

DEMOCRACY IN ACTION

MONTHLY NEWSLETTER OF THE INSTITUTE FOR A DEMOCRATIC ALTERNATIVE FOR SOUTH AFRICA

MARCH 1989

Options debate gets under way

THE QUESTION facing South Africans was not whether negotiations over power sharing will eventually take place, that would inevitably happen. "The real question facing South Africa today is: Do we reach the negotiation table before war, thus preventing a war, or do we have to go there after a civil war?"

This was one of the important points made by Dr Alex Boraine, executive director of IDASA, in Durban this month when he formally launched the "Options for the Future" debate series on constitutional proposals for South Africa which are being hosted by the institute at forums and workshops throughout the country.

Dr Boraine said the South African state had the key to the process of negotiations, and the ANC was an important force in the negotiation process — whether its adversaries like it or not. IDASA, he pointed out, stood squarely in the arena of negotiation politics and wanted to urge people to "negotiate away from apartheid" towards a democratic society with real power sharing. It hoped to put across this message at the "options" workshops.

One of the speakers at the workshop, Prof Dawid van Wyk, echoed the sentiment expressed by Dr Boraine, saying that a need existed for a "massive educational process" to convince whites that they are needed and wanted in a "non-apartheid" South Africa.

The publication of a set of constitutional guidelines by the African National Congress last year presented South Africans of all convictions with yet another constitutional option for their future. This has also provided IDASA with an ideal opportunity to develop a debate around all available constitutional options for the future. The workshops will culminate in a conference on constitutional options in Johannesburg in May.

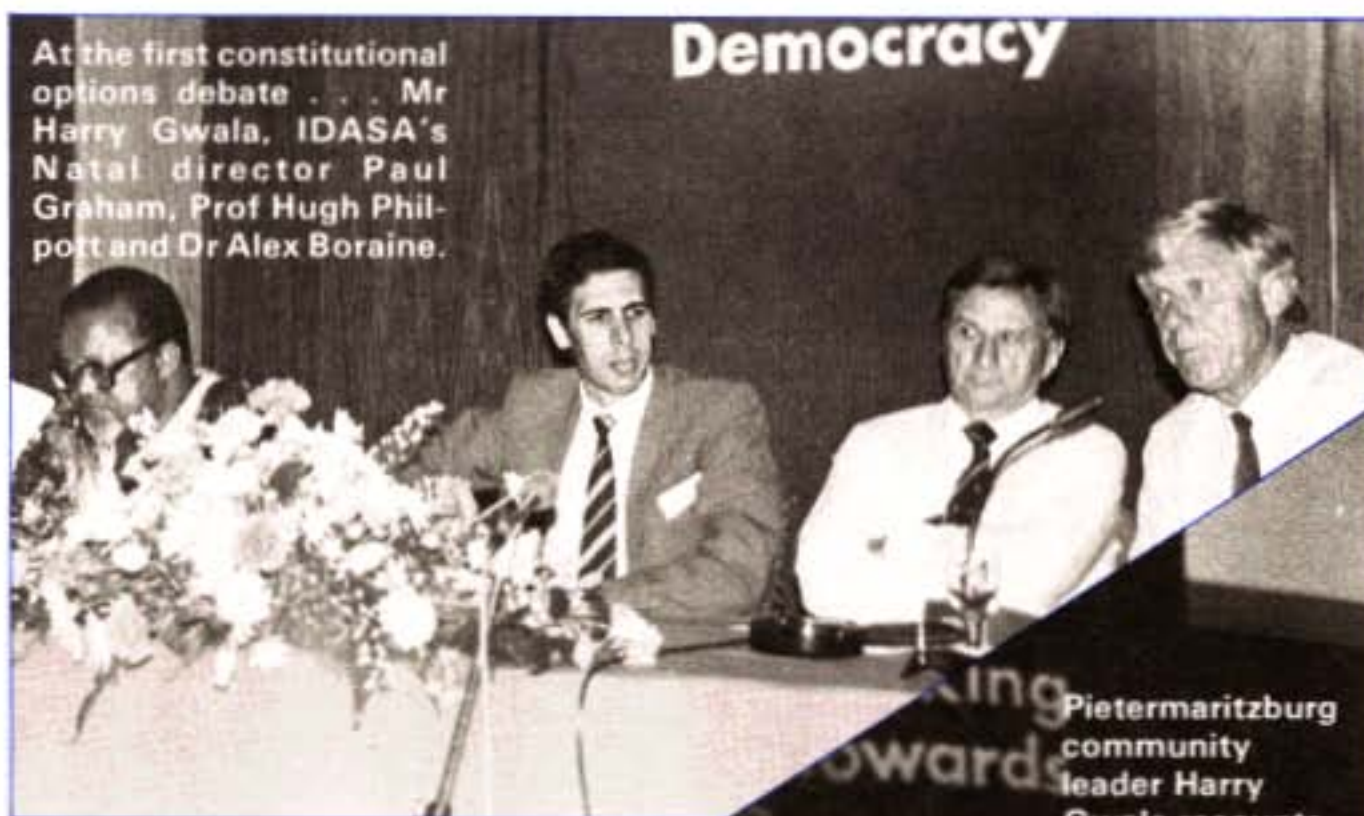
Some 200 people, representing a wide range of organisations including the

Natal Indian Congress, Inkatha Institute, the Democratic Party, Housewives League and the Durban Chamber of Commerce, attended the Durban forum and joined in the lively debate which followed the formal addresses.

Among the speakers who shared the platform with Dr Boraine at the launch-

Constitutional proposals for SA assessed in workshops around country

At the first constitutional options debate . . . Mr Harry Gwala, IDASA's Natal director Paul Graham, Prof Hugh Philpott and Dr Alex Boraine.



Call for nationwide campaign to convince whites they're wanted and needed in a 'non-apartheid' SA

ing event in Durban was Pietermaritzburg community leader Mr Harry Gwala, a former senior political prisoner who was released last year. Mr Gwala is a listed person and may not be quoted. Listening to his address, however, one realised again that the history of the black experience of Western democracy and Christian values in South Africa made their rejection of these values almost inevitable. The South African Act of 1909, for example, entrenched white privilege, and the 1913 Land Act robbed millions of black people of their land.

Prof Van Wyk, professor of constitutional law at Unisa and director of the Kwazulu Natal Indaba, said the time was

Pietermaritzburg community leader Harry Gwala recounts the history of black resistance.



ripe like never before to change ideas and motivate people to become involved in things that influence their everyday lives.

He said the ANC's constitutional guide-

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DEMOCRACY IN ACTION

IDASA's goals are:

* To encourage South Africans of all races to reject apartheid and discover an alternative that is non-racial and democratic in the true sense of the word.

* To assist people to accept and work for a post-apartheid society as a way of allaying their fears.

* To mobilise the skills, knowledge and experience of all those who can assist the communities in the crisis areas of South Africa.

* To provide forums and opportunities on a nationwide basis to find democratic solutions to South Africa's problems.

* To assist in creating a climate for genuine negotiation towards a non-racial and democratic South Africa.

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Konstruktiewe gespreksvoering

GEDURENDE 1988 het ek die voorreg gehad om by verskeie geleenthede betrokke te wees by aktiwiteite wat IDASA op Stellenbosch aangebied het. Die treffendste voorbeeld van die waarde van die soeke na 'n demokratiese alternatief vir Suid-Afrika, is myns insiens die paranoïese optrede van die universiteits-administrasie, naamlik om IDASA toegang te belet tot enige fasiliteite op die kampus. Die enigste ander organisasie wat nog onder dieselfde beperkings moes deurloop, was die ECC. 'n Mens kan nie anders as om te wonder wie se

belange betrokke is by die neem van sulke besluite nie. Dit is ook nie baie moeilik om te bespiegel oor wie die besluite neem nie.

Die rol van 'n fasiliterende liggaam was nog nooit in die geskiedenis van die land so belangrik as juis nou nie. Die goeie verhouding wat bestaan tussen Idasa en SAAK (Stellenbosse Aktuele Aangeleentheidskring) is daarom verblydend. SAAK is 'n kampus. organisasie wat studente aanmoedig tot kritiese denke d.m.v. die reël van openbare vergaderings wat 'n wye politieke spektrum dek. Gedurende 1988 is twee SAAK-konferensies ('n fokus op die "onpartydigheid" van die regstelsel asook 'n bespreking oor die vryheids-ideaal in S.A.), wat deur IDASA geborg is, sowel

EDITORIAL

Reform euphoria ignores growing state control

THE opening of the parliamentary session in South Africa has focused on the crisis in the National Party surrounding the State President's decision to, on the one hand, shed his responsibility as political leader but on the other to retain his position as State President. Arising from the speeches made by the Acting State President, Mr Chris Heunis, and the new political head of the National Party, Mr F.W. de Klerk, we have been treated yet again to euphoric statements in most of the newspapers as though yet again the advent of reform is about to begin!

This euphoria however should be seen against the background of the ever-increasing controls instituted by the state on any individual or organisation which seeks to oppose the state's management of the country as a whole. A few examples will suffice: the state of emergency remains in force and has the security arm of the state in tight control, particularly of the black townships. This month, a bill, the Disclosure of Foreign Funding Bill, was passed which will further impede and harass organisations which strongly oppose the status quo and are seeking to bring about a new spirit of democracy in South Africa. It is well known that educational institutions for black children and students have been severely in the grip of bureaucracy and often the police and the army as well.

Authoritarian Approach

What is not so well known is the authoritarian approach of government officials in so-called white education. The Trans-

vaal Education Department has recently sent a circular to all schools under its jurisdiction banning the distribution of literature from, among other organisations, IDASA, the Black Sash and Five Freedoms Forum.

In the Cape education system, the situation is not much better. I was recently asked to address a school assembly but this was cancelled at the last moment; not because the headmaster or any of his staff or students didn't wish me to speak, but because there is a new regulation which states that no people may be invited to a full assembly of the school without the prior permission of the Department of Education. It is possible for an outside speaker to address one or more of the societies within the school system, but it must be absolutely voluntary and the parents of the children should be informed ahead of time that their children have been invited to attend such a meeting! The name of the game is coercion and control.

Nothing to Hide

A further example of the state's intention to control organisations who dare to dissent against its policies is via the Fund Raising Act. Earlier this month, IDASA received two visitors from the Department of National Health and Population Development, under whose auspices the Fund Raising Act is managed. They demanded that they have access to IDASA's list of donors and correspondence with donors, cash book, cheque book, audited statements, etc, etc. We have nothing to hide and we will make

LETTERS

as 'n gesamentlike media-werkswinkel, aangebied.

Hierdie samewerking het die potensiaal om konstruktiewe gespreksvoering op Stellenbosch werklik te laat vlamvat. Daar is ook heelwat nuwe moontlikhede wat definitief in die toekoms ondersoek behoort te word. 'n Goeie beginpunt sou miskien wees om weer die IDASA-takkantoor op Stellenbosch te open.

Ek wens IDASA alle sukses toe met al die belangrike en noodsaaklike werk waarmee hulle besig is.

Daniël Malan
SAAK-voorsitter

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ARTICLES IN DEMOCRACY IN ACTION REFLECT THE OPINIONS OF THE WRITERS AND DO NOT NECESSARILY CORRESPOND WITH THE VIEWPOINTS HELD BY IDASA.



all this information available, despite the fact that from the very beginning IDASA has appointed auditors of the highest repute and has at every level instituted very careful controls of its own to ensure that every cent received is accounted for.

Following the hunger strike by a number of detainees, I made specific representation to the Minister of Law and Order on behalf of Monde Mtanga, a member of our staff, who has now been in detention without trial for nearly 15 months. Monde was part of the hunger strike and as his friends and colleagues, we were extremely concerned. Despite the promises by the minister to release a substantial number of detainees, Monde Mtanga still languishes in jail without any recourse to the courts. Detention without trial is one of the most powerful weapons the state uses to control its opponents.

Tragic Commentary

It is clear that adjoining so-called independent countries like Ciskei have learnt their lessons well. During the last few weeks, six prominent members of the security forces and police in Ciskei have been on trial for the brutal death of a former IDASA staff member, Eric Mntonga. Details of the case and the sentences imposed upon those charged

appear elsewhere in this edition of Democracy in Action. What is clear is that those unfortunate enough to be detained without trial seem to be without any protection whatsoever. In his summing up, the judge stated that "the police, who are called upon to protect society, enjoy many privileges, being protected by the law. Security police are more privileged than other policemen in that they have a right to detain people without trial and cannot be overruled by courts". This is a tragic commentary and should surely effectively burst the bubble of euphoria which has yet again emerged as a result of further statements of intent by Heunis, de Klerk et al.

The harsh fact of the matter is that the areas open for dissent continue to shrink and democracy seems further away than ever before. This could very easily lead us into a situation of despair and thus paralysis. As far as the staff of IDASA is concerned, it will only lead us to a greater determination and to further extend and deepen our resolve and our efforts to strive for a new society where justice and the rule of law shall prevail, where there is a future for all South Africans, irrespective of race or colour or creed.

ALEX BORAINÉ,
Executive Director

IDASA se bydrae

OP 'n kongres vir vroue op Mosselbaai 'n jaar of wat gelede het 'n swart vrou opgestaan en by haar wit medekongresgangers gepleit: "Moenie julle seuns in die townships instuur om ons seuns te kom doodskiet nie."

Daar was 'n doodse stilte in die saal. Gewone Afrikaanse vroue het die swart ma geskok aangekyk. Na 'n

lang bespreking het van die vroue begin huil.

Baie wit vroue het vir die eerste keer besef: Hulle is ook mense. Ons swart susters voel dieselfde, koester dieselfde ideale vir hulle kinders en dink oor so baie dinge presies dieselfde.

Dit, sê dr Alex Borainé, is wat IDASA die afgelope twee jaar bereik het. Agter die wyd gepubliseerde

ontmoetings met die ANC en reise na Rusland het hulle bitter hard gewerk om wit en swart bymekaar uit te bring.

"Min mense besef dit vandag, maar IDASA werk hoofsaaklik met Afrikaners. Hulle is die mense met invloed in die gesagstrukture van die staat," sê Borainé, uitvoerende direkteur van IDASA.

(Met erkenning aan Vrye Weekblad)

Constitutional proposals debate

From Page 1

lines formed a good starting point in negotiation politics and should be seen as a "serious, sincere contribution to the constitutional debate". It puts forward proposals around which a process of bargaining can begin, and the availability of such negotiables and non-negotiables can create a favourable situation for serious talks about fundamental political issues. Even non-negotiables may become the subject of negotiations in such a process of mutual understanding, said Prof van Wyk.

Stressing that he did not necessarily represent "white opinion" (something which was also not easily universalised), Prof Van Wyk said most whites would accept that white domination would inevitably come to an end. However, he felt further clarity was still needed around several issues in the ANC's guidelines. These included the implications of a "unitary" system, the status and structure of governing bodies, the implications and range of an envisaged Bill of Rights, the redistribution of wealth and land reforms as well as the impact of affirmative action and the way it is to be tackled.

These reservations apart, Professor Van Wyk, described the guidelines as a serious contribution to the political dialogue. He also stressed that, given the relative isolation of the white community, a large-scale education campaign was called for, not only to reassure whites of their place in a post-apartheid society, but also to show the other side of the coin of government propaganda that the ANC was a "violent and non-negotiating organisation bent on revolutionary takeover". Prof Van Wyk suggested that the guidelines be translated and distributed in Afrikaans to give more people access to the document. Hopefully this will in the long run contribute to the purposeful search for a lasting political solution for South Africa.

Another speaker, Prof Hugh Philpott, director of student support services at the University of Natal, contextualised the problems of a university caught up in the transition of a society such as South Africa. He pointed out that universities had the opportunity to "lead a process of change by example." This could be done by the democratisation of curricula, university structure and leaders, and by the promotion of community oriented outreach programmes.

Ian Liebenberg
IDASA Research Consultant

OPINION

ANC guidelines must be debated by all

By DULLAH OMAR

THE great merit of the publication of the ANC's Constitutional Guidelines lies also in the specific proposals themselves — but it lies primarily in the fact that it has placed the issue before the people of South Africa for debate. My point of departure would be this: that an environment must be created in which the people of South Africa would be able to exercise their right of self determination.

We cannot close our eyes to the reality of continued imperialist domination and exploitation of Southern Africa and its people, and the unwillingness of the Western powers to allow the people of Southern Africa to determine their own destiny and free themselves from such domination. The situation in which the guidelines have been published is one in which those powers and interests which have exploited Southern Africa for so long, seek to impose on our people a neo-colonialist solution which would leave the present economic structure and economic inequalities basically intact.

In pursuance of that aim, models of constitutions are being worked out in drawing and board rooms of Western capitals. It seems to me also that in today's complex world situation, the Soviet Union, despite its historical support for the liberation movement in South Africa, cannot and will not intervene to prevent the imposition of a neo-colonialist solution.

Crucial Lesson

The crucial lesson which must be learnt by the oppressed and exploited people in South Africa is that only their own mass struggles will make it possible for them to win for themselves the *right* to self determination, the *right* to govern the country in the best interests of all its people and the *right and duty* to produce, appropriate and distribute the wealth of the country for the benefit of all its people.

Speaking for myself and many others in our organisations, the danger of the imposition of a neo-colonialist solution upon our people is a very real danger.

The merit of the Constitutional Guidelines of the ANC lies in the recognition and on the insistence that it is the people of South Africa who must work out a new constitution. The guidelines are not intended to be the final word on

the subject. The intention is that the issue be placed before the people of our country, to be debated in their organisations and platforms and for them to come up with ideals and proposals which represent their aspirations. Because there are conflicting class and social interests involved, these ideas and proposals can only be decided and brought forth in the cauldron of actual struggle. It is the balance of forces which will ultimately determine the kind of proposals which our struggle will be able to implement.

Role of ANC

It is, therefore, essential that discussion on the Constitutional Guidelines *not* be confined to academics and "experts" but that they be taken up in all people's organisations, including the trade

The guidelines reject the concept of 'group rights'

unions. It is also necessary to assert that the oppressed people have never been consulted about the banning of the ANC. They were not a party to the banning and have never accepted such banning. The ANC is an indigenous, internal and legitimate organization. The same applies to all other people's organisations which have been banned or restricted. Which organisation or movement speaks for the people is determined by actual struggle. Today, it is quite evident that the ANC is recognized by the vast majority as the authentic voice of the oppressed.

The ANC, therefore, forms an integral part of the people of South Africa who must, as the struggle unfolds, work out a constitution for the country. There is need to work towards the establishment or convening of a "congress of the people" in the form of a "constituent assembly" to formulate such a constitution.

Concrete Vision

In my view, the publication of the Constitutional Guidelines must be seen in this context. It helps to give direction to the people's struggles so that our aspirations and vision do not remain vague and unformed but begin to take on con-

OPINION

crete form. Post-independence Africa is filled with examples of constitution-making in which the people had no part or say — constitutions which have served simply to perpetuate the basic colonial character of the economy and society. The ANC initiative must be seen as providing the people of South Africa with the opportunity to avoid such a fate.

The guidelines themselves also contain a great deal of merit. Its broad vision provides a bold alternative to the status quo. In place of a society which is based on division along ethnic lines and in place of a South Africa which is balkanised (homelands etc), the guidelines put forward the vision of one single undivided non-racial and democratic South Africa in which all persons shall be equal.

The guidelines reject the concept of "group rights" which in South Africa today, is being used as a mechanism to maintain apartheid, the homeland system, group areas and the fragmentation of the working class.

Guarantees

The guidelines provide a perspective of a bill of rights rooted in a democratic order — and not as a mechanism to preserve privileged positions. It takes into account fears — real or imaginary — expressed in the current situation and therefore proposes guarantees with regard to the languages, religions and cultural heritage of all South Africa's people. Again, in contrast to the present situation, the guidelines envisage one single citizenship — and the building of a single nation — in a single undivided South Africa.

The guidelines do not purport to be a final blueprint. Workers and especially trade unions and other organisations representing working people — both in urban and rural areas — will want to discuss economic restructuring, the land question, worker rights, women's and children's rights. In none of these matters has the final word been spoken.

The "guidelines" has placed on the agenda of all our organisations and unions a discussion on the kind of South Africa we are fighting for, what we mean by democracy and what economic changes are envisaged in our struggle.

The actual guidelines require serious consideration. Its greatest merit is that it has placed the responsibility for working out a new constitution on the shoulders — not of financial and other interests in the capitals of the world — but of the people of South Africa on the terrain of struggle.

□ Dullah Omar is a human rights lawyer in Cape Town and the Western Cape president of the now restricted UDF.



Dr Davis (right) in conversation with Mr Hannes Senekal of a leading insurance firm (centre) and Mr Larry Silverman, political officer in the US Embassy.

US sanctions on the cards?

THE QUESTION to ask about sanctions is not whether the United States will impose sanctions but rather, when, how many and under what conditions this will take place, says Dr Stephen Davis, former Southern African policy adviser to presidential candidate Michael Dukakis.

He addressed a meeting of 60 people at IDASA's head office in Cape Town in February on the topic "US Policy Prospects for Sanctions."

Dr Davis explained that tougher sanctions would be approved by President George Bush if he was pressurised by Congress which has a Democratic Party majority. He would have a difficult time trying to circumvent sanctions as he is forced to concentrate on a good relationship between the Senate, Congress and himself.

Dr Davis said the next election was much closer than it appeared and that this adds to the politically vulnerable position in which the new president finds himself. Pres Bush cannot afford to alienate liberals and the Republicans are trying to attract black voters which will further influence the approach he takes.

According to Dr Davis, South Africa is not on America's top list of interests. Their first priority is the US relationship with the Soviet Union. The economic and financial position in relation to Japan is important too. Most attention

will be focused on internal discussion around the US deficit.

To avoid confrontation about these issues, Mr Bush will probably not cross swords with Congress over sanctions.

The policy on sanctions will probably involve the Soviet Union and US allies and will meet Congress halfway. For this to materialise, Pres Bush will most certainly have to adopt some form of sanctions, Dr Davis says.

He emphasised that he was "crystal ball gazing" and that most of what he said was largely speculation.

When asked whether he thought sanctions were a solution for South Africa and whether they would bring about change, Dr Davis chose not to answer the question, saying that he felt he might jeopardise his work in South Africa if he expressed an opinion on the issue. The purpose of his visit to South Africa was to research the impact of sanctions for the Investor Responsibility Research Centre, an institute which monitors political and economic developments in South Africa.

□ Pres George Bush recently faced his first defeat at the hands of the majority Democratic Party Congress over the appointment of the Secretary of Defence. Congress rejected Pres Bush's nomination, Mr John Tower. This example seems to vindicate Dr Davis' analysis of Pres Bush's vulnerability to Congress.

Marion Shaer
Western Cape Regional Co-ordinator

Independence for Namibia

Namibia... for the first time in 41 years the government has surrendered territory by negotiating with the international community. What prompted this departure and what are the implications for Southern Africa?

PETER VALE, Research Professor and Director of the Institute for Social and Economic Research at Rhodes University, responds to these issues in this interview.

QUESTION: What prompted the South African government to reconsider its options in Namibia?

PV: It is helpful to begin in the air because the inability of the SADF to match what their opponents could put into aerial combat put Namibia back on the track towards its independence as outlined 10 years ago in United Nations Security Council Resolution 435.

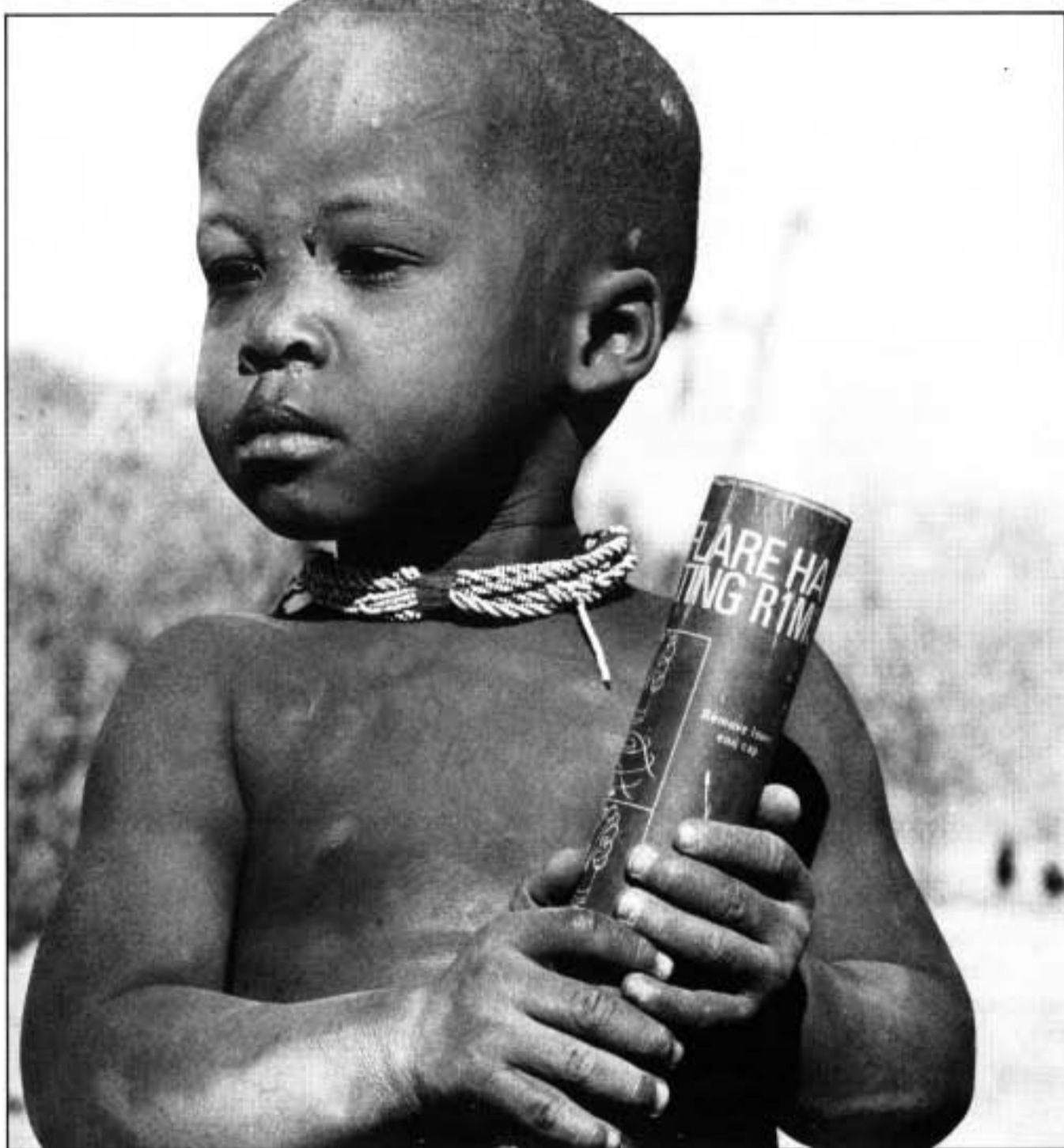
The resulting setback at Cuito-Cuanavale set in train a process which was unthinkable 12 months ago: Pretoria's willingness to abandon its 70-year grip on the contested territory known — only in South Africa — as South West Africa.

Costs, too, played a role: especially given that the joint Cuban-Soviet forces were able to counter South Africa's traditional hold on regional affairs. The sheer expense — both in resources and in manpower — of reversing this was simply too much for Pretoria.

The battle for Cuito-Cuanavale should be seen as the failure of a wide strategic game, even if it was not a reversal in the sense of a defeat on the ground, as General Magnus Malan has claimed. History is replete with examples of well-equipped, well-motivated armies which have failed because generals or, more correctly, the politicians behind them, were unsure of a strategic objective.

South Africa's goals in Angola were vague and, over time, untenable. They relied for their acceptability on the tacit compliance of the Reagan Administration through its own sympathy and support for Dr Jonas Savimbi's Unita movement. While this particular mesh was tolerable, Washington began to question the desirability and efficacy of supporting Unita when it became obvious that South Africa — not the Soviet Union or the Cubans — was the source of regional instability.

On top of these considerations, the post-1945 truism that invading armies lose the battle in their own bedrooms



JOHN LIEBENBERG

played an immediate role in concentrating the official mind. Just two examples illustrate the point. *Insig*, the Nasionale Pers monthly news magazine, carried a remarkable cover on its August 1988 edition. In descending order three banners announced: "Die oorlog in Angola"; "Kenners oor Soldatesres"; "Raak SA Bankrot?"

The cover picture, however, left no illusions about the seriousness of these issues. It showed the near-nude blood-stained body of a wounded white cradled re were questioning the wisdom of, the Border War. This was underscored by the government's banning of the End Conscription Campaign after they had staged a number of high-profile pubin an army-issue groundsheet. In the near corner was an army boot; only two visible hands clasped the cradle: one white, the other black.

The second example was even closer to the bone: *Die Kerkbode*, official mouthpiece of the Dutch Reformed Church, asked "whether South Africa would not be acting morally and ethically to withdraw completely her troops from Angola?"

Although patently not closely akin to

America's Vietnam experience, sections of white public opinion had turned against, and molic meetings on the Angolan/Namibian situation.

With all this, South Africa's game plan faltered: a settlement in "south-western Africa" followed.

QUESTION: Will the political and economic equation in Southern Africa be changed by the independence of Namibia?

PV: Whatever the arithmetical mix after the election, Swapo will govern Namibia. Given the organisation's roots and the long years of patronage which they have enjoyed from the frontline states, there is little doubt that Namibia will become a fully-fledged member of this grouping of states.

Two particular draglines make Namibia's frontline goals even more difficult than other states in the region. First, it is more closely integrated into South Africa than any other Southern African state. Any attempt to sever the economic links between South Africa and Namibia will be like trying to separate, say, Natal from the rest of the country.

Secondly, because the relationship is so intimate, Namibia is more vulnerable than any other state to Pretoria's direct pressure. Agony is added to this by South Africa's first-hand understanding of that country which is unrivalled in any other decolonisation experience.

The real choice before the new government in Windhoek will be to balance these latter considerations against their instinctive sympathy towards the front-line.

Because it will not be possible to choose, Namibia will become both a formal member of the Southern African Customs Union and a member of the front-line by joining the Southern African Development Co-ordinating Conference. So, with Botswana, Lesotho and Swaziland, it will officially have a foot in both Southern Africa's two economic camps. Except psychologically, the regional balance should not be seriously disturbed.

QUESTION: What impact will developments north of the Orange River have within South Africa itself?

PV: Like many international developments, those in Namibia have been influenced by — and, in turn, will influence — domestic issues. This is why Namibia's independence needs to be set against a wider canvas.

The decision by Pretoria to abandon its commitments to that country represent the first time in 41 years that the National Party has surrendered territory by negotiating — not with itself or its puppets — but with the international community.

This was partially the result of pressure from the deepening rapprochement between the Superpowers: an event of truly historic significance. The agreement to co-operate over Namibia offers a hint — no more, let me stress — that Washington and Moscow could agree to manage the South African dispute. If consensus can be reached with other major powers — particularly, Britain which has traditional interests in the region — then a negotiated end to *apartheid* itself, may be closer than we dare think.

Do not read into this that peace will come to the country or that the flood-gates of economic prosperity will immediately follow. The negotiated end of *apartheid* may open the way to tackle micro-issues — like the horrific conflict in Pietermaritzburg — or macro-issues — like the important debate on redistribution — which have resulted from *apartheid*'s wanton destruction.

This is why the example effect of Namibia is important and urgent. If things go badly and the peace process under Resolution 435 turns to chalk (or worse), South Africa's own transition looks far more stony whatever the world may decide to do.

Detention: hunger strike jolts public complacency

By MAX COLEMAN

DETENTION without trial is a practice which ranks high on the list of universally condemned human rights violations. In the South African context it is viewed as doubly indefensible on account of its role as one of the main props in the defence of the *apartheid* system against its opponents and detractors.

For over 25 years since its inception in 1963, detention without trial has served to isolate, intimidate, and destroy the leadership of political activism against *apartheid* domination, and in the last

to defend the indefensible; on the state-controlled media we were told of the regrettable necessity of detention without trial brought about by the revolutionary situation which had arisen in 1984. No mention was made of the fact that the practice had existed for some 20 years before that. Nor was any commitment made that when the State of Emergency is finally lifted, detention without trial under the permanent legislation of the Internal Security Act would be scrapped.

To hope for the scrapping of detention



How the **New Nation** saw the dilemma of the Minister of Law and Order, Mr Adriaan Vlok, during the hunger strike.

four years it has been employed on a mass scale to do the same to whole communities and rank-and-file membership of popular organisations dedicated to the demise of *apartheid*.

This arbitrary loss of liberty, independent of the jurisdiction of any court of law, has been experienced by an estimated 75 000 persons over the years, in the name of the security of the state. This huge number is surely indicative, not simply of a handful of dissidents, but of mass opposition to an unjust and untenable system.

However, among the white public at large there has been a growing insensitivity and paralysis to the issue of detention without trial which has even developed into a passive acceptance of its "necessity". But this complacency was recently severely jolted by the forgotten victims of Emergency detention taking their lives into their own hands, and declaring to the world that they were prepared to starve themselves to death rather than accept indefinite internment.

As a result of their courageous action, there is now a greater awareness than at any time since 1963, of the evil meaning and moral unacceptability of detention without trial. Yet the authorities still try

without trial is unrealistic — the hand- maiden of *apartheid* will only die when the parent is no more.

In the meantime, by means of heavy restrictions, the status of detainees is being converted from incarceration within prison walls to incarceration within a web of prohibitions involving almost as much loss of freedom, and at no expense to the state. This device is as old as detention without trial itself, but it is now being advanced to a pitch of perfection that must gladden the hearts of the government's *securocratic* engineers.

The release of all detainees still seems (at the time of writing) an achievable goal since the hunger strike continues in some jails and is only suspended in others. The lifting of the State of Emergency as a way out of this dilemma seems less likely since recent ministerial pronouncements have stated that the "revolutionary climate" is still at too high a level (i.e. popular resistance to *apartheid* policies has not evaporated).

Dr Max Coleman is a founder member of the now restricted Detainees Parents Support Committee and a commissioner of the Human Rights Commission.

WOMEN AND DEMOCRACY



... I am a woman, and I am seeking for the land of Freedom ...

Towards a better understanding

Months of consultation, planning and intensive training of facilitators culminated in the Transvaal region's **WOMEN AND DEMOCRACY** conference which took place near Rustenberg on 10-12 March. The conference was attended by some 80 women who were invited on the basis of the influential roles they play in their sphere of work, community or organisation or because of their specific experience of the disruption and sorrow caused by conditions existing in our country today. A detailed report of the conference will appear in the next issue of **Democracy In Action**.



... And she threw from her gladly the mantle of Ancient-received opinions ...



... And she listened intently ...



... and she said, "I hear a sound of feet ..."

WOMEN AND DEMOCRACY

Resolution

The following resolution was drawn up by one of the workshop groups at the conference and was unanimously accepted by all the delegates:

WE, THE DELEGATES OF THIS IDASA CONFERENCE, REAFFIRM OUR DEDICATION TO A NON-RACIAL SOUTH AFRICA AND RESOLVE TO WORK TOWARDS THIS END IN OUR INDIVIDUAL AND COLLECTIVE SPHERES OF INFLUENCE. WE SHALL, AS WOMEN, USE EVERY FORUM AND OPPORTUNITY TOWARDS FULFILLING THIS DEDICATION.



... a thousand times ten thousand and thousands of thousands, and they beat this way!



... They are the feet of those that shall follow you. Lead on!"



... And I dreamed I saw a land. And on the hills walked brave women ... hand in hand ... And they looked into each other's eyes, and they were not afraid ...



"When shall these things be?"

Photographs by Gill de Vlieg of Afrapix.

Captions taken from *A Track To The Water's Edge*, *The Olive Schreiner Reader*, an extract of which was included in the resource package which conference delegates took away with them.



They are happening now!

IDASA literature

banned in TED schools

A BLANKET ban has been slapped on all literature from the Black Sash, IDASA, the Five Freedoms Forum and the Congress of SA Trade Unions (COSATU) in Transvaal Education Department schools.

Two Johannesburg headmasters, both of whom asked not to be named, told the *Weekly Mail* that they had been informed of the ban early last month.

"The directive was not signed or issued on an official letterhead, but because it came in a TED-registered envelope we can't ignore it. I suspect it may have originated in the security arm of the government," said one of the heads.

He told the *Weekly Mail* that the document, stamped "Confidential" on each page, instructed that no publication or pamphlets of the Black Sash, IDASA, COSATU, the Five Freedoms Forum or the "101 ways to end apartheid essay competition" could be distributed at TED schools. The TED controls all white government schools in the Transvaal.

According to the headmasters, they were warned to be on the lookout for new methods being used by "radicals" to further the "total onslaught".

Verbod op Dakar-ganger bly

DOMINEE Theuns Eloff van die Gereformeerde Kerk se besoek aan Dakar in 1987 — wat amper tot sy skorsing as predikant van Brooklyn, Pretoria gelei het — het onlangs weer opslae gemaak.

In 1987 het sy kerkraad 'n verbod geplaas op sy lidmaatskap van drie teologiese groepe, Resa (Reformatoriese Studiegroep van Suid-Afrika), Rebsa (die Reformatoriese Beweging van Suid-Afrika) en die NIV (Nasionale Inisiatief vir Versoening).

Hy is ook gevra om hom van IDASA, wat die Dakar-beraad gereël het, te distansieer.

Eloff het onlangs aansoek gedoen dat die verbod opgehef word, maar sy aansoek is deur die kerkraad geweier.

Klagbriewe van gemeentede teen Eloff se besoek aan Dakar, waar 'n geskiedkundige ontmoeting tussen 'n groep Afrikaners en die ANC plaasgevind het, het kort na sy terugkeer tot sy voorlopige skorsing gelei "weens die onrus wat sy besoek in die gemeente sou saai".

Die skorsing is na enkele dae opgehef, maar Eloff moes hom by die streng reëls van die kerkraad neerlê.

Die onbuigsame standpunt van die kerkraad beteken onder andere dat Eloff nog steeds nie aan enige IDASA-bedywighe kan deelneem nie.

Student attitudes study starts

IT is commonly accepted that as a result of apartheid there exists a huge communication void between black and white South Africans.

Communities are sometimes practically isolated from each other by apartheid policies. It is also commonly accepted that a wide-ranging process of interaction and facilitation is needed to help white South Africans to reject apartheid and to discover an alternative that is non-racial and democratic in the true sense of the word.

However, this process would be meaningless without a sound academic basis which can contribute to the transformative process. The so-called white constituency is an important part of this process. It is for this reason that the first step was jointly taken by the political science departments of Rhodes University, Stellenbosch, the Randse Afrikaanse Universiteit and IDASA's research unit to gain more knowledge of a specific dimension of the "South African problem" — the political attitudes of students.

A study on the political attitudes of this group will assist the academic and broader community to understand what the beliefs, ideals and fears are of an important part of South Africa's youth. Such information will render valuable academic data. Although many studies have been undertaken on a large scale among the broader South African community (e.g., the Bergstraesser project in the late 1970s, and the studies conducted by Mark Orkin (Black Research Institute) and Mark-en-Meningsoopnames), it has not

yet been attempted on a large scale among students. It is hoped that most, if not all, of the Afrikaans and liberal campuses can be included.

This joint venture will be undertaken by leading academics from Rhodes, the Randse Afrikaanse Universiteit and Stellenbosch. Panelists and researchers are Peter Vale (Rhodes), Susan Booysen (RAU), Koos van Wyk (Rhodes), Jannie Gagliano (US), Bill Davis (Rhodes) and Ian Liebenberg (IDASA Research Unit).

Preliminary planning and preparations for this attitudinal survey, which will run concurrently at several universities, is currently underway. The study will be in full swing during April when questionnaires will be mailed to a sampling group of 10 per cent of the full-time residential students (under- and post-graduate). It is hoped that the results can be published before the end of 1989.

The study will enable researchers to get empirical verification of white South African students' attitudes on issues such as political affiliations, political sympathies (and non-sympathies), protest and repression potential, the newspapers they read and preferences for constitutional options.

It is hoped that this study will be a first step in doing on-going research on different levels which will contribute to an accurate and valuable understanding of a part of the "South African problem".

Ian Liebenberg
IDASA Research Consultant

'Moenie dink dit gaan ooit weer normaal word nie. Hy loop net nouer af vorentoe. As julle nie vir julleself aan julle skoenveters gaan optrek nie en sê, kyk, dis ons land ook dié, ons het ook 'n aandeel, ons wil ook ons bek oopmaak, ons wil ook sê hoekom het daai ander mense vir ons bepaal dat ons selfmoord moet pleeg...'

— Breyten Breytenbach

IN die herfs van 1986 het Breyten Breytenbach sowat 2 000 studente in Stellenbosch toegesprek en 'n dringende pleidooi gelewer vir Afrikaners, en dan veral jong Afrikaners, om betrokke te raak in die bevrydingstryd van die land. Sedertdien het baie water in die see geloop, onder meer die opeenvolgende noodtoestande, die pogings van die owerhede om die universiteite met nuwe wetgewing te "dissiplineer" en verskeie ander pogings om demokratiese jeugorganisasies te ontwrig en te muilband.

Nogtans het daar op Afrikaanse kampusse, veral na die onstuimighede van 1985 en 1986, 'n aantal nuwe en opwindende tendense ontwikkel. Een van die vernaamste is die vestiging van demokratiese organisasies op Afrikaanse kampusse, veral onder die studente. Hierdie nuwe geslag rebelle, produkte van die verbrokkeling van die Afrikaner-Nasionalistiese paradigma en die gepaardgaande

Nuwe geslag Afrikaan

eksistensiële krisis en angs, is nie langer bereid om soos baie van die Afrikaner dissidente voor hulle, uit te wyk na liberale kampusse nie. Intendeel, dit is duidelik dat hierdie studente besluit het dat dit tyd geword het om die "struggle" op 'n georganiseerde wyse huis toe te bring.

So is daar op die Tukkie-kampus oorgegaan tot die stigting van die Studente vir 'n Demokratiese Samelewing (SDS), op RAU die Afrikaner Teen Apartheid (AAA), op Stellenbosch is 'n tak van Nusas gestig en 'n aantal Port-Elizabethse studente het hulleself informeel begin organiseer. En die krag van hierdie organisasie lê daarin dat dit ander Afrikaners bewus maak van hulle eie onderdrukking, van die verkragting van die gewete van die Afrikaner in die naam van die Afrikaner; dat hulle die establishment bykans daagliks konfronteer met die immoraliteit van oorheersing en onderdrukking en dat hulle poog om die Afrikaanse studente uit hul staat van sosio-politieke apatie te ruk. Ons het dus hier te maak met die ontwikkeling en organisering van 'n brose Afrikaanse-left, van ware Afrikaanse politieke aktiviste — en dit opsigself is 'n belangrike verskynsel.

Maar selfs nog meer belangrik, is die feit dat al hierdie organisasies poog om 'n brug te skep na die breë struggle, en dus in die proses Afrikaner dissidensie red

van 'n moontlike narcisstiese verlustiging in 'n eie, eksklusiewe bevryding. Dit is hierdie tipe bevryding wat ewe maklik omgesit kan word in 'n destruktiewe anarchisme of kan ontfaar in 'n nuwe vorm van verligte ontvlugting. Hierdie brose Left is dan ook besig om sy eie organiese intellektuele te produseer, wat weliswaar ideologies divers is, maar saamgebund word deur 'n gemeenskaplike haat van apartheid en woede teen die bedrog van Afrikaner Nasionalisme. En die belangrikheid van hierdie ontwikkeling lê daarin dat daar ywerig gewerk word, nie net aan die herkenning, uitdrukking en beskrywing van hierdie bedrog nie, maar dat daar daadwerklik aandag gegee word aan die transformasieproses. En in die proses word meegelyp aan die opkoppeling van die Afrikanerbebevrydingstryd met die breë struggle, sowel as die vestiging van 'n alternatiewe interpreterende gemeenskap vir die Afrikaner.

Maar 'n mens kan met reg sê dat daar ook binne die universiteit establishment ten minste 'n bewussyn aan die ontwikkel is omtrent die krisis waarin die land en ook die Afrikaner verkeer. Oral is daar tekens van 'n besef dat die ou antwoorde nie meer voldoende en geregverdig is nie; daar is 'n gees van onsekerheid te bespeur by veral jong Afrikaner studente-leiers. In kampus-



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Ian Liebenberg
Research Consultant



ag Afrikaanse rebelle

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verband manifesteer dit as 'n versigtige vorm van ope gesprek. Die feit dat baie van hierdie demokratiese organisasies verduur word, die feit dat 'n mens byvoorbeeld op 'n redelike konserwatiewe kampus, soos die Kowsies, die reg (amptelik) het om ook 'n werkwinkel oor die Vryheidsmanifes aan te bied en die feit dat daar op baie kampusse sterk standpunt ingeneem word ten gunste van vryheid van spraak, is alles tekens van die besef dat nuwe antwoorde gesoek moet word, dat daar iewers iets nie pluis is nie.

Ook is daar 'n groeiende aantal gesiene Afrikaanse akademici en intellektuele besig om die sinkende Afrikaner Nasionalistiese skip te verlaat. Dit ontnem die Nasionale Party van sy mees dinamiese denkers, maar selfs meer belangrik as dit, is die feit dat hierdie dosente besig is om 'n nuwe akademiese/politieke debat op die kampusse in te dra. En alhoewel ons nie hier te make het met die vestiging van die een of ander revolusionêre diskoers nie, is hierdie 'n uiters belangrike ontwikkeling, aangesien dit die potensiaal skep vir die legitieme politisering van die Afrikaanse student.

Selfs die universiteitsadministrasie kom dan en wan met uitsprake vorendag wat 'n mens oorbluf laat. So het die Rektor van die Universiteit van Pretoria, Prof Danie Joubert, onlangs aan die nuwe

Tukkiestudente gesê dat die universiteit die weg van Afrikanisering ingeslaan het en dat dit beteken dat Tukkiës hulle sal moet voorberei vir "drastiese veranderinge op die kampus". En die nuwe Rektor van die Universiteit van die Oranje Vrystaat, Prof Francois Retief, het onlangs sterk beklemtoon dat vryheid van spraak op die kampus gehandhaaf sal word. Sy opmerking het gevolg op die poging van 'n aantal regse studente om 'n werkwinkel op die kampus rondom die Vryheidsmanifes te ontwig.

Dit wil dus lyk of daar op Afrikaanse universiteite 'n groeiende besef is dat dinge "nooit weer normaal gaan wees nie", daar heers 'n gees van onsekerheid oor waarheen en hoe, en alhoewel dit nie beteken dat Afrikaanse universiteite besig is om bastionne van die demokrasie te word nie, is die verbrokkeling van die Afrikaner kohesie duidelik sigbaar.

Namate al meer Afrikaner rebelle op hierdie kampusse hulle stemme vind en laat hoor, namate al meer studente en dosente sê "dis ons land ook dié, ons wil ook ons bek oopmaak", wil dit lyk of die tafel gedek word vir die omskepping van die Afrikaanse universiteit as 'n belangrike en deurslaggewende "site of struggle" op die weg na die vestiging van 'n nierassige, demokratiese Suid-Afrika.

André Zaïman
IDASA Kampus Koördineerder

IDASA OCCASIONAL PAPERS

- 1. Democracy and Government: A Post-Leninist Perspective**
Dr Charles Simkins, Associate Professor of Economics, University of Cape Town.
- 2. Democracy and Law**
Advocate Arthur Chaskalson, National Director, Legal Resources Centre.
- 3. Democracy and Government: Towards a People's Struggle**
Presented by Mr Andrew Boraine on behalf of the United Democratic Front.
- 4. Democracy and Business**
Mr Leon Louw, Director, Free Market Foundation
- 5. Democracy and the Church**
Prof. J.W. de Gruchy, Professor of Christian Studies, University of Cape Town.
- 6. Democracy and the Media**
Mr J. Latakgoma, Editor, The Sowetan.
- Democracy and Education**
Mr M Ralawe, Chairman, NEUSA (Eastern Cape Region).
- Democracy and Labour**
The late Mr Eric Mntonga, Regional Co-Ordinator, IDASA (Border Region).
- 7,8,9. The Dynamics of Reform & Revolt in Current South Africa**
Dr F. van Zyl Slabbert
A Three Part Talk as Tanner Lecturer, Brasenose College, Oxford, October/November 1987.
- 10. Dakar Report Back**
Dr Alex Boraine, Executive Director, IDASA, Cape Town (4.8.87).
- 11. The Dakar Reports: Responses from Sixteen Delegates**
- 12. A View of the Economy Beyond Apartheid**
Five Perspectives from the Seminar held on 22.4.88 in Cape Town.
- 13. Beyond the Bend: South Africa, Southern Africa and Namibian Independence**
Peter Vale, Research Professor & Director, Institute for Social and Economic Research, Grahamstown (October 1988).

NEW PAPERS

- 14. South Africa as seen by Russian and Soviet People, and Their Perception of the "South African" Problem**
Irina Filatova (Doctor of Science in History, Moscow State University)
Official South African Perceptions of the Soviet Union: from Confrontation to Accommodation
Deon Geldenhuys, Dept. of Political Science, Rand Afrikaans University

- 15. Socialist Construction in the USSR: Restructuring, Openness and Democracy**
Dr Vladimir B. Iordansky
The Southern African Policy of the USSR in the Context of its Global Foreign Policy
Vyatcheslav N. Tetekin of the Soviet Afro-Asian Solidarity Committee

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Slabbert, IDASA and the DP

WHITE opposition politics in the parliamentary system, and parliamentary politics generally, finds itself at a critical stage.

The rightwing is running into the predictable consequences of its unrealistic politics at local government level. The so-called liberal opposition is re-grouping and re-assessing strategies and tactics and the ruling party is locked in a crisis of succession that reflects deeper underlying tension as to new initiatives and policy shifts to get out of its own created constitutional cul de sac.

The new Democratic Party has asked four people to act as specialist advisors in helping it to devise strategy and policy: As I see it my role as specialist advisor is to concentrate on the link between parliamentary and extra-parliamentary policies, to explore how dialogue in this area can be promoted and how the struggle for a non-racial democracy can be broadened.

Obviously the Democratic Party is under no obligation to accept the advice of its experts nor are they bound by the policy positions of the party. They do not hold elected positions nor do they have any specific mandate from the party other than the request of the leadership to give advice from time to time on specific issues.

IDASA is in no way party politically compromised by my advisory role to the Democratic Party, but to the extent that I will concentrate on the issues spelt out above, I will be promoting also those ideals for which IDASA stands. Whether IDASA becomes involved in any efforts to promote dialogue and contact between parliamentary and extra-parliamentary organisations is entirely in its own and the hands of such organisation.

F. van Zyl Slabbert
IDASA Director of Policy and Planning



DR VAN ZYL SLABBERT

Mtonga murder: judge slates police abuse of power

CISKEIAN security policemen had abused their powers to such an extent that people regarded them as enemies of the community.

This devastating commentary on the actions of security policemen was delivered earlier this month by Ciskei's chief judge, Mr Justice Pickard, when he sentenced six security policemen who were connected to the death of IDASA's co-director in the Border area, Eric Mtonga, to a total of 31 years' imprisonment.

The judge again remarked on the fact that the Mtonga case would never have come to court if IDASA had not intervened. A Ciskei inquest originally found that Mr Mtonga was killed by "persons unknown". Towards the end of last year, however, IDASA's Executive Director, Dr Alex Boraine, conveyed details of the murder and names of suspects to President Lennox Sebe and charges were brought against six security policemen, including two generals.

The judge said one of the generals (both were convicted of defeating the ends of justice) was more keen to know who Dr Boraine's informant was than starting with the investigation. This policeman, Major-General Witness Ngwanya, had in fact known of Mr Mtonga's death since the day after the event, and the state had proved beyond reasonable doubt that he had instructed the other policemen to keep quiet.

Mr Mtonga was tortured and died at the Mdantsane security police offices in Ciskei on July 24, 1987. His body was dumped on a deserted road near Zwelitsha in Ciskei. In his judgement, Mr Justice Pickard said Mr Mtonga had been subjected to "extreme trauma" over a long period and that he was "killed slowly". He also suffered fear and degradation at the hands of the police.

Commenting on the conduct of the security policemen, the judge said the police, who were called upon to protect society, enjoyed many privileges as they were protected by the law. Security policemen, he said, were more privileged than other policemen in that they had a right to detain people without trial and could not be over-ruled by the courts. They therefore had a higher responsibility than other police branches.

The court had noticed that soldiers and police abused their powers and society could not allow that to continue, said Mr Justice Pickard. The security forces should adhere to the requirements and aspirations of society and, if they stepped out of line, "they should be put back quickly".

The judge emphasised that assaults, let alone killing, during interrogation could not be tolerated.

Visit to Soviet Union planned for April

FOLLOWING a visit by Alex and Jenny Boraine to Moscow in July 1988, a tentative invitation was extended to IDASA to send a small team to the Soviet Union during 1989.

This was discussed by the Soviet/ANC/South African delegations at Leverkusen in West Germany in October last year. Professor Solidovnikov, who was the leader of the Soviet team, has now formally invited IDASA to send such a delegation to the Soviet Union in early April.

The delegation will be led by Dr Van Zyl Slabbert, Director of Research and Planning for IDASA, and other members of the team will include Professor Jakes Gerwel, rector of the University of the Western Cape and member of IDASA's board of trustees, Professor J. Degenaar, professor of political philosophy at the University of Stellenbosch, and Mr Enos Mabuza, Chief Minister of Kangwane.

The visit will last about 10 days and discussions will take place with political, academic and cultural leaders. In addition, it is hoped that the team will visit universities, factories and farming projects.

The delegation hopes to take further the in-depth discussions which were held at the Leverkusen conference regarding the resolution of conflict in Southern Africa.

TOWNSHIP ENCOUNTERS

Picnic at Monwabisi

THE small blond boy runs up to the wicket to argue that the batsman is out. Soon everyone is embroiled in the debate. Later they argue about military service as they sit together on the grass verge near the beach. Later still they go together to the KTC squatter camp to talk about their different lives.

These school children are from all over Cape Town. The white pupils are mostly from the predominantly Afrikaans-speaking schools in the Northern suburbs. The black pupils are from Langa, KTC and Khayelitsha.

"Hulle is genuine ouens," the blond one says later. "Ons kan met hulle praat." For him, this is a first time. He has never met a black person who wasn't a servant or a servant's child.

Most of the Saturday was spent at Monwabisi beach which is a showpiece resort, just the other side of the arid wastes of Khayelitsha. The children played games and talked and swam while a small group of parents looked on vaguely astonished.

A senior manager in a major Afrikaans company whose children were at the picnic said: "This so easily might never have happened. They could all have grown up to be soldiers on different sides and never had a chance to just, you know, relax... and be in each other's company."

Walking through KTC later the children were treated to the traditional hospitality of the residents. Pro Jack, co-ordinator of this IDASA project, said: "You know, when they stand there and get all quiet, it is because they can't believe how they have come from such different experiences but they have just been able to spend the day like any friends can."

The Western Cape office of IDASA has moved to 6 Faircape House, Orange Street, Cape Town. Phone the National Office (021) 47-3127 for their number.



Scholars come to grips with conditions in the vast shanty town, Soweto, near Port Elizabeth.

At the end of the day they all went back to Monte Vista, the conservative white Cape Town suburb which was the pick-up point for the white children. Probably for the first time those streets rang to the singing of African resistance songs and the laughter of black and white children as they ran the last races up and down the main street.

In the end many of the children exchanged addresses and made arrangements for the future.

Pro Jack commented: "In the Western Cape we are starting to set up several 'Twinning' programmes where we get a regular group of people from the different areas together, and they have a series of events and interactions. In the long run these projects will assume their own momentum and we will be able to pull out altogether. That's when we will have succeeded."

Anyone wishing to set up such a project or get involved in an existing one should please contact IDASA's Western Cape office.

NIC BORAIN
Western Cape Regional
Director

'Traumatic experience' for PE scholars

THE Eastern Cape office of IDASA broke new ground in February when it took the first two groups of scholars on a tour of a number of black townships in Port Elizabeth.

Some 50 scholars of Lawson Brown High School and Trinity High School went on two separate tours and were not only exposed to the poor social conditions in Red Location, the vast shanty town Soweto (By-the-Sea) and Veeplaas, but also introduced to

the history of the areas.

IDASA's Eastern Cape director, Max Mamase, who led both tours, said most of the children had never set foot in the townships and were shocked by the living conditions of people.

"They realised for the first time that the struggle for social justice was justifiable," said Max. "They asked whether the government was prepared to change these conditions and came to the conclusion that the government must change its rhetoric first."

The tours made a tremendous impact on both groups, and the scholars said they would encourage their friends to participate in future tours.

Red Location, one of the focal points of these social history tours, was first occupied by British soldiers during the Anglo-Boer War. The barracks there were vacated by the soldiers after the peace of Vereeniging was signed in 1902, making way for Fingo migrant workers who could, in terms of the Location Act of 1903, no longer stay in inner city locations.

The area has never been upgraded. In some sections one toilet serves between eight and nine residential blocks. A liquor outlet is the only "development" provided by the authorities. Residents are living under a threat of removal. Residents allowed the scholars to enter their "homes" and this first-hand exposure, said Max, had made a tremendous impression on them.

"It was a traumatic experience to many students to learn about these harsh realities but we believe that an on-going discussion of these issues will eventually pay dividends."

Young doctors visit Duncan Village

A GROUP of 15 young doctors were taken on a social history tour of Duncan Village in East London in March. They were particularly interested in the health aspect of the township so the tour took on a medical flavour with visits to the Day Hospital and the Health Centre.

The tour leaders were both members of the Duncan Village Residents' Association, Dumisa Ntintili and Mteteleli Pobana. We met at the IDASA office and the doctors were given a briefing on the history of Duncan Village and shown slides of housing conditions, communal wash areas and communal toilets.

We stopped in the largest of the shack-dweller areas, C-Section, and the doctors met with people and asked about the primary health care and conditions in general. At this point we picked up surveillance by the security police which continued for the rest of the tour.

The tour continued on foot and we went through C-Section and D-Section and saw the bad roads, toilets and wash areas. The group was then taken to "Old" Duncan Village or Duncan Village "Proper", as it is known. There we met with Sister Florence Solomon and discussed the social and psychiatric problems found in the township.

The doctors are keen to get a primary health care project going in Duncan Village and have set up a further meeting with the Duncan Village Residents' Association.

A second, much smaller, tour took place on 10 March when a group of British Embassy officials were taken to Duncan Village and a smaller township.

Both of these tours have elicited a very positive response from the Duncan Village community. We plan to have a number of these tours with preferably not more than 15 participants per tour.

Cindy Deutschmann
Border Regional Co-ordinator

Durbanites exposed to township life

THE Natal region's "Shaping Our Future" series started its 1989 programme with an educational trip into townships and informal settlements around Durban on February 25.

To many of the 40 participants this was their first trip to the townships, a fact which generated an air of excitement and expectation.

They were taken through Umlazi, an urban area within KwaZulu, Lamontville, an urban area outside KwaZulu, past single men's hostels, an informal squatter settlement named Malagazi and Folweni, a 'rural' area which may be far removed from Durban but has grown into a large peri-urban area due to the geopolitics of apartheid.

Participants were exposed to a whole range of government structures in the area where many Black Durbanites dwell. Some of these areas fall under the Durban City Council and Natal Provincial Administration (Lamontville), some fall under a municipal government in KwaZulu (Umlazi), while others are situated on tribal land in KwaZulu (Malagazi and Folweni). Background information on the areas was provided on the bus by regional director Paul Graham and regional co-ordinator Fana Zungu.

Participants were also taken to a hall in Lamontville where they discussed and shared their impressions of the tour.

A variety of observations came to light. A woman expressed feelings of sadness and shame about the comfortable lifestyle she enjoyed. Another participant pointed out that people were seeing the "new face of South Africa". He said: "I saw a spirit and a form of energy within the community trying to make the best out of what they've got despite all obstacles."

Another person commented on the vibrancy of people living in houses as opposed to the gloomy atmosphere of the single men's hostels. Many were struck by the vast distances people in these areas were forced to travel, the poor transport facilities and the costs involved in travel. One participant said: "I feel sad about how little is spent on roads in these areas as opposed to the millions spent on Durban's beachfront." There was also discussion on the questions of land and housing.

Talk then moved from general issues to the question of education, with extra input being given by Davine Thaw of Careers Information Centre and Madoda Ntanda of the Umlazi College for Further Education.

Davine gave the education-based back-

ground to the Soweto riots of 1976 and pointed out that questions of power and control were essential to any discussion on education and should not be overlooked as this also reflected the broader perspective of conditions in South Africa.

She pointed out that there were shortfalls in both black and white education in South Africa which need to be addressed. Fana pointed out that it was the content of the school curriculum

that needed to be changed rather than merely providing facilities like desks and swimming pools. "Unless the syllabus content is changed, these things are meaningless," he said.

By the end of the afternoon participants were left with many issues to consider and many expressed the hope that similar trips would be arranged in the future.

Rose Louw
Natal Region



A bus load of people take a trip into the unknown shack and peri-urban areas south of Durban.



Participants in a "Shaping our Future" event share thoughts after a visit to Durban's shackland.



JOHN LIEBENBERG

Blatante skending van menseregte

“DIE Parlement het die mag om enige statute waarvan hy hou, te aanvaar. En daar is niks wat die howe daaromtrent kan doen nie. Dit is die resultaat van die wet. Maar dit is nie altyd dieselfde as geregtigheid nie. Die enigste manier waarop die Parlement ooit wetgewing regverdig kan maak, is om regverdige wette te maak,” lui 'n uitspraak wat regter J. Didcott eens in 'n saak gelewer het.

Die debat oor aanhouding sonder verhoor in Suid-Afrika tussen regsgeleerdes en “die wet”, sentreer veral rondom hierdie punt.

Prof. Henning Viljoen van die regs-fakulteit aan die Universiteit van Pretoria meen die ingrypende, ongekontroleerde mag van die uitvoerende gesag in Suid-Afrika kan en het reeds tot aansienlike wanpraktyke gelei.

As voorbeeld noem hy die feit dat 64 mense in aanhouding gesterf het sedert 1963, toe aanhouding sonder verhoor vir die eerste keer deur die wetgewer gemagtig is.

Mnr. Adriaan Geysers, president van die Vereniging van Prokureursordes, het onbepaalde aanhouding sonder verhoor onlangs beskryf as 'n gevolg van die “erosie van die regstelsel”.

Kragtens verskeie artikels van die Wet op Binnelandse Veiligheid (1982) wat aanhouding sonder verhoor magtig, word die jurisdiksie van die howe uitgesluit by die beoordeling of 'n inhegtenisneming en aanhouding wettig is.

Die Afrikaanse pers plaas selde kritiese berigte oor aanhouding sonder verhoor. Die bygaande artikel, deur Ina van der Linde, het onlangs onder die opskrif

“Blatante Skending van Menseregte” — en omlin met 'n “doringdraad” raam — in die Johannesburgse dagblad, *Beeld*, verskyn.

DIE DILEMMA: Regslui kan hulle nie op die reg beroep vir die vrylating van aangehoudenenes nie. Maar wysigings kan daartoe bydra om regstelsel in ere te herstel.

Ingevolge artikel 3 (1) van die Noodmaatreëls mag enige lid van die veiligheidsmagte (Polisie of Weermag) opdrag gee dat enige persoon wat na sy oordeel 'n bedreiging inhou vir die veiligheid van die publiek, die handhawing van openbare orde, of die beëindiging van die noodtoestand, aangehou word.

Maar, sê mnr. Brian Currin, nasionale direkteur van Regslui vir Menseregte, die persoonlike oordeel van 'n polisie-man kan nie as 'n objektiewe maatstaf dien nie, omdat dit na gelang van faktore soos sy persoonlike politieke oortuigings, moontlik van dié van die Minister van Wet en Orde kan verskil.

Hy wys ook daarop dat die aanhouding aanvanklik vir dertig dae geldig is, waarna die Minister sonder kennisgewing of sonder om enigeen aan te hoor, by wyse van kennisgewing aan die hoof van die gevangenis die tydperk kan verleng.

In die reg is daar 'n reël van natuurlike

geregtigheid, die sogenaamde *audi alteram partem*-reël, wat bepaal dat voordat 'n owerheidsorgaan 'n besluit kan neem wat 'n persoon kan benadeel, die persoon die geleentheid moet kry om sy saak te stel, sê mnr. Currin.

In 'n Appèlhofspraak in 1987 is egter beslis dat die Wet op Openbare Veiligheid wel aan die Staatspresident die bevoegdheid verleen om hierdie reël uit te sluit.

Mnr. Currin wys voorts daarop dat regsverteenwoordigers nie vanselfsprekend tot aangehoudenenes het nie. Hulle het spesiale verlof nodig. Volgens nog 'n Appèlhof-uitspraak het die Minister van Wet en Orde ook nie nodig om redes te verskaf oor waarom iemand aangehou word nie.

Die dilemma waarmee regsverteenwoordigers dus sit, is dat hulle niks het waarop hulle hul verhoë vir die vrylating van hul kliënte kan grond nie.



New light shed on link between protest and armed struggle

APARTHEID'S REBELS: INSIDE SOUTH AFRICA'S HIDDEN WAR by Stephen M. Davis (Yale University Press, New Haven and London, 1987).

IN this book Stephen Davis, American journalist and political analyst, sheds new light on a country in the grip of a civil war.

The book starts off by dealing with the birth of the South African National Congress, later renamed the African National Congress, and the years of non-violent protest. It deals with other actors such as the South African Communist Party and the Pan Africanist Congress that are also involved in the South African liberation struggle. It identifies the ANC as one of the major actors in the current struggle for liberation.

The ANC's decision to take up arms, the early years of exile and the escalation of the armed struggle is discussed against the background of greater repressive trends in South Africa.

Apartheid's Rebels provides the reader with an extremely good "inside" view of the background dimension of the liberation movements. The author's discussion of military objectives, infiltration tactics, espionage and war statistics provides the reader with a useful tool to understand the crux of the current resistance that resulted in a political impasse in South Africa: an outmoded ideology and illegitimate regime being juxtaposed with a relatively successful armed struggle and a highly effective diplomatic strategy by the liberation movement.

The book shows how the National Party regime opted for the "bunker state" option rather than negotiation and a redistribution of scarce resources. By using the "bunker state" concept, Davis is following closely in the footsteps of the garrison-state concept developed by Lasswell. It is shown how minority domination was/is being maintained by ideological manipulation of legitimacy (total strategy and reform), militarisation and an ideological framework based on a total onslaught.

There are, however, some critical remarks: one cannot criticise Davis for having to rely mainly on interviews and newspaper reports in the first part of the book — especially regarding the rebellion-revolt part and the ANC's military strategy. That is to be expected in a war-torn situation. In fact, this part of the book is excellent — given this contextual restriction!

However, the "bunker state" concept is not clearly conceptualised. As a concept it is also not demarcated from similar concepts such as the "garrison state" (Lasswell), "mobilized society" (Orr) and "totalitarian state" (Brzezinski). Some excellent working definitions have been identified in a South African context by Willem van Vuuren (University of Western Cape) and also applied to the South African state. (See *Politikon*, vol 12(2), Dec 1985.) It is a pity that a potentially excellent chapter has been underplayed in terms of an analysis and contextual application. The chapter ended up as an average descriptive chapter while it could have been an excellent piece of work. It is trusted that this will receive more attention in later editions.

Reflecting on the current violent stalemate, Davis concludes with a very sobering(?) — worrying(?) — idea: "When peace arrives (in South Africa) it will probably not be through conquest. Rather, it will come grudgingly, and after seasons of bloodshed, as a fruit of exhaustion." Perhaps that constitutes the irony of South Africa.

In conclusion: *Apartheid's Rebels* is indeed an important contribution in a neglected field (the link between protest and revolt and the military strategy of the ANC). One hopes that, in future editions, the rather descriptive chapters towards the end will be improved and that attention will be given to clear conceptualising and in-depth analysis of the minority regime's reaction to liberation strategies and tactics. However, the book can be seen as a must — if the reader can still get hold of a copy.

IAN LIEBENBERG
IDASA Research Consultant

Aangehoudenenes het nie die reg op die besoek van 'n private geneesheer of spesialis nie, behalwe as die hoof van die gevangenis dit aanbeveel.

Hulle is nie outomaties geregtig op besoek deur familieledede nie.

Hulle word nie toegelaat om koerante, musiekinstrumente, radio's, televisiestelle, platespelers, eetgoed of bandopnemers van buite die gevangenis te ontvang nie.

Hulle is net geregtig op 'n halfuur oefening per dag buite die sel, wat beteken dat 'n aangehoudene 23½ uur per dag in sy sel kan deurbring.

Mnr. Currin sê Regslui vir Menseregte sou graag wou sien dat aanhouding sonder verhoor heeltemal afgeskaf word. Maar omdat hulle graag 'n konstruktiewe bydrae tot die bestaande debat wil lewer, vra hulle dat daar sekere drastiese wysigings aangebring word aan die betrokke wetgewing.

Dit sluit die volgende in:

- Die tydperk van aanhouding sonder verhoor moet beperk word tot drie maande, waarna 'n aangehoudene aangekla of vrygelaat moet word. Indien die staat in dié tyd met getuienis vorendag kom wat daarop dui dat 'n aangehoudene 'n bedreiging vir staatsveiligheid inhou, kan die staat 'n aansoek om borgtog teenstaan. Die hof sal dan moet besluit oor vrylating al dan nie.

- Die Minister moet binne veertien dae redes verskaf vir 'n aanhouding, en moet binne dertig dae ná aanhouding verhoër van regsverteenvoerders oor aangehoudenenes aanhoor. Daarna moet die Minister sy eie mening oor die meriete van die spesifieke geval van aanhouding formuleer, waarop die voortgesette aanhouding van 'n persoon gegrond moet word. (Op die oomblik berus die Minister hom by die mening van die lid van die veiligheidsmagte wat die aanhouding beveel het.)

- Om enige beskuldigings van mishandeling uit te skakel, moet 'n onafhanklike geneesheer 'n aangehoudene binne sewe dae nadat hy in aanhouding geplaas is, besoek. Daarna moet hy minstens een keer 'n week besoek van 'n onafhanklike medikus ontvang.

- 'n Aangehoudene moet binne die eerste sewe dae van sy aanhouding toegang hê tot 'n regsverteenvoerder, en daarna op 'n weeklikse grondslag. 'n Pro Deo-komitee moet 'n private regsverteenvoerder aanwys vir diegene wat nie sy eie regsverteenvoerder kan bekostig nie.

- Familieledede moet 'n aangehoudene weekliks kan besoek.

- Aangehoudenenes moet dieselfde voordele as verhoorafwagtendes geniet.

Indien hierdie wysigings aangebring word, sal die ontberinge wat aangehoudenenes verduur, grootliks verwyder word en sal dit daartoe bydra dat menseregte in Suid-Afrika in 'n sekere mate herstel word, sê mnr. Currin.

EL scholars keen after Boraine visit

THE possibility of starting a "school interaction" programme for scholars of all races in East London was raised recently when IDASA's Executive Director, Dr Alex Boraine, addressed a group of scholars at Selborne College.

Dr Boraine had been invited to the school by the pupils' Current Affairs Society to outline IDASA's role and to give his vision of South Africa's future.

Dr Boraine's vision is of a South Africa where one is judged on ability and not on skin colour, language, religion or any other grounds. He told the pupils about the non-racial youth programmes that had started in Cape Town and how further contact had developed spontaneously. He also spoke of the need to have a Bill of Rights, and used the Freedom Charter as one example of a starting point.

The scholars' questions to Dr Boraine covered a variety of topics including the economic future of South Africa in a post-apartheid situation. There was much discussion on free enterprise and the possible nationalisation of key industries such as mining.

The youth programmes in Cape Town created a lot of interest and the scholars were left to decide among themselves if they would like to take this initiative further, possibly with IDASA facilitating their first meetings.

We spent nearly two hours with the members of the society, a group of 50 young men on the brink of school leaving. They realised that South Africa was for all and not for the privileged few only, and felt that they needed to get to know their fellow South Africans to be able to build a future for all South Africans.

I look forward to helping the Selborne College students get this initiative off the ground and hope that there will be no unnecessary stumbling blocks thrown in their path. Both Dr Boraine and I were impressed with the insight shown by the boys and their frankness about the need for more contact with black South Africans.

Cindy Deutschmann
Border Regional Co-ordinator

New co-ordinator for Pretoria

LOU-MARIE Kruger has been appointed as IDASA's regional co-ordinator in the Pretoria region.

Formerly a researcher with the South African Institute of Race Relations, Lou-Marie completed her schooling at Kuils River and spent a year as an AFS exchange student in Minnesota before enrolling with the University of Stellenbosch where she obtained a BA honours degree.

Her work for that degree included two mini-theses titled "A history to alternative thinking at Stellenbosch" and "A discussion of the position of the woman in the modern urban African household".

She is working on a masters degree in political philosophy on a part-time basis.

Lou-Marie joined the Institute of Race Relations as a researcher in January last year. She wrote the chapters on employment, the Group Areas Act and the economy in the institute's latest annual survey.

Media-mense byeen op Stellenbosch

'N MEDIA werkswinkel het op 28 Januarie in Stellenbosch plaasgevind. Die werkswinkel het voortgevloei uit 'n vorige soortgelyke werkswinkel wat in Oktober verlede jaar daar gehou is.

Die werkswinkel was 'n gesamentlike projek van IDASA, die Stellenbosch Advies en Informasiegroep (SAIG), lede van Saamstaan, die Stellenbosch Youth Congress en die Community Video Unit.

Die oogmerk was om te fokus op persvryheid in Suid-Afrika, die nuutste beperkings op die media en om te kyk na die invloed van dié beperkings op die gemeenskap van Stellenbosch. 'n Verdere doel van die werkswinkel was om plaaslike media-mense in die omgewing geleentheid te gee om inligting en ervarings te deel. Lede van Saamstaan, 'n Suid-Kaapse gemeenskapsblad, het ook by die geleentheid die geskiedenis, ontstaan en groei van 'n gemeenskapsblad aan die betrokke deelnemers uiteengesit.

Ongeveer 25 mense het die daglange werkswinkel bygewoon en dit het lede van gemeenskapsorganisasies, onderwysers en studente ingesluit. Die werkswinkel het daarin geslaag om Afrikaans, Engels en Xhosa sprekende persone byeen te bring. Dit het gelei tot 'n gesamentlike proses van uitruil van inligting, kundigheid en wedersydse ervarings. In die opsig

was die werkswinkel nie net 'n toonbeeld van 'n nie-rassige werkswyse en gemeenskaps-optrede nie; die werkswinkel het ook deelnemers se vasberadenheid gesterk om te werk vir 'n vrye, nie-rassige en demokratiese Suid-Afrika. Daarby het dit bygedra tot die deelnemers se verbreding van gedagtes en ook om te soek na maniere om die idees aan mense in hulle gemeenskap oor te dra.

Hoewel die betrokke werkswinkel grootliks 'n SAIG inisiatief was, en slegs met beperkte IDASA bystand aangebied is, het dit ook gewys dat verskillende instansies kan saamwerk om die ideaal van 'n nie-rassige en demokratiese samelewing prakties gestalte te gee. En tot die bereiking hiervan kan die media (plaaslik en andersinds) 'n onskatbare rol vervul deur die breë gemeenskap in te lig en ingelig te hou in 'n tyd wanneer baie inligting hulle ontnem word deur represiewe en onderdrukkende maatreëls.

Ian Liebenberg
IDASA Navorsingskonsultant

Two IDASA offices in Transvaal again

IDASA once again has two offices in the Transvaal.

Many people with whom IDASA has contact felt that our Midrand offices, which served both the Johannesburg and Pretoria areas, were inaccessible and as a result the region has been restructured.

The address of the new Johannesburg office is Fifth Floor, Norvic House, 94 De Korte Street, Braamfontein, 2107 (Telephone 4033580/1/2/3; Telefax 3398301).

The Pretoria office is at 203 Hatfield Forum, 1077 Arcadia Street, Hatfield, 0083. (Telephone 3422334/5/6; Telefax 3421926).

CURRENT AFFAIRS LECTURES

IDASA presentations in Cape Town

● **Dr Peter Moll on GOVERNMENT RESPONSE TO ECONOMIC CRISIS** 5 April

● **Prof Sample Terreblanche on CORRUPTION IN THE NATIONAL PARTY** 12 April

Venue: LT1 or 2, New Education Building, Middle Campus, UCT (7.30 pm)

East Cape women explore common ground

A WOMEN'S forum hosted by IDASA in Port Elizabeth in February attracted interest from a wide range of women's groups in Port Elizabeth and East London. The one-day forum, which was designed to open up opportunities for communication and joint action, was attended by 73 women.

The women's organisations present included the Port Elizabeth Womens Organisation, Anglican Mothers' Union, South African Domestic Workers Union, Kontak and the Black Sash. The forum came as a follow-up to last year's Mossel Bay conference but concentrated more on local issues and problems.

After a brief introduction and welcome by IDASA's Liz Motsatse, spokeswomen from the different organisations were asked to briefly introduce their organisations. The women were asked to pair off with someone they didn't know during the tea break and try to get to know as much as possible about them. After tea we divided into groups for discussion.

One group of white women, for example, was shocked to learn that the black bus service doesn't adhere to the printed timetable but that buses leave at whatever time suits the driver. Each group elected a spokeswoman who reported to the meeting on the problems identified by her group. The most common problems were:

- Lack of communication between black and white South Africans
- Group Areas Act
- Lack of crèches and old age homes
- Detentions
- Unemployment
- Homelessness and forced removals
- SADF presence in townships
- Lack of transport
- Lack of skilled persons and skills training
- White fears.

With these areas identified for discussion, we looked set for an exciting afternoon discussion. However, many of the women found the prospect of addressing others very intimidating and so, after working through a few of the above, the groups were re-formed and each given a subject to discuss. Some of the problems were felt to be too large to be dealt with in such a short time period. After discussion on these topics the spokeswomen reported back to the main body.

Some of the ideas were very good and workable, but some delegates felt that there were some issues they could not get involved in without first consulting their organisations, for example the proposal that a petition be drawn up to call for the scrapping of group areas and a campaign to motivate all people to call for the abolition of group areas.

We heard some positive suggestions from the Kontak representatives on self-help projects to combat unemployment. The problems of creating more crèches were highlighted by Angie Hamlet, who has been trying to get factory sponsored crèches established in Port Elizabeth.

All delegates agreed that the Koinonia approach was an excellent one. Koinonia is a project launched by the Dutch Reformed Church to "eat away apartheid". One of its projects involves four couples from different areas

and race groups getting together for a meal in one couple's house. They alternate until all four couples have had an opportunity to host. The group then splits up and the four couples are teamed up with others and the cycle continues. Churches and other groups were encouraged to pursue this idea.

Delegates agreed that forums such as this one were an excellent way of improving communication between black and white South Africans and expressed the hope that further meetings would be held. The possibility of a newsletter was also raised. It was re-iterated that IDASA could only facilitate such meetings and that the delegates should maintain contact with each other, and also encourage on-going contact between their organisations.

Cindy Deutschmann
Border Regional Co-ordinator

Teachers compare 'official' and 'alternative' history

ON 16 February, 13 Port Elizabeth history teachers gathered for the inaugural meeting of the History Teachers Forum. This was the first of six meetings of the forum planned for this year.

South Africa's history has been divided into six periods and each of these meetings will focus on one of the six periods. The topic for the first meeting was "Pre-Colonial South Africa — Up until the 17th Century". The second meeting in March dealt with "The Impact of Colonisation — The Cape in the 17th Century".

Each meeting follows the same format with two speakers giving introductions to the history of the period under scrutiny. One speaker's approach is that of the "official" syllabus as it has been taught in white schools through the ages. The other speaker provides an "alternative" history for the same period concentrating specifically on facts which are either glossed-over, suppressed, ignored or slanted by the "official" syllabus.

The aim of these projects is to produce a more balanced picture of South Africa's history; a picture which will have more relevance to South Africans as a whole rather than to just one small sector of our population. A further objective is to get white history teachers meeting and discussing their mutual interest in history with their counterparts from schools in other communities.

Being aware of the strong call from sectors of the South African community for the implementation of Peoples Education, as well as the resoluteness of many others to maintain at least a semblance of "Christian National Education", we are hopeful that this project might also in a small way promote debate about a compromise which we believe is likely to be the final outcome.

Keith Wattruss
Eastern Cape Regional Director

Foreign funding: govt keeps opponents in suspense

Most foreign governments believe there is no need for additional legislation to achieve the stated objectives of the FFB, but they cannot dispute the underlying principle of the bill that governments have the right to monitor foreign funding. Laws already in existence which control foreign funding include the Fund Raising Act, the Affected Organisations Act and exchange control regulations. Foreign embassy officials say that the extent of the FFB goes beyond mere monitoring, but add that most of their immediate concerns about the bill were removed by the PFP amendments. They plan to watch its implementation closely.

Safeguard

The PFP's Dave Dalling says the FFB was inevitable. The government wanted a bill and it would get one, one way or another. In fact, the PFP-NP deal on last year's Promotion of Orderly Internal Politics Bill was based on the PFP's acceptance of the new bill. Mr Dalling said the PFP undertook to approve a more reasonable new bill on condition that the government dropped last year's number, and the party could not renege on that undertaking.

He believes that the draconian teeth of the legislation were extracted by the PFP amendments, and that we are now left with a bill which does not offend any basic liberal tenets. He also points out that a further safeguard against abuse exists in the fact that the life of the parliamentary committee which considered the bill has been extended to monitor the implementation of the measure.

Among the most significant amendments adopted by the standing committee is one which stipulates that the government may only request such additional information from an organisation as could be deemed "reasonable". Furthermore, the government would need court orders before it could subject any organisation to a "search and seize" operation or freeze its assets. To alter the purpose for which the money was intended, organisations now need only the consent of the donor.

The Minister of Justice, Mr Kobie Coetsee, told parliament that the bill was not aimed at cutting off the inflow of funds from foreign governments, organisations or businesses who wish to

contribute to programmes for "economic growth, job creation, education, health and other humanitarian activities". Clearly many organisations working for change are engaged in — and receive funds — for projects which will not be covered by a government definition of humanitarian activities.

As the FFB stands now, the government will have to combine its provisions with other legislation if it wants to cut off the funding of organisations that comply with the requirements of the bill.

The government has tried to defend its insistence on full disclosure by saying that several large democracies have similar legal provisions. However, an examination of at least one American law cited as an example of this (the Foreign Agents Registration Act) does not seem to support this contention.

FARA requires public disclosure of financial and other details of arrangements under which persons (mostly professional lobbyists and almost all highly paid) engage in propaganda and other efforts to influence US policy on behalf of foreign governments or other parties.

Anti-apartheid organisations have pointed out that the accounting requirements of the bill, in addition to being a breach of confidentiality, will impose an impossible administration load on organisations. Many smaller organisations do not maintain records in a manner likely to meet FFB requirements and will quickly find themselves subject to FFB sanctions.

Sinister

They are particularly concerned, however, by the information gathering aspect of the bill which they feel has a sinister purpose. They fear that it was designed to ease and simplify the task of the security police and to open up organisations to being declared affected without the hindrance of the Affected Organisations Act.

The South African Council of Churches sees the bill as yet another attempt by the government to prevent the legitimate organisation and promotion of work in opposition to apartheid policies.

"The bill criminalises innocent and inadvertent errors that are inevitable in day to day practice," says Kagiso Trust. "For example, an organisation that 'neglects' to inform the Registrar of the arrival of foreign funds may be deemed to have committed a crime and be prosecuted."

In the long-term, said Kagiso Trust, the EEC Special Programme for the Victims of Apartheid cannot survive under the provisions of the bill. "Humanitarian and developmental assistance will no longer be possible without direct state knowledge, interference and manipulation."

Ronel Scheffer
IDASA Director of Publications

THE government has added yet another potent weapon to the formidable arsenal of legislation and regulations it has built up over the years to suppress opposition to its policies. The impact of the latest addition, the Disclosure of Foreign Funding Bill, will depend on the way in which it is implemented. But even if it is not applied in a vicious manner, the new law will remain a potential threat to those who, like IDASA, do their work with the assistance of foreign funds.

Anti-apartheid organisations expect, quite justifiably of course, that the government will not hesitate to use the information gathered under the provisions of the bill as a basis for further action against them. But there is cautious optimism in certain quarters that the new law, although an encumbrance, will not become a device to further curtail or disrupt the work of those in opposition.

Among the optimists are a number of foreign embassy officials who worked hard behind the scenes last year to persuade the government to abandon the Foreign Funding Bill's tough predecessor, the Promotion of Orderly Internal Politics Bill. Their optimism is based on the belief that the government needed a "face saver" after its defeat — mainly by foreign pressure — last year. Some European governments apparently went as far as threatening to refuse South African Airways landing rights. All in all, these officials believe Pretoria got the message that it will pay dearly for any attempts to block or disrupt foreign agencies' assistance programmes to disadvantaged communities in South Africa.

Tamer?

Hence the ostensibly tamer new bill which contains only two offences: failure to disclose or report foreign funding and using funds for a purpose different to the one reported to the government.

The bill, briefly, provides a discretionary power to declare any group or person a "reporting organisation or person" (RO). An RO is then requested to provide information relating to all foreign funding received during the previous three months as well as in the future, to report certain information to the Registrar, to spend foreign funds only in accordance with the purpose and conditions under which it was granted and to maintain records and accounts relating to such funds in certain specified ways.

Alarming

One of the more alarming provisions of the bill which was not amended by the parliamentary standing committee, is the power given to the Minister of Justice to make additional regulations to achieve the objectives of the law. Similar powers to regulate have been abused in the past.