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EDITORIAL

Good grounds for hope

While the heavyweights on the national negotiations stage sometimes seem to find it depressingly difficult to come to terms with one another's positions, encouraging things happen where the glare of publicity is not quite so strong. Elsewhere in this issue Barry Streek reports on the important conference organised by the Five Freedoms Forum in Johannesburg in late August. The conference theme, appropriately enough, was "South Africa at a Turning Point, Negotiations and the Future". What was important about it was that nearly a thousand delegates from a very wide variety of organisations were able to spend two days together discussing relatively calmly almost every aspect of the problems the country will face during its transition towards a non-apartheid society, and afterwards. Issues were not shirked. Views were expressed forcefully. But nobody walked out. In spite of the fact that the conference took place against the backdrop of the Reef violence, and tensions between the ANC and Inkatha were running high, delegates from those two organisations were even able to discuss that question without coming to blows. Nobody could have left that conference without greater confidence in our capacity to solve our problems than when they arrived at it.

The Five Freedoms Conference took place in the plush, air-conditioned luxury of the Johannesburg Sun Hotel. Six weeks later, in a hot and airless marquee, pitched on the

dusty showgrounds of the small Eastern Transvaal town of Nelspruit, the annual congress of the Inyandza National Movement was held. Inyandza is the power-base of Mr Enos Mabuza, Chief Minister of the KaNgwane homeland. Mr Mabuza and his organisation have performed a remarkable balancing act over the years, remaining in the homeland system while simultaneously maintaining close relations with the ANC. This position is likely to give them an influence quite out of proportion to their size in the important days of negotiation ahead. And it will be an influence wholly for the good, for Mr Mabuza is a true democrat. The title of his Presidential Address at Nelspruit was "Democracy and the Responsibility of Freedom" and its theme was that the first responsibility of a free man in a democracy is to defend the freedom of those with whom he differs.

At a time when factional violence threatens to tear our society apart it is of crucial importance that a man of Mr Mabuza's standing and influence should be putting such emphasis on this point – that we must be able to agree to differ politically if we are to survive as a democracy – that Dr Oscar Dhlomo, former KwaZulu Minister and head of Inkatha, should be pressing the same point through his new Institute for Multi-Party Democracy, and that the Five Freedoms Forum Conference should have shown that it is not beyond us to meet that challenge. □

South Africa in Transition

The Five Freedoms Conference

It happened in Dakar, It happened in Lusaka, in Harare, in Amsterdam and in Paris, And then it happened in Johannesburg.

Finally, South Africans of different political persuasions, including the ANC, were able to meet inside their own country to discuss their own future. This in itself should not have been anything remarkable and it is indeed a sad comment on our history that it was in fact unusual.

Still, it happened. The Five Freedoms Forum conference on 'South Africa at a Turning Point, Negotiations and the Future' in Johannesburg between August 24 and 26 was important, and exciting, for that very reason.

It was also significant because it demonstrated that a considerable degree of consensus, in principle at least, has developed on key constitutional issues between political groupings ranging from the National Party to the ANC and the SA Communist Party.

Consensus has been reached on the need for a justiciable bill of rights, voting rights for all South Africans, an independent judiciary, the need for a socio-economic programme to a degree, on minority rights.

There is also agreement that all groups, including smaller parties, should be represented in the negotiation process.

Important policy differences do remain, particularly over the election of a constituent assembly, the formation of an interim government, the nature of economic transformation and land redistribution, but it is clear that progress has been made on some key issues – and compromise solutions could be found on many of the major differences.

Although a growing consensus appears to be developing in principle on these issues, there are certainly differences on details, for instance on the content of a bill of rights, and these will take time to resolve during the negotiation process.

The growing consensus was reflected at the Five Freedoms conference and a National Party advertising campaign, at a reported cost of about R500 000, to promote the political changes since President FW de Klerk's speech on February 2.

The conference, for instance, was addressed jointly by Dr Pallo Jordan of the ANC, Mr Essop Pahad of the SACP, Mr Frank Mdlalose of Inkatha, Mr Ishmael Omar of Solidarity, Dr Zach de Beer of the Democratic Party, Mr Miley Richards of the Labour Party and Professor JC van der Walt of Rand Afrikaans University Law Faculty who was drafted, in the absence of an NP Spokesman, to play the role of 'devil's advocate'.

There were, unfortunately, some groups that refused to participate. They included the Conservative Party, the Azanian Peoples' Organisation (Azapo), the Pan Africanist Congress (PAC) and the New Unity Movement.

Although a few individual NP members, including at least one MP, Mr Hennie Bekker of Jeppe, did participate in the conference's proceedings, the party itself decided not to participate, after initially agreeing to do so, because the issues on the agenda were of a delicate nature and it was felt NP members would be under considerable constraints when discussing them.

If some political groupings were reluctant to attend, this did not extend to other organisations. Delegates attended from government departments, the defence force, business and industry, homeland governments, local authorities, resource groups, lawyers and legal aid groups, the South African Housing Trust, trade unions, universities, environmental groups, student and youth organisations, Africans from different parts of the country – all wanting to discuss the future of their own country. There were different positions and interests, often conflicting viewpoints and varying levels of understanding, and there was neither the time nor place for reaching agreement, but the delegates did have a common concern about the future.

The conference broke into 16 different groups on subjects as varied as education, the environment, sport and local government and these again reflected the diversity of opinion and groups. In the commission on business and labour in 1990s for instance, Cosatu was represented by its general secretary, Mr Jay Naidoo, the Chamber of Mines by Mr Johan Liebenberg, the white Transnet Union by Mr Philip Strauss and the ANC by Mr Dan Mkwanazi.

After another commission about ending violence, delegates and journalists were able to listen to full-scale and often heated debate between Mr Mkhuseleli Jack, representing the Mass Democratic Movement, and two KwaZulu cabinet ministers.

It was not all heated and differences were discussed, generally openly and rationally. It was indeed the sort of occasion which could only give participants a feeling that despite our history and differences South Africans will, if given the right occasion and atmosphere, be able to negotiate their own future, rather than have those regional and political differences resolved solely by the outcome of a power struggle.

At the Five Freedoms conference, that atmosphere was set by the ANC's director of foreign affairs, Mr Thabo Mbeki, in his opening address. He stressed that rival

political organisations not party to current talks must enjoy "equal weight" in the debate towards "a national consensus".

Mr Mbeki added: "We should all join hands to evolve a set of constitutional principles, perhaps a future preamble to the new constitution, based on the perspective of a united, democratic, non-racial and non-sexist South Africa."

He said right-wing groups had "a right and a duty to present their views in any such negotiation forums as will be agreed".

That mood or atmosphere was continued when the representatives of the participating political groups discussed negotiations and demonstrated that a measure of 'national consensus' does in fact already exist.

Support for an enforceable bill of rights was underlined by Dr Jordan when he said: "We would not be averse to the system in the United States where the Supreme Court enforces it."

He also said certain individual rights had to be protected in a collective interest: "One cannot practice one's religion on one's own and one cannot practice one's sport on one's own."

The protection of minorities "is a very strong and valid tradition in democracies. The ANC is not against the protection of cultural and language rights in a new South Africa."

However, the system where a minority had dominated the political system and had used every possible device to entrench its power could not continue, Dr Jordan said.

Although there is general agreement that the participants in the negotiation process should have proven constituencies of support, disagreements on how this should be established are manifest.

The ANC and SACP believe nation-wide elections for a constituent assembly should be held as soon as possible so that all parties have a popular mandate and are answerable to the people.

Other groups, however, supported Dr De Beer when he said he did not believe representativity needed to be tested at the polls at this point and that "what is put before the people for approval should, if possible, be arrived at by consensus."

Every attempt should be made to reach consensus on a proposal for a constitution itself and that placed before the people. "This is a more effective way of involving the masses," Dr De Beer said.

With Mr Mbeki's plea for national consensus, it may well be possible for agreement between these two positions to be thrashed out.

The interim government issue could be more difficult to resolve.

Dr Jordan said the government could not both be a player on the negotiating field and the referee and added that the ANC believed "all participants in the process should be referees".

The ANC wanted an interim government, comprised of representatives from all major political groupings, which would immediately start cleaning the statute books of all apartheid legislation.

The government, however has said it would remain in power until a constitution was approved by Parliament.

Dr De Beer said the temptation to get rid of a government which had ruled so badly for 40 years should be resisted, although it should make itself more responsible to the majority of the people by drawing members of the disenfranchised majority into advisory and responsible positions.

He was supported by Dr Mdlalose who said it was an unfortunate situation but South Africa would have "to live with the devil in power until a new constitution has been written and approved. Otherwise an ever bigger monster may be created."

Although Mr Omar proposed "an informal super cabinet", be formed from the negotiation talks, it seems the role of the government in transition will remain a contentious issue.

There are also clear differences over economic policies, and this was highlighted by Dr Jordan's comments about land.

He said the white minority had used every method possible to deprive the majority of their right to land and put them in a position of landlessness with the result that 17% of the population owned 87% of the land.

"I cannot think of a more inequitable system."

"Land and landlessness are a major grievance in South Africa."

The free market system sounded "very, very hollow" in the squatter camps and rural areas.

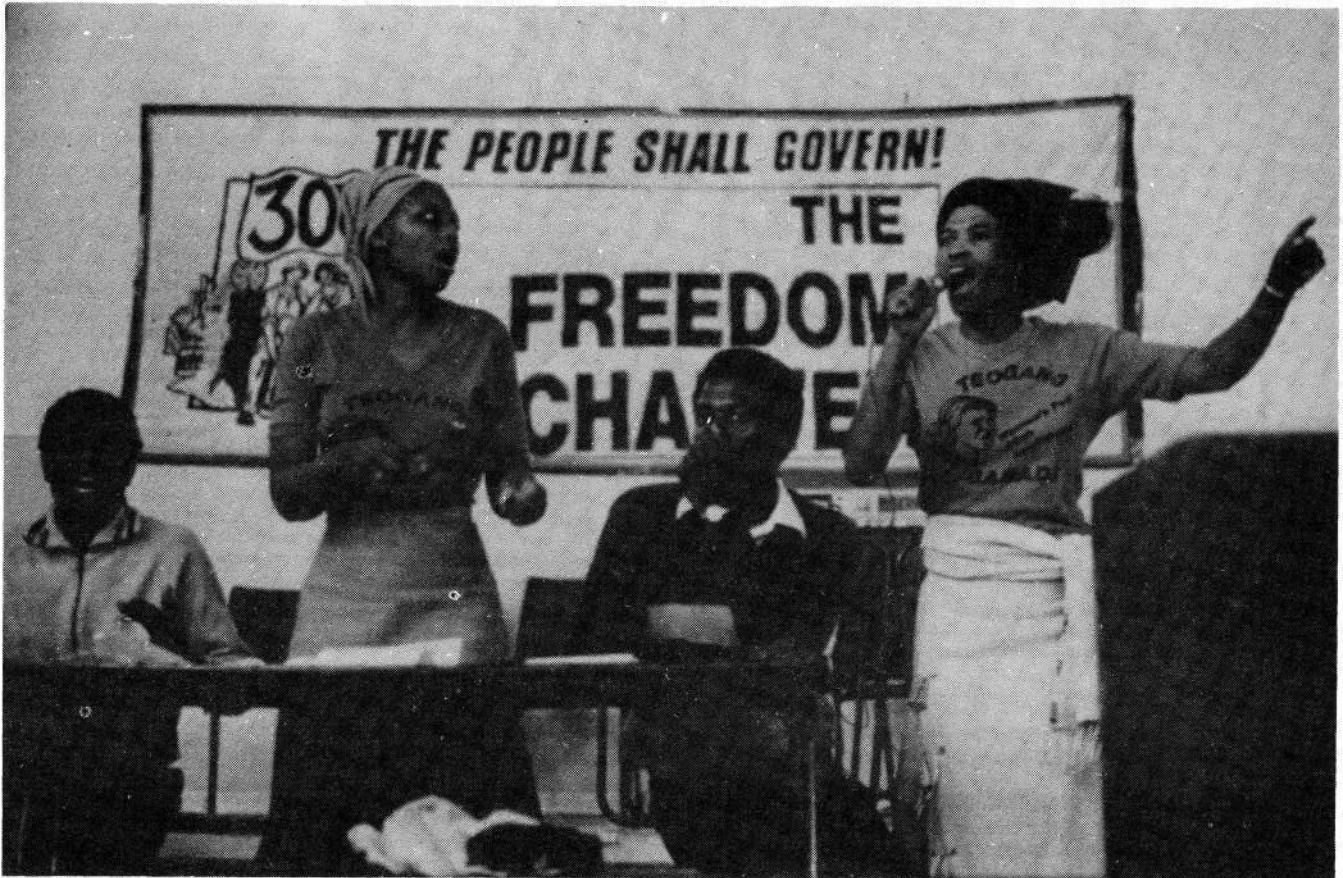
Because some people said a bill of rights should protect those who had wealth, land was one of the most contentious issues in negotiation.

Dr Jordan added that "this historical injustice" had to be addressed, the system that resulted in whites owning 87% of the land could not continue and solutions had to be found to satisfy the aspirations of the majority on this issue.

Clearly, such contentious issues still have to be resolved during the negotiating process, but, as many delegates to the Five Freedoms conference remarked, the degree of consensus on many important issues about the future constitution of the new South Africa is steadily increasing.

There may well be questions about the cost of the whole exercise, but ultimately the conference gave hope, real hope, about the future. It showed that South Africans can indeed sensibly discuss serious issues despite their differences. The Five Freedoms conference may, indeed, have provided a basis for the negotiating process. □

Charterists and Democracy in South Africa



The Alexandra Youth Congress celebrates the 30th anniversary of the Freedom Charter.

When the Freedom Charter was adopted by the Congress of the People at Kliptown outside Johannesburg on 26th June 1955, it represented a concerted popular effort to forge principles for a just South Africa. The vision thus encapsulated marked a stark contrast – as was clearly intended – to the grand plan of apartheid then being enthusiastically carried out by its apostles, the National Party in Government. As a programme of action the Freedom Charter was virtually foredoomed. Successive Nationalist administrations crushed serious dissent ruthlessly in the following years and, consequently, the Freedom charter disappeared from tolerated public discourse. This past decade, however, has witnessed its remarkable revival.

Why so? Ironically, with hindsight one can detect how the South African government itself acted unwittingly as the catalyst. Wrestling with the mounting contradictory impulses of the apartheid order, the erstwhile Prime Minister, P.W. Botha, embarked on constitutional gymnastics throughout the later 1970s, culminating in the revamped parliamentary system foisted on South Africans in 1984. The protracted, bitterly contested process

which precipitated widespread resistance brought about the formation of the United Democratic Front, a vehicle designed primarily to thwart the Nationalists objective. The UDF embraced the Freedom Charter as its credo, whereupon the Charter reentered our political lexicon, stimulating considerable debate and thereby also gaining legions of adherents from younger generations of South Africans, those not privy to the mobilisation of the 1950s. Indeed, a further groundswell of support for the Freedom Charter is now assured given the African National Congress' and the Communist Party's permitted return to the domestic political fold this February. For it is the ANC nowadays, above all, which is seen as the Charter's standardbearer, notwithstanding the fact that the ANC's refurbished constitutional guidelines, unveiled virtually two years ago, differ in detail, albeit very modestly, from the original 1955 document.

By the Charterists, then, I mean all those individuals and organisations who subscribe largely to the vision of a just South African society as portrayed by the principles enshrined in the Freedom Charter. The exact size of this entire constituency is indeterminate, because it has

THE FREEDOM CHARTER

as adopted at the Congress of the People on 26 June 1955

PREAMBLE We, the people of South Africa, declare for all our country and the world to know:

That South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of the people;

That our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality;

That our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;

That only a democratic state, based on the will of the people can secure to all their birthright without distinction of colour, race, sex or belief;

And therefore, we the people of South Africa, black and white, together equals, countrymen and brothers adopt this FREEDOM CHARTER. And we pledge ourselves to strive together, sparing nothing of our strength and courage, until the democratic changes here set out have been won.

THE PEOPLE SHALL GOVERN!

Every man and woman shall have the right to vote for and stand as a candidate for all bodies which make laws.

All the people shall be entitled to take part in the administration of the country.

The rights of the people shall be the same regardless of race, colour or sex.

All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self-government.

ALL NATIONAL GROUPS SHALL HAVE EQUAL RIGHTS!

There shall be equal status in the bodies of state, in the courts and in the schools for all national groups and races;

All national groups shall be protected by law against insults to their race and national pride;

All people shall have equal rights to use their own language and to develop their own folk culture and customs;

The preaching and practice of national, race or colour discrimination and contempt shall be a punishable crime;

All apartheid laws and practices shall be set aside.

THE PEOPLE SHALL SHARE IN THE COUNTRY'S WEALTH!

The national wealth of our country, the heritage of all South Africans, shall be restored to the people;

The mineral wealth beneath the soil, the banks and monopoly industry shall be transferred to the ownership of the people as a whole;

All other industries and trade shall be controlled to assist the well-being of the people;

All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions.

THE LAND SHALL BE SHARED AMONG THOSE WHO WORK IT!

Restriction of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it, to banish famine and land hunger;

The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;

Freedom of movement shall be guaranteed to all who work on the land;

All shall have the right to occupy land wherever they choose;

People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.

ALL SHALL BE EQUAL BEFORE THE LAW!

No one shall be imprisoned, deported or restricted without fair trial;

No one shall be condemned by the order of any Government official;

The courts shall be representative of all the people;

Imprisonment shall be only for serious crimes against the people, and shall aim at re-education, not vengeance;

The police force and army shall be open to all on an equal basis and shall be the helpers and protectors of the people;

All laws which discriminate on the grounds of race, colour or belief shall be repealed.

ALL SHALL ENJOY HUMAN RIGHTS!

The law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;

The privacy of the house from police raids shall be protected by law;

All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad.

Pass laws, permits and all other laws restricting these freedoms shall be abolished.

THERE SHALL BE WORK AND SECURITY!

All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers;

The state shall recognise the right and duty of all to work, and to draw full unemployment benefits;

Men and women of all races shall receive equal pay for equal work;

There shall be a forty-hour working week, a national minimum wage, paid annual leave, and sick leave for all workers, and maternity leave on full pay for all working mothers;

Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work;

Child labour, compound labour, the tot system and contract labour shall be abolished.

THE DOORS OF LEARNING AND CULTURE SHALL BE OPENED!

The government shall discover, develop and encourage national talent for the enhancement of our cultural life;

All the cultural treasures of mankind shall be open to all, by free exchange of books, ideas and contact with other lands;

The aim of education shall be to teach the youth to love their people and their culture, to honour human brotherhood, liberty and peace;

Education shall be free, compulsory, universal and equal for all children;

Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit;

Adult illiteracy shall be ended by a mass state education plan;

Teachers shall have all the rights of other citizens;

The colour bar in cultural life, in sport and in education shall be abolished.

THERE SHALL BE HOUSES, SECURITY AND COMFORT!

All people shall have the right to live where they choose, to be decently housed, and to bring up their families in comfort and security;

Unused housing space to be made available to the people;

Rent and prices shall be lowered, food plentiful and no one shall go hungry;

A preventive health scheme shall be run by the state;

Free medical care and hospitalisation shall be provided for all, with special care for mothers and young children;

Slums shall be demolished and new suburbs built where all shall have transport, roads, lighting, playing fields, creches and social centres;

The aged, the orphans, the disabled and the sick shall be cared for by the state;

Rest, leisure and recreation shall be the right of all;

Fenced locations and ghettos shall be abolished and laws which break up families shall be repealed.

THERE SHALL BE PEACE AND FRIENDSHIP!

South Africa shall be a fully independent state, which respects the rights and sovereignty of all nations;

South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation not war;

Peace and friendship amongst all our people shall be secured by upholding the equal rights, opportunities and status of all;

the people of the protectorates Basutoland, Bechuanaland and Swaziland shall be free to decide for themselves their own future;

The right of all the peoples of Africa to independence and self-government shall be recognised, and shall be the basis of close cooperation.

Let all who love their people and their country now say, as we say here:
THESE FREEDOMS WE WILL FIGHT FOR, SIDE BY SIDE, THROUGHOUT
OUR LIVES UNTIL WE HAVE WON OUR LIBERTY.

THE PEOPLE'S CHARTER

globe Trl. F.C. Com.

never been put to any electoral test – until now no South African regime has countenanced as much – but surely there is no disputing its real significance, given, for starters, the combined allegiance of its main constituents, namely, the ANC, the UDF and the principal labour federation, the Congress of South African Trade Unions.

FUNDAMENTAL TENET

Immediately one is driven to ask, what exactly is this conception of a just South Africa that emanates from the Freedom Charter? The minutiae are open to dispute, as happens with any longstanding document that has almost attained the status of holy writ. Nevertheless, the fundamental tenet is incontrovertible, I maintain. Justice requires basic equality. Moreover, basic equality leads to democracy; and democratic rule, in turn, ensures that basic equality will be sustained as a matter of practice. Democracy, to put it differently, goes hand in glove with basic equality: they have a mutually reciprocal effect, with the latter wholly dependent on the former, and vice versa.

Even if Charterists are all in agreement thus far, as I think they would be, a real bone of contention now materialises. How is democracy to be construed? And what on earth is basic equality anyway? No decisive viewpoint can be extracted either from the Charter itself, or from statements and proposals put forward by Charterists more recently. Looming into range instead is an image of democracy, recognisable and identifiable, yet rarely articulated with any clarity, and never sustained by concerted argument. I went to take up the cudgels here and make a modest start. I shall attempt to do so on just two fronts. First of all, what I choose to see as the Charterist notion of basic equality needs explicating, especially because the political implications flowing logically from it are indeed profound. Hence we reach the second front, which is the image of democracy. My principal concern is to show why this image, with the best will imaginable, can only be realised imperfectly. Consequently, hard choices have to be made – and very soon in order to nullify disappointment, or perhaps despair.

The kind of reasoning I intend advancing is essential, I aver, if one is going to be at all serious about nurturing laudable principles in a way in which social practices do not come to undermine them, whether by design or unintentionally. Let me offer a highly pertinent illustration before launching into my argument proper.

One can fully appreciate the symbolic importance of The Freedom Charter and empathise with the emotional force it generates among those subscribing to it. But of course the Charter can only retain its coinage provided it is not treated as a dead letter, as an absolute, unyielding embodiment of truth: ironically, when this transpires, principles are sacrificed in the name of that self-same truth. Most doctrines have fallen prey to such a shortcoming at some point in their history. The ideology of apartheid is a perfect instance close at hand.

CHANGES

Reflect on the social changes around us since that fateful day at Kliptown thirty-five years ago. Then the dogma that was apartheid led the faithful into raptures, convinced its apotheosis was nigh. Indeed not, as we have ascertained. As a system of social control, the apartheid order has long

eschewed purity and settled for virtually any mechanism that would ensure white minority rule with the National Party at the helm. Now, too, in maybe a terminal transitional phase, the priorities are no different, although circumstances have altered drastically over, say, the past five years, let alone three decades and more. What price the Freedom Charter's principles at this very moment? It's a crucial question, warranting a responsible reply. A purely formulaic response just will not suffice.

Ponder as well on how political forces have taken shape in the contemporary era. Even a cursory mental journey brings to light staggering transformations that have hardly left South Africa untouched. Far from it. Sub-Saharan Africa has shed colonialism; Stalinism apparently has played itself out, prompting renewed soul-searching about prospects for socialism; regional military and trade blocs have reconstituted the global map; economic dependency and strife have beset the Third World states often confront one another as political and economic adversaries when they pit themselves against the United States, the nascent European Community and Japan, with the prospect of a reunified Germany materialising too. The list is endless, but I dwell on these particular features because they have had a marked impact on the nature of democracy in nation-states throughout the world. And South Africa will be no exception, I'm sure. Therefore, one must take into account why democratic practices have taken novel forms when discussing the desirability or otherwise of the Charterist vision of democracy for the South Africa of tomorrow. With all this in mind, allow me to revert to the first key issue highlighted a little earlier – the idea of basic equality.

'South Africa', we learn from the preamble to the Freedom Charter, 'belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of the people'. Stirring sentiments. Yet they denote far more than a mere rhetorical flourish; they embody central interrelated principles. Taking each as it arises in the statement, principles pertaining to citizenship, to rights of citizenship, to legitimacy and to democracy can be discerned. Now what "South Africa" is and who the 'people' are merit explanation. Self-evident, you may well retort. One would be mistaken, though, to treat the issue dismissively. Looked at from a slightly adjusted perspective, the enquiry becomes basic equality **for whom?** The very membership of South African society is at stake here. And the right to citizenship underpins all rights of citizenship.

In the South African context, various options regarding citizenship have been implemented as policy this century and several others envisaged. From these a range of categorical choices for the future can be elicited. At the one extreme would be partition, with South Africa reduced to a territorial rump, leaving in its wake a host of sovereign states whose South African rights, as it were, vanish completely at the onset of independence. This is, in essence, the ultimate aim of the pure doctrine of apartheid, latterly eschewed by its creator, the National Party, which has slowly but unsurely passed the mantle of orthodoxy onto outraged successors, the Herstigte Nasionale Party, the Conservative Party, the Afrikaner Weerstandsbeweging, the Boerestaat Party, and such like.

Slightly less radical would be a confederal creation embracing a consortium of states. In this case, partition is combined with cooperation between the sovereign states of the erstwhile South African territory. Commonality is pursued at the elevated level of the states alone; and the right to South African citizenship would apply only to those who legitimately belong to the South Africa that remains. Again, whilst this particular scenario has never been translated into practice in unadulterated form, Nationalist governments since about 1970 have tried to approximate it, especially with an eye on eventually cobbling together a constellation of southern African states drawn from the whole sub-continent. As established policy it endures until today. However, the de Klerk leadership in Pretoria has certainly not portrayed confederalism as the final domestic solution. The path thereafter is extraordinarily vague, as the administration tacitly acknowledges.

UNIFIED STATE

At the other extreme, Charterists espouse a unified state, partly in order to reassemble what the apartheid order has cast asunder. Nominally independent territories, Transkei, Venda, Bophuthatswana and Ciskei, would be fully reincorporated into the South African fold, as would other areas presently in constitutional limbo – KwaZulu, for example. South African sovereignty would henceforth extend to the outer limits recognised in the immediate pre-apartheid era. And equal rights to citizenship would be related to South Africa's sphere of jurisdiction.

A unified South Africa according equal rights to citizenship gives the most plausible rendering to the off-heard slogan. One People, One Country. This needn't entail transcending cultural identities, or surrendering regional loyalties, or abrogating cultural practices. Still, a government may be sufficiently ambitious enough to strive for a novel South Africanness by obliterating existing social cleavages. Alternatively, the same result could stem from contrasting motives, perhaps from a ruthlessly intolerant administration, even from an elective body. Ideally, permissible interpretations of the notion 'One People, One Country' should be finalised by the citizenry; and this can only be carried out justly provided citizens already enjoy equal rights to citizenship. Thus, the fundamental right to be a South African in a unified South Africa, I would argue, is the cornerstone of the Charterist quest for a just society.

An attendant problem springs from the complexity of binding together the constituent parts destined to comprise South Africa. Should the TVBC areas be compelled to abandon their dubious sovereignty? On what grounds? That the majority of their residents never wanted to secede in the first place? Or should reincorporation be decided by referendum in the TVBC, as Brigadier-General Holomisa has recently suggested in Transkei's case? Even so, do not South Africans in general have some stake in calls for secession? Yes? Well then, what about the entire South African citizenry settling such crucial matters by democratic means? These questions are not easily resolved. Nonetheless, they cannot simply be evaded if concerted attempts are going to be made to spell out the Charterist position on rights to citizenship.

Just as all South Africans should be assured equal rights to citizenship, they should also be granted equal rights of

citizenship. In my estimation, only these principles expressed thus square with the ethos of the Freedom Charter. Equal rights of citizenship are indispensable, since they enshrine a commitment to basic equality. All South African citizens, as human beings, are entitled to be treated as equals, with identical rights, opportunities and obligations. Such is basic equality. Precisely this understanding of basic equality is the prime conviction behind the Freedom Charter. For a just South Africa to be feasible, there must be basic equality.

Furthermore, basic equality is protected by applied modes of equality; yet the latter rests on the prior existence of the former. In sum, a democratic society is called for. Without basic equality, democracy is impossible. Without democratic practices permeating society, basic equality cannot be guaranteed. Discerning why such links hold impels us to winkle out the meaning attached here to democracy. In other words, we have to trace the Charterist image of democracy.

Charterist democracy in South Africa is driven by a participatory ethic: 'the People shall Govern'. The image is of direct democracy. This is where the **demos**, all citizens, govern collectively, debating, reaching joint decisions, and subsequently implementing them as a single body. The citizenry behaves as a sovereign entity, with each and every member granted identical rights, and no-one alienating any of his or her public powers. All participate as absolute equals, enjoying exactly the same basic equalities and also exercising uniform applied equalities.

The image of direct democracy, pristine and appealing, impeccably just, can never be brought fully into focus in societies nowadays. The size factor is the primary obstacle. Can you imagine every South African adult gathered together to deliberate on affairs of state? And, moreover, performing as a single governmental unit too? It's inconceivable.

APPROXIMATION

Recognising this, an approximation of direct democracy is the best societies can realistically expect. Consequently, the overwhelming majority of democracies have plumped for indirect mechanisms of representation and control. This, too, is what emerges from the Charterist camp. With indirect democracy, the citizenry is subdivided into the rulers and the ruled. The challenge for the Charterists is how to retain the vitality of the participatory ethic under these conditions. Consider the amplified version of the slogan cited a while ago: 'One People, One Country, One Person, One Vote'.

The demand for political equality is quite apparent. Still, ambiguity remains. Can we dispel it? Let's see.

'One Person, One Vote' carries two implications. First, the **demos** should be as inclusive as possible. Every South African citizen, barring at most minors and the mentally incapacitated, should have an identical right to participate fully in the political process. Secondly, in determining who governs, each person's opinion conveyed formally through the electoral process should count no differently to any other's. That is to say, there must be equivalence in voting arrangements. Following this, a third implication may well follow too. For strict political equality to be observed, the choice of **government** should be calculated by calculating the final outcome in

such a way that each and every vote is weighted exactly the same. Schemes, for instance, aimed at guaranteeing representation for minorities (however depicted) in government would fall foul of this requirement, thereby eroding absolute political equality. Again, the political ramifications emerging from ruthlessly logical deduction warrant careful study.

Political equality enacted by participatory means is a highly important form of applied political equality. In so participating, individuals are availing themselves of significant rights of citizenship. Yet democracy in the Charterist image entails rather more than merely assisting periodically in selecting the government of the day; and even goes beyond the act of standing personally for political office. A democratically elected government, both representative and responsible, is a necessary condition for a democratic society. But not a sufficient condition. Without political equality, central to applied equality recall, there cannot be full democracy, that is, democratic society *per se*. And in the absence of democratic society, basic equality will not prevail. And without basic equality, a truly just South Africa cannot be realised. What price, then, political equality? If set up, will the democratic political system envisaged by the Charterists, operate in a manner conducive to promoting political equality? In the end, under democratic rule, can citizens participate in the political process on equal terms? To me, herein lies the rub. This is the ultimate test of how worthy the Charterist image of a just South Africa actually is. When examined closely, I feel the image lacks lustre, although not for factors peculiar to South Africa, but factors, nonetheless, which cannot be wished away.

'Why does democratic governance militate against political equality?' you enquire sceptically. Putting words in the Charterist mouth, the reply would be that citizens can only participate effectively as political equals provided their rights of citizenship are buttressed by equally distributed opportunities, endowments and resources. Disparities in knowledge, expertise, wealth and time available foster political inequality. Members of society concerned to preserve democracy could act collectively to regulate these sources of inequality, thus limiting their damage in the political arena. Some may regard this as a pious hope, since the record among democracies worldwide reveals that the prospects for success in managing such a daunting task are unremittingly bleak.

There is an added intractable hindrance to political equality compounding the divergency just noted. The very processes of democratic governance in contemporary society are inimical to political equality. This transpires irrespective of how benign a particular government happens to be. Various causes can be adduced. In general, they can be traced back to the sheer scale and complexity of state business. Political rulers may act responsibly; leaders may be fully and willingly accountable; administrations may conduct affairs openly; yet still, despite strenuous efforts on their part – although this seldom occurs – citizens will be somewhat estranged from affairs of state, and somewhat politically disadvantaged when compared to those whose job is statecraft.

In democracies, political power which one presumes is vested in legislative assemblies populated by citizens' representatives has devolved to the executive – the

government, properly speaking. The trend, dictated mainly by the ever burgeoning stringent demands of economic and foreign policy, apart from kindred welfare services, is universal among the democratic states of the northern hemisphere. It is readily detectable, too, in the ranks of advanced Third World states predisposed towards democracy; and South Africa should count among them, a good Charterist would urge. Whether one favours a minimalist or a maximalist state is immaterial here, for the odds are that whatever the ideological disposition of an incumbent regime, wealth, stability and well-being cannot be procured without extracting a price. The trade-off is a large and complex state apparatus that will invariably, and often unconsciously, hamper society in achieving political equality among the citizenry.

I have hinted at an overall conclusion to a very broad argument. My inference from this line of reasoning, which needs embellishing at length, I am the first to concede, is that the Charterist image of democracy will turn out in reality to be a highly distorted extrapolation of the principles encapsulated in the Charter itself. If one accepts as much, where do Charterists go hereafter? Is there any escaping the supposed vicious circle of political inequality eroding the chances of democracy, and democratic governmental practices militating against political equality among citizens. Several remedies can be devised, though they cannot break the circle once and for all. Their effect is largely palliative, but valuable nonetheless.

Five central remedies, in fact. I shall deal with them cursorily. **To begin with**, citizens could agree democratically to tackle the underlying causes of significant political inequality within the citizenry. The distribution of wealth, for instance, one such commonly regarded cause, could thenceforth be regulated appropriately. This solution would have to be applied to persons and organisations alike. Two provisos, though. Whatever goal is promulgated will surely be realised imperfectly, as I mentioned above. And whilst engineering patterns of wealth might eventually enhance the chances of political equality, it may reverse, say, optimal strategies for economic development. One must be aware, however, of how perilous an undertaking it is to evaluate comparative costs and benefits.

A **second** remedy would be to enhance political skills and knowledge in society to the potential equal advantage of all members. Two routes. The first option in this context would be to offer civic instruction at secondary school. Pupils could learn about the principles and practices of politics. Every pupil is a citizen in the making; surely, therefore, it is absurd not to encounter when growing up some formal instruction devised to inculcate civic rights and responsibilities. Instant enlightenment on an eighteenth birthday is a perverse substitute. The second route lies in vigorous instruments of public communication. Newspapers, radio, television – citizens' windows on the world. They are indispensable to democracy. Education, then, nurtures and bolsters political equality.

The **third** remedy, I suggest, comes from the shape of government itself. Regional and local governmental channels broaden the scope for participation, hence helping to equalise political opportunities. Once again, this is a large topic, deserving detailed scrutiny, much

more than is customarily given. Let me note in passing that the lesser organs of government are no panacea for shortcomings at the national level. First of all, there is a threshold below which subordinate layers of government fail to perform satisfactorily. A strong central government, which is what a democratic advanced Third World state inevitably relies on, normally undermines the functional powers of regional and local levels of administration, subsequently leading to these organs losing credibility among the intended beneficiaries, the community. In contrast, powerful regional governments – when they occur – tend to undercut authority wielded at the centre, with dangerous consequences, often precipitating disunity, civil strife and irregular economic development. Moreover, even where subordinate governments are moderately successful, their political executive structures dominate proceedings at the expense of the ordinary citizen, thus replicating the tendencies we saw entrenched in modes of national governance.

Coming to the **fourth** remedy: public forums beyond government, or so-called citizens' councils, could assist individuals by offering them additional opportunities to deliberate as citizens. The whole spectre of adult education hoves into view, and correctly at that. People may not turn out for such occasions in droves, but society should at least strive to utilise informal methods of civic education and participation. It's another weapon in the cause of political equality – and democracy.

Finally, the democratic ethos in society could extend beyond government at a stroke were participatory means instilled at the workplace. Yet a further massive topic, I know – where zealotry abounds. Workers' management or workers control is a marginal phenomenon in industrialised society, so one should be cautious about its feasibility on the South African scene. In theory, democratic practices pursued in the firm should dampen political inequality at large. There is inadequate evidence, however, either to substantiate or, indeed, to refute this indecently bald assertion. At issue, moreover, would be some evaluation of the consequent disadvantages. Would economic democracy impair business activities? And to what extent? An acceptable compromise or not?

Just as one can allude to features discernible in political life which come dangerously close to nullifying the prospects for political equality, thereby rendering democratic society less likely, so a host of remedies can be deployed as plausible counterfactuals. There are limits either way, I would argue; and it is crucial to map these out before thrusting a scheme for democratic government on society.

The Charterist image is morally compelling, no more so than in the fundamental tenet of basic equality. Yet it suffers from deficiencies, since at root its principles are not wholly consistent, and, more especially, precisely because the image is nothing more than that and bears disconcertingly little relation to how democracy really is practised in contemporary times. Consequently, the tension between the key factors, namely, basic equality, applied equality, political equality and democracy is palpable, as I have attempted to depict schematically.

What is to be done? Three alternatives suggest themselves should the Charterist image of democracy be projected further. And it should be to enable a transparent picture to be composed. The point is that most citizens merely want to know whether a form of political rule will work properly in prevailing circumstances. This is **the** compelling test. Fair enough. Proceeding in such a spirit, one alternative would be to formulate democratic practices faithfully redolent of the principles espoused in The Freedom Charter and the like. For reasons that should by now be patently evident. I believe such a simplistic attempt would result in unmitigated failure. A second alternative would be to fiddle with the principles themselves, so attuning principle and common practice. I suspect this option will prove remarkably seductive, at any rate to those who never have been enamoured with the Charterist position. Consociationalism, for instance, much touted several years back, would be just one outcome from this mode of reasoning. There is a third and intriguing possibility which has eluded proper attention. To grasp it, considerable intellectual dexterity has to be developed. Here, one adheres to the fundamental integrity of Charterist principles – basic equality is **sine qua non**. By articulating the Charterist principles in all their confused glory one then progresses experimentally in order to discover whether they can actually blend tolerably well with democratic patterns of governance that would most likely pertain in South Africa. These patterns can be uncovered by comparative analysis from the experience of societies worldwide. Approximations in principle would have to be brought in line simultaneously with approximations in practice, by affecting whatever adjustments are required on either side.

EVALUATE

My belief is that the jury is still out on the question as to whether the Charterist interpretation of democracy holds out the best prospective hope for a just South Africa. It behoves us to evaluate it with all the rigour we can muster. And that goes for every other interpretation too. An isolated hunt at an illustration will disclose the enormity of the current void. Blithely we assume that the Westminster model of political rule will be highly inappropriate in South Africa. Yet it's taken as axiomatic. I defy you to unearth a decent argument resolutely exposing its deficiencies. Likewise, the case supporting it as just as flimsy. One could go on and on.

For all our constitution-mongering hereabouts, we South Africans are in truth far from being fully apprised of the distinct options before us when it comes to canvassing the likelihood of democracy in our midst. The great hope is that awareness of this has suddenly dawned. With the ideological blinkers loosened all round, these are stimulating days. Furthermore, debate alone helps nurture a democratic culture. Nevertheless, neither freedom nor democracy are by any means assured. Coming to terms with the bounds of possibility in our society is a major step forward, if we can achieve as much. In this light, Charterists have mounds of spadework to get through before bringing their image of a just South Africa to light, let alone life. And that goes for every other South African too. There is no easy walk to democracy, particularly when authoritarianism still abounds. □

NOTE

An earlier version of this piece, then entitled 'The Charterist Image of Democracy in the South African Context, was presented at the International Conference on Democracy in Post-Apartheid South Africa hosted by the University of Transkei at the beginning of September,

1990. I am grateful to Dr James Chipasula and his colleagues for inviting me to contribute, as well as to the universities of Transkei and Natal for ensuring my participation. Not least, I owe a great deal to all who made the entire venture so extraordinarily stimulating. Naturally, though, the perversities of my particular argument are mine alone.



The Freedom Charter is proclaimed at the funeral of victims of the Uitenhage massacre, March 1985.

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Peoples Power Can it happen in S.A.?

By people's power I mean a strategy of repetitive demonstration involving thousands of individuals willing to assemble peacefully day by day in some large symbolic public arena close to the seat of state power – in other words, what might have happened in March 1960 had Philip Kgosana and his 20 000 supporters not been persuaded to abandon their march on the House of Assembly in Cape Town.

The term people's power first gained currency during the events surrounding the fall of the Marcos regime in the Philippines, although it also bears some resemblance to the passive resistance campaigns of Gandhi in the Indian sub-continent in the 1930s and 1940s, insofar as both strategies attempt to inhibit the state from deploying force against a peaceful,

unarmed mass. Clearly, sustained people's power requires skilful organisational capacity and immense self-control in the face of provocation.

There are variations of this strategy: in Peking, the students, in effect, camped in Tiananmen Square until forced to flee by the harsh response of the People's Army; in Leipzig and Prague, the demonstrations were not continuous, but re-assembled every day. What is critical for success or failure is the nature and power of the regime. South Africa, in the past, has always been considered *sui generi* with respect to its vulnerability to social upheaval. The question at issue is whether the demonstration effect of events in Eastern Europe has altered this conventional wisdom.

In an interview with *The Independent* (January 24, 1990), Pik Botha, South Africa's Foreign Minister, dismissed the relevance of any comparison between events in Eastern Europe and what might happen in South Africa. Was he being too optimistic?

Botha cited the existence of outspoken newspapers and opposition parties in South Africa; that blacks form almost half of the police force; the growth of a prospering black bourgeoisie; and the existence of local self-government in the black townships. Since President F.W. de Klerk's February 2 address to parliament, Botha can add the unbanning of all organisations, the release of many political prisoners and detainees and the return of ANC exiles (to be followed by a general amnesty), and the repeal of the Separate Amenities Act and other apartheid legislation as well.

Most important, Botha stressed, was the now obvious fact that the 'obsolete and worn-out (Marxist) theories and systems' supported by the ANC and its allies were worthless as a basis for creating and sustaining a new and just political order – the establishment of which was his government's firm commitment.

What Botha is saying here is that Eastern Europe swept away communism with (peaceful) people's power because the system was unreformable, but by contrast the polity in South Africa is reformable and this will avert revolution. This is a familiar Afrikaner claim: that fundamentally they are an adaptable people, capable of innovating dynamic change when a prevailing system begins to crumble.

How justified, though, is Botha's optimism? The 'positive' factors he cites as evidence of the change in South Africa can just as easily be construed as offering blacks a basis for a heightened rather than a reduced struggle against

apartheid, because they raise expectations not only of more reforms, but of a greatly accelerated pace of reform. Once there is a hint of loss of resolve by the ruling group, as happened in Eastern Europe, the balance of forces can change quite dramatically. I shall return to this point later.

As for Botha's assumption that blacks will abandon their beliefs in communism/socialism, because the erstwhile supporters of this system in Eastern Europe did so – this is open to challenge. There is no evidence that the comrades in the townships are willing converts to a belief in the benefits of a free market economy. On the contrary, blacks' experience of capitalism in their own country is more direct than that of East Germans viewing with envy the material cornucopia in the neighbouring Federal Republic.

Thus for a young black, capitalism may well seem (rightly or wrongly) to be the source of his woes as the hand-maiden of an apartheid state. There is, therefore, no necessary inference that the example set by Eastern Europe will persuade blacks to change their conviction that the state must control the commanding heights of the economy.

In Eastern Europe, rebuilding the economy along free market lines could become a unifying enterprise (even if long-cossetted citizens would not want the state to remove its protective arm completely); in South Africa rebuilding the economy to ensure 'redistribution of wealth' almost certainly would be highly divisive, fuelling rather than weakening people's power.

Even if we accept that the collapse of the *ancien regimes* of pre-1989 Eastern Europe may pay ideological dividends for Pretoria in the short-term, as both the government and its black opponents struggle for the political

high ground in the current, delicately balanced, pre-negotiation phase, the longer-term implications of a people's power strategy are worth considering, especially if the negotiation process results in prolonged bouts of stalemate. In these circumstances the black opposition might well attempt a local variant of people's power to hasten the transfer of power. This seems to be the more likely objective in the short to medium-term, rather than an attempt to oust the government from power on the East European analogy.

SOUTH AFRICAN CONTEXT

In the South African context, the incentives and constraints for and against the success of people's power are finely balanced.

Firstly, there is no external actor equivalent to a Gorbachev waiting in the wings and refusing – unlike his predecessors in 1956 and 1968 – to prop up discredited satellite governments via military intervention. Nor could the regimes in Eastern Europe count on the undivided loyalty of their armies to disperse massive popular demonstrations by force.

The reverse is true of South Africa: the South African Defence Force and the South African Police remain loyal to white rule to an extent that exceeds even their support of the Nationalist government, and the black opposition has long memories of their use by the state to crush dissent. Yet it is one thing to employ force to deal with stone-throwing mobs in the townships or disperse crowds defying beach apartheid; it is quite another to fire cold-bloodedly a *la* Tiananmen Square into a large gathering (say 30 000 or so) peacefully occupying a public square. Would the loyalty of black policemen and white army conscripts hold in these circumstances? (Front File Vol 4, no. 3, How Loyal are the SA Police?)

Secondly, a black strategy of this kind would be a high risk one. There is the difficulty of mobilising sufficient numbers willing to exercise the self-restraint of the demonstrators in Wenceslas Square in Prague to which Czech dissidents had relatively easy access night after night. In the South African context, the segregation of blacks into townships provides the security forces with the option of fencing their opponents within tight parameters once the first mass demonstration has been forcibly dispersed.

On the other hand, a Tiananmen Square outcome and the state's continuing need to prevent further black mobilisation would strain the economy, stretch the resources of the security forces, appal the outside world and maximise pressure on the Republic from friend and foe alike. Thus, the risks to both parties in a conflict of this kind would be great; the difficulty is that the black opposition would have to take the first step.

Thirdly, the ease with which governments collapsed in Eastern Europe suggests that their legitimacy – even in the eyes of many Communist Party rank and file members denied the material and often corrupt privileges of their superiors – was virtually non-existent. This profound lack of confidence in what Pik Botha has described as a 'small, privileged clique who closed up and ruled the country, irrespective of the wishes of the vast majority of people' (no irony presumably intended!), is not reflected among the *white* population of South Africa.

At best, the majority of whites identify with the government's aspiration to share power, but would presumably close ranks behind the state against black demands – made manifest by people's power type demonstrations – to abdicate forthwith in favour of straightforward majority rule. This would be even truer of the sizeable (white) Conservative Party minority.

MORE AT STAKE

In Eastern Europe, the aim was to force the ruling Communist Party out of exclusive control of the state; in the Republic, much more would be at stake – the transfer of political authority and economic privilege from a large white minority to a black majority. The white power structure would not necessarily collapse overnight. The critical factor in Eastern Europe was the public perception that the prevailing regime was a spent force. This factor is not present in South Africa.

Finally, if we are looking for parallels, the Soviet Union under Gorbachev may be more illuminating: a Communist Party trying to manage change without losing control of either the process or the end product. And if the Russian C.P. surrenders its exclusive power in favour of multi-party competition, might not this, too, be the fate ultimately in store for the National Party in a post-apartheid dispensation?

Both Gorbachev and de Klerk might, after all, have to settle for this outcome rather than continue the use of force to deal with ethnic demands as in Baku in 1990 or Soweto in 1985/6. Constitutional Development Minister, Dr Gerrit Viljoen, has already indicated that the path the NP is treading will lead to coalition government.

Afrikanerdom – divided as it is – may be more favourably placed to hang on, first, to exclusive power and then to limited power, for it still has considerable resources and military and bureaucratic capability. It might, indeed, be willing to use them if a real threat emerged by way of people's power or any variation thereof.

And, even if we assume the eventual withering away of white power as a consequence of some new constitutional dispensation, the extent to which pressures of the kind facing Gorbachev emerge in a post-apartheid society will depend on how a successor government deals with the distribution of power and resources and the degree to which national unity – after decades of forced diversity in the name of separate development – becomes a reality.

UNLIKELY

People's Power as demonstrated in Eastern Europe is unlikely to be repeated in South Africa, because (a) the discipline required for mass peaceful protest is not available, and (b) the government is still too strong to be toppled overnight. Eastern Europe was able to mobilise people's power on a massive scale because a common purpose existed: to bring down the government as quickly and painlessly as possible from what people sensed was an irresistible position. No such common purpose or base exists in South Africa. A major fault line is emerging in the black community dividing pro- from anti-negotiations. This fundamental strategic difference renders discipline impossible. Rivalries between black organisations will become more, not less, intense.

A compromise strategy of organising protests in parallel with negotiations – e.g. the ANC/UDF defiance campaign

– in the long run will prove untenable, because it will encourage anti-negotiators to mount their own, not necessarily peaceful, protests, damaging to the negotiating process. Although ‘free’ political activity is returning to South Africa, there is a threshold beyond which the de Klerk government will regard protests as destabilising the negotiation process.

TELEVISION

THE ROLE OF TELEVISION in provoking and producing a demonstration or knock-on effect in Eastern Europe was crucial. Historically, TV had raised economic expectations as East Germans, for example, watched West German images of material well-being. Similarly, in Romania, political aspirations reached fever-pitch as the riveting spectacle of chanting Czechs and East Germans, employing the technique of mass demonstration, was transmitted by neighbouring television stations in the Soviet Union, Hungary and Yugoslavia.

By contrast, in China the government quickly asserted its control over state television, and the events in Peking were interpreted to the millions beyond the capital in terms which successfully discredited the student attempt at revolution.

A common feature of the East European revolt was the importance attached to gaining access to TV stations as a way of circulating news of what was happening elsewhere in the country. This encouraged the spread of unrest and foiled government attempts to isolate the original source of public dissension.

As Garron Baines argues, ‘the security of regimes around the world may in future depend on keeping other people’s video images off television sets at home. In fermenting revolution in the age of broadcasting, control of television appears almost as important as access to the weapons needed to take on the state by force’ (The Guardian, January 8, 1990).

In South Africa, neither access to arms or television by black protesters has been or will be easy, and without arms and/or sympathisers in the armed forces (as in Romania), gaining control of the broadcasting media (heavily fortified by the state at the first hint of trouble) will be a major obstacle for a people attempting a version of the strategy so successful in Eastern Europe.

Censorship of the media and selective reporting of events is a familiar practice in the Republic. When de Klerk announced the lifting of some emergency measures on February 2, he specifically retained the restrictions on the media. There is the added difficulty that the SA state’s physical boundaries are not as porous as those in Eastern Europe, allowing relative freedom of movement for journalists and indeed large numbers of dissidents, as the opening of the Hungarian border to Czechoslovakia for East German refugees clearly illustrated.

The significance of porous borders in contributing to a ripple, indeed a torrent, of revolt across Eastern Europe, should not be underestimated. South Africa, by contrast, is isolated from potentially troublesome

neighbours in a way which was not true of the closely packed societies of Eastern Europe, all of which – in varying degree – had a history of war, conflict and foreign occupation. It was the technology of mass communications which provided their peoples with a window on each other’s world, enabling them to ‘see for themselves’. And, more important, TV provided a telling means of distinguishing between a Soviet Union in the throes of glasnost and perestroika and the stultifying, bureaucratised regimes under which the satellites still languished.

POLICE

It is at that point that the police will be sent in to deal with the protests, and, being anti-negotiators themselves (or mostly so), they will perform their task with relish. Negotiations will then be caught in a pincer movement between black anti-negotiators and white anti-negotiators. The more (black) negotiators invoke public demonstrations, therefore, as an adjunct to negotiation, the more they will undermine the negotiation process.

A further complicating factor will be the dependability of black policemen (almost half the South African Police) in the changing situation. The responsibility for dealing with unrest situations then will rest increasingly with white policemen, who will be tempted to take advantage of the government’s increased dependence on them. The government in turn will apply increased pressure on the ANC to make up its mind whether it is for or against negotiations.

The ANC’s dilemma is obvious. Already, it accuses its rivals, like the Pan-Africanist Congress and some elements of the Black Consciousness Movement, of deliberately inflaming emotions in the black townships as a way of undermining both negotiations and the ANC’s popularity and authority. Yet for the ANC to dispense with the protest weapon is difficult – it would risk surrendering the townships to the PAC and to those young comrades who see negotiations as a futile exercise.

The whole point of the Mandela initiative is to exchange strife for negotiations, so that a future black government does not inherit a wasteland. Only if the ANC abandons this initiative can it take its place again at the head of the *toy-toying* young comrades.

The fact that the ANC’s rivals in the townships are a motley collection with scarcely a coherent programme between them is neither here nor there. All they need to do to destabilise negotiations is to provoke the police to open fire. Then immediately the ANC’s position at the negotiating table becomes precarious.

Unless the ANC can summon up unexpected resources of command, therefore, the signs in South Africa point not to an Eastern European type people’s power, but to continuing violence-related unrest emanating from the black townships. The dilemma facing the ANC in this context is illustrated by Nelson Mandela’s support for the government’s decision to send the army into Natal to try to separate the warring Inkatha and ANC/UDF blocks factions.

RESOLVE

Possibly the most striking parallel between Eastern Europe this loss of resolve was total; in South Africa it is populaces of loss of resolve by the rulers. In Eastern Europe this loss of resolve was total; in South Africa it is still only partial: it is limited to acceptance that power can no longer be maintained as a monopoly of the white group; at the same time there is a closing of ranks against any demand for a 'democratic' transfer of power to the black majority.

The future test of the South African government's resolve will be its willingness to unleash repression, because along that route lies the re-banning of organisations and the re-jailing of black leaders. Full-scale repression probably will contain unrest, at least temporarily, but it will play havoc with ruling group unity, and it will, of course, invite fearful international retribution via sanctions.

Most blacks know there has been a weakening of white rule, but they are divided over whether to seize the opportunity to negotiate a peaceful changeover, with minimum damage to the economy, political institutions and the social fabric, or to go for the government's throat – and hang the cost.

By comparison with Eastern Europe's peaceful revolution, the South African situation is much more complex and fraught with violence – both real and potential. In his first public address after his release from prison, Mandela called for a 'disciplined' struggle against apartheid. Discipline and black unity are the key to the ANC's negotiations strategy. Without either, the strategy will be self-defeating. □

FUTURES

Two possibilities might be mentioned: one is that the burgeoning black trade union movement will be able to mount something approaching 'people's power' – massive, disciplined, peaceful and decisive demonstrations. This possibility seems unlikely. The other is that the white right-wing will mobilise white 'people's power' to force De Klerk to call an election on the government-ANC negotiation package – and defeat it. Extremist vigilante groups would contribute the street theatre, but basically the demonstration of white power would have to be constitutional – peaceful and yet overwhelming. Given the propensity for violence by the far right, this outcome seems improbable.

Enlarging the Circle

A perspective on violence and rights



A nuclear ban in Britain.

Many of us feel dazzled by the pace and scale of the social changes we're living through. In my view there is one issue in the contemporary world which overshadows all the other changes – that is the fact that we now have the capacity to exterminate all life on this earth. It's a numbing kind of insight which we tend to block and bury away but many thoughtful men and women think that this extermination is likely to happen before the end of the century. In South Africa we are often passionately caught up in human rights issues, detentions, torture and repression. Certainly these issues deserve our time, our thoughts and our voices. But these issues presume that there are human beings around. The struggle for human rights presupposes human existence, and that existence is no longer certain.

When I say we have the capacity to exterminate all life on this earth, I am not only thinking of nuclear weapons. Nor am I thinking of 'we' in a very abstract or distant sense. ESCOM have embarked on a public relations exercise to convince us – the South African taxpayer – that we need another nuclear power station. The effects of an accident at a nuclear power plant are similar to the effects of a nuclear bomb exploding. The Chernobyl nuclear accident is now thought to have released 50 times more radioactivity into the atmosphere than did the explosion of the nuclear bomb at Hiroshima. It left deformed babies, genetic mutations such as horses born with eight legs, pigs with no eyes, and many sick people. The Soviet authorities are presently facing the enormous social and economic cost of having to resettle a total of 4 million people whose homes are now thought to have been dangerously contaminated by radiation (Weekly Mail 4.5.1990). Closer to home the Koeberg nuclear power station generates high level waste that includes some of the most dangerous substances known to man. Nuclear waste from Koeberg includes at least 200kg of plutonium a year. Plutonium is so toxic that five kilograms is enough to kill every man, woman and child on this earth. (Weekly Mail 4.5.1990). Our understanding of the struggle for human rights should be located in terms of these dangers to all human existence.

Our century will probably go down in history as the century of Hiroshima and Nagasaki, as the century of war. But the end of the century – the eighties have been marked by a great outburst of energy demanding the end to war, as well as basic human rights. One of the most amazing changes we are living through is the demise of authoritarian socialism in Eastern Europe and the USSR.

HUMAN RIGHTS

Some people have argued that the changes in the USSR do not represent the failure of socialism but the recognition of the need to couple socialism to democracy. There is no aspect of life in the USSR which remains unaffected by the Gorbachev revolution. The most striking change is in human rights, symbolised by the release from exile of Andre Sakharov in December 1986 and the freeing of virtually all political prisoners over the next two years. These were not just tactical concessions designed to improve the Soviet image in the West. Protection of human rights was made into a cardinal principle of Soviet policy. Before this the denial of human rights was appalling. The suffering of the human rights activists is documented by Irina Ratushinskaya in her book **Grey is the Colour of Hope**. She was sentenced to a prison sentence and to internal exile on the grounds that her poetry was "anti-Soviet propaganda". Her account of 4 years in a camp for women political prisoners is a deeply moving account of both cruelty (on the part of the camp authorities) and the selfless courage and mutual support of the women prisoners.

Progress in the struggle for human rights is for me also symbolised by the movement of Vaclav Havel from a prison cell to the President's office. This one man survived the misery of almost five years imprisonment with hard labour for his human rights activism to become President of Czechoslovakia. His account of his prison experiences is a reminder to us all of how the human spirit may survive, and even grow under conditions of extreme loneliness and deprivation. (Havel, 1989).

VIOLENCE

Violence erodes human rights. In South Africa until very recently we were caught up in a spiral of violence. This has three layers to it.

Violence No. 1 – the violence of injustice, of oppression and exploitation. The indirect violence which damages human beings and blocks them from realising their potential.

Violence No. 2 – the counter-violence of revolt in riots, bomb attacks and guerilla war.

Violence No. 3 – the action by the authorities to re-establish their control when they resort to imprisonment without trial, torture and the taking of life.

The first layer of violence is often not recognised as such. Galtung writes, "Violence is present when human beings are being influenced so that their actual somatic and

mental realisations are below their potential realisations.” (Galtung, 1969: 168) This ‘structural violence’ is equated with injustice and discrimination. “The violence is built into the structure and shows up as unequal power and consequently unequal life chances.” (Galtung, 1969: 171)

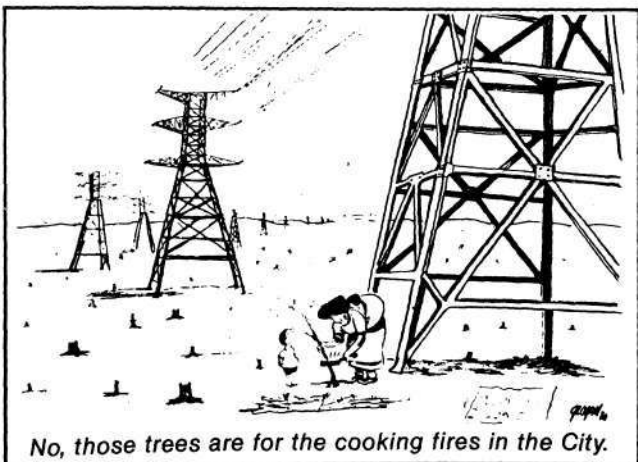
One indicator points us to the extent of these unequal life chances in South Africa – income distribution. Whites, who constitute less than a sixth of the population, earn nearly two-thirds of the income; blacks, who account for nearly two-thirds of the population, earn a quarter. (Wilson and Ramphele, 1989). Nearly two thirds of black people live below the minimum living level, fixed in 1985 at R350 a month. (Ibid) It has been estimated that more than 80% of blacks in the homelands live in dire poverty.

Clearly this structural violence has something to do with the high levels of criminal violence in the country at the moment. Official statistics show that there is one murder every 45 minutes in South Africa, a rape every 26 minutes, a serious assault every 4 minutes and a burglary every 3 minutes. These statistics have recently been quoted by the Times correspondent in Johannesburg to suggest that South Africa is “sliding into violent anarchy”. (The Star 16.5.1990) It is apparent that the biggest challenge to a new South Africa will be a strong state that can reduce both structural violence and criminal violence.

Violence perpetrated by the state itself is strangely absent from most of our discussions of the problem of violence. This is extraordinary when we think of the scale on which we have practised state violence in South Africa. Since 1983 we have executed 700 people – the term ‘execution’ being a euphemism for a slow, painful and deliberate killing. Since 1984 51,000 people were detained without trial – I could go on. However we in South Africa, are not unique in our acceptance of official violence as legitimate. In a 1969 survey in the USA 30% of a national sample said that “police beating students” was not an act of violence, and an astonishing 57% said that “police shooting looters” was not an act of violence. The same survey asked people what violent events were of the greatest concern to them. Even though the survey was conducted during the Vietnam War, only 4% of those interviewed, mentioned war.

THE STATE

These responses come out of the way we view the state not as a source of violence, but as the source of legitimacy. We look to the state to protect human rights. In



the current debate about change in South Africa it is sometimes said that the state must also protect some notion of group rights. Others argue that the future of whites is best secured by a constitution that makes no special guarantees for whites as a group. As Albie Sachs has argued, it is not the quality of being white that needs protection, “but the quality of human being, of being a citizen”. He has argued that the best way to allay white fears is “to ensure that democracy and its institutions are firmly planted in SA: the worst way is to undermine democracy from the start and subvert it with a complicated and unworkable set of institutions based on notions designed to keep racially defined groups locked in endless battle”. (WIP, 65, 1990)

Albie Sachs has termed the establishment of human rights, as “one of the great gains of humanity over the ages.” He describes so called “first generation rights” as blue rights. These are political, civil and legal rights such as the right to vote. “The second generation rights”, the rights to education, to health to nutrition and to shelter are red rights. “Third generation” or green rights include the right to a clean environment. (Sache, 1990).

WAR

The greatest threat to all these human rights is the large scale official violence of war. Hannah Arendt defined war as “the massification of violence”. The threat of war between the superpowers has faded in the eighties. But now there is the danger of nuclear proliferation, – the spread of nuclear weapons. This is especially serious in the case of Iraq. Evidence has recently emerged that Iraq is working more actively to build nuclear weapons than most of the world had previously thought. While an Iraq bomb program was known to exist, most outsiders believed that it had been allowed to slide into inactivity. Now we know that it is not only nuclear weapons that Iraq is pursuing. It manufactures poison gas and has used it a number of times, both in its war with Iran and against its own Kurdish population.

There are similarities between war against people and war against nature. Both are about maintaining power and maximising profit. For example there are many similarities between nuclear energy and nuclear weapons, both in relation to technology and in relation to raw materials. Another example of how the war against nature and the war against people involves similar technologies is chemical weapons and pesticides. In *The Silent Spring* Rachel Carson talked about how the war on people and the war on nature often employed the same weapons. Nerve gases developed for world War II, were used as pesticides in agriculture after the war. Likewise herbicides developed for agriculture before the Vietnam War were used as defoliants in that war, and by us in Angola. Carson's biographer, Patricia Hynes writes, “The destruction of people and nature with chemical poisons constitutes the same failure to solve problems other than by force”. Carson's central warning was that the methods employed for insect control were such that “they will destroy us along with the insects”. In 1985 the “Hiroshima of the chemical industry” occurred when an accident at a pesticide factory in Bhopal, India caused the death of at least 2 000 people and injured 200 000. Clearly violence against nature and violence against people are connected.

Both kinds of wars involve a similar set of attitudes which legitimate killing and violence as a solution to conflict, both value domination, conquest and control. Both involve a disrespect for human and other forms of life.

In times of war and conflict the enemy is often defined as 'other', as 'animal'. Defining people as animals is used to strip them of rights, to locate them outside the boundaries of human = humane treatment. Both the categories of 'war' and 'animal' are cited to legitimate an abdication of conventional morality. In South Africa Africans are sometimes spoken of as animals. The implication is that they do not have the same needs and feelings as white people do. Therefore they can be paid low wages and be forced to work excessively long hours particularly as farm and domestic workers. "They're not like us".

The comparison of Africans with animals was a common theme in colonial thinking. For example Edward Long declared that "the orang-outang was closer to the negro than was the negro to the white man." (Thomas, 1984:136) According to an observer in Zambia this century, "in all their actions they (Africans) are so like animals that I question they have any brains". (Hansen, 1989:30). Another commented, "I say that a dog and a native are on a par. One should give them a good hiding when they have earned it, but one should never thrash either until one's temper has cooled". (Hansen, 1989: 50).

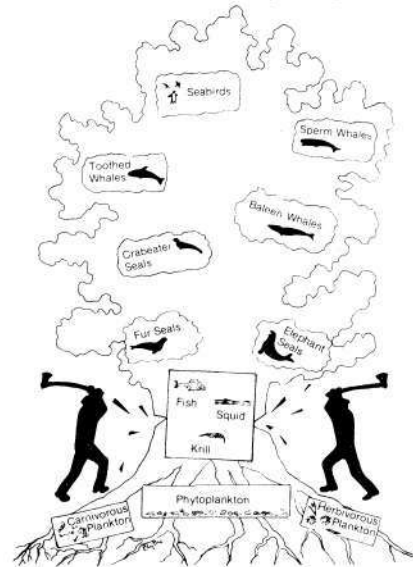
ANIMAL ABUSE

Many people involved in the struggle against such obscene racism and for human rights seem curiously anthropocentric – they are only concerned with their only species. It is this lack of concern which allows the abuse of animals to continue. Such abuse is highlighted in the case of vivisection which involves at least 2 million animals a year in South Africa in cruel and often unnecessary experiments, 85% of which are performed without anaesthetic.

When Thomas Jefferson wrote that all men were created equal and endowed with certain unalienable rights, it was understood he was talking only about white American males. Since the American Revolution however, rights have been extended, at least by law and social consensus, to include women and ethnic minorities. Many thoughtful people argue that the right to considerate and ethical treatment should be extended to animals as well. For example in a recent interview Alice Walker has drawn a strong connection between human and animal rights. Her response to those who dismiss the concern with animal exploitation as "sentimental" is that they are people who have "destroyed great tracts of feeling in themselves." (Walker, 1988)

'Green politics' (Bahro, 1984; Capra and Spretnak, 1984; Poritt, 1984) calls for an end to violence against both animals and people. It denies that human beings are separate from the rest of nature; that nature only exists for man's comfort and convenience. This anthropocentric attitude towards nature is rooted deep in our colonial past. There is on record a report to Governor Jan van Riebeeck by a faithful servant of the Dutch East India Company, "We plucked 700 seagulls as ordered by you to make two featherbeds and a pillow". (Odyssey, February, March, 1988). However van Riebeeck himself issued South Africa's first

ANTARCTIC TREE OF LIFE



colonial conservation measure on 14 April 1654 when he instructed officials to limit themselves to eating half a penguin per person per day. He was concerned that soon penguins would become extinct.

But in South Africa we cannot only be concerned with the extinction of species. Here we have to face up to both third world environmental problems such as soil erosion and first world environmental issues such as acid rain.

POLLUTION

The area I come from, the Eastern Transvaal Highveld, is one of the most polluted areas in the world. In this area annual emissions of sulphur dioxide total 31 tons per square kilometer, according to the CSIR, or 57 tons according to two independent air pollution analysts. In East Germany, which is famous for its coal-polluted air, annual emissions are only 30 tons. (Durning, 1990: 23) Sulphur dioxide is the main ingredient of acid rain.

I also come from a group, white South Africans, who have been identified as the worst polluters in the world. South Africa's coal burning power stations release enormous quantities of carbon dioxide into the atmosphere every year. Carbon dioxide is the main ingredient in the global warming or 'greenhouse effect' which now threatens the climate of the entire planet. According to the Worldwatch Institute, white South Africans, on a per person basis, are the world's worst greenhouse offenders. They base this assertion on the distribution of national income between different races; 65% of national income to whites and 25% to blacks. "If energy consumption patterns mirror income distribution, as is likely, the white population's per capita carbon emissions stood at more than 9 tons in 1989. (Durning, 1990: 25). For comparison Americans released 5 tons each that year and the world average was one ton.

In South Africa environmental issues are deeply and fundamentally political. They are deeply embedded in the unequal distribution of power and resources in South Africa.

Challenges from below to this power structure have often included concrete environmental issues. A grassroots environmental movement existed in embryonic form in 1984 – 6 the days of “people’s power”. Through people’s courts and street committees a great deal was done to organise garbage collections and establish ‘people’s parks’ with small rockeries and colourful painted tyres in many open spaces in townships throughout the country. However these efforts have always been subordinated to the much broader struggle against apartheid.

At present there is a very real danger that conservation projects will become discredited in the eyes of the majority of South Africans. Conservation projects have too often disregarded human rights and dignity. The establishment of the Pilanesberg Game Reserve meant social dislocation and distress for many local people. So did the establishment of the Tembe Elephant Park near Kosi Bay. As a rural worker has stated, “If conservation means losing water rights, losing grazing and arable land and being dumped in a resettlement area without even the most rudimentary infrastructure, this can only promote a vigorous anti-conservation ideology among the rural communities of South Africa”. (Richard Clacey, a rural field worker quoted in the Weekly Mail 6.10.1989)

PARALLEL

There is a dangerous parallel in the way both women’s issues and environmental issues are sometimes viewed as middle class concerns. Feminism is often viewed as bourgeoisie and divisive, as concerned with extending privileges for an already privileged group of middle class women. Similarly environmental issues are sometimes viewed as limited to the conservation of large, cuddly and spectacular creatures like the blue whale, or the tiger or the giant panda bear. There are conservationists who sometimes sound a little misanthropic and appear to be more concerned with animals than people. It is not certain how much the people who frequent fashion shows and art exhibitions in Johannesburg to raise money for conservation care about human rights and welfare. Infant mortality rates in the homelands do not seem to have the same fashionable appeal as the conservation of the black rhinoceros.

At present thousands of South Africans are protesting about the proposed seal clubbing. However in the same week that the proposal was announced police used teargas and clubs on passive demonstrators at Ashton in the Cape. Fortunately the SAP do not cut the throats of demonstrators after clubbing them, as is planned for the 25 000 seal pups due to be slaughtered next week. However many of the people involved in the protest against seal clubbing have not raised their voices against the clubbing and even shooting of thousands of peaceful demonstrators in South Africa. Both types of violence warrant strong protest.

Environmental issues (and women’s issues) do have a relevance to people of all classes and races. Environmental issues do have the “potential to build alliances across the divides of class and race” as Koch and Hartford have argued. (Weekly Mail 6.10.1989) They cite the indiscriminate use of pesticides as an example. However there is no smooth and easy convergence of class and race interests around this issue. In the first place the pesticide industry is a source of enormous profit to some. Secondly the vegetable farmers in Natal who have



Thor Chemical Protest against toxic waste imports.

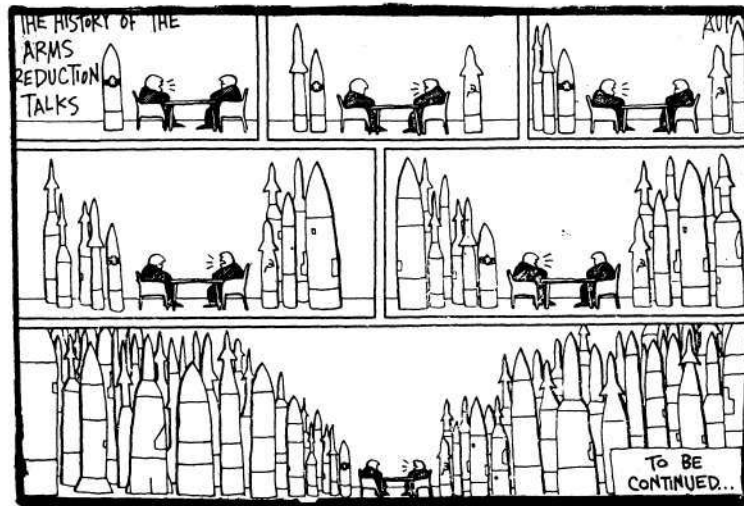
suffered from the indiscriminate use of pesticides such as the Agent-Orange type herbicide, are able to mobilise public opinion, even though they failed to win a recent Supreme Court application to prohibit the manufacture and sale of all hormone herbicides in South Africa. Middle class consumers have access to knowledge of the link between pesticides and cancer and have the purchasing power to buy organically grown produce from expensive health food shops. The real victims are the poor who do not have either this knowledge or this option. In their ranks are, as Koch and Hartford say, the agricultural workers who spray the pesticides, as well as the factory workers who manufacture them.

Toxic waste is another issue which effects us all. But the people most effected are the workers directly handling these hazardous materials. There are reports from Earthlife Africa that workers at a multi-national company which imports highly toxic mercury waste into South Africa, are suffering from a severe nervous disorder induced by mercury poisoning. Large quantities of mercury from the plant were leaked into the Umgeni River. The level was nearly 9 000 times the amount required in the USA for the waste to be described as a hazard. (Weekly mail 6.7.1990)

Green politics links the struggle against such exploitation of people with the struggle against the abuse of the environment. In South Africa green politics has to be firmly anchored in the needs of the majority of our people. For many of our people living in rural areas, environmental issues means no clean water and no proper sanitation. these are the issues which need to be addressed as a matter of urgency. This can only be done by a democratic government which is accountable to the people and which prioritises their interests.

GOVERNMENT

Instead we in South Africa still have a deeply authoritarian, repressive and undemocratic government. It is widely agreed that we need to change this. It is also widely agreed that to achieve the aims of green politics – to end the exploitation of both people and the environment – change is required. But what is hotly contested is the nature of the change. Many people seem to believe that the problems can be put right by a few adjustments to the system – less pollution, less destruction of vital resources



and more environmentally conscious consumption. Others are saying that more radical change is required. In the same way that feminism or gender equality is not compatible with male chivalry and protection, it is clear that a beautiful, unspoilt environment is not compatible with the present high levels of consumption in the developed world. We cannot have it both ways. Many thoughtful people are urging us to change our life styles, to reduce consumption, to move away from a consumer to a conservator economy. As Schumacher has stated, "We must live simply that others may simply live". He is among a group of people who have advocated a "voluntary simplicity". They point to three reasons why a simplification of life in the first world is important.

1. We are running out of crucial non-renewable resources. For example we are exhausting the supply of cheaply available petroleum and natural gas.
2. We are polluting ourselves with massive discharges of wastes from industrial production.
3. Each day children in the third world die from the effects of malnutrition and poor health care. They do so partly because of the massive military expenditure which absorbs so much of the first world's resources. It has been estimated that the military budgets of all nations combined for one day would provide enough to feed, clothe and house all the people of the world for one year.

THREAT

I said earlier that the greatest threat to human rights is war. War also represents the greatest threat to our environment. The threat lies not only in the awesome destructive capacity of the weapons mankind has developed for war, but in the resources invested in this process. World-wide military expenditure now amounts to more than 900 billion dollars per year. The US is presently proposing to purchase 75 B-2 Stealth bombers which will

cost \$815 million each. (Time Magazine, 7.5.1990) There are now more than 50 000 nuclear warheads in the world. The total explosive power of the world stock of nuclear weapons is about equal to one million Hiroshima bombs. There are at least 50 million people throughout the world who are either directly or indirectly engaged in military activities.

Green politics calls for an end to this process of militarisation, of mobilising resources for war. The philosophy behind green politics is that of 'Deep Ecology'. This denies that human beings are separate and superior from the rest of nature. This ecological consciousness is in sharp contrast with the dominant world view of technocratic-industrial societies which have become increasingly obsessed with the idea of dominance; with dominance of humans over non-human nature; masculine over feminine; the wealthy and powerful over the poor. Deep ecology is against such dominance and for equality. It is not anthropocentric – it does not only focus on our own species. And in so doing this ecological consciousness often incurs the same kind of scorn that was meted out to the antislavery radicals for insisting that slaves were human beings with rights.

Earlier this century Albert Schweitzer noted,

"It was once considered stupid to think that coloured men were really human and must be treated humanely. This stupidity has become a truth. Today it is thought an exaggeration to state that a reasonable ethic demands constant consideration for all living things". (Quoted by Tobias, 1988: 177).

In South Africa we have an urgent need to overturn such 'stupidities' and 'exaggerations' if we want to contribute towards a new South Africa that is free from all forms of exploitation and abuse.

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