DEMOCRACY in ACTION
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Women talk votes and power

Separate but equal in government?

BY RONEL SCHEFFER

IN THE run-up to South Africa's first non-racial elections, political parties and organisations are likely to come under pressure to demonstrate that they are serious about women's issues. If they want women to vote for them, they may have to begin to deliver.

Even if not mounting an actual campaign, this was the spirit in which women parted after an important workshop in Durban this month which examined the ways of empowering women in a democratic government. A large contingent of the 70 participants – with affiliations as disparate as the South African Communist Party and Kontak women's group – attended en bloc from the Women's National Coalition (WNC) which has initiated a process of drawing up a charter of women's rights.

Delegates stressed the importance of building the power of women before the elections. They lamented the demise of the Gender Advisory Committee to Codesa, and the poor results it rendered. Its work was hampered, they said, by procedures which meant that recommendations first had to be taken through Codesa's secretariat before it reached the working groups. By the time Codesa was suspended most of the committee's recommendations had not been implemented or considered by the working groups. While the workshop grappled with the intricacies of empowerment strategies, government structures and mechanisms to protect rights, a wide range of other debates were also raised. At the close, delegates undertook to exert pressure in their own parties to seek out ways of capturing the imagination of women so that mass involvement in the struggle for equality could be achieved. It was stressed that women's rights were human rights, that they constituted the rights of the majority of people and could not be addressed separately. A delegate observed that the country's commitment to human rights would continue to remain in question

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UNDER PATRIARCHAL GAZE...Delegates grapple with the need for women's empowerment.

Idasa took a journey through the destruction and decay that today characterises Kenya, Ethiopia and Eritrea ... and found hope and a tremendous will to succeed. HENNING MYBURGH records his thoughts. **See page 8.**

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DEMOCRACY in ACTION

IDASA
WORKING FOR DEMOCRACY

Idasa's goals are:

To promote the development of a democratic culture in South Africa

To address fear, prejudice, anger and other obstacles in the transition to a non-racial democracy in South Africa

To engage influential groups and individuals who may be outsiders to the transition process

To provide, wherever possible, information on critical issues and to explore ways of addressing these

To facilitate discussion of constitutional and developmental issues relevant to Southern Africa

To assist and encourage others to contribute to the attainment of these goals

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Scrambling the new SA

Although they've "perfected the art of flying", it seems that some of SAA's air hostesses still have to learn a thing or two. Overheard during the breakfast serving, a passenger asked the stewardess whether the breakfast was halal. Stumped for a moment the air hostess quickly replied, "No, it's scrambled eggs".

– Lesson 1: coping with diversity.

Blinkered vision

While we extend our deepest sympathies to all those injured or affected by the King William's Town attack, MP Ray Radue's thoughtless statement that this was the first attack on soft targets in the last 18 months points to the deeper tragedy of our land. Has he forgotten that most of the victims of the almost daily attacks in "black" areas are soft targets, or don't black lives matter quite so much Mr Radue?

– Lest we forget, Mr Radue, who heads the parliamentary standing committee on justice(!), is also on record as saying that Aids is God's way of punishing homosexuals.

Beauty and the beast(s)

The flight from London that brought dejected SA rugby fans back from Twickenham also carried the Miss World contestants. Notwithstanding the fact that the water on the flight ran out within two hours after toilets were comandeered by titivating beauty queens, the close encounter prompted one passenger to comment: "As ek geweet het dat die Russe so mooi is, sou ek 'n kommunis geword het".

– Chris Hani, now you know what it takes.

Ja-Nee

Of cops and coms

Despite early differences, a true spirit of comradeship developed during Idasa's recent visit to Denmark to study policing in a democracy. So much so, that after a few nights – and a few beers – the ANC delegates began referring to some of their fellow travellers as "our police comrades".

– Maybe there is hope after all.

Many a slip...

Jovial spirits prevailed during much of the Denmark visit. While visiting police headquarters in Copenhagen, an ANC delegate slipped on the highly polished floors. Fortunately unhurt, he was almost floored a second time by good-humoured police concern for his wellbeing. "Are you sure you're okay, Johnny, we'd never be able to explain that you slipped and cracked your head in a Danish police station!"

– He should have insisted they wash thei mouths out with soap.

Choosing losing news

The dual realities of South Africa struck home in the media (yet again) when the rugby Springboks' defeat got front page treatment in a Cape Town daily paper, but South Africa's soccer victory in the Africa Games only made it onto the sports pages.

– So much for colourblind news values.

1992: Horrible but hopeful!

QUEEN Elizabeth II has described 1992 as "a horrible year" for that royal family. It hasn't been very good for South Africa either! Despite the promising start to the year with the formation of Codesa and the long-awaited multilateral negotiations getting off the ground, it has been in many ways a "horrifying" year.

We have witnessed the breakdown of negotiations and a display of petty politicking which, in the present climate, is a luxury South Africa cannot afford. We have witnessed a sickening increase in violence which has left thousands of South Africans dead and many more thousands injured. Thousands have been displaced with the consequent break-up of family life.

Disclosures have been made of massive corruption in government departments and wholesale squandering of money in the "homelands". Lying and deceit by people in high places in the SADF have apparently become the norm. In almost every instance, no-one has had to accept the blame for this abuse of power.

In its recent report, Amnesty International discloses widespread abuse of fundamental human rights in ANC camps over a period of more than 10 years.

As if this catalogue of woe was not enough, the cold-blooded attacks on King William's Town and Queenstown have seen the South African conflict cross a new threshold (although in some ways this is an old threshold revisited, bearing in mind the PAC's planned attacks on whites in the early 1960s).

But the deliberate killing and maiming of whites is news because it is a new dimension and takes nothing away from the tragic deaths of blacks which have occurred in many parts of South Africa. The posturing by the leadership of the PAC in regard to these attacks is unacceptable.

In the same way that the ANC must accept responsibility for the actions of its military wing, Umkhonto we Sizwe, and in the same way as President De Klerk must accept responsibility for action or inaction by the security forces, so too must the PAC accept its responsibility in relation to the actions of Apla.

All life is precious and the PAC cannot hide behind the excuse that the media is making too much fuss of the death of a handful of whites. The president of the PAC, Clarence Makwetu, has no choice other than to condemn unambiguously the recent actions and continued threats by the PAC's military wing.

The PAC in recent months has opted for negotiation as a way of resolving the current conflict. It simply cannot subscribe in any way to blatant violence and, at the same time, maintain its commitment to negotiation. South Africans have the right to know whether or not the PAC leadership condones the current wave of violence or whether it stands for peace and rejects acts of violence, be they from the state or from the PAC's own military wing. In making up its mind, the PAC should recognise that a possible outcome of the recent attacks in King William's Town and Queenstown could be further acts of violence from an angry rightwing. This simply means a very real possibility of innocent black victims being added to the long list of casualties and a continuing spiral of violence.

Violence begets violence and in the fragile climate in which we live, there can be no pussyfooting on this important question.

The announcement by Mangosuthu Buthelezi of plans for the adoption of a regional constitution is irresponsible in the extreme. Not because there should not be a constant examination of all options; not because the devolution of power is undesirable; not because federalism does not have many attractive features, but because inherent in his proposal is the threat of secession.

The threat of the regional constitution which he offers has far more to do with confederalism than with federalism. There is no way that Natal or KwaZulu can go it alone, and therefore this intervention at this time brings only heat and no light to the current debate. This is like pouring petrol on a blazing fire and has all the ingredients for further violence and conflict in Natal.

Chief Buthelezi's public alliance with Ciskei, Bophuthatswana and the Conservative Party can only lead him down a cul-de-sac. At this critical time his energies ought to be put at the disposal of a national solution to a national problem.

It has been a horrible year, but in many ways it has been a better year than the long, dark night of apartheid which preceded the State President's watershed speech in 1990. Despite all the violence, the double-speak, the lack of vision and leadership, would anyone really want to go back to the bad old days of entrenched racism and injustice?

South Africa is paying a heavy price now for those 40 years of National Party rule and much of what we have witnessed during 1992 are the birth pangs of a new South Africa struggling to be born. There is a genuine prospect of multilateral negotiations being resumed early in 1993; there is a clear commitment at least from the two major actors, namely the government and the ANC, to an interim government and this may well come into being by the end of 1993 or early in 1994.

It has been a grim year, but for all who are committed to peace and justice there awaits hope and encouragement for the future.

Alex Boraine
Executive Director

WESTERN CAPE

Debating local government

An evening seminar focusing on a national framework for local government will be held on 20 January at the Woodstock Holiday Inn.

Representatives from the government and the South African National Civics Organisation will be present to discuss the current initiatives on a national forum for local government.

EAST LONDON

Women's centre

The women's forum will be meeting on 21 January to discuss the formation of a women's centre for the Border region.

Codesa 3?

The Border region will be hosting a public meeting entitled "Codesa 3 or Another Multi-Party Forum?" at the East London City Hall on 27 January. The meeting will be addressed by Roelf Meyer, Minister of Constitutional Development, and Cyril Ramaphosa, General Secretary of the ANC. Dr Van Zyl Slabbert, Idasa's Director of Policy and Planning, will chair the meeting.

Transition debate

A workshop on "Local Government in Transition" will be held on 6 February.

NATAL

Tackling the violence

A two day think-tank is being organised, on 30 - 31 January, to bring together key individuals concerned with the violence in Natal, international observers and guests who have experience of similar conflicts in other countries. The aim is to explore the opportunities for civil society to make useful interventions, as well as to develop a multi-faceted approach for both urban and rural areas.

The initiative is a joint project of Idasa, Institute for Multi-Party Democracy, Legal Resource Centre, Diakonia, Consultative Business Movement, Pietermaritzburg Agency for Social Action, the Black Sash, Durban and Central Residents' Association and Lawyers for Human Rights.

PRETORIA

Workshop series launch 1993

A number of workshops will be organised by the Pretoria office in January and February. These include:

- A workshop on political tolerance and voter education in KwaNdebele from 8 - 10 January.
- An Eastern Transvaal discussion forum on 5 February.
- A Midrand Indaba, from 19 -

Trustees honoured

IDASA trustee, Archbishop Dennis Hurley, has been awarded the freedom of the city of Durban. He is the first person to receive this award in 26 years, the previous nominee being former State President Blackie Swart!

Archbishop Dennis Hurley

Archbishop Hurley has also been appointed chancellor of the University of Natal, Durban.

Idasa also congratulates another trustee, Professor Wiseman Nkuhlu, on his appointment as chairman of the Independent Development Trust.

SEASON'S GREETINGS

THE IDASA MEDIA TEAM...(from left) Sue Valentine, Moira Levy, Chantél Edwards, Ronel Scheffer and Shireen Badat.

Wishing all our readers a happy and peaceful 1993

And thanking you for your continued support

Women talk power and votes

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until women's oppression received greater priority on the political agenda.

The discussions during the workshop, which was hosted by Idasa and a steering committee of Durban-based activists, reflected a desire to unite on gender issues but also highlighted the difficulties this would entail because of historical divisions, particularly those relating to race, class and economic status. It was therefore generally accepted that a true women's movement would have to evolve over time. There was some soul-searching among delegates about exactly whose interests they would represent if they were elected to parliament, and how (or why) women at grassroots level should be persuaded that it was important to vote for women representatives.

SPEAKING OUT...Thoko Msane, secretary of the Women's National Coalition, and Carole Charlewood, DP MP for Umbilo.

Frustrations were expressed about the "chilling and hostile" political environment that exists around issues like sexism and discrimination; the poor level of gender consciousness in the country; the stigmatisation, and even victimisation, faced by those who concern themselves with women's issues. Women's organisations, it was said, were still dismissed as "gossip forums", activists regarded as "frustrated women who don't have anything to do at home" and ambitious women derogatorily referred to as "men".

But the participants were also self-critical, particularly about their performance in raising awareness of gender oppression among grassroots women, the majority of whom still do not see the connection between their daily suffering and gender oppression.

The main purpose of the workshop was to debate ways to meet women's needs and demands in government, and to look at the constraints and capacity of the government and women's organisations to meet those needs. However, bys the end of the discussions it was suggested that the "cart might have been put before the horse" in that little discussion had taken place on what women wished to *achieve* in government.

The title of the workshop raised the question of whether a women's ministry — women's ministries were introduced in many developing countries after a United Nations call in the 1970s — would be the most appropriate structure to facilitate participation and representation for women in government.

KATHI ALBERTYN...We need a package deal.

Kathi Albertyn of the Centre for Applied Legal Studies at Wits University outlined the mechanisms and structures required inside and outside government to advance women's issues. Foreign guests also related the experiences of women in Bangladesh, Uganda, Zimbabwe and Sierra Leone.

Albertyn cautioned against expectations that a single structure like a women's ministry would advance democracy and equality for women. She recommended a "package" approach as a solution.

Required firstly are strategies to get women elected. Options include a constitutional mechanism such as a quota of reserved seats, a quota for women on party lists (in the case of proportional representation) and advocacy groups that support women's candidacies.

A women's ministry, a women's affairs department and women's desks in a number, or all, government departments are among the options for taking up women's affairs at the executive level of government. Albertyn pointed out that the success of these structures depended on their power, resources and the quality of staff they received. Another dimension of the "package" consists of mechanisms to ensure that gender interests are safeguarded in the law-making process. Options include a gender committee to scrutinise legislation, a system that compels parliamentary select committees to consider gender issues in legislation or one which stipulates a minimum number of women for passing legislation.

Independent advisory structures, appointed or elected but funded by the state, could also play an important role in influencing policy. These structures may fulfil a variety of functions, including researching, reviewing and recommending policy and providing public education.

Albertyn also highlighted the need for mechanisms outside the court system, such as an ombudsperson or an equal opportunities committee, that have judicial and investigative powers. The main purpose of these mechanisms is to reduce the cost of redress for the average person.

A final requirement is a legal and constitutional mechanism, such as a bill of rights, to protect rights.

Although the subsequent discussions did not produce consensus on any of these measures – in fact it was noted that much more research was needed to inform decisions – delegates were mindful of the danger of marginalising women's issues in a women's ministry.

The comparative experience of women in Bangladesh, Uganda, Zimbabwe and Sierre Leone (which does not have a women's ministry) seemed to support the suggestion of a package approach, and also highlighted the need for a strong and independent women's movement to act as a lobbying and mobilising force. However good they may look on

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Separate but equal?

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paper, the success of women's ministries appeared to depend perhaps on too wide a range of prerequisites, including an ample budget, adequate status, a progressive political culture and the authority and charisma of the individuals heading them.

Stephen Gelb of the University of Natal's Institute for Social and Economic Research provided the background for a discussion on the constraints and capacity of the government to meet the needs of women. He emphasised the importance of a healthy macro-economic situation for redistribution to women and the need for clarity as to who would gain or lose from any policy embarked upon.

Kate Truscott of the Workers Organisation for Socialist Action warned that women would remain marginal to the economy if they were treated as a "welfare category" and their advancement was not seen as a part of legitimate economic development.

Many international donor agencies, she said, had adopted this approach to the detriment of women. In Zimbabwe, for example, policies emphasised income generating projects for women, with the result that they were saturating the market with commodities that rendered little income.

Ronel Scheffer is Idasa's production editor.

S African women

WOMEN in this country may not readily refer to South Africa's assortment of women's organisations as a "women's movement", yet many foreign women fully admire our efforts as such.

'Outside South Africa we think you do have a women's movement...I feel a lot of energy here' - Huq

Shireen Huq, a Bangladeshi development specialist who was among the foreign guests at the recent workshop held on women's empowerment, is one foreigner who thinks that South African women are too modest about their achievements in the field of women's rights.

"Outside South Africa we think you *do* have a women's movement," she told delegates. "You are too modest....I feel a lot of energy here and I am privileged to take some of it back with me to Bangladesh."

Huq, who works for the Danish Development Agency and a women's organisation known as Nariphokko, told the workshop that the women of Bangladesh lagged behind their South African counterparts in the struggle for equal rights despite having a woman as prime minister, a women's ministry and other mechanisms to advance the status of women. Although their equal status in public life was guaranteed in the constitution, personal freedoms were still determined by religious laws which meant that equality remained in dispute.

Bangladesh was the third country in the world to get a women's ministry, in response to international pressures in 1975, but according to Huq the successes of this structure, located in an autonomous government department, as well as other mechanisms such as quotas, have been limited. Traditional thinking defines the policy goals of the ministry which has no representational base and focuses almost entirely on developing small-scale projects, giving little atttention to democracy.

Quotas have not been effective as women representatives are expected to give first loyalty to their political parties rather than a

Bruised, battered, ignored

BY ERIKA COETZEE

IN THE monumental hierarchy of South African iniquities and ills, it is alarming how violence against women remains such an obscured and neglected issue.

It is not that anyone would come right out and admit that the daily misery of a large percentage of South African women just doesn't make it onto their list of priorities. On the contrary, the new South African political vocabulary is littered with lip-service to women's rights and occasional public commitments to gender equality. Yet these are easy and fashionable talk-shop words, rarely supported by concrete thought and even less often by concrete plans of action.

Where women meet with other women to discuss their needs and experiences, the issues of violence and personal safety emerge time and time again as a central theme of crisis proportions. It is not as if the need to address violence against women is voiced with hesitation or ambiguity: it is an urgent and clear-cut emergency situation.

Then why is it that within the larger political discourse, references are made to "the needs of women" as if they constitute a vague and distant collection of frivolous desires, like better washing powder and cross-your-heart bras?

The slightest understanding of the laws of cause and effect would lead one to conclude that violence against women has something to do with violence on the part of men, yet "the needs of women" are repeatedly spoken about as if they exist somewhere outside the real world in a cloudy blur that doesn't intersect anywhere with the behaviour and demands of men.

In spite of the tremendous hard work and ongoing efforts by many women's organisations to put violence against women at the top of the agenda, and in spite of the unequivocal message that this is an urgent issue – this loud and clear call seems to fall on unperturbed ears.

What makes it worse is that other kinds of violence are receiving so much attention. There is no doubt that this is necessary and that every effort must be made to establish peace and safety for all citizens. Yet every day, domestic violence causes far more injuries and wounds than the inter-group violence we are witnessing. And while more and more monitoring structures, international delegations and dispute resolution committees are being set up to address violence across the country, Cape Town's only shelter for battered women has been closed-due to insufficient funds.

It is as if violence against women is not truly and honestly regarded as violence at

'too modest', say visitors

alty to their political parties rather than a broader constituency of women. The status of the ministry itself is low, generally the most incompetent bureaucrats are transferred to it and although the ministry, for example, has the right to comment on programmes before implementation, staff often are not competent for this. At times the women's ministry has been unable to absorb resources because it lacks the capability.

Huq concedes, however, that the mere existence of the ministry has created opportunities to begin to address women's issues. A review of structures is underway with a view to make them more effective.

Other interesting foreign contributions came from Janet Kyogabiirwe of the Directorate of Women and Development in Uganda, Judith Chikore of the Ministry of Women's Affairs in Zimbabwe and Getrude Blake, who had a top post in the foreign ministry in Sierra Leone but is currently in South Africa with the UN Monitoring Commission.

Sierra Leone is the only country among them where women's issues have been taken up successfully in government departments in the absence of a women's ministry. According to Blake, the decision not to have a women's ministry was a deliberate one on the part of the president, and women are well represented in government structures.

She attributes the advanced social position of women in Sierra Leone to positive customary traditions and the fact that women traders had attained a considerable degree of economic independence. The country has a strong women's movement which dates back to before independence when programmes were first introduced to improve the education of women.

In Uganda, which is ruled by the National Resistance Council, women are elected to local, regional and national levels of government and expected to represent the interests of non-governmental organisations. These may or may not cover women's affairs, but according to Kyogabiirwe the system works well.

A women's ministry was introduced in 1988 and its aims included raising the status of women – specifically their economic status – and integrating women in the mainstream of government.

'Sierra Leone has a strong women's movement which dates back to before independence' – Blake

Constraints exist and the concessions made to women by government have not been well received in all quarters.

Zimbabwe's Judith Chikore said a women's affairs department was created as part of another ministry after independence, "as a way of saying thank you to women" for their contribution to the struggle.

There were many problems related to this structure though – women's issues had been marginalised, the department had limited powers and resources were inadequate. "I am not saying that nothing has happened in Zimbabwe, but more would have happened if things had been done differently," said Chikore. "Women's issues are not integrated with development. We are doing all the donkey work and just not getting the recognition." She said the affairs of the women's department were transferred to the president's office in July; although the department has not been disbanded, its future is still unclear .

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all. By mystifying its causes and shifting around responsibility, it becomes less than a serious crime.

An argument which is often heard with regard to domestic violence usually runs something like this: "Yes, but surely the woman must take responsibility if she stays with a man who beats her every night. No-one is forcing her to stay there. I would have packed my bags and left the first time it happened." The implication here of course is that some women actually do not mind being battered, which distinguishes them from other "normal" people and makes it their private problem.

While ignoring the psychological complexities of abuse, and the fact that the state provides no places of refuge for battered women and their children, these sentiments also absolve men of all responsibility for violence against women. The man's behaviour is seen as a fact of life, an unalterable reality; it is the woman who should adjust her behaviour if she is to appear "normal".

Another mystifying perspective on domestic violence is the one that argues that violence against women is "part of the culture" of a particular group. This is a debateable point in itself that depends on how one defines "culture" and how one reads different patterns of behaviour.

Be that as it may, it nonetheless serves as a kind of mitigating argument, shifting the responsibility once again away from the perpetrator of violence to some ill-defined collective unconscious firmly rooted in history and tradition. It is not his fault, something else made him do it.

It is astounding how many people have patience with this explanation. It doesn't seem half as objectionable as arguing that apartheid is part of our "culture" and that we really cannot do anything about it. Time and time again, the political process singles out the cruelties performed under the umbrella of racism, and sidelines those of partriarchy. Yet the brutality is equally dehumanising and the loss of dignity just as severe.

Imagine if the same amount of time and resources that are currently being pooled to address intergroup violence were also applied to combating violence against women. Imagine if the crisis was recognised as urgent enough to call for a peace accord. Why is it that these suggestions seems slightly absurd and unrealistic? Has violence against women become such a "normal" part of everyday life that it doesn't really threaten the functioning of our society?

If this is true, we are growing towards a new order which is rotten to the core. As the weeks spin by, as we watch each move and counter-move in the political chess match that we hope will secure a more democratic and peaceful future, thousands of women fear for their lives in the "safety" of their own homes.

Erika Coetzee is a regional co-ordinator in Idasa's Western Cape office.

Cape Town's only shelter for battered women has closed due to a lack of funds. If you would like more information or have a contribution to make please contact Margot Lochrenberg at (021) 47-9762.

Energy & hope amid the decay

BY HENNING MYBURGH

ONCE PROUD...The ruins of a once proud bombed-out former palace, beside Massawa bay.

REPORTING on Idasa's study tour to Kenya, Ethiopia and Eritrea has been one of the more difficult tasks I've had to do.

How can one possibly fit the black townships around Bloemfontein (where my journey started), the peaceful white middle class suburbs of Kroonstad, Jan Smuts international airport, bustling Nairobi, swirling Addis Ababa, proud Asmara and war-destroyed Massawa, into one reality.

The most honest way to approach this is to admit at once that it is not possible to fully comprehend and describe this immense diversity. It is a never-ending journey through death, decay, opulence and oppression; a struggle for liberation, the corruption of that liberation, but still infused with effort and determination.

I have images of whites and blacks eloquently discussing careers, philosophy and sports; soft-spoken freedom fighters who have spent most of their lives at war, sincerely trying to work out simple and practical ways of rebuilding their society; rotten corpses of soldiers stashed away in military supply cases under a tree in the desert outside of Massawa; people dressed in white robes streaming to prayer meetings in poverty stricken, but proud Asmara.

Above all, the image is of massive destruction and decay, exacerbated by the selfish and mindless intervention of the international superpowers during the Cold War decades, and their subsequent desertion when Africa's usefulness ended.

Africa is a continent involved in a struggle for its very existence in a world that has outstripped it in development, and now has turned away.

Yet there is a raw energy and commitment to find a way towards developing a viable society that leaves one feeling that the battle is not yet lost. Indeed the tendency that is developing is to try and stand on one's own feet. This was most evident in Eritrea, a small country to the north of Ethiopia that gained provisional independence from Ethiopian rule in 1991 after a 30-year independence war. A culture is developing there that Western aid and involvement is to be welcomed, but under no circumstances will its priority be to serve the agendas of foreign powers. The words of George Amyonya, an opposition leader in Kenya, keep milling in my head: "The process of politics and the participation of people is more important than grand design and propaganda in the development of policy alternatives."

ON TOUR...(from left) Barney Mthombothi (The Star), an Eritrean guide, Andre Zaaiman (the Gorée Institute), Ilse Olckers (Lawyers for Human Rights), Jerome Ngwenya (Independent Mediation Service of SA), Simon Ntombela (Idasa), Thoraya Pandy (Speak magazine), Paulus Tesfagiorgis (Regional Centre for Human Rights and Development, Eritrea), Cas Coovadia (Civic Associations of Johannesburg), Shelagh Gastrow and Henning Myburgh (Idasa).

In Kenya the liberation from colonial rule in the 1960s lead to the establishment of a one-party state with a professed free market economic policy. In the absence of any well-established independent business and labour movements, the government assumed control of the largest share of the economy and used this position to provide jobs and redistribute resources. In principle, any government should have the power to redress past wrongs, but in

What lessons to be learned?

BITTER ethnic fighting in east Africa might have been avoided through the establishment of a strong civil society guarding human rights and democratic processes. In this respect the Eritrean situation is of special interest to us, especially against the background of our constitutional debate.

Eritrea, the northernmost province of Ethiopia, waged a 30-year war against Ethiopia for independence. Eritrea won the war in 1991 and a provisional government was installed. Pending the outcome of a referendum next April, Eritrea will become fully independent in 1993. The parallel between Eritrea and South Africa is illustrated by a heap of ammunition cases under a tree just outside the destroyed city of Massawa. These are filled with the rotten corpses and skeletons of Ethiopian soldiers left there when the Ethiopian army withdrew from Massawa. When confronted by this macabre sight I couldn't help wondering how many ammunition cases could be filled by all the people who have died in the struggle against apartheid and in the current mindless violence in our country.

After so many years of ethnic privilege and domination, some of those protected by it will not let go easily. It would therefore be foolish to try to ignore the Treurnichts and Buthelezis of this world. The question is not whether they are right or wrong. Rather it is about the quality and nature of the process that deals with the issues they pose.

In the light of the Eritrean experience it is essential that these issues be dealt with through inclusive political processes.

this case the process continued unabated without really expanding the productive base of the economy. In the absence of any meaningful opposition this situation remained unchallenged and stifled the Kenyan economy.

In Ethiopia, the monarchy of Emperor Haile Selassie was overthrown in 1974 and eventually replaced by an extremely oppressive military regime, followed by a devastating nationalisation programme and destructive ethnic wars. In both these cases oppression was met with violent resistance and eventually the overthrow of the regime.

It seems that the armed struggle against oppression undermined the establishment of negotiations and free political competition to such an extent that the military element eventually became the dominant influence.

This allowed them to set the agenda during the transition process and to influence the post-transition phase. The result was the formation of new autocracies with the systematic destruction of any opposition. This holds a message for South Africa.

Firstly, it is of utmost importance that violence and armed struggle does not become institutionalised and legitimised as a method of electing the new government to power or maintaining the existing government in power. In this respect it is absolutely essential that political groupings be seen to deal decisively with elements in their ranks who show a preference for the military method of dealing with issues related to normalisation and democratisation.

Government must accept that as a senior partner, its actions will influence this issue more decisively than any of the other parties. Secondly, if military options are contained then there is space for the development of a process of peaceful opposition where the competition for power does not eventually destroy the whole society.

This, however, does not guarantee democracy and the full participation of a broad base of society in policy making.

There must also be development of organisations and institutions, independent from the political parties, to articulate and defend the rights of ordinary human beings.

In both Ethiopia and Kenya the liberation struggle was fought on the backs of the peasantry. In both cases peasants became the main victims after independence, partly because they simply entrusted the new government to look after their interests.

In this respect South Africans would do well to remember that governments are by their very nature and definition undemocratic, and that democracy in itself does not constitute an ideology. Rather it is a system within which different ideologies and interests can compete.

More than multi-partyism and constitutionalism is needed to maintain this system. In the final analysis only people, through their collective effort, can do so.

The group was very conscious of the relative lack of any such civil society in Kenya and Ethiopia. In Kenya, the transition to multiparty democracy seems to be restricted to a parliamentary type of transition.

Where independent civilian organisations do occur, they are so totally usurped by the party political groupings, especially the ruling party, that it is difficult to imagine them developing any type of independent voice after the transition period.

In Ethiopia there is even less evidence of any meaningful civil society developing that can mobilise people across ethnic and other divides. In this ethnically diversified, predominantly peasant society, no-one seems to be seeking middle ground processes. The side that is the strongest (militarily speaking) simply wins the contest.

In South Africa, I believe it is of the utmost importance that civil society structures such as trade unions, civic associations, business organisations, academic institutions, etc, start freeing themselves from their party political agendas and start constituting an independent voice.

In the absence of this, our liberation might end up either as a circulation of elites or simply as a pacting between elites with very little change in the lives of ordinary people.

Henning Myburgh is Idasa's regional director in the Free State.

A trip into past and future

TOGETHER IN TUNIS...Kobus van Loggerenberg (left) with Hazel de Wet and Shun Chetty.

With the second UN World Conference on Human Rights pending, African delegations gathered for a preparatory meeting in Tunis. Idasa's KOBUS VAN LOGGERENBERG was there.

I CAN well remember how the issue of human rights in the Calvinist institutions where I have received almost all of my education was always viewed with some suspicion. We were told that human rights were based on a humanist, non-Christian world view and were just used as an excuse to interfere with South Africa's domestic affairs.

The world, I was made to believe, was uninformed about our situation and acted upon malicious propaganda aimed at destroying the Christian civilisation that we, the Afrikaners, were chosen by God to establish in Africa.

'I felt myself constantly carrying the collective guilt of white South Africa'

The very notion of human rights was false because man had no rights, only privileges granted by God. We were therefore only responsible to him and certainly nobody else, neither our fellow compatriots nor the international community. And if we, in the process of defending our sole right to bring civilisation to this continent, were forced to make war on defenceless people, it definitely would have had the sanction of God himself.

Coming from this background, therefore, my visit to Tunisia was quite an ironic experience. I went to Tunis early in November for the Africa regional meeting held to prepare for the World Conference on Human Rights to be held in Vienna in June 1993.

Being from the tribe that has one of the most infamous human rights records in the world, and listening to how Africa is far from convinced that there are any significant changes in South Africa, I felt myself constantly carrying the collective guilt of white South Africa.

To add to the irony, it was largely due to the able assistance of Angela Melo, the Juridical Assessor to the Mozambican Minister of Justice, that I managed to get a visa to enter Tunisia – it still being one of the countries that strictly prohibits South Africans or Israelis – and it was Angela's language and negotiating skill that helped me through customs at the Tunis airport. It was ironic bearing in mind the destructive role South Africa has played in the domestic affairs of her country.

And coming from a chauvinist background, it was an eye-opener for me. Angela was only the first of many remarkable African women at this conference who made a powerful impression on me, confirming the decisive role that women will and already are playing in the development and democratisation of our continent. It was noticeable how strongly women were represented, especially in the non-governmental organisations (NGO's), and how strongly women's rights featured at this conference.

Delegates were very proud that Africa was the first region to have taken the initiative in organising a regional preparatory meeting for the World Conference. Delegation after delegation committed themselves to the protection of human rights, although it was also commonly accepted that there remained plenty of problems in this area.

Some countries with equally unfavourable human rights records preferred to use South Africa as a scapegoat to hide their own atrocities. The NGO's, in particular, were less optimistic than the official delegations about the state of human rights in Africa, referring to some of the delegates as hypocrites.

'Africa is not prepared to accept any form of neo-colonialism'

Poverty, it was said, is not good for democracy or human rights. The link between human rights, democracy and development was emphasized, but it was implied that it would be unfair to expect a country to uphold human rights when it suffers economically because of a lack of development support or because of a not friendly enough debt agreement.

It sounded ironically familiar to hear some African states appealing to the world not to use human rights as an excuse to interfere in their domestic affairs. Many other countries and almost all the NGO's, however, called for more effective mechanisms to enforce the protection of human rights.

Beyond the rhetoric and slogans a very sincere commitment to democracy, good governance and sound economic management was clearly discernable. As strong as its need is for international economic support Africa, however, is not prepared to face any form of neocolonialism: the message was clear, we need your money and devel-

opment support, but please stay out of our domestic affairs.

As a representative of Idasa I was only one of two people representing an NGO from South Africa (the other person was Frans Kekana from the Institute of Contextual Theology). There was at least one other South African – the very inspirational Shun Chetty who is now the deputy director of the High Commission for Refugees, based in Geneva.

Shun was involved as a lawyer in numerous political trials in the seventies before he went into exile towards the end of that decade. Shun uses as a barometer of the human rights situation in Africa the more than 5 million refugees on the continent today. There is virtually no African country, according to him, that does not either produce or receive refugees.

'There is virtually no African country that does not produce or receive refugees'

The conference also produced a very strange reunion for me – it was a surprise in a language environment dominated by French and Arabic suddenly to be addressed in Afrikaans. This came from Hazel de Wet, representing the Namibian government.

Even more surprisingly, Hazel and I discovered that we had almost met more than five years ago when I was chairperson of the SRC of the University of the Orange Free State and we were to meet the SRC of the University of the Western Cape. But, on our arrival at the UWC campus (all dressed up in our official university blazers), we were told that the UWC SRC was no longer willing to meet us (being an establishment, "system" institution). Hazel served on that SRC as the Namibian representative!

Sharing the company of the likes of Shun Chetty and Hazel de Wet made me long for the day that South Africa would be able to take up her rightful place in conferences of this nature – after having confessed the atrocities committted in the senseless pursuit of apartheid (and, in many cases, also in the struggle against apartheid). I found myself looking forward to the day that South Africa would display a sincere commitment to human rights and democracy, and participate irreversibly in a movement towards a more human society where there would be a place for everybody (even the Calvinists!).

At the current pace of negotiations, however, it seems unlikely that we will be ready for the World Conference in June 1993.

Kobus van Loggerenberg is a regional co-ordinator in Idasa's Bloemfontein office.

Africa meeting drafts human rights charter

By KOBUS VAN LOGGERENBERG

PREPARATIONS for the second United Nations World Conference on Human Rights got underway at a meeting held in Tunis from 2 to 6 November.

The UN General Assembly decided that 25 years after the first World Conference on Human Rights, held in Teheran in 1968, the UN Human Rights Programme needs to be reviewed to ensure its greater effectiveness in promoting and protecting human rights. The conference will thus chart the course for the UN Human Rights Programme into the next century.

The preparatory meeting in Tunis considered the role of governments, individuals, groups, institutions and non-governmental organisations in the promotion and protection of human rights.

The meeting also considered issues of particular importance to Africa, like the elimination of apartheid, new forms of racism, discrimination, xenophobia and religious extremism.

The conference adopted the Tunis Declaration which reaffirms the African states' commitment to the principles set forth in the Universal Declaration of Human Rights, two international Covenants on Human Rights and the African Charter on Human and People's Rights. Although some delegations argued for flexibility in the interpretation and application of these principles, beyond question was the duty of all states to protect and promote human rights.

Administration of justice and the independence of the judiciary are crucial to the realisation of human rights, but it was felt that to achieve this end substantial investment was needed and African states and the international community were called upon to allocate more resources to this area.

The Tunis Declaration also states that the principle of the indivisibility of human rights is sacrosanct. Civil and political rights cannot be dissociated from economic, social and cultural rights. None of these rights takes precedence over the others and political freedom, when not accompanied by respect for economic, social and cultural rights, remains precarious.

There was debate about the interdependence of human rights, democracy, development (which was seen as an inalienable right) and international peace. Lasting progress towards the implementation of human rights implies, at the national level, effective development polices and, at the international level, more equitable economic relations.

Racism, particularly its new forms of extremism and fanaticism, was identified as a serious threat to the protection and promotion of universal human rights.

Background to the event

THE United Nations in 1989 passed resolution 44/156 requesting the "...Secretary General to seek views...on the desirability of convening a world conference on human rights for the purpose of dealing...with the crucial questions facing the United Nations in connection with the promotion and protection of human rights."

Most governments and organisations consulted expressed support for such a conference, which comes at a moment where the UN has taken on a more active role in the field of peace-keeping, sustainable development, democracy and human rights.

Initially planned for Berlin, the conference will now take place in Vienna, Austria from 14 to 25 June 1993. Three meetings of the Preparatory Committee have taken place in Geneva.

The next stage of the preparatory process was a meeting in Tunis from 2 to 6 November 1992 and the Latin American meeting will be held in Costa Rica from 8 to 12 March 1993. A regional meeting for Asia is planned for Bangkok, probably in January 1993. The Council of Europe has decided to organise a conference with broad participation from all world regions early in 1993.

Cops and comrades sample

ALL TOGETHER NOW... the visitors with some of their hosts lined up in front of the Danish Police School.

It was with some apprehension that a mixed a bag of 20 South Africans left on an Idasa visit to Denmark on November 8 to learn about the Danish policing system and to see the workings of a police force within a democracy. ETIENNE MARAIS was among them.

IT WAS a group of strangers with past antagonisms still uppermost in their minds who fell into two camps – each with a degree of scepticism and mistrust about the other.

The group included "cops and comrades" – community leaders from the ANC, IFP and SACP, human rights activists and police officers from the Internal Stability Unit, regional dispute resolution committees, police training centres and "homeland" police forces. Also represented were Popcru and the Idasa police research project.

Here was a microcosm of the suspicion and mistrust which prevents sound police-community relations in so many parts of South Africa. At the same time there was a positive atmosphere – a sense of common purpose and a shared commitment among all towards better and more credible policing in South Africa, a common commitment to peace and, for most of the group, the shared experience of involvement in the structures of the National Peace Accord.

For many there was the added apprehension of leaving African soil for the first time. The tour was a culmination of many months of preparation and bargaining.

Idasa's Pretoria office, assisted by Idasa's police research project, had spent nearly a year consulting, selecting participants and negotiating with the Ministry of Law and Order and the SA Police. Karsten Petersen, deputy commissioner of the Danish Police had come to South Africa to get a sense of our problems.

The make-up of the group and the aim of the tour made it quite unique – indeed historic. It signalled a change in the once pro-sanctions stance of Denmark towards a pro-active policy which will no doubt set the pace for other foreign donors in the field of peace and security.

'The make-up of the group and the aim of the tour made it quite unique – indeed historic'

Our arrival on Danish soil immediately confirmed one of the benefits of such tours. South Africans, who at home see only their differences, in strange lands better appreciate their common nationality.

The programme, arranged by the Danish Law Society and Danish Police School, was designed to exploit the unifying influence of isolation to the full – by sending small groups to the four corners of Denmark! This followed three days of intensive lectures on the nature and functioning of Danish society, foreign policy, the police system and police training.

The visits to the four districts focused on practicalities and, according to Colonel Koos du Plessis, there were quite a lot of things we could use back in South Africa. Some groups went on patrols, others saw the five-star Danish prisons, met judges in leather jeans and were lavishly entertained by the local people.

Although learning a tremendous amount about the technical and practical aspects of policing in Denmark, most of the group also saw the enormous differences in the levels of crime and social disorder. Human rights activist Laura Pollecut was involved in a dramatic car chase – to catch someone with stolen bottles who had been arrested the night before!

Besides the consumption of huge quantities of Danish pastries, the district tours also forced the South African participants to get to know and trust each other.

The manic excitement and high spirits when everyone was re-united in Copenhagen (human rights activists hugging police, police hugging ANC activists etc) was something to behold and showed just how far the group had come since leaving South African soil. These bonds of greater understanding and trust were forged despite deep differences, particularly over the situation back home.

Perhaps the major differences were around the comparisons between Danish

Danish police...and pastries

policing and that in South Africa. As Captain Nic Pretorius said early on in the tour: "Most of the things we've seen in Danish policing are the same as our system in the South African police." But Jackson Mthembu of the ANC was expressing the view of many of the group when he responded that "policing in Denmark is very different to the form of policing which we, as the people who have been policed, have experienced in our country".

By the end of the tour there seemed to be broad agreement that while the principles underlying many of the systems and procedures were indeed similar, the actual implementation and end results were different in many instances.

The police felt that the references to incidents and experiences of the past were unfair and unnecessary, while the human rights people felt that these should be openly admitted. But the differences between police and community were not the major factor on the tour, because of the growing agreement among everybody about certain issues, and because of the fact that differences in approach and opinion quite clearly cut across all those present.

The briefing for the national commissioner of the Danish police and his staff was an event to remember. Almost all the speakers presented views which were markedly antagonistic (and which must have given our hosts a real sense of the complexity of our country). Yet minutes later the group was mixing informally in the most jovial of moods! The differences had become secondary to the common South Africanness of us all. Tolerance of views had allowed everyone to relax and share in an enriching experience with honesty and frankness.

The lessons of the tour were many and varied. Throughout the tour, the enormous respect for human dignity on which the policing system in Denmark is based was highlighted. Care for the members of society seems to be the main function of government and when order breaks down, care takes priority over punishment as a solution. The police are thus encouraged to act in concert with a network of other social agencies.

Training of the police is very highly prioritised with the emphasis being on a three-year probation period rather than the first period of basic training. Training places a big emphasis on self-awareness and awareness of the dangers of corruption and poor interpersonal skills.

'Perhaps most foreign to our police was the central role of police unions'

The approach to the police should not be that different from the society they serve, thus military drill and formal protocol in relation to rank appears to be absent. Then there is the complete independence of forensic scientists – they are attached to universities and have an equal relationship with prosecutors and defence lawyers.

Perhaps most foreign to our police was the central role of police unions, both in representing police and as key participants in many management structures. Most of the police we met were open about the party to which they belonged, although when guessing that someone was a socialist – he would invariably turn out to be a conservative!

Of course members of the delegation had their doubts. The police questioned the feasibility of the standard issue firearm for South African circumstances – "only a .38!" Brig Jaap Venter expressed a concern of many of the group when he said: "All the information and the power that the police have here in Denmark – in my view it's like a police state!".

There was also considerable scepticism about the close relationship between prosecutors and police.

What is quite clear is that these features work because of the nature of the democracy and the legitimacy of the criminal justice system in Denmark. Policing does not simply reflect society, but as the Danish system showed, it can be one of the most central agencies for the proactive promotion of democracy and social co-operation.

By the end of the tour all the participants had not only learnt a lot about policing in a democracy, but had also learnt a great deal about South Africa, and the commitment of some of their fellow South Africans to a system of policing which has credibility and is effective.

All of those on the tour committed themselves to do what they could to use the experience and the lessons learnt to work towards the day when police-community relations are what they should be.

Of course the approaches are still some way apart and this tour, while it achieved a great deal, is only the beginning of a debate and dialogue. A process of learning and the development of a common vision of policing must still continue on a far wider basis.

TOYI-TOYING TO A NEW TUNE...under the gaze of the mermaid in Copenhagen.

Etienne Marais is a researcher based at Wits University's Project for the Study of Violence. He has been working on Idasa's police research project for the past two years.

● A full report on the Danish study tour is available from Idasa's Pretoria office at R5,00 a copy.

Victory or defeat?

Process all-important in Canada's referendum

Canadians recently voted on whether or not to accept a set of constitutional reforms which would adjust power relations between the provinces and central government. ALICE COETZEE was among a delegation of 13 South Africans invited to observe the mechanics of the referendum.

THE substantial "No" vote in Canada's October constitutional referendum left the political establishment with egg on its face and the "grassroots" claiming a victory for participative democracy.

In a country where many people question the real power of their individual vote it certainly was a victory for democracy. At the same time though, it could also have been seen as a failure of democratic *process* because a potentially good product, the Charlottetown Accord, was rejected through unhappiness around the way the accord was devised and tested.

The Canadian referendum highlighted the dynamic, and often ambiguous, nature of the democratic system as it operates within regional, national and global forces. Even after 125 years of stable democracy, Canada is still grappling with a fair way to solve internal ethnic tensions, competing regional interests, economic disparities and to ensure fair representation.

While the Canadian and South African socio-political contexts are marked in their differences, there were lessons from the Canadian experience that could find application in South Africa.

Perhaps the most telling point, even if unintentionally so, was to show in stark relief how far away South Africa is from the internal conditions of peace, tolerance and maturity of political debate that make it possible for democracy to happen. For all the unhappiness around the Canadian process, the freedom of expression, political tolerance and use of disclosure instead of regulation was indisputable.

On the positive side, the Canadian study tour was a welcome opportunity to observe another country grappling with the critical question of democratic process, how it includes or excludes people.

The Canadian result confounded the political establishment. Initially supported by more than 70 percent of the population, the Charlottetown Accord was hailed as a masterpiece of consultation and compromise. Yet it was defeated by a 60 percent majority.

Even when massive forces of money, influence, organisation and personpower were marshalled on the side of Canada's "Yes" vote, the dispersed, disorganised and disparate "No" forces (combining populist fundamentalists, separatists, environmentalists, feminists, etc) won through.

In post-referendum explanations, the referendum was described as a lightning rod for widespread dissatisfaction, from the state of the economy through to deep distrust of the political elite.

The gap between the political establishment and the Canadian people was obvious and huge. And it reiterated the basic principle, that when politicians fail to address the growing gap between themselves and their constituency, the result is profound mistrust, uncertainty and a loss of support for any political deal, even if in the case of the Charlottetown Accord it appeared to be a good one.

THOSE in favour of the Charlottetown Accord claimed it was born from the most extensive round of public consultation ever held.

Some R300 million apparently went into the consultations which included two commissions and a string of nationwide conferences even before the leaders of the three political parties, the 10 premiers from the provinces and territories and the representatives from four aboriginal groups met around the table.

On paper the process seemed impeccable. Yet, in many quarters it was not acceptable.

Critics of the process claimed that the consultations had been an expensive window

dressing exercise because the Charlottetown Accord bore no resemblance to submissions to the commissions or their reports.

Their proposed alternative was a constituent assembly composed of representatives from the people, the government and business, meeting in open discussions so that people knew what was on the table. When you have an acceptable process they claimed, you get an acceptable product.

The process debate also involved a critical evaluation of the format of the referendum and its timing as an appropriate tool to test public opinion.

'On paper the process seemed impeccable. Yet, in many quarters it was not acceptable'

Those on the "No" side felt that the referendum should not have been called after the fact. By only giving Canadians the opportunity to accept or reject, they were denied the right to contribute to their constitutional future or make the decision better.

Even within the "Yes" camp there was the concession on this point. An academic from the University of Calgary felt it was unsatisfactory to ask people to give a "yes" or "no" to a complex document with some 30 clauses. Instead, the main issues should have been isolated and people asked for their feelings on those. That would have given the drafters of the accord some guidance whereas a simple "yes" or "no" gave none.

Her suggestion also raised the question of the appropriateness of the referendum in the first place. At municipal level, the Canadian experience of referenda is very positive, because the people are asked to vote on single issues. But, when a "yes" was needed to some 30 items, reflecting sectoral interests, it was almost impossible.

This was borne out by many of the "No" voters who agreed to most parts of the document but stuck at either one or other point.

The criticism of process, however, resonated more deeply at the level of values which are needed to underpin a political system. The lack of trust in the political leadership was constantly raised. So too were accountability, communication and empowerment within the political system, with people on the street expressing a profound sense of alienation from the political process.

All this has a history. Many people were still smarting from the earlier rejected Meech Lake Accord described as "11 men behind closed doors rolling the dice in the dead of the night". So when the negotiators of the Charlottetown Accord spoke about "compromise" the people heard the words "deal-making" and "trade-offs" for political gain.

Also part of the history was the residual bitterness over Brian Mulroney's free trade agreement with the United States. The fact that he was seen to have forced through an unpopular measure which had a direct impact on Canadian pockets also left voters with the feeling that they could not trust the politicians to negotiate in their best interests.

All of which makes the point that politicians cannot talk glibly about trust and accountability and believe they do so in a vacuum, or that voters are stupid or have short memories. Canadian history played a role, as does South African history, and it cannot so easily be swept under the carpet.

For those working with process in South Africa, the Canadian experience sounded many bells back home. Due process may be costly, time consuming, uncontrollable yet open to manipulation, demand zealous communication, patience and commitment, but if good ideas are going to be tested, bettered and adopted, the Canadian experience has much to tell us.

Alice Coetzee is a regional co-ordinator in Idasa's Pretoria office.

Religious freedom: turning rights into reality

South Africa's first declaration on religious freedom and responsibility was drafted at a conference in Pretoria recently. ALICE COETZEE reports.

WORKING shoulder to shoulder in an intense two-day process, the religious leadership from South Africa's multiple and diverse faiths produced the country's first Declaration on the Rights and Responsibilities of Religious People.

What had started two years earlier with consultations, workshops and widespread debate, came to a decisive point in Pretoria at the National Inter-faith Conference on November 23 and 24. The process was facilitated by the South African chapter of the World Conference on Religion and Peace (WCRP) with support from the Pretoria office of Idasa.

The next stage in the process will be to send the declaration, together with the proposed clause for the Bill of Human Rights (a distillation of the declaration), to future constitution and law-making bodies and all political parties. At the same time the declaration will be circulated to all religious communities for their endorsement and response.

Allied to this, WCRP intends producing a study booklet explaining the clauses and their significance. It is hoped that as communities study the declaration they will see how to implement it in their own contexts, in this way making it a living document, responsive to and reflecting the South African reality.

Certainly there was strong feeling at the conference that the words have been written, the sentiments expressed, and now it's time to do something.

The conference was not without its problems. Women were under-represented again, a sad indication of the absence of women in leadership in all faith structures. The Christian participation was the weakest, with the Afrikaans churches noticeably absent.

The NGK did not appear to take the conference seriously as their single representative (three were invited) was not high up in the church structure. Also absent were representatives from the Zion Christian church, the Lutheran church and the Evangelical Presbyterian, to name a few.

In terms of process there was intense discussion over whether the declaration could be adopted at the conference and on what terms.While newcomers to the process pressed for more consultation, others felt the need for a degree of finalisation.

In the end it was decided that the declaration be accepted as a document emerging from the conference which could be taken away by the religious communities to respond in their own way. The true test of the declaration is now at hand.

The good, the bad and th

Transvaal: dry and difficult year

SO YOU'VE heard of Pretoria/Tshwane /ePtoli, but have you heard of KwaMhlanga, Bosplaas, Majaneng and Wit Rivier? For those who might think the PWV is a single conglomeration of concrete called "the Transvaal", think again! The designation "Transvaal" forms an unwieldy umbrella for six homelands (two of which are "independent"), the PWV, and the vast tracts of land predictably called the Eastern, Northern and Western Transvaal.

What processes have coalesced, tugged and jostled to give the Transvaal its distinctive character in 1992? In terms of regional political dynamics, the area is largely an ANC stronghold for Africans, with Indians, "coloureds" and whites dallying between the National and Democratic Parties, and some confused whites giving up hope of finding a political home altogether.

The violence has been confined largely to the PWV area, and while some Local Dispute Resolution Committees have made progress, others lack credibility.

Local level governing processes have met with mixed success. While the Johannesburg Metropolitan Chamber continues, its work moves forward slowly. Greater Pretoria has seen its attempts at a single governing structure flounder a second and third time as it fails to pull the full political spectrum into discussion.

What are the things that made us laugh and cry in our region? The ANC converged peacefully on Pretoria. The Pietersburg constitutency returned the only "no" in the referendum, and Lebowa and KwaNdebele were publicly disgraced by the findings of the De Meyer and Parsons Commissions

All in all an eventful year for both citizens and chroniclers of history.

E Cape values its fragile peace

THE EASTERN CAPE jealously protects its most valuable asset – peace. One or two taxi dust-ups aside, the region's only tendency to violence in 1992 was in the shadowy underworld of "third force" activity.

Farmer Andre de Villiers was shot dead outside his home – hours after he had made a phone call in which he offered to provide information on the "Goniwe murder".

Port Elizabeth's other claim to fame has been the remarkable progress made in its "one city" negotiations. Yet the absence of a national negotiating framework has left the negotiators frustrated.

In the Eastern Cape, civic organisations have dominated township politics since 1983 when the Port Elizabeth Black Civic Organisation (Pebco) coined the "one-city, one-municipality" slogan. In 1992, civic organisations assumed their rightful place alongside the major players in discussions.

On the labour front, strikes were less evident in the motor industry – which showed its worst sales performance for years – while the newly-commercialised state enterprises became the focus of labour. Stayaways had a sharp impact, particularly during the period of mass action when Port Elizabeth's central square was unofficially renamed Vuyisile Mini Square, after a local MK hero who was hanged in 1964.

The severe drought exacerbated the already strong urban drift in the region. Happily, November brought some welcome rain, with Port Elizabeth now secured of adequate water supplies for several years.

As 1993 dawns, the strong foundations which have been laid for good race relations in the Eastern Cape augur well. The region looks set to weather the transition better than most.

Vrystaters neem vo

DIE VRYSTAAT word gewoonlik as die konse watiewe hartland van Suid-Afrika beskou.

Hierdie konserwatiewe lewenstyl en die f dat die provinsie polities redelik ongekon pliseerd is, het sekere voordele.

In vergelyking met die res van die land – met sekere uitsonderinge – was die streek red lik vreedsaam.

Die politieke houding van blanke Vrystate is waarskynlik redelik goed weerspieël in d uitslag van die referendum vroeër vanjaar t 51 persent "Ja" gestem het. Reaksies van men op die massa-aksie van die ANC en die debak oor nasionale simbole was 'n teleurstellend aanduiding van die verband tussen mense sin vir verandering en hulle eie politieke tole ansie.

Dit is egter die minder komplekse aard va die politiek in die Vrystaat wat weer gelee

Border spins through

1992 HAS been quite a tumultuous year for th Border region, with the region which has bee known for its peace and quiet turning into dangerous zone.

The ANC's launch of a mass action campaig after the failure of Codesa II was taken up wit enthusiasm in the Border region, confirming th notion that the area is an ANC stronghold.

The Ciskei government on the other han revived the headman system which it had abo ished in 1990, fomenting much tension, particu larly in the rural areas. The Border Disput Resolution Committee geared itself to settin up local structures but their efforts wer thwarted by the effective refusal of the Cisk government to repeal Section 43 of the Interna Security Act which limits the number of peopl who can meet without a magistrate's approva magistrates who did so were reportedly repri manded. To add fuel to the fire, the Ciskei gov ernment withdrew from the BDRC, rendering ineffective.

Around mid-year, progressive forces forme the Popular Front in protest against Ciskei ruler, Brigadier Gqozo. Marches were held and memoranda were sent to Bisho, and his verbal abuses in retaliation on Radio Ciskei did nothing to improve his popularity.

The first of these

ugly ..... of 1992

Idasa staff reflect on the past year

in gesprek

thede vir besluitnemers skep. Die goeie vordering wat daar op streeksvlak gemaak is met gesprekke oor toekomstige streeks- en plaaslike regeringsopsies is bevestiging hiervan.

Organisasies met uiteenlopende politieke agtergronde kon daarin slaag om gesamentlik na 'n oplossing te soek, en die OVS het op dié manier stil-stil die voortou begin neem in die daarstelling van 'n raamwerk vir onderhandelings oor plaaslike regering.Dit spreek vanself dat in 'n gebied soos die OVS, grond nog lank 'n belangrike saak sal wees op die agenda van enige toekomstige nasionale en streeksbedeling. Dit was daarom verblydend om hierdie jaar waar te neem dat daar al meer rede en minder emosie in die debat begin kom.

ar of upheaval

marches ended peacefully in talks between Pik Botha and Chris Hani. This did nothing to stop the momentum of the mass action and the last two marches consisted of 60 000 to 85 000 marchers.

The last march, held on September 7, now known as the Bisho massacre, had a tragic outcome of 29 deaths. All that one can say is that the bloody outcome could have been averted.

Since that event, the region has not been the same. The Joint Operations Force which was set up thereafter has not been seen to help, but has led to more unrest and loss of hope.

The Transkei, with its climate of free political activity, has had its share of unrest too, although most uprisings were labour-related. Rather alarming has been the increase of hi-jacking of trucks and car hold-ups.

The right-wing also took up arms and went to the Transkei borders – to protect their stock they say. The year ended with the death of five people and the injuring of 17 in a grenade and automatic rifle attack at a golf club in King William's Town, indicating yet again the urgency of reaching a political settlement which is acceptable to the majority.

Natal: violence not the whole story

WHEN people think of Natal, they think only of the grim catalogue of violence. But there's more to the region than killings and massacres.

On the labour front, the lengthy Toyota strike involved close to 5 000 workers, with management threatening to replace the workers with robots.

Mass action arrived in the streets of Durban on June 16 when a crowd of more than 10 000 took over the city for more than 5 hours. There were no violent incidents.

On the campuses, an application by the South African Democratic Students Movement to affiliate to the University of Durban-Westville Students Representative Council was rejected because of the SADSM links to the IFP. And in April, a conflict between the student body and the University of Natal, Durban administration was sparked off by the expulsion of law student, Knowledge Mdlalose. The SRC said racism was being practised.

The death of Reginald Bhekimuzi Hadebe, known to all simply as "Reggie", left supporters of both the ANC and the IFP numb. He was gunned down near the place of his birth, "Highflats" in Ixopo. To add salt to the wound, Reggie died returning from a peace negotiations meeting.

At his funeral the ANC president, Nelson Mandela, made an appeal to the king of the Zulus, King Zwelethini Zulu, to intervene in the peace process to end the violence.

Sickened by the continued assassinations of IFP leaders, the IFP Women's Brigade launched its "Disband Umkhonto Campaign" at its October Conference. A group of widows protested against MK's activities in front of a cross and a backdrop of 240 coffins, each with the name of a slain IFP leader.

The fairest Cape squares up

CAPETONIANS...beware, the Vaalies and other *Uitlanders* are coming! No, this is not an anti-tourist lament. Given that the other major holidaymakers' attraction, the Natal coast, is plagued by violence, it is merely a way of making the point that the Western Cape seems to have escaped the upheavals which have permeated the rest of the country.

Not that we have not had our downside – we need only to recall the violence and upheaval that came with the taxi war earlier in the year.

On the whole, 1992 has been a year of positive developments in the Western Cape region. Not least of these has been the establishment of the Western Cape Economic Development Forum, to be launched officially in December.

The WCEDF involves business, labour, government and political organisations in investigating the potential for economic development in the region.

It was also encouraging to see how the various stakeholders in the region were willing to engage each other in debates around local and metropolitan restructuring despite obvious differences of opinion. Even more encouraging was the decision to establish a facilitating team to explore options for local government and metropolitan restructuring in discussion.

This decision, taken at the conclusion of the Idasa City Futures seminar series in October, represents a step towards a more integrated and economically viable region.

At the beginning of October we witnessed the launch of the Western Cape Youth Forum – a coalition of organisations across the political and religious spectrums to represent the interests of youth.

In the Lotus River/Grassy Park area, the residents, after years of passive pleas for upgrading and efficient service delivery, have embarked on a rates boycott to back their demands.

It generally appears as if the "laid-back" residents of Cape Town are finally beginning to wake up to the fact that they do have the power to influence decision-making and to make their voices heard.

Apartheid legacy of evil

Dismantling apartheid legislation will not end the racism which has been entrenched in South African society for centuries. A conference held in Pretoria recently examined the threat of de facto racism facing a future South Africa. SUE VALENTINE reports.

FOR many years a stock phrase in sections of white South African society has been: "There's discrimination all over the world, the only mistake South Africa made was to entrench it in the constitution." However, it will take more than a repeal of discriminatory law to put an end to racism.

Be it in the guise of "right of ownership reserved" or admission tests or expensive entrance fees, discrimination is alive and well in South African society.

The two-and-a-half day conference, hosted by the Centre for Human Rights Studies at the University of Pretoria, was concerned with "De Facto Racism in a Future South Africa". Largely absent was any detailed debate on factors such as class and gender and the extent to which discrimination at those levels should also be challenged in order to create a more egalitarian society.

For many of the lawyers present the private versus the public domain was the fulcrum of the debate on de facto racism. At what point did people's right to privacy and the right to choose with whom they associated conflict with the principle of freedom and equality?

Dean of the law faculty at the University of the Witwatersrand, Etienne Mureinik, cautioned against the growing movement which, while condemning overt racism, virtually sanctioned discrimination in the private sphere. He singled out the Law Commission for its proposals that precluded the legislature and executive from intervening in private discrimination.

Mureinik said that while individuals had a right to privacy in intimate settings such as their homes, discriminatory behaviour could not be justified in more public settings such as schools, clubs and businesses.

"These are not intimate settings, they are social institutions and have substantial significance. If they are unaccountable it will affect attempts to end racism in our society."

A survey presented by University of Pretoria sociologist Johan Groenewald showed the extent to which various social institutions and services were still racially exclusive in Pretoria. Groenewald said from preliminary results it was strikingly evident how easily racist criteria could be replaced by "near perfect correlates" such as education, income, possessions, power or prestige.

In a survey of Pretoria estate agents, libraries, old age homes, medical doctors, hospitals, day trips, gymnasiums, restaurants, holiday resorts, sports clubs, residential and guest hotels, car hire services, bus services and escort agencies, Groenewald and his team of two researchers and 12 interviewers found high levels of racism in these sectors. In total, 8,8 percent of the establishments questioned indicated that they would not serve or acccommodate black people. While this might be viewed as fairly low,

DU TOIT: The main terrain for the battles against apartheid will be within civil society.

A house divided...

DECADES of apartheid planning have created city structures which discriminate against the black poor, with those most in need located furtherest from the opportunities offered in the city.

They are forced to take the longest trips to work or shops, pay the highest transport bills and spend the great proportion of income looking for work. How to erase and redress this will take much time and effort.

"A great deal of commitment will be required if we are to change the structure of urban areas. But if we do not, the poor people will be marginalised for a long time to come," said Vanessa Watson of the Urban Research and Planning Unit at the University of Cape Town.

She said the tradition of low housing density in South Africa meant that cities had grown horizontally and spiralled outwards. Consequently many South African cities were larger than other world cities.

"The average distance trip into Cape Town is 16km. In Los Angeles, one of the most 'car-ed' cities in the world, it is 15km. Unless there is fundamental change in the way cities are developed, lower income people will continue to be marginalised." Watson suggested some ways forward:

- Building should be directed "inwards" in cities rather than outwards.
- Development of well-located pieces of unused urban land for low income development in each city. In Cape Town three quarters of a million people could be housed in this manner.
- Decentralisation of public and private investment into parts of the city that have been devoid of such investment.

Watson said these suggestions would not necessarily be implemented easily. The state was selling off pieces of land and the "nimby" (Not In My Backyard) factor, whereby many affluent property owners were likely to oppose such developments, would complicate the process.

VANESSA WATSON: more commitment needed.

Johannesburg City Council town planner Gerd Sippel criticised the inertia of the state in the face of the housing crisis. "Potentially we could lay out a township in an afternoon and be ready to upgrade it when funds became available, but this isn't happening."

that just won't go away

DAVIS: We must start seeing the linkages between race, class and gender.

Groenewald noted that only 64,8 percent, or two out of three establishments, said they would without any conditions attached.

"From the point of view of a black person, the rather alarming conclusion is that in one out of every three businesses or public facilities in Pretoria, he or she cannot be certain that equal or non-differential treatment will be the norm," said Groenewald.

He said 20 percent of the interviewees refused to participate in the survey. "The reasons for this – where they were given – were usually quite blunt or coarse: 'none of your business'; 'we don't discuss that sort of thing'; 'we're not interested in politics'...To them, race relations is an almost private affair, not to be discussed with outsiders."

While much of the discussion at the conference revolved around ways to use the law as a means of preventing racism, several speakers drew attention to the need for a closer examination of the assumptions underlying such mechanistic solutions.

In one of the first sessions of the conference, University of Cape Town political scientist Andre du Toit stressed the need for spelling out the unspoken premises and assumptions underpinning legal arguments and judgments about the relationship between the state and civil society

"The main context and terrain for the battles against the legacy of apartheid will be *within* the organs of civil society – churches, trade unions, schools and so on...We must engage with these institutions about the experiences and practices of de facto racism."

The director of the Centre for Applied Legal Studies at Wits University, Dennis Davis, argued for careful study of the means to address de facto racism and sexism. "Far too much faith was being placed in the judiciary with people looking to it to intervene in ways it had never managed to do before.

"We need to explore a range of other techniques." He said these could include tax incentives and tax deductions as a means of encouraging non-discriminatory practices.

Davis was also one of the few speakers to extend the debate to gender and class discrimination. "We must start seeing the linkages between race, class and gender...Given the nature of any legislature, while it might be able to bring some black men on to the bench, there will be very few women."

University of Cape Town law lecturer Prof Christina Murray also focused on the need to protect women from discrimination often contained in customary family law. One way to address this was to make indigenous law applicable only if both parties agreed to it. However, women could be open to coercion. The other alternative was to subject all systems of family law to the scrutiny of a bill of rights and to introduce a comprehensive family law code.

MURRAY: Subject all family law to scrutiny in a bill of rights.

Getting to the roots...

WHICH is more important: to find out what causes racism and to address oneself to efforts to root it out, or to focus one's energy on formulating measures that will ensure protection for potential victims of racism and bigotry in society?

Some conference delegates argued for the latter, saying that there would always be racists in a society, but what was important was to set up mechanisms that would protect individuals and groups from racist practices.

However, according to Canadian sociologist and a visiting lecturer at the University of Cape Town, Kogila Moodley, it was important to find out *why* racism developed.

She argued it was crucial to distinguish between behaviour and attitudes. Behaviour could be regulated, but attitudes could not. Once bigoted attitudes existed they would find expression in society irrespective of any legislation. Usually, a target group was a minority and was seen as an "out group".

The South African situation was one of competition between mobilised groups. Those believing in racial nationalism feared being overthrown by a democratic countermovement.

There was also a correlation between hostility to "out groups" and downward mobility. People who feel insecure and displaced seek "out groups" to discriminate against.

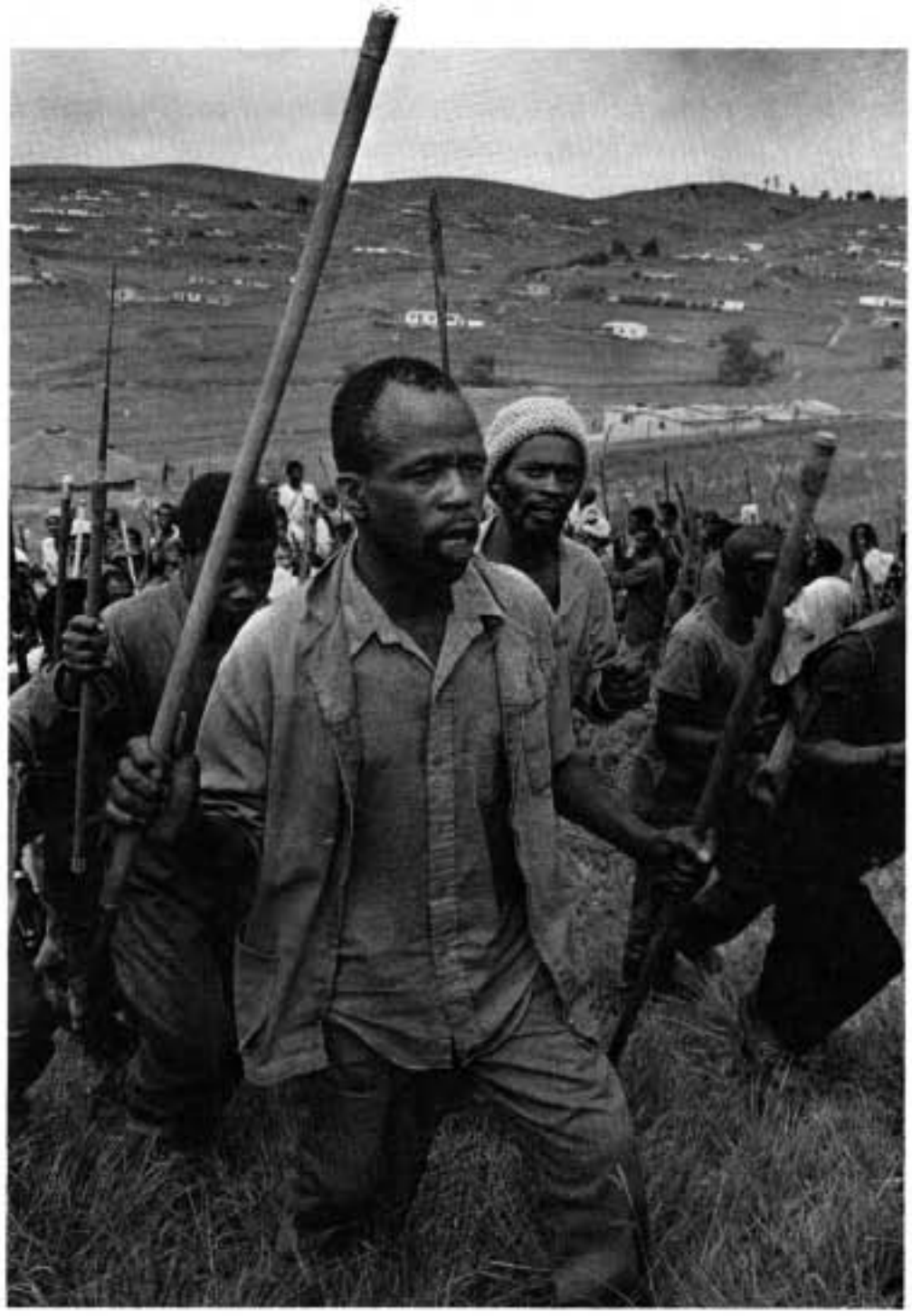
Questioning what role education could play in preventing racism, Moodley said education could reinforce prejudice as much as it could change attitudes. Attitudes were not always changed by counter-education. "Bigoted people can just as easily use facts to reinforce their prejudices...or else argue that the information being given is only the exception.

"Education often reinforces low self esteem of individuals, especially when one uses processes that are hierarchical and authoritarian...How do we build a core of self-confident, autonomous people? How do we teach reasoning skills that foster autonomy and allow people to hold different opinions?"

KOGILA MOODLEY: Minority seen as target.

Conflict flares when realities clash

Law and order takes on different meanings to the various communities that co-exist in South Africa. STEVE COLLINS tries to make sense of a senseless war in Natal.



FOR MANY of the Natal communities the season of joy which inspired the province's name must appear as a cruel joke. For the last 11 years victims of political violence have mourned the deaths of family and friends while the rest of South Africa celebrated Christmas.

This year is likely to be worse, with the province on the brink of a full scale civil war that will destroy any hope of prosperity for years. How can this be the case when everybody is talking about peace? What is at the root of this violence that no one seems capable of stopping?

In trying to explain the violence, analysts often end up pointing at every possible explanation to avoid focusing on the overarching issue few want to see. This is: what is happening in Natal, and what has spread to the Transvaal, is a violent conflict over future political power. Normally, this kind of conflict is called a war.

In South Africa we have avoided admitting that a political conflict is taking place which is claiming more lives than either Beiruit or Northern Ireland. This avoidance is not new. During the State of Emergency powerful people in South African society ignored its implications.

There is more to apartheid than racially discriminatory laws. Most of all it was, and still is, a system of forcibly maintaining two very distinct worlds in one country.

In one reality, enjoyed by the privileged, peace and security are the order of the day and it is taken for granted that the rule of law is generally adhered to. Instances in which the moral fabric of what used to be "white" South Africa appears to be blemished are given much media attention and there is pressure for culprits to be brought to justice. Recent examples are the "Crossbow murder" and the Yeoville rapist where, quite justifiably, there was public outrage that such violence could occur.

People experience this reality by being afraid to commit a crime, be it tax evasion or murder, for fear of being caught and punished by legitimate guardians of justice, the SA police.

The other reality is one where most people have lost any fear of being charged, never mind found guilty, of serious crimes. In fact the justice system itself is one of the worst transgressors of basic human rights.

'In South Africa we have avoided admitting that a political conflict is taking place which is claiming more lives than either Beirut or Northern Ireland'

It is a reality where the local police station, like KwaMakutha, is surrounded with sandbags and where a notorious police officer responsible for at least 20 deaths has his own 087 number called the "Mvuyana Dossier" where he elaborates on "being the talk of the township" or "violence in the new SA".

This is a reality where a magistrate who asks for charges to be laid against police fears for his life because he lives in the area where those police operate. Where a mayor lives in fear of the police who are responsible for the township he represents. Where a modern "Billy the Kid", using an AK47 instead of a six-gun, gains fame and popularity because he had nothing to live for but to avenge his father's death.

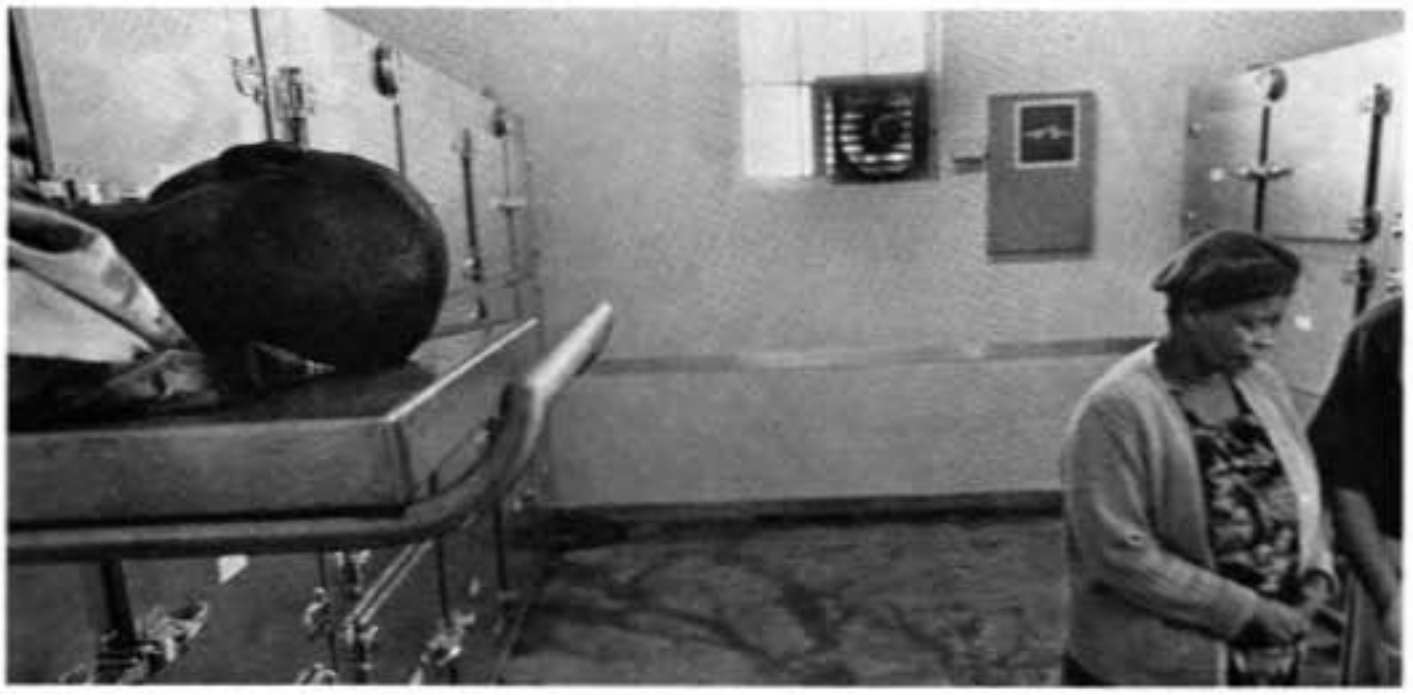
Each of these are real examples from KwaZulu where the violence has become most deeply entrenched. For the KwaZulu communities the reality is that you cannot rely on any assistance from the authorities if you are not a supporter of the homeland and the Inkatha Freedom Party.

Every night and day in KwaZulu lives are lost in a conflict between, on the one side, civil servants, tribal authorities, homeland politicians and police dependent on the continuation of the system of patronage and, on the other, anybody seen to threaten that system.

This is the political violence with which the National Peace Accord was supposed to deal. Now it is clear that it cannot bring peace unless there is a substantial shift in the process, a recognition that a war is being waged. Simply reasserting that the rule of law must be applied is a hopeless dream – and a lie.

If we begin to see that an organised political conflict is underway and that the law enforcement agency is a part of it, then how can we expect communities to support an accord which, in effect, categorises all violence as criminal activity which must be left to the police to solve. This is based on the assumption that communities will trust and co-operate with the police?

A problem has been that the people designing the peace process, in particular the business people, live very firmly in a first world "civil" reality, with a functioning justice system. Hence they attribute the problem to political intolerance, people not talking to each other, rogue elements and criminals. They create forums such as the dispute resolution committees where they



can talk and argue "peacefully".

However, the existing system is a part of the problem and the peace accord does not change this. An interdict against the KwaZulu Police failed in KwaMakutha because the KZP were unlikely to enforce it against themselves. In practice, when decisions are made about action to curb the violence they are not made by the people who are *affected* by the violence. This means that the steps taken are misdirected and half-heartedly applied.

The most recent example is the flooding of certain areas with the SA Defence Force. Their most publicised role is to confiscate illegal weapons and, in particular, automatic rifles which are being used in the conflict. It sounds very commendable until one realises that the KwaZulu government has legally issued an assortment of weaponry, including G3 automatic rifles, to tribal authorities who support the IFP.

These cannot be taken away by either the SAP or SADF as they are simply returned as property of the KwaZulu government. The short term result of applying law and order is that one side is disarmed and, in the absence of a commitment to peace, the final outcome is obvious.

'Multiparty control of the instruments of security with international observation must occur as soon as possible'

What then is the answer? Perhaps an enforceable ceasefire that includes all the weapons legally issued in Natal/KwaZulu.

It seems clear that we cannot rely on outside security forces to stabilise the situation. Until the National Party gives up sole control of the security forces, the SADF and SAP will not be acceptable nor effective. Multiparty control of the instruments of security with international observation must occur as soon as possible.

Of course for this to be achieved will take more than courage on the part of the present government. It will take good faith which, by this stage, very few believe still exists.

President De Klerk has the power to open the door to a peaceful future by sharing responsibility and allowing an election as soon as possible.

The longer he delays letting go of the reins, the more violent the transition will be – if it is to happen at all.

On Sunday November 28 in the sleepy town of King William's Town, the two realities of apartheid South Africa fused. Reminiscent of similar attacks in the last year in Natal and on the Reef, an innocent group of wine tasters was attacked with automatic rifles and hand grenades. Most of the guests were whites who had been outside the conflict in the region.

Ironically it is the Conservative Party which pin-pointed the real cause, saying that the massacre is the result of a breakdown of law and order. This has long been the reality for most black South Africans.

How the government responds now will be illustrative of their real intentions and priorities, and a test as to whether black lives are still worth a lot less than white in the new South Africa.

Steve Collins works for Idasa in Natal. For the last quarter of the year he has been serving as the national co-ordinator for the Network of Independent Monitors.

What role is there for foreign monitors?

THE idea behind calls for international monitors was that if the international community could see what was taking place, they could pressurise the authorities to take steps to remedy matters.

Over the last six months monitors have begun to arrive as the government realised that if it wanted international acceptance it would have to open up the process of transformation to international scrutiny.

The profusion of observers has reached the point where the number of observers attending an event can almost outnumber the participants in the march or rally they are supposed to be monitoring!

By the end of November the United Nations (50 observers), Commonwealth Secretariat (12 observers), European Community (15 observers) had all arrived in the country and were involved in full-time observation. The Organisation of African Unity has sent a task force to look at the situation, but it is unclear how they see their role. Besides these governmental agencies, the SA Council of Churches and SA Bishops' Conference are hosting up to five international church observers in the country.

The obvious question is whether their presence will make any impact at all on the violence. From some recent experiences it seems that their role will be limited.

All the monitors are very clear that they are in South Africa only because the National Party has decided to let them in as a concession in the negotiation process. While most are still trying to get to grips with a complex and changing process, they are still keeping as low a profile as possible.

Most monitors see their role as assisting the parties in talking about problems, and therefore will work closely with the National Peace Accord. The UN more than any of the others have a specific task – to assist and strengthen the structures of the peace accord – while all the groups have set up relations with domestic monitors. They, in turn, have begun to form themselves into a Network of Independent Monitors.

BOTH the Commonwealth and EC groups have sent people with specific useful skills, and the value of international experience has already been seen in the support the Goldstone Commission has received.

While it is clear that there is a role to play by observing rallies and voting polls, local non-government organisations which are dealing with the violence believe that the monitors will have to do more than send reports back home.

There is a need for them to make it clear to all the parties involved in the conflict that the world is watching and that violence against political opposition is unacceptable in a world that is moving away from the Cold War.

Ordinary people walk streets

Should mass action be reviewed as the legitimate protest of democratic civil society or the provocative methods of reckless leaders? RUSSELL ALLY brings some hindsight to bear on this question.

BRING up the question of mass action and you are bound to get an impassioned response. This is only to be expected. In a concentrated form, the mass action campaign of the ANC-SACP-COSATU alliance expresses the tensions of a country in political transition from racist authoritarianism to some form of democracy.

At the end of the day, however, the principle of mass action is bigger and more important than the arguments of either the present promoters of the mass action campaign or its detractors. Mass action quintessentially is about the ability of people to demonstrate freely and openly, and to express their dissatisfaction with those who are in power.

Because the ANC-SACP-Cosatu alliance is at the head of the mass action campaign, this fundamental principle is often overlooked. But mass action is not the preserve of certain political organisations, nor does it only involve large-scale mobilisation for the so-called big political issues.

Mass action is also about groups of residents getting together to protest against the lack of facilities in their communities. It is about homosexuals demonstrating against discrimination and sexual harassment. It is about marches to protest against the abuse and exploitation of the environment. Indeed, in many ways it is possible to judge just how democratic a society is by the extent to which the people of that society are free to protest, which includes the right to challenge those in power.

For die-hard, racist conservatives, however, mass action confirms all their worst fears and prejudices about black majority rule. Hordes of unruly, violent blacks on the march can only signify one thing: the country is on the precipice of anarchy. And there can only be one solution to this awesome spectre of black defiance: bring out the army, declare a state of emergency. In sum, enforce law and order. This response is predictable and not all that interesting.

'Mass action is about the ability of people to demonstrate freely and openly'

Much more interesting is the response of De Klerk and his National Party. Having ostensibly embraced democracy, the Nationalists have, of course, to pay lip service to the right of protest. But what they find totally baffling is why this right needs to be exercised. After all, has the NP not indicated its willingness to negotiate a new democratic constitution for the country? Has the NP not abolished apartheid and committed itself to a new non-racial South Africa? Why then the need for mass action? The dismay of the Nationalists at this display of ingratitude on the part of the alliance would be amusing if the consequences were not so serious.

The source of this disappointment is not hard to trace, so deeply ingrained is the Nationalists racial paternalism, that they can only perceive of mass action as the mischievous work of "ungrateful natives".

George Orwell would certainly have found much material for his celebrated maxim "Freedom is Slavery" in present-day South Africa. Most thinking people acknowledge that apartheid is a heinous crime against humanity and rail against its immorality. Yet, in a perverse inversion, those who were responsible for constructing and implementing this system are now being congratulated and fêted for apparently bringing about its demise.

Having become so used to being the masters of the oppressed, the NP cannot see any contradiction in now wanting to become their "democratic" leaders. Having had statues and plaques erected in their honour in the old glory days of apartheid, their leaders now expect medals to be pinned on their lapels for ushering in a new democratic South Africa.

Precisely because mass action strikes at the very heart of these false assumptions, the Nationalists can never and will never be able to come to terms with such activity.

But the NP are certainly not alone in finding it difficult to reconcile mass action with South Africa's current phase of reform. Liberal commentators are also decrying its harmful effects. They admonish that mass action inevitably damages the economy, invariably leads to violence and intimida-

Snail's pace, but the process is progressing

BY DAVID SCHMIDT

"PROGRESS IS like a snail," the German novelist Gunter Grass once wrote, "but where I once wished there could be jumping snails, now I know that the snail is too quick for us. It has already passed us by."

It is a statement that has a broad applicability to South Africa's transition. Nowhere is this more true than in respect of the development and local negotiations processes.

The country is awash with negotiating forums from the sophisticated structures of the National Peace Accord to a myriad of very local processes. Multi-stakeholder national forums for housing and the economy have been formally constituted during the past year. Similar forums for electrification and local government are in the process pipelines. Health and education will doubtless follow in due course.

Regional development forums involving labour, business, local authorities, civics and political groupings have been or are being established across the country. The Border-Kei Forum has been operating for some time. The Western Cape Economic Development Forum was launched on 3 December 1992 with the active support of the primary labour, business, local authority and civic groupings in the region. Processes are underway in the Orange Free State, the PWV, the Eastern Transvaal, the Eastern Cape, the Durban Functional Region and elsewhere.

Foreign visitors express amazement at the complexity and sophistication of the network of structures that criss-cross the land. They say the world has never known anything quite like this.

And yet it is not easy to point to the successes of these endeavours. The violence increases despite the peace accord. Poverty

# of fire

tion, and unavoidably retards the negotiation process. Such statements provide the public face of liberal concern.

Underneath, however, lies a deeper and more powerful anguish. If the Nationalists believe that they best understand the "native mind", then what drives the liberals is a fear of the masses themselves. Liberals are generally more comfortable dealing with those whom they perceive to be the leaders of the masses, than with the masses themselves.

Thus, for Stanley Uys in *The Star*, "unless elites on either side arrange (a settlement), as they usually do in history", there is little hope of reaching a new dispensation for South Africa. Democracy, it would appear to some liberal commentators, is fine so long as it can be doled out in carefully measured doses and does not upset or interfere with elite bargaining.

To be fair, some liberal commentators give qualified backing to mass action campaigns, but they stop short of extending their support to actions which directly challenge certain homeland leaders. Ironically, then, where the need to demonstrate against undemocratic practices is greatest, many liberals turn their backs on mass action, depicting this action as provocation.

And what about the homeland leaders who will not permit mass action in their territories? Created in complete violation of all principles of democracy, these homeland governments cannot tolerate or countenance practices which bear even a remote resemblance to democratic norms.

Moreover, given that their power rests precisely on coercion, they, not unsurprisingly, resort to brute force to protect their fiefdoms. Is this not all the more reason for those who believe in democracy to support campaigns against them – especially in the light of the recent revelations of massive corruption? Not supporting a challenge to these bully-boys means that the victims of these brutal regimes become the villains when they stand up to protest.

Conservatives, nationalists, liberals and homelands leaders alike, of course, reserve the label of arch-villian in all of the events surrounding the mass action campaign for the ANC-SACP-Cosatu alliance. In a volatile political climate, where society has become deeply polarised, the alliance is expected to provide responsible leadership and not add to the country's woes by raising the political temperature.

No doubt, the alliance is guilty of double standards in its mass action campaign. Homeland regimes, hardly less corrupt or more democratic than that of the Ciskei, have been spared mass demonstrations because their leadership happens to be sympathetic towards the ANC.

Surely, if one of the principles underlying mass action is challenging undemocratic government through the direct involvement of the great mass of the people, then no government, whether inside South Africa or in the homelands, can be exempted. The accusation levelled against the alliance of manipulation of the masses for narrow political purposes thus has some validity.

The true test will come, however, when, and if, an ANC government comes into power, and the masses still insist on the right to take to the streets.

Dr Ally is based in the African Studies Institute at Wits University.

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deepens. And those close to the process will often complain that the activity of the past two years has delivered very little development in terms of houses built, services provided and land allocated.

A certain cynicism towards these structures is developing. They are criticised as bodies which promise much and deliver little, as being overly bureaucratic and as having little relation to grassroots realities. No doubt there is validity in much of the criticism and it is more valid in respect of certain structures than others. Judgement, however, is premature. Most forums are still in their initial setting up phase. Much of the activity thus far has been in establishing their structures, terms of reference and procedures. This is time consuming work.

The considerable progress that has been made means that their capacity to deliver real development in 1993 is considerably greater than in 1992.

The multi-stakeholder forums whether national, regional, metropolitan or even local have the potential to help address a number of fundamental blockages in the development process including the lack of legitimacy of current government structures.

They take time to set up properly because of what they represent – which is to shift the centre of decision-making away from current authorities to broad representative forums operating on the basis of consensus.

Among the potential functions of these forums are:

- **The Creation of Institutional Capacity**

There has been broad agreement since February 1992 that rapid progress on development and service provision was an important component of transition and should move forward irrespective of progress on the constitutional front.

The argument that the direct impact and grassroots nature of development make it more important at this stage than the constitutional process, has enjoyed wide currency.

However, it soon became clear that effective development processes require a legitimate institutional basis that is lacking, given the legitimacy problem of existing regional and local government structures. It is this institutional vacuum that multi-party forums begin to address.

When the government withdrew from the National Housing Forum early in 1992, it said that the consensus formula that bound

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Snail's pace but the process is progressing

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all parties, including government, to its decisions represented "interim government by stealth". It is true that the forums do represent interim authorities of sorts. I believe that in this they can be very constructive instruments for managing transition.

• Depoliticising Development

The politicisation of the development process has been a major obstacle to effective development delivery. In the run-up to South Africa's first democratic national elections, the question of who takes the credit for development or who is able to direct development resources so as to build a support base is of critical importance. Is it the provincial administration which is giving the money? Is it the civic association that has arranged the protest and participated in the local negotiation? What about the minor parties who do not have the political clout of the major roleplayers?

By making development decisions on the basis on a multi-party consensus, the opportunities for any single party to claim the credit for development or to use resources for purely party political ends is minimised. This is desirable.

Development of course remains a highly political issue and competing development strategies will doubtless be an element of the electoral contest as they should be.

• Building Capacity

There is also a growing recognition that participation in these processes is in itself the central vehicle for building the capacity of organisations and communities who have been excluded from government in the past. Processes, for example, provide perfect vehicles for community leadership to develop communication, negotiation and administrative skills and gives them potential opportunities to build their own organisation through reporting back and engaging their constituency in the process.

It has also become clear, however, that processes can be very destructive and undermining if they are not carefully thought through and sensitively planned and implemented. Community organisations have pointed out that negotiations often involve community leaders in an endless series of meetings which they have difficulty in understanding because of their technical nature and which deliver very little.

Ultimately, they argue, the community leadership ends up with limited time to engage their constituency on the issues which in turn leads to a decline in the level of community organisation.

The participation of women and youth in most local development and democracy processes has been limited. A particular challenge of the moment is to develop mechanisms for redressing this situation.

Progress is like a snail. There are no short cuts or quick fixes to the problems of poverty, inequality, social breakdown and economic decline. The jumping snails are illusions.

Creating a forum and putting together a process guarantees nothing. If correctly constructed, effectively managed and conducted with a proper motivation they can deliver much in the way of greater organisational capacity, trust and services provided. With their operating procedure of consensus they have the potential to depoliticise development and service delivery in the interim and so ensure a more stable and peaceful transition.

David Schmidt is Idasa's regional director in the Western Cape.

The state president's timetable provides a crucial framework for further negotiations, says PAUL GRAHAM. But, more critically, the country must now face some home truths about what bedevils the process...

AT A RECENT conference at which a familiar line-up of speakers – government, Inkatha Freedom Party, ANC – spoke on peace and violence, the panel was asked whether they could get together to sort out the mess.

The mess is getting worse every day and the speaker's analysis of the violence merely confirmed what we already know.

The questioner was clearly doubtful. One of the panellists stood up and made a remark everyone has heard before: "We have no option but to work it out." His listeners no doubt agreed with him.

But South Africans are becoming cynical and the imperative to sort things out is no longer such a comfort as it once was. Many are beginning to wonder whether, no matter how important it is, political parties and leaders have either the skill or the will to "work it out".

For the past months, while the country lurches along like a drunk trying to get home without too much crawling and falling into the gutter, negotiations have been continuing in one form or another without much public knowledge.

With the state president's announcement of a timetable for transition they have emerged from the underground.

The timetable, for which many people had begun to call, sets out not only a series of deadline dates ending with an election in March or April 1994 but, more importantly, a road map of the steps which the National Party believes have to be taken to get to this election and beyond it.

These steps are:

- the resumption of a multi-lateral negotiating forum to determine the final form of agreements and obtain legitimacy for the process from as many parties as possible;
- agreement on a transitional constitution, transitional executive council and an electoral commission;
- the adoption of enabling legislation for these by the existing parliament and thereafter the implementation of these three institutions;
- the creation of rules for an election and the preparation for a free and fair campaign by ensuring free political activity – including the containment of violence; and

Time to face the truth

• the election itself followed by the creation of a "fully representative government of national unity".

Each of these points is subject to negotiation and agreement by the other parties. So when the ANC objects to the times laid out by government, that is only the tip of the iceberg of what must still be determined.

To take just one example of what is still at issue, consider the matter of a transitional constitution. While everybody accepts that the country must be administered during the run-up to an election, the ANC is worried that a transitional constitution might in fact predetermine the outcome of the constitution-writing interim government by establishing certain structural changes such as the creation of regional boundaries, special rules over decision-making majorities and entrenched clauses in a bill of rights.

At the heart of the problem is the question of who is in charge of the transition? Up until the collapse of Codesa II, the parties were keen to be in charge jointly and to work out a way of achieving this.

'At the heart of the problem is the question of who is in charge of the transition?'

With the intervention of the UN secretary general, South Africans accepted that while we could probably still handle the transition ourselves, a confidence booster of international observers was necessary together with a special formula (the National Peace Accord) for ensuring that violence did not overturn the tables.

When the ANC went to its crucial conference in Durban with a major debate running furiously about "sunset clauses" and "governments of national unity", and came out with agreement that these mechanisms were essential for maintaining commitment to the transition from important actors in South Africa, they were accepting that South Africans will have to, on the whole, manage the transition themselves.

So, despite the corruption scandals, the Goldstone and inquest revelations of "dirty tricks" which may or may not be continuing, allegations of torture (by the ANC and the South African state), and continuing violence, we will have to make our way to the new South Africa through existing parties and institutions.

South Africa is not going to get a massive UN operation which takes over the transitional process. Nor is it going to get a special peace keeping force – whether domestic or international – which manages a truce and enforces compliance with political codes of conduct.

So the announcement by the state president of the steps outlined above will provide a crucial framework around which the politicians in all parties can negotiate.

There remain some real problems which must be addressed as soon as possible – and not all of them can be addressed by the parties alone.

• The amnesia of many National Party members, including cabinet ministers, about anything they and their party have done or condoned – from the basic apartheid laws to the "total onslaught" repression and destabilisation – is wearing thin for many black South Africans. A little humility is in order – about their competence to govern and their control of the transition – and an acceptance that, while they remain an important actor, they are the cause of the crisis which has led us into these bumpy negotiations in the first place.

• The acceptance that the violence must be taken seriously and urgently not only because it can upset the transition, but also because giving it absolute priority is a sign to black people that they are taken seriously and that the apartheid mindset is well and truly over. The accusation that we would not have tolerated the violence if white people had been dying has not yet been answered – and the regular carping by the National Peace Accord that they are under-resourced and must go outside the country for funds does not create great confidence in our ability to answer the accusation.

• In democracies, it is generally accepted and tolerated – with some opposition – that a government in power will use the opportunity to enhance its position in the run up to elections. In South Africa this cannot be tolerated because of the inordinate power that our present government has abrogated to itself. Mechanisms must be introduced for ensuring that bribes – like free houses for Christmas, land allocations, golden handshakes – and other inducements or blandishments to support the NP will be strictly controlled. Those who continue to believe that what is going on is entirely fortuitous and the result of long-established bureaucratic procedures coming to fruition need to ask questions about the timing of many of these.

• Consideration must be given to the outsiders and potential outsiders. Many people in South Africa are going to feel like losers. Amongst these are those who fought against "communism and the ANC" during the P W Botha era, those who are committed to an independent Afrikaner state, those who have positions of influence and power in the old apartheid structures of homeland and the multiplicity of civil service departments.

• There will have to be rewards for the poor and marginalised. It is not going to be enough to tell an increasing number of people who are impoverished – in large measure because of the squandering of national resources through corruption, mismanagement and political error – that we are a poor country. The evidence of wealth and of benefit from apartheid remains to be seen. Publicly and explicitly redressing this imbalance may be the hardest pill for some to swallow – but it does not help to tell whites that there will not be any such pill.

We will have to make our way to the new South Africa through existing parties and institutions'

The ANC's immediate response to the state president's timetable was to say that it was too slow. They, like many others, think that a change in government and political system has waited too long already. Looking at the steps to be taken, however, suggests that, short of a total collapse and a completely different route to the future which might emerge from this collapse, there are realistically not many alternative options. With our normal commitment to summer holidays, and accepting that we are managing the transition jointly, we may well be faced with an election in either October 1993 or March 1994.

It will be the parties' responses to the problems outlined here and their willingness to draw other South Africans outside of their parties into resolving these problems which will determine whether we make it or not.

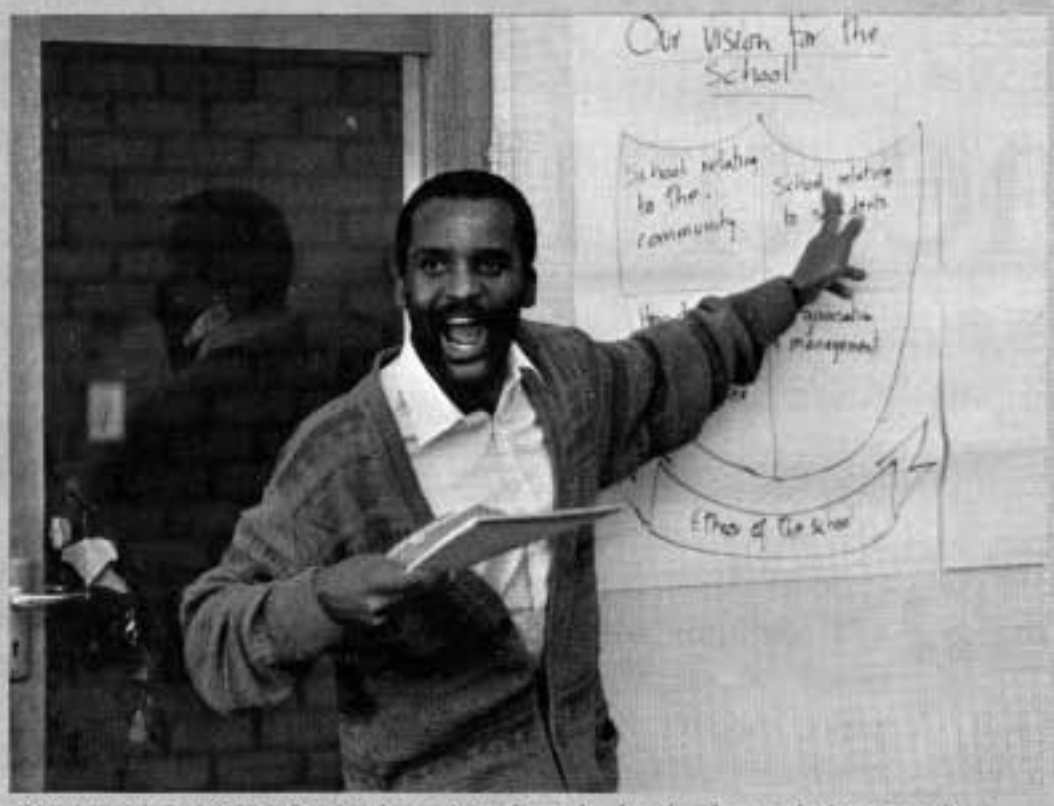
Paul Graham is Idasa's Programme Director.

Teachers learn the ABC of democracy

AFTER attending a school principal's democracy workshop run by Idasa's Democracy Training Centre in September, Mr A Kunene, head of the Mpiliseni Secondary School in Katlehong/Natalspruit, decided he wanted to have his own school democratised. He requested the centre to hold a one-day democracy workshop at his school for his staff of 35.

The East Rand school, like many others in the country, lacks facilities and suffers low morale and apathy among parents and staff. The workshop attempted to create a culture of democracy in the school by developing a clearer understanding of the concept of democracy and exploring ways of developing democratic management structures.

Principals were introduced to the theory of democracy,



SHARING SKILLS...Lufuno Nevhutalu leads the training session.

emphasising its relevance to schools. Based on this conceptual understanding of democracy, participants then defined for themselves a vision of their school, looking at relations between the teachers and the students, and between the school and the community. Participants spent the afternoon session formulating strategies and mechanisms to ensure that the school introduces efficient democratic procedures and practices when the term begins next year. The role of the school management committee, and the attitudes of teachers, heads of departments and the principal were constructively examined with a view to help all staff to adopt a "new way of thinking".

Participants were equipped with ideas and some skills to handle the daunting task of managing their school during the present transition to democracy in South Africa. Signs that the crisis in education could continue under a future transitional government – with the same kind of economic constraints – implies that teachers must adopt effective ways of managing their schools which reduce dependency on the department of education.

Lufuno Nevhutalu is a tutor at the Democracy Training Centre

A nine-day glimpse of Natal

FOR NINE days late in October, six Mozambican students attended a range of meetings, visits and cultural presentations as part of the second half of an exchange programme facilitated by Idasa.

Part of the purpose of the exchange programme was to break down regional stereotypes and to build meaningful and ongoing contact between Mozambique and South Africa. Students involved in the exchange came from the Centre for Industrial and Labour Studies at the University of Natal, Durban and the Centre for African Studies at Eduardo Mondlane University in Maputo. Both universities were involved in formally hosting the programme. Earlier in the year, a group of Durban students visited Mozambique. This time round it was the turn of the Mozambicans to travel south to Natal.

The tightly packed visit included discussions on the violence in Natal. Given the fact that there are many state-backed co-operatives in Mozambique, the visit to the Sarmcol Workers' Co-operative in Howick was particularly interesting for the students.

Another meeting which the visitors attended was a discussion with representatives from the ANC Youth League, the Inkatha Youth Brigade and the Azapo youth wing.

Although exhausted by the programme, the Mozambican delegation were grateful for the chance to see a slice of South African society for themselves. They said that many preconceived ideas had been shattered and they had laid the foundation for relationships to flourish.

Youth join hands for health

INITIATIVES aplenty for improving health awareness and services among young people were suggested by eager delegates at a joint Idasa and Primary Health Care workshop, entitled "Joining hands for healthy youth", held in Durban in November.

The aim of the workshop was to bring together youths from across the political and social spectrums to address the issue of health in a multi-dimensional and holistic way.

After three months of consultation and preparation, youth from the PAC, ANC, Azapo, Durban Youth Council, church groups and other social youth organisations finally came together in the first phase of what is hoped will be a co-ordinated effort. Addressing the workshop, health promotion officer for Primary Health Care, Jabu Nonhlanhla Makanya, said that the transitionary period of adolescence was characterised by physical, social, emotional and intellectual changes.

Resolutions tabled at the proceedings were committed to finding practical means to ensure healthy youths.

One of the discussion groups pledged "to use our own resources to the maximum...and to rope in the skills of retired persons as well as to engage the government structures in implementing...projects".

It was agreed that a joint action committee should be formed which would comprise one representative from each organisation present at the workshop as well as from Idasa, Primary Health Care and the national health department.

Single housing ministry essential

Jill Strelitz, Urban Foundation

A SINGLE housing department was a priority in order for the current "disastrous" institutional framework to begin to tackle the huge housing backlog in South Africa.

This was the consensus reached at a recent seminar on housing policy, run by the Border Idasa office in conjuction with Corplan, a local development group.

According to Jill Strelitz of the Urban Foundation, the current housing backlog stood at 1,3 million units and up to 7 million people were living in informal settlements.

She argued that the absence of a single ministry, which was responsible and accountable for housing, was a major constraint on delivery. The 17 different housing departments in the country produced much confusion and it was difficult to mobilise resources fully.

Tim Hart of the De Loor Commision agreed and argued further that there should be one financial institution which would channel money from the state and the market into housing. He said that the R1,6 billion presently dedicated to capital expenditure should be increased to at least R3,5 billion a year to meet the housing shortfall.

In the past, subsidy systems had favoured those who were better-off, but the commission had recommended that subsidies be altered to cover the widest spectrum possible, especially to benefit those with the greatest need.

John Spiropolous of development group Planact argued that housing should be regarded by policy makers not only as an "economic good", but as a right "underpinned by the notion of equity". He said all people had the right to safe and healthy living arrangements.

All speakers agreed that the housing backlog could not be solved by either the public or the private sector on their own. Ms Strelitz and Mr Hart argued for a market-led delivery system, subsidised by the state. "The private sector should be seen as the prime deliverer with the state as facilitator through key interventions," said Ms Strelitz.

Although Mr Hart believed that state subsidies would be necessary, he said "the market place should decide what it wants to spend its money on".

Tim Hart, De Loor Commission

Mr Spiropolous said a false dichotomy was often drawn between market and public sector delivery. "A blend of private, public and community action is needed to create a safe, secure and healthy living environment," he said.

Mr Hart said that the state could help put the proper infrastructure in place so as to encourage various sectors to tackle housing needs. "Specialist organisations", like stokvels and community banking, should be encouraged to service specific needs. In addition, small building contractors should be utilised to the optimum level, and the state and private sector should look into the training of small contractors.

Both Mr Hart and Mr Spiropolous said that the SA Bureau of Standards' regulations and specifications regarding where people could live would have to be revised so that the poor could live inside the city, close to amenities and job opportunities.

State subsidies, according to Ms Strelitz, should be administratively simple, economical and should subsidise the beneficiary and not the developer.

Glen Bownes
Regional Co-ordinator

Onderwysgroep bereik mylpaal

AANSIENLIKE vordering is gemaak in die beplanning van 'n gerasionaliseerde post-sekondêre onderwyssisteem in die Vrystaat tydens die onlangse vergadering van die OVS Onderwysforum.

Deelname aan hierdie forum was besonder goed en verteenwoordigers van verskeie gemeenskapsorganisasies gemoeid met onderwys asook formele onderwysstrukture was teenwoordig. Die uitgelese vergadering van akademiese leiers van sowat 40 strukture het ook verteenwoordigers van die onderskeie onderwysdepartemente en afstandsonderriginstansies buite die OVS ingesluit.

Twee konsultante van die ANC se beplanningsafdeling, Dr Trevor Coombe en Dr S Matabane, het gepraat oor hoër onderwys in die sub-Sahara streek en die moontlike rol wat gemeenskapskolleges in die toekoms kan speel.

Wat veral belangrik is, is die simboliese teenwoordigheid van die breë gemeenskap wat in die OVS Onderwysforum verteenwoordig word en wat ook demokratiese inspraak gehad het. Insgelyks het 'n verteenwoordiger van die Ontwikkelingsbank aangedui dat die statistiese gegewens wat deur die PSO-groep (post-sekondêre onderwysgroep) ingewin is, waardevol aangewend kan word in regstellende aksies.

Die vergrote OVS-streek wat Kimberley, Sasolburg, QwaQwa en Bophuthatswana vir beplanningsdoeleindes insluit, is onderverdeel in vier substreke (Kimberley, Welkom, QwaQwa en Bloemfontein) om aktiwiteite in detail te beplan.

Dr Kallie de Beer
UOVS

Development Forum kicks off

THE Western Cape Economic Development Forum was launched on 3 December with the support of organised business and labour, the South African National Civics Organisation, the major local authorities and relevant government departments.

"The agreement to establish such a co-operative structure demonstrates a clear recognition by the major regional economic players that growth of this economy must in future be sought through joint endeavour," said Dr David Bridgman, convenor of the interim steering committee.

Proposed areas of focus include urban development and housing, improving the competitiveness of Western Cape business and black economic advancement.

David Schmidt
Regional Director

People's courts here to stay

By RONEL SCHEFFER

AS A SMALL group of academics and legal practitioners convened in Port Elizabeth in late November to examine the future of popular justice, eight people were waiting to be sentenced in the Pietermaritzburg Supreme Court for murdering a young woman after a people's court trial near Greytown.

To South Africans who associate the people's or community courts with arbitrary justice and brutality it may therefore come as a surprise that there is another – indeed constructive – side to these structures, and consequently substantial pressure for them to become a permanent feature of our judicial system.

That it would be difficult to achieve, even tricky to debate the issues involved, became clear at the one-day workshop hosted by Idasa in Port Elizabeth. There is caution on all sides of the debate, both in the mainstream and among activists in the legal profession. This revolves not so much around the ideal of bringing justice and dispute resolution closer to the people but rather around how this could, and should, be realised practically. Doubts were expressed that alternative dispute resolution alone would satisfy community needs, yet there were clearly also reservations about giving community courts a coercive role.

People's courts (broken down into street, zone, unit and regional committees) became a prominent feature of the political scene in the mid-1980s, borne of the need to combat the growing crime rate, the need for disciplinary structures and to demonstrate that the liberation movement was capable of administering justice in the townships. They became a vehicle for politically educating township residents, who commonly participated in their procedures.

Current popular justice mechanisms in South Africa include traditional courts, alternative dispute resolution centres using mediation and arbitration, and the plethora of structures known as people's or community courts.

Participants in the workshop – lawyers involved in alternative dispute resolution, researchers and civics – focused on describing current developments in popular justice. A tentative exploration of the goals of popular justice and dispute resolution also took place – but the important task of defining the way forward, for community courts in particular, was held over for a national conference proposed for early next year.

During the discussion a picture emerged of the popularity and useful role of people's courts in some centres and even of co-operation between these informal structures and state courts.

However, there were also problems relating to legitimacy, accountability, inadequate skills and abuse. Lucas Malekane of Nicro, who highlighted the presence of a "pathological hatred" of state structures in black communities, told the workshop that people's courts were functioning daily in most of Khayelitsha's 39 units, and with significant community participation.

WAY FORWARD...Max Mamase of Idasa with Thobile Mhlahlo, who represented Cosatu and the ANC at the workshop.

Matters before them ranged from petty theft and family disputes to murder cases, the latter apparently with the knowledge of the police and strong support of the community. This community support, he said, could be attributed to the fact that the punishment in murder cases normally took the form of financial compensation to the families of victims.

It is clear that the debate about the exact role of community courts, including their functions, powers and jurisdiction, has some distance to go. To what extent should they be drawn into the realm of state structures and legally formalised? Examples were given of how similar courts have become part of the formal legal system in Mozambique, Zimbabwe and Cuba, but it was stressed that local conditions would have to determine the model chosen here.

Chief Patekile Holomisa, president of the traditional leaders' organisation, Contralesa, reported that traditional courts were still widely used, but made the point that these institutions could not indefinitely escape the onslaught of technological advances. If they are to remain effective, their presiding officers may have to be encouraged to improve their education.

David Storey of Wits University's Community Dispute Resolution Trust described the work of the Alexandra Justice Centre which began last October. By April, when the violence made it unsafe to continue its work, the centre had intervened in some 75 cases, using mainly mediation techniques.

The project was the brainchild of the Alexandra Civic Association and the Community Dispute Resolution Trust which has trained a number of residents as mediators for the centre. Trainees were elected or selected on the basis of their record as problem solvers in the community.

Their training involves a basic understanding of the legal system and concepts of alternative dispute resolution.

Storey indicated that the satisfaction of the clients, rather than any particular concept of justice, was the prime objective of dispute resolution. "We believe that it is a good thing to resolve disputes – it almost becomes an ideology in itself." Accessibility and the appropriateness of sentences remained the main reasons why people were reluctant to use formal state mechanisms, he said.

Participants agreed that Idasa should go ahead with plans for a national conference next year.

Where violence and religion meet

By DENISE ACKERMAN

SHOTS IN THE STREET: VIOLENCE AND RELIGION IN SOUTH AFRICA by David Chidester, Oxford University Press 1992. (240 pages) R34,99

IT IS difficult to find words to describe the endemic violence which is shredding our society into fragments of despair, fear and need. Any attempt to reflect on this violence, its causes and the mechanisms which maintain it, is to be welcomed. In this book David Chidester, Associate Professor of Religious Studies at the University of Cape Town, seeks to explore the ambivalent relationship between violence and religion.

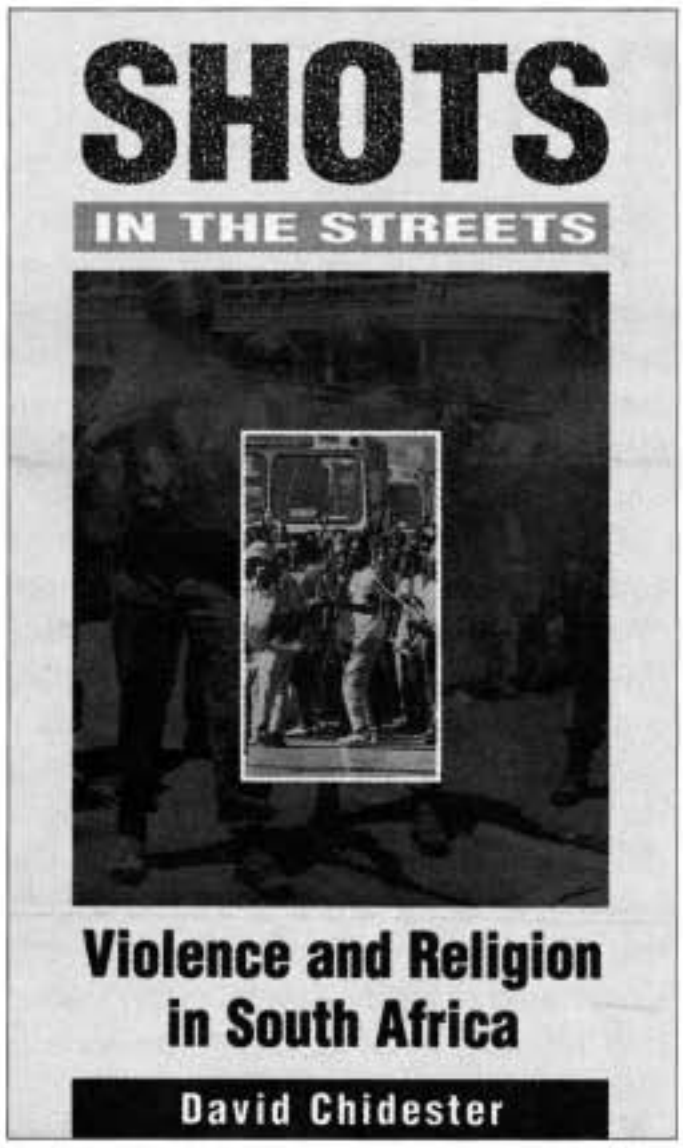
Drawing on sociologist C. Wright Mills definition – "all politics is a struggle for power; the ultimate kind of power is violence" – Chidester contends that domination and resistance are not only forcefully negotiated with weapons, but that our religious symbols are a vital part of such negotiations. In the author's words: "This book examines the role of religion in the violent contests over meaning and power that have been conducted in South Africa"

At the outset the question "what is violence?" is addressed and Chidester finds that no simple definition suffices as the context, relationships and the connection between power and fundamental interests all play a part in a variety of violent situations.

He settles for four definitions of violence: direct physical harm; the violation of humanity; illegitimate force; and legitimate liberation, noting that fundamental to understanding violence lies the question of what it means to be a human being.

Religion is described as a way of "experimenting with being human" (p.xii) which is not only limited to conventional religious institutions but is also found in a vast and complex network of social relations. Consequently when people contend for power and undergird their striving with different understandings of what constitutes meaning in the symbols of their lifeworlds, they find themselves in conflict with one another.

Chidester examines three aspects of religious violence in South Africa: ritual killing, dehumanisation and religion in the service of armed struggle. The first three chapters deal with ritual killing. Firstly, the terrible logic of apartheid is examined in the killings by "Wit Wolf" Barend Strydom. The religious power and inherent violence of Afrikaner nationalism is ultimately found in the blood sacrifice to the white God in the chilling event of November 1988 in Pretoria.



Next the killing of young municipal policeman Lucas Sethwala in Paballelo in 1985 is understood as a ritual killing in which the violence which permeates a community is deflected onto a single sacrificial surrogate victim.

CHAPTER Three concludes the exploration of ritual killing by examining the execution of witches in African religion as a ritual of elimination of evil, and by looking at ritual incorporation and Satanism.

Chapter Four examines the relationship between dehumanisation and religion in South Africa. Entitled "Tours of Hell" it deals with the dehumanising of black workers in the mining sector, torture in jail and the effort at recovery of humanity by those who, with desperate courage, take part in prison hunger strikes. The next two chapters deal with the religious world views of both the South African Defence Force and the ANC and its military wing Umkhonto we Sizwe. The spiritual politics of armed religion in these two opposing forces illustrate the dynamics of religious symbolism in the pursuit of power.

The book concludes by referring inter alia to the strained relations between the ANC and Inkatha, the role of militant rightwing Afrikaner nationalism, the PAC and the church in terms of the religious symbols, myths and rituals which play a part in the present violent struggle.

At the end of his book, Chidester asks: "Would South Africa somehow be a less sacred place if, to paraphrase the Freedom Charter, its symbols belonged to all who live in it, black and white?" (p170). The way forward, he suggests, is in the first place to lay aside the privileged exclusive claims on sacred symbols so dear to the hearts of the different groupings in South Africa. Secondly, a more varied style together with more access to the media responsible for producing symbols, is needed. He admits that such hopes are Utopian but believes that negotiating the new South Africa will require nothing short of a new world view.

THIS book raises many questions as it confronts the reader with the depths of the connection between the sacred and violence in the souls of South Africans. The examples chosen by the author to illustrate the relationship between religion and violence are interesting, but in making choices certain issues are inevitably excluded. The sacred symbolic meaning of land, or the ambivalent and highly fraught place of women in the present violent struggle for power, are two issues which are not dealt with. Furthermore, while religious symbols when claimed exclusively to serve the power games of specific groups of people are potent tools for violent action, they are also potentially loaded with meaning which can defuse and even spurn violence.

Therefore it is highly improbable that people will give up their claims to cherished myths and rites. Is it perhaps not more a question of being challenged to re-evaluate our religious symbols against the touchstone of what it means to value our own and others' humanity and to re-claim and re-image these symbols accordingly? However, whether it be re-negotiation or re-evaluation, one can only hope that the present horror will compel South Africans to rethink the highly questionable understandings of religion which feed the violence in our troubled society.

Dr Ackerman teaches theology at the University of the Western Cape.

Out of anger, something new

By LESLIE LIDDELL

WOMEN HOLD UP HALF THE SKY: WOMEN IN THE CHURCH IN SOUTHERN AFRICA edited by Denise Ackerman, Jonathan A. Draper and Emma Mashinini, Cluster Publications, 1992. (397 pages) R35

THIS unusual title, drawn from a Japanese saying, expresses two aspirations of the book. Firstly a need to "reimage the feminist aspect of God, where Christians have traditionally developed theology on the basis of Old and New Testament masculine images", and secondly to "draw attention to the usually unrecorded role which women have played and continue to play in the history and struggle for justice in Southern Africa."

While the editors admit that the book was "conceived out of hurt and anger" at the Church of the Province of Southern Africa's rejection of the motion to ordain women to the priesthood in July 1988, the book addresses deeper issues about women.

A list of explanatory notes has been included to clarify terminology unfamiliar to Southern African readers. Throughout the book previously unfamiliar terminology is explained, a helpful aid to readers which could be a cue for other authors and editors.

The 35 male and female contributors have varied life experiences and socio-cultural backgrounds but share "a passionate commitment to the liberation of women personally and socially in the light of their Christian faith and experiences."

The book is divided into six diverse but equally important sections. Part one "Women and the Bible: a Hermeneutical Problem" consists of six widely differing contributions which range from a biblical exegesis on Luke to practical commentary on the oppressive use of moral instruction in the New Testament Letters and the Old Testament. In the latter essay it is argued that while teachings from the Letters are no longer used to justify slavery, moral instruction lending itself to the oppression of women is constantly upheld.

In an article entitled, "The Bible in the Midst of Women" Rev Courtney Sampson argues for a pastoral approach to feminist hermeneutics, maintaining that oppressed women read the Bible uncritically and have an oppressive relationship with religious symbols.

The article by Renate Cochrane, entitled "Equal Discipleship of Women and Men", in contradiction to the preceding author, Gertrude Wittenberg, states that Luke often played down the role of women in early Christianity. She believes that in a patriarchal society language is male-oriented though it may be argued that this may exclude languages spoken in some developing countries such as the Philippines.

PART TWO of the book, "Theological Foundations: Towards a Feminist Theology" argues the need for such a theology in South Africa. Denise Ackerman asks: "Why do women need to define our own humanity? The answer is simple: because it has always been done for us. Women's humanity, our experience, perceptions, thoughts and beliefs, have by and large been defined for us by men". She concludes with a convincing argument for a relational anthropology, maintaining that relationality is the opposite of alienation, spiritual deprivation, apathy and racism (classism).

Louise Kretzschmar in the "Relevance of Feminist Theology within the South African Context", offers a constructive critique of objections to feminist theology in Southern Africa.

Ilse Ahrends, Felicity Edwards and Marie-Henry Keane address the issue of "Spirituality and the Christian Woman" in part three of the book. Ahrends argues for a womanist spirituality as a liberating power and believes that "too often women find their identity in the identity of others...as someone's wife, mother, daughter...". She stresses the need to rediscover God and in so doing discover ourselves.

For Edwards maximising compassion and living compassionately are a means of discovering our interconnectedness, arguments

Who's ringing the changes?

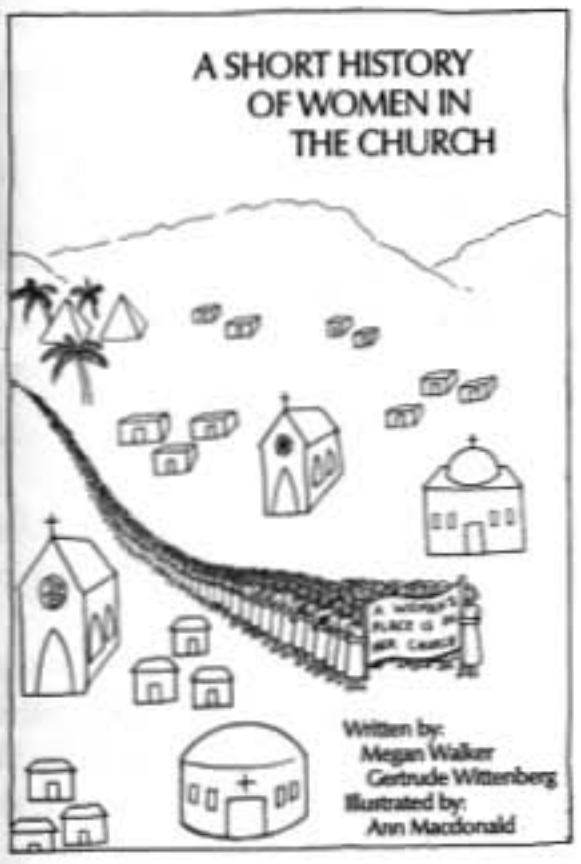
By MOIRA LEVY

WHO'S WHO IN SOUTH AFRICAN POLITICS, NUMBER 4 Shelagh Gastrow, Ravan Press 1992. (333 pages) R54,95.

THIS fourth volume of Shelagh Gastrow's "Who's Who in South African Politics" differs from the earlier editions in a number of important aspects. For one thing, it is the first edition in which photographs of all the people listed could be legally published; for another, it is the first time that there are no entries of people serving prison sentences or under restriction orders; furthermore, all except two of those included are now permanently resident in South Africa.

Only 36 of the political leaders featured in her first edition, published in 1985, are still prominent enough to deserve inclusion this time, and most of the new profiles are of men and women under the age of 50.

Gastrow makes the point that this edition was written and prepared during a time of great flux and political uncertainty; these changes since her earlier editions – the last published just over a year ago – amount to evidence of some measure of progress.



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which are crucial in working towards justice and peace in our divided society. Keane wonders if spirituality is possible in the context of Southern Africa, where women work long hours and have little time to themselves.

An illustrated "Short History of Women in the Church" in part four of the book provides relief from the arguments presented in the previous sections. This delighful yet profound account is depicted in a thought-provoking interpretation.

In part five, "Women and Ministry", the nine contributors address the issue of vocation with Betty Govinden providing an excellent analysis of "Women, Church and Liberation in Southern Africa" and Emma Mashinini emphasising the land question.

Part six, "Women's Experience of the Struggle for Justice in Southern Africa" addresses questions of sexism in society, the home and the church. Brigalia Bam, Sister Bernard Mncube and Thoko Mpulwana dispel the excuse of African culture being used (usually by white males) to relegate women to oppressive roles.

"Women Hold Up Half the Sky" has broken new ground in providing an avenue for women and men to raise questions and provide some answers about the struggle for liberation by Southern African women. It expels many myths and issues a warning that liberation in general does not necessarily empower women who will continue to remain oppressed and marginalised unless serious thought, strategies and actions are employed.

Leslie Liddell is the Church Co-ordinator of the Foundation for Peace and Justice.

Another feature which sets this volume apart from its predecessors, and this point is made in Tom Lodge's illuminating Introduction, is the number of ANC "technocrats" – as opposed to activists with records of military involvement and prison experience – who make their first appearance in these pages. Lodge concludes: "There is a large number of people who have become prominent in the sections of the ANC concerned with diplomacy, publicity, information and policy-making. These are the senior representatives of a growing vanguard of technocrats who can be expected to take up a major share of the pages in the next edition..."

The book includes over 100 entrants: some are of leadership figures more representative of the old, descending order; most are biographies of the newsmakers and opinion-formers of the changing times. It is worth noting that there are only nine women – but then that is probably not the fault of the book, but a shortcoming common to all leadership structures.

Newcomers to Gastrow's "Who's Who' series are predominantly from the ANC (10) and the SACP (seven). There are three new faces from the PAC in this directory and five additions from De Klerk's cabinet.

This volume is essential reading for any person who wants to know the news behind the news, the people behind the statements and the actors behind the unfolding South African political drama.

Moira Levy is media facilitator in Idasa's media department.

Letters

Ghana fails to deliver democracy

THE MOVES towards a multi-party system seem to be facing danger as parties that lose multi-party elections claim rigging and other electoral irregularities, for example in Angola, Central African Republic and Cameroon.

In my country, Ghana, the process towards multi-party democracy is marked by violence by both the National Democratic Party and the New Patriotic Party.

Further, contrary to World Bank and International Monetary Fund reports of economic progress, and Amnesty International reports of improvements in Ghana's human rights record, the Rawlings government has been accused of poor economic policies and gross violations of human rights.

The opposition's Professor Adu Boshen has long been a fearless campaigner for a multi-party system. However, his right-wing party's intellectualisation of politics might set him apart from the people who see him as a poor alternative to Rawlings.

All we hear from the government are words about continuity, and from the opposition parties, words about change.

Theophilus Lande
Accra, Ghana

SA needs more affirmative action

I THOROUGHLY enjoyed the article on affirmative action in the September edition of Democracy in Action. It is of utmost importance that companies do not isolate affirmative action as a separate or alternative corporate strategy. It should be intergrated into the overall organisational strategy and therefore requires management's urgent attention.

Idasa can play a crucial role in facilitating the process of affirmative action by shaping the attitudes of people. The elimination of all forms of discrimination, racism and prejudice is a prerequisite for the establishment of effective affirmative action programmes. It is imperative to adopt a pro-active stance on affirmative action, as the probability of a new government enforcing obligatory quotas cannot be excluded. Companies have reached the stage where they have no option but to accelerate the recruitment, selection as well as the upward mobility of black employees. The new South Africa needs new South African organisations.

Marius Meyer

Mont Fleur revisited

By DAVID SCHMIDT

TAKE ONE: A huge boulder lies in the middle of the road as if it came tumbling down from the mountainside of historical circumstance. Emblazoned on the front is the word DEMOCRACY in big black letters. There is little space on either side of the boulder. On the right a wall of rock. On the left a cliff and the deep blue sea. Driving towards it is a familiar man in a white car who bears the hopes and fears of 70% of white car owners. The reverse gear is broken.

Now how does the white car owner negotiate this mass boulder in the middle of the wet winding road? Option one is to swerve past it and fly over the cliff in the hope that an updraft of international support coupled to a sophisticated power steering mechanism will somehow cause the car to land on the road on the other side of the boulder. He can then drive off into the sunset with his clause intact.

This is the Flight of Fancy Scenario because it has its downside. The car takes off, the view is amazing, the crash is spectacular. With a bit of luck our white car owner emerges alive from the wreckage of his white Mercedes on the beach below. He shakes his fist defiantly and waits to be rescued by a helicopter from the British Fleet. Will it come?

Option two is short and not very subtle. The Bitter Lemming. Drivers approach the cliff on the right and with bazooka and bomb blast a path through rock and shale to the other side. Our driver in his armoured VIP car is able to bore his way through, but this causes the cliff to collapse. Boulders – call them Sanctions and Civil War – crash down, burying DEMOCRACY, vehicle, driver and any passengers for a very long time.

The Codeine at Codesa scenario is based on those terrible tests involving a multitude of head-on collisions conducted by another German car manufacturer that indicate that it is possible to survive head-on collisions with no more than a headache provided you are driving the right car and are able to slow down the speed sufficiently.

Thus our driver brakes sharply and the collision with DEMOCRACY is relatively painless. But the boulder remains, the car is a write-off and small rocks drop from above as the seismic trends of Economic Stagnation and Social Breakdown carry on shuddering. Slow and messy runs the Long Flat Road.

The outcome of the Don't Duck scenario is much more uncertain and therefore preferable. Our white car owner drives at high speed, without ducking, straight into DEMOCRACY. Two possibilities present themselves.

The Hard Rock or Dead Duck alternative speaks for itself. The second alternative requires a good deal of lateral thinking. Observe the boulder. It is not the fatal granite obstacle that it at first appears. It is in fact a gateway, a construction of wood and tarpaulin posing as hard fact, an illusion of the mental myth-makers that blows apart on impact.

The Scenic Drive of Democracy now opens up before our intrepid adventurer. In front of him he sees a Red Mercedes. Hogging the middle of the road, the blue minibus of the DP. In the rear view mirror, the CP's Everything Keeps Going Right Toyota vies with a Volkstaat Volkswagen. The race is on. Who will be first past the post?

Unfortunately the Scenic Drive is dangerous at the best of times. Add a number of powerful motor cars and a couple of very reckless drivers and the chances of collisions are high. We can easily revert to any number of Dead Duck scenarios, the worst of these being the Multi-Party Pile-Up.

The lessons of this latest scenario presentation: 1. Successful progress to democracy can be measured by how few expensive German motor cars the politicians get to drive rather than by how many. 2. Preparedness to take the risk on a grand scale is the essential quality for successful transition whereas caution is invariably fatal.

At this point lets fade out our Best Motor Car for the New South Africa Advertisements.

TAKE TWO: We are watching South Africa's latest political discussion programme "Five White Men on Sunday". One of them – an academic – kicks off: "I have seen all the major scenario presentations. I've done the Sunter, the Nedkor-Perm and the Mont Fleur. There's something about their familiarity...their basic plot is exactly the same – pure medieval morality play. On the one side hell, as the Low Road or the Ostrich. On the other, heaven as the High Road or flying flamingos. In between various forms of purgatory."

Another panellist takes it up: "What interests me are the different routes to heaven. Dr Sunter's basic prescription for example was the need for negotiations. Then the Nedkor-Perm emphasised the need to kickstart the economy via massive expenditure on housing, electrification and education," he adds.

"And it gave South Africa 18 months to get its political and economic act together. That was two years ago. I can't help asking – is the end nigh or not?"

"Neither. What's next is Mont Fleur," points out the first panellist. "The National Party must let the ANC take over the government speedily. The ANC must in turn behave itself and exercise the strict macro-economic discipline that the National Party never had, and there may be hope for us yet."

A third panellist butts in: "You know, at the end of the day with all these scenarios and their roads to heaven, it is still the image of hell that lingers."

"Yes and that is why they been so damn effective," concludes the chair, "Nothing concentrates the mind better than a lingering image of hell".

David Schmidt is Regional Director of Idasa's Western Cape office.