

# reality

**JANUARY 1984**

**ACT**

**75 cents**



**To introduce a new constitution for the Republic of South Africa and to provide for matters incidental thereto.**

*(English text signed by the State President.)  
(Assented to 22 September 1983.)*

**I**N HUMBLE SUBMISSION to Almighty God, Who controls the destinies of peoples and nations,  
Who gathered our forebears together from many lands and gave them this their own,  
Who has guided them from generation to generation,  
Who has wondrously delivered them from the dangers that beset them,

**WE DECLARE** that we  
**ARE CONSCIOUS** of our responsibility towards God and man;  
**ARE CONVINCED** of the necessity of standing united and of pursuing the following national goals:

- To uphold Christian values and civilized norms, with recognition and protection of freedom of faith and worship,
- To safeguard the integrity and freedom of our country,
- To uphold the independence of the judiciary and the equality of all under the law,
- To secure the maintenance of law and order,
- To further the contentment and the spiritual and material welfare of all,
- To respect and to protect the human dignity, life, liberty and property of all in our midst,
- To respect, to further and to protect the self-determination of population groups and peoples,
- To further private initiative and effective competition;

**ARE PREPARED TO ACCEPT** our duty to seek world peace in association with all peace-loving peoples and nations; and

**ARE DESIROUS OF GIVING THE REPUBLIC OF SOUTH AFRICA A CONSTITUTION** which provides for elected and responsible forms of government and which is best suited to the traditions, history and circumstances of our land:

**BE IT THEREFORE ENACTED** by the State President and the House of Assembly of the Republic of South Africa, as follows:—

## PART I

### THE REPUBLIC

Continued existence of Republic of South Africa.

1. The Republic of South Africa, consisting of the provinces of the Cape of Good Hope, Natal, the Transvaal and the Orange Free State, shall continue to exist as a republic under that name.

# in this issue . . .

EDITORIAL : 1984 . . . . . 2

THE HARD CASE OF GHANA by Robin Hallett . . . . . 4

"ADAPT OR DIE" : MILITARISATION AND THE S.A. MEDIA by Keyan Tomaselli . . . . . 8

"THEY AREN'T READY FOR IT" by C.M. Brand . . . . . 13

TERRORISTS, GUERRILLAS, FREEDOM FIGHTERS – AND OTHER THINGS THAT GO BUMP IN THE NIGHT by Michael Cowling . . . . . 16

Articles printed in **Reality** do not necessarily reflect the opinion of the Editorial Board.

## **EDITORIAL**

### **1984**

1984 ! George Orwell's year is here. What can South Africa expect from it? A further accretion to the dark forces of authoritarianism which he predicted, or the first stumbling steps towards a wider freedom for us all? In particular, what can she expect from Mr. Botha's massive 2 to 1 victory in the white referendum?

The people who gave him that great victory were, as far as we can judge, 1) supporters of the Nationalist Party who felt that the time for some controlled reform had come; 2) supporters of the Nationalist Party who had been assured that the new constitution wouldn't really change things at all; 3) non-Nationalists who voted "Yes", hoping for enough reform to ease present tensions, but not enough to change things much; 4) non-Nationalists who hoped that the new constitution would prove the first step in a process of reform which, once started, would take on a momentum of its own and, even if by a process of fits and starts, gradually lead us, even if in a rather messy manner, to a reasonably acceptably arranged society.

Reality, having advocated a "NO" vote, must now hope that this last is what will happen. But we should not expect too much. For, if it does happen, it will be in spite of and not because of the terms of the constitution, whose provisions will entrench apartheid in every field in which whites want it entrenched, and will exclude Africans from direct involvement where political power really resides.

What of the African political scene after the referendum? The only African voice to be raised in support of Mr. Botha's

proposals was that of Chief Lennox Sebe, whose terror-ridden, violence-racked Ciskei presents an increasingly embarrassing and horrific picture to South Africa and the world. Is this the direction in which Mr. Botha's constitution will, willy-nilly, lead all the black homelands? Or at least those which are close to white industrial South Africa, or involved with it on a commuting basis? We pose the question because, as far as one can understand it, the conflict in the Ciskei is essentially one between a rurally-based homeland authority and an increasingly radicalised workforce employed "across the border" in white South Africa? Is this conflict inevitable? And, if it is, will it not be extended further and further into the homelands with each extension of the Nationalists' grand commuter strategy, a plan apparently designed to provide express transport services carrying black workers to white industrial areas, from deeper and deeper in the homelands, until white South Africa is largely cleared of them?

The question is an urgent one because one of the most distressing developments to mark 1983 was the growing conflict between two groups which were very much at one in their rejection of Mr. Botha's constitution. These were Chief Buthelezi's Inkatha and the essentially urban-based supporters of the United Democratic Front. The killings at the University of Zululand at Ngoye at the end of October were only the most dramatic in a series of clashes over several years which have led to deaths on both sides. In the Durban township of Lamontville tension between them has run at a high rate throughout the year. It seems

likely to be increased by the recent proposal to incorporate Lamontville into Kwa-Zulu, which the township residents rightly see as a threat to their rights as South Africans, in defence of which they and Inkatha should surely be fighting together? In the meantime, as the conflict flourishes, one suspects there is a gleeful rubbing together of hands in Pretoria.

One of our most earnest hopes for 1984 therefore must be that this conflict will somehow be resolved and that the warring factions will be able to agree to put their ideological differences aside for the moment. Then they might together be able to work out a strategy which would force Pretoria, not in 1984 perhaps, but in the not-too-distant

future, to make accommodations in its constitutional thinking which could lead, however erratically, to the realisation of the publicly-stated aim of both groups – full African participation in a democratically based non-racial society. If, however, the wounds inflicted on black unity at Ngoye fester on unchecked, Kwa-Zulu could be set on a path which would lead it to where the Ciskei is now.

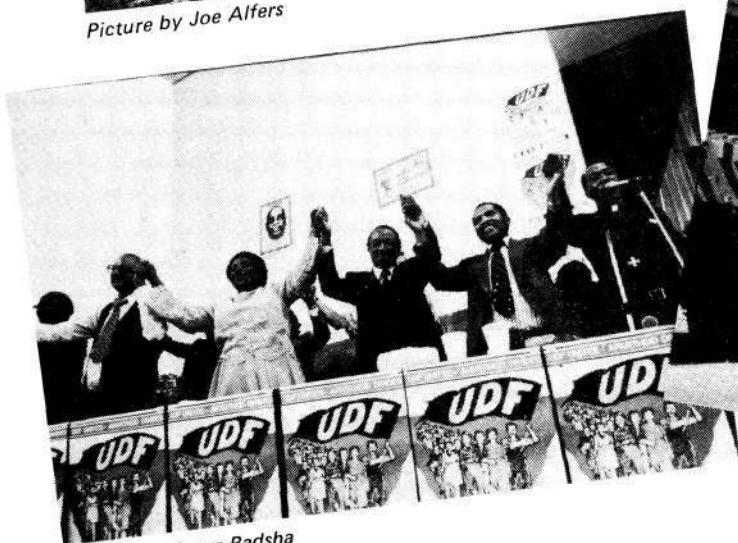
So our one hope for 1984 is that Inkatha and its opponents will manage to negotiate a truce, and agree to differ but not to fight. The other is that the combined political, economic and social forces for change in South Africa will begin to show that the new constitution could one day become something its sponsors never intended it to be. □



Picture by Joe Alferts



Picture by Paul Weinberg



Picture by Omar Badsha



Picture by Wendy Schwegmann

1984?

# THE HARD CASE OF GHANA

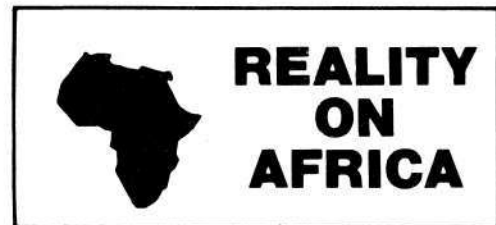
In March 1957 the British colony of the Gold Coast became the independent state of Ghana. It seemed at the time a seminal event in the history of Africa. For Ghana was the first colonial territory in black Africa to achieve independence, and the country's prime minister and later president, Kwame Nkrumah, a charismatic leader of continental stature, became the first black African politician to move as an equal among the statesmen of the world. The late 1950s was an euphoric time for Africa. The process of decolonization was gathering momentum. And the new Ghana seemed to symbolize all the hopes that Africans themselves and their wellwishers overseas held for the future. The new nation had achieved independence peacefully through a series of elections conducted according to the rules of parliamentary democracy. Its leader seemed a man of heroic stature. Ghanaians themselves charmed foreign visitors to their country by their friendliness, their cheerfulness, their ebullience. Great strides had already been made in the development of education and other social services. And the economy, largely dependent on cocoa but offering a number of other products, including gold, looked to be one of the most buoyant in tropical Africa.

Twenty-six years later Ghana presents a very different spectacle. Few countries anywhere in the Third World have experienced so great a degree of political instability, though at least it may be said that Ghana has escaped the ravages of civil war or the bloodier forms of repression. But the economy is now regularly described by foreign correspondents as being in a state of chaos or on the brink of disaster. Hundreds of thousands of Ghanaians voted with their feet to leave the country and move across to oil-rich Nigeria, only to suffer the fate — in the majority of cases — of being thrown out by the Nigerians early in 1983. The contrast with the prosperous face of Ghana a quarter of a century ago could hardly be sharper. So cruel a contrast demands an explanation. Why on earth have things gone so terribly wrong?

## HISTORY

In trying to answer this question it is necessary to begin by looking briefly at the country's political history. A century ago the political geography of the territory that now lies within the borders of modern Ghana presented a pattern of some complexity. The coast and its immediate hinterland formed the British colony, a colony acquired not through conquest but by the peaceable extension of British protection over a large number of small chiefdoms mainly inhabited by Fanete people. The centre of the country was dominated by Ashanti (Asante), one of the largest and most powerful indigenous kingdoms to be found anywhere in Africa, but a kingdom whose tributary provinces were beginning to break away and whose rulers would find themselves forced to accept British overrule by the end of the century. To the north of Ashanti lay a mosaic of polities, chiefdoms or independent villages, inhabited by people sharply distinguished in language and tradition from their neighbours to the south.

The people living on the coast had an experience of Europeans reaching back to the late fifteenth century when the Portuguese established the pattern other Europeans—Dutch, English, Danes, Brandenbergers — were to follow, of building forts to serve as depots for their trade. African settlements developed around these forts and there was some intermarriage between local women and white traders. By the mid-nineteenth century there had already come into existence in the towns of the coast a class of professional men, many of whom had received their higher education as lawyers, doctors or clergymen, in Britain. Already by the 1880s this class had shown itself to be open to modern political ideas, but there was little contact between the coast and the interior and so it was not until 1947 that the first political party with truly national aspirations, the United Gold Coast Convention, was founded.



The UGCC was dominated by the coastal elite. Its nationalism was of a sedate, respectable, cautious, conservative nature. But it was to provide an essential point of entry into local politics for the man who was appointed the party's first general secretary, Kwame Nkrumah. Nkrumah was then in his mid-thirties. He had been out of the country for twelve years, leading the life of an 'eternal student', first in the United States, then in Britain, picking up ideas from his reading — Mazzini, Marx, Lenin and Marcus Garvey were particularly influential — and from his first-hand observation of American and British politics, searching all the time, as he wrote later, 'for a formula by which the whole colonial question and the problem of imperialism could be solved.' Back in the Gold Coast, he soon realized that the UGCC certainly could not offer any such formula — it lacked the essential dynamism of mass appeal. But Nkrumah also saw that the Gold Coast, far from being the 'model colony' the British complacently called it, was in fact simmering with discontent. Nkrumah himself was in no way responsible for the riots which broke out in Accra, Kumasi and other towns in February 1948. The riots marked a turning point in British policy towards their West African colonies, after an investigating commission had come up with a wisely frank analysis of the reasons for Africans' 'distrust and suspicion' of Europeans and gone on to recommend the introduction of new political institutions that would give 'every person of ability the opportunity to help govern the country'. By accepting these radical recommendations the British government ensured that the process of decolonization should happen peacefully and so created the conditions that made possible Nkrumah's dazzling career.

## CONVENTION PEOPLE'S PARTY

Shortly after the riots Nkrumah left the UGCC to found his own political party, The Convention People's Party. The appeal was radical and populist. With its rallies, its songs and slogans and uniforms, its leader's intoxicating rhetoric, the CPP in its early years was a marvellously exciting organization, especially for the young. It was the first mass party to emerge in black Africa and so it was to provide a model for nationalists in other parts of the continent. But it was never — unlike TANU in Tanganyika — a party that enjoyed overwhelming support in every part of the country. Certainly the CPP won the three pre-independence elections of 1951, 1954 and 1956, with substantial majorities, but elections also showed that there were many pockets of opposition. Members of Ghana's upper bourgeoisie, the professional class of the coastal towns, never really took to Nkrumah. The Ewe living along the eastern border with Togo and the Dagomba and Mamprussi of Northern Territories felt a deep distrust for the radical politicians of Accra. But the main centre of opposition to the CPP was to be found in Ashanti. Ashanti was the country's main cocoa-growing area and Ashanti cocoa farmers were quick to resent government policies that affected the price they were paid for their product. And many Ashanti people were conscious of the unique position their kingdom had achieved in the past and resented the shift of political power that had taken place during the colonial period. Here then, even before 1957, were omens for the future, evidence of a deep radical-conservative divide and of substantial inter-regional tensions.

In the years immediately after independence Ghana became an increasingly authoritarian state. Nkrumah and his closest associates justified the introduction of preventive detention and other stringent measures on the grounds that the state itself was in danger and that there was a need for what Nkrumah himself described as 'totalitarian measures of an extreme kind'. In fact Nkrumah's regime, not unlike Mussolini's in pre-war Italy, was never guilty of the grosser atrocities of modern totalitarianisms. But Ghanaians possess a long indigenous tradition of political discussion and the colonial authorities had always allowed a great measure of political freedom, so they found Nkrumah's repressive measures deeply irksome. To make matters worse, repression was accompanied by increasingly flagrant corruption, while the President, partly out of fear of assassination, retreated into a state of lofty isolation that cut him off completely from the concerns of ordinary people. That Nkrumah gave to Africans throughout the continent a new sense of personal dignity and an awareness of political possibilities cannot be denied: this was a massive achievement. But Nkrumah also needs to be seen as one of the most self-indulgent political leaders of our times, a man whose obsession with his own romantic dreams rendered him incapable of understanding those whose aspirations differed from his own and led him to gloss over the boring, practical details that form an essential part of the proper concern of any political leader.

## COUPS

In the end Nkrumah paid for his self-indulgence by his overthrow in the military coup of 1966. The crowds cheered as his statue was toppled from its pedestal in the centre of Accra. The officers who organized the coup were moderate men. In 1969 they were glad to be able to hand over power to a civilian government, after the holding of properly conducted parliamentary elections.

The new government was led by Nkrumah's best known political opponent, Dr. Kofi Busia. But Busia's government failed effectively to tackle the country's mounting economic difficulties and was overthrown in a second coup early in 1972. This time the military, led by Colonel Acheampong, decided to hold on to power. The state of the economy grew still worse and Acheampong was replaced by another officer, Akuffo, in 1978. The military now began to talk of handing power back to civilians but before they could do so the ruling junta was itself overthrown in a coup organized by a group of junior officers and NCOs calling themselves the Armed Forces Revolutionary Council and led by Flight-Lieutenant Jerry Rawlings (son of a Scottish pharmacist and an Ewe mother). Rawlings and his men were concerned to clear up the mess created by the previous regime. They sentenced Acheampong, Akuffo and six other senior officers to public execution, introduced draconian measures against black marketeers but did not interfere with plans for a general election and gladly handed power over to a new civilian government led by Dr. Hilla Limann. But Limann's government proved no more competent than its predecessors in tackling the country's fundamental problems. Again the armed forces provided the spearhead for the discontented. On December 31, 1981 Rawlings staged his second coup, removed Limann, abolished parliament and set up a Provisional National Defence Council under his leadership to govern the country. Rawlings and the PNDC have retained a shaky hold on power from that date to the time of writing.

## LEGITIMACY

From this brief survey of Ghana's political history four themes emerge. First, it is clear that there exists among Ghanaians a hankering for some form of democratic government. Witness the bitter resentment of Nkrumah's authoritarianism, the willingness of the military to hand over power to civilians and — under the present PNDC regime — the frequent references in Rawlings's speeches to the need to work out some form of popular participation in government. The second theme is represented by the political divide between 'radical' as represented by Nkrumah and 'conservatives' as in the UGCC. Busia looked back to the UGCC, Limann tried to assume the mantle of Nkrumah. But cutting across this ideological divide must be set — this is the third theme — the pattern of regional differences and ethnic rivalry. Any detailed study of Ghanaian general elections reveals very clearly the importance, the excessive importance according to conventional nationalist wisdom, of local patriotism. Finally it is clear that governments in Ghana, as in many other African countries, have not yet been able to acquire the massive stability of governments in most First and Second (Communist) World countries. Decisive action by small groups of soldiers has been sufficient to bring about changes in regime. Put this another way: no Ghanaian government since independence has succeeded in gaining a proper measure of legitimacy in the eyes of most Ghanaians.

This failure to acquire legitimacy can only be understood if one looks at the changes that have taken place in the country's political economy in the past twenty-five years. Clearly Ghana has suffered from the effects of worsening terms of trade and of the world depression. But so too have most other African countries, yet few of them have experienced quite the same range of political vicissitudes. What has been the cause of Ghana's special malaise? It is

tempting for any anti-imperialist to resort to rhetoric and put all the blame on the 'colonial situation'. Yet in fact Ghana's experience during the colonial period was in many ways a prosperous and progressive one. The cocoa industry on which the country's fortunes were so largely based was developed in large part as a result of the initiative and enterprise of local farmers, the peasants who from the turn of the century carved out cocoa farms for themselves from the virgin forest. To the colonial government was left the task of maintaining political stability and gradually improving the country's infrastructure. 'Colonial stagnation' became one of the clichés of Nkrumahism, but during the decade of the 1940s school enrolment increased threefold from 91,000 to 279,000, an increase that was to contribute greatly to the growth of local nationalism, for the CPP found its most vociferous supporters among the ranks of young school leavers.



*Kwame Nkrumah*

Nevertheless it can certainly be argued, as Nkrumah so often did, that the Ghanaian economy was a 'dependent economy', dependent primarily on the price paid for cocoa as set by buyers in the world market. Nkrumah wanted to escape from this dependency by developing Ghana's own resources to the full, an excellent principle if applied in a practical manner. Unfortunately he allowed himself to be sold — by self-seeking businessmen as much from the East as from the West — a series of schemes as impractical as they were extravagant. Superficially it might seem good sense to erect massive silos in which cocoa beans could be stored until a suitable price had been reached on the world market: unfortunately the beans cannot be stored for long in a tropical climate. Given the shortage of indigenous capital, rapid industrialization, which Nkrumah saw as an essential process to free the country from the shackles of dependency, could be achieved (at least in theory) either by encouraging massive foreign investment or by using the state's own resources to finance development. The two approaches contradicted one another. Excessive talk of nationalization naturally frightened off foreign businessmen who could find, if they so wished, a much more congenial economic climate in Ghana's neighbour, the Ivory Coast. So the state was to play the leading part in 'development' and it was to do so by the creation of a large number of para-statals. Already in colonial times an important para-statal had been established,

the Cocoa Marketing Board which set the price that cocoa-farmers were paid for their crop and monopolized cocoa buying. After independence the number of parastatals rapidly increased. Such bodies have a double political function: they provide the institutional machinery needed by the government for controlling extensive areas of the economy and they offer an easy means of rewarding political supporters and of buying off political opponents — in other words "jobs for the boys" . . . But parastatals, like all forms of bureaucracy, cost money — money for office buildings and office equipment and official cars and expense accounts — and of course salaries. And the government needed still more money to finance the grandiose public works that Nkrumah craved to satisfy his romantic whims. And money too to pay for an ambitious foreign policy, supporting liberation movements in other parts of Africa and furthering the aims of Pan-Africanism, of which Nkrumah had become the prophet.

### MONEY

But where was the money to come from? There were two possible sources. One was to be found by borrowing on the world market, and this Nkrumah began to do ever more impulsively. Between 1963 and 1965 Ghana's total foreign debt rose from 38 to 378 million cedi. But the more money a country borrows, the greater the proportion of its revenue that has to be put aside for the servicing of the debt through interest charges and repayments. And if revenue is not increasing at the same time, then that must mean that less money is available to meet internal needs. Translate this into less abstract terms — less money for roads or schools or hospitals. The other main source for ready money was to be found in the country's cocoa farmers. The export tax on cocoa was an important source of revenue, but this was not the only fiscal burden borne by the farmers. They had to sell their crop to the Cocoa Marketing Board at prices set by the Board. These prices were always substantially lower than those available on the world market. Marketing boards exist in many countries as a mechanism for stabilizing prices and basically for assisting producers. But they can easily be manipulated to screw money out of farmer's pockets, to syphon cash off into the coffers of the state. This is what happened in Ghana. But in reality what was the 'state' but an urban-based and privileged bureaucracy?

The abuses initiated during the Nkrumah period continued under Nkrumah's successors. As the country's international trading position worsened, less and less foreign exchange became available for the purchase of essential imports. If imports were to be restricted, there were two ways in which this could be done. One was by devaluing the cedi (so that Ghanaians would have to pay more for their imported goods) and at the same time imposing higher import duties. The alternative was not to touch the exchange rate, which stood at 3 cedis to the US dollar, not to increase import duties, but instead to introduce a system of import licences. The first approach had the disadvantage that it would lead to an immediate rise in the cost of living, at least for all those town-dwellers who were dependent on imports. A system of import licences, on the other hand, looked attractive: it provided a means of distinguishing between imports, of determining, for example, that more foreign exchange should be used for buying essential spares for lorries and less for private cars. So Ghanaian governments decided in favour of a system of import licences.

## BLACK MARKET

Inevitably, as imported goods came into shorter and shorter supply, a flourishing black market developed. Those who controlled the issue of licences — members of the government and senior civil servants — now found themselves in a highly advantageous position. Suppose a local firm applied for a licence to import tyres for motor cars and that the cost of these tyres was \$20 each on the international market. With the cedi fixed at 3 to the \$, each tyre would cost the Ghanaian importer 60 cedis. But on the black market these tyres might be selling for 600 cedis. The politician or the bureaucrat who issued the licence would be well aware of this fact. He would therefore expect the local trader, applying for a licence to import tyres, to pay very heavily for his privilege. And the local trader would of course pass on the cost of this transaction to his customers.

Already in the last years of the Nkrumah regime the price of local foodstuffs in the markets of Accra and other coastal towns had risen so sharply that it was causing, in the words of one official report, 'a very real threat to the morale of our people'. The threat became still more acute after the oil price-rises of the 1970s. But why should the price of locally produced yams or tomatoes have risen so sharply? One major cause was the steady worsening of the transport system. Lorry owners used to sending their vehicles up country to purchase food crops for the markets of the coast became increasingly reluctant to do so. Spare parts were more and more difficult to obtain, so breakdown might mean the loss of a lorry, its owner's main form of capital. Add to this the fact that roads were no longer properly maintained, thus increasing the risk of breakdown. So fewer lorries went up country, less food reached the towns — and prices rose steadily.

'What was once an impressive road network', a correspondent of the *Financial Times* (London) reported in January 1982, 'is now often impassable for the articulated lorries that are supposed to collect the cocoa crop'. So why grow cocoa if your crop is never collected — or, if collected, then the price the farmer is offered represents a rip-off by the government. Ghanaian cocoa farmers are practically-minded people. Many of them have begun to turn from cocoa, abandoning or cutting down their trees, to food crops which will at least feed their families and bring in some money from local markets. Alternatively, if they live near the border with Togo or the Ivory Coast, they have taken to smuggling, having discovered that the price offered for cocoa in those neighbouring countries is anything between five and ten times the price offered by their own Marketing Board. So Ghana in the late 1970s was only able to export about two-thirds as much cocoa as it had done a decade earlier. That meant a serious decline in government revenue: still less money for roads, schools or hospitals.

## PEOPLE'S PROBLEMS

There is a dearth of material on conditions of life in rural areas of Ghana. On the problems people face in the towns a good deal of exact information is available. Thus a recent report in the *Times* (March 8 1983) pointed out that the minimum daily wage in Accra is set at 12 cedis (about R4 at the official exchange rate.) Compare this with the cost of a single egg — 5 cedis (nearly R2) or 'a decent sized yam' — a staple item of diet — 50 cedis (about

R17). How on earth do people survive at all under these conditions? There is rueful talk of the 'Ghanaian miracle', of finding ways of keeping body and soul together. The miracle can no doubt be explained by a combination of mutual assistance through the extended family and — as in immediately post-war Germany — widespread involvement in the black market. But there can be no doubt at all that for many people life has over the last ten years and more been very tough indeed. 'Poverty can be seen everywhere in Accra', a correspondent of the *International Herald Tribune*, noted in January 1982. 'Most buildings are run down and beggars occupy the pot-holed streets. Many Ghanaians wear shabby clothes. Street lamps do not work. Matches are a rarity and cigarettes are hard to find . . . Western diplomats whose embassies ensure that their pantries are well stocked, report increasing thefts from their kitchens'.

But a small minority of Ghanaians have managed, at least until recently, to live very well. They are the successful practitioners of *kalabule*, the slang term for corruption. Members of this kleptocracy — a useful term to denote any ruling class that lives by stealing — range from street traders and market women to high army officers and senior civil servants. But a ruling class that turns too obviously into a kleptocracy pays a heavy price: it loses all trace of legitimacy in the eyes of ordinary people. Conversely the great strength and source of popularity of Ghana's present ruler, Jerry Rawlings, lies in his constant sense of moral outrage at the villainy of his predecessors, his determination to lead a 'holy war' against corruption, his convictions that this can only be done by giving 'power to the people' . . .

## RAWLINGS'S TASK

Rawlings faces a Herculean task. And there is no unanimity among his closest supporters about the best way to tackle the country's economic morass. The Marxists are in favour of more state intervention, including the takeover of foreign banks, the pragmatists want to find ways of attracting foreign investment. But Rawlings' most pressing difficulties arise from the narrowness of his own power base. He has drawn enthusiastic support from the more radical elements in Ghanaian society — students, junior army officers, the proletariat and lumpen-proletariat of the coastal towns. But the country's conservatives are strongly against him: that means all those members of the Ghanaian bourgeoisie whose Western life style was made possible only, so their critics affirm, by a system of institutionalized corruption, and who now see their privileges under threat from the actions of the Peoples Defence Committees that the new regime has set up in factories and offices. How much support or popularity Rawlings enjoys up country is one of those points on which no information is available. What is clear is that in his first eighteen months in office Rawlings has had to survive a number of coup attempts, in at least one of which the hand of the CIA was detected.

Can Rawlings really 'solve' Ghana's problems? It would be comforting to fall back on an easy optimism, to see the new regime as succeeding in gradually pulling the country together again. But what if Ghana's problems are in fact insoluble? How do you pull your country together if you can never afford enough petrol, if the telephones do not work any more, if a large number of your most skilled people have left to seek jobs elsewhere?

The conventional wisdom both of the capitalist and of the communist worlds assumes that the form of 'development' that has taken place in Western Europe and the United States or in Eastern Europe and the Soviet Union has some sort of universal validity. Accept these premises and the recent history of Ghana looks like a case of tragic decline. But suppose that African societies, at least those societies which have not been messed up, as is the case in South Africa, by excessive alien interference, are simply not adapted — for historical, politico-social and ecological reasons — to carry the burden (or should one not say the incubus?) of the urban-based bureaucratic state. Things may seem to be 'falling apart' in Ghana, local economies returning to a greater measure of self-sufficiency, communities, less closely in touch with the outside world as a result

of the breakdown in communication, finding themselves with no alternative but to run their own affairs without assistance, advice or interference from the agents of the centralizing state. These points must be made in a spirit of speculation. In Ghana, as in many other African countries, it is impossible for an outsider to find out what is really happening away from the capital and one or two other major towns. Ghanaians are a people of wit and intelligence. It may well be that they are now in the process of working out a system and a philosophy of life that is going to prove much more relevant to the strains of the 21st century than the easy nostrums of the development economists and the political scientists. So Ghana may well have some important lessons — and probably some pretty hard lessons — to teach the rest of us. □

---

by KEYAN G. TOMASELLI

# 'ADAPT OR DIE': MILITARIZATION AND THE SOUTH AFRICAN MEDIA 1976–1982

"Join the army, see the world, meet interesting people and kill them. Over and out ... "

Souvenir T-shirts, Omega Rest Camp, 'the Border', 1982.

"Study . . . animal, insect, and plantlife, handwork, mountain-climbing, court-cases, concerts, film-shows, tenniquoits, volleyball, *hunting terrorists*, swimming . . . (The camp will be conducted on a Christian basis).

Programme brochure, 34th Afrikaans Holiday Camp, 1983 (emphasis added).

The media are a prime site of ideological struggle in South Africa. Press, film and broadcasting have, since the turn of the century, provided the motor for the growth and acceptance of the Afrikaans language and its associated Nationalist spirit.

More recently, with the fall of white rule in Mozambique, Angola and Zimbabwe, increasing pressures on 'South West Africa', and a growing internal resistance, the media have been progressively co-opted by the South African Defence Force (SADF) both in terms of what they report and *how* they report. This co-option is not wholly coercive, for the commercial media, with their vested interest in economic and commercial stability, articulate the ideology of organised capitalist interests. These interests — whether national or international — and those of the SADF (and the state) began to converge after the Soweto uprising in June 1976.

## 'THE TOTAL STRATEGY'

### THE SOCIALIZATION OF DANGER

To understand the relationship between the military and the media in South Africa, it is first necessary to discuss the ideological rhetoric of what the state terms the 'total strategy' and its related catch-phrases, 'total war', 'total onslaught' and 'total survival'. The aim of the 'total strategy' is to prepare South Africa militarily, economically, politically and psychologically to fight what is seen as a 'total war' against the 'total onslaught' waged on South Africa not only by communists, leftists and liberals, but America and the West as well. This strategy encompasses the state, the private sector, diplomacy and state-funded scientific research and armaments organizations. Paramilitary in posture, it has infiltrated all areas of life, including holiday camps and T-shirts.

The 'total strategy' is not a planned conspiracy but is the result of a new balance of forces deriving from changes in the political economy, South Africa's relationship to international monopoly capital, politico-military initiatives and the restructuring of the class alliance. These elements coalesced at more or less the same time (the mid-1970s) and led to the convergence and cooperation of previously conflicting interests. The emerging hegemony consists of the white bourgeoisie and petty bourgeoisie (as well as remnants of the white working class), the rural black bourgeoisie (the black homeland leaders and businessmen)



and the new urban black middle classes. At the bottom of the hierarchy is the rural proletariat, peasant farmers and the working classes who now face a doubly articulated repression: from the white-governed South African state and the apparently black-governed 'national' states which nestle within it.

As a military doctrine, the 'total strategy' is not the brain-child of the National Party, nor the SADF. Its origins can be traced to the 18th Century writings of the Prussian military philosopher, Karl van Clausewitz. The concept has been adapted by the PW Botha administration and punted under the guise of 'democracy' and 'survival'. The basic aim is to engender voluntary — as opposed to coerced — support for racial capitalism through the restructuring of fundamental economic and political relationships between and within classes, between classes and the state, between the state and the economy, and within the state itself.<sup>2</sup> Or, as the Prime Minister put it: "We must adapt or we will die".<sup>3</sup>

State manipulation of media agencies is thus merely one aspect of the 'total strategy'. Not only are the mass media to be co-opted in the 'national interest' to wage psychological war against a 'Marxist enemy', but they are also harnessed to prepare local citizens to accept the emerging re-alignment of social classes, the restructuring of the economy and a revised set of social relations in the workplace. Since 1977, white viewers have increasingly been exposed to black faces on TV1 (the so-called white channel) and black viewers of TV2/3 (the 'black' channels which have been broadcasting to urban areas since 1982) are being subtly persuaded to accept their new class positions in an urban, industrial economy. Simultaneously, they are persuaded of the 'fact' of the homelands and are continually reassured that the people 'back home' are being adequately cared for by the homeland governments. Radio Bantu caters primarily for this latter audience, as well as for schoolchildren, to persuade them to become 'economically dynamic persons' who must learn to earn their "daily bread by performing labour"<sup>4</sup>.

Recent years have witnessed a shift of power from the police to the military. This was inevitable given the growing intensity of the guerilla war on South Africa's borders, the extent of internal dissent, the arms boycott which stimulated the growth of a military-industrial complex, and the assumption of the Premiership by PW Botha, previously Minister of Defence. News manipulation — especially in police, military and security matters — is now a matter of course, enforced by draconian legislation and the threat of vicious penalties guaranteed to intimidate the most courageous newspaper or journalist.

Along with the militarization of South African society has occurred a quantitative increase in the mass media of images of the military and security forces. Three examples will be discussed: cinema, broadcasting and the press.

#### INTO BATTLE: THE BORDER WAR FILMS

Whereas it took the American film industry more than ten years to come to terms with the Vietnam War, the South African film industry followed the troops into action with no qualms at all. The first phase initiated by *Aanslag op Kariba* (Attack on Kariba — 1973) fully identified with the South African Police presence in the Rhodesian bush war. A second category portended the conflict that was to come in the mid-1970s: *Kaptein Caprivi* (1972) *Ses Soldate*

(*Six Soldiers* — 1975) and *Hank, Hennery and Friend* (1976). The second phase includes films like *Terrorist* (1978) and *Grensbasis 13* (Borderbase 13 — 1979) which reflect the bush war more accurately than previous films. The third phase relocates the struggle to the city. While the emphasis on the Border War is maintained, films like *40 Days* (1979) and *April '80* (1980) reflect the context of the 'total onslaught' from the perspectives of civilian life, and urban terrorism. This thematic line is developed in television.

Although reflecting different phases and categories of internal and external attacks on South Africa, all these films interpret reality through a simplistic reduction to binary opposites: good vs bad, war vs peace and blacks vs. whites. More specifically, the oppositions are terrorist (black) = bad; soldier/policeman/student informer (white) = good: and 'loyal' black (especially those on the side of the South African forces) = good + bad (a sort of reformed black). Indeed, scriptwriters find it necessary to include a few token blacks on the side of the South African forces to mask the racial character of the slaughter they perform. These themes are not restricted only to film. They recur in television series like *Taakmag* (Task Force), and the way the news and documentary material is presented on the broadcast media, the press, including the English language press, radio soap operas (particularly those in Afrikaans), and magazines. Literature has offered a fertile source for film scripts: *Whispering Death* (1977) and *Wild Geese* (1977) by Daniel Carney, and *Game for Vultures* (1979) by Michael Hartman<sup>5</sup>.

The military themes in cinema take for granted a number of basic assumptions which later permeated other media as well. First, as in *Terrorist*, for example, the guerilla war is unmotivated: it involves a mindless racial slaughter where black must kill white.

The second point concerns the ubiquitous references to 'the Border'. Like the 'total strategy', 'the Border' is a state of being. It is geographically locatable within the 'total strategy': it's there, omnipresent and continuous, a state to be expected, inevitable — like sleeping or death. The term, 'the Border' has seeped unconsciously into our quotidian linguistic patterns: it is found not only in the media, but in everyday conversation from radio broadcasts of *Forces' Favourites* to the assumption that anybody in the army is at the 'Border', irrespective of his actual location.

Thirdly, whites are, of course, dominant. While black soldiers are seen, they are rarely heard. Where they are cast in roles which command respect, they are still 'kaffirs', as in *Wild Geese*. Here, the African President to be rescued by the mercenaries, one of whom is an Afrikaner, is repeatedly labelled as "the best there is". But "the best there is" is shown as sick, tired and dying, literally carried on the backs of whites, and the Afrikaner mercenary in particular.

The relationship between the police/military and the ordinary population is the fourth point. Seen in *Grensbasis 13*, *40 Days* and *April '80*, it privileges Institutionalism over Individualism. The dialectic in *40 Days*, for example, is blatant: Police (good) vs disco sub-culture (bad); Defence Force (good) vs personal chaos (bad).

The police are portrayed as charming, friendly fellows, and with the SADF are seen as the only viable agents of stability, law and order. (This uncharacteristic image of the Police also surfaced in an incredibly amateurish television series called *Big City Beat*). In the cinema films and

documentary television series, the way the news of the troops in action is shot and the style of press coverage is a deification or, at least hero-building, of 'our brave young boys in action'. This romantic image is contrasted with the population back home who are untroubled by the Border War. They are shown merely getting on with their lives as if nothing serious — apart from inflation — is happening. The implication is that nothing is wrong. We are in the safe hands of the Police and Defence Forces.

Unlike television, the film industry does not have financial links with the state, although feature films do get a subsidy based on box office income. Only one film on the Border War, *Escape from Angola* (1977), was financed directly by the Department of Information in conjunction with an American company. It failed and was withdrawn. In any event, the relationship between the film industry and the state is a cooperative one. Film scripts, for example, are usually submitted to the police, security police and military for comments and suggestions and their sanction.

### TELEVISION: SPEARHEAD FOR THE CO-OPTION OF ENGLISH SPEAKERS

Despite the gathering momentum of the 'total strategy', liberal English speaking South Africans remained sceptical of the 'total onslaught'. The massive mobilization which followed South Africa's invasion of Angola in 1975 did little to reassure them. Inept television propaganda re-enactments of the key battles of the war such as *Bridge 14/Brug 14* did not stem the growing incidence of draft dodging. The established media have been prevented from reporting on the thousands of male South Africans (mainly English speakers) who have fled the country. Most were students or graduates and it is not surprising therefore, that universities have become prime targets for SADF attention.

The introduction of a state-controlled television service as late as 1976 coincided with a crucial historical conjuncture: the invasion of Angola, the restructuring of capital and the class alliance, the adjustment of the political economy from competitive to monopoly capitalism, and the attempts by a clique of power-hungry elements within the National Party to secure control of the media through the secret acquisition of shares through front companies, led to a 'bloodless coup' with the military faction ascendant. Rhodesia became Zimbabwe in 1979 and the Namibian question retained a high profile as did the escalating war with the increased presence of Cuban troops in Angola.

According to General Magnus Malan, Minister of Defence, the 'total strategy' "means a national reorientation aimed at survival while at the same time ensuring the continued advancement of the well-being of all South Africans"<sup>6</sup>. English speakers, it appeared, were resisting the "national orientation". Hence, the SADF apparently decided to place pressure on the Television Service of the South African Broadcasting Corporation (SABC-TV) to produce and relay propaganda programmes to English speakers to convince them of the economic basis of the 'total onslaught' as well as to glorify the various arms of the Defence Force. In 1978 the English Documentaries Department was instructed to cease production of current projects and to concentrate on "a top priority documentary that would portray South Africa's military preparedness in the face of 'events to the north' which would restore confidence and

build up 'the will of the people'<sup>7</sup>. Faced with the refusal of all seven producers, the SABC tried to legitimise its action by comparing the present South African situation with propaganda films which had been made by notable directors during the Second World War. The producers remained unmoved and fought back with demands to make "socially relevant" films. The SABC responded by shifting the producers sideways into non-contentious departments like Variety and Sport, banished one to a technical job, while another, Kevin Harris, was fired for surreptitiously broadcasting a programme on Soweto's Baragwanath Hospital which he had been instructed to censor.

During the next two years the SABC broadcast at least eight documentaries on different divisions of the armed forces, made by a private contractor. One Afrikaans drama series, *Opdrag* (Mandate), was set in an army barracks and *Taakmag* was described as an 'anti-terrorist' series. A beautifully romantic series by Al Venter purported to have been made with the troops in action. The actuality, however, was not supported by the measured photography and the cutting techniques evident to the more experienced eye. That Venter was wounded during one of the scenes added a spurious authenticity. Similar images recur in press reports and pictures, dealt with in the next section.

Further direct intervention by the SADF in 1980 calling on the SABC to "nullify" the Opposition attack on the Defence Force budget during the Parliamentary session merely confirmed SABC-SADF links. Images of the military and the police now recur constantly on magazine and news programmes and the viewer is only reminded of their subtle intrusion when confronted with the crude representation of these agencies by less experienced producers.

### THE PRESS: THE FOLK HEROES OF BATTLE

Other than *The Citizen*, initially set up by the Department of Information, the press has no financial links with the state. Being liberal in orientation, apparently anti-apartheid and undeniably critical of the government, one might have expected the English language press to be against the war effort. Although critical of some general aspects of the war, it is uncritical of military action itself. This supportive stance occurs because the English press is as much part of the System as its Afrikaans counterpart. While it wishes to see the end of apartheid, it remains wedded to the class structure which underlies racial capitalism. Although scornful of the politics of 'total strategy', it is tied to it because the strategy is designed to ensure economic stability in the face of change.

The English press's attitude towards the war can be illustrated by means of a content analysis of *The Sunday Times* of 2 May 1982 (see opposite). The "ambush" story is clearly prominent. Underneath it is a seemingly less important story about the disappearance of an ex-detainee. The three war pictures are in colour, connoting realism which naturalises the war situation. These photographs are starkly contrasted with the monochrome shot of the missing ex-detainee, who is downgraded in terms of news value.

The photograph of the helicopter tails against the yellow-orange sunrise recalls the prime-time Venter documentary series and suggests a romantic, even poetic, interpretation. This picture is indexical of beauty, peace and tranquility and symbolic of a well-equipped 'ready' Defence Force. The romanticism is reinforced by the left photograph of the "hero" and the right one of a black "troopie" being attended to. The suggestion is one of racial cooperation

The young lieutenant who defied Swapo bullets as his men fell around him

# Hero of a deadly ambush



**THE early morning South West Africa calm was shattered by the scream of Swapo rockets, the deathly rattle of machine-gun fire, the thump of mortars.**

It was Wednesday. Swapo were ambushing a South African patrol about 120km east of Ondangwa and 15km inside SWA territory.

A young South African lieutenant was flung to the ground. Eight bullets ripped into his back-pack.

Another bullet tore through the upper part of his right arm.

But bravely he joined the battle, firing at the enemy with his R4 rifle.

A Swapo bullet shattered his right hand.

Li Jan van Deventer refused to give up the fight. He grabbed his rifle in the left hand and continued to return fire.

Alongside, his close friend, a corporal, fell to the ground. He was dead.

The firefight raged on. During the next 15 minutes the officer saw four more of his comrades injured — two seriously.

A radio call went out for reinforcements.

Swapo, under intense pressure from the accurate South African counter-attack, decided they had enough.

Dragging three dead and a number of injured with them, the terrorists fled north — to the sanctuary of the Angolan border.

At Ondangwa two helicopters were scrambled to carry two sticks of fresh troops into the area and evacuate the injured.

A young doctor and I clambered aboard as the helicopters were about to lift off.

Seconds later, we were skimming across the bush at tree-top height towards the battle area.

**Horrors**

The troops in our chopper were young.

But they were battle hardened. Their faces and their manner told that they knew the horrors of war.

Some sat with their legs hanging out the open doors of the chopper — their rifles pointing to the dense bush below, their eyes watchful for the signs of the enemy.

The doctor, Captain Neels de Villiers, shouted above the roar of the chopper.

He spoke of his feelings about going in on the first wave into a contact area.

There is always apprehension.

"Apprehension not only for the condition of the injured, but obviously also for my own safety."

From the chopper doorway I saw a column of yellow smoke rising out of the bush a few kilometres away.

"That will be our men down there," a trooper said to me as the helicopter veered in a stomach-wrenching sid-



Choppers at dawn — the craft used to evacuate the injured

## I'll get them for killing my mate!

**BLOOD poured from Lieutenant Jan van Deventer's badly wounded right arm.**

He looked across at the body of his dead friend and corporal.

Tears welled into his battle-hardened eyes.

"There's one thing you can be sure of: I'm going to be back. I'm going to get them for killing my mate."

He had been the leader of the patrol, and he told me the story of the Swapo ambush.

"We had spent the night at a temporary base in the bush and moved out early on Wednesday morning," he said.

"It was only to be a patrol a certain area."

He said his platoon had not travelled far from their bush base when they reached a small dusty road.

"I spread out two of my sections and asked for cover as I took the third section across the open area."

"The procedure was that they would follow after we had secured the area across the road."

"I was leading the section and was in the middle of the road when Swapo hit us with everything they had."

"There must have been more than 40 of them and they struck us with mortars, rockets, machine gun and rifle fire."

The lieutenant said he was flung to the ground as bullets ripped into his back-pack.

"I was hit on the top of my right arm but still managed to return fire."

"The next moment a bullet smashed my right hand and I could not hold my rifle."

He said he then grabbed the R4 with his left hand and continued to return fire.

"The battle lasted about 15 minutes before Swapo decided to run for it," he said.

jured were aboard.

The doctor and I were in a chopper with the most seriously injured riflemen, the one with two chest wounds.

The space in the chopper was confined. But the doctor went to work immediately.

After giving the patient additional pain killers, Capt de Villiers inserted a drip I assisted him.

While I held the plastic bag containing the life giving fluid, the doctor worked furiously on his patient.

A minute later the doctor shook his head and spoke to the flight engineer.

Within six minutes we landed at a small military camp in the Nkomo area.

Another doctor was waiting for us.

The camp doctor went to the aid of the man with the abdominal wound, while Capt de Villiers treated his patient.

Treatment took place on the runway.



A troopie gets emergency treatment on a runway

## Report and pictures by Sunday Times Military Correspondent KEN SLADE who flew in with the first wave of reinforcements

"You can jump out with the troops. But, keep low and look for cover." I was ordered.

The choppers hovered. We jumped.

I hit the ground after the doctor and followed hard on his heels.

The two aircraft immediately swept out of the area in high-speed climbs.

I was lying flat on my stomach under a thorn bush.

Our troops formed a defensive perimeter around the landing zone and the wounded.

The troops were eager to chase the enemy. But the first priority was to get the wounded to hospital.

I crawled to a tree where the doctor was already working on the injured.

"One of ours is dead," he said grimly.

There were five injured. Three were rounded and two on stretchers.

As soon as the terrorists began their retreat, the South African troops followed "bud-dy aid" to their injured.

So when the doctor arrived with bandages and pain killers had already been applied.

No further treatment could be given in the battle zone.

The doctor warned that the two serious cases could die within hours unless they received proper attention.

One trooper had two bullets in the chest. The other had been shot in the lower abdomen.

Two were seriously injured

were the lieutenant with bullet wounds in the arm and hand, a rifeman with a shrapnel wound in the hand, and another rifeman with a jaw wound.

The rifeman with the jaw wound was spitting blood. But he grinned at me and gave a thumbs-up sign.

The choppers were recalled. Within seconds the an-

## 49 Swapo raiders shot dead

SECURITY forces have shot another 49 Swapo guerrillas infiltrating South West Africa's white farming areas in the past two days.

This was announced yesterday by a spokesman for the SWA Territory force in Windhoek.

Three weeks ago Swapo insurgents began their push over the "red line" in the "triangle of death".

The area between Isimeb, Grootfontein and Oravi, which annually faces infiltration by Swapo guerrillas at the end of the rainy season, which is an annual incursion route.

Two heavily armed insurgents were shot on Friday in the Margrett block — the area immediately north of the red line — which is an annual incursion route.

As well as AK-47 assault rifles they were armed with anti-tank and anti-rifle grenades, anti-personnel mines, blocks of TNT and mortar bombs of Eastern Bloc origin, the defence spokesman said.

## Armed

Since then, 49 Swapo raiders have been shot dead, nine members of the security forces have died, and five civilians were killed and at least five wounded.

The "red line" is the border fence separating the former homelands from the former white farming areas.

"The triangle of death" is

Li Jan van Deventer who was hit in the right hand and arm by Swapo bullets

**Liz's aide ill after overdose**

Sunday Times Reporter London

ELIZABETH Taylor cancelled her hit West End play this weekend after her personal assistant had collapsed with a suspected drug overdose.

The assistant, 36-year-old Lesley Horne, was in a serious condition after being taken to hospital from Miss Taylor's London home.

Miss Taylor withdrew from her starring role in "The Little Foxes" at the Victoria Palace Theatre.

Fri's performance was cancelled and there was doubt whether last night's show would go ahead.

Miss Taylor's Press agent, Mr Tony Wells, said: "Miss Taylor has been deeply shocked by this. She is very, very upset."

Lesley has been a close friend for some years and has been Miss Taylor's secretary for the past two years.

## Ex-detainee who is suing Minister vanishes

**By WILMAR UTTING and NEIL HOOPER**

A FORMER detainee and student leader who is suing the Minister of Police for R150,000 for alleged poisoning has gone missing from his home in Port Elizabeth.

Mr Sipho Mthimkulu was last seen two weeks ago in Livingstone Hospital. He was wearing bedroom slippers and walked with a stick.

**Not held**

He was driven to the hospital by a friend, Mr Tracy Madaka. Mr Madaka is also missing.

Yesterday, Lieutenant General Johann Coetzee, head of the Security Branch, told the Sunday Times that Mr Mthimkulu had definitely not been retained.

"His family have not received his disappearance to date please," but I have learnt that the C, driven by his friend has been found in Transkei near Sticks-out, which is close to the border with Lesotho," he said.

Gen Coetzee this week or



MR SIPHO MTHIMKULU

circumstances in which his client went missing were "very disturbing."

"I urgently need to consult with my client. We are suing the Minister of Police for R150,000 arising out of the poisoning and the Minister's legal advisers have asked for more particulars," Mr Pasha said.

The former detainee has gone missing at a time when he was scheduled to be admitted to Groote Schuur's neurological unit for tests.

Last May Mr Mthimkulu was spotted in the arm during Republic Day demonstrations and was then held in detention for months under Section 29 of the Terrorism Act.

On the day of his release, October 20, he was ill and had admitted to Livingstone Hospital.

Mr Mthimkulu's lawyer, Mr Herbert P. chat, said the

**Discharged**

He was then transferred to Groote Schuur where his illness was eventually diagnosed as being caused by the rare thallium poison.

This substance was at one time used by large institutions for killing rats, but for many years has been regarded as too dangerous for use.

It is tasteless, odourless and colourless.

After more than two

# ROTHMANS KING SIZE REALLY SATISFIES

BRITAIN'S MOST POPULAR CIGARETTE

All over the world, on an average of over 100 countries, more than 100 million people buy Rothmans King Size with pride, accepted with pleasure. The reason is not hard to find. Rothmans extra length, firm texture and the best tobacco blend. They give you true King Size flavour. Rothmans King Size really satisfies.

**Now the prize is R30 000!**

BY DOREEN L. VIN

THE prize in the Sunday Times National Charity Fund Crossword competition is now R30 000 — see Page 9 of this week's Magazine. No one sent in the correct

**The Charity Contest**

Suite of Highlands North, Johannesburg, J.G. Jeffery of 101, Lang, Mr A.J. van der Merwe of Rivendurg and Mr A. Wilson of Randfontein SOLUTION TO CONTEST NO. 1

ACROSS: 1. Expense; 6.

and a unified South Africa in the face of an external enemy. This unification is enhanced by the newspaper's identification of the wounded black soldier as a "troopie" — he is one of us — skillfully treated by his white comrades. The inference is that South Africa is fighting a 'just' war, not against anti-racist blacks, but against communists whose aim is to enslave both whites *and* blacks.

The main headline establishes a dual theme. The first is the legitimization of military action! "I'll get them for killing my mate" says the "hero", threatening the "deadly" SWAPO. The second theme is the affirmation of the superiority of the SADF: "The young lieutenant who defied Swapo bullets". The photograph of the wounded lieutenant is symbolic of 'the best of South Africa': 'young', 'brave' and strong, a "walking wounded". The affirmation of the SADF is further reinforced in the headline "49 Swapo raiders shot dead". Although these "Swapo guerillas" were not involved in the ambush, by placing this report under the main heading and right hand photograph, the newspaper emphasises retribution. The sub-headings "Armed", "Horrors" and "Wound" suggest a continuation of the "Hero" story. This terse report defends South Africa's presence in Namibia. Despite its more sober style, the much higher number of dead and wounded (68 in all) this news is given less prominence (even though in bolder typeface) than the relatively less important "ambush" story. The use of attributive words such as "guerilla" and "insurgent", however, clashes with the main story's description of Swapo as "terrorists" and "cowards". This inconsistency is because the shorter report was written by a different journalist and is indicative of the contradictions of journalism practice. It is, in any event, overshadowed by the sensationalism and prominence given the "ambush" story.

The credibility of the main report is emphasised by the bold type and mugshot of the news source — the military correspondent — a new beat on the South African press scene. This identification not only tells the reader that he is reporting on a 'proper war', but it also identifies him as 'one of us' who is 'out there' with the troops in the front line. He too is a hero. His use of "us" and "we" tells the reader that he was in the thick of battle. He knows. His report must be the 'truth'.

The various elements of the page cohere to suggest that the SADF is 'professional' and 'efficient', 'ready for action'. It is simultaneously 'humane', suggested by the romantification of the "Choppers at dawn — the craft used to evacuate the injured" and the tears that "welled into the lieutenant's battle-hardened eyes" when he looked "at the body of his dead friend and corporal".

Connotations of illegitimate violence are associated with SWAPO, who are seen as inefficient and cowardly. In contrast, the South African troops are courageous and well organized. Where SWAPO drag their dead and injured with them, the South African troops evacuate theirs. Emphasis is on quick, professional and reassuring medical care.

The theme of security is further evident in the story underneath the "ambush" report. The ex-detainee was allegedly poisoned while held in prison by the Security Police. The inference that he has skipped the country is clear.

This page of *The Sunday Times* is typical of news reporting on the Border War.

## THE SILVERTON SIEGE: FROM FOLK DEVIL TO FOLK HERO

News relies on events which draw attention to themselves. News practice encodes these in a manner which reflects the dominant interests of society. Although the media are influential in naturalising a dominant ideology influence is not absolute.

One example is the media's response to the 1980 hostage drama when ANC gunmen occupied a Silverton bank. A poll conducted by *The Star* showed that despite screaming headlines of "Deadly Amateurs", "Terror Shootout", "Bank Siege" and "I'll avenge her", about 90% of Sowerans actually responded positively to the ANC action. Yet, despite this, and despite the availability of alternative nouns such as 'guerillas' and 'armed men', the South African media, (with the exceptions of the black-oriented *Post* and *The Star* which used the terms "gunmen" and "gang" respectively), painted the insurgents as folk devils and persisted in describing this event as a challenge to social stability and a violation of the accepted means of communicating opposition.

In contrast to the "terror" perpetrated by folk devils is the legitimate violence of folk heroes, like the lieutenant in the *Sunday Times* story. By venerating folk heroes and vilifying folk devils, the media have the effect of strengthening public commitment to dominant social norms and creating a climate of opinion which supports the actions of the repressive state apparatuses.

'Law and order', however, can only be maintained in a society where there is a strong degree of consensus about social norms and when those failing to obey them are seen as 'outsiders'. In the initial reporting of the Silverton incident, the media reported graphic details of the event and the police allowed press photographers to take pictures of the dead 'terrorists'. The result of these reports was to arouse *white* public antagonism and revulsion. Subsequent to the trial, however, the government realised that the folk devils characterised by the press had, in fact, been interpreted as folk heroes by Black South Africa. This is precisely the interpretation that the government was hoping to avoid. Realising that public outrage at deviant acts can only be sustained where there is a large measure of consensus about what constitutes social norms, it has moved to strengthen its censorship of the media.

As the Minister of Defence stated on 14 August 1981: "The primary aim of the enemy is to unnerve through maximum publicity. In this regard we will have to obtain the co-operation of the South African media in not giving excessive and unjustified publicity to terrorists and thus playing into their hands".

Another Defence Force General was not so subtle: "The media will be used and abused". The "abuse" of the



You've done your bit for us...  
Now we'll do our bit for you.

**A SPECIAL OFFER  
ON ALL MAZDAS FOR RETURNING  
NATIONAL SERVICEMEN.**

media may not be necessary, however. As the Mazda advertisement in *Paratus*, the SADF sponsored journal, states:

Mazda is not alone. *Paratus* is not alone. The media have been captured through advertising interests. The images of militarism in the media are indicative of the alliance between the military and monopoly capitalism.

The 'total strategy' has unveiled the mask which blames apartheid on Afrikaners and not capitalism. The rule of capital depends on stability and limited reform. The military is a prime agent of that reform: it not only protects capital but aims to shape an ideologically conducive environment for a class alliance which would sanction that reform. □

#### ACKNOWLEDGEMENT

I am indebted to Don Pinnock for his critical comments on an earlier draft of this paper.

#### REFERENCES

1. An earlier paper published in *Reality* in September 1979 looked at how some South African films represented 'the Border'.
2. Moss, G. 1980: "'Total Strategy'", *Work in Progress*, No. II.
3. *The Star*, 7 August 1979.
4. Strydom, G.S. 1976: *The Establishment and Expansion of the School Radio Service of Radio Bantu*. HSRC Report No. 0-53, Pretoria.
5. These books have been disseminated worldwide by paperback publishers. The films are mentioned here because, although not produced by South African companies, they were partially financed by South African capital and used South African locations, Defence Force personnel and equipment.
6. *Rand Daily Mail*, 20 September 1979.
7. *Sunday Express*, 30 March 1980.

by C.M. BRAND.

## "THEY AREN'T READY FOR IT"

(Edited from a talk given to the Association for Sociology in Southern Africa, Hammanskraal, 1983).

My starting point is the great dread of whites before independence of Zimbabwe crumbling into ruins "like other African countries": of milk no longer being delivered, of telephones ceasing to work, of having to queue for everything . . . etc.

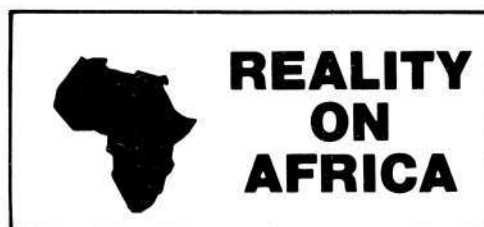
There is in fact more queueing in Zimbabwe now than before; and the telephone system is less efficient. In investigating the causes of this inefficiency, I want to focus particularly on manpower shortages (the so-called "skills crisis") and to a lesser extent on shortages of goods and equipment. I intend to suggest that the 'skills crisis' is partly the result of a self-fulfilling prophecy dating back to before independence.

#### MANPOWER DEMAND

Shortages — even of manpower — usually have their origins in changes in both demand and supply. Independence often brings with it a phenomenal increase in the demand for services (and hence for personnel) and for certain goods. In part the reason is demographic: the sheer number of people who previously had no, or very limited, access to these services and goods, and are now in a position to avail themselves of them.

The removal of past discrimination improves access for the less privileged (even if grave inequities remain). Attempts at integration often show up how grossly unequal the previously separate facilities were, and how great the financial cost is of bringing them on to a par with each other, since the pressure is usually to 'equalise up'. However, the opening of previously segregated facilities often means that they become severely crowded. In hospitals and public offices, for instance, queueing becomes the order of the day, since everyone prefers the better, formerly

segregated facilities, and staff and equipment are hard-pressed to cope. This is nothing new for blacks who have generally been accustomed to queueing at overcrowded and understaffed establishments. But whites, who previously



had more-or-less exclusive use of the best facilities, stand aghast! They attempt to create new expensive private facilities, which run counter to the government's wish to advance socialism. There are other reasons too for an increased 'popular' use of services and facilities. One is that the institution of certain free services leads to an explosion of demand which was not entirely foreseen. This has happened in health and educational services. The systems can hardly cope. In just over three years total school enrolment in Zimbabwe increased more than three-fold, from just over 800,000 to 2½ million. Pharmaceutical firms are not geared to provide for the increased demand for drugs. Facilities are hopelessly inadequate and shortages occur. Appropriations for departments or contingencies prove inadequate, and often cumulative cost-implications are not foreseen.

When the government over-commits itself, however, it is usually not staff who are cut (since with the pressures for employment this might have undesirable political implications) but allocations for goods and equipment. The increased staff find themselves without the necessary

means to do their job, and the result is often frustration. Just after the 'Year of the Disabled', for instance, hospitals do not have funds to provide crutches for everyone who needs them, let alone wheel-chairs. (And the IMF has dictated that government expenditure must be cut to reduce the budget deficit.)

### INCOMES

Increased incomes of the lowest-paid workers — due to the establishment of minimum wages — also increase popular demands, and larger numbers of people moving into the middle-class bracket mean that consumption patterns change and that more can afford services for which a fee is charged. In food, the consumption of bread (which in replacing traditional diets has questionable health benefits) and milk (undeniably beneficial) increases rapidly, often outstripping available local supply. Precious foreign currency has to be diverted to import additional wheat, for example, even while plenty of maize is available. (The government engages in barter deals through the UN World Food Programme).

'Conscientization' and communication also stimulate demand. Government claims, promises, and information, made and given to increase its legitimacy, make people more aware of what is, or should be, available, and encourage them to claim it.

### MOBILITY

Increased mobility, both vertical and horizontal, also increases demand, for black skills especially. Africanisation and 'affirmative action' — to redress some of the inequities resulting from past policies — require more trained blacks, and more blacks with advanced skills and experience. These are in short supply. Often candidates are drawn from sectors in which there is a larger pool of high skills — for instance teaching — thus aggravating the position in such sectors which are themselves expanding. 'Peter is robbed to pay Paul' in manpower terms.

The rapid resignation of whites calls for more blacks to fill their positions; and the lure of the private sector, which offers greater benefits and higher salaries, creates problems in the public sector. (The Chief Industrial Relations Officer and Registrar of Trade Unions — a key figure in the implementation of new government policies, and a respected nationalist-out-of-exile with a salary of possibly \$18,000 to \$19,000 p.a. — is recruited as a personnel manager by a mining company having difficulty in negotiations with the government over retrenchment of workers, at a salary of something like \$25,000 p.a. and a house and a car).

The commitment of the government to the transformation of society also creates demand for personnel. New policies spawn new government programmes, which create new departments, which need new staff. The drive for Co-operation calls immediately for 50 Cooperative Development Officers with supporting staff . . . again intentions and promises create demands.

### MANPOWER SUPPLY

The links of problems of demand with problems of supply should already be evident. It must be noted that general shortages of skills date back to well before independence. Surveys in the seventies indicated shortages (of both blacks and whites) in many professional and technical categories. These had their origins in two inter-related factors; first, discrimination, with effective restrictions on the recruitment of blacks into certain ranks or positions (for instance

apprenticeships) and second, a reliance on ready-made and cheap skills-from-abroad, in the form of white immigrant artisans.

The lack of blacks in certain fields was sometimes due to security or political considerations (no policemen, district administrators, army officers etc. above a certain rank) and often also due to prejudice. Whites often believed that blacks couldn't do certain jobs ('they can pass the theoretical exam, but give them a screwdriver and tell them to fix that thing and they won't know what to do') and refused to appoint them, or accept them, as colleagues, or have them promoted, because 'they won't be able to cope'. Sometimes this was also conditioned by an unwillingness to associate on an equal basis or share facilities (toilets!) with blacks. This led to the relative or sometimes absolute exclusion of blacks from certain jobs or skill-levels. The consequence was that at independence when there was an immediate demand for many skilled and experienced blacks, there was a severe shortage in many areas — telephone technicians, motor mechanics, fitters and turners, etc. The first black magistrate in the country was not appointed until shortly before independence.

### FOUR STEPS

Four kinds of steps were taken to alleviate the situation. The first was the appointment of foreign-trained Zimbabweans returning from exile. (There were substantially more Zimbabweans who had graduated abroad — perhaps more than 6,000 — than had graduated from the local university — somewhat over 2,000). Second was the rapid promotion of local blacks, sometimes "over the heads" of their former white seniors or superiors. (Within a few years a sergeant rose to the position of Commissioner of Police.) The Ministry of Manpower Planning and Development, apart from launching a major manpower survey to verify what the skills situation looked like, also launched a skills upgrading exercise to register those — after trade tests if necessary — who had acquired the necessary proficiency through experience. The third step was the launching of various crash training programmes, some full-time, such as for magistrates, and some mainly in-service, like the ZINTEC teacher education programme. Where all three of these steps proved inadequate to fill all the gaps, the government resorted to the recruitment of expatriates, such as teachers from Britain, Canada, Mauritius and Australia, railway technicians from India, engineers from Britain, and so on.

### WHITE REACTION

Whites reacted to all these developments in different ways but principally by withdrawal — into the familiar networks of white colleagues; into the private (from the public) sector, where they are in greater demand, feel more secure, and have better promotion prospects, or into foreign parts by emigrating. The greater the number of whites who left a specific situation (because they were unwilling to work under blacks, or to be superseded, because they felt socially uncomfortable, or because they foresaw "chaos" or a "decline in standards") the more pressure there was on those who stayed, especially the whites. There was psychological pressure in the fear of being "swamped" but also pressure of work because of rising demands and understaffing. Often most of the remaining few whites also decide to "throw in the towel" and leave. Sometimes blacks also leave into the private sector because of the increased pressures. Thus from a surplus of black nurses there is now a shortage in government hospitals, but nursing agencies are booming. So instead of a progressive

socialisation of certain work spheres, private capitalist-backed initiatives flourish, contrary to the government's intention. The measures outlined have made a considerable reduction in the skills shortage and will in time probably solve the problem in large measure, in combination with the regular training programmes already undertaken in tertiary and other institutions. The problems are therefore largely the problems of transition. Nonetheless they are real. And the short term measures themselves (and the reactions of whites) create a further series of political, technical, professional and social problems which I can only illustrate selectively with a few examples.

### GROUPS

The strategies outlined create four groups in public employment: local blacks of long standing, local whites of long standing, blacks returned from exile, and expatriate professionals. Politically there is, of course, the hangover and mistrust between whites on the one hand and blacks on the other, deriving from the past and the war in particular. Immediately after independence one found in fact two networks in each government ministry which hardly overlapped. One consisted of the "old" whites who continued operating largely as before, and the other of the "new" blacks who were eager to institute changes but first had to get acquainted with the machinery and gain experience. Decision-making power in the end lay largely with the latter; and this made the whites, who often did not know what was going on, feel that they were superfluous and working in a vacuum. It encouraged them to leave the service.

But there were also underlying tensions between, on the one hand, the former exiles, some of whom went into the top jobs after absences from the country of fifteen years or more, and, on the other, the blacks who had remained behind. The former were often more closely linked with the

party leadership, and felt that their ideology was correct, suspecting the latter of having collaborated with the old (white) regime and having "sold out" rather than supported the liberation struggle. Those who had remained behind again felt that they had borne the brunt of the suffering while others had "run away" to study or live in comfort in foreign cities.

### ADJUSTMENT

Socially all these groups had to get to know and accept one another. Many expatriates in particular take a long time to adjust to African conditions, and a few just leave after a few weeks. With both former exiles and expatriates the problem arises of the recognition of foreign qualifications. "British" standards are still largely required in Zimbabwe. With practitioners trained according to varying standards in highly diverse systems from East to West and South, professional acceptance and recognition pose major problems. Local practitioners and their professional associations often look down their noses at these Pakistani/Bulgarian/etc./etc./trained . . . . , and are reluctant to cooperate in helping them to adjust, or if necessary in upgrading their training. The former exiles and expatriates often feel snubbed.

Although Zimbabwe has generally coped fairly well despite these problems, there is no question that efficiency has suffered to some degree in some spheres, because of manpower (and equipment) shortages created by increased demand in the face of reduced or changed supply of skills.

Other factors not discussed here also affect efficiency; but I have mainly tried to show how the assumption of many whites before independence that "blacks can't do it" had contributed to the skills shortage at independence. The inability of whites to adjust to the situation aggravated the problem and affected efficiency, enabling them to turn round at the end with the self-fulfilled prophecy: "I told you so: they can't do it." □

### AMONG OUR CONTRIBUTORS

<b>C.M. Brand:</b>	Senior Lecturer in Sociology, University of Zimbabwe.
<b>Michael Cowling:</b>	Senior Lecturer in the School of Law, University of Natal, Pietermaritzburg.
<b>Robin Hallett:</b>	African historian; freelance journalist and analyst of contemporary society.
<b>Keyan Tomaselli:</b>	Lecturer in the department of Journalism and Media Studies, Rhodes University.

### EDITORIAL BOARD

**Chairman:** Peter Brown  
**Vice-Chairman:** Alan Paton  
**Members:** F. Antonie, J. Arnott, T.V.R. Beard,  
 N. Bromberger, M. Dyer, C. Gardner,  
 A.S. Mathews, P. Rutsch, J. Unterhalter,  
 M.G. Whisson.

**RATES** (6 issues - published every two months)

ORDINARY SUBSCRIBERS	DONOR SUBSCRIBERS
S.A. R6.00 p.a.	S.A. R25.00 p.a.
U.K. £4.00 p.a.	U.K. £12.00 p.a.
U.S.A. \$6.00 p.a.	U.S.A. \$20.00 p.a.

REALITY, P.O. Box 1104, Pietermaritzburg 3200 R.S.A.

# TERRORISTS, GUERRILLAS, FREEDOM FIGHTERS – AND OTHER THINGS THAT GO BUMP IN THE NIGHT

Is it possible to objectively distinguish between "terrorists", "guerrillas" and "freedom fighters"? This question is extremely significant in view of the fact that these labels conjure up vastly differing images among people generally and the political and legal consequences that attach to each of them vary just as drastically. At the outset it might appear that the terms are objectively distinguishable by reason of the fact that each, in absolute terms, has its own definition. Thus, for example, a terrorist is generally defined as one who engages in acts of violence by means of employment of terror tactics – i.e. random acts of violence calculated to invoke feelings of fear and intimidation. A freedom fighter, on the other hand, is someone who engages in a war of national liberation. Juxtaposed between these two is the guerrilla, who is simply someone who participates in armed conflict of a military nature in an irregular manner.

But despite these objective differences, the terms do have a number of common characteristics. Firstly, they all embrace, on a general basis, the employment of force or violence within a military context. Secondly, they are all to a greater or lesser degree politically motivated – whatever form this might take. Thirdly, they are all inter-linked in the sense that these definitions, even in absolute terms, are by no means fixed and immutable. For example, even the regular soldier participating in conventional warfare can employ guerrilla or terrorist tactics in the same way that guerrillas often commit acts of terrorism. The term "freedom fighter" creates similar problems since the mere fact that an individual is participating in a war of national liberation does not bear any relation to the manner of participation. Past experience has shown that these wars usually traverse the entire spectrum of military activity – ranging from conventional warfare (in compliance with the full rigour of the Geneva Conventions) right through to random and perfidious acts of terror.

As a result of these common characteristics, the terms have become subjectively and politically inter-changeable. Thus in the case of armed conflict of a limited and internal nature, one is frequently confronted with the classic situation whereby one man's "cowardly terrorist" is another's "heroic freedom fighter". And what is more, one's classification is inevitably based on political or racial considerations. Therefore the label that a particular individual (or government) attaches to a group (such as the



IRA for example) will depend on whether such individual is a unionist, a catholic, a protestant, a supporter of a particular political party, a liberal, a conservative or whatever. And this applies throughout the entire range of the political spectrum. Even the most law-and-order minded conservative is apt to apply different labels to right-wing military groups attempting to overthrow a Marxist government than he would to leftist groups engaged in a struggle against a capitalist-oriented right-wing government.

## SOUTHERN AFRICA

This problem is exacerbated in southern Africa where there has been a proliferation of so-called revolutionary military groups engaged in "liberation" processes. If one were asked to classify members of the ANC, RNM, FRELIMO, ZANLA, ZIPRA, Selous Scouts or SWAPO as guerrillas, terrorists or freedom fighters such classification is bound to reveal individual political affiliations in the process. The



question that arises in this regard is whether one can apply some form of objective, legal regulatory mechanism within this very subjective and often emotive political framework. In other words, is it possible to distinguish terrorists, freedom fighters, guerrillas from each other on an objective legal basis? This is important since different legal consequences flow therefrom.

The most obvious starting-point is the fact that all these groups are engaged in conduct that can be described as military conflict. And, strange as it may sound to the average layman, there does exist as part of international law, a body of rules that regulates the conduct of participants during war. This legal regulation has followed two different directions. Firstly there is the **jus ad bellum** which regulates resort to war in the sense of imposing limitations on the right of states to take up arms against each other.

Thus, early exponents of this theory attempted to outlaw the use of force by states unless it was in the pursuit of a just cause. This gave rise to the concept of a just war (**bellum justum**) which was soon subsumed by the political reality of each state expounding its own self-styled "just cause". Thus one could envisage the contradictory situation of two opposing sides propounding differing just causes in the same conflict. This led Grotius — that eminent Roman-Dutch jurist — to remark that "either party may justly, that is in good faith, plead his case". This philosophy was accepted during the positivistic era of the Nineteenth Century where war was generally regarded as simply a method (albeit extreme) of settling international disputes between states. However, the horrors of World War I invoked the conviction that the waging of war had become too costly, in both economic as well as human terms, to continue unchecked. Thus in 1928 the major powers signed the Pact of Paris which prohibited war as an instrument of foreign policy. This sentiment was conveyed into the United Nations Charter after World War II where Article 2(4) prohibits any act of force on the part of a state which will violate the political independence or territorial integrity of another state. However, this prohibition is by no means absolute, since Article 51 of the Charter expressly recognises the inherent right of self-defence — which includes anticipatory as well as collective self-defence.

Despite these prohibitions wars have continued to be waged and one can rest assured that of all the various restraints placed on a state's willingness to resort to force, legal restraints have generally had the least influence. Therefore, history and practical experience have shown that attempting to regulate war in this way has generally been unsuccessful.

## JUS IN BELLO

This brings into focus the second way in which war can be regulated viz. the **jus in bello**. This entails regulating the manner and method by which war is conducted. Thus, notwithstanding the extreme nature of war, there developed a body of opinion that demanded that, in the interest of humanity, certain restraints should be placed on the actual conduct of participants during times of war. This principle of humanity was based on such notions as morality (whether linked to religious or any other social norms); chivalry (which was a highly developed and effective restraining factor in medieval times, but has since been undermined by technological advances in military weapons and changing

techniques in warfare); and reciprocity (a practical consideration based upon the premise that any atrocity on one side is bound to be reciprocated by the other). Therefore in this latter sense, pure self-interest operates as a restraining factor.

Of course, owing to the extreme nature of war, these humanitarian considerations can never operate absolutely. Instead they must be counter-balanced with the notion of military necessity which takes account of the objectives of warfare (i.e. the defeat of the opposing side by military means) and the reality of the practical considerations in regard to attaining such objectives. And it is within this context that the laws of war developed.

However in order to understand the overall framework within which the idea of legal regulation of war is structured, it is necessary to understand how international law relates to the various internal (or municipal) legal systems that operate within states. One can begin by saying that international law is that legal system which governs relations between states whereas municipal law refers to that legal system which applies within each state. Thus, the above two systems operate on different levels or planes and only activity that has any legal relevance on the international plane will fall to be regulated by international law. So the classical development of international law has been based upon the emergence of the nation-state — that separate and sovereign entity constituted by a permanent population established within defined territorial limits and organized and administered by an independent governing body. The legal regulation of the community of states that emerged from this development was the chief function of international law. And, under the influence of writers such as Rousseau, war came to be regarded as a contest between nations (as opposed to individuals) with the result that its regulation fell within the exclusive preserve of international law.

This line of argument has a number of important implications. Firstly, since wars could only be prosecuted by states, it was incumbent upon the latter to create a specially-trained professional army for this purpose. Secondly, because wars were based on disputes between states and not individuals, the latter could not be punished by the opposing side for mere participation in war. From this emerged a number of general principles upon which the laws of war are based. Firstly, the existence of a separate army gave rise to the principle that, wherever possible, a rigid distinction was to be drawn between armed forces and civilians during warfare. Therefore it was important that the former should distinguish themselves by wearing distinctive uniforms and emblems and by carrying their arms openly. Following logically upon this is the principle that only members of the armed forces are permitted to participate in hostilities. Therefore civilian participation is unlawful. This distinction between civilians and the military meant that it was possible to declare that all civilian and non-military elements were considered outside the theatre of war and were thus not to be regarded as legitimate objects of attack.

Secondly, the fact that war was regarded as a contest between nations meant that individual members of opposing armed forces were legitimate objects of attack, but only

while they represented a threat to the opposing side. Thus, once a participant had been rendered **hors de combat**, whether in the sense of falling into enemy hands by reason of sickness, wounding or capture, such participant may not be harmed or punished merely for the fact of participation in military hostilities against his captors. This principle provides the cornerstone for legal regulation of warfare since it lays the basis for conferment of prisoner-of-war status in respect of enemy captives.

What emerges from the above is that the manner in which a war should be conducted (in the classical traditional sense at any rate) should resemble a football match — with two distinguishable teams representing the opposing sides and the civilians being represented by the spectators who do not participate in and are not in any way affected by the activity on the field. Once a participant becomes injured, (in the same way as an injured football player) he can no longer continue to participate and is protected to this end.

However owing to the extreme nature of war, legal regulation has tended to be rather haphazard and weak.

In fact, the one common characteristic in the development of the laws of war is that these laws have been backward-regarding. In other words, new laws have emerged which have tended to remedy defects arising from the immediately preceding war and yet somehow never managed to anticipate or embrace future developments and techniques employed in subsequent wars. Thus for example, the St. Petersburg Convention of 1864 sought to prevent the horrors arising out of the Crimean War and yet failed to envisage the problems caused by the campaign waged by French partisans against the invading Prussians in the Franco-Prussian War of 1871. This problem was, to a certain extent, taken up by the Hague Conventions of 1899 and 1907 but the latter were rendered completely obsolete by the advent of the "total war" techniques adopted during the First World War (1914 - 1918). Actually it was this war that was responsible for the decline of the development of the laws of war because it emphasized not only the futility of warfare, but also served as a clear example of the problems of regulating it. Thus, it was

during this era that the **jus ad bellum** attained its highest peak (with the signing of the Pact of Paris in 1928) and the **jus in bello** went into a consequent decline — since, now that war had been outlawed, laws to regulate its conduct were considered to be redundant.

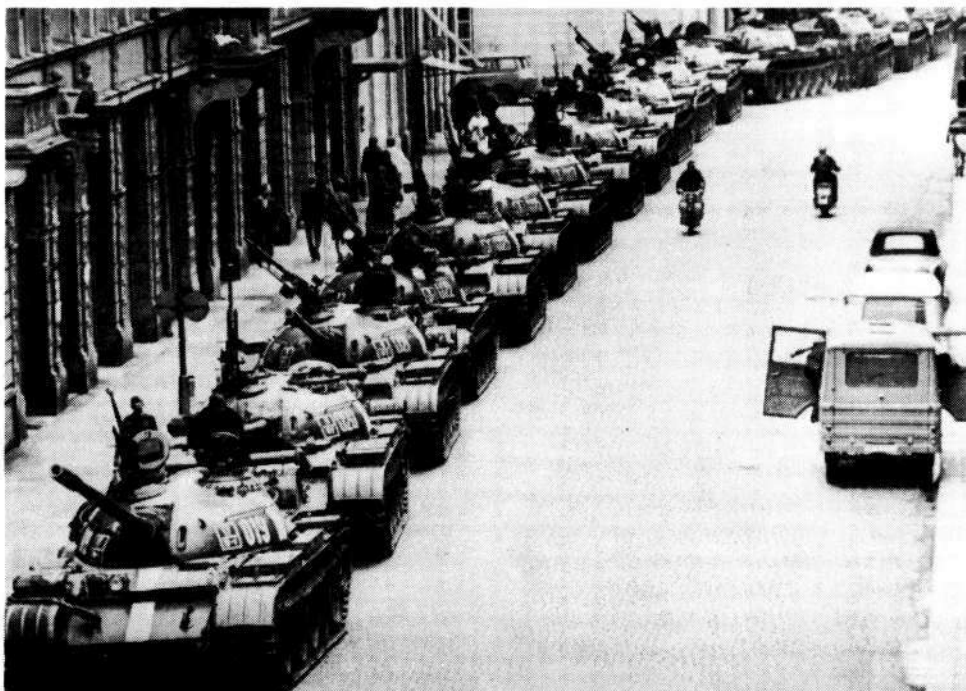
However, a Convention was signed in 1925 in Geneva which controlled the use of gas and chemical weapons during warfare. This obviously referred back to the First World War.

## AFTER 1945

After the Second World War it became evident that the problem of war could not be solved by the simple act of legal prohibition. Further, the Nazi holocaust and atrocities that emerged out of it clearly indicated that there did not appear to be any limit to the depths to which a group of people would sink in the pursuit of what that group perceived to be its national self-interest and ideals. Therefore the Geneva Conventions of 1949 were drafted with the intention of preventing a recurrence of the horrors arising out of this war. The Conventions took the form of 4 separate documents : the First Convention related to the treatment of the wounded and sick during times of conflict; the Second Convention dealt with war at sea; the Third Convention regulated the right to and treatment of prisoners-of-war whereas the Fourth Convention related to treatment of civilians.

From a general point-of-view these Conventions adopted a novel approach to the whole concept of legal regulation of warfare.

Up until then the standard approach (which was employed by the Hague Conventions of 1899 and 1907) took the form of direct regulation of the actual conduct of participants by stipulating what acts and weapons were permitted and conversely what was prohibited. The problem with this approach was that it was too rigid to accommodate the changing techniques and weapons of war, with the result that the Hague Rules are virtually obsolete in modern



warfare. For example, in 1907, no reference was made to aerial warfare and hence it is impossible to accommodate the latter's development within the Hague scheme. In contrast, the Geneva Conventions, fully realising the weaknesses inherent in attempts at direct regulation of the conduct of participants, adopted an indirect approach that took the form of classifying individuals into certain categories and then protecting them accordingly. The two basic categories are the military and civilians and the latter are to be protected from direct military attack. The military are further subdivided into participants and those who have been rendered **hors de combat** by reason of surrender, capture, sickness or wounding. The latter are no longer regarded as legitimate objects of attack and thus, by falling into a specific category, they will be protected by the appropriate Geneva Convention i.e. either the First Geneva Convention (sick and wounded) or the Third Geneva Convention (prisoners-of-war) depending upon the circumstances in which a particular individual was rendered **hors de combat**.

Although the latter approach is far more flexible (in the sense that it is capable of adaptation in order to accommodate changing military techniques and advances in weapon technology) it is submitted that the application of the Geneva Conventions is still essentially geared towards the concept of war in the classical traditional sense. Thus, for instance, the main body of rules and regulations in each Convention applies exclusively to armed conflicts of an international character. Although this latter concept has not been precisely defined, it is evident that the underlying intention is that the Geneva Conventions should be restricted to military conflicts between sovereign independent states. The implication behind this is that all internal conflicts or civil wars are not regarded as having any relevance on the international plane and hence do not fall to be regulated by the Conventions.

But the Geneva Conventions are not only restricted in respect of the type of wars to which they should apply, but also in regard to who may participate. This is extremely important since only those individuals who are entitled to participate (i.e. those conferred with combatant status) will enjoy the protection of the Geneva Conventions should they subsequently fall into the hands of the enemy. This protection takes the form of the right to prisoner-of-war status. Basically, as pointed out above, the Conventions have been formulated in accordance with the idea of two or more professional and permanent armies, distinguishable between themselves and also from civilians generally. These distinctions provide the basis for protection in terms of the Conventions in the sense that civilians are only immune from attack provided they do not participate in hostilities. On the other hand, lawful participants (i.e. combatants) will only be protected if they participate in a manner which accords with the general principles and laws of war. The latter entails refraining from treacherous and perfidious acts. Basically, this requires that a soldier should distinguish himself as such by wearing a fixed and distinctive sign (which usually takes the form of an established military uniform) and by carrying arms openly. Any attempts to feign civilian status or to pass off as a member of the opposing forces is tantamount to a gross violation of the basic principles of war and any transgressor in this regard will forfeit the protection accorded by the Geneva Conventions. In other words, such indi-

vidual loses his right to prisoner-of-war status and may hence be punished on capture by the opposing side for such conduct.

Although it is possible to discern the rationale behind the above structure, it is clearly apparent that fundamental problems occur when attempting to apply the Geneva Conventions to cases of guerrilla wars or any irregular, limited type of military conflict. Firstly, many of these conflicts apply within the territorial boundaries of a single state. Therefore it can be argued that such conflicts are not of an international character with the result that the Geneva Conventions are not applicable. This means that legal regulation will occur solely at the instance of the domestic law of the state in which the conflict is taking place. And the classical example of this nature consists of an incumbent government (which has the power to make laws as well as having all the state institutions — such as the courts, the military, hospitals and general administration — at its disposal) being confronted by a group of insurgents who operate outside this structure.

## THE DILEMMA

Now every state within the international community has some or other provision in its branch of domestic criminal law which outlaws conduct aimed at overthrowing the existing state structures through the employment of military force. And this is the high point of the dilemma confronting the laws of war in this regard since one of the fundamental principles of international law is that there shall be no interference in matters that fall essentially within the domestic jurisdiction of states. Therefore, so long as a particular conflict is classified as internal, the laws of war do not apply and participants are subject to the full rigours of the criminal law of the particular state in which the conflict occurs. This means that there is no objective neutral body of laws controlling the conduct of the participants since the incumbent government, (which is vested with sovereign legal authority), is at the same time an interested participant. The effect of this is that such government is able to label the opposing forces as mere "terrorist criminals" and to treat them as violators of that state's criminal law. This in effect means that members of rebel forces are punished for mere participation in the conflict (irrespective of whether or not their actions comply with the laws of war). And, as pointed out previously, this is tantamount to a violation of one of the most fundamental principles of those laws. It is this line of reasoning which enabled the Smith regime in Rhodesia to deny prisoner-of-war status to members of ZANLA and ZIPRA and to imprison (and even hang) captive members of those forces for contraventions of the criminal law relating to "terrorism". It is interesting to note that the definition of "terrorism" was conveniently extended to include purely military actions and that any international implications thereof were simply ignored.

In addition to this very basic problem of classification of most examples of guerrilla conflicts as internal (which meant that the laws of war will not apply to them), there is the additional problem of attempting to bridge the wide gap that exists between guerrilla tactics and the traditional pattern of warfare espoused by the Geneva Conventions. As stated previously the latter apply to wars in the classical

traditional sense (which envisages the football match analogy of two separate and distinctly-marked armies engaged in combat with each other while the spectators/civilians remain totally unaffected). It does not take much imagination to see that guerrilla tactics simply do not fit this pattern. More often than not guerrilla wars start out as very much of a David vs Goliath type of situation where a small group of dedicated but inexperienced political dissidents challenges the full might of the state. The latter is usually backed up by a professional force employing the latest in military technology.

This means that guerrilla groups must rely on elements of stealth, surprise and, most important of all, their very existence is dependent on the active support of the civilian population. It is patently obvious that this constitutes a drastic departure from the traditional methods of waging war. Consequently many acts of sabotage will be regarded as perfidious and the fact that many guerrilla participants do not specifically distinguish themselves as combatants nor do they carry their arms in an open manner (i.e. the typical peasant-by-day guerrilla-by-night situation), would fall within the classical definition of treachery. But the most important problem of all relates to the position of civilians during guerrilla wars since guerrilla movements generally regard the latter as "the water through which the fish (i.e. the guerrillas) must swim." This undermines and blurs any dividing line that might exist between the military and civilians and usually results in the latter suffering at the hands of both sides. For example in the seven-year Rhodesian Bush War, civilian fatalities "caught in cross fire" by Rhodesian Security Forces far exceeded the casualties incurred by military personnel on both sides. Finally the Geneva Conventions stipulate the provision of certain facilities (such as prisoner-of-war camps, field hospitals and medical care) implying a minimum standard that (although easily within the reach of states) could never be attained by the average guerrilla group.

Therefore one is confronted with yet another example where the laws of war do not accord with the reality of the actual methods and techniques of warfare. Thus, guerrilla-type conflicts (which are occurring with considerable frequency nowadays) do not conform to the underlying assumptions of military conduct implicit in the Geneva Conventions and it is therefore necessary that the law should adapt in order to accommodate these patterns. Setting unrealistic standards based on legal assumptions that are incapable of applying to the factual situations that have subsequently developed will result in the laws of war falling into disrepute and hence being ignored by both sides in guerrilla conflicts. Thus where the Geneva Conventions envisage a football match type of situation (in which the two opposing sides as well as the participants and non-participants are clearly distinguishable), a similar analogy in guerrilla conflicts would be that of the two competing football teams both wearing similar clothes to the spectators with the latter descending from the grandstands onto the field to participate at will. There is no doubt that this latter image is totally inappropriate to the framework provided by the Conventions and that any attempt to adhere and apply the latter to guerrilla conflicts is an exercise in futility and places intolerable strains on both parties.

However, the situation is not one of total despair since there have been certain legal developments in terms of which the laws of war have been modified in order that they might have a greater field of application. There have also been certain amendments which serve to lower the standards of participation to include the less formal guerrilla groups. These changes have been reflected in the 1977 Protocols to the Geneva Conventions and will be dealt with in Part Two of this article.

*(Part Two will be published in the March issue of REALITY)*

