

# A GAIN FOR HUMAN RIGHTS

THE Harare Declaration has set the Commonwealth of Nations on a new course with a commitment to pursuing democratic government and respect for human rights.

The sceptical response to this new initiative is: 'What, another fine declaration of principles! What use are such declarations? What good has come from the Commonwealth's Singapore Declaration of 1971 which stressed a belief in the liberty of the individual; in equal rights for all regardless of race, creed or political beliefs; and the right of all to help shape their societies through democratic processes?'

Twenty years later, of the Commonwealth's 51 members more than half are guilty of offending against every one of the principles enunciated in the Singapore Declaration. What, then, are they still doing in the Commonwealth, piously putting their signatures to the Harare Declaration?

It is right to view all Declarations of Intent with scepticism. But there is a difference between scepticism and cynicism: the sceptic remains unconvinced; the cynic is unconvincible, and is ready always to take the blackest view of any situation.

Throughout the 43 years that I have been reporting on Commonwealth affairs, there has never been a time when cynics (especially right-wing British Tories like Enoch Powell) have not called for the dissolution of the Commonwealth, and sceptics (like most of what used to be Fleet Street in the better days of British journalism) have

It was the first non-British secretary-general, the Canadian Arnold Smith, who wrote in his memoirs: 'A hundred years from now historians will consider the Commonwealth the greatest of all Britain's contributions to man's social and political history.' His claim is perhaps exaggerated, but it is not to be discounted entirely.

So, what exactly is the Commonwealth, and what is the likely value of its Harare Declaration?

The late Fernando Hanwana, who died in the tragic air disaster with President Samora Machel, once told me of the difficulty he had trying to explain the Commonwealth to Machel who had taken a keen interest in it — an interest that led to his playing a key role in persuading the Patriotic Front leaders to sign the Lancaster House agreement which brought independence to Zimbabwe. This success is an example of the value of the Commonwealth; but it doesn't explain what it is, or justify its existence.

The outward reality of the Commonwealth is that it is a community embracing peoples of all races, religions, cultures and different levels of development who are held together by an almost indefinable bond; the only visible link is that, at some stage, all were part of the Commonwealth of White nations, centred in London, to a multi-cultural international community with only a tiny core of 'white countries' and a Nigerian secretary-general, Chief Emeka Anyaoku.

them just to be able to rub together. But each member derives some personal benefit from belonging to the club of his/her choice. And so it is with Commonwealth membership.

The weaker members benefit directly from the extensive and effective network of technical and other aid agencies of the Commonwealth, covering such matters as education, health, scientific development, training for administration and agriculture.

For instance, when Botswana was negotiating its Orapa diamond agreement with Anglo-American, the government lawyers found themselves out-gunned by Anglo's team of professionals; without charge, the Commonwealth sent Roland Brown, a barrister skilled in dealing with multinationals, to advise Seretse Khama's government. The result was that a new agreement with Anglo American was a great improvement on an earlier one.

More recently, the ANC asked the Commonwealth Secretariat for legal assistance in drafting its policy on multinational firms. Roland Brown was again chosen for this task, assisted by an experienced economist, Michael Faber.

Literally hundreds of these relatively small but important services are provided every year by Marlborough House, the headquarters of the Commonwealth secretariat. Since these services are not rated as newsworthy, both the media and the public remain ignorant of them.

A second reason why some members want to belong to the club is because they can point to successes in influencing the policies of Britain and other members. For example, the 16 African members of the club (almost a third of its total membership) can claim to have been responsible for forcing Verwoerd to quit the Commonwealth because he was unwilling to accept the criterion on race established at the 1960 summit meeting. Over the dead body of Margaret Thatcher, the overwhelming majority of the Commonwealth gave its support to sanctions against South Africa, and gave moral encouragement to the ANC and other anti-apartheid movements. At the

**‘ The Club has overcome crisis after crisis in its growth from a Commonwealth of White nations centred in London to a multi-cultural international community and a Nigerian secretary-general. ’**

not greeted every Commonwealth summit with predictions that it would be the last.

Nevertheless, the Commonwealth has survived because of its ability to adjust itself to new circumstances, as it has done again at Harare. It has overcome crisis after a crisis in its growth from a

British Empire. The curiosity about this Imperial heritage is that, without exception, all the former colonial subject peoples chose to join 'the club' after achieving their independence.

The club image is a good one since not all club members have to like each other, or agree with each other; it is enough for



Lusaka summit in 1969, the British Prime Minister — despite her proud boast that ‘the lady is not for turning’ — was forced to make a somersault away from her election promise to recognise the interim government of Bishop Abel Muzorewa (remember him?), and to accept the conditions for holding the Lancaster House conference which led to Zimbabwe’s independence.

The Commonwealth Eminent Persons Group came close to breaking the political deadlock in South Africa years before the De Klerk government saw the writing on the wall.

There are many other, perhaps less dramatic, examples of the way in which members of the Commonwealth have influenced each other’s policies.

This has been possible because of the friendly political dialogue provided by the Commonwealth’s clubby atmosphere. Perhaps the strongest reason for members wanting to belong to it is because it gives the weakest and most remote from the centre of world politics an opportunity to meet and listen to some of the strongest nations, and for the latter to hear the views of the economically weak nations.

## ITS PROCEDURES ENCOURAGE PERSUASION RATHER THAN CONFRONTATION

The great difference between the Commonwealth and the United Nations is that the latter’s procedures (like a court of law) encourage confrontational arguments, while the former’s procedures encourage persuasion. It is reckoned very bad form in the club to behave badly. The only person I can recall doing so was a former Prime Minister of Sierra Leone, ‘Big Albert’ Margai, who was repeatedly rude to the then British Prime Minister, Harold Wilson, over Rhodesia. Margai was shunned even by those who felt as strongly as he did about the Smith regime.

Whatever critics might think about the Commonwealth, the reality is that a large slice of mankind belongs to it from choice, and that its members find value in belonging to it. So far, none of those who qualify for membership has declined

## Next step is to find a way of getting the members to comply with decisions

to join. Only two members have been excluded — South Africa and Fiji.

More nations are interested in joining. Mozambique has expressed an interest for some time, while Cameroon is the latest candidate.

But once the Commonwealth loses the common traditional heritage of a shared colonial experience and a common language it would become a different kind of international organisation, no longer a club.

Never having belonged to a club in my life and being essentially unclubable, I find the culture of the Commonwealth club both esoteric and interesting: a Freemasonry of nations.

The expulsion of Fiji is an important point to begin considering the value of Declarations of Intent. When a military coup in Fiji set up a regime deliberately discriminatory of the island’s substantial Indian minority, the Singapore Declaration of 1971 was invoked and Fiji was given the option of either abandoning its racist policy or of facing suspension. The military regime (like Dr Verwoerd) refused to accept the Commonwealth’s terms. Here, then, is an instance where a Declaration of Intent was in fact implemented.

Ah, say the cynics, but what good did it do? Have the Fijians changed their policy? The short answer is that they have not; the much longer answer is that if we are to develop decent societies and a tolerant international order it is important to establish standards by which governments, nations, and individuals can be judged as to whether they are behaving badly or well.

The Ten Commandments are perhaps too didactic to be termed a Declaration of Intent, but the Sermon on the Mount is, historically, perhaps the most influential declaration ever made. In modern times we have had a series of Declarations on human rights, the treatment of children, codes of labour (as prescribed by the International Labour Organisation) etc. It is true that even those nations that have signed the Universal Declaration of Human Rights and other international codes have failed to live up to the obligations accepted by them. But this does not rule out either the validity of the value of such Declarations; their prime importance is that they help to establish a set of internationally recognised principles of behaviour. As such,

they provide criteria by which to measure how individuals and nations behave.

This is the very first step towards establishing a code of international morality and civilised behaviour. It has taken a long time to reach the point where a number of international declarations have won the endorsement of a majority of nations.

Now, having established international codes of conduct the next, no less difficult, step will be to get international agreement on how to deal with offending nations. The ILO does so by suspending membership — which they did in the case of Nazi Germany and, more recently, South Africa. But suspension from international bodies, though shameful, is never of itself a sufficient inducement to conform to international standards. The important question for the Commonwealth — as for other international organisations — is how to ensure compliance from its members with the Harare Declaration.

Those with ever-ready answers (like batteries that flash on light at the press of a switch) will say: expel them, or punish them so that it hurts. Since the basic rule of the Commonwealth is that it reaches its decision by consensus (never by taking a vote) it would be difficult to get unanimity on the question of expulsion — although, as in the case of Fiji and, in a different context, South Africa — it was possible to get agreement about suspending their membership. (It was South Africa that took itself out of the Commonwealth; it was not expelled).

It is possible, that having taken the first tentative step in getting the endorsement of principles of good government and human rights, agreement will be possible *in time* to deal with delinquent nations.

This emphasis on *in time* is essential in judging and understanding political process. While it is important for idealists to be impatient about injustice, it is no less important to avoid frustration, disillusionment and finally — that most destructive of all attitudes — cynicism that we should learn that radical social and political change can be achieved only incrementally; violent change through revolution never results in healthy change.

A strong social conscience needs to be matched by mature political understand-





ing of the process of fundamental change. The combination of these two elements is marvellously illustrated by the work of Prof. H.W. van der Merwe and his Centre for Intergroup Studies at the University of Cape Town. His teaching, inter alia, about the need to accept incremental change — step by step — is as relevant to the situation in South Africa as it is to the Commonwealth.

While suspension of delinquent members of the Commonwealth might take time, there are other ways of encouraging governments to *move towards* recognised democratic standards and respect for human rights as, for example, by the Commonwealth establishing its own Court of Human Rights (as is already the case in Europe) where individuals can lodge complaints against their governments. (The Organisation of African Unity has already set up such a Court, but it has not yet delivered any judgments.

A second method could be a decision by the Commonwealth Secretariat to withhold its services from delinquent governments, but this might be difficult to apply since such a decision could damage the interests of innocent people.

The third method — and one that is currently gaining favour in the Western community as well as among many African opponents of existing unrepresentative regimes — is for economic aid to be made conditional on what has come to be described as 'good governance'.

This kind of pressure could be salutary, but if it is to win general support it will need to fulfill two conditions; that it should be selectively applied so that projects important to the weaker elements of society can continue; and that they should be non-selective in their application to governments. In other words, countries like Kenya and Malawi, should not be excluded from the withdrawal of British aid just because presidents Moi and Banda are good friends of the British, or because of overriding economic interests.

We are at the beginning of an important and interesting new turn in the history of the Commonwealth. Instead of deriding its halting first step towards encouraging the growth of multi-party parliamentary democracy and respect for human rights, we should be uttering hallelujahs for this new move, and praying for steady improvements in redressing the wrongs, not only of the Commonwealth, but worldwide. ●

DAVID WELSH, PROFESSOR OF POLITICAL STUDIES AT THE UNIVERSITY OF CAPE TOWN, FINDS THAT FEW STUDENTS TOOK PART IN THE RECENT VIOLENCE ON THE UNIVERSITY'S CAMPUS

## Intimidation and mindless thuggery

IT HAS not been a pleasant time at UCT. One has felt both anger and sadness at the sight of a great old institution being wracked by violence, intimidation and mindless thuggery. The mood of the mobs that rampaged across the campus, disrupting lectures, erecting barricades and damaging cars and other property was frightening to behold.

Why, one asks oneself, did it have to happen? Was it chickens from the Conor Cruise O'Brien episode of 1986 coming home to roost? Was it the TGWU trying to demonstrate its toughness, thereby keeping out a rival union that is said to be gaining ground in other educational institutions in the Western Cape? Why, in fact, after about six years of relatively smooth wage-bargaining with the workers did this round go so horribly sour?

As is usual of these occasions UCT is getting a thoroughly bad press. Cape Town's English-language newspapers have been full of irate letters from students, former students and ordinary citizens accusing the University authorities of spinelessness.

*The Argus* of 1 October, for example, contains a letter from 'Cleansing Broom', expressing shame at his old University and announcing that he has cut UCT out of his will. Another letter from 'Livid' thanks the University for the excellent education he received but says that he declines to respond to its appeal for donations.

According to Mr Harold Harvey of the TGWU UCT treats its workers 'like animals and children'. Even a casual visitor to the campus would recognise this statement as absurd. The Vice Chancellor, Dr Stuart Saunders, has claimed that the University's offer compares very favourably with wagescales in other universities, many of which pay less than half of what UCT has been offering. Even the Union was forced to acknowledge that this was true.

UCT's workers are in fact, very well-treated indeed. The only category of

employee in the University which is genuinely exploited are temporary lecturing staff, especially if they are female.

UCT's workers, on the other hand, are truly part of the 'labour aristocracy', an old Marxist term used to describe an especially advantaged category of workers. UCT's situation, at least in this respect is a microcosm of a far wider, national situation: in the short-run the labour aristocracy appears to get its way; regular wage increases are granted with no consideration for incidental matters such as increased productivity. Wage-rounds ripple through the entire economy with profound inflationary effects.

But it is not simply the inflationary effects, it is also the effect on employment that is at issue. The better paid the labour aristocracy the fewer workers will be employed — and the more firms will be inclined to mechanise because machines don't go on strike. With a national unemployment figure of perhaps 35 per cent this is tragic. Efforts to impose a national minimum wage (as some in the ANC would like to do) could actually bankrupt the country.

Efforts have been made to portray the UCT strike as merely an industrial relations dispute. That is undoubtedly so, but there are complications in the UCT situation.

Unlike industrial or commercial firms, the campus contains another highly volatile component in the form of the students. The radical students, a small but highly active and vociferous minority, will almost naturally side with the workers.

On this occasion, however, the overwhelming majority of students opposed the disruptions: probably no more than 50 to 60 participated in the forcible break-up of lectures or the erection of barricades. The newly-elected SRC, with its first black president, was paralysed by ambivalence, although it unequivocally

