

AFFIRMATIVE ACTION IN SOUTH AFRICAN SPORT: A MORAL GAME FOR ALL

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Abstract:

The following paper examines the moral justification for affirmative action within South African sport, more specifically the forms pertaining to “preferential treatment” and “reverse discrimination”. The paper begins with an articulation of the nature of our sport as well as that of affirmative action, which in turn lays the foundation for my moral justification. South African sport, it seems, must share centre stage in our country’s reconciliation and nation-building process if we are to faster realise a substantively equal and non-racial society. I argue that by appropriately bringing about the right kind of integration in South African sport we can create a better country for all by reducing, *inter alia*, our racial and class disparities, racial prejudices and racism. That said, there appears to be a greater moral significance that comes from using “preferential treatment” and “reverse discrimination” in South African sport, as opposed to their complete absence.

Declaration

I declare that this research report is my own unaided work. It is submitted for the degree of Master of Arts, Applied Ethics of Professionals, in the University of Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.



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Introduction

Affirmative action is generally a very topical and controversial issue in South Africa today. However, when it is discussed within the context of our sport, things really tend to get a lot more heated and emotional, very quickly. The truth of the matter is that South African sport has a very complex nature, and our consistently-proven inability to all unite behind a common approach to its transformation makes pursuing any form of affirmative action therein to be something that is extremely challenging for those involved. It seems to me, though, that we are in desperate need of some sort of middle ground approach in how we go about transforming sport in South Africa. This is because one has to be sensitive enough to our historical injustices, whilst adequately upholding meritocracy in sport in a way that preserves, *inter alia*, its competitiveness and economic value. That said, if there is one thing that appears to be irrefutable, it is that we cannot sit back and simply allow the sports industry in South Africa to transform itself over time, while expecting our current government to single-handedly address the inequalities therein and miraculously plug all the massive gaps in our sporting infrastructure and development programs countrywide. If we are serious about realising a substantively equal and non-racial South Africa, then we must develop a much deeper understanding and appreciation for the role that sport can play in shaping our broader social reality.

Sport is not simply about winning. The nature of sport, rather, and especially within a South African context, is something that is deeply intertwined with culture, symbolism, reconciliation and nation-building. Our sporting history is something that is badly stained with racism and immoral social engineering, and its lingering consequences are evident from the fact that, *inter alia*, certain sports largely remain synonymous with particular social and cultural settings in South Africa today. If we can acknowledge the importance of using sport as a platform to effect significant social change – after recognising how its past use has already highly-influenced our present – and we are really willing to step outside our prejudices, attachments or other related cultural conditionings, then there is room to discuss how sport can be used (again) to genuinely bring about a better South Africa for all.

The nature of affirmative action, on the other hand, appears to be something that is plagued with a number of general misunderstandings and misconceptions, at least on the part of many ordinary South Africans today. Firstly, affirmative action is a concept that is not solely concerned with race. It is also not meant to be a *permanent* solution to our undeniable historical injustices. Neither does it necessarily call for equal representation in respect of the country's demographics. The greatest challenge, perhaps, is the fact that many people are ignorant of the fact that there are actually different forms of affirmative action, and therefore it can actually manifest itself in a variety of ways. As part of defining the terminology for purposes of this essay, I highlight the distinct differences between "preferential treatment", "reverse discrimination" and "quota systems". Thereafter, I draw attention to the nature of other aspects of affirmative action, such as the difference between policy and implementation and the existing legal justifications for affirmative action in South Africa.

Affirmative action, it seems, in national sport and all other sport in South Africa, is morally justified on the basis that it appropriately brings about the right kind of integration in our sport, in order to reduce racial and class disparities, and create the kind of opportunities that can reduce deeply-ingrained racial prejudices and racism that most, if not all, South Africans have been culturally conditioned to. It is a forward-looking moral justification that in essence acknowledges every South African, white and black¹, as a victim of our historical injustices as well as a beneficiary of the forms of affirmative action that I advocate for in this essay.

In the sections that follow, I will first discuss the nature of South African sport and that of affirmative action, in order to provide the much-needed context that forms the foundation of my moral justification for specific forms of affirmative action in our sport. Thereafter, I shall discuss at length exactly why both preferential treatment and reverse discrimination, in national sport and all other sport in South Africa, are in fact morally justified, before going on to respond to three objections that

¹ For purposes of this essay, I take my own racial references to "black" to mean African, Coloured and Indian.

a number of South Africans typically raise in respect of affirmative action and within the context of sport more specifically.

The nature of our sport

Sport is not only about winning. It never has been, and it never will be. When one unpacks its complex nature, one will fast discover that it is far greater than the mere activity itself. The nature of sport, rather, and especially within a South African context, is something that is deeply intertwined with culture, symbolism, reconciliation and nation-building, where historical events and social engineering in sport continue to play a significant role in shaping our prejudices and sense of belonging. As a result of our sporting history, many sports generally remain synonymous with particular social and cultural settings in South Africa today. Rugby, soccer, golf, rowing and swimming are but a few examples of this social reality. That said, it appears to me that South Africa's racial dilemma within sport is partly due to the fact that a sense of cultural ownership over certain sports has manifested itself over time as a direct result of sports' entrenchment therein. It is a sentiment that generally becomes evident when an attempt is made to introduce affirmative action in sport and it is instinctively met or perceived, usually by the laymen, as some sort of incursion into ones' territory or culture. Of course, that is far from the only reason why many South Africans are seemingly repulsed by the notion of affirmative action in our sport, as other aspects concerning, *inter alia*, racial discrimination and meritocracy are also of grave concern for some of those denouncers. I go on to discuss both these aspects later on in this essay. For now, though, what must be acknowledged is that "[t]he salience of sports can be documented in terms of news coverage, financial expenditures, number of participants and spectators, hours consumed, and time samplings of conversations" (Snyder and Spreitzer, 1974: p. 468).

I find it extremely worthwhile to briefly explore exactly how South Africa's sporting history has gone on to shape our social reality today. By realising how our sport was (politically) used in the past to influence our present, not only would we recognise the power that sport has as a platform to bring

about significant social change, so too, I believe, that one would then be more open to the idea of using sport, again, to reconstruct and better shape South Africa for the future. However, the major difference this time round, when compared to the past, is that my proposed manner of politically using sport is in fact morally justified in itself. I also find it useful to discuss the far-reaching, and often underestimated, use of symbolism in sport. Symbolism therein appears to always possess some kind of instrumental value as it contributes, at all sporting levels, and to some extent, to bringing about reconciliation and nation-building in South Africa. With an appropriate change in our attitudes, we can expand our sense of belonging to extend beyond our immediate culture, social community and that to which we are comfortably accustomed. With all of the above in mind, though, and the opportunities that affirmative action in sport may present us with, our individual growth and national progress will always be somewhat hindered unless we are truly willing to step outside our prejudices, attachments or other related cultural conditionings.

Before going on to discuss our sporting history and the importance of symbolism in our sport and culture, I wish to clarify my reference to sport for purposes of this essay. Herein, I do not differentiate between professional and amateur/recreational sport, competitive and non-competitive sport, spectated and non-spectated sport, or even what it is about particular sports that bestows upon them some sort of entertainment value (and all that that may entail). Instead, the only differentiation I make is between (1) national sports and (2) all other sports in South Africa. And the reason I do this is simply to emphasise the applicability of the forms of affirmative action that I advocate for at a national sporting level just as much as it would be applicable for all other sporting forms/levels in South Africa. Based on my understanding of the broader nature of sport, the nature of affirmative action and what I take its moral justification to be, as well as my particular outlook on meritocracy, desert, racial prejudice and racism, all of which represent matters that I shall elaborate on later in this essay, affirmative action in South African sport appears to be something that is extremely necessary in all sporting activities and at all levels.

A glimpse into our sporting history

South African sport carries a rich history that is largely attributed, at least initially, to the British Empire. From the nineteenth century, many of the sports that were played then by British elites were also those that were adopted by early white settlers in South Africa. What followed shortly thereafter was a full assimilation of certain sports, such as cricket and rugby for example, into the cultural activities of those same settlers, as well as the use of those sports to further entrench racial segregation in South Africa. Being linked with the British Empire also meant having access to a broader imperial sporting community, one that made use of other white-settler societies, scattered elsewhere globally, in order to help perpetuate racial segregation and racial dominance in sport for many years to come. Douglas Booth (1998) and John Nauright (1997) both provide comprehensive accounts of the transformative journey that the nature of South African sport has taken over the years, and how race and national identity have played, or rather continue to play, a significant role in shaping our sense of belonging within a particular social or cultural setting. Nauright notes how “[c]ricket was *the* imperial game, the epitome of British culture, morality, manners and racism, which served to alienate Afrikaners as well as most blacks” (Nauright, 1997: p. 26). Contrary to popular belief, where sport is often thought of as a divisive tool that served to politically and socially shape relationships and prejudices between whites and blacks only, cricket was in fact a divisive sport amongst white settlers themselves at the time. The use of cricket by the English-speaking white settlers to differentiate themselves, together with the impact that consequences emanating from the British prisoner-of-war (“POW”) camps had on Afrikaners, is what largely led to the latter group initially steering away from cricket, and instead opting for rugby to be the preferred sport of their culture.

Van der Merwe (1998) provides an account of how significant rugby was in those POW camps during the Anglo-Boer War of 1899-1902. He attributes significance to it in the camps because “the game was introduced to a vast number of men who had neither played it before nor seen

a rugby match played by others" (Van der Merwe, 1998: p. 79), and because it "was an important activity for the alleviation of stress brought on by the imprisonment" (*Ibid*). To a large degree, Afrikaners actually believed that those British concentration camps were in fact an attempt to annihilate them. It was a period that saw the beginnings of a strong emergence of Afrikaner nationalism. This sentiment was later entrenched by the Afrikaner Broederbond and the National Party in the 1920s and 1930s, as they adopted rugby as a focal way of expressing their nationalism. With cricket being a sport that was predominantly associated with the English-elite, rugby fast became the playground where Afrikaners could prove their cultural superiority and masculinity, especially to the English.

With that being what it is, the adoption of sport in the world of black athletes was somewhat fragmented. This should come as no surprise if one considers the institutionalised inequalities, the hierarchical nature of racial discrimination in general, let alone sport, and racial and spatial segregation that affected sport at the time. Black athletes were deprived of equal access to good sports facilities, good sports equipment, good sports development and coaching programs, and decent paying jobs that would ultimately provide the economic means required for participation in certain sports in the first place. This default situation typically included, *inter alia*, the prohibition of blacks playing with whites, the prohibition of blacks using white playing fields, as well as the fact that blacks were, for the most part, unable to internationally represent their country of birth.

Yet despite all these historical injustices in sport, Nauright indicates how "rugby remained popular in the Coloured communities of the Western Cape and among Africans in the Eastern Cape" (Nauright, 1997: p. 74), how "[c]ricket [was] played in many black areas ..." (*Ibid*), albeit largely by urban educated Blacks, and that "[s]occer, although played by many whites in the first decades of the twentieth century, became identified with resistance, and with black cultural and national identity" (Nauright, 1997: p. 78). It was this identification with resistance

and black culture that largely led to soccer being ousted from white South African schools by 1910 – a political decision aimed at containing whatever perceived threat there was to the social and cultural superiority of whites. Together with boxing, soccer was thus left for the black working class, while all other sports remained the primary domain for white people, where even social activities, such as golf or lawn bowls for example, would also go on to guarantee their cultural security right into their ripe old age.

It was during the time when “[t]he white South African Games were [separately] held in 1969 in Bloemfontein and the black Games in 1970 in Soweto” (Booth, 1998: p. 99), that “the [International Olympic Committee] voted 35 to 28 (with 3 abstentions) to expel South Africa” (Ibid). It was a significant decision that really marked the beginning of international isolations, boycotts and bannings on South African sport altogether by the international community. It is certainly ironic how sport ended up playing an instrumental role in abolishing *institutionalised* racism in South Africa. However, it is extremely important to realise that that outcome only marked the beginning of the process to reduce, if not eliminate, the sort of racial prejudice and racism that takes place, every day, at a *social level* in South Africa.

Yet it is not my intention to provide a detailed account of South Africa’s sporting history. I merely wish to highlight how political and social decisions affecting sport can have a profound effect in shaping its nature years later, and how certain sports, and the performance thereof, later became something that is synonymous with particular social and cultural settings in South Africa. There was a time when rugby had no meaning to white Afrikaners. Today, it is now something that is an integral part of their culture. So too, was there a time when soccer was popularly played by whites, until such a time when a political decision dictated otherwise. This then, coupled with the perpetuating disadvantages of many other historical injustices on black sports players in South Africa, is a clear indication of just how powerful a simple change in attitude can be in moulding a lived reality. Once this is truly acknowledged, and we are

really willing to reassess our prejudices and conditionings, only then can we begin working to agree on a better shared vision for a future South Africa, and how we can use sport, again, to get there.

Symbolism, sport and culture

Symbolism, sport and culture are like three peas in one pod. And when a strong enough bond exists between them, it is extremely challenging to breakdown any prejudice or other conditioning that may exist as a result of that bond. Snyder and Spreitzer (1974: p. 467) consider sports and games to be “cultural universals”, which are “some of the most pervasive aspects of culture in industrialized societies”. In most instances, though, people generally take up sport as a kind of leisurely activity, whether played competitively or spectated emotionally, while others take it up as a form of formal work or employment. Snyder and Spreitzer (1974: p. 470) indicate that “[s]port contains intrinsic and extrinsic rewards; but the more it is rewarded extrinsically (including socially), the more it tends to become work in the sense of being instrumental rather than consummatory”. Such a situation, then, is what ultimately leads to a ‘professional’ label being attached to certain sports.

Symbolism in culture, too, is also pervasive in society if one considers the symbolic nature of general things like clothes, flags, national anthems, or even religious affiliations for example. That said, and bearing in mind the fact that sport and symbolism are both so pervasive within culture, it should come as no surprise that the presence of symbolism within sport is just as pervasive. This is clearly evident from things like team logos or brands, familiar commercial sponsorships on team jerseys, mascots, and team-specific songs or war cries, for example. “Sponsorship [in sport], which of course has its political dimensions, is accepted with open arms. Yet administrators, players and supporters are all avid in their use of national identity, colours and symbols, even claiming that a crushing win over some luckless opponent (in South Africa an honourable, sporting defeat has little utility) somehow binds the country together”

(Merrett et al., 2011: p. 769). This sentiment illustrates how people can sometimes self-identify with culturally associated symbols, so much so that its identification can even manifest itself into a sense of cultural ownership over that particular symbol, its social use thereof, or even the sport that it is associated with.

A perfect example to demonstrate just how contentious a sporting symbol can be in South Africa, one need only to look at the *Springbok* emblem. An otherwise innocent symbol that is used on the team kit of our national rugby team is also one that is extremely entrenched and synonymous with Afrikaner culture. "For three-quarters of a century the Springbok signified Afrikaner nationalism, racial division, and white exclusiveness and superiority. Instead of abandoning the Springbok for a new unifying symbol and risk alienating traditional rugby supporters, the [government] has attempted to confer upon the emblem an alternative set of values, but in doing so the [government] has offended both conservative whites and its black constituency" (Booth, 1998: pp. 210-211). Despite government explanations and its noble attempts to change our cultural and symbolic associations with rugby as an Afrikaner or white-dominated game in South Africa, such as the creation of the term *Amabokoboko* for example, it sometimes appears that we remain a long way away from settling this dilemma.

Sowetan columnist Sharon Chetty echoed the sentiments of many ordinary South Africans at the time, and probably for some still today, by bluntly remarking that "[Afrikaners] lost the election, we might as well let them keep something", before going on to note rugby as the "the last white outpost" (Chetty, 1995). Farquharson and Marjoribanks (2003: p. 43), however, note that it was "[t]he adoption of non-racialism by the post-apartheid government [that] provides a framework which allows for the attempt to recreate [and] re-imagine previously divisive symbols such as the *Springbok* as symbols of a new nation and of reconciliation". However, they also go on to conclude that "[u]nless the re-imagination of the Springboks is accompanied by a transformation in who is selected to represent the team, and

symbolically the nation, the Springboks' contribution to nation-building will be over" (Farquharson and Marjoribanks, 2003: p. 44).

Symbolism in sport, as a potential reconciliatory and nation-building tool, played out perfectly when South Africa won the 1995 Rugby World Cup and the 1996 African Nations Cup of Soccer. The former victory was symbolic as it not only marked South Africa's return to the international arena as a supposed "Rainbow Nation", it also encapsulated another kind of symbolic moment when our newly elected president, Nelson Mandela, handed the Webb Ellis trophy to then team captain Francois Pienaar, while donning the same Springbok jersey that caused a lot of fuss in the nation at the time. The soccer victory, however, is perhaps more symbolic of the fact that black athletes also have the ability to triumph just as much as the white athletes could (Höglund and Sundberg, 2008: p. 808). Symbolic moments such as these indeed have the ability to play an instrumental role in the reconciliation and nation-building process despite, arguably, it being *partly* dependent on team success. Höglund and Sundberg (2008: p. 808) caution that "[o]ne has to be wary of ascribing too much weight to national symbolism as a tool for reconciliation. Sporting events and glorious victories are by their very nature momentary events, coming and going quickly and almost always with vast temporal spaces between them" (*Ibid*). That in mind, and because "[i]n between moments of victory, symbolism is likely to evaporate if no real changes in society are perceived" (*Ibid*), it is clear that symbolism stretches far beyond that which is commonly understood to largely happen on a national level.

That said, all forms of sporting activities appear to have instrumentally-symbolic value, as they all have the potential to contribute, on some level, to bringing about reconciliation and nation-building in South Africa. A non-spectated local rugby or soccer match that is played amongst people from diverse backgrounds, classes and races, for example, can symbolise the extent to which equality, multiculturalism, integration or cross-cultural unity is present amongst the

players themselves, or even the extent to which there is a genuine understanding and acceptance of one another as diverse and equal persons, on and off the field. Symbolism in sport, it seems, is something that is really present on a community level just as much as it is on a national level. And seeing that our national sports cannot be said to carry a relatively greater amount of symbolism therein, it also cannot be said that they contribute a relatively greater amount to our process of reconciliation and nation-building in that regard. Although it may be tempting to think otherwise, maybe because certain national sports sometimes carrying a relatively greater amount of exposure or because they can better influence things like national pride, for example, we must be careful not to discount the impact that the smaller, everyday interactions can have between races and classes. All our sporting levels appear to be somewhat equally capable of being a strong beacon of hope and inspiration to ordinary South Africans. It is granted that our associations with anything symbolic indeed has the capacity to change; while the Nazis have already proved this fate with their new use of the swastika symbol, it still appears to remain something that is work-in-progress for South Africa's *Springbok* emblem, and that is fine. Affirmative action in sport, then, with its potential to alter people's attitudes and prejudices for the better, indeed has the capacity to bring about genuine, symbolic change, on all levels, in a variety of ways, and in a manner that is morally justifiable in itself.

The nature of affirmative action

Affirmative action, as a *temporary* measure by nature, is a series of positive steps taken to increase the representation of previously disadvantaged individuals or members of a particular minority group, hereafter referred to as "PDIs", that are victims of some sort of historical injustice. Many ordinary South Africans, though, still instinctively associate affirmative action to be a concept that is solely concerned with race. That association, or way of thinking, is simply mistaken, because affirmative action is something that extends beyond race. It is a concept that also incorporates the empowerment

of women or that of other minority groups such as people with disabilities, for example². Furthermore, even though our academic world is flooded today with literature on affirmative action, most of it seems to be from the perspective of western countries. That said, it is important to understand that the western debate regarding race-based affirmative action is one that typically pertains to increasing the representation of PDIs that are themselves also members of a minority group, in respect of the overall population or racial demographics of that particular country. This marks a fundamental difference when compared to the South African debate, as our measures of race-based affirmative action serve to increase the representation of PDIs who in fact represent a (significant) *majority* group, in respect of the overall population or racial demographics of our country. Bearing this fact in mind, then, together with our prevailing injustices and a contemporary South Africa that still flaunts a disproportionate dominance by white minority groups across many of our sporting terrains, it should come as no surprise why our largely under-transformed sporting industry is something that remains a niggling pain-point for many black South Africans today.

Many government officials in South Africa have publicly voiced their frustration with the industry's lack of progress in that regard, and some have even gone on to call for sports teams to reflect the racial demographics of our country. In a previous Sport and Recreation White Paper (1998)³, the following is stated therein:

Currently club, provincial and national teams do not reflect the racial demographics of South Africa. Clearly the concept of 'sport for all' is based on values of equity and access, which can only be realised through a concerted effort to develop previously disadvantaged sports people. South African sport will not be able to realise its true potential, unless it reaches all its people – it is an imperative that will ensure ongoing and sustained success (The Department of Sport and Recreation South Africa, 1998, Section: Priority Six).

² This essay, nevertheless, primarily concerns itself with race-based affirmative action.

³ The Ministry of Sport and Recreation was established on 1 July 1994. Thereafter, The White Paper, first released in 1996 and then updated several times thereafter by the prevailing Minister of Sport and Recreation, is the official policy on sport and recreation in South Africa.

Thabo Mbeki, our former president, is also quoted speaking at the Presidential Sports Awards in March 2002 saying: 'For two to three years, let's not mind losing international competitions because we are bringing our people into those teams. Let's build a 100 percent South African team rather than a 30 percent one', as cited by Louw (2014).

Yet despite what some of our government officials may be saying, or construed to be saying, regarding the need for more black athletes in our sport, it is important to understand that this need is only *sometimes* presented as a need for representivity (i.e. a need that requires our sport to be more representative of the people of South Africa by means of better reflecting our racial demographics).

The truth of the matter is that there need not even be a connection between affirmative action and representivity. Affirmative action could simply be about rectification or compensation, or diversification, for example. Additionally, should there indeed be a connection between the two, it also does not necessarily mean that affirmative action demands for representivity to be *equal* to that of the racial demographics of the country. In such a connected instance, rather, affirmative action is something that generally calls for *fair representation*. That is to say, if women represent roughly 50% of the country's population, then a 30-40% representation of women in an organisation, for example, may be considered fair, whereas a 5% representation therein is likely to be considered unfair. Alternatively, and from a racial standpoint, if black people represent roughly 90% of South Africa's population, then a 60-70% representation of black athletes on a sports team, for example, may be considered fair, whereas 10% is likely to be considered unfair. In our determination of what constitutes an unfair representation for any particular group within any particular setting, it is also important that one is alert to the circumstances that seemingly render it unfair in the first place. For example, if every South African had equal access to sport and an equal opportunity to develop their sporting talents, and the racial representation for a sports team is such that it still disproportionately favours whites, then that particular situation is likely to be considered fair within the context of such a scenario, despite it being misaligned with the racial demographics of the country. Except that the undeniable reality in South Africa today is that our unfair racial representation in sport is due to the major,

prevailing inequalities therein, specifically relating to access to sport and opportunities to develop talents. That said, then, it is this perpetuating, unjust social circumstance which (when team selection is based solely on merit) renders our sports teams largely white and at the same time unfairly representative.

In the subsections that follow, I begin by defining the terminology for purposes of this essay. I then go on to remind the reader to be cognisant of the distinction between policy and implementation, as any objection pertaining to the latter may in fact be inappropriate here. Lastly, I give a small bit of context to the existing legal justifications of affirmative action in South Africa. With all that covered, we can then explore what I take to be a moral justification for preferential treatment and reverse discrimination in South African sport. Therein, I provide a rather forward-looking justification for affirmative action with relatively less emphasis on our historical injustices, when compared to that of typical compensatory arguments, and an explanation of how the right kind of integration and a change in attitude can effectively and efficiently contribute towards a broader and better social re-alignment in our country.

Defining the terminology

Affirmative action can manifest itself in a number of different ways. There are what can best be described as 'weaker' forms of affirmative action, such as preferential treatment or some kind of special outreach/provision that is made to a specific target group, for example, and there are relatively 'stronger' forms of affirmative action, such as reverse discrimination and quota systems. It appears to me, though, that it is the stronger forms that generate the greatest controversy in our country today. And in doing so, many ordinary South Africans end up making the unfortunate mistake of associating all forms of affirmative action to be one and the same thing. As a matter of fact, there is a distinct difference between each form. Bearing that in mind, it is certainly possible for one to morally disagree with quota systems on the one hand, while morally agreeing with preferential treatment and reverse discrimination on the

other. For purposes of this essay, I shall now discuss exactly what I take preferential treatment, reverse discrimination and quota systems to be. However, it is also worth a clear mention that these three forms are not, by any means, representative of all existing forms of affirmative action.

Preferential treatment can best be understood as a tie-breaker. In order to differentiate between individuals that have *more or less equal* skills, experience and form, where the latter aspect is of particular relevance to a sporting context, it is the PDI that is given preference over their competing counterpart(s). For example, if preference is given to an individual based on their gender or race, as a result of some sort of misogynistic or race-based historical injustice, then it is because the gender or race of that particular individual, who is otherwise considered to be more or less equal when compared to their competing counterpart(s), is used for the sole purpose of breaking that tie.

That said, the crux of preferential treatment lies with the determination of exactly what it means to be “more or less equal”. Not only could this be something that is not necessarily easy to determine, it also appears to require some sort of judgement. From a sporting context, it is near impossible for any two players to be 100% equal in their overall skill, experience and form. This is because one player may have good skill and experience, but poor form. While another player may have good skill and form, but little to none experience at a particular level. To be “more or less equal” is a dilemma that could get even more complex if we consider the ever-changing and accumulating nature of skill, experience and form. As an example, a black sports player that is selected to play at a national level, after having benefited from preferential treatment, could in turn go on to accumulate more international game experience relative to their initial (white) competing counterpart(s). However, in the same breath, if their additional game time was somehow plagued with poor performances, then it

could also be said that their form, and therefore their overall assessment, has diminished in some way.

Going forward, then, and bearing in mind all sorts of other developments that may also subsequently occur, it is clear that it could be somewhat more challenging than before to determine if those same players remain more or less equal or not. It thus follows that if any two players are considered to be more or less equal at a particular point in time, then in all likelihood there would need to be some sort of slight gap between their overall assessments respectively. In this essay, I do not delve into the complexities that such a gap may bring within the context of preferential treatment in sport. Instead, I take this gap to be acceptable enough for it to fall under the ambit of preferential treatment if (a) it is considered small enough that it renders the relevant players virtually indistinguishable and therefore more or less equal now as well as (b) in instances where the relevant players are not more or less equal now but then the player with the lower overall assessment has the ability to approximate the other player(s) higher overall assessment within a reasonably short period of time, something that would need to be fairly determined given the specifics of a particular situation and what is considered to be at stake. That said, I consider the relevant players in both of the abovementioned scenarios to be more or less equal to one another.

Reverse discrimination is a relatively stronger form of affirmative action. It serves to give preference to PDIs who despite not being considered as *more or less equal* to their competing counterpart(s), are rather objectively acknowledged as good enough. To best illustrate what I mean, consider the follow example: Let's say there are two club cricket players in South Africa, one white and one black, whose playing statistics are similar in all respects, except when it comes to their batting averages, which are 60 and 35 runs per game respectively. In fact, if this difference in their batting averages were not so wide, then both players would otherwise be considered to be more or less equal in their overall skill, experience and form. Also, for

purposes of this example, let's say that the batting average that is typically required for provincial consideration, for that sort of cricket player, playing in that kind of club league, is 30 runs per game. With all this in mind, then, if the black player were to be selected ahead of the white player for provincial representation, in that particular position, as a result of affirmative action measures in South African sport, then it would be on the basis of reverse discrimination and not that of preferential treatment if we assumed that the black player does not have the ability to approximate the batting average of 60 within a reasonably short period of time. So despite the better white player being overlooked in this situation, the black player is still considered to be good enough for provincial participation considering the fact that he exceeds the eligible batting average of 30 runs per game. With this specific example in mind, it is clear how reverse discrimination in sport can be interpreted to *partly* undermine meritocracy as commonly understood. Not only is this form of affirmative action in sport generally more controversial because of that, especially when compared to the likes of preferential treatment, it is also the reason why many people associate affirmative action with a lowering of standards, despite the fact that the black beneficiary of reverse discrimination is objectively acknowledged as 'good enough' for a particular level. That said, because the goal of affirmative action in our sport (as I shall later argue) is to reduce, among other things, racial prejudice and racism in our country, the partial undermining of meritocracy may indeed be a cost. However, it seems to me that it may be a cost worth bearing for sake of symbolism, reconciliation and nation-building. This is because it is likely to bring about greater justice for most South Africans as there is a greater moral significance that comes from breaking down racial prejudices and racism in our country.

Quota systems, on the other hand, are a strict tool that demand for a set number or percentage of positions to be held or occupied by PDIs or some other category of persons. As a result of this demand, and within the racial context of our sport, if the talent emerging from preferential treatment is not sufficient to make up such a quota, by way of example, then one

may be forced to make up the difference using players that are either products of reverse discrimination or, worse, who don't even meet the minimum level of competence for a particular level. Put differently, quota systems could result in a situation where some beneficiaries of affirmative action are more or less equal to their competing counterpart(s), whilst others aren't but are instead either objectively acknowledged as good enough or, worse, simply used to meet the quota despite not possessing the minimum level of skills, experience and form for a particular level.

There are two important things to note from such a situation. Firstly, should a black player be selected ahead of a white player who is superior in skill, experience and form, and the same black player is not objectively acknowledged as good enough for that particular position (i.e. they do not meet the minimum level of competence), then I do not consider their selection to fall under the ambit of either preferential treatment or reverse discrimination at all. Rather, I understand such a deviation to be better classified as corruption. My second point concerns the fairness of the actual quota itself. If the set number or percentage is such that it cannot be met from the existing pool of talent, potentially emanating from either preferential treatment or reverse discrimination, then I consider such a quota to be unfair considering that particular reality. Lastly, when one determines the fairness of an actual quota, one must also be cognisant of the dynamics concerning fairness within the context of representivity and the racial demographics of our country, as discussed above.

Based on this understanding, then, it seems to me that *fairly determined* quotas are not only an attractive and reasonable method to enforce transformation in our sport, more so do they actually appear to be an imperative. Especially if one considers the nature of racial prejudice and racism in our country, and within sports team selection more specifically, the

perpetuating inequalities that still exist within South African sport, the corrupt practices⁴ therein, as well as our private sector's lacklustre performance since 1994 with regards to them fulfilling their own obligation to help transform sport in our country. For purposes of this essay, I do not delve further into the moral analysis of fairly determined quota systems in South African sport. However, it is worth mentioning that I do support the temporary use of quotas in South African sport, in principle, and to the extent that they are fairly determined as in the manner that I articulated above.

Policy versus implementation

There is a clear distinction between the nature of a policy and its subsequent implementation, and it is unfortunate that South Africa is generally vulnerable to a situation whereby its policy implementation does not always do justice to an otherwise morally justified policy. In fact, the manner in which a policy is implemented actually has the capability to make a moral policy immoral on the ground. Should this turn out to be the case, then the issue simply lies with the way in which the policy is implemented and policed, and therefore not the policy itself. This may seem like a simple thing to highlight, yet it is something that is not always remembered when scrutinising the morality of any principle or other public policy.

For the sake of argument, let us consider the following illustrative example. Let's say you find preferential treatment in South African sport to be morally justifiable, and that reverse discrimination therein to not be morally justifiable. As I explained earlier, the key differentiating factors between these two forms of affirmative action is whether or not the relevant players are more or less equal now in their overall assessment of skill, experience and form, and, in cases where they aren't, if the player with the lower overall assessment indeed has the ability to approximate the other player(s) higher overall assessment within a

⁴ Corrupt practices could take the form of selectors accepting monetary and non-monetary bribes in exchange for the selection of certain players, or other instances that involve a deviation from selection policy, for example.

reasonably short period of time. This in mind, then, it is clearly possible for a morally justified preferential treatment policy to instead be inappropriately implemented as reverse discrimination, due to the promotion of black players who are not more or less equal to their white competitor(s) now and who don't have the ability to approximate their competitor's higher overall assessment within a reasonably short period of time due to, say, bad judgement or corruption.

That said, it is granted that there is a degree of subjective judgement with preferential treatment and reverse discrimination policies, on the part of team selectors, when it comes to the adjudication of players' current 'more or less equal' status, their ability to approximate the higher overall assessment of another player within a reasonably short period of time, as well as their objectively acknowledged 'good enough' status. However, just because a selector poorly implements a particular policy because of bad judgement or corruption, it does not follow that those same policies are bad or immoral in themselves. Therefore, it is important that one distinguishes between the poor implementation of a policy and a complete deviation from the same policy. As noted earlier, the promotion of a black player, under the guise of a reverse discrimination policy, who is not objectively acknowledged as 'good enough' for a particular position, is something that does not constitute poor implementation of that policy but rather a complete deviation from it, thus rendering such a practice as corrupt.

It may appear, though, that due to the fact that those same policies permit the use of subjective judgement, so too do they inherently lend themselves to poor implementation or to corruptions in the selection process. Therefore, any attempt to draw a distinction between policy and implementation is rather pointless. It seems to me, however, that it is a mistake to draw such conclusion for the following reasons. Firstly, a selection policy in sport that is based solely on meritocracy is one that is also influenced by subjective judgement in itself. Secondly, due to the nature of many sports, playing statistics are likely to serve as an ideal guideline to

mitigate the risk of poor implementation or corrupt practices. Lastly, to the extent that team selectors are short of total integrity and complete objectivity, bad judgement and corrupt selection practises is something that will always be a risk regardless of the selection policy that is used.

So to conclude, it is important that the reader is cognisant of this distinction between policy and implementation, regardless if it is a policy that incorporates subjective judgement, as the focal point of this essay is to discuss the moral underpinnings of the *principle* behind preferential treatment and reverse discrimination in South African sport. That said, an objection based on practicality or implementation concerns is most likely one that is misplaced within the context of this essay.

South Africa's legal justification

South Africa's Constitution explicitly endorses *fair* discrimination. Put differently, it legally justifies affirmative action in our country, to the extent that it is considered fair. This is evident from, *inter alia*, the following statement:

Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designated to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken (The Constitution, 1996: Section 9(2)).

South Africa's Employment Equity Act ("EEA") also makes explicit provision for affirmative action. Therein, in stating its purpose to redress the disadvantages in employment experienced by 'designated groups' – defined as black people, women and people with disabilities (Employment Equity Act, 1998: Section 1) – it places the obligation to implement affirmative action measures on 'designated employers' – defined as those that include, *inter alia*, employers of over 50 people and employers of less than 50 people but that have an annual turnover that is equal to or above the applicable turnover of a small business in terms

of Schedule 4 of the Act (*Ibid*). As a result of EEA, professional sports players and many sporting institutions in South Africa are directly affected by its legal provisions. Interestingly, the EEA is also set out to empower members of certain designated groups that are considered to be 'suitably qualified'. In terms of section 20(3) of the EEA, this is considered to be based on any one of, or combination of, that individual's formal qualifications; prior learning; relevant experience; or capacity to acquire, within a reasonable time, the ability to do the job. More importantly, though, not only does this mean that affirmative action measures in the form of preferential treatment are in fact legally justified, it is also very likely that the same conclusion applies to reverse discrimination, in that a 'suitably qualified' individual is also one that is more likely than not also considered to be 'good enough' for a particular position⁵.

That said, it is not my intent to discuss the legal implications of affirmative action measures within the context of any sporting form. Furthermore, it is also worth highlighting the fact that just because something is legally justified that it does not necessarily mean that it is also morally justified. In the next section, I shall now elaborate on the *moral* justifications behind the principles of preferential treatment and reverse discrimination, in national sport and all other sport in South Africa.

The morality of affirmative action in South African sport

The discussions above, on the nature of sport and affirmative action, forms the foundation of my moral justification for preferential treatment and reverse discrimination in South African sport. To briefly recap, though, as part of the former discussion, I articulated the importance of using sport as a platform to effect significant social change and how the instrumentally-symbolic value of sport plays an important role in bringing about reconciliation and nation-building in South Africa, on all sporting

⁵ For a detailed analysis on specific problem areas between the nature of *professional* sport and the role of affirmative action as a tool to achieve substantive equality, refer to Louw (2004a), Louw (2004b) and Dupper (2004).

levels. And as part of the latter discussion, I clarified general misunderstandings and misconceptions on affirmative action, specific terminology to be used for purposes of this essay, and I also highlighted the fact that herein represents an argument from principle. With that behind us, we can now explore the morality of preferential treatment and reverse discrimination, in both national sport and all other sport respectively.

The essence of my moral justification lies in the fact that it appropriately brings about the right kind of integration in South African sport, such that it can provide us with an opportunity to develop a much deeper understanding and acceptance for one another as diverse persons, and in turn provide us with an important platform to work on really breaking down, *inter alia*, certain social stratifications, racial prejudices and racism in our country. If we are deeply honest with ourselves and acknowledge the fact that South Africa still has a long way to go before we can all prosper in a substantively equal and non-racial society, where most things, including that of sport, can be determined *solely* based on merit (as commonly understood), then what should follow is an acceptance and agreement that all forms of South African sport *must* also temporarily make space for social justice. Especially considering the fact that it is social justice that enables a country as a whole to progress, and that through the appropriate use of sport we can bring about significant social change such that our country can faster realise their desired state of substantive equality and non-racialism. One must understand that there is social justice in breaking down our prejudices. And although there is nothing wrong with aspiring to be like other mature countries in the world, we need to recognise the fact that those same countries are generally decades ahead of us in terms of ironing out their inequalities, racial prejudices, racism and other forms of injustices, to a degree that allows them to shift greater, if not all, their weight towards meritocracy being the *sole* determining factor in all spheres of life. For the most part, it appears that South Africa does not have this kind of luxury as yet.

Social justice encompasses a strong element of fairness, as it plays a crucial role in ensuring that people are given what is due to them, and that they are not given what is not due to them. Restoration and

compensation are tools used to rectify historical injustices in a way that's meant to bring about greater fairness in society. The former seeks to restore situations to what they *would have been* had no injustice taken place at all. Whereas the latter seeks to compensate victims of an historical injustice, financially or otherwise, in the event that restoration is not necessarily practical or sufficient given a particular situation. Restoration and compensation, then, are the kind of backward-looking tools that typically form the basis for justifying affirmative action. And although I am very sympathetic towards the argument that is generally made in that regard when it comes to advocating for affirmative action in South African sport, I instead wish to provide what I consider to be an alternative, stronger and more forward-looking moral justification for preferential treatment and reverse discrimination therein. But before I articulate how these forms of affirmative action can appropriately bring about the right kind of social change in South Africa, I first want to give a little more context on the nature of our social divisions in our country today, specifically those that run along the lines of race and class.

Racial stratification is best understood as a system of inequality, where people are ranked and treated differently in society accordingly to their race. Class stratification is much of the same, except that the prejudice or discrimination is based on the social class of that particular individual. That said, though, there is generally a consistent overlap between specific races and specific classes in South Africa, with the white race by default being considered upper class or privileged, and the black race by default being considered lower class or underprivileged. As a result of this self-perpetuating, undeniable social reality in South Africa, white people still largely remain socially and culturally detached from blacks in our country. Nauright understands it as follows: "A geography of the mind pervades South African society, allowing whites to safely tuck most blacks away into the out-of-sight townships, and either forget about what they might be doing in their leisure time, or assume that they are drinking and committing crime as the media and their educational system taught them to think in the apartheid era" (Nauright, 1997: p. 48). The nature of South African sport, with all its inherent associations between specific races/classes and particular sports in our country, certainly does a lot to perpetuate the aforementioned social divisions in our country. "[T]here must ... be major psychological

transformations in order to change perceptions about different sport codes being 'for blacks' and 'for whites'" (Höglund and Sundberg, 2008: p. 815). As a result of the unsatisfactory and unjust nature of our racial and class disparities, it should, at the very least, motivate us to examine the potential of affirmative action in sport to help break those divisions down.

By appropriately tailoring the manner in which we go about integrating sport in our country, be it on a national sporting level or within all other sporting levels, the fortified walls of stratification and prejudice can in fact be broken down to an extent that would enable a better South Africa to blossom. And even though a reduction in racial and class stratification won't in itself *guarantee* a reduction in racial prejudice (Boxill and Boxill, 2003), under the appropriate circumstances, it is highly likely that it will play a valuable and instrumental role in its process. Ockert Dupper (2004: pp. 205-211), in his 'attitude changing argument', attributes our racial prejudices to past experiences and exposures to activities that are typically carried out by particular races. That may be construed as saying that it is our past experiences that cause the kind of thinking, sometimes even subconsciously, that blacks should do only what blacks are known or perceived to be capable of doing. It is a sentiment that appears to remain evident and ingrained in the psyches of many ordinary South Africans today. Dupper mentions the following as part of his aforementioned argument:

Arguably the best way to change such attitudes is to make sure that black people ... are placed in positions requiring higher levels of ability and skill, in which they can be seen to perform as well as others do. This could have an effect not only on the beliefs of members of these groups themselves about what they can do and what they can achieve, but equally, if not more importantly, also on the attitudes of others towards members of disadvantaged groups. (Dupper, 2004: pp. 206-207)

For an ordinary South African, then, regardless if they form part of a privileged white group or a previously disadvantaged black group, how better to know that another is capable of doing something that is somewhat unorthodox for members of that particular person's group unless one witnesses it themselves, or is exposed to such a feat in some or other way, be it in the workplace or on the sports field?

Yet this only represents one way to go about changing such attitudes. Another avenue, if not the most important, requires that one develops a much deeper understanding and acceptance for another's racial and cultural background. Because of our racial disparities and 'geography of the mind', South African society remains largely devoid of exactly this. By appropriately bringing about the right kind of integration in South African sport, one can create the kind of educational environment therein that would be conducive to learning, on a much deeper level, about other races, cultures and classes in our country. This, it seems, must also happen if we really want to address racial prejudice and racism.

Dupper notes above that changing such attitudes "could have an effect not only on the beliefs of members of these groups themselves ... but equally, if not more importantly, also on the attitudes of others towards members of disadvantaged groups" (Dupper, 2003: pp. 206-207). This is also to say that if black sports players are seen to perform as well as white sports players do, not only would that motivate or empower other black sports players, but could breakdown prejudices that those privileged white players and fans (in the case at least of spectator sports) may have towards them. The right kind of affirmative action in sport, then, should be understood as something that actually benefits privileged white players just as much, as it is also set out to better change their prejudicial attitudes (to the extent that others are seen to perform as well).

Put differently, changing our attitudes to overcome particular prejudices is something that extends beyond the conventional, consequence-based role model argument that typically focuses on previously disadvantaged groups only. What this simply means is that it is not only about inspiring younger, black talent of the same race, culture or class, or that of creating additional opportunities for sports coaching and development programs to reach a much wider audience because language or other cultural barriers have now been breached. In addition, affirmative action is also set out to provide opportunities that are just as valuable to whites. As discussed in an earlier section, our past has indeed shaped the social reality of South Africa today. And although there is truth in saying that role models don't always have to be exactly like us – racially, culturally or otherwise – in order for one

to find inspiration or to identify (seemingly) successful people of virtue and merit (Pojman, 1998), the fact of the matter is that the nature of our social reality today is such that the skin colour of a role model will, for the most part, continue to play a significant role for an ordinary black South African. We are a country that is still in transition, and striving for a future non-racial and substantively equal society. To the extent that we are not fully there yet, skin colour will continue to play a crucial role in the daily lives of our ordinary citizens.

By appropriately bringing about the right kind of integration in South African sport, we will have the opportunity to tackle those racial prejudices and racism that we have been culturally conditioned to. Richard Wasserstrom (1987) provides a number of reasons why major social institutions – which, arguably, includes that of sport – actually need to change their racial composition⁶. He details the importance of bringing PDIs into “relationships of greater equality of power, authority, and status with members of the dominant white group” (Wasserstrom, 1987: p. 29). After explaining why the system is in fact a ‘racial system’, that is also characterised with ‘racial disadvantage’, Wasserstrom then notes that “[w]hen the relationships between blacks and whites are those of significant, pervasive inequality of the kind constitutive of our racial system, then that system's ideology concerning both the nature of racial differences and the appropriateness of the lines of racial dominance and subservience is most comfortably and securely preserved” (*Ibid*). With the right kind of affirmative action in sport, then, not only can it be said that “opening up opportunities for black people and women to demonstrate their abilities and skills enhances the standing of the entire targeted group” (Dupper, 2003: p. 207), so too can it be understood to contribute towards achieving social justice by weakening our current racial system of racial disadvantage. The nature of South African sport today is a clear indication of how sport played a significant role in creating our racial system of racial disadvantage. And in many respects, it also continues to preserve it because it is system that is still stained with racism.

⁶ Although Wasserstrom (1987) is discussing the American context, his points seem just as applicable to that of South Africa.

It is important that one distinguishes the difference in meaning between racial prejudice and racism. Racial prejudice is evident when someone negatively pre-judges another person (or group) on the basis of their race. Whereas racism, at its core, is a genuine belief that one's race is morally or otherwise superior to another person's race. It seems to me, then, that racism is something that takes racial prejudice to the next level – a place much deeper and more troubling. That said, if we succeed at reducing racial prejudice, then it is highly likely that we will also succeed at reducing racism altogether. Without the existence of the former, the latter really ceases to flourish. And as a result of the strong correlation between the two, if appropriately implementing the right kind of affirmative action in sport plays a valuable and instrumental role in reducing racial prejudice, so too can it also be said that it will play a valuable and instrumental role in reducing racism. It is an undeniable fact that racism continues to be a serious problem in South Africa today. Part of this problem, so it seems, is that racial prejudice and racism are concepts that are very often misunderstood. This is largely because “[racism] isn't restricted to *what we do*. Racism is also, intimately, about *who we are*” (McKaiser, 2015: p. 64). What we do (i.e. our actions) is largely driven by who we are (i.e. our character). And due to the fact that racist characters do not always produce overtly racist actions, it makes it extremely difficult to always detect, admit, and actually do something to eliminate it, in a true sense. Although McKaiser does well to illustrate this fact and just how deep racism actually is buried in one's character, I am of the opinion that this is something that is equally true of racial prejudice. “Many people don't like the idea of making judgements about someone's personal make-up, including their thoughts and their attitudes which may not harm other people in any obvious way. So it is quite controversial, some might think, to extend an account of racism from pure actions to include people's characters and psychologies” (McKaiser, 2015: pp. 66-67).

Before I finally detail exactly what I consider to be a morally appropriate manner to bring about integration in South African sport, I want to briefly explore some psychological literature, and a few related empirical claims therein, pertaining to racial prejudice and integration. During the 1950s, Gordon Allport, an American psychologist, developed the Intergroup Contact Theory (Allport, 1954).

Allport's contact hypothesis holds that, under certain conditions, interpersonal contact between various groups is one of the most effective ways to reduce prejudice and promote more positive intergroup attitudes. Tolerance and acceptance are said to replace stereotyping, prejudice and discrimination, if certain conditions – namely, equal status amongst groups, common group goals, cooperative interaction and environmental support – are properly managed in that regard. To date, there have been a vast number of studies done on the contact theory, the significance of each specific condition and its link to the overall theory, and its applicability to various aspects of life. A study conducted by Slavin and Madden (1979) provides evidence that if programs involve cooperative interaction between students from different racial groups, then it will most likely improve race relations in desegregated schools. Another similar study concludes by saying that “[w]hile blacks in mostly white environments have more positive perceptions of whites as a group, their perceptions of prejudice more generally are unchanged. Only racially mixed environments, specifically racially mixed neighbourhoods during youth, positively influence blacks’ perceptions regarding current levels of prejudice and changes in prejudice over time” (Irizarry, 2013: p. 611).

Interestingly, Rees and Miracle (1984) and Chu and Griffey (1985) both conducted studies that provide evidence of applicability concerns between Intergroup Contact Theory and sport itself⁷. However, a number of subsequent studies later went on to provide evidence to the contrary. An example of such a study was one undertaken in American schools where it concluded that “[i]nterracial contact in high school athletics can provide powerful, positive experiences in shaping tolerance for Black Americans, though the present study indicates that such experiences occur primarily for White student athletes playing team sports rather than individual sports” (Brown et al., 2003: p. 1399). But formal studies aside, it seems somewhat obvious or self-evident to me that if you place an adolescent in a gender and racially mixed school environment, as opposed to one that is either made up of only one gender

⁷ Rees and Miracle (1984) note in their study that it was not possible for sport to comply with many of the required conditions necessary to operate contact thesis, whereas Chu and Griffey (1985) note in their study that athletes in everyday life behave generally the same as non-athletes do toward people of other races.

or completely dominated by a one racial group, then chances are strong that they would grow up to be relatively more understanding, accepting and tolerant of other genders and races. Appropriately setting up the right kind of integration in sport is only one of the many first steps that is required to be taken in order to tackle stereotyping, prejudice and unfair discrimination, be it on the basis of race or otherwise. It also appears that we are required to dig further, and right into our very character, to reassess that with which we have been culturally conditioned to since birth, in order to really address the aforementioned societal challenges. This is when greater self-awareness surfaces. If stereotyping, prejudice and unfair discrimination is learnt, then why can't it be unlearnt?

That said, it is unfortunate that despite the fact that controlled interpersonal contact consistently provides evidence that it is largely effective in society, including that of sport, there will always be certain challenges that will continuously hinder it from being a pervasive and guaranteed success. For example, it may be said that it is generally problematic to get a more prejudiced individual into a meaningful contact situation in the first place. And even if you do, one can't simply expect that individual to change for the better if they do not make that choice themselves. Considering the depth of racial stereotypes and prejudices, especially within the context of South Africa, setting up the right kind of integration and other appropriate measures of institutional support (such as the right kind of affirmative action in sport, for example) cannot be understood to be the sole solutions to addressing these challenges. There are other role players, or dependencies, such as the South African media or how we go about parenting our children going forward, that also play an equally valuable and instrumental role in tackling racial prejudice and racism as well as prevent its inter-generational transfer. Höglund and Sundberg (2008: p. 815), too, in their discussion on the use of sport as a reconciliatory tool in South Africa, note in their conclusion that such a process needs to happen on three levels: 1) the national level; 2) the community level; and 3) the individual level.⁸

⁸ The discussion and conclusion by Höglund and Sundberg (2008: p. 815) appears to provide further evidence for the need for affirmative action in South African sport to take place at all sporting levels.

By way of summary, then, by appropriately bringing about the right kind of integration in South African sport we can create a better country for all, by reducing our racial and class disparities, eliminating racial and class associations that generally come with specific sports in our country, and by creating opportunities to not only develop a much deeper understanding and acceptance of one another as diverse persons, but also to address the sort of racial prejudice and racism that many of us have been culturally conditioned to. But what exactly do I take the morally appropriate manner to be? Well, I consider both preferential treatment and reverse discrimination, in both national sport and all other sport in South Africa, to be morally justified and an appropriate manner to bring about the right kind of integration that we so desperately require. This, I believe, appropriately uses sport for reconciliation and nation-building purposes such that we can faster realise a substantively equal and non-racial South Africa where greater, if not all, weight can be given to meritocracy being the sole determining factor in the future. It is an approach that recognises all our sporting forms/levels as having a similar level of instrumentally-symbolic value and an equal ability to inspire, motivate and bring together ordinary South Africans. Furthermore, if one considers the importance of having black sports players being seen to do as well as white sports players do, in order to appropriately change attitudes, then it is important that black beneficiaries are either more or less equal to their white competitor(s) or they are indeed objectively acknowledged as 'good enough' for that particular position.⁹

We should not forget that we are all victims of South Africa's historical injustices, and that preferential treatment and reverse discrimination in sport is something that actually benefits us all. We must free ourselves from the illusion that affirmative action only serves to benefit blacks. That said, there is just as much reason to include more white players in the *Bafana Bafana* soccer team, as there is reason to include more black players on the *Springbok* rugby team. In the same manner that individual sports

⁹ It is granted that greater harm may be done to the reconciliation and nation-building process in South Africa if selected black sports players are not seen to perform as well as white sports players do, especially if it is perceived that there are better white sports players that are either benched or omitted from the squad. Should such a situation arise, then it is possible that it could weaken or intensify social divisions in the country. That said, I wish to remind the reader that the moral justification herein represents an argument from principle, and therefore practicality or other implementation concerns should not be the focal point here.

players need to work together to achieve a common team goal, so too must all South Africans work together to achieve greater unity amongst each other in a way that really benefits everyone and brings us closer together. It may not be our fault that we inherited a racial system that is characterised with racial disadvantage and social stratification, and we may not have asked to be culturally conditioned to racial prejudice and racism, yet we all have a moral obligation to transcend it and become the best people we can be.

With all its good intentions, though, many still believe that the cost of affirmative action in South African sport is something that still outweighs its benefits. There are those that consider the continued use of racial categorisation and discrimination to be something that is morally unjustifiable, especially considering the lingering effects of its historical use in South Africa today. Others believe that affirmative action in South African sport, regardless of its form, only serves to undermine meritocracy in sport in a morally unjustified manner. So, too, are there concerns that any open pursuit of affirmative action in South African sport will inevitably leave all its black beneficiaries feeling stigmatised as inferior. That said, many view affirmative action selection policies in sport as a source of resentment, for both white and black racial groups, and therefore as something that in fact increases racial stratification, racial prejudice and racism exactly at a time when social divisions in South Africa need to be broken down. I shall respond to each of the aforementioned objections/concerns to affirmative action in South African sport, separately, in the sections that follow below.

The perpetuation of racial categorisation and discrimination

It is a fact that blacks were blatantly discriminated against in the past simply because of the colour of their skin. Today, many believe that affirmative action, regardless of its form, only serves to perpetuate the use of the very same racial categories that was considered to be morally deplorable in the past. How is it that racial discrimination in South African sport was globally frowned upon in the past, yet its use in affirmative action measures is something that

is argued for, or defended, by people who decry the racial discrimination of the past? Opponents of affirmative action, during the earlier days of the debate, were of the view that the very use of racial categories and discrimination is unjust on the basis that it appeals to a morally irrelevant characteristic (i.e. race). Today, however, opponents tend to frame this objection in a slightly different manner by claiming that the very use of racial categories and discrimination is rather a poor/wrong means to achieve a substantively equal and non-racial South Africa. I shall first contextualise and respond to the initial school of thought before doing the same with the contemporary framing of the objection that says that the use of race is a poor/the wrong way to proceed.

By way of background, then, the initial school of thought concerns the moral irrelevance of race itself. James Nickel (1972) articulates this dilemma as follows:

For if we take a morally irrelevant characteristic (namely the characteristic which was the basis for the original discrimination) and use it as a basis for granting special considerations or reparations, we will be treating the morally irrelevant as if it were relevant and still engaging in discrimination, albeit reverse discrimination. And hence, it is argued, the only proper stance towards groups who have suffered discrimination is one of strict impartiality. (Nickel, 1972: p. 113)

Simply put, the past discrimination against black people in South Africa was wrong because it appealed to a morally irrelevant characteristic (i.e. race), and due to the fact that affirmative action currently discriminates against white people by appealing to the very same characteristic (i.e. race), also makes it wrong altogether. Based on this viewpoint, then, even the weakest form of affirmative action, such as preferential treatment in South African sport, is wrong as it still involves an appeal to a morally irrelevant characteristic, despite it being used as a tie-breaker to separate players that are indeed more or less equal to each other.

My response to this framing of the objection comes from highlighting the fact that the intention behind the use of racial categorisation and discrimination in the past is *vastly different* to that used today through affirmative action measures. In our past, it happened because whites actually believed that their humanity was not on an equal footing to blacks and that they were morally superior to them in many ways. Racial categorisation and discrimination was institutionalised in our past to reinforce this belief and to secure a segregated way of life. Today, however, our institutionalised racial categorisation and discrimination is largely there for a moral purpose. “[T]he basis for [affirmative action] is not that he is a black man, but that he was previously subject to unfair treatment because he was black” (Nickel, 1972: p. 114). Or put differently, because that particular individual (regardless of their skin colour) has suffered unjust discrimination in the past for whatever reason (Cowen, 1972: p. 11).

This in mind, then, preferential treatment and reverse discrimination, in both national sport and all other sport in South Africa, cannot be said to be based on race *per se*. And despite it being relatively better construed as something that benefits blacks that have suffered unjust discrimination in the past, it is perhaps best construed, at least in terms of the moral argument I put forward, as something that actually benefits all South Africans, white and black, because not only have we *all* suffered from the injustices emanating from colonialism and apartheid, the forms of affirmative action that I advocate for are also intended to benefit us all. That said, affirmative action in South African sport is not an attempt to treat a morally irrelevant characteristic as if it were relevant for the simple reason that it is not really based on race.

Ronald Dworkin discusses within the context of access to higher education how “no one should be penalized for his or her race, and no race should be thought to have special rights or privileges” (Dworkin, 2001). In taking things a step further, Dworkin then goes on to link this concern with my forward-looking, moral argument by saying that “[b]lack applicants have

no right to preference now because other blacks suffered from injustice in the past. But affirmative action assumes no such right: it has a forward-looking, not backward-looking, justification. The policy promises a better educational environment and a less racially stratified society for everyone" (*Ibid*). That said, black sports players in South Africa should not be thought of as having some sort of special right or privilege as a result of the perpetuated use of racial categorisation and discrimination.

It is perhaps more important, though, to articulate and respond to the contemporary framing of the argument that today's use of racial categories and discrimination, through affirmative action measures, is a poor/the wrong means to achieve a substantively equal and non-racial South Africa in the future. What seems very clear to me is that most South Africans really do share the ideals of substantive equality and non-racialism, and that the disagreement actually stems from how exactly we go about realising them. Many feel that the perpetuated use of racial categorisation and discrimination undermines the very ideals that it claims to be striving for. We should, as the argument goes, proceed with an approach that is essentially colour-blind. Neville Alexander makes the following remarks regarding why racial identities should not be perpetuated in South African policy today:

[T]he humiliating experience of racial self-classification and the entire replication of the technical hocus focus of the apartheid racial ideologues required for the identification of citizens in terms of their 'race' would be eliminated. (Alexander, 2007: p. 102)

[W]ithout in any way denying the tenacity of social identities, it ought to be clear at least to the more reflective state officials and political leadership that if we agree that identities are not given but constructed, we should use every opportunity to bend our people towards the realisation of the non-racial values which are enshrined in Section 1(b) of the South African constitution. (Alexander, 2007: p. 103)

In Dupper's discussion on race consciousness in South Africa, he too makes note of the possibility that "affirmative action reifies racial consciousness precisely at a time when there

is a need to break down racial division” (Dupper, 2003: p. 212). Furthermore, if affirmative action is something that really does not treat a morally irrelevant characteristic as if it were relevant for the simple reason that it is not based on race *per se*, then why is it that South Africa’s policy and social language continues to make explicit use of racial categorisation and discrimination? Does that not also reify race consciousness precisely at a time when there is a need to break down racial division? Many consider affirmative action to be a racially divisive tool because of its ongoing use of race, and its constant use of racial language is also said to play a big part in entrenching racial consciousness.

By way of summary, then, preferential treatment and reverse discrimination in South African sport not only seems to perpetuate the humiliating experience of racial self-classification, they can also be said to reify race consciousness, something that appears to be exacerbated from the perpetuated and overt use of racial language in our country, precisely at a time when we should be striving for a society where one’s race no longer matters. Rather, the current actions of our society should immediately reflect the same non-racial ideal that most South Africans are already in agreement with. And if this is indeed the best way forward for our country, then the aforementioned forms of affirmative action in sport is likely to bring about feelings of resentment or, worse, adversely affect the self-esteem of those players who were not selected and who feel more deserved or entitled to a selection based solely on merit (as commonly understood). This in turn is also likely to work against the very aim of reducing racial prejudice and racism in the manner that I articulated in my moral argument above. Yet these are but two consequences that could emanate from the perpetuated use of racial categorisation and discrimination and, admittedly, they are both harmful effects that affect white South Africans more.

My take on this argument is that it is highly likely that South African sport, as a proven shaper of our social reality, will in fact do more harm than good to our country – specifically when it

comes to symbolism, reconciliation, and nation-building – if we pursue a selection policy of colour blindness in our sport as opposed to one of affirmative action. And in doing so, it will also delay the attainment of a substantively equal and non-racial South Africa.

Wasserstrom notes: “Colour blindness is the right principle for persons and institutions; and the primary hallmark of a racially just society would be that in such a society ...” (1987: p. 33).

This is to say that if South African sport is indeed racially just, then a selection policy of colour blindness should in fact be its primary hallmark. Except that South African sport is still far from being considered racially just. Dupper, despite his earlier mention of the possible reification of racial consciousness, seems to agree with this sentiment as he mentions the following:

[South African] ‘racial groups’ were, in effect, created by the original unjust practice of racial discrimination, and to deny that by pursuing a policy of ‘colour blindness’, would be to deny a social reality – a reality that cannot morally be ignored as long as the wrongs that created them have not yet been rectified.

To be clear: by asserting the relevance of this social reality, I do not want to deny that the perpetuation of racial consciousness has harmful effects. What I am asserting, however, is that the harm of ignoring this reality in South Africa *currently* outweighs the harm of perpetuating race consciousness. (Dupper, 2003: p. 213)

In the same discussion, Dupper also makes reference to Amy Gutmann’s (1996) distinction between ‘essentialist’ race consciousness and ‘contingent’ race consciousness:

To be sure, not all types of race consciousness are equally troubling ... Essentialist race consciousness is troubling because it is the kind of consciousness that makes race a mark of morally relevant differences between human beings. In contrast, contingent race consciousness is an awareness of how individuals are identified by superficial differences (such as skin colour and facial features), when then in turn serve as the bases for invidious discrimination and other injustices associated with race. Were we to lack race consciousness of this contingent kind, as Gutmann points out, we would be blind to a basic source of social

injustice: 'Just as some kinds of race conscious policies are better than others from a moral point of view, so too are some kinds of race consciousness' (Dupper, 2003: p.213)

Based on Gutmann's (1996) distinction, then, this means that South Africa's historical injustices largely stem from the use of race consciousness of the essentialist kind. Whereas affirmative action in South African sport would make use of race consciousness of the contingent kind. It is true that neither of them are appropriate for a racially just society, however, it is important to understand that contingent race consciousness is really only a response to the damage done by the essentialist kind, in that it acknowledges race as something that is currently fused with one's social identity and it seeks to make use of that reality to bring about a substantively equal and non-racial South Africa in the future.

I agree with Dupper that harmful effects will arise as a result of the perpetuated use of racial consciousness in our country. Earlier on I alluded to two of them – feelings of resentment and the possible adverse effect on the self-esteem of whites. While I agree that feelings of resentment is a genuine harmful effect, it appears that the adverse effect on the self-esteem of whites isn't. Thomas Nagel notes that "[t]he self-esteem of whites as a group is not endangered by [affirmative action], since the situation arises only because of their general social dominance" (Nagel, 1973: p. 361). With this in mind, then, it does seem reasonable to conclude that the adverse effect on the self-esteem of white sports players, as a result of affirmative action, may in fact be an illusion since the situation only arises because of their general social dominance – a lingering legacy of colonialism and apartheid.¹⁰

Potential harmful effects aside, though, I would like to go back to the true source of the disagreement – the notion that the perpetuated use of racial categorisation and discrimination is a poor/the wrong way to proceed in order to bring about a substantively

¹⁰ I consider the source of the feelings of resentment, largely experienced by whites, to be largely attributable to their lessened playing opportunities as a result of affirmative action. I discuss this matter in more detail as part of a subsequent section titled: Meritocracy in sport.

equal and non-racial South Africa in the future. It seems to me that what opponents of affirmative action should really be asking themselves is this: Is it genuinely possible, after centuries (if not millennia) of entrenching race into ones' social identity and using it to suppress blacks, to then simply flip a switch overnight and expect everyone to pursue a colour blind approach? Of course not. I believe that there needs to be some sort of transitional period, whereby the use of racial categorisation and discrimination actually wanes over time, only to eventually stop its use when substantive equality has been achieved.

This brings me to my next and final response concerning the perpetuated and overt use of racial language in our country. While I acknowledge the need to use racial language as an indication of fully recognising our social reality, I also feel that language can contribute to the process of realising our ideals of substantive equality and non-racialism just by diluting its explicit or direct reference to race. A way that we could pursue such an approach would be to alternatively refer to 'black empowerment' as 'empowering members of a previously disadvantaged background'. Or instead of referring to having 'more black players on a sports team', we could frame it as striving for 'greater diversity on a sports team'. Thereafter, we can concede that members of such a previously disadvantaged group, or those that are required to achieve greater diversity on sports teams, are *currently* black. In both these examples, reference to racial categories would in fact be done in an indirect manner.

Language, it seems, is the sort of thing that can also be progressive. I believe that our choice of words has the ability to subliminally affect us in a way that would help our society see past race in the future. Racial prejudice and racism are psychological diseases that cut very deep into our psyche, and it is granted that it is going to take time for ordinary South Africans to see past race. What is also important to realise is that by indirectly referring to racial categories, in the sort of manner mentioned in the above examples, we are not denying or undermining our social reality in any way. We should all endeavour to transcend the wounds

of the past, and diluting the direct use of racial language, in our social environments as well as in our policy documents, will definitely play a subtle and instrumental role in reducing racial prejudice and racism in South Africa.

Meritocracy in sport

It is a commonly held belief that any form of affirmative action in South African sport would simply translate to a lowering of standards therein. This is largely due to the perception that it would inevitably result in the promotion of black athletes into sporting levels that are higher than those at which they ought to be at. Meritocracy in sport is best understood to be something that requires all sports players to fairly compete for their place in the team, in an equal manner, and in a way that completely disregards, *inter alia*, players' background, culture and skin colour. If players are selected based on merit, then it is because they are the best available players at the time, as determined by their *current* level of skill, experience and form. Many South Africans believe that government should instead focus on matters of greater concern rather than politically interfering with any team selection. Supposedly, "[r]ather than spending so much effort in grooming 'non-white' cricketers and rugby players, the government would do well to focus principally on improving playing fields in poor areas, providing equipment and coaches where there is need, and harnessing sport as a site for interculturalism and reconciliation" (Merrett et al., 2011: p. 771). This way, as it is very often said, will inevitably lead to a situation whereby South African sports teams are more *fairly* representative of the country's demographics, naturally over time, while completely avoiding the principle of meritocracy being undermined or disregarded in any particular way. Taking this very patient approach, then, will avoid the possibility of increasing racial prejudice and racism among players and fans, as well as between white and black racial groups in our country.

Andre Louw is a firm critic of strong forms of affirmative action in South African sport, particularly that pertaining to quota systems. However, he also expresses grave concern on the cost of affirmative action in *professional* sport specifically. He questions that “[w]hen team selectors prefer a less qualified candidate for the position ... can the risk of a lowering of performance levels be justified when it directly affects national pride ... ?” (Louw, 2004a: p. 233). And despite acknowledging the importance of using sport in our nation-building process, Louw also goes on to mention that “[that] function of sport can only be performed by successful sports teams who are seen as winners worthy of public adulation and pride” (Louw, 2004a: p. 234). Louw’s view on affirmative action in South Africa’s professional sport is best understood by the following quote:

Any policy or measure which prescribes the preferment of one participant over another on the basis of attributes unrelated to the sporting merits of such a player (e.g. the colour of their skin), constitutes an unacceptable denial of the importance of merit which runs counter to the very core values and characteristics of sport, and of the success of professional sport as an industry. (Louw, 2014)

Louw’s comment above can thus be construed to say that preferential treatment and reverse discrimination in South Africa’s professional sport is something that would ‘run counter to the very core values and characteristics of sport’ for the simple reason that it ‘prescribes the preferment of one participant over another on the basis of attributes unrelated to the sporting merits of such a player’.

Farland and Jennings, too, advocate for meritocracy in South Africa’s national sport, and believe that such a team is only truly representative when the best players have been selected. They summarise their view on sports representivity as follows:

[G]enuine representivity can be guaranteed only by a process whereby national sides are selected, according to traditional practice of international sport, with a view to choosing the

strongest possible combination of South Africans, and, in accordance with the rights of all citizens of a democratic republic, by means of a process whereby one's race is no barrier to the likelihood of one's talent being recognised and encouraged, and is therefore also no barrier to one's being selected for the national team. (Farland and Jennings, 2007: p. 836)

That in mind, then, the views of Farland and Jennings can thus be interpreted to say that preferential treatment and reverse discrimination in our national sport is something that would render it representative in the wrong way. This is either due to the 'strongest possible combination of South Africans' not being chosen for the team, or because one's race is a 'barrier to the likelihood of one's talent being recognised or encouraged' or a 'barrier to one's being selected for the national team'. It is an understanding that gives birth to the sort of resentment of affirmative action that actually fuels racial prejudice and racism in South Africa.

However, when it comes to really changing people's attitudes, Dupper goes about interpreting the meritocracy concern slightly differently in that regard, as he expresses it within the context of self-defeat. He cautions us against 'tokenism' – the selection of a sports player based *solely* on their race. "It would not only lead to inefficiency ... but (more importantly) lead to entrenchment of existing negative attitudes towards members of disadvantaged groups" (Dupper, 2004: p. 209). That is also to say that it would likely lead to entrenchment of racial prejudices and racism in our country.

More generally, though, many people strongly believe that meritocracy should remain the *sole* determining factor within all aspects of society, regardless of any prevailing inequalities or other injustices. Louis Pojman also holds such a view:

... we will be better off by honouring excellence. We want the best leaders, teachers, policemen, physicians, generals, lawyers, and airplane pilots that can possibly produce in society. So our program should be to promote equal opportunity, as much as is feasible in a free market economy, and reward people according to their individual merit. (Pojman, 1998: p. 112)

Pojman's comment here does well to illustrate the far-reaching nature of a taken, principled view to either *absolutely* honour meritocracy or excellence, or not.

Due to the differences in the nature of the preferential treatment and reverse discrimination, it seems appropriate to respond to this meritocracy objection from the perspective of each specific form of affirmative action.

Preferential treatment in South African sport, to briefly recall, strictly requires its black beneficiaries (PDIs) to be more or less equal in their overall level of skill, experience and form, when compared to their white competitor(s). That in mind, if a black sports player is selected to play for a South African team, as a result of this form of affirmative action in sport, then that particular player can in fact be said to be selected based on merit and thus considered to be 'qualified', for the simple reason that they are in fact more or less equal to the alternative, competing white player(s). Because this form of affirmative action only makes use of race as a tie breaker, if properly implemented, it would not necessarily lead to a lowering of performance standards and there would not necessarily be an adverse effect on national pride in that regard. Such a policy does not prescribe the 'preferment of one participant over another on the basis of attributes unrelated to the sporting merits of such a player (e.g. the colour of their skin)', as noted by Louw above, because it doesn't disregard or undermine sporting merits in any way. It can also be said that the 'strongest possible combination of South Africans' are in essence maintained in a more or less equal manner. With all of the above in mind, then, it is an unforgivable mistake to think that preferential treatment in South Africa's national sport will, in principle, bring about national embarrassment or that it would harm the reconciliation and nation-building process in our country, notwithstanding my earlier mention that both these processes in fact also happen on all sporting levels. The meritocracy objection concerning preferential treatment in South African sport, and its

concerns pertaining to the possible entrenchment of racial prejudices and racism in our country as a result, simply does not hold.

On the other hand, reverse discrimination in South African sport can also be said to rebut this objection on the basis that it *adequately* upholds meritocracy therein and that it also appropriately incorporates the ethos of social justice in that respect. As a result of the *moral significance* of social justice in South Africa, merit cannot be the *sole* determining factor for anything in our country today. Any system that is based solely on merit, within an extremely unequal society, is one that is grossly unfair and awfully selfish in nature. It also seems that meritocracy of this exclusive kind will likely serve to comfortably preserve South Africa's racial system of racial dominance and subservience – the kind of system that Wasserstrom cautions us against. I shall first discuss how a fairly determined minimum level of competence adequately upholds meritocracy in all sport in South Africa. Thereafter, I shall elaborate on my claim that social justice must be given a greater role therein if we wish to faster realise a better South Africa for all.

Reverse discrimination gives preference to PDIs who despite not being considered as *more or less equal* to their competing counterpart(s), are rather objectively acknowledged as good enough. Implicit in this 'good enough' requirement, though, is the achievement of some sort of minimum standard of competence – that is also to say, a minimum level of skill, experience and form – that is already present in all of the relevant competing sports players. Put differently, a player that has already met this minimum level, or qualifying criterion, is also a player that is already equipped with the basics that are required to participate at that particular sporting level – be it at, *inter alia*, a school, club, provincial or national level.

That said, it is inappropriate, under the heading of reverse discrimination, to promote a black athlete who has not already met this minimum level of competence, or qualifying criterion, that is required to participate at that particular sporting level. This would simply be to

misunderstand what I take reverse discrimination to be. And even though Dupper cautions us against 'tokenism', it still appears that he ultimately defends the kind of affirmative action that incorporates an appropriate 'threshold'. He notes that if we seek to change people's attitudes, as part of a forward looking rationale, "then those who are chosen for a job or other position must be able to perform at least at the level normally expected of people in that position" (Dupper, 2004: p. 207). At the same time, though, he also alerts us to the fact that "the criteria for what constitutes necessary qualifications for a certain job or position can themselves reflect past prejudices and be in need of revision" (*Ibid*). With this in mind, then, one can consider the 'good enough' requirement of reverse discrimination to be the same as being 'able to perform at least at the level normally expected of people in that position'. One could also say that we should be careful not to incorporate past prejudices when establishing the minimum level or qualifying criterion for any particular sport. So too can one conclude that black sports players that benefit from reverse discrimination are not doing so *solely* based on their skin colour, due to the fact that their minimum level of skill, experience and form is still playing a significant role in their selection.

I find it particularly fascinating how the exclusive consideration of meritocracy, in all aspects of life and therefore including that of sport, still manages to sustain such a high level of allegiance in South Africa today, despite prevailing injustices in our society. In the seemingly never-ending battle between selfishness and selflessness, meritocracy of this kind, is likely to be the sort of weapon that's often wielded by the former camp¹¹. Consider this: if the initial starting point for a particular sports player was far better simply because of their background, race or class, and such a player consistently benefited from it throughout their developmental years – as is almost always the case for most white sports players in South Africa – could it then be said that that player, that otherwise would have been selected had there been no

¹¹ It is worth mentioning how many supporters of a merit-only principle appear to contradict themselves when they also take a position to oppose the non-selection of overseas-based players.

affirmative action policy in our sport, truly *deserves* their place on the team? Or by way of another example: In a hypothetical world of no colour, where a sports player is selected because their father personally knows or bribes the coach, and that same player goes on to receive a relatively superior level of development for years to come, could it then be said that that specific player truly *deserves* their place on the team? It seems to me, then, that the possible root cause for this sort of moral confusion comes from a belief that the most “meritorious” player is also the one that *deserves* to be selected. Opponents of affirmative action, who support such a merit-based selection policy, make the mistake of categorically believing in just that.

In both of the aforementioned examples, and despite the perceived level of effort on the part of that particular white player, I am still inclined to think that their selection would in fact be undeserved, regardless if they are more skilful. Or put differently, if they were to be selected as a result of them continuously benefiting from unlevelled playing fields, then it cannot be said that their selection is deserved in an *absolute* sense. Furthermore, both examples represent the sort of situation that often arises in South Africa, where the (seemingly) superior white player, from a skill point of view, has an automatic expectation, or sense of entitlement, with regards to them being selected for a sports team, based solely on merit, and regardless of the fact that there may well be other black players available that are objectively acknowledged as good enough for that particular position.

John Rawls (1971) is the known author for theorising that because no one deserves their native talents or their ability to exert effort, no one can be said to deserve any advantages that may flow from them. Rawls’ theory explains how nobody can claim to deserve their initial starting place in society, or even the very nature of one’s character, seeing that it is reliant on fortunate family and social circumstances. That in mind, then, if one was to apply his theory to matters concerning affirmative action in South African sport, it would go something like

this: If talented, white sportsmen and sportswomen cannot claim any credit for (1) their initial, undeniably-advantageous starting place in South African society, (2) their innate or God-given talents, or (3) their character that enables them to better cultivate such talents, then a sporting system that's based solely on merit is simply one that in fact perpetuates the rewarding of talents and abilities that were not absolutely deserved.

Like any philosophical theory, though, Rawls' view has its fair share of objections. Take Pojman (1998), for example, who believes that just because one may not deserve what produces something that it doesn't necessarily mean that one doesn't deserve its products because (among other things) "[w]e deserve the fruits of our labour, reward for our noble feats and punishment for our misbehaviour" (Pojman, 1998: p. 108). Even if, for the sake of argument, we were to agree with Pojman, the truth of the matter is that a logical, or even intuitive, element still lingers in all of this that prohibits anyone from claiming *absolute* desert for their sporting talents, superior character traits, or any other advantageous social circumstance, such as unearned white privilege (and all that it entails)¹² for example. South Africans must refrain from giving sport some sort of special status in the meritocracy debate, because there is no significant difference between its applicability in the workplace compared to that of the sports field. Both environments are primarily concerned with matters involving skill and experience. Both environments can be said to have a competitive nature with some sort of symbolic value therein. So too, can both environments be said to play a crucial role in the reconciliation and nation-building process in South Africa.

¹² One instance of unearned white privilege in South African sport, for example, is that it is highly likely for a white sports player to have a relatively higher level of developed talent or experience compared to a black sports player in that regard, all else equal, due to fact that they had fewer obstacles to overcome in their life. Another example of such a reality is with ongoing racism in team selection, which can manifest itself simply due to familiarity, old habits dying hard, or even institutional inertia. Unearned white privilege, then, together with prevailing social injustices in South Africa, makes "merit" a standard that is relatively more difficult for blacks to achieve in our country. Also see discussion from Farland and Jennings (2007: pp. 832-836) on the claim that racism corrupts the team selection process for our national cricket side, thus possibly rendering it unrepresentative.

Therefore, it strongly appears that any view that advocates for meritocracy to be the sole consideration in team selection, to in essence also be a view that advocates for meritocracy to be the sole consideration in the workplace or within any other institutional or social context. Bill Shaw notes that “[a]ffirmative action, although not the ‘perfect solution’, is by far the most viable method of redressing the effects of past discrimination” (Shaw, 1988: p. 768). He also mentions the following:

The lessened opportunity that white males face is simply an incidental consequence of addressing a compelling societal need. If white males are deprived of anything, it is the expectation of unearned position. Only because they stand to gain so much from past discrimination do they stand to lose from affirmative action. But white males are not excluded on the basis of racial prejudice, they are excluded ‘because of a rational calculation about the socially most beneficial use of limited resources’. (Shaw, 1988: p. 766)¹³

Even though the above quotation makes reference to white males, I take it to be equally applicable to white sports players in South Africa that would be affected by the forms of affirmative action that I advocate for in this essay. This is because their lessened playing opportunity is also simply an incidental consequence of addressing substantive inequality, racial prejudice and racism – all compelling societal needs. And notwithstanding the fact that they also happen to represent a racial group that is less than 10% of South Africa’s population. Furthermore, despite affirmative action depriving white sports players of their expectation of unearned position, their new situation in fact presents them with an even more valuable opportunity to not only reassess their mistaken belief that the most “meritorious” player is also the one that *deserves* to be selected, it also gives them a chance to genuinely change their attitudes towards members of other racial groups and breakdown their own racial prejudices. If we really seek a socially just and non-racial South Africa in the future, then it is

¹³ Shaw’s own quotation here is from Dworkin (1985: p. 301).

crucial that we recognise the need to appropriately incorporate social justice (and all that it entails) in all South African sport by having it play some sort of complimentary role to that of meritocracy.

Merrett et al. (2011: p. 768) remind us that “[w]hat happens within the boundary or touchlines cannot be divorced from the nature of surrounding society. Sport is not a detached, apolitical activity and politicians ... can claim a legitimate interest in it”. In an analysis of newspaper items undertaken by Farquharson and Marjoribanks (2003), they discuss, among other things, newspaper debates concerning the composition of the *Springbok* rugby team. Therein they note that while some believe that it should be on the “supposedly neutral basis of merit” (Farquharson and Marjoribanks, 2003: p. 43), others believe “merit cannot be understood independent of the societal context” (*Ibid*). That said, I find myself firmly rooted in the latter camp, as it appears to me that a racial system of racial disadvantage that also advocates for the exclusive use of meritocracy, is in fact not neutral at all. Despite Farquharson and Marjoribanks withholding their own view on this matter therein, they do, however, go on to conclude that media framing indicates that unless the re-imagination of the *Springboks* incorporates a transformation in who is selected to play, their contribution to nation-building will be over.

So it can be said, then, that reverse discrimination in all sport in South Africa does in fact *partly* undermine meritocracy, as commonly understood. However, it is also equally true to say that it adequately upholds meritocracy therein, because the minimum level of skill, experience and form, would in fact have been fairly determined such as to objectively render any black beneficiary in that regard as ‘good enough’ for that particular position. Reverse discrimination thus cannot be said to reward black sports players based solely on their skin colour, as it also doesn’t advocate ‘tokenism’. It is also important that we recognise that just because the exclusive consideration of merit is something that is seemingly a ‘traditional practice of sport’,

it does not follow that it is also something that is morally justified. If South Africa were to solely honour excellence in the manner that Pojman advocates, in our sport as well as in every other institution, then it will almost certainly preserve our racial system of racial disadvantage. A system of that nature, and thus without any appropriate affirmative action measures, is in fact one that undermines or disregards social justice altogether because it is one that sabotages the process of reducing inequality, racial prejudice and racism.

Stigmatisation of black beneficiaries

Any open pursuit of race-based affirmative action is generally claimed to inevitably leave its black beneficiaries feeling stigmatised as inferior, due to the supposed fact that it undermines their self-confidence and/or self-esteem. Nagel interprets this objection as follows: "such a practice cannot do much for the self-esteem of those who know they have benefited from it, and it may threaten the self-esteem of those in the favoured group who would in fact have gained their positions even in the absence of the discriminatory policy, but who cannot be sure that they are not among its beneficiaries" (Nagel, 1973: p. 362). It is also said that "[o]pponents of affirmative action argue that such programs sap the internal morale of blacks, i.e. their not truly earned positions cause them to lower their expectations of themselves" (Shaw, 1988: p. 767). Bearing Nagel and Shaw's comments in mind, then, one could apply them to our dilemma by saying that the selection of any black sports player onto a national team or any other team in South African sport, as a result of preferential treatment or reverse discrimination, would adversely affect their self-confidence and/or self-esteem, or cause them to lower their own expectations of themselves. More troubling, though, is a concern mentioned by Nagel above which in turn could be applied to say that affirmative action may even threaten the self-esteem of those black sports players that would have otherwise been selected based solely on merit, but who cannot be sure that they are not among the beneficiaries of any openly pursued form of affirmative action in sport. Louw mentions that "[i]t is quite disturbing to note that two of the best international cricketers that South Africa

has produced to date, Makhaya Ntini and Herschelle Gibbs, were both quoted in media reports a few years ago as having experienced this stigma” (Louw, 2014)¹⁴. This, seemingly, provides the sort of evidence that gives merit to the aforementioned claim that even if you are amongst the best black sports players in the world that you are still not immune to this sort of stigmatisation. Affirmative action in South African sport, then, could thus be said to further entrench this kind of inferiority complex into the psyche of all black sports players, who then require the convincing of no one but themselves that their selection is one that may not be genuine, but rather something that only came to be because of the colour of their skin and which will only serve to adversely affect their self-confidence, self-esteem and expectations of themselves.

In Carla Dash’s critique of Shelby Steele, she highlights additional elements to this stigmatisation concern: “Affirmative action ... is a system that sets black people up for failure by putting them on a higher level than they ought to be, stigmatising them as inferior and unable to compete on their own. It also encourages black people to ‘trade on race, not talent or ability’” Dash (2006)¹⁵. That said, the psychological truth of the matter is that black sports players in South Africa are almost always reduced to being race cards, who are then considered to be unable to compete on their own, until such a time that they prove otherwise to everyone, including themselves. I liken this sort of situation, or rather truth, to a “guilty until proven innocent” mentality. It essentially forces black athletes to go the extra mile to overcome these sort of additional psychological challenges, in order to prove their worth on any particular sports team. Not only is it an additional psychological challenge that even the likes of gifted sportsmen like Makhaya Ntini and Herschelle Gibbs must also face, so too is it an additional psychological challenge that white sports players, all else equal, never really

¹⁴ Louw discusses this stigma within the context of talented, black sports players being labelled as ‘quota players’.

¹⁵ Dash’s own quotation here is from Steele (1990).

have to face at all. It is the kind of thing that makes it relatively more difficult for a naturally-gifted black sports player in South Africa to achieve, let alone retain, their harder-earned position.

With all else equal, then, this supposed inferiority complex does in fact increase the difficulty for any black athlete to always function at their very best seeing that their self-confidence and self-esteem is constantly under some sort of additional siege, simply because of their skin colour, preferred selection or any other prevailing perception in that regard. The avoidance of any affirmative action policy in South African sport would allow black sports players the opportunity to steer clear of any feelings of resentment that they could harbour towards others as a result of the extra judgement and expectation that now comes from their (particularly white) teammates and fan base, or even those feelings of resentment that they may channel towards themselves.

So it is said, if preferential treatment and reverse discrimination in South African sport brings about an inferiority complex, low self-confidence and/or low self-esteem among its beneficiaries, then it also cannot be thought of to cause a wide-spread reduction in racial prejudice and racism. It therefore seems contradictory to claim that its aims are to do the exact opposite when the potential cost (as discussed above) is clear to see. Furthermore, even if everyone were to agree on the importance and urgency of addressing those aims, it could still be said, again, that affirmative action in sport is a poor/the wrong way to proceed, this time because it uses its black beneficiaries as a means, largely at their own expense, in order to bring about a more socially just South Africa.

Despite this sentiment being expressed as a concern by both white and black racial groups in South Africa, I think that it has been unnecessarily exaggerated somehow. Randall Kennedy mentions the following:

I do not doubt that affirmative action causes some stigmatizing effect. It is unrealistic to think, however, that affirmative action causes most white disparagement of the abilities of blacks. Such disparagement, buttressed for decades by the rigid exclusion of blacks from educational and employment opportunities, is precisely what engendered the explosive crisis to which affirmative action is a response. (Kennedy, 1986: pp. 1330-1331)

This in mind, then, Kennedy concludes the matter by stating that:

In the end, the uncertain extent to which affirmative action diminishes the accomplishments of blacks must be balanced against the stigmatization that occurs when blacks are virtually absent from important institutions in the society. (Kennedy, 1986: p. 1331)

That said, there may very well be an unavoidable stigma that exists as a result of the appropriate selection of a black sports player. However, there is also likely to be an equal, if not greater, stigma that exists due to the non-selection of such players in a way that renders their racial group(s) virtually absent from our sports teams and institutions¹⁶. It seems to me, though, that the latter stigma is likely to have far greater repercussions for South Africa as it strives for substantive equality and non-racialism. So without denying the authenticity of the stigmatisation objection, it does appear, though, that it is not as severe as one may think and that it too can be described as an incidental consequence of addressing a compelling societal need. The inferiority complex that is said to be linked with the stigmatisation of black beneficiaries can in fact be appropriately responded to from a physical capability and psychological standpoint.

From a physical capability standpoint, our black beneficiaries of preferential treatment and reverse discrimination are irresponsibly mistaken in possessing an inferiority complex pertaining to their actual capabilities. As discussed in an earlier section, black beneficiaries of preferential treatment are in fact more or less equal to their competing white players, and

¹⁶ Based on the nature of sport in South Africa, all sporting institutions can in fact be considered 'important institutions in the society' as noted by Kennedy.

therefore, principally, cannot be said or thought of to be inferior from a capability perspective. So too can the same be said about black beneficiaries of reverse discrimination due to the fact that a fairly determined minimum level of skill, experience and form would in fact have been met to objectively render that particular sports player 'good enough' for a specific position.

This in mind, then, black sports players within either context have no valid reason to experience this sort of inferiority complex, and therefore should not create or perpetuate the kind of psychological drama of having to deal with this additional challenge to their self-confidence and/or self-esteem, just because of their skin colour and preferred selection. And seeing that this mistaken inferiority complex is true for any *actual* beneficiary in either of the aforementioned forms of affirmative action, so too is it true for any *perceived* beneficiary who in fact was selected based purely on merit but who cannot be sure that they are not among its beneficiaries.¹⁷

The psychological aspect of racial inferiority, on the other hand, is an undeniable and continuing social reality in South Africa today. It is also something that largely remains entrenched in the psyche of most blacks in our country, let alone black athletes. All black South Africans have a moral responsibility to not only alert themselves and others to any feelings of racial inferiority that one may still harbour at any given moment, but also to transcend these sort of feelings themselves and help others overcome them where possible. The same can be said of the moral responsibility that white South Africans have in respect of feelings of racial superiority in that regard. Anti-apartheid activist and founder of the Black Consciousness Movement, Steve Biko, notes the following:

The first step therefore is to make the black man come into himself; to pump back life into his empty shell; to infuse him with pride and dignity, to remind him of his complicity in the crime

¹⁷ It is worth noting that this response is not necessarily compatible with that of a strict quota system, since a black player selected under such a system might have no good reason to convince himself/herself that s/he even meets the relevant minimum standard of competence.

of allowing himself to be misused and therefore letting evil reign supreme in the country of his birth. This is what we mean by an inward-looking process. This is the definition of 'Black Consciousness'. (Biko, 2012: p. 31)

Black South Africans that suffer psychologically from racial inferiority, do so not only because their 'shell' is in essence incomplete, but also because it largely happens subconsciously in ways that one is not even always aware of all the time. Black South Africans *must* put a stop to the sort of racial inferiority that prohibits themselves from believing that they are in fact 100% equal to white people in terms of their own humanity. And it is granted that it is anything but a quick journey to reverse centuries, if not millennia, of all sorts of oppression that took place in South Africa and that brought about, *inter alia*, a "superior-inferior white-black stratification that makes the white a perpetual teacher and the black a perpetual pupil ..." (Biko, 2012: p. 26). For a black South African, then, the process of challenging one's cultural conditioning must be one that also includes this realisation that no one is morally superior to anyone else just by virtue of their skin colour. Preferential treatment and reverse discrimination should instead be understood to facilitate the process of bringing about 'black consciousness' to black sports players in our country, as it creates the opportunity for those players to identify whether or not any feelings of inferiority still exist or not, especially considering the fact that feelings of inferiority concerning physical capabilities are inappropriate and unjustified in that regard.

To conclude, then, the claim that affirmative action in South African sport adversely affects the self-confidence and/or self-esteem of its black beneficiaries, or that 'their not truly earned positions cause them to lower their expectations of themselves', appears to be inappropriate and unjustified. Not only is this because the alternative stigma of exclusion (due to the absence of affirmative action) would actually be worse for South Africa, it is also not as severe as one may think, considering the fact that those same beneficiaries are indeed physically capable and bearing in mind that many of them are still tending to their psychological wounds

caused by colonialism and apartheid. That said, if affirmative action was using its beneficiaries as a means to bring about a more socially just South Africa, it would also be doing so as a means to their *own* end of realising 'black consciousness'. There is a lot at stake for South Africa, and it seems to me that feeling stigmatised is price worth paying to address compelling societal needs and thus bring about social justice.¹⁸

Conclusion

South African sport, as a tried-and-tested platform that can bring about significant social change, must share centre stage in our country's reconciliation and nation-building process. With the right kind of affirmative action in our sport, not only will it equally benefit whites and blacks, it will also appropriately bring about a better South Africa for all. In this essay, I have tried to demonstrate how tailored integration in South African sport can in fact reduce our social divisions, racial prejudices and racism – all compelling societal needs and something that social justice demands – in a way that appropriately treats race as a morally relevant factor as opposed to a decisive one.

The exclusive use of merit, as commonly understood, is toxic for South Africa. This is because its sole consideration does a lot to preserve our racial system of racial disadvantage, something that is characterised by the social dominance of whites in our country. That said, a selection policy based strictly on colour blindness is guaranteed to cause greater harm than good. And in doing so, it will also delay the attainment of a substantively equal and non-racial South Africa. The truth of the matter is

¹⁸ As a side mention, consider this: In a hypothetical parallel South Africa where the forms of affirmative action that I advocate for were *genuinely* supported by whites since 1994, and all black beneficiaries were openly welcomed onto our sports teams and truly treated as equals, do you still think that our stigmatisation dilemma would exist in such a scenario? Probably not. I can only wonder, then, if our dilemma is really something that can better be described as a fabrication or by-product emanating from white resistance to transformation, for the simple reason that whites feel that they stand to lose too much from affirmative action in South Africa. How better to discourage, or at least slow down, the transformation process than to invent and propagate a stigmatisation concern for its black beneficiaries? Notwithstanding the fact that it is human nature for those with power – in this case, economic and social power – to generally resist giving it up.

that there is a greater moral significance that comes from the use of preferential treatment and reverse discrimination in all South African sport, as opposed to their complete absence.

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