

ESTABLISHED 1969

Reality

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EDITORIAL

Disquieting secrecy

THE African National Congress emerged from its conference looking more vigorous, unified and in a much stronger position to enter negotiations, than it went into it.

Good sense prevailed in electing Walter Sisulu to be Nelson Mandela's deputy, and, frail though he may now be, the steadying hand of Oliver Tambo in the new position of chairman, could well be crucial in the difficult days ahead.

The choice of Cyril Ramaphosa and Jacob Zuma to fill the two top administrative posts will introduce new drive where it is most needed if the ANC is to create an effective electoral organisation in time for the country's first one man, one vote elections. Both of them have shown themselves to be sensible people in situations where commonsense was more important than ideological rigidity. Nevertheless they are both said to be members of the South African Communist Party and this raises a big question in the minds of many people outside the ANC who are generally sympathetic to many of its aims.

What is the relationship between the two organisations now, and what is it going to be in the future?

The question is made more pressing by the election of a high proportion of what seem to be members of the SACP to the new ANC national executive committee.

The standard answer to this question is that the ANC is a liberation movement and that

there is a place in its ranks for anyone who supports its struggle. This is hardly the case any more. The ANC is to all intents and purposes a political party in the process of producing policies to present to the voters and about to negotiate a new constitution which it will try to persuade those voters to support. The SACP is also a political party with its own policies which, presumably, it is trying to persuade potential voters to support.

What concerns outsiders is whether the SACP's members are trying to do that within the ANC. It has not been SACP policy in the past for its members to leave their convictions and their practices outside the door when they join another organisation.

Although an attempt was made to play it down at the conference, the secretary-general's report referred to the ANC-SACP relationship as one obstacle to the recruitment of people from the minority communities.

There is one obvious solution, surely. It should not be a difficult one to accept, if the SACP has really abandoned its subterranean methods of the Stalin and Brezhnev eras. It is for *all* SACP members to declare themselves publicly as such, to decide whether their first loyalty is to the ANC or the SACP, and to belong henceforth to one or the other.

If the two organisations then want to enter into an alliance, fair enough. But at least the rest of those on the outside will know who is who and where each stands. ●

Join the debate on
changing South Africa.

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Nelson Mandela lends an attentive ear to Jacob Zuma who was later elected deputy secretary general.

MAKE PEACE!

ANC militants chose moderates for their new top team. As a result the prospects for an end to violence and democracy are far brighter.

THE African National Congress must be taken much more seriously after its Durban conference. That comes through loud and clear after the week-long deliberations.

It means yet another course-correction by the white-dominated establishment of South Africa, and the electronic media which primarily influence it. In years past, the establishment has had to adjust its thinking about the ANC many times. Past derision is becoming current respect.

Self-congratulatory assertions in Nationalist newspapers that F.W. de Klerk's team is the only competent player on the political scene will have to be re-thought. The ideology of indispensability which has been growing under De Klerk takes a knock. And the unctuous lectures delivered to the ANC by newspapers over how it should be playing to the rules of the game will have to be curtailed.

The ANC has squared up, with competence and realism, to the crucial business of negotiating a new South Africa with the government. It has held a remarkable exercise in grass-roots democracy, elected an able top team and

by
ANTHONY HEARD,
former Editor of the
Cape Times

survived holding a conference under the very nose of rival Inkatha.

Even the downside factors, such as over-secret discussions and the stultifying alliance with a rather toothless Communist Party, did not seriously detract from the success. But both will have to be attended to if the ANC wishes to offer itself in elections as a potential government. It will simply be impossible to be coy about admitting to membership of the CP. And if the ANC is to be the

party offering Democracy with a capital D, it will have to convince voters that this applies not only in its own councils, but in the reporting thereof.

Peace, ironically, seems closer now in spite of the continuing violence in South Africa.

Although the ANC conference was a militant mass occasion, with plenty of sabre-rattling directed at the government, it undoubtedly nudged the negotiation process ahead. There was a healthy mix of radicalism and realism, with the delegates possibly more militant than their chosen leaders.

The ANC emerged with a newly-elected leadership widely recognised in South Africa as strong. If you doubt this, just place the following against one another in national negotiation teams: De Klerk, Gerrit Viljoen, Pik Botha, Stoffel van der Merwe, Roelf Meyer; and, on the other side of the table,



Something quite new for the social face of Durban

Mandela, Walter Sisulu, Cyril Ramaphosa, Chris Hani and Thabo Mbeki.

Quite apart from the question of negotiating skills, it is difficult to forget that the former have enjoyed years of cosseted white rule; the latter have endured ennobling hardship, yet are rational and not bitter. And they are new faces. The chances are that, given real access to the media for a change, they will bowl many people over.

I found it a conference to remember, an occasion that would not have been possible a mere year or two ago. It plastered something quite new over the face of Durban.

Consider the incongruity: Soviet and PLO officials rubbing shoulders in hotels with kugels dolled up for the "July". The culture mix was mind-boggling.

A city which bore the brunt of ANC guerilla attacks in the 1980s acted host to the very forces it had grown to fear and hate: guerillas who now seek peace — but who threaten to go to war again if negotiations falter.

A conference "first" was the extensive voting, which was for the ANC office-bearers. For many Africans present, this was the only meaningful vote exercised in their lives; and they queued up at the booths, taking this business very seriously. I saw them in long queues, including grave-faced men and women in their seventies or older, doing what had been denied them by the white government all their lives. Before long, maybe, they will be voting for a new government, along with their currently voteless president, Nelson Mandela.

The conference was a truly non-racial event. Though Africans were dominant, I gather other races contributed extensively and distinctively to discussions — yet not self-consciously. Ethnic and cultural differences were there, but — from accounts — these were unifying and not divisive factors. "Klein" Jannie Momberg, son of the Simonstown MP, looked as much at home as the rest of the Stellenbosch ANC who arrived by Chilwan's bus at the University of Durban-Westville.

Yet, behind the pioneering surface events of the conference lay a sense of urgency among the leadership. Contrary

to suggestions in some quarters, it seems that the ANC leaders want to begin substantive talks with the government as soon as possible — certainly before the momentum of their march from exile to legality flags.

The top leadership have every reason to get talks going with De Klerk before they pass physically from the scene. Obstacles exist, but if De Klerk really does want to get talks under way promptly, they can surely be overcome, or reduced.

The ANC's task in this its first major conference inside the country since its 1960 banning, was a difficult one.

It had to begin the process of transforming itself from being an underground guerilla force into a legal, open political movement or party. Yet it had, for all intents and purposes, given up one card it had held since 1961: armed struggle. And it was losing another card. It knew international sanctions against Pretoria were eroding, so it took due

account of this by, in effect, accepting a phased withdrawal of sanctions depending on progress in South Africa. And its finances must be a worry — particularly in view of the drying up of foreign funds for anti-apartheid causes.

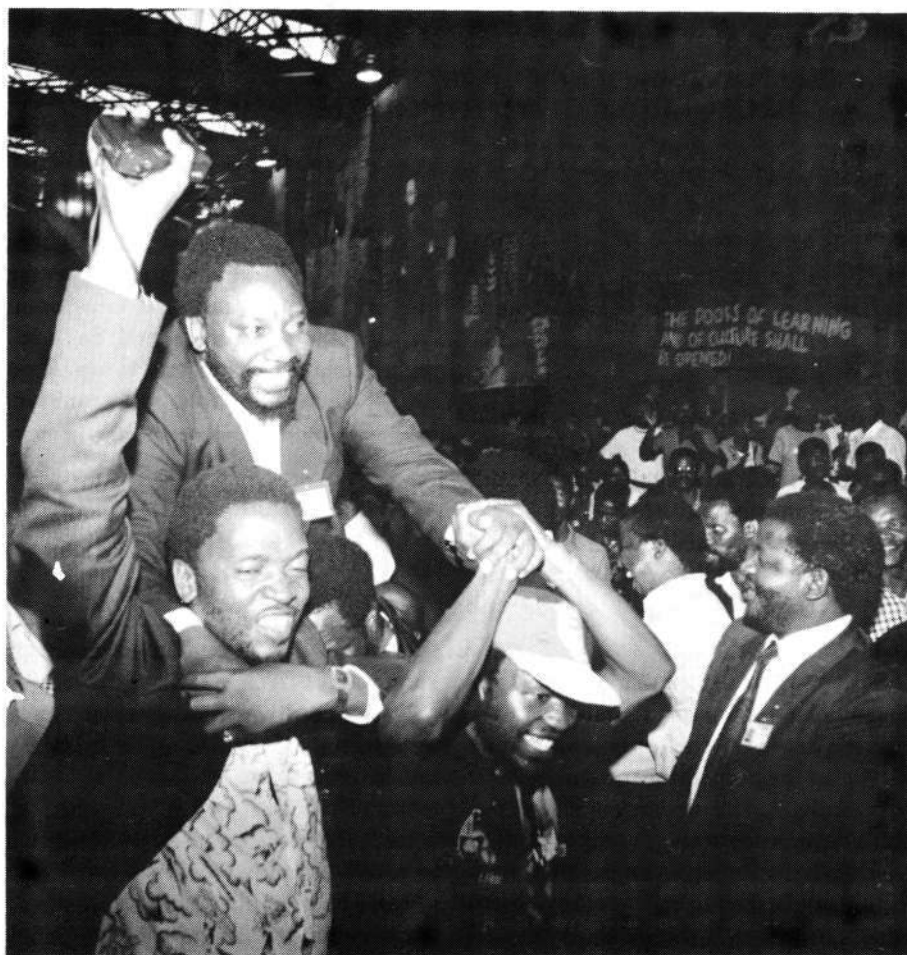
Moreover, it had the paradox of an aged leadership and radical youthful supporters. I heard one youth on going to the voting booth: "One man, one vote, but for the same old team." Yet the sheer all-round respect for the elderly leaders won the day.

But surely the degree of secrecy about the conference proceedings was unnecessary. One delegate, Albie Sachs, even expressed disappointment that the media was not present to hear the high level of debate.

Yet, in spite of its problems and the ideological "baggage" it carries, the ANC broke new ground and became an established part of the legal political scene as never before.

One illustration of the changed climate:

In November, 1985, as Editor of the Cape Times newspaper, I interviewed ANC exile leader Oliver Tambo in London and published a full-page



Cyril Ramaphosa's moment of triumph. He is the new secretary general.



Chris Hani has a word of advice for Winnie Mandela

From Page Four

account of his remarks. I was arrested by the security police in my office and charged in court for quoting a person silenced by official decree. Last week the selfsame Tambo — though handicapped by a stroke — walked and talked freely in Durban.

A tapestry of formerly forbidden political faces and events displayed in South Africans' living rooms, as a matter of routine reporting, by government-controlled TV and radio services apparently out to be less biased than in the past. Till recently, the same services had demonized the ANC. The course-correction was remarkable — and encouraging for the future.

So much for the conference.

Where do we stand as a nation? What are the prospects for peace and democracy? They are far better. The decks have been cleared for negotiations that lie ahead. A flagging economy sends urgent signals to all concerned to reach agreement quickly, and get on with the task of reconstruction.

One point about negotiations. From the applause and general responses at the conference, the delegates were more radical and militant than the top leaders chosen. The fact of a hawkish following and a dovish top leadership might

produce a dynamic combination which will lead to greater realism on the part of the De Klerk government in dealing with the ANC.

Mandela, who has discretionary powers and enough esteem to carry his followers into historic agreements with De Klerk when he wishes, can threaten, when in an awkward spot, to refer matters back to his more militant movement. De Klerk would know what THAT means. It could concentrate his mind, and make him continue to value Mandela's "moderation". This could strengthen the cement binding the two together; and that cement is arguably one thing which stands between South Africa and chaos.

The major and immediate obstacle to constitutional progress remains the violence in black townships as politically-emergent groups fight for turf. The ANC accuses the government and police of fomenting violence, and not doing enough to stop it. This the government denies. Whatever the truth (and I, for one, cannot believe that military destabilizers can be transported to angel status overnight), the violence must be reduced appreciably before constructive talks get under way.

Nothing that happened in Durban changes that reality. ●

WHATEVER HAPPENED TO THE WHITE LIBERALS?

LOOKING around the guests and other observers at the ANC's national conference in Durban, I was struck by how few white liberals there were. Especially English-speaking liberals.

Official invitations were sparse, I know, and perhaps English-speaking liberals are too genteel just to turn up and take pot luck the way many folk did. Even so, their numbers were so meagre as to provide an index of a troubling feature of our political life — the failure of the liberals, now that apartheid is on its way out, to come forward and embrace its alternative.

Helen Suzman was there briefly and so was Zac de Beer. They were the only "old Progs" who formed the Progressive Party in 1960. I saw no members of Alan Paton's old Liberal Party. By contrast there were a number of what might be called Afrikaner dissidents: Jannie Momberg, Pierre Cronje, Jan van Eck, Braam Viljoen (twin brother of the former Defence Force chief, Constand Viljoen), even UNISA's indefatigable Willem Kleynhans.

Foreign visitors outnumbered the local liberals.

It is a phenomenon I first noticed during the great black uprising of the mid-1980s, long before F.W. de Klerk and his *Pretoriastroika*, this reticence on the part of white liberals as the prospect of majority rule began to loom before them as something that might actually happen.

As the townships raged and P.W. Botha intensified the state of emergency, the liberal reaction became increasingly ambiguous: while they disapproved of

*Their absence
intrigued
Allister Sparks,
formerly Editor of
the Rand Daily Mail*



'WHILE THEY DIDN'T LIKE THE CRUDITY OF THE NATS, THEY DON'T LIKE UNTIDY LOOK OF BLACK MASSES EITHER'

the brutal crackdown, there was a palpable shrinking from the swelling tide of the black revolt.

I wrote an article lamenting this tendency in June 1987. Noting the vital role liberals had played in keeping the spirit of dissent alive through the decades of apartheid, preventing conformity from engulfing all White South Africa the way it did in Algeria, Kenya and Rhodesia, I expressed concern that this now seemed to be faltering.

"They (the liberals) still believe in criticising the government for its oppressive policies," I wrote, "but they have become afraid to identify with the black struggle to replace apartheid with a new society. They are distancing themselves from it with the liberal's historic fear of radicalism, getting lost in a no-man's land somewhere between sympathy and antagonism."

Three years later, with the ANC unbanned and active inside the country again, the tendency became more pronounced. A proposal that the Democratic Party should form a pact with the ANC produced an emotional reaction at its congress last September, culminating in Harry Schwarz's shrill declaration that "a pact with the ANC will be a Warsaw Pact".

What was particularly noticeable was that, while many new Afrikaner "progressives" like Momberg were all for a pact, it was the old Progs, the "true blue liberals", who were most passionately opposed.

Now we have this visible coolness towards the ANC's first full-blown national conference inside the country for 33 years — surely an historical moment for everyone who waged that long struggle for a nonracial democracy.

I find the reaction astonishing. All their lives these liberals have abhorred apartheid and believed in the inalienable justice of democratic majority rule. But now as that prospect draws close they find themselves unable to go out to welcome and applaud it.

It is particularly disappointing in the light of the ANC's continued commitment to the principle of nonracialism. Considering the offensiveness, the insult,

the sheer brutality of apartheid — the 18-million pass-law arrests and 3,5-million forced removals, the shattering of families and the torture in detention — I find it amazing that the country's major black nationalist movement should not have set about mobilising its people on the basis of an out-and-out counter-racism — Africa for the Africans and whitey go home.

But no. The ANC has clung unwaveringly to the principle of nonracialism and the dictum of its Freedom Charter — "South Africa belongs to all its people, black and white" — often in the face of criticism from Africanists elsewhere on the continent.

Surely white liberals should make some kind of responding gesture to that remarkable generosity of spirit?

Surely, too, there should be a recognition of the ANC's commitment to multi-party democracy, instead of the surly scepticism one finds? Again and again at the Durban conference Mandela and other speakers stressed the need for political tolerance and the rights of other parties to express themselves freely.

"We have no desire whatsoever to impose our views on everybody else," Mandela said. "We have never claimed that we have a monopoly on wisdom and that only our views and policies are legitimate. As a democratic movement we shall continue to defend the spirit of all our people to freedom of thought, association and organisation. It is precisely because of this that we have firmly committed ourselves to the perspective of a multi-party democracy."

In a continent still edging its way tentatively towards such thinking, that must stand as the most unequivocal commitment to multi-partyism by any African leader.

Yet the coolness persists. Why? One suspects the reason is that, while the liberals didn't like the crudity of the Nats, they don't like the untidy look of the black masses either. It turns out that the majority whose cause they have been championing are not classical European liberals like themselves but a proletarian mob of African socialists from whom they shrink in alarm. ●

ALGERIA

Colin Legum

ALGERIA, which has been ruled as a single-party state ever since it won its independence from France 30 years ago, is currently engaged in establishing itself as a multi-party democratic society. The first elections for a new parliament were called off when a boycott of the polls by a Muslim fundamentalist party, the Front for Islamic Salvation, ended in serious violence. The FIS has been accused of seeking to turn Algeria into 'a second Iran'. The country is now in a 'state of siege', that is, it is under emergency laws. But the false start has not deterred President Chuali Benjedid's ruling party, the Front for National Liberation (FNL), from pressing ahead with its promise to usher in a new era of democratic politics. It has only postponed the elections for six months.

This bold experiment to create a pluralist democratic society in Algeria is important not only for the 30 million Algerians, almost all of whom are Muslim, but because it is a key country whose influence extends beyond North Africa, deep into sub-Saharan Africa, across into the Middle East and into France, where some two million Algerians and other North Africans live, mainly as migrants.

However, what happens in Algeria will have its most immediate repercussions on its closest neighbours — Morocco, Libya and especially Tunisia, which is also engaged in re-establishing itself as a multi-party democratic state. Tunisia faced a violent coup attempt by Muslim fundamentalists only a month before the debacle in Algeria, and it has not yet eliminated the threat from that quarter despite the government's retreat from the secularism favoured by modern Tunisia's founder, Habib Bourguiba, as well as from its formerly Western-orientated foreign policy.

Fears of turning Algeria into 'a second Iran' are expressed not just by Westerners but also by the country's democratic politicians like Hooïna Ait Ahmed, leader of the important Socialist Forces Front (FFS). In the Algerian context, 'a second Iran' is a code-word for an Islamic fundamentalist state, not necessarily one modelled on Khomeini's ideas. Algerian Muslims are mainly

IN AGONY OVER REFORM

reflects on problems of creating a plural society

Sunnis and not, like most Iranians, Shi'ites.

The upsurge of Islamic fundamentalism in Algeria has been brought about by a variety of factors. These include disillusionment with a modernising technological regime which has failed to produce employment for a growing number of young people — 60% of the population is under the age of 19; widespread economic discontent; repression of Muslim political groups; increasing anti-Western feelings due, in part, to the Gulf War but much more because of the treatment of Algerians in France and the evidence of growing anti-migrant racism in Europe. Some of these factors are common to other largely Muslim countries in the 'Arab world', and particularly Tunisia.

The Islamic movement in Algeria is not monolithic. At least half a dozen rival Muslim parties — one of which is led by the former president, Ben Balla — are opposed to the FIS. These divisions can be a positive factor in developing a pluralist political system.

Important lessons about the difficulties of creating multi-party parliamentary systems in the Third World can be learnt from the latest developments in Algeria.

First and foremost, there is the lesson that democracy cannot take root in a situation where challengers for power are themselves anti-democratic and ready to use violence to impose their ideas on the majority, as is the case with Islamic fundamentalists everywhere. Their aim is to replace undemocratic single-party rule with their own no-party theocratic regimes, as in Iran and Sudan. These movements see the opening up of the democratic process as a means to achieve power through undemocratic methods.

A second important lesson is that an electoral system which encourages a multitude of small parties cannot produce political stability. No fewer than 42

parties have been licensed to contest the promised elections in Algeria. The fragmentation of political parties does not only give wide scope for minority interests to be canvassed; it generally produces extremist factions — of which one good current example is Israel.

The role of religion in politics has become one major phenomenon in many Third World countries — ranging from India, with the rise of the Hindu chauvinistic party, the Bharatiya Janata, to Israel, Sudan and Pakistan. A second major phenomenon has been the proliferation of small parties in every case where the political system has been opened up. There are 62 parties in Zaire, 27 in Senegal, 14 in Mali, etc.

These two phenomena need to be seriously addressed if multi-party democratic systems are to stand any chance of evolving out of the present unsatisfactory single-party systems. An attempt to do so has already been made in a few countries.

In Tanzania, no candidate is allowed to introduce religion in his/her election campaign. It is even forbidden for a candidate silently to hold up a Bible or the Koran on a public platform. As a result, after four general elections, religion has not become a factor in Tanzanian politics despite its religious diversity of Christians and Muslims. The outlook after the present elections in India would have been different if the founding fathers' example of secularist politics had been entrenched in the constitution.

In countries, like Algeria, where the preponderance of people follow the same religion, the banning of religious sectarian parties could be relatively simple, even if one considers the risk that those favouring theocratic rule would be forced (as in Egypt) to operate clandestinely. Of the two risks, the latter is the lesser one.

The way of dealing with multiplicity of parties — most of them based on regional, ethnic or sectarian interests — is shown in Nigeria's new constitution, although it still falls short of reasonable democratic ideals in that it provides for only two parties to contest for power in the elections due next year. Its positive feature is that to establish its *bona fides* as a national party, each party is required to have a percentage of registered members in each of the 21 states of the federation, and will need to secure a percentage of the votes in each of the states in the national elections. This is intended to ensure that no party can win by appealing on religious, sectarian, regional or ethnic grounds. The weakness in the new Nigerian constitution is the undemocratic manner in which the military regime decreed that only two parties can be registered to contest elections. This ignores, for example, the country's experience since independence which is that three broadly national movements exist.

Under a system requiring that parties should be able to demonstrate their national support, there is no need to limit their numbers as only a few are likely to meet the criteria of having, say, 10-12% of registered voters in every state or region of the country.

One obvious objection to such a system is that it could prevent minority interests from gaining representation in parliament. However, it does not preclude minority parties from the right to organise and campaign to achieve the requisite percentage of votes to qualify as national parties and, so, eventually to qualify for the right to engage in rational elections.

To sum up: There is little prospect of true democratic systems growing up in developing countries unless the problems caused by religious, ethnic and regional politics are addressed.

Fragmentation of political parties does not only give wide scope for minority interests to be canvassed; it produces extremist factions — of which one good current example is Israel ●

HANGINGS

PRESIDENT F.W. de Klerk's moratorium is over but can the government pay the price of having judicial executions resume? CARMEL RICKARD examines the issues confronting both State and abolitionists.

THE moratorium on judicial executions, announced by state president F.W. de Klerk on February 2 last year is over, and it now seems only a matter of time until hangings resume.

Following De Klerk's announcements, many abolitionists hoped the moratorium would lead — in practice if not in law — to the scrapping of the death penalty.

They believed while the state might not wish to pay the political cost of abolishing the death penalty, it was equally reluctant to pay the price of using these powers.

Then in March Justice Minister Kobie Coetsee announced death row prisoner Paul Bezuidenhout would be executed, after the Appellate Division refused his appeal against the death penalty.

A last minute Supreme Court application won him a temporary reprieve while a fuller report on his mental condition is researched and submitted to Coetsee as part of a petition for the death penalty to be commuted.

But Bezuidenhout's close brush with the gallows brought home to the human rights community that the threat of a resumption in hangings was very real.

Abolitionists face several serious problems: The revised legislation continues to allow executions; but because it was amended very recently, it is unlikely the law will be changed again in the near future; Public opinion, according to Coetsee, mostly favours the death penalty. This makes a campaign for abolition more urgent, yet more difficult; Finally, many abolitionists pin their hope on political change, anticipating a new government which is committed to ending the death penalty. Even if they are proved correct, however, such a government is unlikely to be in office for several years yet.

In the meantime, civil rights lawyers are faced with the problem of how to respond to the existing situation, and must continue devising new strategies to ensure as many prisoners as possible escape the noose.

The new law, embodying some important changes, presents obvious challenges and opportunities.

Under the old legislation, lawyers for an accused had to show there were extenuating circumstances surrounding the crime. If they could not prove EC's existed the judge was obliged to sentence the accused to death.

In terms of the new law, judges are no longer obliged to sentence anyone to death. They have to consider all the mitigating and aggravating factors and then use their discretion to decide whether the death penalty would be appropriate.

This should act to the benefit of the accused because mitigation is a wider concept than extenuation.

Since Coetsee has indicated hangings are likely to resume, all lawyers in South Africa who act for accused persons in murder trials will have to develop the field of researching and presenting evidence on mitigation more thoroughly, so as to give their clients the benefit of the changes to the law.

Schooled in the nuances of EC's, defence lawyers will have to take the broader view and learn from countries such as the United States where this section of a murder trial can take an average of a week, far longer than the norm in South Africa.

There are serious practical difficulties, chief of which is funding. The presentation of mitigation is a sophisticated aspect of defending a capital case. Yet when the new legislation providing for mitigation was introduced last year, it was not accompanied by the provision of additional government legal aid resources which would have enabled lawyers to translate the concept into reality.

The crucial role a well-prepared mitigation case can play was recently illustrated in the appeal against the outcome of a trial initially assumed by many to be a "clear cut hanging case".

Five accused, four of them sentenced to death, were convicted following the murder of four scabs during a national strike by railway workers during 1987.

The appeal, by Wilson Matshili and four others, illustrates a fully developed mitigation case of the kind which could increasingly be heard by the courts — where finances permit proper research and presentation.

In their initial trial, held under the old law, defence for Matshili and his co-accused put up what was believed to be the most extensive extenuation argument yet heard by a South African court.

By the time their appeal was heard the law had changed, and their defence "converted" their argument into an even more extensive mitigation presentation.

It reviewed the circumstances of the strike as perceived by the workers, and, as background to their actions, outlined the build-up of anger and frustration at what they believed was intransigence and unfair behaviour by management.

But the significant innovation in the argument was the presentation of a fully-developed picture of the social psychology dynamics involved during regular meetings of the strikers in the basement of Cosatu House.

It was argued that the meeting place was hot and airless, with the windows permanently closed against police tear-gas. People sang and danced, emotions were high, a strong feeling of group solidarity prevailed and people became increasingly angry and hungry as their money ran out without any sign that management would act justly and resolve the problems which had given rise to the strike.

Matshili's defence said this was the potentially explosive situation which transformed normally law-abiding "salt of the earth" workers into men capable of participating in a mass killing.

In heads of argument stretching over 200 pages, the defence outlined the findings of five expert witnesses including University of Los Angeles social psychology professor, Scott Frazer, and another social psychologist from the University of Leicester, Andrew Colman. Several previous cases have involved evidence on de-individualisation and related factors, but this has always tended to be piecemeal. In the Matshili case however the

Broadening the grounds for pleading in mitigation

defence developed a whole theory of social psychology combined with evidence on crowd behaviour. Counsel argued the trial court erred in its assessment of the overall impact of group dynamics, giving too little weight to the “extraordinary processes inherent in de-individualisation, the effect of situational forces, frustration-aggression, obedience, group polarisation and associated themes.”

In argument the defence outlined these theories and how the conditions prevailing before and at the scene of the killings were likely to have impacted on the accused in line with these theories.

Detailed attention was also given to each accused individually and how he was affected both by the background from which he came, and by his circumstances immediately before the killings.

Counsel submitted that the involvement of the accused in the strike and the “final fateful steps” which led to their participating in the killings should be seen as “a tragic culmination of a lifetime of law-abiding effort to make ends meet and to provide sufficient food and clothing to ensure their survival and that of their families.”

A sketch of the background of each accused was given including “their morality, religious beliefs, obedience to law, employment history and their history as fathers and/or husbands”, as these factors became important in establishing mitigating circumstances.

It was argued in detail, on the basis of the experts’ reports, that Matshili for example, was undoubtedly de-individualised”, that he was frustrated, literally without food, subject to powerful conformity pressure, profoundly affected by a sense of relative deprivation and that he “perceived the power of the group as sovereign”.

The hard work of compiling and presenting this evidence in mitigation paid off, and the death sentence of each of the accused was commuted.

The 12 year sentence of one accused not sentenced to death was however upheld.

The AD reviewed the circumstances of the killing and agreed with the trial court that the murders were brutal and gruesome, adding the deceased were “barbarically and ruthlessly slaughtered” and that they must have suffered greatly. The AD found that the accused did not act impulsively and that quite a few hours passed between the time the decision was taken to kill the deceased, and the implementation of this plan.

Outlining the aggravating factors, the AD also considered the motive for the killings — not just to punish the deceased for not striking, but also to coerce other non-strikers to stop working and thus compel management to come to terms with the strikers. “The murders were an act of intimidation; indeed one of terror.”

“The unfortunate victims were innocent, law-abiding citizens who had simply been exercising their right to work and earn a living. They were given

Death penalty will go either through abolition by parliament or through attrition with constant legal efforts undercutting its imposition.

neither the opportunity of explaining their actions, nor the chance of ceasing their employment. They were shown no mercy.” And yet, despite finding these strongly aggravating factors which added up to making it a “particularly serious case”, the AD was persuaded there were strongly mitigating factors.

As a result of the evidence placed before the court by the defence, the AD came to the conclusion that it was reasonably possible that because of the prevailing circumstances the accused suffered from “a lack of self-restraint which it is fair to assume they would otherwise have exercised.”

“They therefore acted with diminished responsibility. This being so, their moral guilt must, despite the brutality of the crimes and however reprehensible their conduct, be regarded as having, for this reason, been reduced.”

The AD then asked whether these factors were enough, given the horrendous crime.

“Normally they would have merited the utmost rigour of the law. I have come

to the conclusion however that the cumulative effect of the mitigating factors is such that the death sentence is not imperatively called for.

“(They) were subjected to psychological forces which caused them to act in an uncharacteristically violent manner towards persons against whom they had intense resentment. So these crimes were committed under abnormal circumstances.

“There is no reason to think that (they) cannot be rehabilitated. Nor would the deterrent aspect of punishment be inadequately catered for by the imposition of a period of imprisonment. In all the circumstances, the interests of society would in my view be adequately served by (their) lives being spared.”

Commenting on the decision to set aside the death sentences, instructing Attorney David Dison, said that the outcome was significant.

“It will hopefully be a reported case on the question of mitigation and the death penalty and will help establish that social psychology dynamics — concepts like by-stander apathy, de-individualisation, conformity — can be grounds for mitigation.

Dison’s view is that there are two routes to the demise of the death penalty. Either through abolition by parliament, or through attrition, with constant legal efforts undercutting its imposition. “We seem to be going the second route in South Africa,” he said. “Cases such as this continue to wear away the grounds for imposing the death penalty, widening the understanding of mitigation and making it increasingly rare for executions to take place.”

One difficulty about the “second route” is that it is slow and painstaking work, involving enormous research efforts. But this in turn requires massive funding, which is simply not available to most prisoners charged with a capital offence.

Academic research has indicated that the fate of an accused may be influenced by the judge who hears the case, with some more likely to pass the death penalty than others.

Apart from scrapping the death penalty altogether, there is little that can be done about this problem.

But at least each accused person should be entitled to the best possible defence to save him or her from the gallows. And that means adequate funding. Otherwise, the complaint can continue that the size of one’s bank balance determines the chances of escaping the noose. ●

Indigenous South African drama is taking on some curious forms. Much of it is still culturally encapsulated in its apartheid background; some of it has abandoned "protest theatre" for wild escapades celebrating some of the more seemingly lunatic aspects of the human spirit. Then there are others, some of the most

effective, that are for excoriating current tions. Even seemingly South Africa is often at all of political grist, TYLER, Sunday Trib What is needed is mo among the var

GRAHAMSTOWN CAL

THERE'S no disputing that drama is a potent form of communicating ideas and emotions, especially in a country where so many people can see and hear but often cannot read or write. This has not been lost on the government. A cabinet minister once warned Parliament of the dangers of "political" plays. They can lead to violence, he said. People leave a performance and immediately start burning cars and smashing buildings. He added fairly typically that this "will not be allowed".

It doesn't seem as if anybody has taken the slightest notice of him; political plays abound. If the audience does not leave immediately afterwards on a violent crusade, people often do at least wave their fists during the performance itself and shout "amandhla" loudly.

There were a fair number of "political" plays at the recent Standard Bank National Arts Festival of various degrees of sophistication. In fact, current local productions without some sort of political implication were rare. There is every reason for this; political issues in South Africa are so immediate, so overwhelmingly involved with everybody's everyday affairs and so potentially viciously dangerous that this is unavoidable if theatre believes itself relevant.

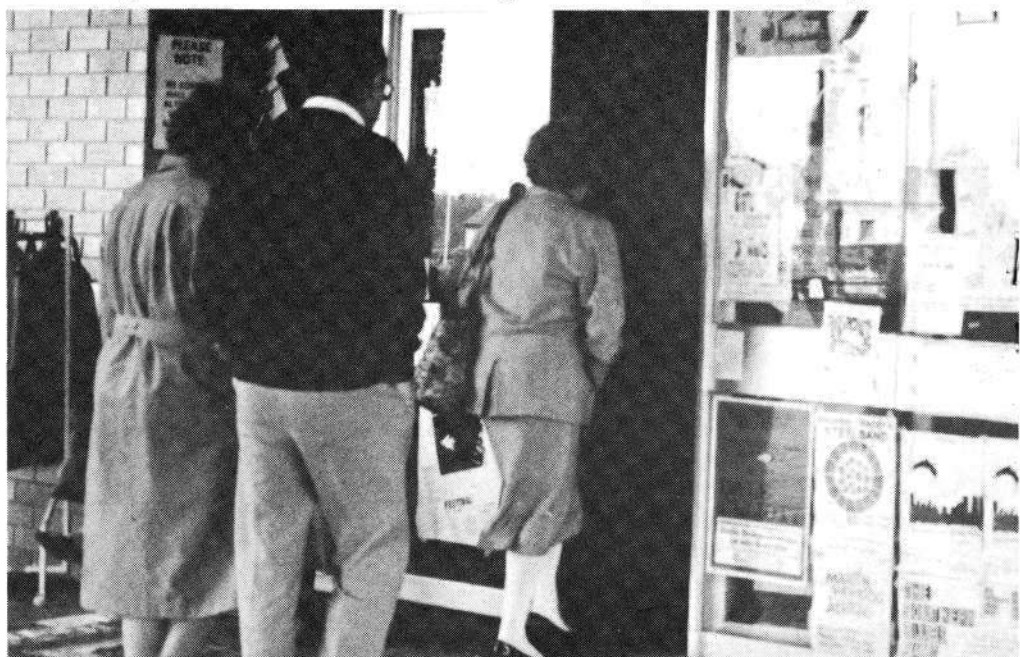
But relevance takes very different forms and can be expressed in very different ways. Almost certainly the most successful drama productions at the Grahamstown festival this year were comic affairs, comically satiric or fairly happily nostalgic. Escapist? Perhaps. But escapism can also be a form of protest. And they were produced with panache, to say the least, and often with the most calculated and profound professionalism. And several of the more directly

politically "relevant" productions were slothful in presentation and often downright boring. They serve a purpose, of course; it is sometimes safer to say things on a stage that you dare not express at a public political meeting where you could be arrested (at least, until recently). But some of the more political plays were uncertain whether they were plays or straightforward politics.

The outstanding light-hearted productions were staged by the Natal-based Theatre for Africa (the company intends moving soon to Johannesburg). The flagship productions of the group were *The Raiders of the Lost Aardvark* and its sequel, *The Son of the Raiders of the Lost Aardvark II*. The first *Raiders* appeared at Grahamstown last year and was immensely successful. It won a Pick of the Fringe award and went on to the

Edinburgh Festival where it helped win a Festival First award for Theatre for Africa. Both plays have been created by Theatre for Africa's director Nicholas Ellenbogen — formerly the drama director for Napac — in cahoots with his ebullient peer, Ellis Pearson. It is very sophisticated Goonish, using the simplest props (a kitchen chair with a plank becomes a Tiger Moth; Ellenbogen transforms himself into the notorious spy Hata Mari by putting on a hideous orange wig, and Ellenbogen and Pearson in tandem become a menacing giant crab with garden clippers for pincers).

The little plays sound as if they could be just silly; in fact they are presented with consummate professionalism and absolutely exact timing; a mixture of the fantastic, the barely possible, and clowning at a circus. (There is also a peripheral



There were record crowds and record box-office takings. Centre of the action was the bustling entrance which was plastered with advertisements for

forms of docu-drama, political presumption, domestic drama in not totally innocent, says HUMPHREY, Theatre Critic. More cross-pollination in various forms.

LING!

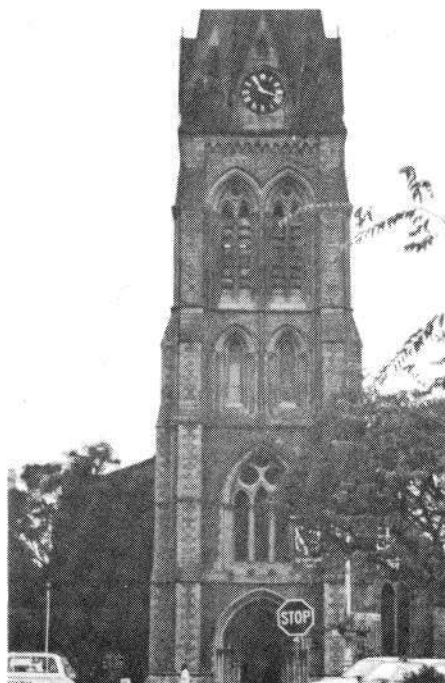
ecological "message" which is no less effective for being presented with a hoot.)

This is a viable and entertaining form of current theatre. Its value should not be underestimated. Its emphasis on inventiveness, exuberance and being wildly funny is a reaffirmation of human values that need to be encouraged. We would not, for example, have come as a country to our present gloomy, dour, dumb and glumly inhuman, humourless situation if the place were run with more delight and less stoic, dreary platitudinous and dogmatic intensity. Ellenbogen and Pearson would not kill Biko.

Then there was a new play by Robert Kirby, *Panics*. It was on the "main programme" of the festival which meant you sat in delicious comfort in chairs instead of on planks on thin cushions provided for R2 from a firm appropriate-



Bank of the Settlers Monument. Chilly crowds more than 200 "Fringe" shows.



More black groups than ever before went to the Grahamstown festival this year to try to put across their political and human point of view.

ly called B.U.M. Technology.

Kirby considers himself a satirist and has been remarkably successful in this genre. *Panics* is designed to castigate the dumb bureaucracy and pretensions of a major (unnamed) university. Before it reached the boards in Grahamstown there were some spicy real-life legal exchanges between Kirby and the University of Cape Town which lent the piece some additional fizz.

It boils down to an effective exercise in lancing pomposity, applicable not only to protective bureaucratic intrigues you might find at a university but, with variations, to the hierarchy of many large corporations (or government departments). Its salient characteristics were its wit, the relative professionalism of its presentation and the overwhelming fact that it was not boring; the audience enjoyed itself and returned after interval with expectations of more entertainment. If some of the other shows at Grahams-town had had intervals, many halls in the second half would have been rather empty.

An overtly political play featured at the festival was *Where is my Son?* by Peter Ngwenya, the winner of the Young Artist Award for Drama. It is acted with sophistication by four women who play many parts (including policemen attacking with sjamboks) and is in praise of courage and ultimately preaches the need to defy unjust authority.

It is an overtly "political" play, but it does escape many of the dangers inherent in this form. It does not politicise too

long. It does present on stage much of the action that is at the centre of the play. But like many productions of this genre, it lapses rather often into non-dramatic interludes and political exhortations. In many ways it is constructed rather like a comic strip. For a while there is plenty of action; you see and experience what is going on. Superman puts on his uniform and flies out of the window. Then suddenly everything stops and the central figure (this time the mother) "muses" in a way that is used in a comic strip to link segments of action. You know the sort of thing; there is panel showing a figure and there is a little heading labelled: "SHE THINKS . . ." and words in a bubble coming out of her mouth tell you what's going on, like: "I waited for three months, going to the police station every day, all in vain." Soliloquy is a dangerous tool.

It was interesting to compare the more static construction of this play with the energetic presentation at the festival of Woza Albert, as political as anything, still around after many years, and still very much to the point. There are no diatribes here, no static moments and the action takes place in front of your very eyes, as it should, even including various characters' discussions with Jesus (come to visit by jumbo jet). "Forgive people seventy times seven, Morena? No, Morena. This is South Africa, Morena. In South Africa we fight!" And, an aside full of blistering insinuations: "Morena doesn't understand Afrikaans, my boy."

Two plays that have been hits in South Africa but that were not at Grahams-town also indicate different attacks on the problems of being relevant but also being engaging drama.

The first is *My Second Wife* by Essop Khan and Mahomed Alli; the second *The James Commission* by Saira Essa and Charles Pillai. *My Second Wife* is the third play in a series about the impact of change on traditional Indian domestic life. Possibly, the earlier plays in the series, *The Jamal Syndrome* and *Jamal II* are even more piquant. Instead of a meal out of trauma, the play deals hilariously with what happens to a traditional Muslim family in Durban when the son returns home with a new wife — who is white.

This provokes a shattering cultural upheaval which provides the opportunity for Khan and Alli to lampoon outmoded attitudes and racial and social prejudices and taboos. Both these plays were presen-



Rueful reactions, not funny ha ha . . .

From Page Eleven

ted at "community halls" in Durban and around the country at literally hundreds of performances, but few whites caught a glimpse of them, which was a considerable shame because they missed some cutting inter-community comment. My Second Wife has been playing to packed houses at the Natal Playhouse in Durban and at the Baxter in Cape Town, and more whites have seen it as a result.

Then The James Commission. Saira Essa is one of the most skilled directors in the country, apart from being an outstanding actress. The James Commission was a docu-drama based on the hearing by Judge James into allegations of corruption in the House of Delegates. Mr James subsequently advised that the central figure, Amichand Rajbansi, should be barred from public office. (He remains, however, a member of Parliament.)

While two South African flags hung forlornly at each side of the stage, actors presented a damning indictment of corruption in the South African system that allows the most atrocious manipulations. It was a singular dramatic and financial success. (Ms Essa and Charles Pillai wrote and produced successfully also another docu-drama based on the Biko inquest evidence.)

What is the overall impression of the dramatic scene in South Africa? This investigation of some manifestations is hardly even a beginning. But because of apartheid, writers and actors are still very often limited in their inquiries and expression to the problems that affect their own encapsulated societies. Plays by Africans reflect often (and naturally) the bitterness of oppression and the brutality of their lives. Often the protagonists seek to explore political options and find political solutions, even something just straightforward like deciding: "You must go back to school." The leavening is often (in spite of everything) humour, and song and dance.

As perceptions and skills become more sophisticated (Napac's community outreach programme, Kwasa, is one organisation contributing to this) the plays are likely to become less deliberately and overtly didactic and more "entertaining", though there's no need for them to lose their "message".

Kirby's Panics is also very much based on group perceptions and prejudices and limited, for this reason, in its appeal. It's Wasp but very funny at times.

The lunacies of Ellenbogen and Pearson are much more universal and would find a response (as they have already) in just about any community.

Where next? Khan and Alli are experimenting with the frisson of introducing strangers with alien experiences into conservative Indian situations, and also with the impact of immense social changes on ordinary, very recognisable people. The result is that the laughter at their performances is often rueful and not just funny ha ha.

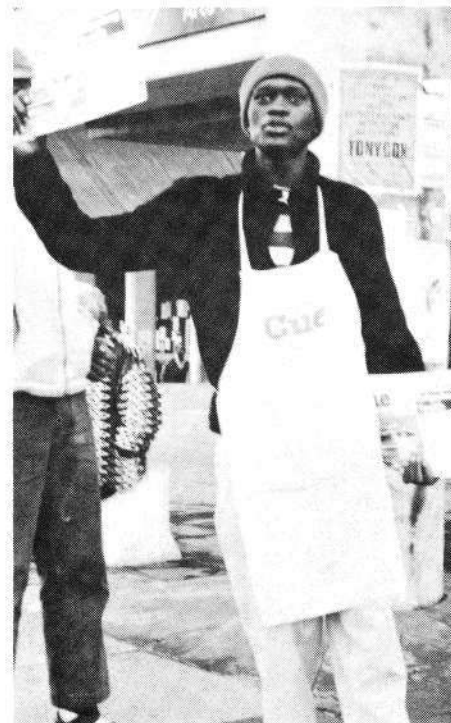
Ms Essa and Charles Pillai have used docu-drama like a scalpel to dissect and expose some of society's worst ills.

And this is not even to mention a writer of monumental potential, Ian Fraser, and his black tributes to the Savage God, whose features, though, at Grahamstown were not the success this year that they have been before.

Several years ago the University of the Western Cape (one of the most interesting and adventurous in the country) considered presenting a course on "creative writing". Perhaps it is possible to teach "creative writing", perhaps not. But certainly, with the stimulating diverse strands running so vigorously through our culture (and that goes equally and perhaps even more chaotically among people who are specifically Afrikaans), a school that examines the present cultural scene, dissects its trends and gives prota-



Traditional culinary culture hardly extended beyond (thousands of) boerewors rolls with mustard.



Hot seller was the Grahamstown festival paper, Cue, which carried reviews of the shows.

gonists more chance to understand what they are about, could be very valuable.

Meanwhile, with fascination, one goes to Grahamstown to examine an increasingly abundant flowering of talent and enthusiasm and remains fascinated by a plethora of offerings. But presently, which is only to be expected in a young country so confused and trying to understand itself, it is left mainly to overseas classics to provide real sophistication. Last year it was the most moving presentation of Kafka's Report to an Academy. This year, Fernando Arrabal's The Grand Ceremonial deserves much applause. The credit goes to the perception of the local producers and performers for seeking out and presenting such material. ●



Newcomer was Hoosen Farouk Sayed from Durban, one of several companies exploring interracial tensions.

The 1991 session of Parliament saw repealed all the significant laws upon which apartheid had been structured. Their scrapping, an extraordinary achievement for President F.W. de Klerk, has left people of all political persuasions uncertain about the future. GERALD SHAW, political analyst and associate editor of the Cape Times, reviews De Klerk's remarkable determination and suggests that now there is but . . .

ONE WAY AHEAD

THE 1991 session of Parliament has seen the legislative underpinning of the apartheid system finally swept away, only 18 months after President F.W. de Klerk's historic speech at the opening of the previous session on February 2, 1990.

It is an extraordinary achievement to have scrapped the bedrock racial legislation which Afrikaner Nationalist leaders from D.F. Malan to P.W. Botha have seen as vital to the survival of Afrikanerdom. It is even more extraordinary that Mr De Klerk, in doing so, has managed to take the Nationalist caucus with him and has survived as leader of the party.

It has been a tricky balancing act, made possible by Mr De Klerk's success in attracting enough English-speaking and coloured/Indian middle class support to compensate for the loss of much of the NPs traditional Afrikaner nationalist constituency to the Conservative Party. In the result, the NP — although still Afrikaner-dominated — is becoming more and more a party of the urban middle-classes generally, with the rural and white working class vote going to the Conservatives.

Misplaced confidence

Mr De Klerk's success has also rested on the assumption that the next parliamentary election, whenever it ultimately takes place, will be on the basis of a non-racial universal franchise. Another whites-only election is seen as unthinkable, presenting the Conservative Party with a chance to gain control of the country under the existing constitution, turning back the clock and triggering political and economic chaos.

Perhaps the most significant development this session has been the National Party's growing — but almost certainly misplaced — confidence that it can put together an electoral alliance with the

Inkatha Freedom Party and various moderate groups which could beat the African National Congress at the polls. This new-found confidence, which grew as the ANC's organizational and tactical disarray became all the more evident, has been reflected in a strident anti-ANC tone in the speeches of Nationalist Cabinet ministers and a marked anti-ANC bias in SABC television newscasts and public affairs programmes. The NP's bullishness has gone hand in hand with a steady erosion in the relationship of trust between Messrs F.W. de Klerk and Nelson Mandela.

It is here that a built-in contradiction becomes evident in Mr De Klerk's strategy. A new constitution needs to have been achieved before there can be any question of the non-racial democratic election which the NP now seems to believe it can win. And before this can happen such a constitution needs to have been successfully negotiated and accepted as legitimate both at home and abroad. This can only happen, surely, if the ANC as the major black political force in the country is very much a part of the process — and if there is a working measure of trust and co-operation between the NP and the ANC in managing the transition.

If, as some analysts are currently concluding, the NP has indeed lost confidence in the ANC as a transition partner, how else does President De Klerk expect to get a credible multi-party conference off the ground which can agree on negotiating structures and move towards interim governmental arrangements?

If Inkatha, commanding very much less support than the ANC, is to replace the ANC as the NP's partner in transition, shutting out the ANC, the country will be torn apart in civil strife. Already there are some signs that the NP might

be sensing that it has overplayed the pro-Inkatha divide-and-rule game this session and needs to row back from a divisive and potentially explosive strategy.

And the ANC? If the NP has been losing confidence in the ANC, the process is entirely reciprocal. As Rand township violence reached unprecedented heights of intensity in the first half of the year the ANC concluded that the De Klerk government and Inkatha, as the principal beneficiaries of the violence, politically speaking, were actively condoning killing expeditions by Zulu hostel-dwellers, with police seemingly impotent or looking the other way.

Destabilisation

The repeated attacks on commuters in trains and at bus and taxi queues, carried out by mystery gunmen with AK47 rifles, have likewise given rise to acute concern. The gunmen, operating from fast cars and minibuses and invariably getting away unscathed, have launched attack after attack, spraying automatic fire usually at random into township crowds, sometimes at identifiable groups of ANC activists. The conviction has grown in the ANC, rightly or wrongly, that it was becoming the victim of a clandestine destabilisation campaign.

While the good faith of President De Klerk himself is not in question, it did seem as if sections of his security forces might still be carrying on the clandestine CCB-style tactics of the Botha era.

It was in this increasingly murky political atmosphere that the ANC issued its controversial Open Letter to President De Klerk towards the end of the session, demanding that the government accept its responsibility as official guardians of law and order and put an end to the violence. The ANC's suggestion that it could not continue to take part in

De Klerk must know that the ANC cannot now be sidelined

negotiations in such an atmosphere was at first derisively brushed aside in the media and by the NP government. But within a week opinion swung around as the realisation grew that the Open Letter was not just a tactical ploy but an indication of a genuine perception in the ANC that the violence, unless curbed by the State, could set back negotiations very seriously, perhaps irreparably.

The ANC's own hands were by no means clean. Whatever the intention, its furious propaganda campaign against black local authorities certainly seemed to have stirred up a measure of violence, with local civic leaders, including the Inkatha-supporting Mayor of Soweto, falling victim to shooting, petrol-bombings or hand-grenade attacks and with policemen also singled out as targets. And ANC supporters on occasion gave as good as they got in the bloody ANC-Inkatha power struggle. A fair conclusion is that all three — the ANC, Inkatha, and the State, which was remarkably irresolute and ineffectual in curbing the violence — should bear their full share of the blame.

As the session ended amid unresolved wrangling over the violence, both the NP and the ANC seemed to be dragging their heels on the negotiation trail. Yet, behind the fog of rhetoric and recriminations over the release of political prisoners and other such issues, appearances may well have been deceptive. Assuming that the ANC emerges committed to negotiation and in good working order from its crucial midyear conference, and assuming that the efforts of churchmen to promote an allround commitment to peace prove successful, the stage should be set for Messrs Mandela and De Klerk to heal the breach between NP and ANC in the second half of the year. If the political will exists to get the negotiations back on track, and if the air can be cleared on the security front, there is every reason to expect that a multi-party conference will be in session by the end of the year, if not sooner.

It depends how profoundly the ANC's faith has been shaken in President De Klerk's willingness and ability to control the security forces and bring them into line as a neutral, non-partisan arm of the

State. It depends also on how far Mr De Klerk is prepared to go to regain the confidence of the ANC.

Right from the start Mr De Klerk moved ahead much further and much more quickly than anyone had expected in his drive to scrap the apartheid statutes. He seized the moral high ground. Yet two big questions remained unanswered. Could Mr De Klerk reform the security establishment and eradicate its malignant clandestine culture? Would he do so?

The horrifying slaughter on the Rand towards the end of 1990, continuing well into 1991 and carrying on unchecked, week after week, has intensified the ANC's doubts beyond measure, strengthening the position of those in the organization who were always inclined to doubt that De Klerk really meant business. For the ANC, the unresolved doubts about security pose the major obstacle to serious negotiation.

Armed struggle

By mid-1991, moreover, the ANC was beginning to suspect that it might have been the victim of a gigantic confidence trick, designed to get the NP government off the hook internationally, and once this had been achieved, to ensure that the ANC was thoroughly destabilised and marginalised as a political force.

Mr De Klerk, for his part, says he wants to see the ANC move from suspension of the armed struggle to its final termination. He wants to see the ANC cease presenting itself as a semi-military movement and act in a manner more befitting a political party. He wants to see the ANC give up its arms caches and go easy on the mass action which is still dear to the ANC leadership even though the numbers of the faithful still prepared to turn out for such events are steadily dwindling.

Does the political will exist to move ahead to the next phase on the way to a new constitution? Any movement ahead will require that a prior understanding be reached between all parties on questions of security. Unless parties can be sure that the others are not out to destroy them, talk of serious negotiation is idle. It remains to be seen whether such

assurance can be achieved. If it cannot be achieved, however, and the NP and the ANC remain bogged down in distrust, a further drift into violence and economic stagnation will follow.

On balance, I am opting for a more hopeful scenario. However misleading and self-serving the assessments which the intelligence establishment might place before him, Mr De Klerk must know in his bones that there is no way the ANC is to be sidelined, as yet another major opinion poll has overwhelmingly confirmed. Even if it never opens another branch or signs on another member, the ANC is still the old firm, and however disorganised, it will emerge as the most important black political force in a fair and free election.

So there is only one way ahead; that is for the NP and the ANC, having set the terms of a new constitution, to conclude a pre-election pact in which it is agreed that whoever is the outright winner, all significant parties which win seats in the legislature should also be represented in the executive government, in proportion to their share of the poll.

This would mean, in effect, the creation of a government of national reconciliation or national unity, with the NP and the ANC as the dominant coalition partners, and other significant groups such as the DP and Inkatha also having seats in the Cabinet. As a transition arrangement, enabling confidence to be restored and economic growth to be resumed, this could last five or ten years, perhaps. In the absence of a pre-election pact, and considering the huge stakes, it is hard to see how a non-racial democratic election could take place at all in reasonable peace.

Yet a settlement is by no means unattainable. Once the barriers of mistrust are down, negotiation of the terms of the constitution and of a mixed economy will go ahead very quickly. In their respective blueprints for a non-racial democratic constitution, a bill of rights and an independent judiciary the ANC and the NP are much closer than many people realise. The points of difference that remain are readily open to compromise. ●

Will aid from outside ever really be effective?

THE end of the Cold War has provoked yet another 'great debate': what, if anything should the West do about the Soviet Union? The tone and substance of the argument has been sharpened by Coalition victory in the Gulf War, during which President Bush gave vent to his vision of a new international order underpinned by the strength and renewed self-confidence of the United States. Thus the structure and process of this new order would be dominated by one power; it would — to use the arcane terminology of political science — be uni-polar in contrast to the bi-polar world of the Cold War.

Furthermore, the litany of conflicting responses to the Gulf War strengthened perception that the 'uni-polar moment'¹ was at hand; the European Community (Britain and France excepted) dithered; China was a passive spectator, the Japanese reluctantly paid their dues, while the Soviets were denied an independent role of any significance as their diplomatic efforts to defuse the crisis was brushed aside with contemptuous ease by Washington. Thus the American recovery from its post-Vietnam depression and the vigorous assertion of its super-power role confounded earlier prediction of a return to a multi-polar balance of power of the sort that existed in the 19th century with five great states jockeying for advantage over their rivals.

Clearly the temptation to capitalise on Soviet weakness at home and decline abroad is compelling for the United States. How best to sustain American superiority is a central preoccupation for policy makers: should the Soviet Union be left to its own devices — to free its economy and political system from decades of communist mismanagement or, alternatively, collapse under a burden of increasing popular expectations into a Balkan-style version of warring republics riven with ethnic tension and quarrelling over scarce resources? This extreme option of benign neglect is rarely, if ever, articulated in public, though many on the far right of American politics might well subscribe to it in private. (Even ex-President Nixon — as we shall see —

does not go quite this far.)

Yet even those sympathetic to Moscow's plight might well question how far external actors — with the best will in the world — can offer effective assistance to the Soviet Union, given the scale and magnitude of its difficulties. After all, the record of foreign aid in transforming third world states into mirror images of their Western counterparts is hardly encouraging. The success stories in this context are the so-called NICs (Newly Industrialising Countries)

United States. Why, therefore, encourage the emergence of another player in the 'great game' of international politics just when the dream of American hegemony is becoming a reality?

But this gloomy prognosis and its negative implications for Western policy towards the Soviet Union requires qualification on two counts:

First, and most obviously, an unaided process of change in the Soviet Union, whatever its final destination in terms of success or failure, may well in the interim

By Professor J.E. SPENCE who is head of the Department of Politics at the University of Leicester. In October this year he will take up an appointment as Director of Studies at the Royal Institute of International Affairs in London.

where a combination of autocratic government, self help and a work culture of astonishing vigour has produced economic growth that is the envy of competitors. By contrast, the Soviet Union — despite a tradition of autocratic rule pre-dating the 1917 Revolution — has been wedded to a system profoundly hostile to the operation of market forces, and one in which the state via the mechanism of an all-powerful Communist Party and a clumsy and inefficient bureaucracy has denied individuals "the public space . . . in which citizens can organise themselves . . . a necessary condition for democratic politics".²

There is, too, a more extreme version of this scepticism about the utility of trying to reform the Soviet Union from the outside. Thus, for some conservatives the temptation to do so should be resisted, paradoxically, because it might produce results in the form of a revitalised Soviet Union, confident and capable enough to play a dynamic role in the international system.

Liberals, however, might welcome the prospect of doing business with a reformed Soviet Union, but their conservative opponents retort by arguing that this outcome would end any prospect of a uni-polar world dominated by the

produce right wing reaction and a government bent on an aggressive foreign policy, if only to provide a cover for internal weakness. After all, the military, disgruntled after Afghanistan and defence cuts, not to mention the KGB, is alive and well in Moscow, and joint repressive action on their part to prevent complete collapse, cannot be ruled out. Their leaders might well be mistaken about their chances of success, but they would not be unique in believing that their efforts could save the nation as the record of military adventurism in Latin America amply demonstrates. This outcome — however shortlived — would not be in Western interests, given that no one could sensibly welcome a return to the Cold War or worse still, a renewal of East-West antagonism lacking the restraints provided in the past by a common strategic ideology in the form of nuclear deterrence and a Russian leadership securely in control of its domestic base.

Second, a distinction should be made between external involvement in the task of democratising the Soviet Union and helping it overcome its economic problems. The first objective is probably beyond the capacity and competence of



The 'grand bargain' is a version of 'constructive engagement'

Western governments: there are very real limits to what can be done from the outside to promote the growth of democratic self-government in states with profoundly different political traditions. True, the West successfully transformed the defeated Axis powers in the second world war into model democracies, but the cost was immense, involving the military destruction of those states and their subsequent occupation and reconstruction by the Allied powers. New political structures were built on the ruins of the old, new political values emerged to provide the necessary legitimacy for their operation.

But this is not an easy option *vis a vis* the Soviet Union, any more than it was for Iraq following its defeat at the hands of the Coalition powers. And this lesson has been rammed home by the experience of nation-state building in the third world in the wake of decolonisation. There, (India being a notable exception), the best efforts of Western constitution makers often foundered on the false assumption that democratic institutions could be created in the absence of a civic culture which their own experience as Englishmen and Frenchmen should have taught was the product of long historical gestation.

To this extent liberal reformers and conservative sceptics share common ground in rejecting — for different reasons — a strategy designed to help the Soviet Union undertake major *political* reform. They part company, however, on the issue of assistance to rejuvenate the Soviet economy by encouraging the creation of free market institutions. The conservative is entirely consistent in taking this line: the successful restructuring of Soviet economic institutions would — it is argued — enable it to claw back the status and substance of a super power. This can only damage US aspirations to manipulate a post-Cold War international order to its own advantage. And if confronted with the argument that a Soviet Union in the throes of economic disintegration constituted a danger to the West, the conservative insists that any economic concessions should be firmly tied to clear evidence of Soviet willingness to restructure its economy according to the classical prin-

ciples of Western capitalism. The West, therefore, should not rush headlong into meeting Mr Gorbachev's current pleas for economic assistance. The negative sanction of no help until the Soviet leadership has taken irreversible steps towards the creation of a market economy should — according to this view — be the sole determinant of American policy. In other words, wait and see!

This is a bleak doctrine best exemplified in the public statements of ex-President Nixon. Thus, Gorbachev's vision "seeks the strengthening, not the destruction of the Soviet system . . . instead of promoting political and economic reforms, premature Western assistance would ease the mounting pressure on Mr Gorbachev to expand perestroika into a comprehensive dismantling of the Soviet system . . . since the Soviet Union reforms only when under pressure, a helping hand would hinder the cause of democracy . . . the West's key strategic interest does not lie in saving the Kremlin economically."³

Moreover, Nixon insists that the Soviet Union sign a "stabilising and verifiable strategic arms reduction treaty . . . cuts off aid to third world client states like Cuba and Afghanistan as the price of Western assistance." For him, "aiding the Soviet economy would simply enhance Moscow's ability to challenge Western interests."⁴ In other words, not only must the Soviet Union dismantle its communist system, it must also give up any aspiration to be a super power.

An alternative strategy is offered by a group of Harvard economists and political scientists. Working with their Soviet counterparts, they have devised a 'grand bargain' which, in effect, is a version of 'constructive engagement' involving a five year programme of economic aid (\$150 billion) to the Soviet Union in return for specific reforms: "Balancing the Soviet budget (in vast deficit), decontrolling prices, and privatising property" and evidence of "substantial cuts in state subsidies and in military expenditure".⁵ This scheme has the advantage of linking assistance to particular reforms in accordance with a specific timetable and period review of progress. There is the additional benefit that regular "quick economic fixes"⁶ would soften the in-

evitable dissatisfaction arising from the impact of inevitable price rises, forced unemployment, and disgruntled bureaucrats losing their privileged position as arbiters of economic policy to the impersonal forces of the market-place.

The Harvard group justify their 'bargain' on the grounds that fragmentation of the Soviet Union (the inevitable consequence — in their view — of a passive, negative Western response) would have profoundly damaging consequences: authoritarian reaction from the centre as the periphery revolted; floods of refugees into Eastern Europe and divisions within the western camp about how best to respond to the spectacle of a super power's disintegration. Domestic unrest in the Soviet Union would destabilise Eastern Europe and distract West European governments in particular from their traditional and pragmatic preoccupation with policies designed to create a viable political framework for peaceful and profitable intercourse between the member states of an emergent Pan-European Community.

The idea of a 'grand bargain' does, however, involve considerable risk. It assumes that a programme of rewards for acceptable progress in the Soviet Union can be manipulated with surgical precision; that the tap of financial assistance can be turned off at will without doing damage to those economic interests (banks, grain producers, industrial investors, for example) which the 'bargain' would encourage to do business with the Soviet Union. Furthermore, it assumes that what constitutes a positive outcome on a year by year basis will be universally recognised as such.

The contrast with the application of the Marshall Plan in 1947 to rejuvenate the war battered economies of Western Europe is instructive here: US aid on that occasion was designed to restore the confidence of peoples in their historically proven capacity to create wealth and devise the political institutions appropriate for that task. Moreover, Marshall aid — unlike that subsequently given to many third world countries — was not dispersed in a political vacuum. Liberal political and economic values had sur-



Contrast with the Marshall Plan

vived the horrors of Nazism and the ravages of war to underpin and give ideological direction to European recovery. None of these conditions — so critics of the 'grand bargain' argue — exists in the Soviet Union, and the absence, therefore, of a civic culture of individual freedom and clear demarcation between the reach of the state and the constitutionally-protected rights of the citizen sets limits to what can be done by external economic intervention.

Sooner or later the West will have to make a choice between the Nixon doctrine of progress by denial and doing what it can by engaging constructively with the Soviet Union in its efforts to reform a corrupt and hopelessly inefficient political economy. It is doubtful, however, whether President Bush will emulate his predecessor, Harry Truman, who acted so decisively over forty years ago in implementing the Marshall Plan. By contrast, Bush's cautious posture reveals an ambivalence which is hardly surprising for one matured on the comforting certitudes of the Cold War: "They've got horrendous problems there, but the reforms have got to be detailed a bit before blank cheques are written. And even then it would be difficult."⁷

Perhaps things will be clearer after the G7 meeting of the leading industrial countries to which Mr Gorbachev has been invited. Truman, in 1947, had at least one incentive which President Bush lacks in 1991: the re-generation of western Europe was essential if the Soviet Union was to be effectively contained behind the Iron Curtain.

Today, who or what is to be contained, and how, remains the abiding question. ●

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I am grateful to my colleague, Dr Robert Borthwick, for his help in the search for source materials for this article.

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THE FUTURE IS DEAD — LONG LIVE THE PRESENT



CHARLES METH, of the department of Economics at the University of Natal, offers this toast to the continuation of the struggle to attain the goal of social democracy.

A NIGHTEENTH— or nineteenth-century aphorism which held that "... it is with our passions as with fire and water — they make good servants, but poor masters ..." was paraphrased by the late Joan Robinson, the eminent Cambridge economist, into the pithy claim that "... the market is a good servant but a poor master". Destroying the concept that rule by the market — Adam Smith's 'invisible hand' — will somehow maximise human welfare is an urgent political task. Unfortunately, many years will pass before the market is finally brought to heel.

It is not for nothing that economics is known as the dismal science — a measure of this is the frequency with which it is used to discipline optimists and utopians of all shades. During the 1960s and 70s it came to be believed by many that some of the more malevolent workings of capitalist market economies were within a whisker of being placed under humane control. The cumulative handicaps of the bottom two or three deciles of most populations — the group least able to compete and to protect itself against the market — result in the people concerned repeatedly being pole-axed by what is sometimes called the 'invisible foot'. The generally kind folk who subscribed to the view that large-scale state intervention was necessary to solve these (equity) problems have had their faces rubbed in the dirt of 'new realism'.

An unpleasant capitulation to the allegedly impersonal forces of the market (accorded the same status by conventional economists as gravity is by physicists) has been accompanied, wherever the forces of social democracy have been weakened, by the collapse of a tentative commitment to greater

economic justice. Spurred on by changes in the law that favour the rich, an ethic of nasty, grabbing individualism has gained social approval (or at least is not condemned as forthrightly as it used to be). The result is an unseemly scramble for wealth neatly captured by the terms 'yuppie' or 'loadsamoney'.

Arrogance and condescension, long the hallmark of the ruling classes, have been buttressed by a superficial reading of the work of resurgent libertarian economists, by philosophers anxious to defend the property 'rights' of those who already have too much, and of course, by the collapse, almost everywhere, of 'socialist' experiments. It is ironic that the demise of an authoritarian political system should contribute to a general increase in ignorance and suffering. Whatever the failings of liberals, radicals and other do-gooders, and they are many, the shared vision of a more co-operative world — one in which the misery caused by poverty and other glaring injustices could be softened, if not eliminated, remains infinitely more attractive than cold, impersonal rule by the market. But the social commitment implied by this vision has come under fierce attack.

Bourgeois democracy — a combination of political suffrage and the unfettered right to peddle one's talents and indulge one's tastes, whatever they may be, and in whatever market one chooses — is now declared the end of history. No imaginable form of social organisation, it is asserted, can possibly improve upon it.

The point of this article is to say that this is not so — that the social democratic



'Taming the market is more important than ever before . . .'

From Page Seventeen

and democratic socialist goal of taming the market is more important than ever before. The struggle, fortunately or otherwise, depending on one's view, continues.

Obscuring the view somewhat is a new but misleading consensus based on acceptance of the 'fact' that no 'pure' economic systems can hold sway — neither totally free-market capitalist nor centrally-planned communist we're all mixed economists now. The problem with this is that the space defined by the consensus is so broad that it can accommodate Thatcherite monetarism as readily as it can Swedish welfarism or Japanese corporatism. Current political struggles are about more than merely 'how much government' there should be — the quality of life is importantly affected by the extent to which capitalist power remains uncurbed.

It will, however, take more than appeals to mere reason to persuade the powerful — as a little meander through the maze of social scientific enquiry quickly makes clear.

Keynes, an economist much concerned with getting things (and people) to work, reminded us that in the long run we will all be dead. An economic historian named McCloskey observed that debates in economics "drone on for centuries." Economists inhabit the terrain bounded by these two statements. Many are prepared to forego the pleasures of the debate about the ultimate nature of the reality of social and economic interaction in favour of practical attempts to understand how discrete segments of 'economies' work (microeconomics), or how economic systems, viewed at some high level of aggregation do or do not work (macroeconomics). Others insist that since the 'true' nature of the social relations underlying economic systems is not adequately explored, much of what passes for 'science' is mere ideological justification of the practices of the dominant groups in society. Not surprisingly, the quest to expose the inner workings of the economy gives rise to disputes. Many of these will not admit of resolution, and it is to this problem that McCloskey referred. These disputes are nothing other than the class struggles of

capitalism reproduced in the rarefied atmosphere where intellectuals work.

No simple classification system can do justice to the complexity and variety of thought in the discipline, but by and large, conventional economists belong in the former group, and Marxist economists in the latter. There has long been a tendency for the proposition of conventional economics to be cloaked in an elaborate mathematics that apparently lends respectability to what is, by all the relevant criteria, an often spectacularly unsuccessful project.¹ Of late, increasing numbers of Marxists have begun to take part as well in the game of turning a human science into a sub-division of symbolic logic. An explanation for this folly may lie in the fact that some Marxist economists feel it necessary to make their product more attractive to the professional consumers by making it resemble more closely its successful bourgeois counterpart. This impulse probably rests in turn on the perception that Marxist economists have lost what appeared to some to be their main line of defence — the previously 'already existing socialist' states of Eastern Europe. Not surprisingly, the drive for respectability is strongest in the capitalist country where Marxists are most embattled — the good old US of A. Viewed as a strategy for political survival, this is unfortunate, but not wholly irrational — American Marxists wishing to influence their domestic struggles in any way must do so in an extremely hostile climate. Luckily, not all of us are bound by the same constraints — the power of the rampant free marketeers is already beginning to wane, especially in South Africa.

For those who enjoy trying to unravel a good mystery, the riddle of why the more intelligent ideologues of free enterprise should see in the demise of socialism — eastern Europe style — the end of history, provides excellent entertainment. Bloated with the 'triumph' of capitalism over the forces of whatever, the average mainstream economist seems to experience difficulty in preventing itself from indulging in a small gloat, every once in a while. I suppose we would do the same if the boot were on the other shoe. Coping with the new reality (bye-bye Mr Stalin, all is not forgiven) is, however, not as difficult as

some of the straights think. All Marxist economists must by now have learned to deal with the ridicule or the solicitude of colleagues convinced (concerned?) that with the passing of the (bad) old order, everything 'Marxist' will be swept away. The scorn (pity) heaped on those still holding 'outdated 19th century views' is matched only by the devotion to a rather peculiar rendition of an even older set — those of Adam Smith, the 18th century political economist. Unfortunately, few fervent worshippers of the market have ever read Smith (except possibly in Classic Comic edition), let alone any Marx.

One-dimensionality is the inevitable end-result.² The tea-time prattle of economists is, more than ever, a celebration of the eternal verities of the 'market'. This is Keynes' medium-term with a vengeance. To listen to many of them talking, one must conclude that humans can progress no further than the acquisition of the political vote, and the abolition of restraint in all markets. Each one of them seems to hold that in principle, nearly every contradiction, every conflict between rational actors in capitalist economies can be resolved by free contract. This convenient belief has the advantage of permitting the label 'deviant' to be applied to those who refuse to accept the logic of the market. Funnily enough, of all the economists committed to 'free enterprise', it is the arch-rightwingers³ who come closest to understanding the dynamics of capitalism and the nature of capital/state relations. The 'Austrians', a school of economists with origins in that small, but oddly-talented nation that has produced a mad-house painter, an obscene musical genius, and a president with an unsavoury past, have tumbled to the fact that rent-seeking behaviour (trying to get more than the 'market' says you should have) is an almost universal trait. Where not curbed, this appetite has the power to undermine the very base on which it feeds.

Application of this insight to actually existing capitalism has unfortunately produced little more than a lopsided critique of bureaucracies. About the silliest excess it has led to is the practice of labelling the apartheid regime 'socialist'. This intellectual tit-for-tat is



In the early days the debate was conducted in fairly crude terms

obviously a response to the equally simplistic assertions by Marxists about the functionality of apartheid for capitalism. The fact of the matter is, as Adam Smith recognised all those years ago, that capitalists attempt to manipulate legal structures either when presented with the opportunity, or when driven to do so by need. The frequency with which protectionism re-emerges, as former 'leading' economies lose their competitive edge, is proof enough of this. Attempts to prevent competition are often bloody, witness the taxi wars in South Africa, or on a much larger scale, Iraq's attempt to force Kuwait to raise its oil prices.

It is no coincidence that the two economies that have managed least well to restructure to meet the competitive challenge of the new emerging economic giants should have led the recent procession to war. So much for supply-side economics. Given the provocation of years of patronising by ill-informed right-wingers (of the likes say of Stephen Mulholland or Simon Barber), and having been obliged to listen to the repeated and mindless equating of democracy and political freedom with 'free enterprise', it is hard to avoid feeling a little smug as Britain and the United States slide back into economic crisis — the bitter years of Reaganism and Thatcherism having simply paved the way for renewed conflict. Behind the glare of publicity illuminating the collapse of Russian imperialism, what were once the foremost capitalist states can manage no more than the stuttering stop-go growth for which they berated their social democratic predecessors. This time, the monetary shock treatment will not work and there is precious little fat left to trim off the working class.

The lesson is clear — Marxist economics, with its unromantic view of free enterprise, provides a better tool for analysing the dynamics of capitalist production than the other brands of economics. Conflating the end of 'already existing socialism' with that of

Marxist political economy is a serious mistake. Marxist studies have made a huge contribution to the understanding of social dynamics, and will continue to do so. Nowhere is this more true than in the case of the South African economy. The salutary effect of challenging the conventional liberal wisdom that apartheid was not good for business was very good for academic discourse. In the early days, the debate was conducted in fairly crude terms, but concessions by both sides have produced a more nuanced understanding. The necessarily vulgar arguments of the original Marxist

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contributors have been succeeded by increasingly sophisticated analysis, as a second generation of scholars continues the work of unravelling the ties that bound capital to the state in South Africa. This work feeds straight into the organisational basis on which a vibrant Marxism must ultimately rest — strong working class and popular organisations.

As long as these social forces are not defeated by the state and the capitalist class, Marxist theory will be able to continue to expose the contradictions and to point the way towards progressive solutions.

That is not all — not only is conventional economics deficient in its attempts to understand its object of inquiry — it is sadly mistaken in its belief that an immutable set of economic laws exists and can be revealed. The proclamation of the death of history is highly premature. In as little as fifty years (by which time although most of us will undoubtedly be dead, 'economics' will not) technological changes in production (or changes in the forces of production, as Marxists would say) will bring in their train profound changes in the way in which producers relate to each other.

Some outlines of these new relations are already dimly apparent — robots and artificial intelligence herald the (almost) workerless society of a few centuries from now. Feudalism took about 400-500 years to disappear from the time the rot set in (vestiges still exist, in the form, for example, of the hapless Lady Di and king-in-waiting Charles) — capitalism in the form we know it probably will not survive that long, given the exponential growth in humanity's ability to transform nature.

There is no certainty that socialism (whatever one understands that to be) will emerge — barbarism remains an ever-present danger. As for the first attempt at building socialism in one country — Marx, when pressed for his opinion on the chances of success of the project, gave it a firm thumbs-down. So too, did Rosa Luxemburg, who had some chance to watch the tragedy unfold. So too, did Karl Kautsky, who had even more opportunity to do so. Apart from a few programmatic statements, both Marx and Engels were careful to avoid

specifying the precise shape the future was likely to have. Where they attempted to give content to the socialism they saw as the only alternative to barbarism, they erred. Oddly enough, the lessons of those errors are almost entirely lost on the ideologues of capital. Put very simply, it is arrogant to proclaim capitalist social relations the only relations consonant with 'human nature'. The short-to medium-term future of capitalism will be troubled and chaotic, as it always has been. It will continue to revolutionise our means of consumption, as it always has, but it has no long-term future. The mainstay of its inner dynamism, competition, cannot overcome the contradictions. Ask Bush what he thinks of Reaganomics! ●

FOOTNOTES:

- 1 Witness the failure of 'bastard Keynesianism' in the 1970s.
- 2 About the best parody of the teaching of economics in universities currently available is the television series 'Ekonomisje' — intellectual junkfood that compresses into bite-sized five-minute chunks the somewhat less palatable 'theory' shovelled into those fortunate enough to attend one of our palaces of higher education.
- 3 The loose term 'right-wing' is a little misleading — these libertarians or 'Austrians' are not to be confused with apartheid troglodytes or Chile's Pinochet.

VIVA! VIVA!

by DAVID BASCKIN

VILE SLUR ON HON. MEMBER

THE so-called white section of the tricameral Parliament this month was racked with dissension as a National Member of Parliament presented packs of patented beauty aids to two of his favourite Conservative Party colleagues. One of them got a bumper pack of hair straightener, while a Mr Paulus, formerly a miner and trade unionist, got a tube of skin lightener. These gifts were in response to being called a "traitor", a line of logic that eludes this poor scribbler. But be that as it may, the gifts were not appreciated in any way by the ungrateful recipients. Rumours have it that both of them are very upset indeed, and, who can blame them? According to consumer reports, skin lightener is bad stuff. Depending on which active ingredient the maker uses to bring out the latent lightness in the user, certain unpleasant physiological consequences can result of which going coal black is only one. Under these circumstances, VIVA! VIVA! joins the chorus of dismay and disapproval. No matter how much one's debating opponents may disagree with one's relative patriotism, giving him the means and the opportunity to develop a terminal skin disease contravenes the basic ethic that has made the Westminster system a model to all nations.

THE MIRACLE OF BETHESDA

GEORGE BUSH, my favourite American President since McKinley, suffered a cardiac problem recently that was sufficiently severe to dent the dollar and depress the paper profits of Wall Street. There was talk that he might need electric shock treatment to correct his heart's irregular rhythm. If so, this would have necessitated a general anaesthetic at the New Bethesda Naval Hospital, with the constitutional consequence of ceding temporary power to Quayle, his Vice-President. Quayle, according to Washington pundits is not very bright, and the possibility of his exercising Executive Authority chilled the blood of all who knew him.

Whether it was this insight or divine intervention that miraculously cured Bush's heart complaint, no one will ever know. But friends of the President commented that Bush is fond of quoting Nixon's off the cuff remarks about his vice President - "No one's gonna shoot me with Spiro Agnew next in line."

GIRAFFE ON A SPIT

IN times as terrible as these, it is essential that all citizens keep a cool head especially when major moral issues hit the headlines. Consequently, one can only admire the animal liberation enthusiasts who attempted to disrupt a braai in which a whole giraffe was the course of the evening. Terrible times indeed, with massive social dislocation, homelessness, nascent civil war, murder, theft and house burnings all as everyday events. In these circumstances, it is comforting to know that someone out there in the chaos still has time to worry about the dignity, civil and property rights of a whole lot of baa-lambs, dicky-birds and little nuns. Of course, this is not to deny that the braai-ers had a point also. People generally are not aware of the extraordinary amount of viciousness that resides in the heart of the average giraffe. It's no secret that game rangers the length and breadth of Africa live in mortal fear of being cornered by one of these mottled long-necked monsters. Selous, the famous Rhodesian liberal and conservationist, made it his life's work to rid the Dark Continent of this fearsome beast. What appalled him and his fellow late Victorians was the relentless sexuality of giraffes. Regardless of season, species and gender, nothing in the African bush is safe from the rutting lust of a male giraffe. Even David Livingstone while looking for the source of the Nile somewhere near modern Krugersdorp, took time off from his mission to render aid to an entire herd of female impalas all of whom had been brutally dishonoured by the vile attentions of a passing giraffe.

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