 2011a: 25-26).

It is clear that the three provinces under study attach a strong value to the search for development assistance as part of their foreign relations. Even more certain is the observation that this thrust of the provinces' international relations has engendered substantial returns in support of their development priorities. However, the pursuit of this goal also exposes the underdeveloped nature of the provinces' international agency. In theory, the search for development assistance should present the least challenge to South African provinces in their paradiplomacy, more so when this is undertaken through partnerships with foreign governments or their sub-national entities in Europe and North America, most of which display a strong inclination towards providing assistance to developing countries. However, operational and institutional weaknesses in the provinces often result in opportunities for accessing development assistance being underutilised and sometimes squandered.

Among these shortcomings is the inexperience of provincial officials in managing the technical and often complex requirements of some of their donor partners. For

example, in 2008 the Western Cape Department of Agriculture chose to terminate its bilateral relations with the Agricultural and Mechanical University in the US State of Florida for the sole reason that the cooperation agreement on which they were based was too prescriptive, especially in terms of the requirements for funding projects. It is worth noting that this agreement was part of a broader cooperation framework between the Western Cape and Florida, which had attracted hundreds of thousands of dollars in development assistance to the Western Cape's education sector (WCPG, 2008a, WCPG, undated). Similarly, as indicated above, the inefficiency of the North West in dealing with a grant opportunity from the UNDP in 2000 also had negative consequences for its development aid agenda, as the initial amount that was approved by the donor was eventually reduced by almost 75% (NWPG, 2009a).

Another challenge to the effective utilisation of opportunities for accessing development assistance, which is common to all three provinces, relates to what appears to be a culture of inertia and lack of resourcefulness in dealing with foreign partnerships. In all three provinces, it was observed that some of the efforts by political office bearers to initiate partnerships that had the potential to generate financial and technical assistance from external entities were often not met with the same commitment at the level where these partnerships are supposed to be implemented. It is therefore common to find potentially beneficial cooperation agreements lying dormant because officials in the sector departments responsible for their implementation have been inept in formulating proposals for projects that could be externally funded. A corollary of this weakness is the lack of motivation and initiative on the part of officials in provincial departments to make the most of cooperation frameworks by exploring new areas which could attract assistance once initial funded projects have been completed.

4.4 Sharing of Experiences, Best Practices and Expertise

South African provinces also engage in international relations to share their expertise and experiences on social, economic, cultural and governance issues while also learning from those of their foreign counterparts. Despite the collaborative language in which this intent is often couched, its operationalisation does not always reflect the reciprocity that is implied. At times it tends to mirror the same paternalistic model that

defines the provinces' pursuit of development assistance. The cooperation and exchanges that give form to this intent take place at different levels and, in addition to government officials, directly involve an enlarged cast of actors including cultural and sports groups, students, non-governmental organisations, universities and other institutions of learning and training. It is not surprising therefore that in addition to its contribution to socio-economic development in the respective provinces, this dimension of paradiplomacy comes with a real potential to democratise South Africa's international relations. For analytical purposes, paradiplomacy in South Africa dedicated to so-called mutually beneficial cooperation can be divided into three broad categories, with varying degrees of reciprocity in terms of the direction of its benefits.

4.4.1 Promotion of Learning, Sharing of Experiences and Best Practices

The first category is distinguished by exchanges involving politicians and other top government officials, which is driven essentially by the desire to learn and share the provinces' experiences with their counterparts in other parts of the world. As the focus suggests, this form of cooperation entails the highest degree of reciprocity that can be identified in the foreign relations of South African provinces. It is also worth observing that, although members of provincial executives occasionally take part in learning and sharing exchanges, this form of paradiplomacy is mostly practised by provincial legislatures. For example, different Western Cape provincial parliamentary committees have exchanged working visits with their counterparts in regional legislatures in countries such as Germany, South Sudan, Nigeria and Rwanda. One such exchange saw the province hosting a delegation of the Subcommittee on Supplications from the regional legislature of the German Free State of Bavaria, which was visiting the Western Cape provincial parliament to learn about the operations of its Petitioning Committee (Retief, 2012: interview). Similarly, in September and October 2002, a Western Cape delegation led by the provincial Minister for Community Safety visited Brazil and Cuba to learn about the operation of Street Committees in these countries (WCPG, 2008a).

Unlike efforts dedicated to attracting development assistance, which are observably focused on countries in the industrialised North and largely take the form of paternalistic relationships, the experience of the Western Cape suggests that these

learning exchanges have a more diverse geographic focus and portray South African provinces not just as beneficiaries in their external relations but also as sources of inspiration and innovation for their foreign counterparts. In particular, the choice of Cuba and Brazil for the learning experience on Street Committees, even though the Western Cape has no formal agreement with partners in either of these two countries, underscores the role of common historical and social experiences in conditioning this kind of paradiplomacy, making it an important mechanism for deepening South-South cooperation. It should be noted that Street Committees, as structures for political mobilisation and community development, have been a common feature in the socio-political evolutions of a number of countries in the global South, including Brazil, Cuba and South Africa.

Similar to the Western Cape, the foreign relations of the North West and Gauteng provinces dedicated to learning and sharing of experiences also display a marked degree of reciprocity and a geographic focus that is not limited to the rich industrialised countries of the North, but reflects their identity as entities of the global South. The North West's exchanges with the East African state of Uganda aptly demonstrate this trend. Besides a May 2004 visit to the North West by a delegation from the Ugandan Kingdom of Buganda to learn from the province's experiences in the areas of sports, culture and tourism, official records also document a study tour undertaken to Uganda by the North West's provincial legislature's Standing Committee on the Status of Women. The visit was used to draw insights from Uganda's parliamentary processes dedicated to improving the status of women in society (NWPG, 2009a).

Gauteng's learning and sharing experiences do not depart much from the dominant pattern identified above. It has exchanged experiences and best practices with partners in both developed and developing countries. For example, the province's relatively advanced legislative process has attracted the interest of a number of foreign governments, including that of the Free State of Bavaria, whose parliamentary Subcommittee on Public Affairs visited the Gauteng provincial legislature in November 2011 to study the latter's parliamentary processes (GPG, 2012a). Given its elevated profile in Africa, it has also had to share its governance experiences with interested counterparts on the continent such as the government of

the province of Katanga in the Democratic Republic of Congo (DRC). Conversely, Gauteng's aspiration to become a globally competitive city region has seen it turn to fast growing cities like Dubai to learn from their experiences in development planning (GPG, 2008). Much of Gauteng's learning exchanges, however, seem to have been conducted with its long-time French partner, the Île-de-France region, which, in the lead-up to the 2010 FIFA World Cup, was instrumental in sharing France's experiences of hosting major sports events with its South African counterpart. The exchanges with Île-de-France have also afforded Gauteng the opportunity to learn from France's advanced capability in the prevention of HIV/AIDS (Matlala, 2007).

Notwithstanding the developmental benefits associated with this form of decentralised cooperation, its desirability among South African provinces should not be taken for granted, especially when the focus is on economic cooperation. Evidence suggests that some provinces tend to approach this type of exchange with much reservation, which generally reflects the wisdom that in an increasingly competitive global economy, the imperative to share experiences and best practices must be carefully balanced with the need to preserve the competitive edge that a regional economy derives from its innovative practices. The attitude of the Western Cape towards a learning initiative by the French region of Burgundy highlights this dilemma and how it could be shaping the embryonic international agency of South African provinces. Inquiries by Burgundy into the Western Cape's successful wine tourism industry were not met with the kind of enthusiastic and friendly response characteristic of mutual exchanges. Concerns that Burgundy could become a competitor to the Western Cape, which could stifle the infant wine tourism industry in the province, interfered with the goodwill of Western Cape officials to share their best practice with their French counterparts (WCPG, 2008a). This experience demonstrates that despite the language of solidarity and reciprocity in which official discourses on this type of paradiplomacy are often couched, in practice, pragmatism and the promotion of provincial interests seem to be the guiding principles of these exchanges.

4.4.2 Cooperation for Capacity Building

In addition to the exchange of experiences and best practices, South African provinces also engage in collaborative activities with foreign entities to acquire

specialised knowledge and skills in the fields of science and technology, engineering, education, sustainable development and governance. This often takes the form of training exercises and collaboration on social development projects, in the course of which specialised knowledge and skills are transferred. Generally, these capacity building initiatives tend to be undertaken as part of development assistance packages, with much of the core funding and expertise coming from foreign partners.

Several of the North West's international engagements reflect this drive to tap into foreign expertise to develop the provincial government's capacity to deliver on its mandate. For example, the continued cooperation between the North West and the Canadian province of Manitoba is distinguished first and foremost by its contribution to the development of the former's public service. In particular, technical assistance from Manitoba was instrumental in improving the capacity of the North West provincial executive to develop and implement policies. Similarly, a capacity building project titled 'Support to Environment and Sustainable Development in the North West Province', sponsored by the Finnish Development Cooperation and implemented from 2002 to 2008, has been credited with strengthening the North West's environmental management systems (NWPG, 2009b).

The capacity-building thrust of the Western Cape's international relations is no different from that of the North West, in as much as both provinces act exclusively as recipient partners in the cooperation that generates this assistance. No record was found of either the North West or the Western Cape sponsoring a capacity building initiative that is designed to benefit officials or institutions in a partner government. Similar to the North West, the capacity-building exercises that the Western Cape has had with many of its external partners have exclusively been targeted at officials and agencies in the province. Examples include a multi-year skills development project on waste management, sponsored by the German Development Agency, which provided training for provincial and local government officials in Bavaria. Likewise, as part of its long-term cooperation with the Western Cape, the Bavarian government has seconded an expert on vocational training to the Western Cape to assist with the development of courses and offer advice on vocational training in Further Education and Training (FET) colleges (Brand, 2012: interview).

Gauteng's international cooperation dedicated to capacity building exhibits a unique pattern that is not observed in the Western Cape and North West Provinces, and which reflects the growing attempt by Gauteng to position itself as a champion of South Africa's African agenda. While being the principal beneficiary of a host of capacity building initiatives jointly undertaken with its external partners such as the Île-de-France Region, and the governments of India and Malaysia, the Gauteng provincial government has itself sponsored training activities for officials of the Katanga Province in the DRC (BuaNews, 2007). The technical support provided by Gauteng to its Congolese counterpart suggests a latent inclination on the part of South African provinces to develop an altruistic international agency that is supportive of South Africa's leadership aspirations in Africa, but which continues to be constrained by the provinces' weak resource base. This then underscores the need for greater coordination in the international relations of the national and provincial spheres of government, which could enable provinces to tap into Pretoria's emergent development assistance programme in order to develop an international agency that is responsive to the African environment.

4.4.3 Promote People-to-People Contacts

The third category of foreign exchanges undertaken by South African provinces is dedicated to promoting the interaction of their respective societies with the outside world. Unlike the first two types of cooperation activities predominantly conducted by politicians and other government officials, this form of paradiplomacy centres essentially on the interaction of ordinary citizens and the organisations they belong to, albeit under the auspices of their respective provincial governments. In this regard, paradiplomacy is used as a vehicle to broaden the understanding that South Africans have of the world as well as enrich their sporting, cultural and academic experiences. There is no gainsaying therefore that this dimension of the provinces' decentralised cooperation offers the most potential for democratising South Africa's foreign relations and bringing them closer to the people at the grassroots. Even so, in all three provinces analysed, the pursuit of this goal appears to be marginalised, in terms of the support it receives from the respective provincial governments.

This observed negligence could be explained on two fronts. In the first instance, it could be that due to the pressure on the political leadership to deliver on the material

needs of their population, provincial authorities do not see much value in investing in international cooperation such as student exchanges or cultural tours, which do not promise direct material benefits for the provinces. This is particularly the case when the responsibility to finance sporting, cultural or academic exchanges on the South African side rests with the provincial government concerned, as opposed to a situation where these exchanges are part of a programme that is externally funded. This tendency could be discerned in the cultural cooperation between the North West and the South Korean province of Gyeongsangbuk-do. Despite committing itself to cultural exchanges with the South Korean province, the North West administration was unable to sponsor the local Ndlovu Link cultural group to travel to South Korea in 2003, at the invitation of the Gyeongsangbuk-do province, to participate in its biennial cultural expo (NWPG, 2009a). A similar trend is observed in Gauteng and the Western Cape where the implementation of the components of cooperation agreements dealing with cultural and academic exchanges lags behind on account of inadequate funding and an apparent lack of political will to prioritise this form of paradiplomacy (WCPG, 2008a; GPG, 2010).

Aside from the pressure to improve governance performance and fast-track socio-economic development, the neglect of people-to-people interaction in the international relations of South African provinces could also be explained by a less noble dynamic, that is, the observation that paradiplomacy in South Africa is to some extent intertwined with the personal interests of government officials. Coupled with the weak institutionalisation of the practice, vested interests in the foreign relations of the provinces encourage officials to prioritise those international engagements that offer opportunities to promote their parochial interests. In this context, the promotion of socio-cultural and academic exchanges tend to take a backseat to foreign activities like business missions and study tours, which are often reserved for the political leadership and top management of the provinces, and which offer opportunities for these principals to travel abroad.

4.5 Addressing Cross-Border Issues

Some of the foreign relations of a good proportion of South African provinces fall under the category of what Duchacek (1990:20) refers to as cross-border regional paradiplomacy, given that they are motivated by the imperative to address issues

that arise from their location on the doorsteps of other sovereign states. It should be recalled that seven of South Africa's provinces, including the North West, border on independent states, making it practically impossible for them to avoid contacts with the outside world. Two of our case studies, the provinces of Gauteng and the Western Cape are, however, an exception to this rule, as they do not share an international boundary.

In the case of the North West, it is worth noting that besides the geographic proximity, the province also shares historical and cultural ties with the Republic of Botswana. Local communities along the North West–Botswana border share the dominant Tswana culture and language, and commonly have relatives on either side of the frontier. The frequent social interaction between these communities, together with the considerable commercial activity that takes place between South Africa and the rest of the Southern African region through this corridor, makes contact between the North West officials and their Botswana counterparts inevitable. Thus, although the province has since identified Botswana as a prospective partner for mutually beneficial cooperation in the areas of good governance and administration, animal farming and meat processing, as well as tourism, much of the actual interaction between both parties has sought to keep alive their shared historical legacy, resolve issues arising from cross-border movements, and promote the social harmony of the communities on both sides of the border (NWPG, 2005a:11-13).

A classic example of this cross-border cooperation is reflected in the 'Gateway to Freedom History Legacy Project' jointly undertaken by the North West Province and Botswana, with the support of some national government departments and agencies. Through research and documentation, public events, and a host of other activities involving communities on either side of the border, the four-year project aimed to recognise and celebrate the historic and cultural ties between the people of Botswana and the North-West province, and the contribution of this relationship to South Africa's liberation struggle from the oppression of the apartheid system (NWPG, 2009a).

Despite the geographic proximity and the shared social, cultural and economic interests, effective cross-border cooperation between North West officials and their counterparts in Botswana has been relatively minimal, compared to the volume and

quality of interaction the province has with entities in far-away regions of the world. In the first instance, there is very little official documentation indicating regular and structured contacts between both sides, although as Duchacek (1990:20) suggests, this could be explained by the largely informal means through which this form of paradiplomacy is often operationalised. Besides, although sharing a common border, relations between both sides appear to unfold at a very slow pace, with very few tangible results in solving common challenges. This state of affairs has been blamed mainly on the disparity in administrative systems between South Africa and Botswana, but also on the underdeveloped cooperation between South Africa's national and sub-national spheres of government on international relations.

The nature of the political system in Botswana does not make provision for sub-national units with the same functions and powers enjoyed by South African provinces. As such, cooperation between the North West and Botswana has to be mediated through the official channels of communication between the governments of South Africa and Botswana. Taking into account all the diplomatic hurdles involved in the process, this setup has been identified by provincial officials as a major impediment to efficient cross-border cooperation. The North West provincial government has sought to circumvent this challenge by proposing to enter into an MOU with the Botswana Department of Foreign Affairs, which would serve as a broad framework to facilitate cooperation between municipalities and agencies in the province and their counterparts in Botswana (NWPG, 2005b).

The extent to which this initiative will strengthen cross-border cooperation between the North West and Botswana is however limited by the weak coordination between the province and the national government in Pretoria. Although South Africa's foreign ministry, through its mission in Gaborone, Botswana, has been instrumental in enhancing cooperation between the North West and Botswana, the province does not seem to be receiving the same kind of cooperation from other national government departments in its cross-border relations with the neighbouring country. This tendency has had a constraining effect on the province's ability to engage with Botswana to address common problems, especially when these involve matters that fall outside provincial jurisdiction. For example, insufficient cooperation from the South African Department of Home Affairs was cited by officials as a major obstacle

to provincial efforts to engage the Botswana government in resolving a protracted dispute over border crossing, a problem that was undermining the harmony of communities divided by their common frontier. Similarly, a lack of cooperation from the Department of Higher Education is believed to have frustrated an initiative by the province to leverage its cross-border ties with authorities in Botswana to address challenges faced by Botswana students in the North West University (Wa Magogodi, 2012: interview). It should be underlined that, until recently, students sponsored by the Botswana government made up a significant proportion of the student population on the Mahikeng campus of the North West University. The large presence of Botswana students not only benefitted the university, but also contributed to sustaining the local economy of Mahikeng, making it incumbent on the provincial government to leverage diplomatic ties to safeguard this cross-border social interaction.

The challenges faced by the North West in promoting effective cross-border cooperation with Botswana underscore the limitations of paradiplomacy as a catalyst for regional integration, especially in regions where the decentralisation of political authority is still underdeveloped or is just not a favoured political ideology. As suggested above, there is a natural correlation between the welfare of sub-national units bordering on sovereign states and the quality of cooperation between authorities on either side of the border. Ideally, this should translate into a strong inclination on the part of sub-national authorities towards greater trans-border cooperation, with the potential of stimulating or deepening broader regional integration projects. However, as the example of the cross-border cooperation between the North West and Botswana illustrates, the agency of SNGs in propelling integration cannot thrive in a region like Southern Africa where decentralisation is not sufficiently institutionalised. The absence of autonomous sub-national units in Botswana, as is the case in most of the countries in the region, or their curtailed influence in South Africa, works to undermine the effectiveness of decentralised cooperation in the region as well as its potential contribution to the regional integration project.

4.6 Promoting South Africa's African Agenda

A review of the official international relations documents and discourses of the North West, Gauteng and Western Cape provinces reveals that some South African provinces are not only making an effort to align their external relations with the country's foreign policy priorities, but are increasingly defining themselves as champions of relevant aspects of this policy. Put differently, the emerging international agency of South African provinces is partly imbued with a proactive and ambitious drive to contribute towards the realisation of South Africa's foreign policy outcomes, most notably its vision for the African continent. Although there is evidence to suggest a general disposition towards appreciating and embracing the potential contribution of paradiplomacy to the promotion of South Africa's Africa policy, the extent to which this policy aspiration has been translated from grand rhetoric to concrete international action differs from one province to another. In this regard, the paradiplomacy of Gauteng stands out from those of the North West and the Western Cape provinces.

Among the three, Gauteng is the only province which has appropriated a component of South Africa's African agenda, in the form of promoting the New Partnership for Africa's Development (NEPAD), and made it a central objective of its international relations strategy, especially as it relates to Africa. According to the document outlining the province's international relations and cooperation framework, '...the key outcome for the GPG's engagement in Africa should be to contribute to the promotion and successful implementation of NEPAD' (GPG, 2011a: 32). In an earlier section, the document contextualises this drive within South Africa's foreign policy thinking, which sees an inextricable link between the country's socio-economic progress on the one hand, and a peaceful, stable and economically thriving Africa on the other hand. As Africa's blueprint for socio-economic development, NEPAD is seen as an important engine for the continental renewal and progress on which South Africa's welfare depends. It is in this context that the GPG has moved beyond using the initiative to promote the growth and development of the province, to proactively defining itself as one of the sub-national champions for NEPAD's successful implementation, particularly in the areas of strengthening continental economic integration and cooperation (GPG, 2011a: 14).

In pursuit of this vision, the GPG has developed a NEPAD Strategic Framework, which outlines the province's rationale and approach in contributing to the implementation of the programme, while also aligning the initiative with Gauteng's ambition to position itself as a global city-region. In making a case for Gauteng's role as a champion of NEPAD and the new African agenda embodied by the programme, the framework argues that because NEPAD seeks to address developmental issues that go beyond the capacity of macro-state institutions, efforts to achieve its objectives cannot be confined to inter-state relations. Sub-national actors such as provincial and local governments, civil society organisations and other agents of change in the society also have a critical role to play in this regard. As the political, economic and intellectual engine of South Africa, the argument continues, Gauteng cannot shy away from playing a leading role in 'cultivating the required goodwill and integrative processes [in Africa] that are crucial to making NEPAD a success' (GPG, 2007a: 1-3). In practical terms, this commits the province to identifying strategic partners in the continent with which it could develop sustainable networks. The objectives of such partnerships are expected to transcend the narrow search for economic opportunities to actually contribute to the strategic goals of NEPAD in areas such as the promotion of health and education, regional infrastructure development, improved economic cooperation, as well as protection of the environment.

Over the years, the GPG has adopted a number of international initiatives to give form to its continental vision as reflected in the province's NEPAD framework. Notable among these was the hosting of a NEPAD summit in 2009, the first of its kind convened by a SNG, which brought together African business leaders from trade, investment and economic development organisations to explore options for promoting regional integration on the continent. The initiative resulted in the establishment of the first ever African Economic Development Agencies secretariat, which has been tasked with enhancing African trade and investment opportunities and promoting foreign direct investment into the continent (GPG, 2009a: 34).

As part of its efforts to contribute to the implementation and realisation of the goals and objectives of NEPAD, the GPG has also worked to build relations with the NEPAD secretariat, which, incidentally, is located in the province. Both parties have

cooperated on initiatives such as the Gauteng Gateway to doing Business in Africa project. The initiative sought to leverage the exposure provided by the province's participation in South Africa's hosting the 2010 FIFA World Cup to create positive awareness about Africa and showcase the continent's investment potential to the world (NEPAD, 2010).

Gauteng's investments in taking forward the agenda of NEPAD are also reflected in the province's twinning arrangements with sister provinces on the continent, with the flagship partnership being that with the Katanga Province in the DRC. As earlier mentioned, the partnership between the two provinces mirrors the same paternalistic relations that South African provinces have with their counterparts in the developed world. The difference is that in this case, a relatively developed South African province, in the form of Gauteng, assumes the role of the benevolent patron, providing training and other forms of technical support to the less developed Congolese province.

However, Gauteng's support to Katanga in particular, and its efforts to contribute to the implementation of NEPAD and the realisation of the African agenda in general, must be placed within the context of the province's own socio-economic challenges. Despite being the strongest sub-national economy in Africa, Gauteng is still faced with a number of human development challenges associated with a growing jobless population. Its traditional economic advantages are also gradually being eroded in the face of a struggling global economy and the rise of more competitive economies in other parts of Africa (see Musiitwa and Wachira, 2012). This means that the province has to balance its long-term objective of investing in the emergence of a better Africa with the short-term and relatively selfish goal of advancing its economic interests in the African market in order to create jobs and reduce unemployment at home.

In this regard, the GPG's choice of the Katanga Province as a partner within the framework of the promotion of NEPAD cannot be dissociated from the commercial incentives that the partnership offers to businesses in Gauteng, given the mineral endowment and other economic opportunities in the Congolese province. For example, the two provinces have signed an exclusive trading agreement that gives businesses in Gauteng significant access to construction and infrastructure projects

in Katanga (Prinsloo, 2009). The partnership between Gauteng and its Congolese counterpart seems to reflect a general pattern in the province's engagement with the continent, which has prompted some observers to conclude that Gauteng, like any other South African province, is only paying lip service to the NEPAD agenda and that its involvement in the continent is driven primarily by the pursuit of narrow economic interests in the form of securing preferential access to the African market (see wa Magogodi, 2005).

The dilemma to reconcile short-term market access with long-term development prospects does not seem to be the only obstacle to the aspiring role of South African provinces as catalysts of the Africa's economic development. Shifts in the focus of the country's foreign policy since 2009, when Jacob Zuma formally took over the presidency from Thabo Mbeki, appear to have created an even greater disincentive for the provinces to prioritise and consolidate this objective in their African diplomacy. As pointed out above, there is a general feeling that under Zuma, South Africa has shifted the focus of its Africa policy from championing the renewal of the continent and taking the lead in the implementation of common Africa programmes like NEPAD, as was the case during Mbeki's presidency, to exploring commercial opportunities on the continent. For example, scholars such as Landsberg (2012) have advanced the view, which is also shared by some of the international relations practitioners interviewed in the provinces, that although the Zuma administration has retained the Africa policy trappings of his predecessor, actual decisions and actions on African affairs reflect a change in priority. This change in foreign policy perspective, which is associated with a drive by the current national leadership of the ANC to break away from the legacy of Mbeki while also attempting to make international relations relevant to domestic concerns, has inevitably had the effect of amplifying the contradictions in the supposed Africa strategy of South African provinces.

The examples of the North West and Western Cape provinces are instructive in understanding these strategy contradictions and the political conflicts that underpin them. In both provinces, the bureaucracy in charge of coordinating international relations appears to be still strongly wedded to the Mbeki-era vision of a better South Africa in a better Africa, making it a fervent advocate of aligning the provinces'

foreign relations with the African agenda. This puts it at variance with a new political leadership that appears to be less sympathetic to this cause and more attuned to the socio-economic demands of local constituencies. The dynamics of this conflict are a little more complex in the Western Cape where the African agenda, as conceptualised by Mbeki and the ANC, has traditionally been criticised by the Democratic Alliance party, which currently governs the province. In both the Western Cape and the North West, official international relations policy frameworks, often prepared with the heavy influence of the bureaucracy and their intellectual mentors, strongly argue in favour of using paradiplomacy to contribute to the advancement of the African agenda. However, Africa continues to feature less in the foreign activities and partnerships initiated by the political leadership in the respective provinces. The exception, of course, is when paradiplomacy is dedicated to promoting economic interests.

This contradiction is succinctly captured in a 2012 draft policy framework on international relations prepared by the Western Cape International Relations Directorate for approval by the provincial cabinet. The document reiterates the bureaucrats' conviction that 'as part of South Africa's effort to contribute to the development of the African continent, the Western Cape should support the African Renaissance'. In the same context, it bemoans the fact that the province's foreign relations are yet to reflect this strategic vision, underlining that 'to date, the Western Cape has [only] a dormant agreement with the province of Tunis in Tunisia' (WCPG, 2012b: 22).

4.7 The Personal Dimension of Paradiplomacy

The personal interests of provincial politicians and bureaucrats cannot be overlooked when examining the motives behind the international relations of South African provinces. Although this phenomenon is not unique to South Africa – cases of paradiplomacy being used as a vehicle for realising personal goals have been widely documented in countries like Australia and Canada – the provinces' experience in this regard is distinguished by the fact it is not tied to a domestic political ambition, which is often the case in other sub-national entities.

The use of paradiplomacy in support of a leader's political ambitions is mostly

observed in sub-national units governed by a party that is not in power at the national level. Although this trend is presently not evident in South Africa, its eventual emergence in the Western Cape, which is the only province not under the control of the ruling ANC, cannot be ruled out, especially as the DA becomes increasingly poised to challenge the dominance of the ANC beyond the province.

Currently, however, the role of foreign visits – and the recreational and private business opportunities they hold for officials, their spouses and members of their patronage network – assumes primacy in understanding the personal intents behind some of the external activities of South African provinces. In all three provinces under review, it was discovered that the foreign engagements of the political leadership – premiers, provincial ministers, as well as members of provincial legislatures – have not always been motivated by genuine concerns for the development of their respective provinces. This applies equally to senior provincial bureaucrats involved in international relations. Paradiplomacy has at times been driven by the opportunity it offers officials to travel abroad for leisure or other personal business, at the expense of the government.

Given the sensitive nature of this practice, it is difficult to find evidence to confirm its continued presence in the three provinces under study. Interviews with provincial officials who opted to remain anonymous however suggest that it was in the first decade after South Africa's political and institutional reorganisation that officials resorted to using paradiplomacy to serve their personal purposes. After years of virtual isolation from the outside world, owing to the tenuous relationship between apartheid South Africa and the global community, the emergence of a relatively liberal political dispensation in South Africa also came with a strong incentive on the part of a section of the country's elite to want to travel abroad and experience the world. It became expedient for the elite in positions of political authority in provincial and local governments, to resort to the use of official processes to achieve this goal, in the guise of promoting the socio-economic development of their jurisdictions.

Besides the waste of limited government resources associated with embarking on foreign trips that have no clearly defined objectives, the use of paradiplomacy to promote personal goals also partly accounts for the overburdened and largely stymied international agency of South African provinces. Firstly, foreign initiatives

motivated primarily by the individual interests of political office-bearers often commit provinces to partnerships which are not aligned to their development priorities or for which they do not have sufficient capacity, resources or even the political will to implement. As a result, most provinces have a large number of cooperation agreements, which have either not been translated into concrete activities for collaboration or have only been partially implemented. The provinces of the North West, Gauteng and the Western Cape are no exception to this dynamic. In recent years, all three provinces have sought to address this legacy by undertaking reviews of their international agreements in order to determine partnerships that are worth investing in. It should be underlined, though, that other variables come into play when explaining the many unimplemented agreements that South African provinces have in their depository. These are examined in the next chapter dealing with the international relations instruments of the provinces.

Secondly, there is a negative correlation between paradiplomacy motivated largely by personal interests and those international efforts that prioritise the broader interests of the provinces. Put differently, when politicians resort to the use of official foreign engagements to promote their own interests, this often has the direct effect of stifling the pursuit of other provincial international relations goals. For example, the foreign relations of Gauteng, the North West and Western Cape provinces tend to display a strong bias towards activities like official study tours, which also afford provincial executives and legislators the chance to travel abroad and pursue their own interests. In contrast, capacity-building initiatives for the benefit of the technical staff of provinces and socio-cultural exchanges that seek to enrich the experiences of a broad range of local actors tend to receive little support from the leadership of the different provinces, even though these activities are born out of the foreign expeditions of the latter. For example, a report prepared for the then South African Department of Provincial and Local Government by the European Commission delegation in South Africa observed that there was a tendency for politicians and officials alike to abuse foreign trips for their own ends, suggesting that in some instances, 'the intention in organising an international visit is to have a holiday or reward friends' (European Commission, 2006: 5).

Concerns over the use of paradiplomacy for personal purposes have in recent years prompted interventions at both the national and provincial levels to curb the practice and better align international relations with provincial growth and development strategies. As will be elaborated in the chapter that examines the coordination of foreign relations in the different provinces, an intervention common to all three case studies is the drafting or redrafting of provincial international relations frameworks with specific guidelines on conducting foreign visits. In the case of the Western Cape, the provincial parliament has also adopted specific guidelines, which are designed to focus the foreign visits of parliamentary committees on enriching their capacity to execute their respective mandates (Retief, 2012: interview). The change in political leadership that brought Thandi Modise to the premiership of the North West in 2010 has also provided an opportunity for the province to curb the abuse of official foreign engagements for personal benefit. Shortly after taking over the reins of the North West, the new premier, who was appointed by the ruling ANC with a mandate to reform a largely dysfunctional administration in the province, imposed a moratorium on foreign trips and initiated a process of reviewing existing international partnerships.



Table 4: Objectives of the paradiplomacy of South African provinces

<ul style="list-style-type: none">• Promote provincial economic interests• Access international development assistance• Promote socio-cultural and technical exchanges• Address cross-border issues• Promote South Africa's African agenda
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4.8 Conclusion

This chapter set out to analyse the primary motives and corresponding goals of the foreign relations of the South African provinces of Gauteng, the Western Cape and the North West. Notwithstanding the objective differences among the three provinces in terms of the strength of their economies, the political leaning of their leadership or their geographic location, the analysis reveals very little variation in the objectives that guide their international relations. Whereas the extent to which stated goals are successfully pursued tends to differ from one province to another, the focus of the foreign relations of all three provinces is essentially on promoting the development of their respective economies, searching for international development assistance, as well as fostering the exchange of expertise, best practices and experiences.

An understanding of the drive behind the foreign relations of Gauteng, the North West and the Western Cape, and perhaps those of the other six South African provinces, cannot be accurate outside the framework of the dominant discourse on socio-economic transformation in South Africa, including the role of provincial and local governments in realising this agenda. In this regard, it is worth recalling that the existence and powers of provinces and municipalities in South Africa are inextricably linked to a mandate for them to serve as catalysts for development and the delivery of basic services to populations that had hitherto been sidelined from mainstream development processes in the country. The pressure to live up to these expectations in a very challenging domestic environment not only motivated provinces to look beyond the borders of South Africa but, as the experiences of our three case studies demonstrate, has also been instrumental in shaping their focus and priorities on the international scene. In other words, the developing international agency of South African provinces is imbued with a pragmatic and almost egoistic tendency, which resonates with the rising discontent among local populations on account of a perceived slow pace in the improvement of their material conditions.

In the first instance, attempts to employ paradiplomacy as a vehicle to fast-track socio-economic upliftment have translated into a disproportionate and somewhat aggressive focus on the promotion of economic interests. In all three provinces, it was noted that commercial diplomacy dedicated to promoting market access, as well as attracting FDI and foreign tourists, was the predominant focus of international

relations. More importantly, there seems to be a conscious effort in the provinces to ensure that international activities undertaken by governments and their specialised trade and investment agencies intended to bolster local economies do not reinforce existing socio-economic divides. As discussed in the chapter, these activities are often conducted with a bias in favour of previously disadvantaged populations. Given the limitation in obtaining relevant data, it was not possible to ascertain the extent to which these measures have been effective in turning the provinces' commercial diplomacy into pro-poor growth instruments.

The link between commercial diplomacy and socio-economic transformation that is observed in the foreign relations of the selected South African provinces extends the conceptual boundaries for explaining the international economic activities of SNGs. The involvement of SNGs in foreign activities that seek to enhance the economic performance of their regions has often been interpreted as an indication of the absence in these regions of a strong private sector with significant experience in international business. For example, making reference to examples in countries like Australia and Canada, Michelmann (1990:300-301) posits that it is less likely for SNGs in regions where private businesses already possess extensive international experience, expertise and networks to adopt an active international economic presence. However, the intensive commercial diplomacies of Gauteng and the Western Cape, even when both provinces boast private business sectors with an impressive international footprint, suggest something else. They reveal that the type of economic development policy to which a sub-national polity subscribes also determines the intensity of the foreign economic engagement of its government. When SNGs define their economic role not just in terms of creating favourable conditions for economic growth but also as guarantors of the inclusivity of that growth, they are likely to be active international economic actors, regardless of how versed their domestic business communities are in the workings of foreign markets. This is because SNGs in this case have to assume full responsibility for aligning economic development measures, both local and foreign, with the goals of poverty reduction and social equity, which are rarely the concern of private businesses.

The domestic discourse on socio-economic transformation that is instrumental in conditioning the foreign relations of South African provinces not only prioritises the

promotion of economic interests, but also has implications for the way these provinces conceive and pursue other international relations goals. For example, Gauteng, the Western Cape and the North West provinces all profess to engage in what is often termed 'mutually beneficial cooperation' for the purpose of exchanging expertise and best practices with their counterparts in other parts of the world. However, a close examination of how this cooperation actually unfolds, including the kind of partners that are preferred, suggests that, for the most part, it is just another channel through which the provinces seek to access foreign financial and technical assistance for domestic development purposes.

Perhaps more revealing of the pervasive influence of domestic socio-economic concerns on the character of the international relations of the three provinces is the discrepancy between rhetoric and practice when it comes to their declared goal of promoting African development. It was observed that all three provinces, but most notably Gauteng and the Western Cape, have invoked South Africa's pan-African foreign policy to define a role for themselves as champions of the continental blueprint for socio-economic development, NEPAD. However, with the exception of Gauteng, which is noted to have taken some initiatives that supposedly seek to support the development agenda of NEPAD, the foreign relations of these provinces is everything but African-focused. The imperative to address domestic socio-economic challenges means that in practical terms, relations with Africa are largely defined in terms of a drive to access the economic opportunities on the continent. It is interesting to note that even the North West province's cross-border relations with Botswana reflect this general pattern where the promotion of economic interests takes precedence over all other forms of cooperation, negating the potential role of these cross-border relations in deepening regional integration.

It can therefore be concluded from the preceding analysis that despite objective variations among South African provinces in terms of economic fortunes, population size, geographic location and even the political party in charge, their international outlook is fundamentally the same. This is largely because of the country's historical experience with racial policies that promoted the discrimination and dispossession of a majority of the population, leaving the new provinces with the same development burden and making socio-economic transformation the primary focus of governance

initiatives in all spheres of government. It is also in this shared domestic context that the provinces conceive of their international relations, which could help explain the absence of significant variation in the objectives of their respective engagements.



CHAPTER FIVE

INSTRUMENTS OF PARADIPLOMACY IN SOUTH AFRICA

5.1 Introduction

The previous chapter analysed the motives and corresponding goals of the international relations of the selected provinces of Gauteng, the North West and the Western Cape, as partial contribution to an understanding of the evolving international agency of South African provinces. A central theme that runs throughout the chapter is the pervasive role that challenging socio-economic conditions in these provinces play in conditioning their foreign outlook, and hence the focus of their paradiplomacy. In this context, paradiplomacy in South Africa could be understood as a predominantly functional and development-oriented exercise, which exhibits little variation from one province to another, given the shared challenge to transform the legacy of poverty and economic exclusion inherited from the past.

The collective experience of the three provinces also suggests an ambitious project by South Africa's SNGs to develop an autonomous international agency that is nonetheless strategically defined as an expression of the country's foreign policy. It was observed that by defining their international personality in such seemingly paradoxical terms, South African provinces have, on the one hand, inevitably imbued their foreign relations with the same contradictions that Pretoria has to contend with in the exercise of its foreign policy. This is noted particularly in their engagement with the African continent, where rhetoric about a commitment to the promotion of the African agenda is not matched by a conspicuous focus on commercial diplomacy in relations with African partners. Fortunately, the provinces do not have to deal with the pressures and global expectations that sovereign states are subjected to in the conduct of their foreign relations.

On the other hand, relating to the world on the basis of a dual international identity affords provinces two main advantages. First, autonomous international action enables them to engage with the outside world with the expediency, expertise and experience that come with an intimate knowledge of their respective local environments. Second, couching their diplomacy in the language of South Africa's

foreign policy does not only mean less friction with Pretoria, but also gives the provinces access to South Africa's extensive diplomatic channels. This chapter further develops the above insight into the international agency of South Africa's provinces by analysing the major instruments used by the provinces of Gauteng, the North West and the Western Cape in pursuit of their international goals.

Table 5: Summary of instruments of paradiplomacy in South Africa

<ul style="list-style-type: none">• Non-binding cooperation agreements• Foreign trips• Membership of international organisations and networks• Collaboration with the national government• Exchanges with foreign communities in South Africa• international destination marketing (branding)
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5.2 Signing of International Cooperation Agreements

Entering into international cooperation agreements is central to the development of the international agency of South African provinces. It was noted in chapter three that due to their limited international relations prerogative, South Africa's SNGs, unlike their counterparts in countries like Belgium, do not qualify as subjects of international law. It therefore follows that they are not allowed to enter into international agreements that are legally binding. As instruments of paradiplomacy, the international cooperation agreements signed by Gauteng, the Western Cape and the North West are non-binding official accords which are generally used by these provinces to express a long-term commitment to a strategic foreign partnership. Although they carry no legal obligations, cooperation agreements of this nature elevate relations between the relevant province and its external partners to the highest diplomatic level permitted of South Africa's SNGs, and thus elicit some

degree of financial and political commitment from the provincial government. Consequently, these agreements are customarily signed under the political auspices of the provincial premier.

The vocabulary used to describe this instrument of paradiplomacy in South Africa is quite fluid and its application can be misleading at times. It includes labels such as memorandum of understanding (MOU); twinning, sisterhood or cooperation agreement; declaration of intent; joint declaration or communiqué; and protocol. Despite an observed tendency to sometimes use these labels interchangeably, a close examination of the various agreements signed by Gauteng, the Western Cape and the North West provinces reveals significant nuances, which reflect the intention and degree of commitment that the signatories bring to the agreement, as well as the historical status of a particular partnership. In this regard, a two-part typology of the cooperation agreements used by South African provinces in their foreign relations can be developed.

The agreements in the first category are of a very exploratory, ceremonial and vague nature, and are usually signed in the context of an initial official contact between the chief executive officers of the provinces and a prospective long-term international partner. In general terms, they represent an intention on the part of the parties to engage in future cooperation on the basis of perceived mutual interests, albeit without any immediate commitment to that effect or the delineation of concrete areas of cooperation. These preliminary agreements often provide the momentum for improved cooperation between the signatories and lay the foundation for subsequent agreements that structure and strengthen this cooperation. For example, in 2004 the North West province signed a 'Letter of Intent' with the Chinese province of Henan on the establishment of cooperative relations between the two parties. This agreement paved the way for increased interaction between the two provinces, resulting in the signing of an MOU in 2006 which committed both sides to cooperate in tourism development. In 2008, both provinces also entered into a 'Memorandum of Agreement' to strengthen their partnership and expand the areas of cooperation (NWPG, 2009b). Similarly, a 'Joint Communiqué' signed between the Western Cape and the German state of Bavaria in 1995 laid the groundwork for cooperation between the two parties and prompted the signing of a detailed 'Memorandum of

Cooperation' in 2006 (WCPG, undated).

Some of the declarations that result from the provinces' engagement in multilateral forums of SNGs also fall under this category, as they represent broad statements of a shared intention to cooperate on areas relevant to the purpose of the forum. The provinces of Gauteng and the Western Cape, in particular, are signatories to a variety of joint declarations issued by the respective forums to which they belong, and which serve as catalyst for concrete bilateral cooperation among their members in pursuit of their shared objectives. For example, cooperation between the Western Cape and the region of Upper Austria, especially in the area of renewable energy and waste management, derives much of its momentum from the declarations of the Regional Leaders' Summit, a forum of SNGs to which both the Western Cape and Upper Austria are members (WCPG, 2008a).

However, in some instances, agreements of this nature have taken on a rather symbolic status, affording provinces the means to express their friendship and solidarity with counterparts in other parts of the world, without any intention to translate this into concrete cooperation.

The second kind of agreements signed by the provinces of Gauteng, the North West and the Western Cape in their international relations is distinguished by their focus on tangible cooperation. As instruments that signal a strong commitment by the parties to engage in concrete cooperation, these agreements are often accompanied by joint action plans or an outline of initial projects that need to be undertaken within the framework of the agreement. In addition, cooperation agreements in this second category often contain implementation and monitoring mechanisms, in the form of technical working groups, detail the financial and political responsibilities of the parties, and stipulate the duration of the agreement and the process of terminating or renewing it.

Traditionally, a single agreement provides the framework for cooperation in a wide variety of functional areas including economic development, education, health, culture, tourism, the environment and governance. However, provinces are increasingly signing sector or issue-specific agreements, which focus on a single issue such as investment promotion, tourism development or agricultural

development. Although these protocols, as they are customarily referred to by provincial officials, are signed within the framework of existing provincial partnerships, technically, agreements of this nature are entered into by the relevant provincial government department or agency, which also assumes primary responsibility for their implementation. For example, Invest North West, the North West province's official trade and investment promotion agency, has entered into agreements with its counterparts in Manitoba (Canada), Botswana and Mozambique, which commit the parties to cooperate in promoting trade and investment in their respective jurisdictions (Invest North West, 2004; Invest North West, 2010:17).

Table 6: Selected partnerships of Gauteng, the North West and the Western Cape

Partner region	Country	Year of initial partnership
GAUTENG		
Chongqing	China	2012
Katanga	DRC	2007
Ontario	Canada	2002
Beijing	China	1998
Île-de-France	France	1997
Havana	Cuba	1996
Bavaria	Germany	1996
Kyonggi	South Korea	1995
Malaysia	Malaysia	1995
NORTH WEST		
Kronoberg	Sweden	2006
Henan	China	2004
Samara	Russia	2003
Gyeosangbuk-do	South Korea	1998
Drenthe	The Netherlands	1997
Manitoba	Canada	1996
Santiago de Cuba	Cuba	1996
WESTERN CAPE		
Monaco	Monaco	2005
South Sulawesi	Indonesia	2005
Burgundy	France	2002
Shandong	China	1998
Bavaria	Germany	1995
Upper Austria	Austria	1995
Florida	USA	1995

A host of government departments in the Western Cape have also signed sector-specific cooperation agreements with their counterparts in foreign sub-national entities which maintain good relations with the province. These include an agreement on tourism cooperation between the Department of Economic Development and Tourism and its counterpart in the Chinese province of Shandong.

A similar agreement was entered into in 2007 by the education departments in both provinces to encourage exchanges in science and mathematics. The Western Cape's health department is also reported to have signed an agreement in 2006 with its counterpart in Bavaria focusing on scientific cooperation (see WCPG, 2008a).

Most of the general cooperation agreements entered into by provinces usually come with an indefinite lifespan. However, agreements of a highly technical nature are customarily imbued with specific timeframes, averaging between three and five years, with provisions for reviews and possible extensions. The number of times an initial agreement has been renewed and expanded to include new areas of cooperation holds much significance for the value that a province attaches to a particular partnership. For instance, the cooperation agreement between the North West province and the Canadian province of Manitoba, which was initially signed in 2001, has since been reviewed twice, in 2004 and 2007, and at the time of writing was undergoing another round of review under the leadership of the new premier of the North West, Thandi Modise. It should be underlined that each review of the agreement has been accompanied by additions in new areas of cooperation, which have seen the partnership progress from a focus on institutional capacity building to include cooperation in investment promotion, as well as climate change and sustainable development. The dynamic nature of this particular agreement reflects the strategic importance to the North West of its partnership with Manitoba, which has been credited with a number of positive developments in the North West, including improved institutional capacity, most notably in the domain of policy development and implementation (see NWPG, 2011a).

The Western Cape's most progressive cooperation agreements are with the German Free State of Bavaria and the French region of Burgundy, both of which have proven to be important strategic partners of the province. Initially entered into in 2002, the agreement with Burgundy was predominantly focused on agricultural cooperation. Provincial records suggest that it has since been renewed three times, in 2005, 2008 and 2011, while cooperation has been expanded into new areas such as sports development, protection of the environment and tourism promotion. The value of the Western Cape's cooperation agreement with Burgundy lies primarily in the instrument's current and prospective contribution to the province's skills development

drive. The agreement has been leveraged over the years to improve the skills of farm workers and prospective sportsmen. For example, since 2008 three young rugby players from the Western Cape have travelled annually to Burgundy to receive training in winemaking and viticulture, after which they are incorporated into a rugby team in Burgundy for a three-month period (WCPG, 2008a).

Likewise, the Western Cape's agreement with Bavaria has evolved to reflect a partnership that has been pivotal in developing the administrative capacity of the South African province, while also contributing immensely to its social upliftment efforts. Initially entered into in 1995, the cooperation agreement has been updated several times, with the most recent taking place in 2010. Reflecting the strategic and mature nature of the Western Cape's partnership with Bavaria, the most recent amendment to the agreement made provision for a Joint Working Group to serve as a managing and monitoring mechanism. The working group meets annually and alternates between the two regions. Its maiden session was held in June 2011, in the Bavarian capital of Munich. Another indicator of the elevated status of the partnership between the Western Cape and Bavaria is the decision of the latter to appoint a resident coordinator to liaise with officials in the Western Cape and oversee projects in the province on its behalf (Brand, 2012: interview).

An examination of Gauteng's cooperation agreements lends itself to a similar interpretation. In particular, the many reviews and renewals to which the province's agreement with the French region of Île-de-France has been subjected speak volumes of the enduring relationship between the two sub-national entities, and the importance that Gauteng attaches to this partnership. Initially signed in 1997, the cooperation agreement between Gauteng and Île-de-France has been renewed three times, with the most recent extension taking place in 2011 after a rigorous review process that involved senior officials and technical teams from both sides (GPG, 2011b). A comparative analysis of the designated areas of cooperation contained in the different versions of the agreement reveals a progressive broadening of the scope of cooperation. More importantly, it suggests that the Gauteng provincial government (GPG) increasingly sees the French region as an important partner in its social development efforts. Since 2001, the GPG has successfully negotiated for the agreement to include cooperation in health and

education, arguably in recognition of Île-de-France's financial and technical contributions to a host of health and education-related projects in Gauteng. For example, the 2007 and 2011 renewals of the agreement make provision for continued cooperation in ongoing projects supported by Île-de-France in Gauteng, including a science development platform dubbed the Sci-Bono Discovery Centre, and a number of HIV/AIDS prevention interventions that have benefitted extensively from France's advanced technology and experience in containing the disease (GPG, 2007b; GPG, 2011c). Similar to the Western Cape-Bavaria partnership, the strategic nature of the relationship between Gauteng and Île-de-France has until recently prompted the latter to second one of its officials to the province to oversee the day to day implementation of the agreement. The official has since been withdrawn from Gauteng as part of cost-cutting measures by the French region, in the wake of the Euro-zone financial crisis (Netshandama, 2012: interview).

A further analysis of cooperation agreements as instruments of paradiplomacy in South Africa reveals other important insights about the international agency of provinces. Chief among these is the insight they provide into the degree to which the international relations of provinces have evolved over time. In the initial years of its formation, the international agency of South African provinces, as revealed by the foreign relations of Gauteng, the Western Cape and the North West, appeared to have been devoid of any significant strategic focus or guidance. Consequently, cooperation agreements were signed at virtually every contact with a foreign entity. In the excitement of conducting diplomacy for the first time, little consideration seems to have been given to the relevance of agreements to provincial development priorities or the insufficient capacity within provincial administrations to implement the many cooperation agreements that were entered into. This trend could also be attributed to the non-binding and flexible nature of this paradiplomatic instrument which, as Criekemans (2008: 19) has observed, encourages non-compliance from its signatories.

Thus, the records of all three provinces under study reveal large numbers of signed agreements that would qualify as ceremonial accords and were never followed through with concrete and sustained cooperation. Worthy of note is the fact that most of these dormant or symbolic agreements were signed in the first decade of the

provinces' international involvement. For example, a recent provincial review concluded that about 75% of the Western Cape's agreements signed with partners in virtually every region in the world between 1995 and 2006 were dormant, having failed to produce any concrete cooperation. These include cooperation agreements with the Busan Metropolitan City in South Korea, the Madeira Province in Portugal, St Petersburg City in Russia, and the province of Tunis in Tunisia (WCPG, undated; see also WCPG, 2012c). Although the North West appeared to have signed fewer agreements than both the Western Cape and Gauteng in the first decade of its international relations, it did not fare any better in their implementation. As a 2006 report on the province's foreign partnerships suggested, most of the agreements signed by the province during this period fell into disuse because the province had neither the technical capacity nor the institutional mechanism to support the implementation of these agreements. Hence, agreements like those signed with the Samara Region of Russia, the Kyongsangbuk-Do Province in South Korea, or Cuba's Santiago de Cuba were never implemented satisfactorily, if at all, and have since been abandoned (NWPG, 2006; see also NWPG, 2005a).

An entirely different trend seems to have emerged as provinces entered into the second decade of their paradiplomacy. If the experiences of the three case studies are anything to go by, this transition is of a positive nature, as it indicates a gradual maturity on the part of South African provinces in the exercise of their international agency. First, in an attempt to better focus their international relations and maximise the impact of these activities on provincial development efforts, this period has witnessed a drastic reduction in the number of new cooperation agreements signed by provinces. Instead, efforts are being made to review and consolidate existing partnerships. All three provinces have recently reviewed their cooperation agreements and in 2011, the premier of the North West placed a moratorium on the signing of new agreements to put emphasis on the implementation of existing ones (Mothobi, 2011: interview). In contrast to the over 15 cooperation agreements that the Western Cape had in its depository at the start of 2008, the outcome of the 2011 review process of its international commitments has focused the province's efforts on just six partnerships, signalling the provincial government's resolve to streamline its foreign relations. Another trend observed in the Western Cape's use of cooperation agreements, which also embodies the gradual improvement in the foreign relations

of South African provinces, is the growing preponderance of technical or issue-specific agreements even as the number of political agreements is cut down (WCPG, 2012c). The increasing resort to technical rather than broad political agreements means that international engagements could now be made relevant to specific provincial needs and be tailored to accommodate the capacity constraints of provinces. More importantly, technical agreements are project-oriented and their implementation is often the responsibility of clearly identified provincial departments or agencies. The combination of a narrow focus of cooperation and clear lines of accountability increases the chances of an agreement being successfully implemented and having a worthwhile impact on the respective province.

Another important dimension of the evolution of paradiplomacy in South Africa can be inferred from the cooperation agreements entered into by Gauteng, as well as those agreements the province is contemplating signing. This relates to the province's choice of foreign partners. Just like the North West and the Western Cape, Gauteng's long list of agreements signed since 1995 displays a strong bias in favour of partners in North America and Europe. Although the province had in the past entered into agreements with counterparts in Asia and Africa, very little attention had hitherto been paid to them, reflecting a past preference for Western partnerships, which were seen to be self-sustainable. As elaborately pointed out in the previous chapter, South African provinces have over the years developed a reputation for leveraging cooperation agreements and other forms of international partnerships to access financial and technical assistance in support of their development efforts. However, changing global dynamics are altering this preference. These include the perceived shift in economic fortunes from the West to the East, the emergence of a new wave of South-South cooperation embodied by blocs such as IBSA and BRICS, the recent financial and economic crisis in Europe and the new scramble for economic opportunities in Africa.

In response to the changing global environment, provinces are now re-orienting their foreign relations, taking steps to formalise new partnerships in previously overlooked regions, which are today touted as the new frontiers of economic prosperity. Thus, although Gauteng recently renewed and strengthened its cooperation agreements with traditional Western partners like the Île-de-France Region and the state of

Bavaria, one of the top international relations priorities of the province in recent years has been to revive, strengthen and formalise previously neglected partnerships in Africa, Asia and Latin America, while also exploring new ones. For example, the province has injected new energy into consolidating and implementing its cooperation agreements with its Chinese partners and the Congolese province of Katanga. It recently signed an MOU with the Chongqing Province in China, which is expected to boost economic cooperation between the two provinces (GPG, 2012b). It is also in the process of formalising new partnerships with São Paulo in Brazil and a number of provinces in Angola (Netshandama, 2012: interview). It is worth noting that the re-orientation in the provinces' foreign partnerships tends to also mimic the changing focus in South Africa's international partnerships. This underscores the strategic effort by provinces to define their international agency within the framework of South Africa's foreign policy and international relations. For example, since 2009 when Jacob Zuma took over the presidency of South Africa, Angola has become an important strategic and priority partner to South Africa, a development that partly explains Gauteng's renewed interest in formalising ties with provinces in the country. Generally, the same could be said of South African provinces' newfound interest in strengthening partnerships in Asia and South America, which seems to be motivated by the country's 2010 inclusion into the BRICS club of emerging economies.

It is befitting to conclude this section of the chapter by highlighting the role that the personality and world outlook of sub-national leaders play in shaping the choice of international relations partners. The experience of the Western Cape is very informative in this regard. It was discovered that between 2004 and 2008 when Ebrahim Rasool was premier of the Western Cape, most of the partnerships entered into by the province were with SNGs in predominantly Muslim countries. Provincial officials interviewed during the research attribute this preference to the Islamic religious beliefs and international ambitions of Rasool. As Premier of the Western Cape, Rasool is believed to have harboured 'ambitions to play an international leadership role in the moderate Muslim community' (Jika, 2011).

5.3 Foreign Visits

Complementing cooperation agreements as instruments for actualising the foreign relations of South African provinces are foreign visits. In the jargon of paradiplomacy

in South Africa, these official visits are classified as either inbound or outbound, depending on whether a province is receiving a foreign delegation or is sending abroad a delegation of its own. Although often overlooked in analyses of paradiplomacy in South Africa (see for example Zondi, 2012), inbound visits are central to the achievement of the international relations goals of South African provinces. Given the limited resources available to provinces, inbound visits afford them the opportunity to market themselves, explore potential partnerships and strengthen existing ones at a relatively lower cost, compared to outbound trips. In most cases, the visiting delegations bear the substantial cost of the visit. In broad terms, inbound visits as instruments of paradiplomacy fall under two categories – the working visits of like-minded SNG politicians and officials, and the courtesy calls of heads of state and government.

The experiences of Gauteng, the Western Cape and the North West provinces suggest that the purpose and nature of incoming visits by representatives of other SNGs mirror the outbound trips of provinces, which are analysed below. For example, in recent times, the North West has received delegations from a number of its foreign partners including the Henan province of China, the Canadian province of Manitoba, the Samara region of Russia and the state of Maryland in the US. In all these cases, the delegations have been led by the chief executive officers of the SNGs and were composed of senior government officials, bureaucrats and business representatives, reflecting the multipurpose and functional nature of these visits as detailed below (NWPG, 2006). Likewise, Cornelissen (2006: 131) estimates that from 1998 to 2002, Gauteng's trade and investment promotion agency, GEDA, played host to a minimum of 33 business delegations from over 18 different countries representing all the regions in the world.

For their part, high-profile visits by heads of state and government take place exclusively in the context of official state-to-state engagements. This explains why most of these visits have been recorded in politically significant provinces like Gauteng and the Western Cape. It should be recalled that the former is the seat of the South African Government and is home to a large number of diplomatic missions accredited to Pretoria. Equally, the city of Cape Town in the Western Cape is the location of Parliament, where the country's foreign guests are sometimes received.

As Geldenhuys (1998:44-45) correctly observed, the visits by heads of state and government to provincial premiers should be seen as falling under the standard diplomatic practice of making courtesy calls on leaders of host provinces or cities. To this end, Gauteng has received an impressive number of presidents, royals and prime ministers from a variety of African, Asian, European and Latin American countries, including Namibia, Senegal, Sweden, Brazil and India. Among the foreign dignitaries that have visited the Western Cape are the former British prime minister, John Major, the Queen of Denmark, and presidents from Brazil and Portugal.

The above context notwithstanding, it would be misleading to conclude that incoming visits by foreign heads of state and government serve a ceremonial purpose only. On closer examination, some of these so-called courtesy calls offer diplomatic opportunities which could be leveraged by host provinces to further their development objectives. In particular, twinning partnerships between South African provinces and their counterparts abroad have either been initiated or strengthened during such high-profile courtesy visits. For example, when President Susilo Yudhoyono of Indonesia visited South Africa in March 2008, he interacted with the leadership of the Western Cape, even offering to build a library in Cape Town. Besides this direct positive outcome, President Yudhoyono's visit to the province was also instrumental in reviving cooperation between the Western Cape and the Indonesian province of South Sulawesi, which was initiated in 2005 (WCPG, 2008a).

From the perspective of our three case studies, outbound visits, like cooperation agreements, are multipurpose instruments which are used to achieve different international relations goals and thus tend to take on different forms. The most prominent of these are the official business missions led by the provincial premier. It must be underlined that although provincial ministers, members of provincial legislatures, as well as other officials in provincial departments and agencies traditionally form part of a premier's delegation visiting foreign countries, these politicians and officials conduct regular foreign visits of their own as part of their international engagements. A single business trip could at the same time be used to explore economic and other opportunities such as development assistance, as well as establish new partnerships or review and strengthen existing ones. It could also

take the form of a study visit, affording provincial officials the opportunity to learn from the governance and development experiences of their international partners.

An average business trip led by the provincial premier, which normally lasts for a week, has a delegation of no fewer than ten senior political principals and technical staff drawn from different provincial departments and agencies. In yet another indication of the inextricable link between the foreign relations of provinces and South Africa's diplomatic architecture, these business missions are customarily planned and coordinated on the ground in conjunction with the relevant South African embassies or consulates. The latter play a crucial role in ensuring that provincial visits and activities abroad conform to applicable diplomatic protocol. More importantly, and given the predominantly economic development focus of these foreign trips, embassy staff also make use of their knowledge of and contacts in the host country to facilitate the organisation of investment seminars, participation in business expos, and holding of meetings with potential investors, funders and importers (Anonymous GEDA official, 2012: interview).

However, it was also discovered that provinces like the North West and the Western Cape have at times outsourced the responsibility for organising business missions to private consulting firms, a practice that has always been frowned upon by the national government, allegedly because of the dubious character of these firms (see for example WCPG, 2012b: 38). Meanwhile, until recently, Gauteng's official trade and investment promotion agency, GEDA, maintained foreign offices in the United States, Brazil and the United Kingdom, which were used to gather business intelligence, explore economic opportunities and market the province in these countries and the surrounding regions. These offices were also instrumental in facilitating and optimising the impact of the province's business trips to these countries. However, a decision was later taken to shut down these offices primarily because they had become too expensive to operate, but also because of perceptions by the national government that they constituted a waste of resources and an unnecessary duplication of the presence of the national department of trade and industry, which also has offices in these countries (Anonymous GEDA official, 2012: interview).

As one of the most indispensable instruments available to provinces in the exercise of their international agency, foreign trips, in the form of high-level multipurpose business delegations led by premiers, have become a major highlight in the official calendars of provinces. In recent years, each of the provinces under review has undertaken at least one such visit annually to promote their respective interests abroad. For example, during the 2007/2008 financial year alone, the then premier of Gauteng, Mbazima Shilowa, led four different provincial delegations to visit different parts of the world and for a variety of purposes. These included a visit to Bavaria to promote Gauteng's automotive industry; another visit to Moscow to sign a cooperation agreement; as well as a separate trip to Dubai, which was used primarily as a study tour in preparation for the province's participation in hosting the 2010 FIFA World Cup and to inform Gauteng's development planning in the area of focussed city hubs. A fourth visit by the premier was to the Katanga province of the DRC, to strengthen the partnership between both provinces. It is worth noting that during the same financial year, other delegations of senior and junior officials from Gauteng undertook separate foreign trips to Île-de-France to learn from the French region's experience in hosting the Rugby World Cup, as well as to Abu Dhabi to promote Gauteng's trade and investment opportunities (GPG, 2008: 40).

Since taking over the premiership of Gauteng in 2009, Nomvula Mokonyane has followed in the footsteps of her predecessors, leading official business delegations to foreign countries. For example, in 2009 she led a delegation of senior provincial politicians and officials for a week-long visit to Italy and Germany, to promote the province and strengthen ties with foreign partners (GPG, 2009b). Similar visits were undertaken in 2011 and 2012 to France and China respectively (GPG, 2011b; GPG; 2012). However, the frequency of her foreign trips does not match that of her predecessors, revealing a country-wide trend that reflects the efforts of current provincial administrations to rationalise their foreign relations in the wake of concerns over the abuse of this paradiplomatic instrument. A review of the foreign trips undertaken by the current premier of the Western Cape further highlights this development. Available information suggests that since becoming premier of the Western Cape in 2009, Helen Zille has customarily undertaken not more than one foreign visit in any given financial year. For example, in the 2009/2010 financial year, she visited Germany to strengthen ties with Bavaria and engage with potential

foreign donors in Bonn. In the following financial year, she led a business delegation to Saudi Arabia and the United Arab Emirates to explore trade and investment partnerships (WCPG, 2010: 2-3; WCPG, 2011a: 13). Conducting an average of one foreign trip per year represents a significant departure from the tradition of her predecessors. For example, the 2007/2008 annual report of the Western Cape Premier's Office indicated that the premier made seven overseas visits during that financial year, although the report also pointed out that most of these trips were at the invitation of the province's foreign partners who bore the cost (WCPG, 2008b: 2).

Foreign visits could be considered as the engine that propels paradiplomacy, in the same way that they have facilitated traditional state-to-state diplomacy for centuries. It would be difficult to imagine a successful international role for provinces in the absence of the ability of sub-national officials to travel abroad. In fact, virtually all other mechanisms for actualising paradiplomacy, including the signing and review of cooperation agreements, hinge on the sending and receiving of official delegations. Even so, the use of foreign trips by South African provinces in pursuit of their international relations goals has over the years posed one of the greatest challenges to the development of the international agency of the latter. As discussed in the previous chapter, the absence of effective control and monitoring mechanisms in the early years of the provinces' international relations created strong incentives for officials in the various provinces to conceive of official foreign trips as opportunities for conducting their private business overseas at no cost to them. This partly explains the proliferation of so-called study tours by provincial government departments and legislatures to predominantly Western and Asian countries during the late 1990s and early 2000s, with significant consequences for the evolution of paradiplomacy in South Africa.

In light of the sensitivity of the subject, it was extremely difficult to obtain specific information to confirm and appreciate this dynamic in the individual provinces under review. However, insight into the practice and how this has affected the development of the international agency of provinces could be inferred from the limited general reviews of provincial and municipal international relations in South Africa. For example, a 2006 report prepared for the then South African Department of Provincial and Local Government by the European Commission delegation in South Africa

identified a number of problems with provincial and municipal international relations in South Africa, which were directly attributed to the mismanagement of foreign trips. The report observed that there was a tendency for politicians and officials alike to abuse foreign trips for their own ends, suggesting that in some instances, 'the intention in organizing an international visit is to have a holiday or reward friends' (European Commission, 2006: 5). Based on the testimonies of provincial and municipal officials, the report proceeds to argue that supposed study tours or trade and investment missions by provinces and municipalities sometimes turned out to be disguised tourism adventures, with no reports generated at the end to give account of the lessons learnt or business opportunities created (European Commission, 2006: 2-5).

The tendency by sub-national officials to abuse foreign trips to serve their own interests has had an important influence on the development of provincial international relations in South Africa. The practice encouraged duplicated and often overlapping visits by delegations of South African provinces and municipalities to the same foreign destinations, which caused international embarrassment to the national government. Coupled with public perceptions that the costs of foreign trips to the taxpayer outweighed the developmental returns, the diplomatic humiliation associated with the uncoordinated foreign visits of provinces and municipalities forced the national government to adopt tighter measures to bring greater coherence and efficiency to provincial and municipal diplomacy. For example, the Measures and Guidelines for Enhanced Coordination of International Engagements, which were adopted by the national cabinet in 2008, require provinces to register their international visits in the annual events calendar of the Consultative Forum on International Relations in advance to undertaking such visits. Furthermore, in order to optimise the benefits of foreign trips and reduce the prospects for duplication, the guidelines require provincial officials to submit detailed reports of their foreign trips to DIRCO within a month of such visits (DIRCO, 2008).

Today, the provinces of Gauteng, the North West and the Western Cape have internalised these measures and adopted additional guidelines to strengthen the usefulness of foreign visits as instruments of paradiplomacy. For example, the Western Cape's draft policy framework for international relations requires all official

overseas visits undertaken by the premier or provincial ministers to include an official from the provincial International Relations Directorate. Among other things, the official is expected to return from the trip with a substantive record of the highlights and outcomes of the visit. This is intended to correct a trend that is prevalent in the province, which sees foreign visits by politicians not properly documented, encouraging duplicated and uncoordinated international visits by provincial departments (WCPG, 2012b: 7).

5.4 Membership of Multilateral Organisations and Networks

The foreign relations of South African provinces also find expression through multilateral engagements. Although these sometimes take the form of participation in forums whose membership is also shared with sovereign states, the networks with which provinces principally identify themselves are constituted exclusively by like-minded SNGs. Membership of multilateral organisations and networks is instrumental in developing the international agency of provinces in at least three principal ways. In the context of the objectives of paradiplomacy outlined in the previous chapter, the greatest value of these forums lies in their contribution to deepening the benefits of the international experience of provinces. This is because the multilateral networks provide a platform for provinces to cooperate with an enlarged cast of actors, some of whom they do not or cannot afford to have bilateral relations with. For example, most South African provinces, including Gauteng, the North West and Western Cape Provinces, are members of the Commonwealth Parliamentary Association (CPA), which brings together legislators from national and sub-national governments from former British colonies. Through this forum, members of provincial legislatures receive training and learn from the experiences of their peers from more than 50 countries. In the context of the limited human and financial capacity of provinces, as well as other political considerations, it would be virtually impossible to maintain bilateral cooperation with all the actors involved in this forum.

Provincial participation in international networks whose membership is exclusive to SNGs also presents the same advantage of broadening cooperation without necessarily increasing the number of formal partnerships. For example, the Western Cape is a member of the Regional Leaders Forum (RLF), which was initiated in

2002. According to the Western Cape provincial government, the RLF is a network of ‘seven regional governments with the aim of fostering productive information sharing as well as seeking opportunities for bilateral and multilateral commitments to joint projects and programmes in areas of common interest’ (WCPG, 2012d). The forum meets biennially at the level of the chief executives of member regions, during which progress on agreed areas of cooperation is reviewed and the framework for future cooperation is set. The 2010 summit was hosted in Cape Town, in the Western Cape. In addition to the Regional Leaders’ Summits, cooperation also takes place at the level of a Steering Committee, which serves as the coordinating body of the forum and conducts yearly follow-ups on the implementation of the programmes set by the summit. At its initial meeting in 2002, the RLF also agreed to set up a Working Group of regional ministers in charge of sustainable development (RLF, 2002: 8-9).

Table 7: Members of the Regional Leaders Forum

Member region	Country
Bavaria	Germany
Georgia	United States of America
Quebec	Canada
São Paulo	Brazil
Shandong	China
Upper Austria	Austria
Western Cape	South Africa

As Table 7 illustrates, the RLF is made up of SNGs from major countries around the world, which come to the forum with diverse experiences in governance and development. It should be noted that three of these regions, Quebec, Georgia and São Paulo, do not yet have any formal partnership with the Western Cape, making this multilateral framework a significant supplement to the province’s bilateral partnerships. For the Western Cape, the RLF is an important and cost-effective platform for learning from the development experience of this diverse group of actors, while also joining forces with them to explore solutions to common challenges in areas such as renewable energy, food security and public transport. Additionally, through joint workshops and other forms of exchanges, the forum brings different

sectors in the province, including youth, students, scientists and the business community, into mutually beneficial contacts with their counterparts in the other participating regions. For example, in May 2008, a group of journalists from the Western Cape joined their counterparts from Quebec, Bavaria, Georgia and Upper Austria to participate in a Newsweek Project in Upper Austria, which focused on creating awareness of the role of media in intercultural dialogue (RFL, 2008: 5).

Another significance of the RLF as an instrument of the Western Cape's paradiplomacy relates to the role the forum plays in developing and sustaining the province's bilateral relations. It has already been noted that one of the weak links in the foreign relations of South African provinces is the challenge to follow up on commitments made to external partners owing to a variety of reasons, including insufficient resources and the absence of sustained political will. Considering that the RLF has the commitment of the top political leadership of the participating regions, it has turned out to be one of the most reliable points of contact between the Western Cape and the outside world, as well as a source of dynamic and innovative cooperation. Consequently, the forum not only provides an opportunity for regular consultations between the Western Cape and member regions with which it has bilateral partnerships, but also contributes to articulating and updating the substantive agenda for these partnerships. It therefore comes as no surprise that the Western Cape's agreements with Bavaria, Upper Austria and Shandong, all of which are members of the RLF, are among the most dynamic of its bilateral partnerships. The fact that the Western Cape is currently contemplating entering into a bilateral agreement on tourism cooperation with São Paulo, another member of the RLF, suggests that the interactions in the network could also be instrumental in establishing new bilateral partnerships (see WCPG, 2008a; WCPG, 2012c).

Gauteng's experience with multilateral networks of sub-national governments approximates that of the Western Cape and further substantiates the argument that these mechanisms are instrumental in extending the boundaries and, of course, the benefits of provincial international cooperation. Gauteng is a member of both the Metropolis Association and the World Regions Forum (WRF). The former is a leading international organisation that gathers cities and metropolitan regions from across the world. Created in 1985, the Metropolis Association currently has a

membership of about 120 cities and regions, and primarily serves as a platform for mutual learning, innovation, resource mobilisation and debates, in the context of promoting integrated development and governance (Metropolis, 2010). As an aspiring global city-region, which is anchored in a vision of greater coherence and complementarity among the different economic spaces and governance structures and processes within the province, Gauteng stands to benefit a lot from the activities of the Metropolis Association.

The WRF, of which Gauteng is also a member, is a loose network of 21 regional governments (see Figure 12 below), which was initiated in 2009 by the Italian region of Lombardy, in the wake of the 2008 global financial crisis. The WRF provides its member regions with flexible and non-bureaucratic platforms for joint policy development and thematic cooperation in areas of common interest such as promoting a knowledge-based economy, environmental sustainability and healthcare. Cooperation within the WRF takes place at different levels, including biennial summits of the top political leadership of member regions; a Joint Working Team of high-ranking officials, which meets in between the summits of leaders to follow-up on agreed areas of cooperation; as well as thematic workshops involving representatives from the private sector (WRF, 2011). In addition, cooperation among partner regions of the WRF also takes the form of online networking and information sharing, as well as video conferencing (Netshandama, 2012: interview).

Like the Western Cape's participation in the RLF, Gauteng's membership of the WRF is central to the diversification and enrichment of the province's international cooperation experience. As Table 8 demonstrates, the network is made up of SNGs from different national settings, most of which do not have bilateral relations with Gauteng. Some of these regions have been around for a very long time and thus come to the forum with extensive experience in addressing some of the development challenges facing Gauteng. Besides, the WRF also serves as a catalyst for invigorating Gauteng's bilateral partnerships with member regions such as Shanghai, Bavaria and Lombardy.

Table 8: Members of the World Regions Forum

Member region	Country	Member region	Country
Illinois	USA	Shanghai	China
Massachusetts	USA	Singapore	Singapore
California	USA	Buenos Aires	Argentina
Madrid	Spain	São Paulo	Brazil
Catalunya	Spain	Nuevo Leon	Mexico
St Petersburg	Russia	Quebec	Canada
Gauteng	South Africa	Maharashtra	India
Abu Dhabi	United Arab Emirates	Baden-Württemberg	Germany
Rhône-Alpes	France	Lombardy	Italy
Gyeongji	South Korea	New South Wales	Australia
Bavaria	Germany		

There is evidence to suggest the North West province has also experimented with membership in a loose network of like-minded SNGs. However, unlike the case with Gauteng and the Western Cape, the North West's experience with this instrument of paradiplomacy remains underdeveloped, most probably because of internal resource and capacity constraints and its low international profile. As part of a cooperation agreement signed with the Gyeongsangbuk-do province of South Korea, the North West was invited in 2001 to join the sisterhood partnership established by the Korean province, which connects all her international partners in a predominantly cultural network. Under the auspices of the Gyeongsangbuk-do province, these entities meet annually to showcase and learn from each other's culture in the Gyeongju World Culture Expo. Although the North West is reported to have participated in the 2001 cultural expo, its subsequent engagement with the network has been erratic and frustrating to the Koreans. For example, the cultural group that was supposed to represent the province in the 2003 edition of the Gyeongju World Culture Expo, the Ndlovu Link cultural group, failed to honour the invitation, prompting their Korean counterparts to express disappointment with the attitude of the North West towards their overall partnership (NWPG, 2009a).

In addition to the opportunities it offers for tangible cooperation, membership of transnational networks of SNGs also plays a motivational role for participating South African provinces. This is because networks of SNGs such as the RLF and the WRF are instrumental in cultivating solidarity among their members, while also serving as institutions for political socialisation. According to the constructivist perspective of international relations, intergovernmental organisations (IGOs), on which forums of SNGs are loosely modelled, do have significant constitutive effects on the behaviour of their member states. In other words, as Mitchell (2006:7-10) argues, IGOs fulfil a socialising function among their members by legitimising a set of ideas, values and norms, which tend to shape the identities, interests and preferences of their members. Similarly, Lecours (2002:103) has observed that networks of SNGs play an important role in shaping and developing the international role of their members.

In the case of the networks to which South African provinces belong, the role of the experienced, relatively well-resourced and nationalistic regions from Europe and North America in shaping the socialisation process in these forums cannot be overlooked. As Happaerts, Van den Brande and Bruyninckx (2011: 326-327) have pointed out, the historical and institutional context within which these regions operate has conditioned their international relations to generally have a political dimension. Consequently, most of them boast of an impressive track record of leveraging their membership of transnational networks to influence inter-state policies and develop a distinct international profile. A classic example in this regard is Quebec, which happens to be a member of both the RLF and the WRF. As highlighted in the second chapter of the thesis, the foreign relations of Quebec, especially its participation in international organisations and transnational networks, are part of a domestic identity project, which drives the province to seek greater autonomy within the Canadian federation, accompanied by an enhanced international profile.

It therefore comes as no surprise that both the RLF and the WRF advocate for more autonomous SNGs, and are increasingly positioning themselves as alternative sources of influence on international policy debates. For example, ahead of the World Summit on Sustainable Development that was held in South Africa in 2002, the RLF adopted a resolution that among other things called for the United Nations to declare the period 2003 to 2012 as the International Decade for Sustainable

Development. At the same meeting that was held in Munich in January 2002, the RLF also adopted a declaration on the 'Dialogue of Cultures', which sought to influence UNESCO to adopt an international legal instrument that would contribute to safeguarding cultural diversity in the face of deepening globalisation (RLF, 2002; RLF, 2004). The emerging personality of the WRF is imbued with a similar international activism, albeit with a bias towards global economic governance. At the second summit of the WRF held in Milan in September 2011, leaders of participating regional governments argued in favour of 'a stronger focus on multilevel governance, in which regions and metropolitan areas are recognised as protagonists and allies of traditional state systems'. More importantly, the final declaration issued at the close of the summit called for the 'strengthening of the role of regional and sub-national governments in global governance', in recognition of their growing contributions to the stabilisation of the global economy (WRF, 2011).

A case could be made to the effect that South African provinces participating in these networks tend to draw inspiration from the political solidarity and activism generated within the forums to become more assertive and adventurous both in their approach to intergovernmental relations within the country, as well as in their international outlook. For example, Gauteng's ambitions of becoming a catalyst for greater cooperation among SNGs in Africa, although still faced with many challenges at the operational level, could arguably be linked to its involvement with networks like the WRF. As part of its grand strategy to promote the continental integration vision of NEPAD, the province envisages the establishment of a transnational network of African SNGs under its tutelage. The essence of the concept is that Gauteng would take the lead in creating a regional network, similar to the global forums to which it currently belongs, but which focuses exclusively on issues that are unique to the continent. It is also worth underlining that Gauteng had planned, but without success, to host a governance conference of SNGs from across Africa in 2011. The conference was to be organised along the lines of similar forums convened among US state governments, in which Gauteng occasionally has the privilege to participate (Netshandama, 2012: interview). While the failure to organise the conference points to the existence of underlying constraints to the province's ability to translate its grand visions into reality, ideas such as this nonetheless illustrate an emerging

dynamism in the province's international agency, which could be partly attributed to the constitutive effect of its membership of transnational networks.

5.5 Collaboration with the National Government

Collaboration between SNGs and their national governments on matters of international relations are not uncommon. As highlighted in the reviewed literature, this is the case even in Europe and North America where, because constituent units generally perceive themselves as co-custodians of their countries' foreign policies, they are more inclined to autonomous foreign actions to give expression to that entitlement. For the most part, collaboration, or more precisely, partnerships with national governments in the conduct of foreign relations, are also seen in this light, that is, they predominantly serve as mechanisms to entrench the foreign policy influence of SNGs. For example, the partnership between Quebec and Canberra, as well as those between German and Belgian regions and their respective federal governments regarding participation in UNESCO, have generally been founded on the determination of these SNGs to influence their countries' official positions in this forum (see Michelmann, 2009: 350).

In the case of South Africa, collaboration between provinces and the national government on international relations is rarely motivated by a desire to access the foreign policy space. As pointed out in the introduction to this chapter, South African provinces define their external relations role, even if they sometimes do so grudgingly, as an expression of Pretoria's foreign policy, on which they have very little influence. As such, collaboration with the national government in their paradiplomacy approximates that between Chinese provinces and their national government (see Zhimin and Junbo, 2009: 16). In this context, collaboration with the national government becomes relevant only to the extent that it contributes to mitigating some of the major operational challenges to paradiplomacy. To this end, South African provinces use their collaboration with the national government largely to benefit from the latter's diplomatic clout and networks, as well as access much-needed resources and technical expertise.

Collaboration between provinces and the national government on foreign relations is most common in the domain of commercial diplomacy. Available evidence suggests

that provinces often collaborate with national government departments and agencies, as well as South Africa's diplomatic missions, to promote their economic interests abroad. This takes the form of organising joint trade and investment promotion missions, and partnering in participating in or hosting trade, investment and tourism exhibitions. For example, there is a standing partnership between the national Department of Trade and Industry (DTI) and provincial trade and investment promotion agencies, which has been instrumental in assisting the latter in executing their mandate by giving them access to the resources, expertise and foreign networks of the DTI. As part of this partnership, the DTI regularly funds outbound missions by these agencies and also takes them on board its own foreign missions and exhibitions (Maclennan, 2012: email conversation). For instance, Gauteng, the North West and the Western Cape all formed part of the trade and investment expos that were hosted under the auspices of the DTI in 2008 in Beijing, Hong Kong and Shanghai (DTI, 2010). As testified by an official in Gauteng, provincial trade and investment agencies have become more inclined to designing and executing their foreign activities in collaboration with the DTI largely because of the financial incentives (Anonymous GEDA official, 2012: interview).

In addition to their traditional role of facilitating foreign trips from a logistical and diplomatic perspective, collaboration between provincial governments and South Africa's diplomatic missions abroad is also increasingly becoming relevant for economic diplomacy. As South Africa's foreign missions gradually catch up with the global trend and redefine their roles to incorporate the functions of 'foreign economic outposts', they have become strategic to paradiplomacy. Provinces like Gauteng, which was forced by expediency to close its overseas trade and investment promotion offices, are now turning their focus to exploiting the locational advantages of South Africa's embassies and consulates. Embassy and consular staff have become instrumental in gathering business intelligence, marketing individual provinces and linking them to the business communities and opportunities in host countries (Anonymous GEDA official, 2012: interview; Seokolo, 2012: interview). For example, the South African consulate in Shanghai has been key to the successful participation and exhibition of provinces at the annual Shanghai World Expo (NWPG, 2010a).

Akin to the Chinese experience, collaboration between South African provinces and the national government also takes the form of provinces serving as the executing agents of the international cooperation agreements signed by the latter. It was observed in the previous chapter that South Africa's active internationalism at the end of apartheid provides an important window of opportunity for its constituent units to develop an international presence. In addition to creating a favourable diplomatic environment for relatively autonomous international adventures such as described above, South Africa's many multilateral and bilateral partnerships also provide a framework for provinces and municipalities to have contacts with the outside world by becoming the implementation sites of cooperation agreements signed between South Africa and its foreign partners. The North West, Gauteng and the Western Cape are among many South African provinces whose international agency has to a significant extent been developed around the diplomatic frameworks of the national government. Three such cooperation partnerships are analysed below to illustrate their contribution to paradiplomacy in South Africa. They include cooperation agreements entered into with Canada, Finland and Cuba.

In 1996, the South African government and the Canadian International Development Agency (CIDA) signed an agreement that committed the Canadian government to supporting efforts to build the governance and service delivery capacity of the newly democratising South Africa. Given the developmental mandate accorded to provinces and municipalities in the post-apartheid South African constitution, the national government has had to turn to its constituent units for the implementation of agreements of this nature. Consequently, together with a number of national departments, the North West and Gauteng were among six South African provinces identified to provide the executing capacity for the pact between the South African government and its Canadian counterpart. The highlight of the implementation of the agreement was a capacity-building programme administered by the Institute of Public Administration in Canada (IPAC), which made use of seminars, workshops, study tours and other skills transfer mechanisms to develop the governance capacity of participating provinces (Proctor and Sims, 2001: 5-9).

The implementation of the development cooperation agreements between the South African government and its Cuban and Finnish counterparts is also instructive in

appreciating the significance of national-provincial collaboration in paradiplomacy. In November 2004, the governments of Cuba and South Africa signed a cooperation agreement, which committed the former to providing technical assistance for the construction of low-cost houses in South Africa. Under this framework, the Cuban government made available technical advisors – engineers and architects – to participating South African provinces upon the approval of their requests by the national Department of Housing (RSA, 2004). All three provinces under study have drawn extensively from this framework agreement to develop their capacity in addressing the huge housing backlog in the country.

In the case of South Africa's development cooperation agreement with Finland, the North West province served as the implementation site for a major six-year project on environmental conservation and sustainable development, which included study tours to Finland, as well as training workshops and conferences. According to former officials in the North West, although the project was executed in the province, its outcomes, in terms of improved capacity to deal with environmental conservation and the broader question of sustainable development, have had a national appeal (Seokolo, 2012: interview; wa Magogodi, 2012: interview).

A number of observations are worth highlighting in regard to the role of provinces as executing agents of South Africa's bilateral cooperation agreements. Firstly, there is a tendency for the international partnerships that provinces establish using Pretoria's official diplomatic channels to evolve away from the original framework to develop an autonomous character. The North West province's relations with the Canadian province of Manitoba under the auspices of the South African-Canadian development cooperation provide a classic case. It should be noted that part of the cooperation programme entailed forming twinning relationships between Canadian provinces and their South African counterparts. In this regard, the North West was twinned with Manitoba while Gauteng was paired with Ontario. Available evidence suggests that Gauteng failed to build on its partnership with Ontario (see Proctor and Sims, 2001: 9). In sharp contrast to this, the North West has since 2001 exploited both the programme and the twinning arrangement to develop what is arguably its most productive and sustained international partnership. Although the initial cooperation programme supported by CIDA and partly executed by the IPAC

elapsed in 2003, relations between the North West and Manitoba have remained relatively strong, even outliving changes in the political leadership in both provinces. More importantly, the areas of cooperation between the two provinces have since moved beyond the narrow focus of strengthening capacity for governance and service delivery to include cooperation between the investment agencies of both provinces, as well as a proposal to collaborate on a climate change initiative under the auspices of the UNDP (NWPG, 2011a).

Secondly, paradiplomacy conducted within the framework of South Africa's bilateral development cooperation programmes tends to demonstrate a greater degree of efficiency, success and lasting impact compared to the more autonomous types. This could largely be explained by the extra diplomatic support, financial and technical resources, as well as the political commitment that these relations receive from the participating national governments and their agencies. In the words of senior Canadian officials with direct experience in the South Africa-Canada development partnership programme described above:

...the [programme] plays several roles in supporting twinning [between provinces]. It helps to focus exchanges on areas that are critical to the development of governance capacity. It advises on how best to undertake specific projects. When changes in governments occur, or individual senior officials in either countries change jobs, the [programme] re-knit connections that have been broken. It funds the exchange visits, makes the travel and accommodation arrangements, briefs officials for their assignments, and debriefs participants at the end of each project (Proctor and Sims, 2001: 10).

However, there is a need to insert a little caveat here. While the above testimony points to significant support from foreign governments and their agencies, which tend to drive these partnerships, this does not necessarily suggest that the same level of support and commitment is displayed by national departments and agencies in South Africa. If anything, limited evidence suggests that capacity challenges in national departments have at times served as disincentives to initiate such trilateral partnerships. For example, in 2010 the provincial government in Gauteng submitted a proposal to the national treasury, requesting funds to initiate a development assistance programme in support of the health services of the Katanga province in

the DRC. Despite the fact that the objectives of the application perfectly dovetailed with South Africa's post-conflict reconstruction commitments to the DRC, the proposal was turned down by the national treasury. According to officials in Gauteng, whose identity will not be disclosed here, the primary reason given for this decision was that the Department of Health, which in principle should have administered the programme, did not have the capacity to play such a role at the time.

A third and final observation is that as instruments of paradiplomacy, national-provincial collaborations of this nature not only contribute to the development of the international agency of provinces, but also have the potential to portray South Africa in a positive light among its foreign partners and enrich its foreign relations. By incorporating provinces into South Africa's bilateral cooperation, it could also be argued that these collaborations are strategic in guaranteeing continuity in the country's state-to-state relations. As Zhimin and Junbo (2009: 20) have rightly observed, in most polities, national officials and politicians often begin their careers in local and provincial governments. This is not different in South Africa where former premiers of Gauteng like Tokyo Sexwale and Paul Mashatile, as well as that of the North West, Edna Molewa, have moved on to become ministers in the national government. Incidentally, Molewa, under whose premiership the North West became involved in the South Africa-Finland development partnership on environmental conservation and sustainable development, currently serves as South Africa's environment minister. It is likely that she will seek to leverage the bonds created through the North West's involvement in that partnership to consolidate South Africa's bilateral cooperation with Finland on issues of environmental conservation and sustainable development.

5.6 Exchanges with Foreign Communities in South Africa

Some of the international activities of South African provinces fall under the category of what is referred to in the literature as 'indirect paradiplomacy', as they do not require direct contact with the outside world. Paradiplomacy in this case takes the form of exchanges with the emissaries of foreign governments or organisations (diplomats or other expatriates in the service of their governments or organisations) residing and operating in the respective provinces or South Africa at large. This form of paradiplomacy tends to be more frequent and sometimes expresses itself through

less structured channels, including brief courtesy visits and informal meetings with provincial officials, given the proximity and familiarity of the foreign envoys with the local environment. This is the essential characteristic that distinguishes this instrument from the *inbound visits* discussed above.

As the experience of the North West demonstrates, diplomatic rapports of this nature play an important support role to broader engagements between provinces and their international partners. Regular exchanges between provincial officials and the Botswana Consulate in the North West, for instance, have been used to complement joint efforts between the province and the government in Gaborone to address cross-border issues, most notably the dispute involving villages in the Makgobistad area of their shared border. Similarly, the North West has in the past used consultations with Cuban technical advisors serving in the province on behalf of their government to explore options for formalising cooperation with the Cuban province of Santiago de Cuba (NWPG, 2005c).

Recognising the important role of foreign missions in economic diplomacy, contacts between provincial officials and resident envoys are increasingly being used as channels through which provinces explain their development visions and market themselves to the diplomatic corps. In the North West province, this kind of diplomatic consultation takes place on a predominantly *ad hoc* basis. For example, in September 2011, the premier of the North West hosted a delegation of ambassadors from Southern African countries accredited to South Africa. Thandi Modise used the consultation to explain her vision to transform the North West into a gateway to and a bread basket of Southern Africa. This, according to the premier, will be achieved by leveraging the province's proximity to Botswana and Namibia for greater cooperation with the rest of the region, on the basis of the North West's mineral, agricultural and tourism potential (NWPG, 2011b).

It is, however, in the provinces of Gauteng and the Western Cape that diplomatic consultations have been institutionalised as strategic forums for economic diplomacy. Both provinces have taken advantage of their status as the seats of the executive and legislative branches of government to institute regular dialogues with the diplomatic community, during which their respective development visions are laid out, and opportunities for trade, investment, tourism and other forms of cooperation

are mutually explored. In the case of Gauteng, the premier and her/his provincial cabinet meet with members of the diplomatic corps twice a year (Netshandama, 2012: interview). In addition to regular engagements with consular representatives in the province, the Western Cape government also convenes an annual dialogue with the entirety of the diplomatic community in South Africa on the sidelines of the President's State of the Nation Address (SONA) (Mabuda, 2012: interview). The address is customarily delivered in Parliament, which is located in the Western Cape provincial capital city of Cape Town. In line with standard diplomatic practice, the SONA is usually attended by all heads of mission accredited to South Africa.

Otherwise referred to as the *Diplomats Brunch*, these annual forums have traditionally served as mechanisms for the province to seek buy-in and support for its development agenda from foreign partners. Interestingly, they have on some occasions been used as public relations instruments to cultivate and project a positive image of the province in the eyes of foreign governments and audiences. For example, at the 2007 edition of the Diplomats Brunch, the then premier of the Western Cape, Ebrahim Rasool, used his address to outline the 'phenomenal' economic performance of the province and expose diplomats to the opportunities for doing business in the Western Cape. The speech was also used to convey a message of cohesion, stability and unity of purpose about the Western Cape to participating diplomats. This was in the context of the province's often troubled reputation as the site for the final battle between erstwhile apartheid forces and the new ANC leadership. In particular, Rasool sought to downplay media reports about political tensions between the ANC-led provincial government and the city of Cape Town, which is governed by the DA (WCPG, 2007).

The diplomatic dialogues of Gauteng's provincial government also occasionally adopt a public relations slant, with a particular focus on redeeming the province's international image, which is often associated with violent crime. A case in point is the February 2012 forum convened by Gauteng's Department of Community Safety. The dialogue provided a platform for senior officials in the province to engage with embassies, consulates and the business community on their perception of the crime situation in the province (Dlamini, 2012). In 2010, Gauteng was ranked as the most dangerous province in South Africa (Evans, Prince and Nair, 2010), a reality that is

seen to interfere with the provincial government's efforts to fast-track economic development through attracting foreign direct investments and international tourists.

5.7 International Destination Marketing or Branding

In her seminal analysis of the entrepreneurial activities of South Africa's metropolitan provinces and their capital cities, Cornelissen (2006: 133) identifies and describes international marketing and branding as instruments used by provinces to promote their economic interests, distinct from traditional forms of economic diplomacy. This form of international activity, otherwise known as place branding or destination marketing, centres on profiling a particular province and drawing attention to its unique features. This is expected to give the province a competitive identity and image, making it more attractive for investors and tourists, than other national or international destinations.

Each of the three provinces under review tries to brand and market itself differently, based on perceived comparative advantages. For example, with its captivating natural features such as Table Mountain, which was recently voted one of the Seven Wonders of Nature, a significant component of the Western Cape's branding project is constructed around an image of the province as a prime tourist destination and a natural location for film production. Although Gauteng is in competition with the Western Cape for the position of the leading provincial destination for international tourists, its international destination marketing campaigns focus less on its natural heritage. Instead, there is an attempt to leverage the fact that Gauteng and its urban centres like Johannesburg are the hub of economic activity in Africa, to market the province as an African City Region that is increasingly becoming competitive in the global economy. Gauteng's identity as South Africa's economic powerhouse and a gateway to the African economy is therefore central to its destination marketing project (Cornelissen, 2006: 133-134; GPG, 2005). This partly explains the province's attempts to play a leading role in engineering greater cooperation among SNGs in Africa, within the framework of NEPAD.

In what appears to be a rare indication of synergy and cooperation among South African provinces in their international endeavours, the destination marketing approach of the North West is partly anchored in the economic fortunes of Gauteng.

In an attempt to position itself as a preferred destination for foreign investments, the North West, like Gauteng, is also branding itself as the gateway to Africa. However, this does not suggest competition between the two neighbouring provinces. On the contrary, by capitalising on its geographic location, which leaves it nestled between Gauteng and neighbouring Southern African states like Botswana, the North West is in a sense positioning itself as an important component of the emerging and potentially competitive Gauteng City Region (North West Parks and Tourism Board, 2012).

A significant aspect of the destination marketing campaigns of South African provinces centres on the hosting of mega-events and international conferences, which are then leveraged to showcase the business and tourism potentials of the respective provinces. In this regard, most of the provinces, particularly the metropolitan ones like Gauteng and the Western Cape, have benefitted immensely from post-apartheid South Africa's foreign policy strategy to boost its soft power arsenal through hosting high-profile international conferences (see Van der Westhuizen, 2006). Consider, for example, South Africa's hosting of the 2002 UN World Summit on Sustainable Development in Johannesburg, which as Van der Westhuizen (2006: 145) notes, 'not only showcased South Africa, but firmly underlined Johannesburg's potential as Africa's aspiring "global city"'.


In the same context, South Africa's hosting of the 2010 FIFA World Cup served as a unique opportunity for provinces insofar as their destination marketing efforts are concerned. As host provinces of some of the matches and national football teams, Gauteng, the Western Cape and the North West all designed and implemented different strategies intended to transform the event into a marketing platform, to communicate their unique investment and tourism offers to the world. A report by the Western Cape provincial government, which assesses the province's strategy for the World Cup, as well as the potential legacy of the event, is illustrative of how South African provinces sought to leverage the FIFA World Cup to favourably position themselves in an increasingly competitive global economy. According to the report, 'concerted efforts went into profiling Cape Town and the Western Cape as a desirable destination to deepen existing markets and access new ones'. More importantly, the report notes that as a result of the aggressive destination marketing

campaign around the FIFA World Cup, 'in the international community, there is now a greater awareness of [the Western Cape's] business opportunities, technologies, skills and products, which is beneficial to long-term trade and investment' (WCPG, 2011b: 35, 40).

5.8 Conclusion

This chapter set out to examine the major instruments employed by South African provinces in their external relations, with a view to providing more insight into the nature of their international agency. The analysis in the chapter not only goes a long way to confirming some of the trends that were highlighted in the previous chapter, but is also useful in identifying and elucidating new patterns associated with the way provinces conduct their international relations. For example, the chapter reinforces the thesis developed earlier that despite objective variations among provinces, their foreign relations display little differences in terms of objectives, design and style. Although metropolitan provinces like Gauteng and the Western Cape tend to be more dynamic, innovative and resilient in how they conduct their foreign relations, they more or less resort to the same instruments employed by predominantly rural provinces like the North West. This could partly be explained by the influence of the common legal and institutional context, as well as a shared interpretation of paradiplomacy as a functional project that complements national, provincial and local efforts to overcome development challenges in the country. Tellingly, the fact that the Western Cape is governed by a party that is opposed to the ruling ANC has not dissuaded it from joining other provinces in conducting some of its foreign relations through the channels of the national government.

In addition to facilitating the achievement of specific goals, the different instruments that provinces employ in their foreign relations were found to contribute to developing their international agency in unique ways. In this regard, the role of membership in transnational networks of SNGs and collaboration with the national government in the overall architecture of paradiplomacy is worth highlighting. Although smaller provinces like the North West have demonstrated ineptitude in conducting international relations through transnational networks, the preceding analysis suggests that these forums could be having a constitutive effect on the international agency of high-profile provinces like Gauteng and the Western Cape.

As forums for political solidarity and socialisation among SNGs, the transnational networks to which South African provinces belong not only facilitate and enrich functional cooperation. As the example of Gauteng illustrates, these forums also serve as motivational structures, which are noted to be engendering dynamism, innovation and assertiveness in the international relations of provinces.

Of equal significance in appreciating the dynamics of paradiplomacy in South Africa is the collaboration between provinces and the national government in the domain of foreign relations. Notwithstanding the dynamism and assertiveness that is seen to be creeping into the international relations of provinces, a significant component of these activities continues to be undertaken through South Africa's diplomatic channels and with the financial and technical support of national government departments and agencies. This has important implications in terms of comparison with what obtains in other parts of the world. For example, after analysing the foreign relations instruments of what he calls 'regions with legislative powers' in Europe and North America, Criekemans (2010b:58) comes to the conclusion that 'paradiplomacy and diplomacy have become enmeshed'. This assertion forms only part of a broader argument advanced by the author, to the effect that 'the boundaries between paradiplomacy and diplomacy are watering down'. In other words, judging from their increasing sophistication, the foreign relations of SNGs are becoming more and more comparable to traditional state-to-state diplomacy.

In the case of South Africa, the dependence of provinces on the national government for greater efficiency and results in their foreign relations, as clearly pointed out above, does not seem to bear out Criekeman's deduction. The analysis of the instruments of paradiplomacy in general, and provincial-national collaborations in particular, lends itself to a different reading. It reinforces the point that, notwithstanding the increased assertiveness on the part of some provinces, paradiplomacy in South Africa continues to evolve as a subset of, or at best, a complement to Pretoria's international relations, more in the sense of Hocking's (1996) notion of multilayered diplomacy.

Perhaps the theme that stands out most from the analysis of the instruments of paradiplomacy is the extent to which the phenomenon has evolved over the years in South Africa. In particular, the analysis of how cooperation agreements and foreign

trips have been used in the three provinces reveals a gradual maturity in the international approach of South African provinces, despite enduring challenges. Provinces appear to have learnt from the faulty start that characterised the first decade of their foreign relations to refine and refocus their international priorities and approaches. This is attested to by efforts in all three provinces to rationalise the signing of cooperation agreements and the conduct of foreign trips, in order to align them with provincial development priorities.

It could be argued that these two instruments constitute the foundation on which the foreign relations of provinces are built, and their handling has presented the greatest challenge to paradiplomacy in South Africa. Success in strengthening their effectiveness and efficiency is essential not only in achieving the goals of paradiplomacy, but also in inspiring confidence in and cultivating a positive attitude towards the international agency of provinces, both from the national government and the general public. Despite the perceived political will and positive signs in this regard, there is no gainsaying that sustaining the momentum for reform would depend to a large extent on the institutional dynamism and resilience within the different provinces. The next chapter therefore examines the institutional mechanisms put in place in the provinces of Gauteng, the Western Cape and the North West to manage and rationalise paradiplomacy.

CHAPTER SIX

INSTITUTIONAL FRAMEWORKS FOR COORDINATING PARADIPLMACY IN SOUTH AFRICA

6.1 Introduction

As the previous chapter illustrates, the foreign relations of South African provinces have evolved considerably since the mid-1990s. Granted, a number of challenges linger even in the second decade of paradiplomacy. Even so, the experience of the three case studies suggests a gradual consolidation of the international agency of provinces. This is observed mainly in the improved rationalisation of the instruments of paradiplomacy but also in the increased aptitude and consciousness with which the objectives of international relations are articulated vis-à-vis provincial development priorities. To some extent, this development could be attributed to the peer-learning effect of the international cooperation activities of provinces, which leaves officials with expertise in and greater awareness of international processes and their developmental potential, while also cultivating confidence and encouraging innovation. However, much of the observed reform is owed to the official (with reference to the national government) and public backlash that provinces and municipalities received as a result of the missteps and excesses that characterised their initial international relations. In particular, the abuse of foreign trips, as well as the inefficiency in implementing cooperation agreements, provoked strong scrutiny of the foreign relations of South Africa's SNGs and drew significant attention to the domestic institutional environment within which these relations were conducted.

Prior to this moment, issues of institutional support for paradiplomacy were largely overlooked, especially because the origin of the phenomenon in South Africa coincided with a period of regime change. Coming on the heels of the transition from apartheid, the launch of paradiplomacy was eclipsed by the priority accorded to building the capacity of the newly democratising state and weaving a united nation from the fragmented society inherited from the apartheid era. Needless to say, an important component of this transitional process entailed developing the institutional capacity of the three spheres of government. However, the enormity of the task

dictated that initial emphasis be placed on creating rules, norms and policy frameworks that regulated those administrative and political processes that had a direct bearing on the core business of the respective governments. Given the backlog of social and economic problems at the time, the institutional and administrative capacity to provide basic social services was prioritised. Although paradiplomacy was quickly identified as one of the complementary strategies that would assist provinces in fast-tracking the provision of basic services, building a particular institutional system around it was not given enough attention. This gap was reinforced by the fact that, despite sharing competency with the national government in most functional areas, provinces in South Africa have traditionally defined their role as implementers of national legislation and policies. However, with the national government preoccupied with its own process of putting in place new country-wide systems for a diverse set of policy areas, including the architecture for a new foreign policy, institutional support for paradiplomacy largely fell off the radar of the new authorities in Pretoria.

The need to put in place specific institutional systems to support and coordinate paradiplomacy became a governmental priority in South Africa only after the country's SNGs started making costly blunders on the global stage. By the late 1990s both the national government and the general public had become increasingly concerned about the implications of the muddled foreign relations of provinces and municipalities, especially for South Africa's international image. This was in addition to taxpayers' specific concerns about the estimated financial cost of these activities in relation to actual and potential returns. These concerns brought paradiplomacy in South Africa out of its initial obscurity. More importantly, a nationwide process of developing regulatory frameworks around this governmental activity emerged, under the auspices of the national government in Pretoria. The effectiveness and challenges of the different measures and initiatives of the national government to rationalise the foreign relations of its sub-national entities have already been examined in greater detail in chapter three of the thesis. This chapter adopts a historical perspective to analyse the evolving institutional mechanisms through which individual provinces, in this case Gauteng, the North West and the Western Cape, have attempted to support and coordinate their foreign relations. In order to better understand the challenges to the effective management of paradiplomacy in the

respective provinces, the analysis in this chapter is prefaced with a brief review of institutional development at the provincial sphere of government in South Africa.

6.2 Institutional Capacity of South Africa's Provincial Governments

One of the most enduring themes in the discourse on decentralisation and governance in post-apartheid South Africa has been the underperformance of provincial and local governments. This has recently triggered a debate, most notably within the ruling ANC, on the continued relevance of provinces in South Africa's political system. In its submission to an ANC summit on provincial and local governments convened in December 2010, the party's sub-committee on legislature and governance observed that 'the actual role and contribution of provinces [to South Africa's] system of cooperative governance has been chequered at best and very limited in some instances'. Although the summit did not recommend the abolishing of provinces as some within the party have suggested, it nonetheless came to the conclusion that the provincial system in South Africa was not viable and needed to be reviewed (ANC, 2010:12; ANC, 2012:12).

At the heart of what some in the ANC see as a failed experiment with decentralisation/federalism in South Africa (see Lodge, 2005: 752) is the slow pace at which most provincial governments have struggled to develop the requisite institutional capacity to govern. Since 1994, successive reviews of provincial governance in South Africa have consistently identified serious administrative and institutional weaknesses in most provinces, some of which persist today. For example, a report released by the Department of Public Service and Administration (DPSA) in 1997 found that most provincial governments were struggling to put in place adequate administrative systems. In particular, the so-called Nicholo Report, named after the then Director-General of Public Service and Administration, identified a set of common institutional challenges that rendered provincial governments in South Africa inefficient. Among these was the poor definition of the different roles of politicians and administrators, which created conditions for political interference in the administrative processes of departments. The report also observed that most provincial governments lacked effective strategic planning, accompanied by insufficient co-ordination and communication of strategic plans, which resulted in weak ownership, and the non-implementation of provincial plans.

Moreover, at the time of the review, some provinces had still not created departmental structures in line with their functions and activities, while some of the key activities of provincial governments were marginalised because they had been placed, and effectively lost, within major spending departments (DPSA, 1997).

The 1998 report of the Presidential Review Commission (PRC) set up to review the reform and transformation of South Africa's public service confirmed many of the problems and challenges that were identified in the Nicholo Report. A key finding of the PRC was the lack of effective coordination within provinces. According to the PRC, the problem of institutional fragmentation was compounded by the ambivalent role of the provincial Director-General (DG), which caused friction between DGs and the political heads of provincial departments (MECs or Ministers in the case of the Western Cape) and undermined the central coordinating role of the former. For instance, Rapoo (2005: 213-215) notes that early in the premierships of Popo Molefe and Tokyo Sexwale in the North West and Gauteng provinces respectively, the offices of the provincial DG were located outside of the Premier's office. This structural design effectively removed DGs from the policy-making processes of provincial cabinets and created two centres of power, political and administrative, that competed with each other for influence. In the case of the North West, these institutional tensions were mitigated by the strong leadership of Popo Molefe, whose office is believed to have been capacitated enough to create synergies and coordinate policy and planning across different provincial departments. In contrast, the institutional challenges experienced by the provincial government of Gauteng, in its early years, were made worse by the laissez-faire leadership style of Premier Sexwale, which resulted in 'lack of proper management, ineffective policy coordination and fragmented approach to policy making by the cabinet' (Rapoo, 2005: 213).

Although the PRC report concluded that most provinces in South Africa lacked the capacity to assume the powers that were devolved to them in the Constitution, it nonetheless gave recognition to the exceptional strides made by the provinces of Gauteng and the Western Cape in developing relatively functional administrative systems (PRC, 1998). As pointed out in chapter three of the thesis, Gauteng and the Western Cape are the most economically developed provinces in South Africa. The

governments in these provinces have thus been able to benefit from this status to build comparatively stronger institutional systems of governance compared to what has obtained in their less wealthy counterparts. As Lodge (2005: 739) observes, Gauteng's relative success in becoming 'a well run province' stems partly from the provincial government's ability to recruit and retain qualified personnel from the public service training institutions concentrated in its urban centres. Moreover, Gauteng and the Western Cape, together with the Northern Cape, are the only provinces whose formation did not incorporate portions of the apartheid Bantustans. The largely dysfunctional administrative systems inherited from these former black homelands have been blamed for most of the institutional challenges observed in post-apartheid South Africa's provinces.

In his analysis of state capacity and institutional transformation in post-apartheid South Africa, Piccard (2005: 292-353) argued that governmental activity in those provinces that incorporated former homelands continued to be vulnerable to the legacy of weak institutional systems inherited from these quasi-states. He identified widespread skills shortages, a deeply entrenched system of patronage politics, corruption, and a generally weak professional ethic as some of the administrative ills that were transferred from the Bantustan bureaucracies to the institutions of the new provincial governments, and which for many years proved very difficult to root out. In provinces like the North West, the institutional weaknesses associated with the incorporation of the former homelands were compounded by bureaucratic factionalism stemming from political conflicts between sympathisers of the former Bophuthatswana administration and ANC loyalists in the former Cape and Transvaal Provinces (Lodge, 2005: 739).

More generally, political instability in the provinces has been one of the enduring contributors to the institutional weakness and fragmentation observed in this sphere of government. Here, not even the metropolitan provinces of Gauteng and the Western Cape have been spared, although the dynamics of political infighting are somewhat unique in the latter. The case of the North West province represents a classic example of how factional politics within the ruling ANC party, both at the provincial and national levels, has contributed to undermining the efficiency of the provincial sphere of government in South Africa. Successive administrations in the

North West have been rocked by bitter power tussles between different factions of the provincial structures of the ANC. Although political factionalism in the North West dates back to the ten-year premiership of Popo Molefe, the fact that he succeeded in entrenching himself as both the head of the provincial government and chairperson of the ANC in the province is believed to have assisted in giving a modicum of stability and focus to the provincial administration (wa Magogodi, 2012: interview). The end of Molefe's leadership in 2004 was followed by an open contestation of the political space in the North West. The 'Taliban', representing the faction of the provincial ANC that took over power, sought to do away with the legacy of the Molefe era by purging his sympathisers from senior positions in the government and the party (Molele and Pieterse, 2012).

As Greffrath (2012:83) notes, factionalism in the North West, as is the case in other ANC-controlled provinces in South Africa, has been fuelled to some extent by the tendency of the national leadership of the party to interfere in provincial politics. A case in point is the 1998 decision taken by Luthuli House, the headquarters of the ANC, to separate the function of provincial premiers from that of provincial chairpersons of the party, and have the former appointed by Luthuli House rather than elected by provincial party structures. In the case of the North West, the appointment of Edna Molewa to succeed Molefe as premier in 2004 significantly contributed to entrenching divisions in the province. The same could be said of the leadership tussles within the national structures of the ANC, first between former President Thabo Mbeki (favoured by the Taliban faction) and the then Deputy President Jacob Zuma, and subsequently between those who were in favour of and those who were against Zuma retaining the presidency of the party prior to the 2012 elective conference of the ANC (Naki, 2009; see also Mataboge, 2012).

In response to the paralysing political divisions within the ANC in the North West, the national leadership of the party in 2010 deployed Thandi Modise, the former Deputy Secretary-General of the ANC, to serve as provincial premier. Modise was given a mandate to unite the party in the province and rescue government functions from the effect of bitter political rivalry. However, as Mataboge (2012) suggests, Modise's links to a faction of the ANC that wanted Deputy President Kgalema Motlanthe to replace Zuma as party president appear to have deprived her of the leverage to heal

the divisions in the province. The North West thus continues to suffer from a crippling government, characterised by factional tendencies within the ANC in the province, as well as the absence of cooperation between party structures and the provincial administration in Mahikeng.

In provinces like the Western Cape, where the ANC has not enjoyed uninterrupted control of the political leadership, inter-party rather than intra-party rivalry has been the main source of political instability and disruptions in government. From 1994 to 2004, governance in the Western Cape was largely influenced by the shifting dynamics of coalition politics involving the ANC, the New National Party (NNP), the Democratic Party (DP) and other smaller parties. This state of affairs polarised politics in the province, contributing to frequent changes of premiers, accompanied by disruptive cabinet reshuffles, all of which undermined the efficiency of the provincial administration (Nijzink and Jacobs, 2000; Lodge, 2005: 744). An important dimension of the enduring inter-party rivalry in the Western Cape is the tension this tends to create between the provincial bureaucracy and the changing political leadership. As Lodge (2005:742) observes, there has been a strong tendency for civil servants in the Western Cape provincial administration to remain wedded to the policy directives of the national government even at the expense of alternative policies introduced by the political leadership of the province. This has been particularly the case when the leadership of the province has passed over to a political party that is opposed to the ANC, as it is today with the Democratic Alliance.

The preceding discussion thus suggests that a combination of historical and political factors has since 1994 worked against the emergence of a strong state capacity in the provincial sphere of government in South Africa. According to the institutions and governance diagnostic of the recently established National Planning Commission (NPC), most provincial governments, especially those that came out of the ashes of the former homelands, are yet to undergo substantive institutional transformation and develop sufficient administrative capacity to effectively deliver on their constitutional mandate (NPC, 2011: 21-23). In recent times, this assessment has been borne out by the gross underperformance of some provincial government departments such as the Department of Health in Gauteng (Thom, 2012), the Department of Basic Education in the Eastern Cape (Skiti, 2012), as well as the

Department of Public Works and Transport in the North West (Blaine, 2012). In all three cases, the national government has either invoked or has been petitioned to invoke the provision in Section 100 of the Constitution to partially or wholly take over the administration of the failing departments.

However, such negative assessments of the institutional capacity development of South African provincial governments need to be qualified to take into account the notable achievements that some provinces have made in this regard. As earlier indicated, provinces like Gauteng and the Western Cape have succeeded in weathering some of the challenges identified above to pioneer the process of establishing relatively efficient and reliable administrative systems. Some of this success is the direct result of cooperation with international partners such as the Canadian International Development Agency (CIDA). As highlighted in the previous chapter, shortly after the new provinces were established, CIDA, with the support of participating Canadian provinces, carried out capacity-building programmes in six provincial governments across South Africa, within the framework of the South Africa-Canada Governance Programme.

One area where provinces seem to have made significant progress over the years is in strengthening the oversight role of provincial legislatures. Provincial legislatures in South Africa are expected to contribute to strengthening the performance of this sphere of government in three ways – through the enactment of legislation, by exercising oversight over the activities of the provincial executive and other government agencies, as well as by serving as forums through which citizens could participate in the work of government. As observed in chapter three, provincial legislatures have largely deferred to the national government on matters of lawmaking. Consequently, conducting oversight over the work of the executive and facilitating public participation in the work of the provincial government have emerged as the core business of most, if not all, provincial legislatures in South Africa.

With reference to the province of Gauteng, Rapoo (2005: 154-158) argues that in the early years of the development of provincial administrations, the oversight and public participation roles of provincial legislatures were constrained by the same shortcomings identified above. In particular, effective oversight by legislative

committees was undermined by inadequate resources and the fact that most members of provincial legislatures (MPLs) lacked technical expertise in the policy areas they were assigned to oversee. The deficit in resources and technical capacity meant that legislative committees were often left to conduct their work on the basis of information and analyses generated by the same bureaucracies they were charged with overseeing. Moreover, effective oversight and accountability was also constrained by a general reluctance by ANC MPLs, who were and continue to be a majority in most provincial legislatures, to subject their comrades in the executive to rigorous parliamentary scrutiny (Rapoo, 2005: 159-161). This is in addition to the constraint imposed by the small number of MPLs available to each legislative committee to perform oversight duties.

Notwithstanding these limitations, over the years, provincial legislatures, especially those in the urban areas, have become quite proactive in their oversight function. Recently, provincial legislatures like that of the North West have sought to enhance their oversight role by exploring partnerships with universities and other research and training institutions in a bid to bolster the research and technical capacity of oversight committees (Torerai, 2012). In addition to the improved institutional support that oversight committees now receive from relatively sophisticated legislative bureaucracies, the strengthened oversight role of provincial legislatures has also been attributed to a general consciousness in the country of the strengthening of accountability structures in the interest of efficiency in service delivery. Moreover, as Lodge (2005: 750) observes, the growing factional disunity within the ANC has also had a positive effect on the performance of provincial legislatures dominated by the party. Unlike in the past, ANC MPLs have become more inclined to confront and hold to account their peers in the executive.

A corresponding improvement has been recorded in the domain of encouraging public participation in the work of provincial governments. Section 118(1) of the 1996 Constitution requires provincial governments to facilitate public involvement in the activities of their legislatures, including in the work of their respective oversight committees. The ultimate goal of this provision is to promote a transparent and people-centred system of governance by creating channels through which citizens can become directly involved in the decision-making processes of the government,

while also being afforded an opportunity to hold the latter accountable for its actions. Since 1994, legislatures in the different provincial governments have fashioned and sought to strengthen a number of participatory mechanisms to give effect to this provision. For example, through its Public Participation and Petitions Department, the provincial legislature in Gauteng allows organisations representing different sectors in society, experts and ordinary people to take part in public hearings to express their views on pieces of legislation. Moreover, members of the public are given access to committee meetings to make inputs on various matters being considered by committees. A Petitions Act was also passed in 1998 to allow members of the public to formally submit petitions on issues of concern to them (Maseko, 2012). Similar mechanisms are found in other provinces with varying degrees of effectiveness. In the North West Province, the legislature has used public workshops and so-called People's Parliaments to encourage citizen participation both in its legislative processes and the oversight work of committees (Lodge, 2005: 751).

The extent to which these efforts have contributed to engendering wider public participation in the work of provincial legislatures as well as the actual impact of this involvement on the performance of provincial governments remains a subject of debate. For example, a report by the Human Sciences Research Council (HSRC) identified a number of shortcomings in the public participation processes of the provincial legislature in KwaZulu-Natal, which could apply to many of the legislatures in the country. The report argues that:

Public hearings are not accessible to ordinary citizens and civil society organizations based in rural communities. In addition, the language used at hearings is intimidating to ordinary citizens. Moreover, public hearings are poorly advertised and attended...There is no standardized, effective mechanism to ensure that all public submissions and recommendations are systematically assessed and considered by committees. Another concern raised, is that there is no policy on providing feedback to individuals and groups that have made submissions on an issue, informing them of what was done with their recommendations (HSRC, 2005:25-26).

These challenges notwithstanding, as Lodge (2005:751) observes, there is no doubt that the efforts of provincial legislatures in institutionalising public participation in their

activities have been instrumental in inducing a 'lobbying culture among NGOs and organized interest groups, especially in the more urbanized provinces'.

Three major conclusions can be drawn from the brief historical review of the institutional capacity development of South Africa's provincial administrations. First, it is obvious that since 1994 there have been ongoing efforts in all nine provinces, with the support of the national government and international development partners, to put in place effective institutions of governance, although progress in this regard has varied between provinces. Having inherited huge administrative problems from the former Bantustans, predominantly rural provinces, represented in this study by the North West, have made the slowest progress to develop the requisite institutional capacity to govern. Corruption, overlooked incompetence and patronage politics are just some of the factors that have inhibited the emergence of an efficient government system in the North West province.

In contrast, metropolitan provinces like Gauteng and the Western Cape have made use of their strong economic status to become pioneers in establishing relatively efficient and innovative provincial administrations. Here, it is worth highlighting what could be referred to as the exceptionalism of the Western Cape, as far as provincial governance in South Africa is concerned. Since taking over control of the province in 2009, the Democratic Alliance (DA) has sought to use its performance in government as a strategy to gain political points against the ANC. To this end, the DA has worked to project its government in the Western Cape as an efficient and corruption-free administration that thrives on the promotion of innovation, competence and excellence. In the past two financial years, all provincial departments in the Western Cape have received unqualified audits from the Auditor-General, a feat that provincial authorities have attributed to the institutional reforms and effectiveness of the DA-led government (see Winde, 2012).

Secondly, the preceding overview suggests that political instability in the provinces since 1994 has been the single most intractable factor that has undermined institutional transformation and capacity development at the provincial sphere of government. This is particularly observed in ANC-led provinces where growing factionalism within provincial party structures has provided cover for a culture of corruption, nepotism, incompetence and unaccountability to evolve largely

unchallenged in most provincial administrations. As discussed below the organisational structure and culture that has emerged around paradiplomacy has also been influenced to a large extent by the persistent unstable political environment in the provinces.

The next sections of the chapter will now analyse, from a historical perspective, the institutional arrangements that have been developed over the years to manage the international relations of Gauteng, the Western Cape and the North West.

6.3 From Laissez-faire to the First Generation of Institutional Frameworks, 1994–2008

All South African provinces became involved in international relations in one way or another almost immediately after they were created in the mid-1990s. As early as 1995, some provinces had already started signing cooperation agreements, which were themselves products of the myriad of foreign visits that were conducted during this period. In other words, the launch of paradiplomacy in South Africa coincided with the early phase of the very process of sub-state formation. Theoretically, this scenario provided the new provinces with a number of incentives and opportunities to put in place effective organisational systems to support the development of their international agency.

First, it meant that the process of integrating international relations activities and perspectives into the overall governance architecture of provinces would be less challenging, given the fact that most governmental systems were being built from scratch or had to be reconstituted. Second, the relatively late entry of South African provinces into the international arena, coupled with the strong foreign interest to support the transformation process in South Africa in the 1990s, also provided an opportunity for provinces to learn from the experiences of other SNGs and develop workable mechanisms to manage their foreign relations. In fact, as illustrated in the previous chapters, the search for international partnerships that would support the capacity-building process at home was and continues to be one of the primary objectives of the foreign relations of South African provinces.

In reality, however, very little attention seemed to have been given to the organisational dimension of paradiplomacy, notwithstanding the strong interest in

foreign relations displayed by provinces even at this early stage of their existence. This could be explained by the fact that, while provincial officials were excited about conducting foreign visits, allegedly to promote the interests of their respective provinces, there was very little understanding in the provinces as to how international relations actually fit into their overall development agenda. Thus during this early period, international relations were largely synonymous with foreign visits by provincial politicians, and the outcomes of these visits, mostly in the form of cooperation agreements and bilateral partnerships, were seldom followed through. The fact that paradiplomacy was approached from such a narrow perspective and was conducted without a full appreciation of its development potential created disincentives for any form of strategic thinking around the activity.

Although failing to dampen the interest of the provincial elite in foreign relations, arguably because of the strong personal incentives associated with the enterprise at the time, the exigencies of sub-state formation seem to have overshadowed the need for effective planning in this policy area. This reflected a general institutional challenge that provinces experienced, particularly during the period of South Africa's Government of National Unity from 1994 to 1996. As McLennan (quoted in Picard, 2005: 309) observes, 'extensive time was spent [at the provincial level] on the establishment of departments and in fire fighting, leaving little time for clear strategic planning'. For example, a draft working document on the international relations framework for the Gauteng Provincial Government revealed that there was 'an apparent lack of clarity on the level of priority and commitment that should be committed to the conduct of Gauteng's international relations given overall budget constraints and other priorities' (GPG, undated, *sic*). The foreign relations of South African provinces in the mid to late 1990s therefore evolved in an *ad hoc* and uncoordinated manner, without any significant political or administrative leadership in this regard.

It is also useful to locate early challenges to the coordination of paradiplomacy within the organisational constraints imposed by the limited foreign policy competence of provincial governments in South Africa. It should be recalled that in South Africa, foreign policy is the exclusive preserve of the national government. Provincial and local governments are only allowed to engage in international relations to the extent

that these fall within any of the functional areas they have authority over. As a result, foreign relations do not constitute a separate administrative portfolio in any of the nine provinces. In the absence of any provincial department that deals with foreign relations, the premier, as political head of a province, is in principle the custodian of his or her province's international relations. Thus, in most cases the responsibility to coordinate paradiplomacy was nominally vested in the administrative heads in the offices of provincial premiers for whom international relations were not a primary function. As will be elaborated below, the absence of a dedicated and strategically located institutional home for international relations has undermined any form of effective coordination and alignment of the foreign activities of different provincial actors.

6.3.1 The Emergence of International Relations Bureaucracies

The first steps towards the institutionalisation of the conduct of international relations in the provinces came after the national government started expressing concerns over the negative effects of the uncoordinated foreign relations of provinces and municipalities on South Africa's image. This followed a number of embarrassing international outings by the country's SNGs. Cases were reported of provincial politicians visiting foreign destinations without the requisite travelling documents or following established diplomatic protocol. This was in addition to different provincial delegations visiting the same foreign destination for the same purpose, and in some cases at the same time. In most instances, no reports were produced at the end of supposed study tours, calling into question the possibilities that any relevant lessons were learnt from the visits (see European Commission, 2006: 2-5). As detailed in chapter three, the national government, through the then Department of Provincial and Local Government (DPLG), responded to these concerns by initiating a number of intergovernmental processes and adopting a municipal international relations framework policy in 1999. The then Department of Foreign Affairs (DFA) also intervened by encouraging provinces to establish international relations units, which would work in close collaboration with the provincial protocol and liaison office that was established within the DFA. Although the idea of provincial international relations focal points was intended by the DFA to serve its own purpose of supervising the foreign activities of provinces, it eventually served as an incentive for

the emergence of international relations bureaucracies in the provinces. By the start of 2000, most provincial governments had started giving attention to the institutionalisation of their foreign relations and were in the process of setting up dedicated international relations units within the offices of premiers. On paper, these units were conceived as the nerve centres for international relations in the provinces, coordinating and monitoring the foreign activities of different provincial actors, while also infusing some strategic thinking into paradiplomacy by advising provincial executives on how to proceed with their international relations. However, as explained below, the powers assigned to these units, which left them with very limited spaces to manoeuvre, suggest discordance in the expectations of the ruling elite at the centre of paradiplomacy on the one hand and the emerging international relations bureaucracies on the other hand.

The Western Cape was among the first provinces to follow a gradual approach in establishing an international relations unit. As early as 1997, an official was appointed in the province to advise the government on its developing international relations. This was followed in 1998 with the creation of an Intergovernmental and International Relations Directorate (IG&IR) in the premier's office (Brand, 2012: interview). The North West followed the same trajectory as the Western Cape, although at a later stage, with the creation of a similar directorate in the premier's office in 2001 (NWPG, 2005c). Although Gauteng had a similar structure, the Government and Protocol Directorate, from which the province's international relations units ultimately developed, the records to this effect are very sketchy. This underscores the weak institutionalisation of early international relations structures, a challenge that was not unique to Gauteng, but was also shared by the other two provinces that form part of this study.

While marking a significant step towards the institutionalisation of paradiplomacy, the establishment of these structures was not underpinned by a strong political commitment to organise and rationalise international relations in the provinces. This translated into a number of challenges that constrained the efficacy of the new directorates, insofar as their official mandate of coordinating and providing strategic guidance to the foreign relations of their respective provinces was concerned. In the first instance, the offices were highly under-resourced, even though, as their names

suggest, they were assigned a dual mandate: to monitor, coordinate and advise provincial executives on both the provinces' foreign relations and their relations with other spheres of government in South Africa. In both the Western Cape and the North West provinces, for example, the directorates commenced their operations with only a single staff member, who had to manage both the intergovernmental and international relations portfolios. This means that in the first years of their operation, the IG&IR directorates did not have adequate capacity to conduct comprehensive research on global trends, which would enable them to provide informed advice on the provinces' international relations.

Similarly, with very limited staff capacity, the task of monitoring and coordinating the foreign activities of different provincial actors proved to be a daunting one for the new directorates. Not surprisingly, very little was achieved in this regard, as evidenced by the near dysfunctional state of paradiplomacy in South Africa by the end of Thabo Mbeki's presidency in 2008 (see European Commission, 2006: 2-5). In subsequent years, this constraint was mitigated by the creation of dedicated international relations units within the IG&IR directorates. For example, by 2008, both the North West and the Western Cape had appointed Deputy Directors and Assistant Directors within their respective IG&IR directorates to assume responsibility for the international relations portfolio (Brand, 2012: interview; wa Magogodi, 2012: interview).

In addition to their limited capacity, the influence of the new provincial international relations units was also constrained by their location and status within the general organisational structure of the respective provincial governments. This in itself was a reflection of the limited influence that provincial executives were willing to accord to these structures. As already indicated, international relations is not a stand-alone portfolio in any of the provincial administrations in South Africa. As such, this policy area does not have a dedicated political champion, in the form of a provincial minister, to provide the necessary strategic leadership.¹⁶ This responsibility inevitably falls back on provincial premiers who must also provide overall political leadership in their respective provinces. Provincial cabinet meetings, however, provide forums for

¹⁶ In 2011, the Western Cape appointed one of its cabinet ministers to be in charge of the province's international relations. This development is discussed in greater detail in subsequent sections of the chapter.

premiers to engage with their ministers on matters of international relations at a political level, with the informed counsel of the international relations unit. Generally, premiers rely on the support of large bureaucratic offices headed by DGs and composed of a number of support services and programmes, of which international relations is just one.

Although located in the premiers' offices, the directorates that housed the international relations units were far removed from the actual policy-making structures and processes of the provincial governments. Like all other directorates in the premiers' offices, the policy influence of the IG&IR directorates was only as good as the commitments of DGs who represent the different programmes at provincial executive meetings. In this context, policy inputs from international relations units were often marginalised at provincial cabinet meetings, constraining the ability of these units to significantly influence the conduct of foreign relations at a strategic level.

In the absence of dedicated political heads of international relations, and with international relations units poorly positioned to wield significant influence on provincial policy processes, paradiplomacy evolved without any meaningful strategic planning. In addition to undermining efforts to align the international relations of provinces with the objectives of the different provincial growth and development plans, the absence of strategic planning on international relations also created problems of operational coordination for the fledgling international relations units. With no central political authority to provide leadership on international relations, a culture emerged whereby provincial departments and agencies conducted their foreign relations in isolation, often without the knowledge of the international relations units. Worse still, these different actors developed a reputation of not reporting on their international activities, thereby depriving the international relations units of the essential tools they required to fulfil their monitoring and coordinating functions (Brand, 2012: interview; Mang, 2012: interview; wa Magogodi, 2012: interview).

6.3.2 The Introduction of International Relations Policy Frameworks

It is clear from the above that in establishing the international relations units, the political leadership in the provinces had no intentions of creating structures with policy influence over international relations processes. It could safely be argued that from an executive point of view, the international relations units were conceived more as secretarial offices to facilitate the foreign trips of politicians than as oversight bureaus with important advisory functions on international relations. Needless to say, the international relations offices did not recognise this boundary. As such, there was evident tension between the interests of the political class and the imperative to bring coherence to the foreign relations of the provinces. This explains why in provinces like the Western Cape, a major frustration of the international relations unit was the tendency for politicians to seek the services of the unit in preparation for foreign trips, while always being reluctant to submit reports on their foreign exploits to the office (Brand, 2012: interview).

Even in this unfavourable organisational and political environment, the emergent international relations bureaucracies were not devoid of agency. Similar to the nature of all other bureaucracies, once created the units were determined to break from their organisational constraints to assume a central role in the strategic and operational management of the foreign relations of their respective provinces. The assertiveness of the international relations units was to some extent buoyed by their close cooperation with the DFA, which gave them a sense of professionalism and authority over a policy area that was perceived to confer exclusive status on its practitioners. Thus, in an attempt to circumvent the organisational constraints to assuming an influential role in the foreign relations of their respective provinces, the international relations offices took the lead in drafting and seeking executive approval for policy frameworks to guide paradiplomacy. As explained by former officials in the North West premier's office, the international relations policy frameworks did not have the status of binding provincial policies. They were instead meant to serve as official guidelines that would assist in harmonising the expectations of all actors involved in paradiplomacy, while also providing international relations offices with standards to hold officials accountable for their

actions and improve coordination (Seokolo, 2012: interview; wa Magogodi, 2012: interview).

A review of the initial international relations frameworks of the provinces of Gauteng and the North West, produced in partnership with the Centre for Africa's International Relations at the University of the Witwatersrand, highlights two common objectives, which reflected the challenges in the provinces at the time. Firstly, both frameworks focused on developing a set of criteria that would inform the international relations choices and approaches of all provincial actors, based on each province's strategic profile and domestic priorities, without ignoring the broad framework of South Africa's foreign policy. Secondly, the provincial international relations frameworks dedicated significant attention to constituting a set of guidelines for foreign trips. For instance, the Provincial International Relations Framework for the North West required all officials engaging in international trips on behalf of the province, including politicians, to timeously inform their superiors, in addition to providing detailed justifications for the proposed trip. Moreover, it was also expected of all officials involved in foreign visits to submit detailed reports of their trips to the international relations unit, as well as quarterly reports on the implementation of any projects that might arise from the trip. In an explicit attempt to enshrine the international relations unit at the centre of the North West's paradiplomacy, the framework required that all memorandums addressed to the premier to seek approval for foreign visits 'should be accompanied by a synoptic recommendation from the international relations unit through the [Director-General]' (NWPG, 2002; GPG, undated).

Compliance with the provisions of the international relations frameworks in the three provinces under study was far from satisfactory. On the positive side, the frameworks were helpful in encouraging provincial officials to start thinking strategically about their foreign engagements, thereby contributing to bridging the gap between paradiplomacy and the development priorities of the different provinces. The frameworks also improved the monitoring and coordinating functions of the different international relations units, to the extent that they engendered a culture of pre-trip reporting among most actors undertaking foreign visits. This enabled international relations offices to develop databases of the foreign activities

of their provinces, facilitating the process of tracking progress in the implementation and evaluating the impact of international partnerships.

The positive impact of the guidelines on the foreign relations of the respective provinces was, however, limited by entrenched personal interests in the enterprise, which encouraged compliance with the letter and not necessarily the spirit of the rules. The introduction of guidelines failed to dislodge the personal desire to travel abroad, which continued to occupy an important place in the mix of motivations for official foreign visits. In provinces like the North West, this gave rise to a tendency whereby in order to appear to comply with existing guidelines, officials resorted to providing disingenuous justifications for foreign trips. This practice created disincentives for officials to submit substantive reports on the outcomes of their foreign visits as required in the guidelines, thereby undermining the monitoring and evaluation system that had been engendered by the policy frameworks.

It is important to recall that the international relations guidelines were introduced at a time when, as highlighted in the beginning of this chapter, the general process of formal institutional development in the provinces was still in its infancy. Therefore, in addition to specific challenges associated largely with the vested interests that officials had in international relations, compliance with the frameworks was also weakened by a generally underdeveloped culture of adherence to formal institutional arrangements in the provinces. In this context, the role of personal relationships, as an expression of a pervasive system of informal institutions, in extracting some modicum of compliance from senior government officials was crucial.

Helmke and Levitsky (2004) as well as Nils (2007) remind us that formal institutions are not the sole determinants of political behaviour and outcomes. Informal institutions, which could range from systems of clientelism, corruption and nepotism to trust-based personal relationships, equally play an important role in governance processes. Based on a four-part typology of informal institutions, Helmke and Levitsky (2004: 728-730) argue that some informal institutions such as corruption and clientelism may actually compete with and work to undermine the effectiveness of more formal regulatory frameworks. However, in some environments, informal rules and procedures may help to reinforce or compensate for the weakness of official institutions. This is particularly the case in situations where there is little

incentive to comply with formal rules and enforcement mechanisms are equally weak or non-existent.

As the institutional review prefacing this chapter suggests, the international relations frameworks were introduced into provincial environments that were not only devoid of effective formal institutions, but were also immersed in a variety of informal institutions. On the one hand, the reliance on informal institutions contributed to undermining compliance with international relations guidelines, such as when provincial politicians used foreign trips as rewards to comrades in their patronage networks (European Commission, 2006: 5). On the other hand, informal bureaucratic and political practices were exploited by international relations practitioners in the provinces to encourage political and administrative heads of department to adhere to regulatory frameworks on paradiplomacy. Testimonies from former officials who served in the international relations units in the North West, Gauteng and the Western Cape provinces reveal that in the absence of official mechanisms to enforce compliance with the approved international relations guidelines, they had to rely extensively on the influence they could exert through informal personal relations with individual members of provincial executives (Brand, 2012: interview; Mang, 2012: interview; wa Magogodi, 2012: interview).

6.3.3 Early Experiments with International Relations Forums

An equally important institutional mechanism that was conceived in the provinces to manage their foreign relations from 1994 to 2009 was the convening of periodic forums of all major stakeholders involved in international relations. The international relations stakeholder forums were designed to meet on a quarterly basis under the auspices of the respective international relations offices. By bringing together officials from provincial government departments, agencies, legislatures and municipalities, the forums were expected to strengthen the emerging systems for coordination and planning, while also creating a common vision for international relations across the administrations in the different provinces. In addition to their potential value in engendering planning in the conduct of paradiplomacy, stakeholders' forums were intended to assist international relations practitioners in their task of monitoring the implementation of international partnerships and evaluate their impact on provincial development programmes. The importance of coordinating

structures of this nature is also underscored by the multi-sectoral nature of international cooperation partnerships, which require linkages among different provincial departments, agencies and even municipalities.

Despite these good intentions and design, the implementation of the stakeholders' forums did not achieve much in bolstering the new institutional systems for paradiplomacy. In the case of the Western Cape, the idea of a forum was never executed at all (Brand, 2012: interview). The experiences of Gauteng and the North West are very instructive in appreciating the political and bureaucratic constraints that frustrated the effective functioning of the international relations stakeholders' forums during the first fifteen years of paradiplomacy in South Africa. The stakeholder forum in the North West province, officially referred to as the Provincial International Affairs Coordinating Committee (PIACC), was provided for in the international relations policy framework that was adopted by the provincial cabinet in 2002. However, like the policy framework on which it was founded, the PIACC did not enjoy sufficient buy-in from the province's top management, significantly curtailing its advisory role in the conduct of the province's foreign relations. In fact, the forum, which for the most part was chaired by the Deputy Director for international relations, was attended by junior officials from the different departments, agencies and municipalities. This had a major impact on its influence in the sense that, as a forum of predominantly junior officials, the ideas and decisions that emerged from it were often not taken seriously by the administrative heads of department, agencies and municipalities, let alone their political principals (wa Magogodi, 2012: interview).

Perhaps most revealing in the fate of the North West's PIACC is the tension between the province's political leadership and a bureaucracy that was determined to push the boundaries of its influence. Evidence from the other provinces suggests that this phenomenon was not limited to the North West. It was, and continues to be, a central feature in the management of paradiplomacy in South Africa. Provincial international relations offices, through the regulatory systems they came up with, have acquired a reputation of attempting to arrogate too much power to themselves, thus creating tension with the top management of their respective provinces. In the particular case of the North West, this tension was accentuated by a general political

environment, which, as described at the start of this chapter, is defined by factionalism and incessant power struggles within the ruling ANC party. Thus, while the international relations unit was determined to use the PIACC to advance its own bureaucratic interests, the forum also became embroiled in the power struggles of the day, allegedly serving as an instrument to gather intelligence on and scrutinise the international relations conduct of rival politicians. Eventually, the PIACC was disbanded during the premiership of Edna Molewa.

In addition to the above, both the North West's PIACC and Gauteng's Inter-Departmental Coordinating Framework on International Relations (ICFIR) had to contend with a number of other political and operational challenges. Chief among these is the difficulty associated with the autonomous status of municipalities and provincial legislatures in the South African political system. As separate spheres of government, local governments are legally entitled to conduct their affairs without necessarily seeking permission from their respective provincial governments. The same principle applies to provincial legislatures, which have the right under law to conduct their business independently of the influence of provincial executives. In fact, it is the governmental activities of the latter that are subject to the review of legislatures. However, the principle of cooperative governance enshrined in the South African Constitution, the constitutional directive for provinces to support their local governments, as well as the appeal of integrated development planning makes it imperative for municipalities and legislatures to be part of provincial-wide intergovernmental coordination processes.

In the specific case of international relations, the need for such coordination was even stronger given recorded cases of duplicated, competitive and inefficient international activities by municipalities and legislatures, which also at times deviated from established foreign policy norms and practices. For example, cases have been reported of municipalities signing legally binding agreements with their foreign counterparts, contrary to the stipulations of the South African Constitution (see for example, NWPG, 2009c). Similarly, municipalities and provincial legislatures have been found guilty of conducting their foreign relations in ways that undermine the orientation of South Africa's foreign policy. A classic example was when a delegation from municipalities and the provincial legislature in Limpopo travelled to Israel, on a

free ticket, without paying a courtesy call on the Palestinian Authority as mandated by South Africa's foreign policy. In the same vein, the city of Cape Town is reported to have caused embarrassment to the South African government by entering into an agreement with the United States Agency for International Development (USAID), without the knowledge of national authorities, for the financing of solar power pilot installations in the neighbourhood of Khayelitsha. It should be noted that South Africa's foreign policy does not allow any government department, agency or political entity to accept financial assistance from the US on environmental matters because of the latter's refusal to sign the Kyoto Protocol (European Commission, 2006: 5).

Despite the evident need to assist municipalities and provincial legislatures in the planning and execution of their foreign relations, their willingness to comply with provincial regulatory frameworks, including reporting on their foreign trips and participating regularly in international relations forums, has left much to be desired. By and large, such requirements are interpreted as an infringement on their constitutional autonomy, and compliance is made very difficult by the fact that the coordinating forums, as well as other provincial regulatory frameworks on international relations, are devoid of any significant political backing. It was not possible to determine the extent to which other provincial intergovernmental relations structures like the Premier's Coordinating Council (PCC), which brings together the political leadership of a province and that of its different municipalities, served to fill this vacuum.

Another constraint to the successful functioning of provincial international relations stakeholders' forums relates to the absence of focal points in provincial departments, municipalities or agencies, dedicated to overseeing the international dimension of their operations and coordinating these with the respective international relations office. This made it very difficult for the forums to receive accurate and updated information on the foreign activities of the different actors, especially given the attitude of some officials who saw the request to report separately on the international dimension of their work as an unwarranted requirement that does not fall within the scope of their job descriptions. Correspondingly, there was frequent turnover in officials who represented their departments or municipalities at

stakeholders' forums, undermining continuity and commitment to the objectives and vision of the forums (Phillips, 2011: interview).

6.4 The 'Polokwane Consensus' and the Second Generation of Institutional Arrangements, 2009–2012

In December 2007, the ANC held its 52nd national congress, in what is commonly referred to as the Polokwane conference, named after the capital city of the Limpopo province in which it was convened. The Polokwane conference marks one of the major turning points in post-apartheid South Africa's political history, having precipitated a chain of events that culminated in the decision by the ANC to prematurely end the presidency of Thabo Mbeki. Mbeki's recall from the South African presidency in September 2008, approximately a year after he lost the leadership of the ANC to Jacob Zuma, happened in the context of years of power struggle within the party, which also affected its provincial structures. In a sense, Zuma's ascension to the helm of the ANC, and his subsequent election as South Africa's president in April 2009, represented a victory for the ANC faction that disapproved of Mbeki's leadership and policies. Thus, the new consensus that emerged at Polokwane not only enthroned Zuma at the head of the party and country, but also sought to impose its imprint on subsequent government policies and processes in all spheres by adopting a number of far-reaching resolutions.

The 'Polokwane Consensus' touched on two critical policy areas that would give renewed impetus to efforts dedicated to the efficient management of paradiplomacy in the South Africa. Firstly, it made a commitment to strengthen the capacity of government in all spheres to deliver on the mandate of a developmental state. Secondly, it issued specific directives to the renamed foreign affairs ministry to rationalise the conduct of South Africa's foreign relations, including the international engagements of SNGs. With regard to the latter, the Polokwane conference stressed the imperative to coordinate the international initiatives of different sub-state actors in a bid to make South Africa's foreign policy relevant to its domestic priorities and national interests. To this end, the conference mandated that policy guidelines be developed on the signing and implementation of twinning agreements and MOUs by provinces, municipalities, parliament and provincial legislatures. It also called for a review of existing MOUs signed by municipalities and provinces, in addition to

recommending training for all international relations practitioners as part of broader efforts to develop the capacity to conduct and monitor international relations (ANC, 2007: para. 30, 43 and 50).

It did not take long before these resolutions started filtering into South Africa's foreign policy and international relations. For example, in November 2008, the national cabinet approved the *Measures and Guidelines for Enhanced Coordination of International Engagements* developed by DIRCO. The measures, which were complemented with the creation of a Consultative Forum on International Relations (CFIR), sought to encourage greater coordination, information-sharing and accountability among all foreign policy stakeholders (DIRCO, 2008). However, it was after the April 2009 national and provincial elections, which completed the Polokwane process by handing over control of the machinery of government to the victorious Zuma faction of the ANC, that the 'Polokwane Consensus' was translated into a notable movement of institutional reform in the provinces that also affected the management of paradiplomacy. In the ANC-controlled provinces, the new premiers deployed by Luthuli House arrived at their posts with a mandate to implement the resolutions of the Polokwane conference, which had also been infused into the manifesto on which the ANC campaigned and won the 2009 polls. It is noteworthy that the urgency to reform their institutions and be seen to be efficient contributors to South Africa's development efforts had at this point become an existential requirement for provincial administrations, given the raging debates within the ANC on the continued relevance of this sphere of government.

The remainder of this chapter analyses attempts to reform and strengthen the systems for managing paradiplomacy in the provinces of Gauteng, the North West and the Western Cape. It also highlights the lingering constraints to these efforts.

6.4.1 Institutional Reform in Gauteng after 2009

The GPG's Programme of Action (POA) for 2009–2014 underscores the commitment of Premier Nomvula Mokonyane's administration to a renewal campaign that is captured in the slogan, 'Kuyasheshwa! Gauteng Working Better'. At the centre of this campaign is a resolve to build a 'caring and responsive public service with more focus on state accountability, transparency and more effective implementation of key

policies and strategies' (GPG, 2009c: 5). With reference to paradiplomacy, the POA reads thus:

International relations will be undertaken to promote regional integration and economic and governance relations in Africa. Thus our sisterhood agreements will be reviewed to give effect to our objectives. We shall work with the national department of international relations to build targeted relations on the continent. Tighter management and authorization of foreign trips will be practiced with improved coordination, accountability and follow-up (GPG, 2009c:21).

In a bid to operationalise this vision, the GPG restructured its general administrative systems, a process which also affected the IG&IR directorate in the office of the premier. The directorate has since been renamed the Intergovernmental and Strategic Relations Directorate, reflecting the resolve to streamline the province's foreign relations and align them with its development priorities. In November 2009, Gauteng's Executive Council approved a new International Relations Framework, which, in addition to spelling out the strategic agenda for the province's international relations, also provides guidelines for the management and coordination of these relations. The GPG's new international relations policy framework draws from the measures and guidelines introduced by the national government to address lingering challenges of planning and reporting on international trips, as well as the implementation of international cooperation agreements.

The post-2009 institutional reform of the management of paradiplomacy in Gauteng also entailed the reconstitution of the province's international relations stakeholder forum. Although renamed the Gauteng International Relations Forum (GIRF), the objectives, composition and *modus operandi* of the new consultative forum do not depart much from those of the former mechanism. The forum, which is provided for in the new policy framework on international relations, is conceived as a mechanism to facilitate a cooperative working relationship among different stakeholders, in the interest of the effective and efficient implementation of the international relations framework. In this regard, it facilitates information sharing and consultation on international relations and related issues, including the signing and implementation of international cooperation agreements and the collaborative development and monitoring of the province's annual international relations programme. The GIRF is

designed to bring together, on a quarterly basis, representatives from the premier's office, the office of the Speaker of Gauteng's provincial legislature, all GPG sector departments, municipalities in the province, as well as DIRCO (GPG, 2011d: 1-2). It is worth highlighting that both the GPG's international relations framework and the Terms of Reference (TOR) for the GIRF make no mention of representation from provincial agencies with an international footprint such as Gauteng's economic development agency. Another notable omission in the founding documents is the absence of any consideration for bringing non-state actors such as businesses, NGOs and universities into the consultative forum. We shall examine the implications of this oversight in a subsequent section of this chapter.

Similar to the former ICFIR, Gauteng's new stakeholder forum on international relations 'is not a policy making or decision-making structure for the province', but plays an advisory role, on the basis of its recommendations, to the DG in the office of the premier, heads of provincial departments, municipal managers, the Speaker of the provincial legislature, as well as DIRCO (GPG, 2011d: 3). In another apparent indication that continuity rather than change underpins Gauteng's new institutional arrangements for paradiplomacy, the TOR for the GIRF institutionalise the practice of alternating officials who represent their departments or municipalities at the forum. As discussed above, frequent turnover in official representation at the ICFIR, as well as the North West's PIACC, contributed to undermining the effectiveness of this first generation of provincial consultative forums on international relations. Rather than seeking to stem this practice, the architects of the GIRF inadvertently endorse it. In this regard, the TOR for the forum stipulate that:

The IR forum may be [attended] by a proxy employee other than the employee nominated by the [Head of department] and noted by the Director General....If the employee nominated by the Head of Department from the stakeholder concerned and noted by the Director General is not in a position to attend Forum meetings after two subsequent officially scheduled meetings, the Head of Department from the stakeholder concerned should nominate another official to participate in the Forum (GPG, 2011d: 3).

While this provision appears to be an attempt by the international relations office to guarantee representation at the GIRF of any given stakeholder at all times, it

arguably demonstrates a lack of sufficient foresight and innovation in attempts at institutional reform. This weakness could partly be blamed on the dearth in institutional memory that is observed in the systems for managing paradiplomacy not only in Gauteng, but in the other provinces as well. It emerged from interactions with relevant officials in the three provinces, as well as a review of official documents, that provincial international relations offices have not been particularly successful in developing efficient record-keeping systems. Two findings from the provinces of Gauteng and the North West serve to illustrate this problem and the effects of this on the efficiency of the institutional reform process.

In the case of Gauteng, a former official in the international relations unit revealed that when he was appointed to take over the affairs of the office, he was informed of the existence of an international relations framework but was never able to receive a copy of the policy document. A February 2007 memo from the North West's premier's office addressed to a counsellor in the South African embassy in Cuba is even more revealing of the deficient record-keeping systems in the provinces and the effects thereof on the institutional memory of their international relations. In the memo, the Chief Director for Governance in the premier's office was inquiring from the mission if the North West had entered into any MOU with the province of Santiago de Cuba (see NWPG, 2007). That a province would seek confirmation for its own foreign agreements from an embassy is a clear demonstration of the depth of the weak institutional memory on international relations in the provinces. In these circumstances, the ability of officials to capture and learn from past experiences is severely constrained. This partly explains the apparent lack of perspective to meaningfully improve on the design of some of the institutional mechanisms as suggested by Gauteng's new consultative forum on international relations.

Notwithstanding the above flaw, Gauteng's new institutional framework for paradiplomacy does demonstrate some significant improvement from what obtained prior to 2009. This relates particularly to the introduction of a system of international relations programming, which has since gained traction in the province. Following the adoption of the new international relations policy framework, the province institutionalised the practice of developing an annual international relations programme or events calendar. In principle, the international relations programme

'must be developed in consultation with sector departments and municipalities' and should detail the actual and possible foreign activities of different provincial actors for a given financial year (GPG, 2011a: 36). The motivation behind such a system is derived primarily from the need to contain the tendency towards *ad hoc* international trips, which have often proven to be difficult to monitor, account for, or coordinate with other provincial initiatives.

6.4.2 Managing paradiplomacy in the North West since 2009

The North West has not seen far-reaching reforms in its international relations systems similar to what has been described in Gauteng. This is not to suggest that the province has been completely unaffected by the political and institutional changes that accompanied the ANC's Polokwane conference. In fact, during the interregnum between Zuma's election as president of the ANC in 2007 and his eventual ascension to the presidency of the country in 2009, there were major initiatives to improve the conduct and management of international relations in the province. Arguably, this push, which was part of a broader agitation for governance reform, drew its political momentum from the change of leadership in the ANC at both the national and provincial levels.

With regard to paradiplomacy, a noticeable change has been the strengthening of the capacity of the international relations unit in the office of the premier. In addition to making an appointment to the position of Deputy Director for International Relations, a post that had remained vacant for some time, an Assistant Director for International Relations and an International Relations Officer were also appointed in the unit. It is worthy to note that the three officials appointed in these positions were graduates from the Department of Politics and International Relations of the local North West University, reflecting a trend that is also observed in other provinces and which could be interpreted as a limited attempt to professionalise the international relations bureaucracy in the provinces. We shall return to this development and examine its limitations in the conclusion of the chapter. It suffices here to underline that the increase in the staff capacity of the international relations office in the North West has not been accompanied by any significant improvements in its role as coordinator of the province's foreign relations. If anything, the influence of the office

seems to have declined over the years, in the midst of crippling institutional inertia in the province.

Ironically, the diminishing influence of the North West's international relations office comes at a time when the Provincial Executive Council (EXCO) and other top management structures such as the management committee of heads of department or EXTECH are seen to have become more supportive in the management of the province's foreign relations. It is worth underlining that this particular development is not unique to the North West but represents a trend that has taken root in other provinces, facilitated by the adoption of the cluster system of government. The cluster system is a top management mechanism that allows for efficient decision-making and policy coordination by grouping government portfolios into separate cabinet committees, which meet regularly and report to broader cabinet sessions. Although international relations do not constitute a stand-alone portfolio in the provinces, they now form part of the business of the Governance and Administration Cluster in most provincial governments. This has engendered some form of active political leadership for international relations in the provinces.

In the case of the North West, EXCO has in recent years become assertive in monitoring the implementation of the province's international partnerships and demanding compliance with approved policy guidelines. For example, following a review of the province's international relations in 2009, EXCO issued a directive to provincial departments and municipalities mandating them to cooperate with the international relations unit in addressing loopholes in the implementation of international agreements and the general conduct of international relations in the province. When it emerged that little was done to comply with this directive, the matter was taken up by EXTECH, which mandated the international relations unit to hold consultations with the concerned stakeholders (NWPG, 2010b).

However, the active involvement of both EXCO and EXTECH in the management of the North West's international relations, like the increased staff capacity of the international relations office, has had very limited impact on the effectiveness of the province's international relations systems. As one of the most politically unstable provinces in South Africa, it has been extremely difficult for any form of substantial institutional reform to take root in the North West. Notwithstanding the impetus for

reform emanating from national processes in recent years, the province remains in a state of institutional inertia, driven largely by the effects of factional politics. As highlighted above, the intervention of the national leadership of the ANC, which resulted in the premiership of the North West changing hands from Maureen Modiselle to Thandi Modise in 2010, has done little to stabilise the politics in the province. As a recent internal memo suggests, the consequences of this unstable political environment are reflected in the dysfunctional state of the North West's intergovernmental relations structures, which also undermines the emergence of any effective systems to manage the province's international relations (NWPG, 2011c).

This explains why there have been no major changes to the international relations structures and processes in the North West. Unlike in Gauteng and the Western Cape, the international relations policy framework developed in 2002 has not been reviewed after ten years. More importantly, there have been no successful attempts to revive the defunct PIACC or institute another form of consultative forum on international relations. Consequently, even the directives of top management bodies like EXCO and EXTECH on international relations often go unheeded, given the absence of any provincial-wide mechanism through which compliance could be monitored. In recent times, the North West's international relations office, in partnership with DIRCO, the South African Local Government Association (SALGA) and the provincial Department of Local Government and Traditional Affairs, has attempted to address this challenge by convening *ad hoc* consultative forums and briefing workshops for provincial and municipal officials. In 2011, the office came up with an initiative to establish dedicated international relations focal points in municipalities, as well as a municipal international relations forum (NWPG, 2011c). However, in the absence of sufficient buy-in from the major stakeholders and the political and administrative leadership of the province, this initiative has since been shelved.

6.4.3 The DA and Institutional Reform in the Western Cape

As the only province not controlled by the ANC, institutional reform in the Western Cape has largely been determined by the efforts of the DA to distinguish itself from the ANC by demonstrating efficiency in governance. The conduct and management of the province's international relations have been no exception. Since the DA

assumed control of the Western Cape in 2009, a number of organisational changes have occurred in the domain of paradiplomacy, in line with the general push towards administrative efficiency in the province. One of the most notable institutional developments has been the strengthening of the capacity of the international relations directorate and repositioning it within a constantly changing administrative structure in the premier's department.

It should be noted, however, that even before 2009 when the DA took charge of the Western Cape Provincial Government (WCPG), the province had undertaken a number of unique organisational changes relating to international relations. Among these was the upgrading of the international relations unit in the premier's department into a full directorate, reflecting the strategic priority accorded to international relations by successive provincial governments. It should be recalled that, as is still the case in other provinces, the international relations office in the Western Cape used to be a sub-component of what was then the Intergovernmental and International Relations Directorate. In justifying the creation of a separate directorate of international relations, the then WCPG highlighted the fact that 'the loss of sovereignty to multinationals, increasing regionalization, and interdependence between states and individuals alike, has led to a proliferation of international actors'. It proceeded to argue that 'within decentralized or federal states, sub-national governments (e.g. provinces) have to a varying degree also become role-players in the international arena' (WCPG, 2006).

Today, the international relations directorate not only operates with a relatively large staff component of not less than seven officials, but its capacity is also bolstered by the fact it functions within a larger administrative unit that is designed to provide it with strategic support. In the most recent reorganisation of the department of the premier, a Chief Directorate for International and Priority Programmes was created, which oversees the international relations directorate and champions its activities (Mabuda, 2012: interview).

Another major institutional innovation, which further underscores the commitment of the DA-led government to render the administration of the Western Cape's international relations more efficient, is the appointment of a provincial Minister for International Relations. In 2011, the Premier of the Western Cape, Helen Zille,

announced that Dr Ivan Meyer, the provincial Minister for Sports, Arts and Culture, would henceforth double as the Minister for International Relations. Dr Meyer is expected to provide political leadership to the province's external relations on behalf of the premier. As innovative as it may appear, the appointment of a minister for international relations at the provincial level in South Africa is not without its limitations and controversy. In countries like Belgium and Canada, where SNGs have considerable legislative powers and have developed more centralised international relations structures, it is not uncommon to find a regional minister heading a separate department of international relations (see for example Crikemans, 2008: 30-33). The advantage of such a system is that it has the potential to support the effective coordination of a SNG's international relations, thanks to the availability of a dedicated bureaucracy and political leadership. As observed in previous sections of this chapter, the absence of a dedicated authority to provide strategic and political guidance to the international relations of South African provinces is a major obstacle to the effective coordination of these activities.

South African provinces, as stated above, do not enjoy the same legislative privileges as their counterparts in Europe and North America. An important administrative consequence of this limited foreign affairs competence is the absence of a separate international relations department in any of the nine provinces. This state of affairs has equally supported the emergence of a rather decentralised international relations structure and culture in the provinces, with the international relations units in premiers' offices playing very limited planning roles. In this context, the appointment of a provincial international relations minister, whose primary responsibility lies with another department, is not expected to have any significant impact on the management of paradiplomacy. This is the case in the Western Cape where individual departments continue to be in charge of setting the substantive agenda of their international relations. Similarly, both the Directorate of International Relations and the Chief Directorate for International and Priority Programmes also appear to be firmly in control of the procedural aspects of the province's foreign relations.

The decision to appoint a minister for international relations in the Western Cape has also stirred political controversy and added another layer to the latent

intergovernmental conflict between the DA-led provincial government in the Western Cape and the national government of the ANC. The institutional choice of the WCPG seems to have been interpreted by the national government as an encroachment on its foreign policy prerogatives (see PMG, 2012). By and large, what is highlighted in all these cases is the limited room for institutional manoeuvre that is available to SNGs with curtailed international relations competences.

Similar to Gauteng, the Western Cape has also embarked on a process to develop a new policy framework on international relations under the auspices of the revamped international relations directorate. In what appears to be an indication that the proposed policy framework would assume a central role in the province's international relations architecture, not less than two drafts of the document have served before the provincial cabinet and been sent back to the international relations directorate for amendments. This represents a significant departure from the processes through which the first generation of international relations policies were developed in the provinces. As previously indicated, the first provincial international relations policy frameworks were developed largely through partnerships between the relevant international relations units and international relations experts in local universities, who served as consultants. This approach undermined effective internal consultations and ownership of the policy frameworks, resulting in them not being taken seriously even by the political leadership that had perfunctorily approved them. In sharp contrast to this rudimentary approach, the Western Cape provincial cabinet in mid-2012 withheld the adoption of the most recent draft of the province's proposed policy framework on international relations. The document was referred back to the international relations directorate with a directive to undertake further consultations with key economic stakeholders in the province (Mabuda, 2012: interview).

Once adopted, the new policy framework would serve as 'a strategic basis for the conduct of international relations by the Western Cape Government' (WCPG, 2012b:1). It clarifies the functions of the different political and administrative organs that make up the institutional architecture of the Western Cape's international relations, as well as the relationship among them. Interestingly, while highlighting the executive authority of the premier over the province's international relations, the draft policy framework is silent on the responsibility of the provincial minister for

international relations. Instead, it underlines the role of the international relations directorate as that of 'providing strategic and administrative support to the entire [provincial government] insofar as international relations matters are concerned' (WCPG, 2012b: 14). This articulation reflects the uncertainty within the Western Cape provincial administration over the exact role of the new minister for international relations, and goes a long way to substantiate the argument made earlier that the institutional innovation represented by his appointment has little relevance in the South African context.

Besides outlining the strategic policy priorities that should inform the Western Cape's international engagements, the draft policy framework also contains the processes and rules of procedure that officials should adhere to when undertaking international engagements on behalf of the province. This is in addition to developing a protocol to facilitate the compilation of an annual programme of international visits for the entire province. A key proposal of the draft policy framework is the institutionalisation of an Inter-Departmental Forum on International Relations. Similar to Gauteng's GIRF and the now defunct PIACC in the North West, the proposed forum is expected to provide a platform for regular and structured interaction among key international relations stakeholders in the Western Cape and thus contribute to enhancing the coordination of different initiatives. However, as its name implies, and unlike the case in Gauteng and the North West, the proposed Inter-Departmental Forum on International Relations in the Western Cape is restricted to provincial departments, although invitations could be extended to other stakeholders from time to time.

Of particular significance is the deliberate attempt to make the participation of municipalities in the forum voluntary. This choice in the design of the Western Cape's international relations forum reflects the less than amicable state of intergovernmental relations in the province, conditioned by the pervasive political contestation between the ANC and the DA in the Western Cape. It is worth highlighting that while the DA controls the provincial government in the Western Cape, almost half of the municipalities in the province are governed by the ANC. This political dynamic makes it extremely difficult for the provincial government in the Western Cape to cooperate on a structured basis with all municipal governments within its jurisdiction. Thus, even on matters of international relations,

institutionalised coordination and cooperation are politically sensitive and problematic, to the effect that the established norm within the international relations directorate has been to steer clear of the activities of municipal governments, except when they explicitly request assistance (Canham, 2012: interview).

6.5 Democratic Participation and Accountability in Paradiplomacy

It was observed in chapter two that the imperative to democratise international relations has often been employed by SNGs to rationalise demands for the territorial decentralisation of foreign policy. It is argued that because of the proximity of SNGs to local populations, their foreign relations come with the advantage of engendering grassroots participation in and ownership of a country's foreign policy. This is particularly important in an epoch where the boundary between the domestic and foreign spheres is increasingly being eroded, and local communities are becoming more and more vulnerable to developments that have their roots in distant countries. The argument that links paradiplomacy to the democratisation of foreign policy presupposes the existence of two fundamental conditions in the sub-national polity concerned. Firstly, it assumes that there is some form of consciousness of, and interest in, international affairs on the part of the local population. Secondly, and perhaps more importantly, the argument takes for granted that overall governance processes in sub-national polities are essentially democratic, with effective mechanisms that guarantee both citizen participation and official accountability for international relations.

The general institutional overview presented at the start of this chapter suggests that, while there is still sufficient room for improvement, considerable efforts have been made over the years to engender citizen participation in the affairs of provincial governments in South Africa. In this regard, the contributions of provincial legislatures through a host of public participation and petitioning mechanisms are worthy to be highlighted. Analysts like Lodge (2005:751) have even noted the emergence of a 'lobbying culture among NGOs and organised interest groups, especially in the more urbanised provinces', thanks to the commitment of provincial legislatures to the institutionalisation of public participation in their legislative and oversight processes.

While this assessment may be a true reflection of the general state of participatory democracy in the provinces, it does not represent the reality insofar as the international relations of provinces are concerned. In essence, there is yet to emerge a strong democratic culture and institutions to promote official accountability and citizen participation in paradiplomacy in South Africa. In the three provinces of Gauteng, the Western Cape and the North West, the offices of premiers are accountable to designated legislative committees, which conduct oversight over the activities of these offices. Because the offices of premiers are also the custodians of the international relations of their respective provinces, they are also expected to account for these relations before the oversight committees. In practice, international relations units or directorates in the offices of premiers are charged with generating regular reports on the foreign relations of their respective provinces. These reports are then incorporated into the departmental reports of premiers' offices, which are submitted to oversight committees on a quarterly basis by the DG, serving as the accounting officer.

Interviews with provincial officials suggest that the committees occasionally dedicate time to scrutinising the conduct and management of the foreign relations of their respective provinces. However, in the context of the generally weak institutional environment described above, these parliamentary processes have not been able to engender sufficient democratic accountability in paradiplomacy. Much of the problem stems from the fact that the provincial departments that conduct the bulk of the provinces' international relations often demonstrate unwillingness to cooperate with premiers' offices (especially the international relations units or directorates within these offices), which have the responsibility to coordinate and account for these activities.

The weakness of parliamentary processes to bring about democratic accountability in paradiplomacy in South Africa could also be explained by an apparent conflict of interest on the part of members of provincial legislatures (MPLs). As actors in paradiplomacy themselves, MPLs have at times been noted to be as unruly and unscrupulous as their counterparts in provincial executives in the conduct of their international relations. For example, in the North West province, MPLs have acquired a reputation for conducting so-called international study tours which are

never accounted for (information revealed in an interview with an official in the North West Provincial Government who would like to remain anonymous). It is therefore logical to argue that the oversight role of provincial legislatures on the foreign relations of their respective provinces is somehow undermined by the compromised integrity of MPLs. For example, it is difficult to imagine that MPLs would commit to interrogating a provincial minister over an alleged misconduct associated with an international trip, knowing that they themselves are accustomed to breaking the rules that guide this aspect of paradiplomacy.

But perhaps the greatest impediment to democratic accountability in paradiplomacy in South Africa is the absence of international relations constituencies in the provinces, which demand accountability from their elected and appointed officials. Studies have shown that, like in other democracies around the world, South African citizens are generally uninterested in foreign affairs, deferring almost exclusively to the authority of the government for the formulation and implementation of foreign policy (see for instance Masiza, 1999; Nel *et al*, 2004). This is worse in the provinces where even advocacy NGOs and other civil society organisations operating in this sphere of government are largely ignorant of the fact that provincial governments do engage in international relations. Thus, there is hardly any engagement between organised civil society and provincial governments on international relations.

While this deficit could partly be blamed on the very slow pace at which public awareness and the discourse on paradiplomacy has evolved in South Africa vis-à-vis the phenomenon itself, it also reflects a reproduction, consciously or unconsciously, at the sub-national level, of the state-centrism and elitism that has characterised foreign policy for centuries. This could be inferred from the absence of any institutionalised outreach initiatives on the part of provincial governments dedicated to creating public awareness or engaging the general public on provincial international relations. The notable exception here is the Western Cape, whose recent draft policy framework on international relations proposes interaction between the provincial government on the one hand, and the academic, research and business communities on the other hand, within the framework of the envisaged Inter-Departmental Forum on International Relations (WCPG, 2012b: 28).

It must be conceded, though, that in recent times there have been some attempts in the provinces of Gauteng, the North West and the Western Cape to use new communication technologies to inform the public of international visits undertaken by premiers, as well as other provincial international activities. A classic example was the hosting of the Regional Leaders Summit in the Western Cape in 2010, which was widely publicised on the official website of the provincial government. International relations activities are also briefly mentioned in the annual reports of premiers' offices in the different provinces. These reports are made available to the general public on the official websites of provincial governments.

Worthy of note, however, is the observation that international relations issues are increasingly being left out of the annual State of the Province Address (SOPA). The SOPAs are used by provincial premiers to assess progress made by their respective governments, highlight lingering challenges and outline the priorities for the coming financial year. For example, in their 2012 SOPAs, the premiers of Gauteng and the North West made only scant reference to the international relations of their respective provinces (Mokonyane, 2012; Modise, 2012). Even worse was the address of the premier of the Western Cape, which was completely silent on the province's international relations (Zille, 2012). Considering that there has been a drive in the provinces to use the SOPAs to engage with the public and give citizens greater insight into the performance and initiatives of government,¹⁷ their silence on paradiplomacy could only underscore the lack of any commitment on the part of provincial governments to democratise this policy area and open it to greater public scrutiny.

6.6 Conclusion

The objective of this chapter was to examine the institutional frameworks and culture that have emerged over the years within provinces to manage their international relations. With reference to the three case studies of Gauteng, the Western Cape and the North West, the preceding analysis highlights the fact that since 1995 when

¹⁷ For example, the North West's 2012 SOPA was delivered at the local North West University and not the provincial legislature as has traditionally been the case, highlighting the recent trend in the provinces to use the addresses as a means to engage with local communities on the work of provincial governments.

most provinces made their debut on the global stage, there has not been a shortage of initiatives to develop organisational systems intended to coordinate provincial international relations and make them relevant to the specific development priorities of the different provinces. What has been conspicuously lacking, however, is the corresponding political will on the part of the leadership in the different provinces to drive the process of institutional capacity building around paradiplomacy. In fact, evidence from the three provinces under review suggests that early attempts to develop structures and processes to coordinate international relations in the provinces were externally inspired. They were largely a response to pressures from the national government for provinces and municipalities to regulate their haphazard foreign activities. Although most provinces have today assumed greater ownership of the process to institutionalise their foreign relations, the challenge to secure the cooperation of key provincial international relations actors lingers. This means that the impetus for institutionalising paradiplomacy has for the most part come from relatively small international relations bureaucracies, which, although customarily located in premiers' offices, do not have sufficient political clout or the requisite technical capacity to drive this process.

In all three provinces, international relations units or directorates have entrenched themselves as the cornerstones of what could best be described as emergent international relations architectures. They have spearheaded initiatives to develop international relations policy frameworks and institute consultative forums for provincial international relations stakeholders. However, compliance with relevant regulatory frameworks, and the effectiveness of provincial international relations coordinating systems generally, continues to be undermined by a set of political and administrative challenges. Although manifesting differently from one province to another, these problems have their roots in the nature of South Africa's political system. Among these is the constitutional division of powers, which creates space for provinces to engage in international relations while also according exclusive authority for foreign affairs to the national executive. The limited foreign affairs competence of provinces means that they cannot develop full-fledged international relations departments, with dedicated political heads and well-capacitated bureaucracies that can provide strategic leadership to provincial international relations. This legal restriction has worked against the emergence of genuine

hierarchical international relations structures in the provinces, making it extremely difficult to engender system-wide planning and coordination. The example of the Western Cape attests to the difficulty that provinces face in circumventing this limitation imposed by South Africa's constitutional framework. As explained above, the initiative by the provincial government to appoint a minister for international relations has had little effect on the efficiency of the province's international relations processes even though it has stoked tension with the national government.

The limited provincial competence in international relations has also undermined the emergence of effective institutional systems for managing paradiplomacy by discouraging the professionalisation of foreign affairs bureaucracies in the provinces. It was observed earlier that as part of the second generation of institutional capacity building for paradiplomacy, there have been attempts in the provinces to boost the capacity of their international relations offices by recruiting International Relations graduates from local universities. However, none of the provinces studied offers specialised training for its international relations practitioners. What is more, there are perceptions within national government departments that because of the limited foreign affairs mandate of provinces, officials in provincial international relations offices do not exactly fit the description of international relations practitioners. In line with this assessment, DIRCO, which has the responsibility to support provinces in their international relations, does not see the need to provide specialised training to officials working in provincial international relations offices, except in the area of diplomatic protocol.

In addition to the constraints imposed by the constitutional distribution of foreign affairs competence, the discussion in this chapter also underlines the detrimental effects of the dominant political culture in post-apartheid South Africa on efforts to develop workable institutional frameworks for managing paradiplomacy. In a political system where corruption, mismanagement and divisive politics are the order of the day, a culture of accountability and compliance with institutional processes has been elusive in all spheres of government, but particularly in the provincial and local spheres. Coupled with the vested interests that provincial officials have in international relations (read: foreign trips), this generally weak and unstable institutional environment has not been conducive to the development of effective

regulatory or accountability mechanisms for provincial international relations. However, in recent times, improved governance practices in metropolitan provinces like Gauteng and the Western Cape, encouraged by relatively stable political environments and access to sophisticated networks, are having positive effects on how these provinces manage their foreign relations. Yet, even in these pioneering provinces, there is little evidence to suggest that provincial officials are committed to democratising their international relations, subjecting them to the same kind of public participation and scrutiny as other functional areas.



CHAPTER SEVEN

CONCLUSION

This thesis set out to analyse the foreign relations of three South African provinces, against the backdrop of a relatively weak scholarly and public discourse on the phenomenon in South Africa, but also on the rest of the African continent. In this regard, the overarching aim of the investigation was to generate insight into paradiplomacy in South Africa, as a contribution to the development of alternative accounts of a phenomenon whose scholarship is still heavily dominated by Western perspectives. The central question that the inquiry sought to answer was: What is the nature and significance of the foreign relations of South African provinces?

To answer this question and the corresponding sub-questions, the study drew from the emerging scholarly discourse on the foreign relations of SNGs to develop a three-part analytical framework, which was then used to analyse the international experience of the South African provinces of Gauteng, the North West and the Western Cape. The choice of the three provinces took into account their political, socio-economic and geographical realities, which make them somewhat representative of South Africa's other six provinces.

The first task, however, was to locate the foreign relations of South African provinces in their proper context, by highlighting the domestic circumstances and dynamics which either enable or constrain these relations. This set the stage for an in-depth analysis of the paradiplomacy of Gauteng, the Western Cape and the North West, with a focus on the motives and objectives of their international relations; the instruments used to realise these objectives; as well as the institutional systems that are in place to manage paradiplomacy. This chapter concludes the analysis by highlighting and discussing the key findings that answer the questions posed at the beginning of the inquiry (7.1 to 7.6). In addition to a brief discussion on the future of paradiplomacy in South Africa (7.7), the chapter also provides a set of policy recommendations (7.8) and suggestions for future academic research on the subject (7.9).

7.1 The nature and meaning of paradiplomacy in South Africa

The general theoretical orientation of the thesis is that the burgeoning foreign relations of SNGs represent just one dimension of a broad restructuring of the international system, which has also given salience to the global role of an array of other non-state actors such as NGOs, transnational social movements, epistemic communities and even terrorist networks. There is generally little debate in academic or policy circles on the observation that contemporary global relations are organised around a set of actors, issues and operational principles, which differ considerably from what used to be the case half a century ago. For example, in addition to an enlarged cast of international actors, issues like food security, environmental conservation or crime fighting, which used to be addressed primarily within state borders, have today become part of the agenda of global politics. Similarly, although power politics continue to be an integral part of international relations, there is a growing preference today for partnerships and multilateral cooperation, in recognition of the interdependence of states and societies.

However, as the conceptual framework in chapter two highlights, the consensus on the objective markers of the changing global environment quickly evaporates when the focus shifts to making sense of this reality, especially its significance for the continued relevance of the Westphalian state-centric international system. This pertains particularly to the discourse on the international relations of SNGs which, unlike other relatively new international actors, enter the global stage with an ambiguous identity. Owing to their status as semi-sovereign territorial units, SNGs can be categorised neither as state actors nor as non-state actors, from an international relations perspective. Thus, while reflecting the shifting nature of diplomacy generally, the ascendancy of paradiplomacy raises, in a unique way, fundamental questions about the status and role of the traditional nation-state in the emerging global order. The validity of the different answers proffered to these questions, however, remains a bone of contention, reflecting not just the varied manifestations of paradiplomacy across diverse political, economic and cultural contexts, but sometimes also the theoretical and political biases that are brought to bear on interpretations of the phenomenon.

The different conceptual perspectives discussed in the second chapter can be synthesised into two broad arguments on the nature and significance of the foreign relations of SNGs. The first argument, which seems to have gained traction mainly among European and North American scholars (see the cited works of David Criekemans, Noe Cornago, Andre Lecours and Louis Moreno, but also that of John Kincaid), emphasises, in varying degrees, the challenge that paradiplomacy poses to the traditional hegemony of the nation-state in international affairs. Rooted in theories of nationalism and social constructivism, this school of thought interprets the international agency of SNGs mainly as an expression of identity politics or a crisis of the nation-state, which have often been used to question the normative underpinnings and viability of the state-centric international system. This perspective, which comes with a revisionist undertone, as far as the sovereign authority for international representation is concerned, is distinguished not only by its strong European and North America context and following, but also by its advocacy for greater appreciation of the autonomous character of the international agency of SNGs. Moreover, it advocates the 'normalisation of paradiplomacy' (see Cornago, 2005; 2010b), in addition to favouring a research agenda that highlights the 'watering down of the boundaries' between paradiplomacy and the traditional diplomacy of nation-states, as Criekemans puts it (see Criekemans, 2008; Criekemans, 2010b).

An alternative perspective, which is best captured in Brian Hocking's thesis on multilayered or catalytic diplomacy (see Hocking, 1993; 1996; 1999), draws from neo-liberal theories to interpret paradiplomacy as a predominantly functional response to the exigencies of globalisation and economic interdependence. For Hocking and his Asian followers such as Chen Zhimin (2005), paradiplomacy, more than anything else, represents the efforts of the traditional nation-state to adapt to the shifts in the global environment. In other words, the international agency of SNGs does not in any way subtract from the authority of the nation-state in foreign affairs as the first school of thought would want us believe, let alone signal the irrelevance of the latter in world politics. If anything, it should be seen as a joint project between sub-national and national governments, which serves to enrich and rationalise a state's foreign policy in an increasingly dynamic international environment. Put differently, paradiplomacy is an extension or one of many manifestations of the foreign policy of the contemporary state.

On the basis of the empirical evidence gathered in this research, it is reasonable to argue that the current experience with paradiplomacy in South Africa resonates with this latter perspective. The analysis in the different chapters of the thesis lends itself to the conclusion that the development of an international agency by South African provinces is a functional project that is not imbued with any attempts to challenge the central government's pre-eminence in the country's foreign relations. In particular, the analysis of the motives and goals of paradiplomacy contained in chapter four suggests that South African provinces define their international relations as a form of 'developmental diplomacy', which is concerned primarily with facilitating access to international opportunities for the purpose of addressing daunting socio-economic challenges at home. It therefore comes as no surprise that the promotion of provincial economic interests and the pursuit of development partnerships remain the two most important objectives of paradiplomacy in South Africa.

Although South African provinces conduct their international relations with relative autonomy and in ways that have at times undermined the country's international standing and attracted Pretoria's ire, there is no evidence to suggest that paradiplomacy in this context supports a revisionist agenda concerned with the distribution of foreign policy prerogatives within the state. On the contrary, the research reveals that South African provinces consciously define their foreign relations within the framework of the country's foreign policy, and in some cases see themselves as agents or champions of Pretoria's foreign policy agenda. For example, it was highlighted in chapters four and five that the international relations strategies of Gauteng, the Western Cape and the North West are increasingly being aligned to regional and global partnership frameworks like NEPAD, IBSA and BRICS, which have become cornerstones of South Africa's foreign policy. This, coupled with the fact that a substantial portion of provincial international partnerships is derived from South Africa's bilateral cooperation agreements, is a classic illustration of a tendency by South African provinces to anchor their foreign relations on the strategic orientation of the national foreign policy, a predisposition that is at odds with the interpretive claims of the revisionist perspective of the international relations of SNGs.

7.2 The Defining Role of the Domestic Context

The key to appreciating the true character of the international relations of South African provinces and their significance for the country's foreign policy lies in dynamics in the domestic context. These are discussed in greater detail in chapter three of the thesis. It suffices here to underscore the juxtaposition in the local environment of, on the one hand, practical realities that encourage paradiplomacy, and on the other hand strong centripetal attitudes and tendencies in the political system. It is primarily the interplay of these dynamics which has discouraged any sort of international adventurism on the part of South Africa's provinces and focused their foreign relations on issues of bread and butter.

Arguably, the single most important domestic factor that has conditioned the identity of paradiplomacy in the South African context is the constitutional distribution of powers among the three spheres of government. While reserving authority over the country's foreign policy for the national government, South Africa's 1996 Constitution also gives the country's sub-national entities a stake in the formulation of this policy. Section 231(2) of the Constitution accords provinces and municipalities, through the NCOP, the right to ratify international treaties that are not of a technical, administrative or executive nature. Similarly, the principle of cooperative government enshrined in chapter three of the Constitution requires intergovernmental consultations on all policy areas that affect the mandate and powers of SNGs, including in the area of international relations. However, it was noted that a number of dynamics in South Africa's political system, including the overwhelming dominance of the ANC in the country's post-apartheid political life, weak provincial administrations, as well as a generally underdeveloped culture of regional politics, mean that provincial governments have not been able to leverage these constitutional provisions to assume a significant role in the country's foreign policy-making processes. It is instructive to locate the tendency for provinces to willingly or unwillingly defer to the authority of the national government on foreign affairs within the broader foreign policy context in South Africa. As Masters (2012) argues, foreign policy-making in South Africa has historically been dominated by the national executive, especially the presidency, which has contributed to the marginalisation of the role of other actors such as parliament, SNGs and civil society. This practice

itself can be traced back to the ANC's ideological preference for a centralised system of government, which is reflected in the ambiguous federal language of South Africa's Constitution and was given substance particularly in the decade-long presidency of Thabo Mbeki.

It is clear from the preceding that the South African Constitution and the institutional culture it has produced, in deference to the ANC's aversion to federalism, has discouraged the emergence of sub-national entities with an assertive voice in the country's foreign policy-making process. However, the analysis of the evolution of the country's political system documented in chapter three highlights the equally important fact that South Africa's post-apartheid charter is the product of a political compromise between centrifugal forces, represented by supporters of the dying white minority regime and the regionally-based IFP on the one hand, and centripetal forces, embodied by the ANC, on the other hand. This political concession has turned out to be the most important historical determinant of the international agency of the country's provinces, having allowed for the creation of sub-national units with constitutional powers and mandate to be catalysts of the national development effort. Thus, in sharp contrast to their muted role in the national foreign policy-making process, provinces have in the past decade and a half leveraged this developmental mandate to develop an active international presence.

In consonance with Hocking's notion of multilayered diplomacy, both the ANC and the national government have appeared to be supportive of the international agency of provinces, even though they have never missed any opportunity to underline Pretoria's supreme authority over South Africa's international relations. In the context of an increasingly integrated and highly competitive global political economy, which has also seen the rise of cities and regions as important sites for managing economic activity, the ANC has embraced the international economic activism and partnerships of provincial governments as complementary activities to the achievement of South Africa's ambitious foreign policy objectives. As earlier indicated, the national government has at times turned to the provinces for the implementation of its own bilateral foreign partnerships. More generally, Pretoria proactively encourages provinces to seize the opportunities presented by the many regional and global partnership frameworks which South Africa champions to

promote their economic development. In a sense therefore, paradiplomacy in the South African context can be characterised as a foreign policy partnership of sorts between the national government and provinces, which, while affirming the relative autonomy of the latter, is primarily geared towards achieving nationally established policies and priorities. It is therefore not surprising that intergovernmental conflict on foreign affairs in South Africa has often reflected differences in strategies or cases of blunder on the part of provinces, and not questions of competence or the fundamental nature and objectives of provincial activities.

What do the findings on the relationship between South Africa's domestic context and the international agency of its provinces reveal about our understanding of paradiplomacy generally? The answer to this question is two-fold. Firstly, when analysed in the context of the global experience, the findings reinforce the complexity of the phenomenon and advise against generalised interpretations and conceptualisations that fail to take into account differentiations in the domestic environments that give rise to and condition paradiplomacy. More specifically, the South African experience brings into sharp relief the North-South geopolitical cleavage in the manifestation of paradiplomacy. On the one hand, it resonates with the experience in other developing countries like China, Malaysia, India and Argentina (see the scholarship of Jenkins, 2003; Zhimin, 2005; Zhimin and Junbo, 2009; Wah Loh, 2009; Matto and Jacob, 2009). In this geopolitical context, paradiplomacy can be explained primarily by the ascendancy of outward-looking economic development policies, which has engendered the restructuring of foreign policy processes to accommodate the growing strategic economic development role of sub-national entities. On the other hand, the findings on how South Africa's domestic context conditions the diplomacy of its provinces contrast with the experience in most countries in Europe and North America (see for example Kincaid, 1990; Bursens and Massart-Pierard, 2009; Aldecoa and Cornago, 2009; Lecours, 2009; Crikemans, 2010). Here, the confluence of a long history of sub-national autonomy and far-reaching regional integration projects that threaten to erode this autonomy has given salience to questions of nationalism, regional identity and the sovereign authority for international representation in explaining how and why sub-national governments acquire and exercise their international agency.

It is also imperative to briefly reflect on the theoretical implications of these findings, most notably their resonance with the theory of historical institutionalism discussed in chapter two of the thesis. As noted by Bursens and Deforche (2010: 159), political processes are significantly shaped by the institutional context in which they evolve, suggesting that the strategies and preferences of the actors involved are not the sole determinants of outcomes. More importantly, the evolution of particular institutions, including the nature of actor behaviour and political outcomes they produce, is path dependent on earlier institutional choices. Borrowing from this theory, it becomes much easier to relate the evolution of paradiplomacy in South Africa to the historical path established as a result of the institutional restructuring of the early 1990s. As historical Institutionalists would argue, the findings of this study suggest that South Africa's constitutional and institutional redesigning, combined with the political culture that has prevailed since 1994, have created institutional constraints and opportunities, which have determined the parameters within which provinces are able to conduct their international relations.

7.3 Paradiplomacy: A Vehicle for Socio-Economic Transformation?

Despite being the most developed economy on the African continent, South Africa, largely because of the apartheid legacy of unequal development, is still beset with enormous socio-economic challenges, in the form of high levels of poverty and unemployment and rising inequality. As the provincial profiles in chapter three indicate, while this socio-economic hardship is more pronounced in predominantly rural provinces like the North West, it is also a reality in urban and wealthier provinces like Gauteng and the Western Cape. It is manifested primarily in the general inability of a large number of the country's population to access basic services such as quality education, healthcare and shelter. It is partly in response to these poor socio-economic conditions that provincial and local governments were created, with a mandate to catalyse economic development in their jurisdictions and contribute to the social transformation agenda of the ANC's National Democratic Revolution (NDR). Thus, the discussion in chapter four of the thesis argues that the imperative to successfully discharge their developmental mandate in a global context characterised by economic interdependence and competition accounts for the increased interest in international relations by South African provinces. Through its

potential to mitigate the challenges associated with global economic interdependence and harness the opportunities thereof, paradiplomacy is one of the strategies in the employ of provincial governments to address poverty, unemployment, inequality and other development priorities articulated in provincial growth and development plans.

Given the predominant frame of social transformation within which South African provinces have developed and exercise their international agency, there is an evident bias in the objectives of paradiplomacy in favour of the pursuit of economic opportunities, the search for international development assistance, as well as the fostering of international partnerships for capacity building. As the evidence documented in chapter four suggests, efforts to employ paradiplomacy as a vehicle to fast-track socio-economic upliftment in the provinces have also contributed to the underdevelopment of other aspects of the phenomenon, especially in the domain of people-to-people exchanges. And, if the experience of the North West is anything to go by, the focus on addressing pressing domestic socio-economic challenges, which has given rise to an aggressive economic diplomacy in the provinces, has to some extent worked against sustained political and socio-cultural cross-border cooperation. This is the case, even though seven of the nine South African provinces are located on an international border and most of them, like the North West, share historical, cultural and linguistic ties with neighbouring foreign communities. It is, however, fair to underline that the muted nature of cross-border relations involving South African provinces is also attributable to circumstances beyond the control of provincial administrations. The analysis in chapter four of the North West's cross-border relations with Botswana reveals that the limited international relations competence of provinces, insufficient support from the national government, as well as incompatible political and administrative systems in the Southern African Development Community (SADC) region have all contributed to stifling cross-border cooperation between South African provinces and their counterparts in the region. By and large, the cross-border cooperation of South Africa's provinces, which is predominantly economically focused, serves to reinforce existing trade imbalances between South Africa and its regional neighbours, in favour of the former.

This finding underscores the complexity of the relationship between decentralised cross-border cooperation and regional integration projects. In theory, the connection between these two variables is what in biological terms would be referred to as a *mutualistic symbiotic relationship*. On the one hand, regional integration schemes should facilitate sub-national cross-border cooperation by creating the requisite institutional space for unhindered interaction of the SNGs of a region. On the other hand, increased economic, political and socio-cultural cross-border cooperation at the sub-national level should serve as an incentive for further institutionalisation of regional integration projects. However, the cross-border experience of South African provinces suggests that this correlation is not always mutually reinforcing and could instead take the form of a *parasitic symbiotic relationship*, to extend the biological metaphor used earlier. In the context of weak regional integration mechanisms as observed in the SADC region, decentralised cross-border cooperation, while benefitting from existing regional structures, could have the adverse effect of reinforcing imbalances in regional development and thus engender resistance to regional integration projects from smaller and economically weaker states. In the case of the SADC region, the cross-border economic cooperation of South Africa's provinces could have the same effect of stoking perceptions of the country harbouring regional hegemonic ambitions as do the economic activities of corporate South Africa in the region.

More generally, the pragmatic nature of the foreign relations of South African provinces dictates that, even though provinces profess allegiance to South Africa's foreign policy, efforts to align paradiplomacy with the strategic orientation of the country's foreign policy have not always been coherent. This is evident particularly in the provinces' choice of foreign partners. Although recent provincial international activities suggest a shift in favour of greater partnerships with sub-national governments in Asia, Latin America and Africa, in an attempt to catch up with South Africa's strategic focus on South-South cooperation and the promotion of Africa's development, provinces have traditionally preferred relations with entities in Europe and North America. The dearth in partnerships between South African provinces and their African counterparts, even though the former have invoked South Africa's pan-African foreign policy to define a role for themselves as champions of NEPAD, is very telling in this regard. The official justification for this preference is that

partnerships with SNGs in developed countries have always been self-sustaining and usually do not impose significant financial costs on the resource-strapped provinces. It is only in the context of huge budget cuts that have accompanied the financial crisis in the industrialised world, coupled with the rise of influential economies and donors in the South, that provinces have started diversifying the geographical scope of their foreign relations to take advantage of these emerging opportunities.

The analysis in chapter four further highlights that, while paradiplomacy is noted to have made significant contributions to socio-economic development and capacity building in the provinces, its potential as a human development strategy in South Africa continues to be stifled by a host of systemic challenges. Among these is the tendency for politicians and other provincial officials to abuse foreign trips, which often gives rise to unplanned, misdirected and unproductive international engagements. What is more, as highlighted in chapters five and six, insufficient technical capacity and motivation within provincial administrations tend to undermine the effective implementation of foreign cooperation agreements. Similarly, generally weak institutional systems also serve to frustrate the coordination of international activities. What this means is that provinces are yet to fully develop the capacity and commitment to harness their international activities into a positive force for economic development and social prosperity.

7.4 Comparing International Relations Strategies across Provinces

One of the objectives of this inquiry was to ascertain the degree to which the foreign relations of South Africa's provinces vary across the different provinces. As highlighted in the theoretical discussion in chapter two, the variables that condition paradiplomacy are located not only in global, regional and national structures, but also in the sub-national environment itself. This makes the objective and subjective characteristics of sub-national units important variables in analysing and appreciating their foreign relations. For the purpose of the study, three key variables, reflecting the major differentiations among the nine provinces, were highlighted to assist in the comparative analysis (see the section on methodology in chapter one). The first variable was the geographical location of a province, with a particular focus on whether the province was situated on an international border or not. As has already

been indicated, seven of the nine provinces, including the North West, possess this characteristic. The only two exceptions are Gauteng and the Western Cape.

The second variable relates to a province's level of economic development. By virtue of the diversity and globally-integrated nature of their economies, as well as high levels of per capita income and urbanisation, Gauteng and the Western Cape (together with KwaZulu-Natal), are considered to be the most economically developed provinces in South Africa. On this count, the North West was selected to represent those South African provinces that are still predominantly rural in nature, with economies that rely heavily on agricultural and extractive industries. A final variable that was brought in to analyse possible variations in paradiplomacy in South Africa is the political leaning of a province's leadership. Here, the Western Cape stands apart from all other provinces, given its status as the only province in South Africa that is governed by a party that is in opposition in the national legislature. To what extent have these characteristics engendered variations in the foreign relations approaches of the provinces?

It was established in chapter three that the distribution of powers in the South African Constitution of 1996 does not give rise to any legal asymmetries in the relationship between the central government and the provinces. Similarly, the provincial profiles suggest that despite the relative wealth of some provinces, none of the nine provinces is immune to the socio-economic challenges confronting South Africa. Consequently, as already argued above, there is no significant variation in the motivations and goals of the foreign activities of the different provinces. A notable exception is the North West's location on South Africa's border with Botswana, which has dictated that a portion of its international relations be dedicated to addressing common cross-border problems and executing joint projects with their Botswana counterparts for the well-being of border communities. However, this geographical variable alone does not suggest any major difference in the quantity and quality of the North West's international relations compared to those of Gauteng and the Western Cape. In fact, the level of cooperation between the North West and Botswana does not reflect the geographical proximity between the two entities. This is largely because of a set of national and regional institutional constraints, which

have rendered extensive cross-border cooperation between SNGs frustrating and unattractive.

Turning to the impact of the provinces' level of economic development on their international relations, it is possible to detect a number of variations among the three provinces. In the first instance, as an aspiring global city-region, which derives its economic edge primarily from being associated with economic opportunities in the rest of Africa, Gauteng's foreign relations are relatively more Africa-focused than those of the Western Cape and the North West. For example, it is the only province known to have moved beyond the rhetoric of championing NEPAD to actually hosting a conference on the initiative. Another illustration of how Gauteng's superior economic muscle makes its foreign relations relatively more Africa-focused and thus different from those of the Western Cape and the North West relates to the partnership between Gauteng and the Katanga province of the DRC, which is discussed in chapter three. Gauteng's partnership with the Katanga Province is significant for two reasons. Firstly, at the time of writing, it is the only active partnership between a South African province (with reference to the three case studies) and an African counterpart. Secondly, by serving as a mechanism through which Gauteng has provided technical assistance to Katanga, the partnership demonstrates the potential of the international agency of South African provinces in the context of sufficient resources.

A second variation in the foreign relations of Gauteng, the North West and the Western Cape, which is conditioned by differences in their levels of economic development, is evident in the types of instruments they use in their paradiplomacy as well as the relative efficiency and assertiveness with which these are employed. The analysis of the instruments of paradiplomacy in chapter five suggests that legal and institutional restrictions have left provinces with little room to manoeuvre in terms of how they operationalise their international agency. However, thanks to their relatively strong and globally-integrated economies, which leave them with a high global visibility, Gauteng and the Western Cape have had the luxury of complementing their bilateral partnerships with participation in transnational networks of SNGs. Arguably, because of the low international profile of its economy and the lack of resource capacity to meaningfully participate in multilateral forums,

the North West has not been privileged to embrace this instrument of paradiplomacy. It is also instructive to highlight the relative efficiency, frequency and assertiveness with which the economically powerful provinces of Gauteng and the Western Cape, as opposed to the North West, conduct their foreign relations using instruments available to all three provinces. Here, particular reference should be made to the vigorous and well-coordinated destination marketing campaigns often mounted by the economic development agencies in Gauteng and the Western Cape, which generally eclipse similar efforts from the North West.

With regard to the influence of domestic party politics on the nature of paradiplomacy, the study found that contrary to dominant perceptions, the foreign relations of a sub-national unit governed by a national opposition party are not always substantially different from those of similar units governed by the party that is in power at the national level. This conclusion is reached on the basis of the argument that the coming to power of the DA in the Western Cape has had little effect on the substance and nature of the province's foreign relations, putting them on par with those of the other eight provinces governed by the ANC. Granted, in an attempt to distinguish itself from the ANC, the DA has prioritised efficiency and innovation in the administration of the Western Cape. As the analysis in chapter six suggests, the drive by the DA to transform the Western Cape into a model of excellence in regional governance is beginning to have positive spin-offs for the management of the province's international relations. A case in point is the decision to appoint one of the Western Cape's provincial ministers to provide political leadership to the province's international relations. As controversial as it has turned out to be, this move is illustrative of the administrative innovation and efficiency associated with the DA's political ambitions, and which could make the Western Cape a pacesetter on matters of paradiplomacy in South Africa, ahead of Gauteng and other ANC-run provinces.

However, despite emerging differences between the DA-led government in the Western Cape and ANC-led provinces, in terms of style and, perhaps, efficiency in managing paradiplomacy, the substance of the Western Cape's international relations continues to mirror that of other South African provinces. A comparative review of the objectives, focus and scope of the Western Cape's foreign relations

before and after 2009 when the DA came to power reveals no major differences which could be attributed to the change in the province's political leadership. Equally, while there are notable variations between the paradiplomacy of the DA-led Western Cape and those of other provinces in terms of scope, frequency and choice of instruments, as pointed out above, these differences are associated with the relatively superior economic development status of the province and not its political makeup. This explains why, if the political variable is held constant, the scope, frequency and choice of instruments of the DA-led Western Cape generally mimic those of Gauteng, which boasts a similar and even better economic standing.

In addition to the three main variables cited above, the inquiry identified two other variables, which, although not prominently featured in the literature of paradiplomacy, were noted to engender variations in the phenomenon, across units of the same country and even across time within the same province. These are the administrative significance of a province within the country and the personal preferences of its chief executive. The first variable relates to whether a province is the seat of the national government or not, on the basis of which the foreign relations of Gauteng and the Western Cape tend to exhibit some differences from those of the North West. As hosts to South Africa's executive and legislative branches of government respectively, Gauteng and the Western Cape possess an advantage over other provinces in the conduct of their foreign relations. Firstly, both provinces, but mostly Gauteng, host a large number of embassies and consulates, which enables them to indirectly and cost-effectively engage with the outside world through regular and structured interactions with foreign envoys resident in South Africa. It should be noted, though, that the North West has at times exploited its geographical proximity to Gauteng to bridge this divide. Secondly, as the administrative capitals of South Africa, Gauteng and the Western Cape are strategically placed and often privileged to interact with South Africa's high profile international visitors. Thanks to this status, and unlike other provinces, Gauteng and the Western Cape have played host to a significant number of kings, queens, presidents and prime ministers from across the world, contributing to raising their international profile.

Finally, while discussions on sub-national characteristics which could have a bearing on their international relations have largely focused on structural variables (see for

example Soldatos, 1990: 44), the research revealed that the personal attributes of sub-national leaders could also condition and set apart a province's foreign relations. In this regard, it was noted in chapter five that between 2004 and 2008 the paradiplomacy of the Western Cape was significantly different from that of other provinces in terms of the geographical focus of its international partnerships. During this time, the Western Cape's international relations revealed a conspicuous preference for partnerships with entities in predominantly Muslim countries. This preference has been attributed to the Islamic religious beliefs and international ambitions of the then Premier, Ebrahim Rasool, who aspired to play a leadership role in the Muslim world.

7.5 The Challenge of Coordinating Paradiplomacy

A key finding of the research is that the coordination of paradiplomacy at both the national and provincial levels has been a major challenge to the development of the phenomenon in South Africa. More than a decade after provinces first launched their international relations, concerns remain over poorly planned, weakly monitored and generally uncoordinated foreign activities, which are also insufficiently aligned to provincial and national development priorities and have at times caused diplomatic embarrassment for Pretoria. Since the late 1990s, the Department of Foreign Affairs (now DIRCO) and that of Provincial and Local Government (renamed Cooperative Governance and Traditional Affairs (COGTA)), with the political backing of the ANC, have come up with a number of initiatives to address this problem. These have ranged from convening workshops for international relations stakeholders in provincial and local governments, to developing guidelines and constituting national consultative forums for international relations. However, as elaborated in chapter three, these interventions, even the most recent of them, have not been entirely successful in bringing about the kind of coordination that is required to make paradiplomacy more efficient and amenable to local development efforts. While much of the problem lies in the weak administrative capacity and dysfunctional institutional culture in individual provinces, an enduring attitude of ambivalence towards provincial and municipal diplomacy held by national officials is also partly to blame.

It was found that although there is a general appreciation, at the national level, of the necessity for provinces to become internationally active, this acceptance exists alongside misgivings, which are associated with the idea that foreign policy is the competence of the national government. Over the years, these reservations have been reinforced by the incompetence displayed by most provincial governments in the execution of their functions generally, and the conduct of foreign relations in particular. Coupled with problems of institutional coordination, leadership and capacity within the national government itself, this ambivalence has given rise to a situation whereby the support of the national government for paradiplomacy has for the most part been intermittent, half-hearted and insufficient. This is observed in, for example, the inadequate training given to provincial international relations officers, poor institutional leadership which has seen successive national coordinating forums, including the current CFIR, function sub-optimally, as well as the inability of DIRCO to come up with a policy document on the coordination of paradiplomacy as has repeatedly been recommended by the ANC since 1997. Simply put, while the ANC, as seen in its recent policy discussion document on international relations, has elevated paradiplomacy to an important feature in South Africa's foreign policy, the practice is yet to be given similar attention and prioritised by national government officials. In all fairness, however, it must be admitted that the interventions of the national government, as unenthusiastic as they have been, have for the most part generated the impetus for the international relations architectures that are emerging in the provinces.

In terms of intra-provincial coordination, the analysis in chapter six established that, similar to the experience at the national level, there has been a general lack of political will in the provinces to institutionalise paradiplomacy. As expected, little success has been recorded in this regard. Owing largely to pressures from the ANC and the national government, international relations structures have over the years appeared in the provinces to assist with the planning, monitoring and aligning of international relations activities to provincial development priorities. A standard provincial international relations structure comprises an international relations office located in the office of the premier, which serves as the central coordinating body, an international relations policy framework that provides strategic guidance and operational guidelines, and a consultative forum for international relations

stakeholders. Increasingly, top management structures in the provinces, including provincial executive councils, have also served as forums for deliberating on and issuing guidance on the management of provincial international relations.

However, even in a province like the Western Cape, where one of the cabinet ministers has been appointed to serve as provincial minister for international relations, the emerging organisational structures for international relations in the provinces remain highly decentralised. In the absence of a separate international relations portfolio in provincial administrations, the dominant trend is one in which paradiplomacy is conducted without any dedicated political leadership to guide the planning, implementation and monitoring of partnerships and other international relations activities. Individual provincial departments and agencies maintain authority over their foreign relations, to the extent that in provinces like the North West, the role of the international relations office, which is supposed to serve as a central coordinating body, has virtually been reduced to that of organising foreign trips for provincial officials. As the discussion in chapter six illustrates, the absence of a genuine hierarchical international relations structure in the provinces, which is conditioned by the limited provincial foreign affairs competence, has made coordination extremely difficult, especially in the context of a generally fluid political environment in most provinces.

Recent political developments in South Africa, exemplified mainly by the outcomes of the ANC's 2007 Polokwane conference, but also by the emergence of the DA as the governing party in the Western Cape, have come with some momentum for institutional reform, which suggests change in the way provinces like Gauteng and the Western Cape manage their foreign relations. However, the extent to which this impetus and the institutional restructuring that has accompanied it would translate into genuine progress in the coordination of paradiplomacy even in these pioneering provinces cannot be ascertained at this stage. For example, the adoption of a new international relations policy framework in Gauteng and the reconstitution of the provincial international relations stakeholder forum are yet to exorcise the culture of unaccountability around the conduct of international trips. Similarly, while the institutional innovations of the Western Cape in this area seem to have attracted the attention of scholars, leaving some to suggest the prospects for a new dawn in

paradiplomacy in South Africa inspired by the DA (see Zondi, 2012: 62-63), there is a need for cautious optimism even here. For instance, it is not a given that the appointment of a minister for international relations would be successful in ending a deep-seated administrative culture of thinking and acting in isolation, particularly if due regard is given to the fact that his primary responsibilities are to the department of cultural affairs and sports. There are also indications that in the absence of a separate political portfolio/department for international relations in the province, the influence of the international relations minister could be undermined by the parallel authority of the ambitious international relations bureaucracy in the department of the premier.

In the same light, suggestions that developments in the Western Cape, and growth in paradiplomacy in South Africa more generally, are likely to inspire 'stronger formalisation of [paradiplomacy], including its elevation to a full political portfolio in all nine provinces in South Africa' (Zondi: 2012: 62), should be treated with circumspection. This is because even though there seems to be a necessity for such a development, it could hardly be accommodated in the current legal and institutional context in South Africa, which has given rise to the interpretation that matters of foreign affairs are the responsibility of the national government. As pointed out in chapter six, the appointment by the Western Cape of a minister for international relations has not been entirely welcomed by the national government, because it is seen as an encroachment into the latter's jurisdiction. It is unlikely that the Western Cape, or any other province for that matter, would risk an overt intergovernmental conflict with Pretoria by attempting to establish a separate international relations department, especially in the context of the ANC's continued dominance of South Africa's political landscape. In fact, it makes more contextual sense to interpret the Western Cape's appointment of an international relations minister, without attempting to establish a full foreign affairs portfolio in the province, as an innovative and shrewd political decision that seeks to exploit the fullness of provincial autonomy, albeit within legal and institutional limits.

The correlation between an underdeveloped institutional environment in the provinces on the one hand, and challenges in the planning, monitoring and rationalisation of paradiplomacy on the other hand, highlights the question of timing

in the development of the international agency of South African provinces. As Lecours (2008:14) has suggested, in contexts of institutional fragility, the desirability of promoting paradiplomacy, even when approached from the perspective of its functional and democratic merits, needs to be weighed against the potential for the practice to generate unwanted political instability. With reference to the South African experience, this point can be extended to take into account the potential for paradiplomacy introduced in a shaky institutional environment to impact negatively on local and national socio-economic development efforts. This then raises the question of whether the territorial decentralisation of foreign relations should be encouraged in young democracies like South Africa's, where institutions of governance are still weak and underdeveloped at the sub-national, national and even intergovernmental levels. In other words, as has been mooted in policy circles in South Africa, should the imperative for nation-building and economic development necessitate that the decentralisation of foreign relations in some national contexts be delayed and predicated on the institutional capacity of the sub-national entities concerned? More explicitly, should South African provinces be made to figuratively put their houses in order before receiving the unconditional support of the national government to develop an international agency?

These questions are not amenable to easy answers given the political, institutional, legal and even developmental arguments that they give rise to. For example, in the case of South Africa, where the idea of relative sub-national autonomy is a defining feature of the political discourse, attempts to constrain the international agency of SNGs could have major political fall-out. This is particularly the case when the asymmetry in provincial capacities is taken into account. Given the existence of relatively strong institutions in provinces like Gauteng and the Western Cape, it would be irrational to adopt such a policy and make it applicable to these provinces. In such a context, the most logical policy option would be one that allows for the transfer of foreign relations prerogatives on a case by case basis, taking into account the capacity of the province. However, this approach runs the risk of reinforcing the asymmetries in provincial capacity. Besides, even SNGs with capacity challenges could argue against delaying their international activism on grounds that it amounts to denying them access to the opportunities and tools necessary to develop such capacity. In the final analysis, what is highlighted in this dilemma is the strong

correlation between a country's constitutional design and the scope of the policy and institutional choices available to it in managing the ambitions of its sub-national units to develop an international agency.

7.6 Paradiplomacy and the Democratisation of Foreign Policy

A corollary of the weak institutionalisation of provincial international relations in South Africa is the entrenchment of a culture of unaccountability and the reproduction of the traditional state-centric paradigm of foreign affairs in this sphere of government. Contrary to the argument that the territorial decentralisation of foreign affairs will encourage the democratisation of this largely exclusive policy area, the analysis in this thesis reveals the prevalence of two undemocratic tendencies around paradiplomacy in South Africa. On the one hand, politicians and other senior provincial officials, including members of provincial legislatures, have earned a reputation for being largely unaccountable in their foreign relations. On the other hand, there is a weak culture in the provinces of engaging with civil society and business on matters of international relations, notwithstanding a growing public consultation tradition in provincial governance more generally.

The interplay of these two trends not only contributes to weak oversight and accountability in paradiplomacy, but has also made the practice highly state-centric and less open to popular participation. This is evident in at least two practices in the provinces. Firstly, participation in provincial international relations stakeholder forums, which currently provide the only broad consultative mechanisms for some form of planning, monitoring and evaluation of international activities, is limited to representatives of government departments and agencies. Secondly, there is a conspicuous dearth of efforts to promote people-to-people cooperation within the framework of paradiplomacy. This is evident in, for example, the over-prioritisation of so-called study tours and technical exchanges, which are the domains of politicians and other government officials, at the expense of socio-cultural exchanges, which would bring international relations closer to a broader section of the local population. Paradiplomacy in South Africa could thus be characterised as a paradox, insofar as its relationship with democratic practice is concerned. On the one hand, the international agency of provinces, just like the provinces themselves, is the outcome

of democratic considerations and processes. On the other hand, this agency is exercised in a manner that undermines democratic principles and processes.

This paradox speaks to the broader question on the relationship between democracy and foreign policy. The reluctance of provincial officials to broaden participation in international relations and subject them to greater public scrutiny, a tendency that is encouraged by a general lack of public interest in this policy area, suggests the need for more nuance in the discourse on the democratisation of foreign policy. In the absence of a considerable grassroots agency for international relations, the concept of a democratised foreign policy may very well denote a disguised form of 'elite capture' of foreign policy influence. In other words, notions of territorial decentralisation of foreign policy or institutionalised consultations with interest-driven and largely unrepresentative civil society organisations, which are uncritically taken to denote efforts to democratise foreign policy, could actually represent processes of negotiating and re-allocating foreign policy interests and prerogatives among different categories of elite.

7.7 The Future of Paradiplomacy in South Africa

The analysis and discussion in this thesis suggest that South Africa's nine provinces, especially the three under review, have had mixed fortunes in their nearly two decades of international activism. On the one hand, there are intractable challenges of planning, monitoring and coordinating international relations activities, which have undermined efforts to align these activities to provincial and national development priorities and objectives. On the other hand, paradiplomacy, although still imperfect and in most instances characterised by a learning process of trial-and-error, can still be linked to a number of social development projects, capacity-building programmes and economic development partnerships, which have made positive contributions to development efforts in the provinces.

This bifurcated experience reflects the influence on the international agency of South African provinces of a set of enabling and constraining dynamics, which are found mainly at the provincial and national levels, but also at the regional and global levels. While most of these dynamics are not expected to change considerably for the foreseeable future, a number of emerging trends can be identified, which would

condition the future prospects and trajectory of paradiplomacy in South Africa. At the provincial level, metropolitan provinces like Gauteng and the Western Cape, buoyed by their relatively strong economies, efficient administrations and global profile, are becoming more assertive, innovative and organised in the conduct of their foreign relations. This trend is set to continue, with the prospects of inspiring confidence in the international agency of other provinces and contributing to a significant growth in paradiplomacy in South Africa in the years ahead.

The rising influence of the DA in South Africa's political landscape, coupled with the emergence of strong provincial executive committees within the ANC, equally portend well for the growth of provincial international relations, given their potential to induce a sense of greater autonomous action in the provinces. It must be cautioned, though, that the prospects for widespread growth in paradiplomacy in South Africa could be limited by the tendency for provinces to conduct their foreign relations in isolation. Presently, there is little cooperation among provinces on matters of international relations, making it difficult for them to learn from and assist one another in this regard. Without sufficient inter-provincial linkages in the domain of international relations, and given the limited capacity of predominantly rural provinces, the future map of paradiplomacy in South Africa is likely to display huge disparities in the growth of the phenomenon among provinces.

It is also imperative to locate the future prospects of paradiplomacy in South Africa within the broader discourse on the future of provinces. As indicated elsewhere in the thesis, the performance and continued relevance of the provincial sphere of government has been the subject of an enduring policy debate in South Africa. The most recent articulation of the ANC on the subject seems to suggest that, while provincial governments will be retained, the number of provinces, their powers and functions are most likely to be revisited (see ANC, 2012). There are strong prospects that the number of provinces would be reduced from nine to about four, incorporating poorer and less performing provinces like the North West into their relatively efficient counterparts like Gauteng and the Western Cape. The implications of this development for paradiplomacy would be two-fold. From a capacity point of view, the reorganisation of provincial boundaries, powers and functions should result in larger, more economically viable units, with relatively more autonomous and efficient

administrations. This could also enhance the capacity of the new provinces to conduct their international relations. However, from a political perspective, the possible merging of the Western Cape with provinces like the Eastern Cape, where the ANC still has a very strong following, would negatively affect the DA's electoral base, at least in the short run. This is most likely going to give back the ANC control over all provincial administrations in South Africa, undermining the prospects for growth in paradiplomacy which is associated with the rising influence of provinces governed by an alternative political party.

Regardless of whether there would be changes in the configuration of provinces or not, paradiplomacy also stands to benefit from the increased attention that the ANC has been giving to the coordination of South Africa's international relations in recent times. As highlighted both in the resolutions of its 2007 national conference, as well as its 2012 policy discussion document on international relations (see chapters three and six), the ANC has assumed a major role both in setting the tone of South Africa's foreign policy and in providing inspiration for a more coherent international relations approach for the country. The hands-on approach of the ANC to South Africa's international relations, in particular, its continued focus on enhancing the effectiveness and coordination of the foreign relations of sub-state actors, augurs well for the future development of the international relations of provinces. It not only serves to legitimise and increase the influence of these activities, but also generates the political impetus for improved support for paradiplomacy from the national government.

The economic crisis in Europe, the US and Japan, which has been accompanied by the ascendancy of a new wave of South-South cooperation propelled by the rise of new economies in Asia, Latin America and Africa, will also play a significant role in shaping the future contours of paradiplomacy in South Africa. As indicated earlier, these changes have already compelled South Africa's provinces to diversify their international partnerships from the traditional focus on European and North American countries to explore and prioritise more relations with countries in Asia, Latin America, the Middle East and Africa. This trend is expected to continue and intensify as the economic influence of the Global South increases, with significant consequences for the international agency of South African provinces. For example,

given the strong development assistance component of the current wave of South-South cooperation, as well as the growing interest of countries like China, Brazil and India in Africa, strategically placed provinces like Gauteng are poised to become important actors in an emerging framework of decentralised South-South trilateral cooperation. This framework would enable relatively capacitated South African provinces to partner with their counterparts in countries like China, India or Brazil to diversify their engagement in Africa from a predominant focus on the search for economic opportunities to broad-based development cooperation. There is no gainsaying that such prospects would not only result in a stronger international role for participating South African provinces, but would equally inspire the growth of the practice in the rest of the African continent.

7.8 Policy Recommendations

Based on the research findings and conclusions reached above, a number of policy recommendations are made as part of the study to improve the international role of South African provinces.

7.8.1 To Provincial Governments

Provide dedicated political leadership for paradiplomacy: There is a need for dedicated political leadership in the provinces to champion paradiplomacy and ensure the effective planning, monitoring and coordination of international relations activities. While the appointment of a minister for international relations in the Western Cape represents a pioneering effort in this regard, more innovative measures are required both in the Western Cape and other provinces to align such leadership with the efforts of international relations offices, which are responsible for the actual management of paradiplomacy in the different provinces.

Create international relations focal points: Provincial governments should prioritise the establishment of international relations focal points in all departments and agencies that engage in foreign relations. These units should be preferably located in the offices of HODs or chief executive officers of agencies and should be responsible for monitoring and coordinating all the international activities of their respective departments. These focal points should be the link between departments

or agencies and the international relations units in the offices of the premier. They should also serve as permanent representatives of their departments or agencies at provincial international relations stakeholder forums. This will assist in alleviating the problem of weak monitoring and coordination of provincial international relations activities.

Engage local communities and civil society on paradiplomacy: Provincial governments, through their international relations offices, should follow the example of DIRCO and conduct regular outreach programmes to sensitise local communities on their international mandate and activities. Consideration should also be given to the expansion of participation at provincial international relations stakeholder forums to include representatives of businesses and civil society. More importantly, efforts should be made by provincial governments to dedicate a substantial part of their foreign activities to promoting people-to-people relations in the form of sports, cultural and academic exchanges. These and other measures would contribute to involving local communities in paradiplomacy and rid it of its current statist character.

Promote inter-provincial linkages on paradiplomacy: It is also imperative for provinces to move towards greater cooperation with one another in their international relations, at least at the bureaucratic level. Consideration should be given to establishing an inter-provincial forum of international relations practitioners to serve as a formal mechanism for cooperation. Greater inter-provincial cooperation on paradiplomacy would ensure that expertise developed, lessons learnt and best practices are shared among officials in the different provinces. This would contribute to bringing efficiency to provincial international relations and maximising the benefits thereof.

7.8.2 To the ANC and the National Government

Adopt new thinking on paradiplomacy: Notwithstanding the inefficiencies of provinces in the conduct of their international relations, Pretoria should fully embrace paradiplomacy as a vital contribution to South Africa's foreign policy in a transforming global environment. This new thinking should be accompanied by institutional changes at the national level to accommodate and support the international relations of provinces. For example, DIRCO should demonstrate

sufficient leadership in ensuring that forums like the CFIR are effective in providing guidance to provinces, while facilitating the exchange of information and best practices among provinces and other international relations stakeholders. Consideration should also be given to establishing formal training programmes to provide provincial actors with the requisite knowledge and skills to effectively engage in the international arena.

A role for provinces in SADPA: Consideration should be given to the idea of provincial governments becoming an integral part of the soon to be launched South African Development Partnership Agency (SADPA), which seeks to rationalise South Africa's development aid efforts on the continent. SADPA could provide a mechanism for relatively efficient provinces like Gauteng and the Western Cape to combine their expertise and experience in local administration on the one hand, with national government resources on the other hand, to provide technical assistance to their counterparts in Africa. This would contribute to enhancing the international agency of these provinces, while also enriching their own governance experience, as well as South Africa's African agenda.

7.9 Suggestions for Further Research

This empirical study represents a milestone in providing an in-depth understanding of the nature, manifestation and significance of paradiplomacy in South Africa. Even so, it does not pretend to offer a complete account of the phenomenon in the country and its broader implications, given the fact that paradiplomacy has been around in South Africa for less than two decades and the practice is fast evolving. Some of the trends analysed are only beginning to emerge and would thus require further inquiry in order to gain a full understanding of their implications. Similarly, there are other issues and themes, which could not be made the focus of this study because of its limited scope and timeframe. These issues and themes also deserve greater scholarly attention in efforts to better appreciate the evolving foreign relations of South African provinces.

In the first instance, further in-depth research is required in this same tradition to appreciate the nuances of the phenomenon in the other six provinces. Studies of more cases would be beneficial to the understanding of paradiplomacy in South

Africa should the same indicators be used as in this study. Furthermore, more scholarship is needed to better understand the implications of the participation of some South African provinces in transnational networks of SNGs. It was highlighted in chapter five of the thesis that provinces like Gauteng and the Western Cape have become active members of global networks, which bring together a diverse collection of SNGs. More empirical inquiry is required to appreciate the implications of this participation for the development of the international agency of these provinces. For example, how does participation in these networks affect the ambition and efficiency of the emerging international relations bureaucracies in the provinces? It is also imperative to ascertain if there is any correlation between participation in these networks and the growing international confidence of the political classes in some provinces.

Additional research is also needed to gain more insight into what appear to be differing perspectives on paradiplomacy between the bureaucracies on the one hand, and the political elite on the other hand, and how this divergence conditions the international outlook and experience of provinces. Such research would have to take into account the different career orientations of bureaucrats and politicians, as well as the sense of camaraderie between provincial and national bureaucracies, which is often absent in the case of their political counterparts.

Other areas for further research include the financial implications of paradiplomacy to better understand their developmental value; the interface between paradiplomacy and what seems to be a growing interest in international relations by South Africa's sub-national monarchies;¹⁸ as well as insight into how foreign entities perceive their partnerships with South African provinces. In the context of the observed dearth of citizen participation in provincial international relations, it would also be instructive to conduct surveys in the different provinces to ascertain public perceptions on the foreign relations of their provincial governments. Research would be required to compare the international relations experience of South African provinces with any similitude of the phenomenon occurring on the rest of the continent. This would

¹⁸ South Africa has a number of constitutionally recognised sub-national monarchies, most notably the Zulu Kingdom in the KwaZulu-Natal province and the Royal Bafokeng Kingdom in the North West province. In recent times, both the Zulu King and his Bafokeng counterpart have undertaken regular foreign visits to promote the development of their respective 'nations'.

enrich the understanding of an African perspective of paradiplomacy. More generally, further research on the subject could take the form of comparative studies of paradiplomacy in the Global South; especially comparing the experience of South African provinces with those of their counterparts in other BRICS/IBSA countries.



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