

Volume 35 Number 1 May 1992

SASH



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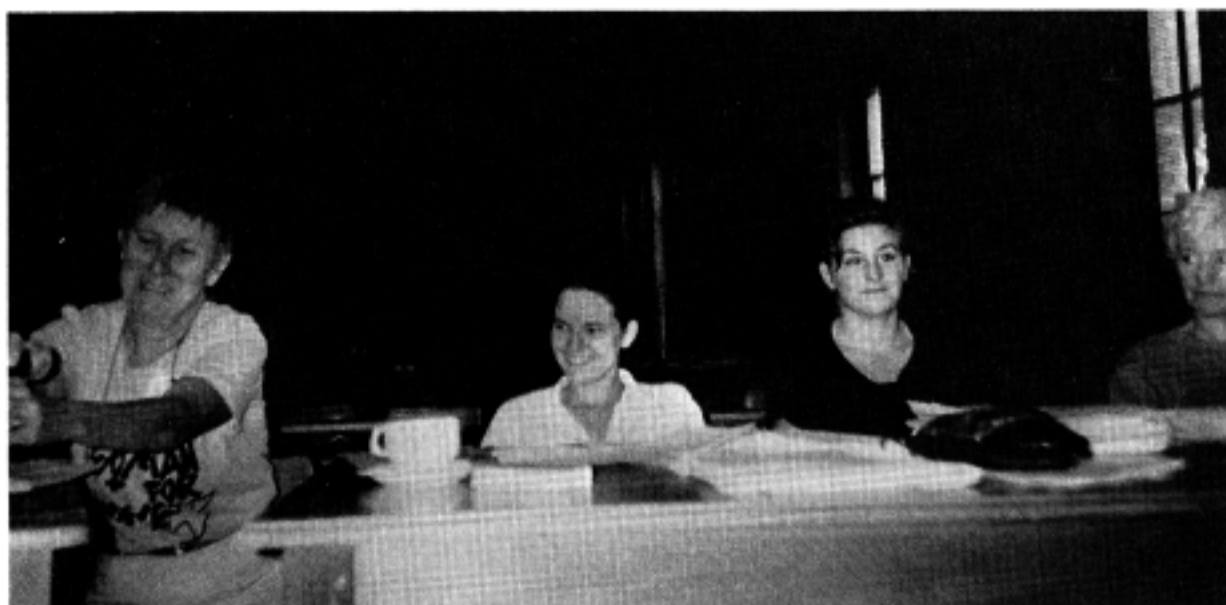
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SASH magazine

SASH magazine is the official journal of the Black Sash. It is published three times a year under a system of rotating editors. While editorials and editorial policy adhere broadly to the policies of the Black Sash, the views and opinions expressed in other material do not necessarily reflect the opinions of the Black Sash.

All political comment in this issue, except where otherwise stated, is by Domini Lewis, Birga Thomas and Shauna Westcott, 5 Long Street, 7700 Mowbray.

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Published by the Black Sash, 5 Long Street, 7700 Mowbray
Printed by Clyson Printers (Pty) Ltd
Desktop publishing by birga thomas
SA ISSN 0030-4843

Subscriptions

5 Long Street, 7700 Mowbray, South Africa. Local subscriptions per year (postage included):

South Africa and Namibia: R20,00
External subscriptions per year (airmail postage):

Southern Africa: R40,00
All overseas subscriptions: R60,00
Cheques payable to the Black Sash.

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editorial

National conference 1992, which looked at a number of human rights issues under the rubric of transition, produced a clarity and cohesiveness about the road ahead for the Black Sash. "It was a conference," in the words of national president Jenny de Tolly, "which drew a lot of issues together and set a direction very clearly."

The human rights – or lack of rights – of those "outside the walls" was the focus of the keynote address by Sheena Duncan. Her plea on behalf of the downtrodden, forsaken and silenced majority set the tone for the rest of conference, raising the banner of social justice over those sessions which examined strategies for moving away from the old South Africa.

One paper and much discussion was devoted to the Convention for a Democratic South Africa (Codesa), site of undisclosed negotiation between parties who do not adequately represent women, who are exceeding their brief, and failing to be accountable. Another paper took a disenchanted look at the government, asserting that "total strategy" survives in the era of transition, simply better packaged and marketed in a new range.

The process and the language of constitution-making continue to be explored by groups within the Black Sash, who have worked hard to close the gap in organisational knowledge highlighted at the 1991 conference. The 1992 conference heard a report on this process, pondered the role and significance of the preamble to a constitution, and learned a lesson from the Natal Women's Group experience of attempting a feminist approach to writing a constitution.

Another innovation in 1992 were workshops on affirmative action and access to land and shelter in the session on human rights, structured to afford participants the experience of conflicting claims and to introduce the idea of prior rights.

The context for these explorations and debates was constructed by Jenny de Tolly in her presidential address, which moved from a global overview of a period characterised by rapid and sweeping change, to a focus on South Africa and the role of the Black Sash in local transition. She began with a quote – "I'm longing to dance in the street, but there's still a lot of lead in my feet" – which she used as a refrain, suggesting the equivocal status of the South African passage to justice and democracy.

Domini Lewis birga thomas shauna westcott

when creativity is a civic duty

*I'm longing to sing and dance in the street,
but there is still a lot of lead in my feet.*



John Muafangejo (1981)

Men are working in Town. They are working in mine

In her second address to national conference as national president of the Black Sash, Jenny de Tolly outlines the role of the organisation in a time of sweeping change.

The theme for our national conference this year is transition. Tonight I will try to review some of the events of the past year in order to set the scene for our deliberations for the next three days, when we will be examining the strategies and process of transition that South Africa is undergoing, discussing what impact we perceive this to be having on the ground, and then deciding what part we can play in this transition.

It has always been appropriate for the Black

Sash to focus attention where we are most involved – to focus on issues of immediate concern to do with the promotion, monitoring and violation of human rights in South Africa. We will continue to maintain that focus, but we are caught in a whirlwind of global, regional, national and organisational change that cannot be ignored. So, I would like to begin by looking briefly, and therefore of necessity superficially, at some of these global and regional changes.



Global changes

In recent times the world we inhabit has undergone a revolution. Our globe is changing, and changing very fast. Never before have events of such monumental proportion occurred in such rapid succession. There are a number of reasons for this revolution, not least of which have been technological innovations in communication. Think of the fax machine which allows you to send a document across the world in a matter of seconds; the three million people per day who travel vast distances by air; or, the ubiquitous, Orwellian CNN news which allows people around the world to sit in their homes and watch the missiles exploding "live" in the Persian Gulf. This ability to communicate instantly has made the world "shrink", which in turn has had a number of results such as the internationalisation of the world economy, the spread of global lifestyles and the development of complex global interdependencies, which defy old boundaries.

One of the most profound changes to our world order and one which has significant political ramifications for us in southern Africa, has been the ending of the Cold War. From the end of World War II until the collapse of the Berlin Wall on 9 November 1989, the world was locked into two ideologically disparate blocks: the Soviet Union (USSR) and its eastern allies, and the United States (US) and its western allies. The Cold War, the vying for global supremacy between the two super-powers and consequent build up of arms and the military was costly to all nations. Resources spent on the military were at the expense of other needs. In the United States, for instance, "When president Reagan came to office in 1981, the federal government spent \$7 on defense for every \$1 on housing. When he left office in 1989, the ratio of dollars was 46 to one." (*APA Journal*)

The Warsaw Pact has been dissolved and on 27 December 1991 the USSR followed suit. Virtually all of the communist states of Eastern Europe have collapsed. Russia herself is undergoing fundamental, traumatic economic and political restructuring. Many of the previously socialist states are now singing mantras to democracy and the free market.

Regional implications

The communist threat has subsided, and this has had important ramifications for us in the African sub-continent. No longer is South Africa able to use notions of "total onslaught" or "rooi gevaar", to justify war against our own people or the destabilisation of our neighbours. Nor is the West able to sanction the support of undemocratic governments as bulwarks against communism, such as United States support of Mobutu Sese Seko's 26-year-old dictatorship in Zaire. The Eastern bloc overstretched itself, was collapsing under the weight of its own internal problems, and was

no longer able to afford to give aid to the socialist states of Africa.

Peace is at last returning to southern Africa. South Africa withdrew from Namibia and the Cuban expeditionary forces withdrew from Angola. Namibia will celebrate the second anniversary of her independence this month (March 1992). Peace seems to be holding in Angola, where a peace accord between the MPLA and Unita (brokered by the Portuguese, the US and the USSR) was signed in May, after 16 years of civil war. However, Mozambique remains at war, and Renamo banditry persists, despite intense negotiation efforts taking place under Vatican and Italian mediation.

Another phenomenon is the emergence of multi-party democracies on the sub-continent. The first multi-party elections in 17 years were held in Zambia in October; they saw the defeat of President Kenneth Kaunda, whose party had held power for 26 years. Angola is hoping to hold multi-party elections in 1992, and South Africa could well be the next nation to follow.

What is clear is that while the enemy without has taken a back seat, the internal problems of many nations of the world have become the main obstacles to stability. We are told (by the scenario planning teams) that transition to democracy has never taken place in poor economic conditions. The world-wide economic recession, and the economic decline, if not total chaos, of some southern African states does not bode well for the survival of any democratic order. South Africa cannot remain isolated from the economic problems of her neighbours. There is already a substantial migration into South Africa of war-ravaged hungry Mozambiquans. Much faith is being pinned on regional co-operation, and already trade is taking place between South Africa and her neighbours, despite the natural fears of our neighbours of being swallowed up by "big brother". As in the rest of the world, regional co-operation is being seen as a necessary tool for economic survival.

South Africa

At home events have been no less significant. Amidst the turmoil of unprecedented levels of ongoing violence, we have witnessed a series of events which have constantly shifted the initiative and balance of political power between the government and the other political groupings. It has been the year of "real politique", which has sometimes left one wondering at some of the serious risks being taken in order to score political points.

In the earlier part of the year, negotiations were seen to be in jeopardy and the African National Congress (ANC) were criticised by the government and the mainline press for endangering the negotiation process. The ANC set out a seven-point ultimatum to the government, which included demands for the release of political pris-

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conditions."

oners and the return of exiles; but most urgently demands to bring the violent conflict raging in the townships under control. They believed that national negotiations were meaningless until the slaughter was stopped.

In June we saw the repeal of the Population Registration Act and the Group Areas Act as president De Klerk declared that "apartheid belongs to the past". We know that this is not true, because the racist 1983 constitution is still in place, and so are the multiplicity of "own affairs" departments. Apartheid's legacy will be with us for many generations, but at least those pieces of statutory discrimination are gone. The government and president De Klerk in particular were winning the diplomatic battle, and in the eyes of much of the international community could be entrusted with the process of transition. Sanctions were crumbling, trade was being re-established, diplomatic relations were being established with a host of nations, and the president was being invited to visit countries around the world (usually only after Nelson Mandela had paid his official visit).

Many South Africans found this international credibility difficult to understand, let alone stomach. The perception of many people, especially those in violence-torn communities, was that the government was far from neutral and that their security forces were not only taking sides in the violence, but actually fuelling it. It was only when the "Inkathagate" scandal broke and *The Weekly Mail* revealed how public money had been used to fund Inkatha, its union Uwusa, and other conservative front organisations, that the bubble finally burst. It was now clear that the De Klerk government could not be expected to play the role of impartial referee during negotiations. The ANC, having emerged from their July congress confident and with a mandate to proceed with talks, seized the initiative. They put the demand for an interim government of national unity as the only way forward.

It is with a great sense of relief that we have at last begun the formal process of negotiating the principles for the transition to a new political order in the country at the multi-party Convention for a Democratic South Africa (Codesa). Despite the non-participation of right-wing groups such as the Conservative Party, and left-wing groups like the Pan-Africanist Congress (PAC), Codesa includes representatives appointed by nineteen political parties. Apart from the issues being dealt with by the five working groups, a wide range of other issues, which seem to go far beyond negotiations on transitional processes, are being mooted for consideration by Codesa. What is more, parliament is now sitting for three out of five days a week in order to allow members of parliament to participate fully in Codesa. These developments underscore what a powerful forum Codesa has become, and the overriding status it has assumed in the country's affairs. Parliament has been relegated to second-tier status.



While understanding how crucial it is for the negotiations to proceed as speedily as possible, I must voice a growing concern about Codesa. It is easy but dangerous to put stability above democracy. Long-term problems often result from short-term stability. Firstly, the speed at which Codesa is proceeding is not allowing for any degree of reasonable consultation. The deadlines for submission to the working groups are ridiculously short, and almost make a nonsense of consultation. This haste also fuels and substantiates accusations that the ANC and the Nationalist Party have done a deal already. Secondly the lack of accountability of those taking part to the constituency they purport to represent, let alone to the broader population, is cause for concern. If Codesa is to expand its terms of reference and take on a wider range of issues, consultation and accountability become even more critical.

Having said that, let me comment on the latest development, namely the white referendum. For those of us on the other side of the Hex, somewhat distant from Potchefstroom and the baying of the Conservative Party, the calling of a whites-only referendum is an unacceptable step back into the apartheid structures that we thought South Africa was trying to abandon. We do not believe that whites alone should be determining South Africa's future, and resent being called upon to vote in what might appear to be support for president De Klerk himself and reform.

I feel tricked again, but will go off reluctantly to vote "yes" for continued negotiations, especially now that the right wing has decided to join forces and work for a "no" vote. The referendum is a "slim" piece of political gamesmanship, which some believe could have been premeditated – after all, what tactician, however unskilled, would have allowed the announcement of the retrenchment of 4 000 white teachers two days before the election.

Obstacles to transition

While these high-level national negotiations are proceeding, what is happening on the ground? How in touch are the politicians with their constituencies? How possible is it to translate the

"It is easy but dangerous to put stability above democracy."

“There is no alternative to the security forces – only they have the resources to police.”

compromises made and decisions taken into reality? What are the obstacles to transition? It is these obstacles that make my feet heavy, and stop me from dancing in the street. I would like to touch on a few of them because I believe that they will each influence the shape of the “new South Africa”. I am conscious of omitting some important issues, like the economic limitations to transition and our shrinking economy, but that is not where my or Black Sash expertise lies at present.

Violence

Clearly, the political conflict and violence which continues to bedevil parts of the Transvaal, Natal and the Western Cape, is not only causing untold suffering to the communities involved, but is undermining local and international confidence in South Africa’s ability to peacefully resolve her problems. Despite the signing of the National Peace Accord by 20 organisations including the government, Inkatha and the ANC in September, violence continues unabated. (2 238 people died in unrest-related incidents in 1991, slightly down from 2 674 in 1990.)

For some time, the patterns of violence have been repeating themselves; of attacks and counter-attacks, attempts at a peace settlement, then just as a settlement seems possible, another killing. It soon became clear that there were forces at work outside of the warring factions, who were determined to derail any peace initiatives and the national negotiating process.

We all believed that the destabilising “third force” was part of state structures, and that they were supporting one side in the conflicts, with a view to undermining and destabilising the ANC and its supporters. This was borne out by our monitors in the field, who saw the police’s overriding role as being one of omitting to do their job. Continuing revelations in *The Weekly Mail* of the involvement of the South African Defence Force’s (SADF) Military Intelligence in secret funding and training of Inkatha, and the funding of conservative front organisations, begin to substantiate our belief.

Policing

Although the actual figures are in dispute (Alistair Sparks estimates between 80 and 95 per cent of the police force, and 70 to 80 per cent of the SADF), it is generally accepted that a large proportion of South Africa’s security forces support the Conservative Party. It is also accepted that this element in the security forces could be a real impediment to transition to a new order.

All countries need an honest, neutral peace-keeping force. Violence increases where law and justice are inactive.

“Structures and activities which increase the accountability of security forces are essential. But these need to be created to enhance the police’s ability to act professionally, rather than to sideline them. There is no alternative to the security

forces – only they have the resources to police. Enabling them to become officers of the peace is the only way forward” (Paul Graham, *Democracy in Action*). The Peace Accord is meant to do just that, but there are grave doubts about whether the Peace Accord will be able to hold the signatories to the principles to which they have committed themselves.

I believe that monitoring compliance with the accord and exposing non-compliance is one way in which we can begin the process of building a civil society. Our monitors and those they work with have already contributed to this process, one which should be expanded and given more recognition by the establishment of formal teams of independent monitors with recognised authority. This is one mechanism that could begin to make the police, and all other arms of government for that matter, become accountable to the broader population.

Bureaucracy

When the Nationalist Party came to power in 1948, it adopted a policy which ensured that party members soon held most of the senior positions in the civil service. It was obviously important to the implementation and administration of their apartheid policies that the bureaucracy be loyal to the party. Today South Africa’s bloated civil service (in 1990 about 750 000 people were employed by central and provincial government) is overwhelmingly white, with one third of South Africa’s economically active whites in the public sector, and less than 10 out of the top 1 500 positions in the public service held by people of colour.

Clearly this existing bureaucracy could be a very real obstacle to transition. The ANC is aware of this, and president Mandela has announced plans for the training in the United Kingdom of “non-racial democrats of all races” as a public servant corps. Those already in public service with specific training in implementing apartheid were not ideal for the needs of transforming society. He said it was essential to train public servants to lead administration to a democratic society.

These plans have drawn sharp reaction, and are causing great anxiety amongst civil servants about their future in the “so-called new South Africa”. They warn us “not to provoke this neutral, expert and loyal giant ... which if needs must, is capable of unprecedented counter-reaction”. Two days ago president De Klerk reassured civil servants that their jobs and pensions would be secure in a new dispensation.

What is important in a “new dispensation”, however, is that the notion of what it is to be a public servant be thoroughly examined. In essence a public servant is just that: a servant of the people, and not a servant of the state, kept in place through party patronage. That notion needs not only to be written into the ethos of the bureau-

cracy, but the public must also accept that it has a crucial role to play in demanding "service" from their politicians and the bureaucracy.

One way of achieving this is to ensure that all levels of government are open and directly accountable to the electorate. The prevailing system of political decision-making from local to central level, currently taken in closed meetings is not acceptable. Neither is the appointing of senior administrators (such as Provincial Administrators) with wide powers and no direct public accountability.

Competing claims

There is no need to recount to you how very badly skewed the distribution of South Africa's resources is, or to say that the bulk of the land, skills, jobs, money and material resources are in the hands of a very few, predominantly white, people. While I believe that the majority of white people in South Africa are willing to share political power, they are much more reluctant to give up any of their privileges and material assets. At the same time, the majority of black people, denied the vote and access to these resources, are clear in their demands that political power without economic power and the redressing of past imbalances is meaningless.

Some people believe that the contending claims in South Africa of the "haves" to retaining what they have, and the "have-nots" to claiming that which they have been denied are irreconcilable. I believe that these claims are the very nub of negotiations. Negotiations are about compromise, and that means that neither side gets everything that they want. The Black Sash believes that there is no chance of lasting peace unless principles of justice, fairness and equality are met, and this must involve substantial redistribution of the country's resources.

Free and fair elections

As we hurtle through negotiations at Codesa, some form of all-inclusive election seems close at hand. It will be a momentous occasion when *all* South Africans can vote together in democratic elections. But, if our elections are to be free and fair, preparations must begin *now*. There is a long process involved in preparing the population for the vote, which includes voter registration, education on voting procedures, helping voters to make an informed choice through wide exposure to all of the political parties point of view.

Media, especially the electronic media and the radio in areas where illiteracy is high, have an important role to play in this regard. Therefore it is important that the media should be placed under the control of an independent commission. This should happen long before the elections, in order to build up the credibility so sorely missing in respect of the SABC.

There is also a crucial role to be played by independent, formally recognised monitors,



whose role is to ensure adherence to a code of conduct for fair election procedures in all aspects of the election process. This will be especially important in South Africa where political intolerance has been, and is, part of our national psyche, and where intimidation is used as a method of persuasion.

Marginalisation of women

We all know that South Africa is a highly patriarchal society. Some political parties claim a commitment to a non-racial, non-sexist, new South Africa. We do not see much evidence of this commitment being put into practice, and the lack of inclusion of women in Codesa is a prime example.

Are claims of non-sexism merely expedient lip-service to win votes – after all women constitute 54 per cent of the population? I find it difficult to believe that out of the 19 political parties represented at Codesa, only three of the 180 participants are women. Are there really no other women who have something to contribute to this process? Is it really not appropriate that Codesa more fairly reflect our South African society?

It seems to me that we are replacing an all-white ruling patriarchy for a multi-coloured ruling patriarchy. Women are going to have to become more organised and more vocal, remembering that it is up to us to go out and claim our space.

Conclusion

For so long we have carried the burden of national shame for an unjust, degrading and brutalising system of government. The process in which South Africa is currently engaged is remarkable, risky and challenging. We have an unusual opportunity to redefine what sort of nation we want to be.

Real change must happen from the bottom up, and that is where we all have a role to play: in the promoting and securing of the sort of society we wish to see established in South Africa. We cannot, and should not, leave it all to the politicians. It is our civic duty to make a focused, creative contribution. □

.....

"... out of the 19 political parties represented at Codesa, only three of the 180 participants are women."

.....

outside the walls

Advice office coordinator Sheena Duncan makes a passionate plea for social justice as the first "guest" speaker at conference drawn from Black Sash membership.



The real revolution is four or five years down the line from the time we have our first democratically elected government. That government will not be able to respond to the legitimate demands of the people outside the walls because there will have been so many compromises on the way and the economic powers will continue to call the shots and to manage things their own way. The theme of this address occurred to me a short time ago in a conversation with a businessman – it was a man – about the prospects for foreign investment in South Africa in the near future. I had asked if the current violence and instability in our society would prevent investors from coming in when the political hindrances were removed on the institution of interim government. He said he did not think so because this country has a sophisticated infrastructure and organisational ability and that business was little affected by what was going on over the hill – outside the walls.

That is not a new thought for the Black Sash. We have talked about it often before in terms of the apartheid

society. We have considered the nature of our 30 per cent society with the other 70 per cent excluded. We have always been aware that the majority of people in this country are marginalised – excluded from decision-making and processes of government, from sharing in economic wealth.

But perhaps in the last two years we, too, have become so immersed in the large national debate about a new constitution and "change" that we have not continued to focus properly on those who have been outside the walls in the past, and will continue to be outside the walls unless we do something to ensure that political leaders and constitution-makers really listen to what is being shouted at them from the large peripheries of the World Trade Centre in Kempton Park.

I want to start my argument with the bald fact that 66 per cent of the black population of this country is under the age of 27. That is a 1990 figure so let us look at the historical experience of this majority of our population who were born in and after 1963 – 27 years of the history which has placed us in our present predicament.

The real revolution is four or five years down the line from the time we have our first democratically elected government. That government will not be able to respond to the legitimate demands of the people outside the walls because there will have been so many compromises on the way and the economic powers will continue to call the shots and to manage things their own way.

In this I want to pay tribute to Muriel Horrell of the South African Institute of Race Relations who for so many years produced in concise accuracy the annual *Survey* which is such a rich source of reminder of what was done in the past.

Security legislation

- 1963 was the year in which the General Laws Amendment Act introduced 90-day detention without trial;
- 1965 was the year in which the Criminal Procedure Amendment Act introduced 180-day detention for potential state witnesses;
- in 1967 the Terrorism Act was introduced which allowed for indefinite detention for interrogation "until the Commissioner of Police is satisfied that he (*sic*) has replied adequately to all questions asked at his (*sic*) interrogation";
- 1977 saw the banning of all the Black Consciousness organisations which then represented the feelings of a substantial number of the citizens;



Courtesy of the Cape Times

"Dr Treurnicht is absolutely right. The government can't tamper with history. Our farm has been in the family ever since the government erased this black spot way back in 1984."

- 1985: the partial state of emergency;
- 1986 to June 1990: the national state of emergency.

Pass laws

- In 1964 the introduction of the Bantu Laws Amendment Act sought to prevent the wives and children of men working in the urban areas from living with them;
- in 1968 a freeze was imposed on the building of family accommodation for black people in the urban areas;
- new housing regulations prevented black women from becoming the registered tenants of a house, thus excluding divorced, widowed and single women from providing shelter for their children;
- the labour regulations were tightened to prevent migrant workers from ever acquiring a right of residence in an urban area. No right of residence meant no right to housing and no right to change jobs and no right to have a family

living with you;

- between 1976 and 1981 legislation relating to the independence of the TBVC bantustans (Transkei, Bophuthatswana, Venda and Ciskei) deprived eight million South Africans of their citizenship and gave them the status of "aliens" in their own country.

The pass laws were abolished in 1986, the housing policy changed in 1978 with the introduction of the 99-year leasehold system, some people got their South African citizenship back through the Restoration of Citizenship Act of 1986.

Removals

Between 1960 and 1982 approximately 3,5 million people were removed from where they were living to somewhere else in the interests of the ideology of apartheid – group areas, people from farms, people from urban townships, people from "black spots".

Education

In 1990 there were 7 million black children of school-going age in school

and 8 million children of school-going age not in school. In other words, there were more children out of school than in school.

Even to the rankest amateur it must be evident that there is no possible way in which we can make reparation to the present generation of young black people for what we have done to them. There is nothing that can compensate them for the learning years we have taken from them, for the disastrous history of education in this country.

We can only try to ensure that their children will not be dispossessed in the same way and indeed that their children are in some way compensated for the wrongs done to their mothers and fathers through forms of affirmative action in the future.

That is the life experience of the 66 per cent. What can we expect of them in the way of understanding of what we now label democratic values?

So what have we now got?

We have an unemployment rate nationally of 47 to 50 per cent. It is much worse in some areas such as the eastern Cape.

Only seven per cent of new entrants

to the job market can expect to find a job in the formal sector. Approximately seven million people are without adequate shelter.

We had an inflation rate in 1991 of 15,3 per cent and a food inflation rate in December 1991 of 28,3 per cent.

There has been a breakdown of family, community and civil society. Almost none of the old systems of community organisation and family and *ubuntu* have survived the onslaught of the apartheid regime and its colonialist precursors.

We have a situation of anarchy in many black areas in which people are killed violently every day. But our newspapers only publish the police "unrest reports" in small corners, unless it is a white person who is killed, in which case the headlines scream "terror", "crime", "chaos".

We have the Convention for a Democratic South Africa (Codesa) doing its own thing and going far beyond its brief to decide on principles and procedures for transition, deciding things behind closed doors which no one outside the walls has any idea about. We will probably get the demanded Constituent Assembly but everything will have been decided before and we will not be able to see the process allowing for proper consultation.

What is the government doing?

I believe that the present government is moving very fast indeed to entrench economic power in white hands and economic power is, in the end, political power.

Political power is nothing other than the power to decide what the national priorities are and to move to ensure that the financial resources of the nation are mobilised to address them.

I think that what we are seeing are moves to ensure that a future democratically elected government will have no power to respond to the demands of its constituency because sovereignty will have been removed from parliament to the esoteric preserves of the rich in the courts of law.

The Social Assistance Bill seeks to remove the legal right to a pension. The Expropriation Act Amendment Bill seeks to increase the costs to a future government of expropriation of private property.

The eagerness for a bill of rights

enshrining the right to private property is an effort to set in concrete the present maldistribution of land in both urban and rural areas – a distribution which is the product of gross injustice and denial of the right to personal property and space – a denial of the right to a "place of belonging".

Private property is suddenly something important because we have the property and no one must be allowed to take away from us that which we have stolen from other people in the past.

The urge to privatise is astonishing in the light of the past history of the National Party and its focus on national socialism and its nationalisation of everything it could lay its hands on. Privatisation for the ordinary person on the street means the same old inefficient thing – lousy service by Transnet, Spoornet, Telkom and so on.

Now they are going to privatise our forests. Our dear old friend, Magnus Malan (the former minister of defence), has decided to privatise the state forests in the Cape, eastern Transvaal and Natal. This means he is going to sell what we have paid for without reference to us. But to whom is he going to sell it? Wait for the catch.

"The proposal is that Malan in consultation with the cabinet would establish a company which would be managed by a board of experts under a chairman in terms of the Companies Act ...". So, what happens to our forests in the new South Africa? They no longer belong to us but to some new company. They are "private property" protected by the bill of rights.

The real revolution is four or five years down the line from the time we have our first democratically elected government. That government will not be able to respond to the legitimate demands of the people outside the walls because there will have been so many compromises on the way and the economic powers will continue to call the shots and to manage things their own way.

What can we do?

We can affirm a recent statement of the churches in South Africa:

"The failure of eastern European socialism is not a vindication of western free-market capitalism. The latter has also failed and shares the responsibility for the impoverishment and suffering of a large section of the

human community. A compassionate modern economy which transcends the weaknesses of both economic systems is required."

We can also call for and work towards a massive national effort, akin to Roosevelt's New Deal in the days of the great depression, to harness the energies of all people into the rebuilding of this shattered and destroyed society. We need to do this independently of those in power who would seek to harness our own energies for their devious ends.

I think we need to tell the present government quite clearly now that we do not trust it. We, as individuals, may be voting yes as the lesser of two evils. We are certainly not voting for the state president or for his political party, or for his vision of the future.

If we vote yes it is for the process of negotiation in the hope that the negotiators will yet pause to listen to those voices outside the walls. It is yes for a prayer that the 30 per cent with money and organisational power will take cognizance of the demands and suffering of the 70 per cent.

We have a task to do and we will do it and we will not fail in it if we keep our minds focused on the striving for justice and human rights for all those persons in our queues, and in the communities in which we serve, who are not part of the considerations of Codesa and who are the really important part of the complicated equation for the future – women, the young, rural people – those outside the walls of this society. □

Other estimates, based on a total South African labour force of 14,3 million, suggest that eight million people are employed in the formal sector and 3,5 million in the informal sector. Thus, 2,8 million are either unemployed or involved in subsistence activity. If only formal-sector employment is considered, an unemployment rate of 44 per cent would be accurate. However, when the 3,5 million people active in the informal sector are taken into account, an effective unemployment rate of 20 per cent may be more appropriate conceptually.

Similar problems of measurement and definition arise with respect to new entrants to the labour market. (Editors)

birth of a great idea

"The Black Sash – The Early Years" won a standing ovation at national conference. The home-movie maker in chief, Cassandra Parker, describes the process of creation from conception to delivery.

Two years ago two Black Sash women in Cape Western conceived the idea of making a documentary film on the early history of the Black Sash. Their reasons for doing so were to record the history while founder members were still with us and able to vividly remember their beginnings in the Black Sash, and to record women's voices – so often left out of history.

What began as a simple "home movie" project rapidly became professional. Funding (R15 000) was obtained from the Global Fund for Women. Then began a long process of research, interviewing early members of the Black Sash, and gathering documents, photographs and press clippings on those years. The focus was on the years 1955 to 1962.

It was an exciting, often moving and sometimes overwhelming task. After filming followed an intensive period of almost two months of absorbing every detail available on film and developing the script. The next steps were planning the voice-over to link events or sequences, off-line editing and recording the music and voice-over. Finally the on-line edit was done and we presented the end product – our "baby" – to the first others.

Working with the women presented in the film was inspiring; working with the women (and one man) who gave freely of their time and expertise in the making of the film was equally inspiring. Some were Black Sash members, but many were not – and to all those people we give our heartfelt thanks. We now have on record our early history. □

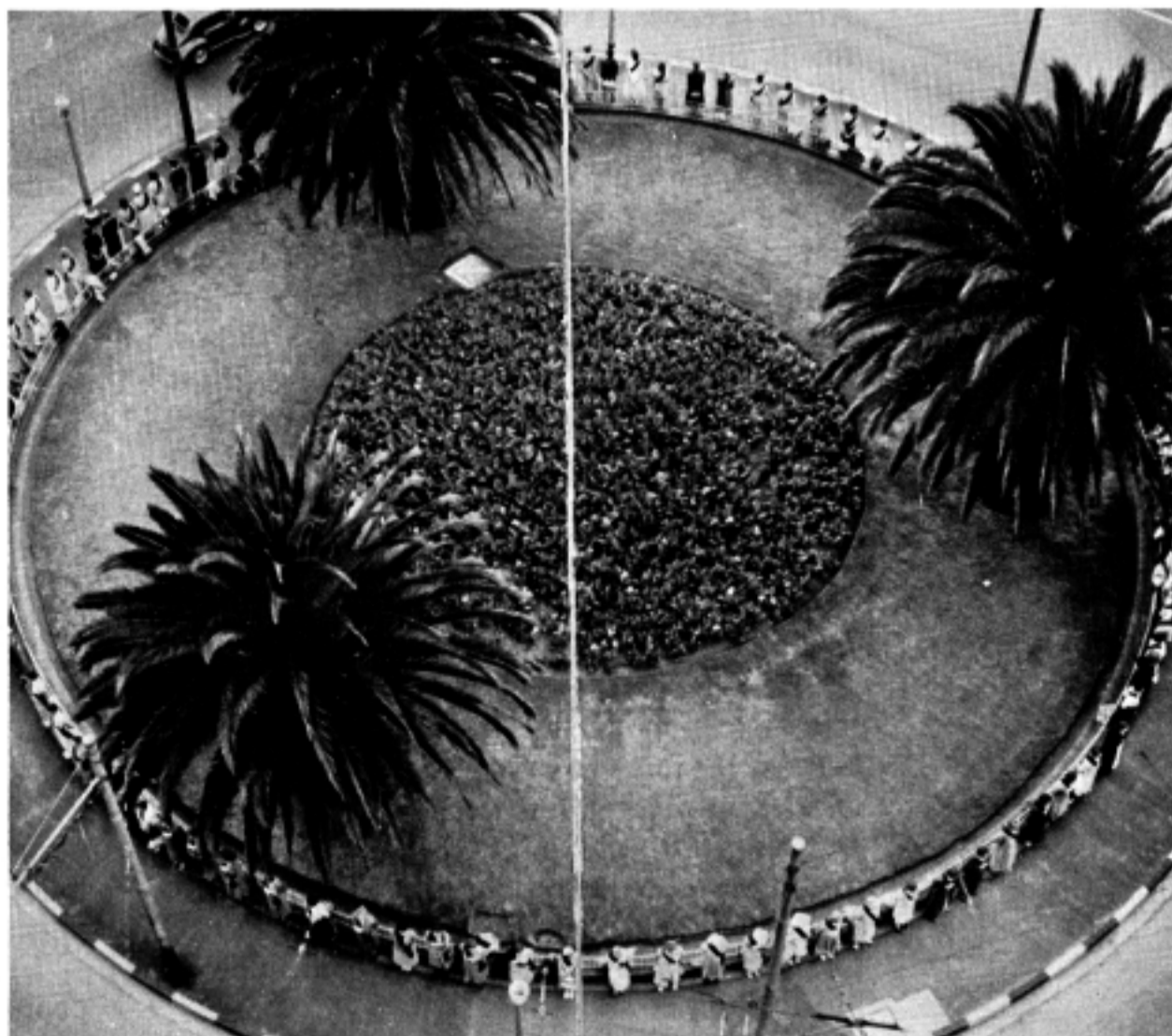
The video will have its New York premiere during the 1992 Human Rights Watch Film Festival in early May. At the festival more than 35 fictional, documentary, experimental and animated films and videos addressing human rights themes will be shown.

Below: Black Sash women line the pavement at Jan Smuts Airport to await the arrival of the minister of education, arts and science in March 1956.

Bottom picture: On the eve of the senate elections of 24 November 1955, Black Sash women held a vigil round Clarendon Circle, Johannesburg.



Courtesy of The Star



Courtesy of Times Media Ltd

Three inputs were made to the conference session on strategy; two follow – Raymond Louw on constitutional negotiations, and Margaret Nash on government strategy. Subsequent discussion identified three main areas of activity for the Black Sash in 1992 – targeting Codesa for protest and submissions; voter education; and a campaign against violence, including the violence done to women.



John Muafangejo (linocut 1984)

constitutional negotiations

No one really knows what is going on in the negotiations underway in and outside Codesa, says Raymond Louw of the Campaign for Open Media, but we have to make it our business.

What is the state of play in the constitutional negotiations? That means what is happening at the Convention for a Democratic South Africa (Codesa)? Or does it? There are so many things going on outside Codesa that one is not quite sure where the ball is now.

But let us first try to get to grips with Codesa. The problem with a question about what is happening there is that it is almost anyone's guess – and by anyone I am also referring to the participants and that includes the two main players, the government and the African National Congress (ANC).

It is all very confusing but the one big plus-factor is that whatever is going on is better than a civil war. And having said that, I have to do a double-take because all around us people are dying or being maimed in a variety of bloody operations which make the Irish Republican Army look like children playing at terrorism.

However, having set that background, it is, in fact, an appropriate time to take stock of Codesa because the referendum has forced it into recess and we now have a few weeks in which we can gather our wits about what is going on there. For a while we are not being assaulted by a never-ending stream of statements and counter-statements, by layer upon layer of new development all at breathtaking speed.

Codesa has had one plenary session and has broken up into various committees, or working groups, all of whom are beavering away at their special tasks. The tasks of the working groups are:

- number 1: Creating a climate conducive to negotiations and into this comes consideration of the role of the state-run media;
- number 2: Constitutional principles and the constitution-making forum;
- number 3: The transitional mechanisms and arrangements;
- number 4: The incorporation of the TBVC states (Transkei, Bophuthatswana, Venda, Ciskei);
- number 5: Time frames for the implementation of these measures.

Confusion and vagueness

To facilitate this work, the five committees have set up sub-committees which have dealt with specific aspects of their respective briefs and, in the nature of such committees, some of them are overlapping as they approach the same problem from different perspectives. An example of this is that sub-committees from both committee number 1 and committee number 3 are dealing with the media.

I mention this aspect because it adds to the confusion and vagueness surrounding the discus-

sions. A prime example of this is the latest development in committee number 3 in terms of which a multi-party cabinet is to be established. Of course, it has been talked about for some time, but the government has now come up with such a proposal.

The Citizen announced on 5 March 1992 that Codesa had agreed that the state president should appoint a multi-party transitional cabinet as the first step in constitutional reform – though, it added, the details and the timing had still to be worked out.

The paper quoted finance minister Barend du Plessis, who leads the government delegation in working group 3, as emphasising the importance of the draft agreement that had been reached by consensus at Codesa. In the fine print one reads that Du Plessis added that the members of the working group had to take back the draft to their principals so that they could apply their minds to the draft and suggest any changes.

The next day chief ANC negotiator Cyril Ramaphosa said there had been an important breakthrough but that the government had misinterpreted what had been agreed to. His objection was that the president would appoint the interim multi-party cabinet and this amounted to co-optation.

A process of osmosis

Behind the scenes the ANC was thrilled with the announcement that there would be a multi-party cabinet in which it would participate because this represented in their view government acceptance of the ANC's interim government number 1 which would oversee the process to interim government number 2 that would be achieved by holding an election.

At the same time the government gave the impression that it was carrying out its promise to widen the cabinet by including in it leaders from the other races – but implied was the fact that they would be the leaders of its choice.

So what we have actually got is a draft document which proposed a form of interim government which all the parties have yet to comment on. What has still to be decided is who will select the appointees, how the appointments will be made and what their responsibilities will be, how will they mesh into the existing structures, and so on. In short, we have a piece of paper on which have been expressed some thoughts. As for agreement: we are still a long way off.

There are irreconcilable positions here and the way they will be reconciled is the way all these situations have been dealt with in the last two years. It is like the prisoners and exiles issue: the ANC said, "Release all prisoners and bring back all the exiles"; the government said it could not release all the prisoners nor bring back all the exiles.

The upshot is that most prisoners are released and many of the exiles come back; both sides fail

to achieve their stated positions but by a process of osmosis they get somewhere halfway in practical terms and the issue dies away.

Thus, we will see the multi-party cabinet being see-sawed through in a similar manner. Of course, the president will appoint the new cabinet members because in terms of the existing constitution and parliamentary processes he has to – and the ANC will accept that. But the government will accept that the people appointed are those chosen by the ANC and other parties. And so interim government number 1 will stumble into being.

The process has been described as adopting a sidewise circling movement around an issue.

A similar method has been adopted in dealing with regional government. The government has demanded a strong federal-type structure with a heavy devolvement of power to the regions; the ANC are against and though they are prepared to concede that regional government will have more than rubber-stamp powers they want to ensure that the central government calls the tune.

The problem has been shifted to the constituent assembly which in effect will be the interim government number 2 deciding the new constitution.

Another problem yet to arise, and so far there is no discernible method of dealing with it, is the re-incorporation of the TBVC states. Bophuthatswana is adamantly refusing to come back into South Africa while the other three show a strong inclination to do so. Bophuthatswana is keeping its options open and the government, while agreeing in the working groups to their return, have not taken a public position.

Playing games

So this is the process: agreement in private either in the Codesa working groups or in bilateral arrangements with some of the participants, but a different posture in public; misrepresentation of the opponent's position on the basis that the public will absorb what is first said on an issue and the rest is not bothered about. Meanwhile that first statement can be amended.

Both sides are playing this game.

But in the nature of negotiations, especially such as we are involved in, these are the tactics that will be employed because both sides know they have to make concessions but they also have to keep their constituencies happy. Add to that the fact that the ANC has had to make a traumatic leap from being a liberation movement to a negotiating political party and try to gear itself up and it is inevitable that there will be inefficiency and bumbling.

But the process does not stop there. The government, with all the resources of the state behind it and with long experience of negotiation and playing party-political games, is frequently ahead of the game, though it is encouraging to see the ANC taking the moral high ground, too.

"The process has been described as adopting a sidewise circling movement around an issue."



Psst! Wanna swop your hotels for three hospitals and all the Mining Rights in the W-Cape?

But, the process does not stop there.

The government is also playing other games, along the lines of national security management system mechanisms designed to weaken its opponents.

The first was to aid Inkatha in its attempts to get into the mainstream picture by giving it money, training and a whole lot of other unmentionables. The government's design here was to weaken the ANC and it succeeded. ANC membership can be dangerous in the townships and so the membership lists are not as full as the ANC would like.

But after the scandal of Inkathagate and a realisation by the government that despite all its efforts the movement scored very low points in national opinion polls, the Nationalists have begun ditching Inkatha.

In October 1990 this process was aided by president De Klerk lifting the 100-year-old ban on the carrying of weapons and suddenly we were confronted with a new "terminology" sweeping the country – calling weapons "cultural" and allowing them to be paraded through streets and wherever. But that marriage is now on the rocks and a ban has been reimposed on the carrying of weapons at non-cultural events. That whole process was compounded by police choosing to interpret the rules in a way that suited the government and Inkatha, and judge Goldstone has rapped them on the knuckles for that.

In addition, the dirty tricks continue. The Creed Organisation and all the other so-called educational and other fronts of the South African Defence Department carry on their work. If there was some justification for this – which I doubt –

all that disappeared in February 1990, but these organisations funded by taxpayers' money carry on with their nefarious operations.

So that is the second prong of the government's negotiation strategy – first Inkatha as a destabiliser and then the front organisations attacking stabilisation from another quarter.

A third strategy

But there is a third strategy – and that is the so-called "privatising" and "commercialisation" of state assets. The latest is Armscor and the forests.

We have already seen the privatisation of the old South African Railways and Harbours (Transnet), which has a whole row of subsidiaries, and the state diamond diggings at Alexandra Bay. The post office and the telecommunications department have also been channelled off into corporations and a few others are in the pipeline.

The idea is to place all these assets in the hands of good Nationalists – I believe most of them are Broederbonders – so that when a new government comes to power, and all the other ploys of the government have failed, the state silver will be in the right hands. And the ANC will be powerless to do much about it. Apart from having a gigantic economic and unemployment problem, it will also have to become acclimatised to the wielding of power and that is unlikely to leave it much time to start ferreting around with these former state corporations.

By the time it does think of it, it will become politically dangerous to do so. Can you imagine how overseas investors would view the ANC if it started to meddle with these "private enterprises"?

Incidentally, the latest proposals by home affairs minister Eugene Louw in regard to the South African Broadcasting Corporation (SABC) has the same intent – to keep an intact SABC in the hands of good Broederbond Nationalists.

What has to be done?

So, what has to be done?

First, let us go back to Codesa.

We at the Campaign for Open Media have issued press statements calling for the proceedings of Codesa to be open to the public so that we can know what is going on in the same way as we are able to follow parliament.

Secondly, I believe the Black Sash should form its own working groups to keep tabs on the Codesa working groups and make its injections either directly through the secretariat of Codesa or through its contacts with the political parties involved.

I think it is vitally important that more members of the public and of human-rights institutions such as yours should become deeply involved in the processes of Codesa. We are doing so in regard to the media.

But others must get involved. □

strategies of transition

Margaret Nash takes a sceptical look at the strategies of a government that has made a 180-degree political turn.

To state the obvious: it is difficult to discuss strategies for transition unless one has "sufficient consensus" on the nature of the transition from what we know to the "new South Africa" and by what means (reform and negotiations). We know more or less what the government wants us to think, and we know the track record of that government which has seemingly made a political 180-degree turn to face the same direction as ourselves!

In the two years since the euphoria of 2 February 1990 two broad attitudes towards the reform/negotiation process have emerged: one is disposed to give the reform/negotiation process the benefit of the doubt and help to move it in the right direction; the other aims to dig beneath the surface, asking questions like: who decides? who benefits? who loses? and exploring an alternative scenario.

To give an example of the range of attitudes towards De Klerk's reform programme, look at late June 1991 and the repeal (with fine print addenda) of key apartheid laws pertaining to land, population, and so on.

De Klerk announced "apartheid is dead" and the world applauded. The Black Sash in its stands declared "apartheid is dead but its inequalities remain"; the world said, "do not be so critical".

The African National Congress (ANC), Pan-Africanist Congress (PAC), Azanian People's Organisation (Azapo), etcetera, said, "We still do not have a vote or a democratic constitution. Apartheid is not dead and will not be dead until we have our democratic constitution and franchise."

Most of us have experiences that contradict De Klerk's reform assurances. So let us explore briefly an alternative scenario.

An alternative scenario

It is late in the 1980s; South Africa's economic and financial troubles are reaching critical proportions. The national debt is over R90 000 billion. The Broederbond agrees, "If we are not to

lose everything we must work out a plan to save something." The "De Klerk group" (whoever they may be) develop a new version of Total Strategy. Requirements include: presenting a civilian rather than military face; taking formal steps to begin dismantling the apartheid system; taking formal steps to democratise the political process (unban the ANC, and so on).

Hidden agenda requirements include: adapting instruments of control to become less visible while just as effective; disempowering historical enemies (especially the ANC); deploying resources (media and material) to win hearts, minds and votes in a general election.

The action plan includes:

- 1 Recasting the National Security Management System (NSMS) – as a civilian national co-ordinating mechanism orientated towards community service, with 11 regional Joint Co-ordinating Committees and their ten working groups, that is, Communication Works Committee and Local Co-ordinating Committees in virtually every town. Working groups' concerns include health and welfare, sport, constitutional matters, youth matters, economic development, education, security and communications. Note that "co-ordination with the security working group is essential as economic development can occur only in a stable environment".
- 2 The late lamented Bureau of Information is now the department of communications, situated still in the office of the state president, administered by "Government National Communications Policy and Strategy" (NCPS), and therefore taking an active part in the "co-ordination" structures (*Argus*, 30 November 1991). The NCPS includes appropriate use of the electronic media (surprise, surprise) and consideration of how best to guide the print media (remember the press hysteria last April after the ANC's open letter about political violence and its call for Vlok and Malan to go). By late July, thanks to the alternative press, we had In-

"As an unaffiliated organisation with a strong service element ... we have an organic role to play in the strengthening of 'civil society'."

kathagate and a somewhat less scornful tone. But do the pressures not remain? There is also, of course, Saatchi and Saatchi.

Economic restructuring

- 3 Economic restructuring involving two major thrusts: deregulation and privatisation, both of them eminently acceptable to the private sector.

Deregulation officially strengthens free enterprise, allowing entrepreneurial effort more scope. It also relieves some of the pressure at grassroots level by allowing spaza shops, street hawkers and such to flourish.

Major sectors are being converted into public companies that can then be privatised. Using their material assets companies like Portnet, Spornet and Telkom are able to raise capital to modernise and develop into efficient profit-orientated businesses. The snag is that they are monopolies like Portnet or neat monopolies (Spornet), therefore not subject to the constraints of competition. Nor are they bound to render services which are not (sufficiently) profitable. We also see privatisation extend rapidly into service sectors such as health care and education.

In the long run, a representative government will have considerably less control over the country's resources, and the poor majority will have minimal right of access to essential services.

- 4 Destabilisation, which takes many forms but is primarily the responsibility of the security forces – the South African Defence Force (SADF) and South African Police (SAP). As practised in the frontline states it included terrorism, torture, assassination, provocation of inter-tribal and inter-factional conflict, destruction of resources such as printing presses and community centres, forced removals of population, surveillance, espionage, paying informers and killers (bounty to Koevoet for Swapo dead). Renamo is continuing evidence of all this and as recently as March 1991 was still receiving SADF weapons, according to the United States Defence Intelligence Agency (*Argus*, 24 February 1992).

Apply this pattern to township violence, include the evidence from Inkathagate, the Trust Feeds massacre, and hearings of the Harms and Goldstone commissions, not to mention more ad hoc sources, and a sinister programme begins to take shape. Its elements include:

- attacking ANC leadership (harassment, assassination);
- disrupting communities through "mindless violence", to prevent political organisation;
- provoking inter-factional strife (Zulu-Xhosa, ANC-PAC, Webta/Lagunya taxis, and so on) so that leadership is absorbed in

fire-fighting;

- intimidation.

The results of such a programme are twofold: advantageous in that it weakens the ANC politically, disadvantageous in that too much township violence weakens investor confidence and frightens off tourists. It is therefore a two-edged sword. Is there a policy of calculated risk-taking? One can only guess.

Civil society

It may seem beyond the capacity of the Black Sash to be speculating about the longer-term future. However, we have a remarkable history of growth, change and development in the process of taking risks and addressing "lost causes". Who ever thought the pass laws would go in our lifetime? And we have the enlightened self-interest of our own membership to build on. We all have a vested interest in a better future.

In addition, we have the built-in strength of having defined ourselves as a human-rights organisation, seeing itself as part of the national and international human-rights movement.

As an unaffiliated organisation with a strong service element, the advice offices, we have an organic role to play in the strengthening of "civil society" – that network of diverse, grassroots, bottom-up structures which constitute and promote democratic culture.

What could this mean to us as an organisation?

In the first place it can enhance and deepen our understanding of first-, second- and third-generation human rights, especially in relation to South African realities of poverty, debt and development. In the wake of the collapse of the Soviet Union it is commonplace to say that political democracy (one person, one vote) is not enough. The economy must be able to address the needs of the people.

Secondly, it can strengthen our corporate political will. We cannot agree about everything, but we can work at developing consensus, clarifying grey areas and year by year ensuring that we are orientating ourselves towards present realities and future goals.

Thirdly, it can facilitate development of our communications policy and strategy.

What we are learning needs to be shared and digested internally by our own membership and South African constituency. It also needs to be deployed politically and strategically in both national and international spheres to affect the course of events and balance of power.

What such development could involve has to be worked out, in practical terms, not trying to attempt the impossible, but making sure that what we are doing with our resources – of human energy and expertise, of finance and of networks of relationship – is as productive as possible. □



affirmative action: the aim and the agony

Laura Pollecutt outlines events at the national conference session on affirmative action, a topic destined for deep discussion in the Black Sash.

The inherent conflicts which surface in debates around affirmative action motivated the Black Sash to bring the subject to conference for closer examination. This took the form of a workshop, starting with a brief input and finishing with role plays in small groups.

Because affirmative action programmes are likely to affect all South Africans in the future, the organisers of the workshop felt it necessary to address some of the fears and discomfort created by the thought of their implementation – especially as felt by whites who have to date occupied a privileged position in this country.

Heinz Klug, law lecturer at the University of the Witwatersrand, recent returnee to South Africa and member of the African National Congress (ANC) land commission, set the tone of the workshop, giving a brief sketch of the problems and issues raised in relation to affirmative action.

He began by pointing out that apartheid was a form of social organisation premised on inequality. The question is how to move from this situation to one based on equality. If it were simply decreed that from now on every-

one had to be treated equally, the inequalities of the past would be frozen in place.

Measures outlawing discrimination on their own do not really change an unequal situation. Additional problems with this approach include the difficulty of proving that discrimination has occurred, and the fact that discrimination has to be addressed on an individual, case by case, level.

More serious, perhaps, is the fact that anti-discrimination measures can be blind to institutionalised discrimination, the inequalities that have been built into the system over the years. So actions that are not overtly or explicitly discriminatory but have a discriminatory impact cannot be addressed.

It is in this context that affirmative action is necessary.

Klug argued that in calling for affirmative action it is important to address issues rather than call for quotas. He said that the term was used initially in a discriminatory sense by United States universities who would allow only a certain number of Jewish people to register.

He also argued for specific affirmative action programmes, with set goals

and timetables, rather than non-specific initiatives based on good faith. With set goals and a timetable, for example requiring a particular institution to have at least one-third of its enrollment women in five years time, it is possible to monitor progress.

An argument often advanced by those opposed to affirmative action is that it "lowers standards". Klug said this was not the case. An affirmative action programme which gives preference to women for a specific position does not imply that "any" woman is therefore acceptable. Similarly, affirmative action programmes in the field of education can mean an improvement to the system as it becomes more reflective of society (not to mention more just).

Klug ended by telling a story about a faculty meeting at a United States university. "When does affirmative action end," the men were asking. "We have employed a number of women and people of colour, when is this process going to end?" A woman stood up and said: "When I see as many mediocre women and people of colour in this room as I see mediocre white men – that is when it can end."

With these thoughts to help focus their debate, delegates moved into the next stage of the workshop. After a brief "buzzing" session, they divided into four small groups to look at possible affirmative action and its consequences in the following areas: education, employment, business/economy, and the public sector.

Dividing each small group into two and setting role plays to ensure that diverse views were aired meant that delegates were able to address serious issues in a lighter vein. Seeing Black Sash women play out a scenario in which one side was the National Party government and the other a civil servants' union was a revelation, and it gave the group an opportunity to explore the dynamics of future affirmative action in the public sector.

At the end of the workshop, which was unfortunately not really long enough to delve deeply into the issues, the groups were unanimous in their support of affirmative action. However, all agreed that it was a complex subject and needed to be discussed further. A recommendation on the need to do this regionally was accepted by conference.

working notes on affirmative action

Delegates to conference were issued with working notes for the affirmative action workshop. These sketched some of the problems and approaches, kicking off with Albie Sachs, writer and member of the ANC's constitutional committee.



They are Shaking their hands because they are longing each other

Albie Sachs in his paper "Towards a bill of rights in a democratic South Africa", commenting on misconceptions about the structure and implementation of a bill of rights, said: "Since most proponents of a bill of rights in South Africa see it as an instrument designed to block rather than promote significant social change, they completely omit from their projections any reference to affirmative action (AA). This deprives the bill of rights of its true potential as a major instrument for ensuring a rapid orderly and irreversible elimination of the great inequalities and injustices left behind by apartheid. Without a constitutionally structured programme of deep and extensive affirmative or corrective action, a bill of rights in South Africa is meaningless. Affirmative action by its nature involves the disturbance of inherited rights.

"In the historical conditions of South Africa, affirmative action is not merely the corrector of certain perceived structural injustices. It becomes the major instrument in the transitional period after a democratic government has been installed for converting a racist, oppressed society into a democratic just one. It is an instrument in which nationally agreed and constitutionally established goals are realised in a fundamental way, attributing appropriate responsibilities for all social forces – the public sector, the private sector and the individual, all citizens."

Clear limits

It is clear that most proponents of affirmative action believe that it cannot be continued after the purpose has been achieved. Affirmative action is intended to create equality but is different from non-discrimination and from targeted support to individuals based on their individual needs to obtain equality in opportunity.

There are "soft" and "strong" versions of affirmative action. The soft versions are extensions of the principle of non-discrimination: latent social discrimination creates obstacles to members of groups affected by such discrimination. In evaluation of their merits, some preference shall be given in order to compensate for such latent discriminatory attitudes.

Stronger versions of affirmative action are aimed at an accelerated creation of a balanced society – a society,

that is, where there is equality in participation on all levels, in political life, in professions, in the economy and in other fields.

An example is the establishment of quotas for access to education at higher levels, to civil service, to professions, and employment. Such approaches suspend or modify traditional criteria of merit as a basis for access, but can be justified when there were, in the past, discriminatory practices.

Since, however, affirmative action is based on belonging to a definable group and gives preference to such members, it can lead to conflict. Therefore this reinforces the view that it should not be continued once the purpose has been achieved. The measures adopted for affirmative action should not have more harmful consequences for the members of the other group than what is necessary to achieve the purpose.

Minority rights

Affirmative action should also not lead to the maintenance of separate rights for different racial groups (CERD, article 1, paragraph 4 and article 2, paragraph 2).

A necessary component of democracy is application of the principle of equality and non-discrimination. Therefore minority groups are entitled to form their own associations and so on, and they are entitled to respect for this but they are not entitled to privileges. Some minorities seek privileges not rights.

ANC perspective

Kadar Asmal, in "Affirmative Action and the Regime's Constitutional Proposals", confirms the liberation movement's commitment to affirmative action as originally proposed in the Constitutional Guidelines published in 1988.

He says, "It must be emphasised that the ANC never envisaged affirmative action as being limited to education and public and private employment, but covering the totality of social relations embraced by apartheid. This means that investment policies, economic opportunities, housing and general job creation all had to be addressed in this way so as to buttress the formal equality provisions. Specifically in relation to land, the guidelines

referred to the need for a land reform programme ... in conformity with the principle of affirmative action, taking into account the status of victims of forced removals."

He says that affirmative action as part of remedial justice drew on national and international experience and its validation by the two anti-discriminatory conventions, the United Nations International Convention on the Elimination of all Forms of Racial Discrimination (1966) and the Convention on the Elimination of all Forms of Discrimination against Women.

Asmal says further that in its widest sense affirmative action involves the adoption, by the appropriate authorities, of a programme whose implementation may involve legislative, executive or administrative initiatives: "In other words, the constitutional provisions in the context of a bill of rights, permitting affirmative action are not self-executing, but require a conscious deliberate effort by the appropriate organ of government to act in pursuit of a socially desirable policy aimed at (in the words of Albie Sachs) levelling the playing field."

Asmal believes that through the ANC's acceptance of a majority principle, there will be a strong and effective central government to handle national tasks, and a strong effective regional government to ensure local government is handling issues. This will ensure that there can be no constitutional or legal obstacle to the implementation of an affirmative action programme at any level of government.

The National Party proposals on the other hand, advocate "participatory democracy" defined as the development of a system of government in which a number of political parties participate. The proposal that the executive authority will be constituted from members of a number of major parties means that the office of head of state will be vested in a collective body known as the presidency.

Asmal says that the implications for affirmative action are enormous under this model of participatory democracy.

He says, "The conferring of a veto on minority party representatives means that a programme of affirmative action, which by its very nature interferes with the *status quo*, would be impossible to initiate." □

the great land debate



Where to Go?

*Dilemmas and conflicts over land continue.
Marj Brown and Domini Lewis report.*

In her introduction to the issue of land rights, Sheena Duncan stressed that land is the common heritage of all the people who live in South Africa, and that the Black Sash needed a clear statement of policy on the issue of land to guide the organisation's activities in the coming year. It was also noted that the primarily Western concept of freehold title and title deeds is a relatively recent development in the history of human communities, and

that many other forms of ownership based on history, usage, occupation and sustainability exist in South Africa at present.

The debate around the issue of land and rights proved very topical given that in the weeks prior to conference there had been conflict and confusion over the settlement of lower-income communities on land adjacent to predominantly white middle-class suburbs surrounding Johannesburg. This

set the scene for the dilemmas over land discussed during this session.

Duncan proceeded to highlight the main dilemmas surrounding the plight of the urban homeless and the rural landless. The essence is to try to establish the prior rights with regard to the land. These are the basic rights to shelter and the right to access to the land with security of tenure in both urban and rural areas which take precedence over the right to private property. These prior rights ought to be taken into account by the constitution-making body when framing a bill of rights.

Suburban home owners increasingly feel threatened when others of lower-income groups occupy land adjacent to them. They believe that the influx of families and dwellings will devalue their property and lead to an increase in crime.

Affordable homes

The government appears to favour the concept of people owning their homes. However, many cannot afford to purchase their homes or the upkeep of maintenance. Alternative forms of ownership and occupation which offer families some security against eviction desperately need to be developed.

Prime land adjacent to the central business district, could be utilised to provide housing for low-income communities close to their work and informal-sector development. However, it is owned by the mining houses and individual owners who are not using it in any meaningful way, holding it merely to accrue wealth and possibly sell for enormous profit in the future. Thus, unused land through which companies accrue wealth is juxtaposed with extreme population pressure and demand for adequate shelter in urban areas.

Productivity and care for the environment is frequently contrasted with the development of "slumlands" and the insecurity of communities settled in these areas. However, if provincial authorities had made the necessary provisions for low-cost housing and a supportive infrastructure, people and the environment might live in comparative harmony.

Infrastructure

Complaints are frequently made about taxpayers being forced to pay for the provision of housing for others. How-

ever, any financial contribution by the more affluent taxpaying sector towards urban and community development, is ultimately to their own benefit because it is to the advantage of the whole community of an area if a more sustainable urban habitat is created. It is worth noting that when whites developed and settled in any of South Africa's towns, the real costs of providing services and housing were but a fraction of expenditure now needed to provide a dispossessed black population with the infrastructure and resources to which they are entitled.

Increased conflict is arising due to the government's attitude to land distribution and its method of dealing with competing land claims through a system of state largesse in land allocation in a piecemeal reform programme. A Land Claims Court to mediate in competing land claims in both urban and rural areas would provide a solution and ought to acknowledge rights to land and settlement according to the history of ownership or use.

Particularly in rural areas, the community sustainability of land, which includes agriculture and a social safety net for rural kinsfolk, is often in direct contrast to the government's agricultural productivity criteria which leads to strict controls on the communities' use of and access to the land.

Key issues

The dilemmas raised in this session were obviously large and complex, and although time allocated was brief, groups debated key issues. There was a high level of consensus when groups reported back to the land plenary. The final summary was presented to the delegates and a statement was drafted, which was unanimously accepted.

Concern was expressed, however, that this crucial issue had not been discussed sufficiently at regional level. In order to facilitate this educative process, the Transvaal urban homeless fieldworker, Glenda Glover, and committee chairperson Josie Adler will travel to the various regions when requested to do so.

The statement adopted by conference (see conference statements) gives the Black Sash a broad framework in which to shape its responses and strategies to the issue of land in the forthcoming year. □

farewell to trac

The Transvaal Rural Action Committee (TRAC) is about to become independent. Its coming of age was marked in this message from national conference.

The Black Sash national conference 1992 welcomes the passage to independence of the Transvaal Rural Action Committee (TRAC).

TRAC began life in August 1983 as a project of the Southern Transvaal region of the Black Sash. Several factors contributed: the Johannesburg Advice Office was being inundated with rural requests; a volunteer group of Black Sash women had made contact with communities such as Driefontein and Mathopiestad facing forced removal; and research was being done for an updated version of Barbara Waite's 1974 forced-removals map.

A more formal rural outreach project was approved; Ethel Walt raised the initial funds; and Marion Lacey, who was researching farm workers, encountered and recruited the first two fieldworkers, Aninka Claassens and Marj Brown. Joined later by Joanne Yawitch, they formed a dedicated, hardworking and tireless team.

It was an era of intensified forced removals. The first crisis involving TRAC was that of Mogopa. Sadly, Mogopa was forcibly removed soon after TRAC started in February 1983, but TRAC was able to expose the strategies and duplicity of the state in this instance and raise international fury at the iniquitous removal.

This international concern and the continued resilience of other communities, coupled with legal support and

other factors, led to the reprieve of equally famous communities such as Driefontein, Huhudi and Mathopiestad. The policy of forced removals was officially abandoned in 1987.

Under the umbrella of the Black Sash and its Advice Office Trust, TRAC has gone from strength to strength. Its recent activities range from support of the newly formed Rural Women's Movement to promotion of a human-rights-based debate on land issues, including people's rights to return to the land from which they were removed (by force or stratagem).

The question of environmentally sustaining the land and communities through balanced development practices is now high on the TRAC agenda.

TRAC has effectively outgrown its Black Sash support structure. It is becoming an independent trust with Black Sash representatives on its advisory board. And functional links will remain. The plight of rural people remains high on both TRAC and Black Sash agendas and we shall need to combine our efforts to sustain the "rural voice".

Much more could be said and will, we hope, be recorded in SASH magazine and audiovisually. In the meantime we thank all those who have built TRAC into such a worthwhile undertaking and wish them strength for future struggles. We shall support and cooperate with TRAC in all appropriate ways. □

Education within the Black Sash has moved the membership from a feeling of disempowerment to confidence with the language and concepts of constitution-making. Mary Burton and Candy Malherbe track the process.



creating constitutional confidence



Courtesy of The Argus

When the Black Sash was formed in "defence of the constitution" in 1955, its founders could not foresee a future when members would oppose a constitution (the tricameral, in 1983) or strive to put their imprint on a new one, as is happening now.

In the current process of hurry-up-and-wait, the Black Sash experience reflects that of the populace as a whole. The major players – those with large constituencies among a new, inclusive electorate – are setting the pace. Each is constrained by its capacity to prepare policies on a range of topics, by the ongoing violence which threatens the democratic process, by the jockeying of political rivals for positions of power, and by socio-economic factors. In light of this the logic of timing and process may be understood, yet questions of access and accountability still arouse concern.

Specific Black Sash concerns can be found in statements issued by the 1992 national conference in Johannesburg. For example, the Black Sash is concerned that, though the Convention for a Democratic South Africa (Codesa) is "a positive step forward in the negotiation process", it may be "exceeding its brief" (statement on Codesa). The proceedings of its five "working groups" should be publicised over radio and on TV. Impressions which by and large rely on indirectly received information give rise to the fear that Codesa may be pre-empting the task of an elected constituent assembly. Furthermore, its resolutions should be subject to review by a committee "drawn from all prominent human rights organisations in South Africa" (statement on Human Rights Review Committee).

These and other Black Sash statements have their roots in the 1991 national conference which identified the need to educate our membership (see "key words for constitution making" in SASH, May 1991) and monitor a process which, at the time, was only hesitantly taking shape.

Process within the Black Sash

The 1991 national conference revealed a keen desire to be better informed with regard to constitution making and the safeguards to human rights found in democratic systems elsewhere – bills of rights, constitutional courts, ombudsbodies, and so forth. As a result, Cape Western region (where the Black Sash national executive is currently based) drew up a five-part questionnaire which aimed to stimulate debate within the membership and prepare the ground for policy discussions at the 1992 conference. Responses to the questionnaire came back from four of the eight regions (Natal Midlands, Natal Coastal, Southern Transvaal, and Cape Western – based on discussions in five of its eight branches).

The first section of the questionnaire, concerning a multi-party conference, was overtaken to some extent by the establishment of Codesa at meetings held on 20/21 December 1991. But a clear concern of the respondents here was that deliberations should receive full media coverage – although a few questioned the advisability of live TV broadcasts. The full participation of women was stressed, for example, women as well as men should take the chair.

Concerning transitional arrange-

A Black Sash protest march through Cape Town at the end of 1955 was led by Jesse Power, who had the symbolic book of the constitution draped with a black sash on top of her car.

PREAMBLE TO THE PRESENT SOUTH AFRICAN CONSTITUTION

IN HUMBLE SUBMISSION to Almighty God, Who controls the destinies of peoples and nations.

Who gathered our forebears together from many lands and gave them this their own,

Who has guided them from generation to generation,

Who has wondrously delivered them from the dangers that beset them,

WE DECLARE that we

ARE CONSCIOUS of our responsibility towards God and man;

ARE CONVINCED of the necessity of standing united and of pursuing the following national goals:

To uphold Christian values and civilised norms, with recognition and protection of freedom of faith and worship,

To safeguard the integrity and freedom of our country,

To uphold the independence of the judiciary and the equality of all under the law,

To secure the maintenance of law and order,

To further the contentment and the spiritual and material welfare of all,

To respect and to protect the human dignity, life, liberty and property of all in our midst,

To respect, to further and to protect the self-determination of population groups and peoples,

To further private initiative and effective competition;

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

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

ments, outlined in parts 2, 3 and 4 of the questionnaire, respondents strongly supported an elected constituent assembly. It was pointed out by almost all that the legitimacy of a future constitution requires that it be drawn up by the elected representatives of the society as a whole. (The principle behind the fear expressed at the 1992 conference that Codesa, whose composition has not been determined by universal suffrage, may be 'exceeding its brief' is manifested here.) Respondents believed that proportional representation is the fairest system for reflecting voter preference. It should be the means for electing a constituent assembly and for allocating seats in the legislative chamber(s) which this constitution-making body puts in place.

Respondents agreed that the independent and self-governing "homelands" should be included in the transitional process, despite misgivings as to how representative their leaders are. Some argued that the present government should refrain from enacting major laws during the period of transition to a new constitution. All

believed that internal "neutral" or "non-party" organisations should monitor, and be given space to advise, and that international organisations should have a role in seeing that the process is free and fair if this can be arranged.

Part 5 explored the kind of government a new constitution should aim to establish. There was no consensus with regard to a unitary versus a federal system, although the concept of a unitary system with decentralised regional powers may have had a slender edge. As between a unicameral or bicameral parliament, most preferred the latter but opposed the idea that either house should be elected on a group or ethnic basis. A second or upper house should have the power to amend or delay but not to block or veto legislation.

Replies showed support for a president drawn from the party with a majority in parliament, for an independent judiciary, and for a bill of rights, but were doubtful regarding the idea of a multi-party cabinet. A bill of rights should seek to protect second and third tier (socio-economic) as well

as first tier (civil) rights but it will be necessary to distinguish between rights which are and are not justiciable by a constitutional court or other body entrusted with this duty. The new constitution formulated by a democratically elected constituent assembly must be ratified by this assembly or by the entire (not just the white) electorate in a national referendum.

The question of regional and local government – the last issue on the questionnaire – was acknowledged as of great importance but no one had had the energy or time to give it the necessary attention. However, the Transvaal Rural Action Committee (TRAC) replied: "Our workshops with communities on this issue show marked divisions between and within communities as to whether a democratic civic system should be the rule, or the tribal (married men only) system. To avoid chaos and conflict, a new system at the local level must be flexible and make provision at least in the short term for both systems."

The foregoing is an abridged version of the summary of responses to the questionnaire taken to national

The preamble to the present South African constitution, like the constitution itself, is clearly unacceptable. But what should the preamble to a new constitution say? Here is one suggestion; what are yours?

A PROPOSED PREAMBLE FOR A NEW SOUTH AFRICAN CONSTITUTION

WE, THE duly elected representatives of all the people of South Africa, gathered together in the Constituent Assembly of 19... established for this task, and mindful of the responsibility which has been laid upon us, place this constitution in the hands of the women and men of our country.

WE DECLARE that from this day forward, South Africa shall take its place among those nations of the world which cherish the principles of democracy and human rights, and strive constantly to implement them.

THIS CONSTITUTION delivers to South Africa a government whose authority is derived from the will of all the people. It clothes every citizen with the dignity of equal franchise and equal opportunity, regardless of status, wealth, gender, creed, language or physical characteristics.

IT FOSTERS the development of a renewed and reunited country, dismantling the barriers and divisions of the past, and redressing past injustice or disadvantage.

UNDER THIS CONSTITUTION, and underpinned by the bill of rights, the law shall be administered independently of the government, and shall guarantee to all, without discrimination, the protection of their rights.

FROM HENCEFORTH, therefore, the people of South Africa shall be free to live and work together in security, peace and mutual forbearance, to the greater good of their country and its neighbours in the world.

A PRIZE for the most promising preamble sent in to SASH before the end of July 1992 will be announced in the next issue



conference. An additional point by some respondents referred to the need for affirmative action to redress past imbalances. This concern is reflected by a recommendation from conference.

Future action

Delegates who led the discussion of points raised by the questionnaire and in regional debates came away from conference with the impression that members no longer feel disempowered by the language and concepts of constitution-making. The education process within the organisation has led to an appreciation of the problems voters face in trying to grasp procedures and competing ideas – problems even more acute for voters who have been disfranchised in the past, large numbers of whom are illiterate.

Two regions had already made a start with regard to voter education. Southern Transvaal presented the first draft of a booklet titled *You and the Vote*, to be published in the major languages. The Natal Midlands Women's Group had begun a process to construct a constitution in which women

are "written in" as equals and full participants in a new government. Both regions made important inputs to the constitution-making slot on the conference agenda (see report on Natal Midlands' "Women, language and a new constitution" in this issue of SASH). Election monitoring was also identified as an important and appropriate task for the Black Sash.

The conference statements will guide Black Sash campaigns and actions in the coming year. These will involve monitoring Codesa, working towards a constituent assembly, lobbying for interim bodies to run the South African Broadcasting Corporation (SABC) and SABC-TV, looking at the legal system in terms of maximum protection for human rights, and considering the options for affirmative action. It was recommended that each region forms a "constitution group" along the lines of that which functioned in Cape Western region during recent months, or to carry out specific tasks such as election monitoring.

The preamble

While studying constitutional ques-

tions, members had considered the preamble to the present South African constitution of 1983, and had judged it to be an outrageous monument to the narrow vision of a not-so-distant past.

A constitution's preamble ought to convey the hopes and intentions of the authors. When the constitution is born out of the need to create a new, whole society out of a history of strife and division, it is in the preamble that a commitment to a just and peaceful future can be expressed.

This is when idealism can give spirit to the more practical and legal clauses which must make up the constitution itself. The preamble itself can even become part of the process of strengthening the newly constituted society – entering into public discourse, being studied by each new generation, and becoming a force for unity through shared values.

It was felt that there would be merit in starting to draft proposals for a new preamble in keeping with the widespread hopes presently being placed on the constitution which will underpin a transformed South Africa. □



Get Together

Hamilton Budzaco (1983)

women, language and a new constitution

Setting out to discuss how women could be "written in" to a new constitution, the Natal Midlands Women's group discovered that their language had "written out" one of their own members. Fidela Fouche identifies the difficulties.

Natal Midlands Women's Group in November 1990 started out to discuss the construction of a constitution which would "write in" women as equal and fully participating members of a new society. Initially we tried to identify aspirations and values common to all women but found it impossible validly to speak for all. We therefore confined ourselves to the values and aims which we as a group shared.

In reaction against the all too prevalent tendency to exclude women from public life, we opted for the inclusion of women as our primary goal in discussions of women in the family and workplace, the legal status of women, health and reproductive rights, abuse, education and the media. We arrived at what we thought were important insights. But far more important, we found, was what we learnt from the discussion process itself.

Exclusion

At an early stage, one of our members missed a meeting. This is how she responded to the minutes she received: "As a lesbian woman I was quite used to exclusion and even invisibility, but I certainly did not expect it from this group. If I could so easily be excluded by such a supportive group, how do we construct and empathise with women from very different cultures and experiences? Do we have the capacity to understand other women sufficiently to work with them for change? And what does this say about our ability to make a significant contribution to a new constitution?"

On scrutinising the minutes we realised that we had, in spite of our principle of non-exclusion, managed to exclude one of our own members. We had minuted "the right to the choice of a spouse" and the "age of marriage" and "rights within marriage". Thereby we had done precisely

what we had been intent on not doing. We excluded not only gay couples but also heterosexual unmarried couples. This exclusion had been far from deliberate: after "spouse" the rough handwritten notes had added "not necessarily male". We had not realised that "partner" was the word we needed.

From this experience we learnt that there will be lapses into the use of habitual, stereotypical expressions unless we are constantly vigilant and sensitive, and that this sensitivity should extend to women who do not belong to our white middle-class culture. Such awareness will be essential if we are to join with them in a common effort for change. And, indeed, our subsequent discussions reflected the sensitising process we had undergone as we examined the hidden implications of concepts in common use.

We began to focus more systematically and consciously on the many ways in which linguistic structures and lexical choices can position and diminish women and on how language, often in hidden and subtle ways, continuously shapes attitudes and ideas. We noticed the impact of the sequencing of information and, most importantly, we realised that what was left unsaid was as crucial to meaning as explicitly formulated statements.

The family

At the start of our discussions on the family we looked at the United Nations declaration on the family and the section of the Namibian constitution which follows it closely. We broadened paragraph 1 of the Namibian constitution by including the term "gender" and changing "men and women" to "people". Because of its patriarchal associations we tried to find a substitute for the word "family" but failed to do so. We therefore redefined family as "a mutually supportive

group of people, committed to the ongoing emotional, physical, mental and social well-being of each other".

Our next debate centred around marriage and whether rights within marriage should be extended to include other relationships. We decided to alter the word "marriage" in the declaration to "partnership". Our version of paragraph 1 therefore read: "People of full age, without any limitation due to gender, race, colour, ethnic origin, nationality, religion, creed or social or economic status have the right to form a partnership and to found a family. They are entitled to equal rights as to forming a partnership, during the partnership, and at its dissolution."

We further discussed rights within marriage or registered partnerships. This discussion included the minimum age for entering into a partnership, rights within a partnership, and property rights within marriage or registered partnerships. With regard to maintenance and alimony, we became aware of the need for an unemployment insurance fund and for certain pension scheme changes.

Sexual harassment

In our consideration of women in the workplace we focused firstly on sexual harassment and then on affirmative action. We defined sexual harassment as "any unwanted sexual behaviour or comment which has a negative effect on the recipient", and affirmative action as "any means used to redress imbalance created by discrimination". We agreed that the affirmative action clause in the Namibian constitution should be included in our new constitution, but with amendments to the effect that "discrimination on the grounds of gender, race, class, religion, sexual preference, colour, ethnic origin, social or economic status, or physical disability is unacceptable". □

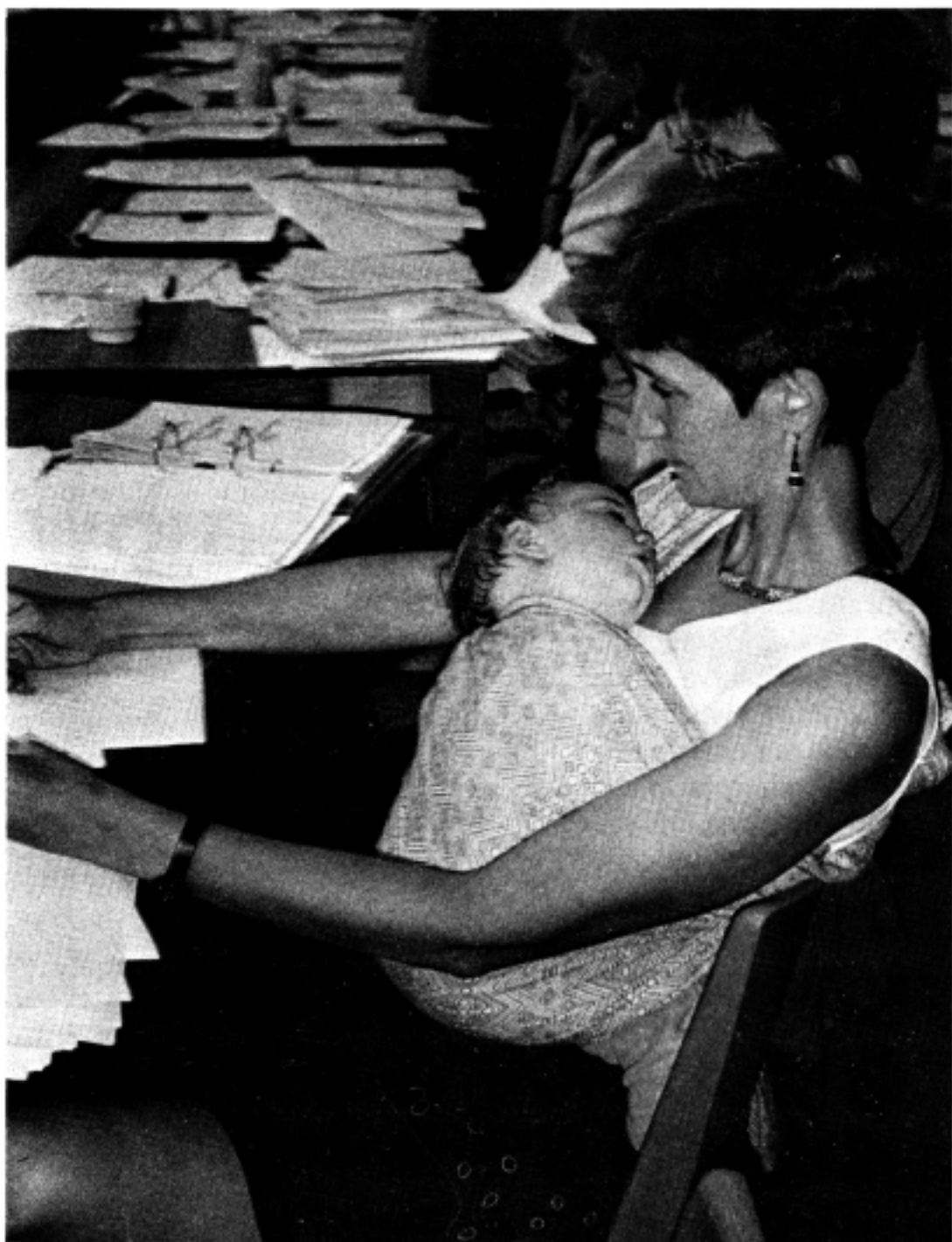
"From this experience we learnt that there will be lapses into the use of habitual, stereotypical expressions unless we are constantly vigilant and sensitive, and that this sensitivity should extend to women who do not belong to our white middle-class culture. Such awareness will be essential if we are to join with them in a common effort for change."

Sessions need not be humourless, says Pat Tucker, who was asked to write a background article on conference – a colour piece.

a lot of colour, a lot of warmth

Write a colour piece about conference, they said. Colour? The magnificent scarlet sunsets that lit up the dinner hour in the Johannesburg College of Education canteen? The lights of the city silhouetted against the gathering dusk? The golden angel poised on top of the multi-tiered tower of the Mormon cathedral? The two flickering golden candle flames, lit to commemorate the evils of yesterday and give hope for a good tomorrow? The yellow posters of the impressive anti-violence protest? The black sashes and white boaters of the men (husbands and others) who did duty behind the bar at lunch and dinner? The vibrant shades of Cassandra Parker's marvellous fund-attracting T-shirts and sweaters?

Marj Brown,
Southern Transvaal
delegate to the
conference, with her
daughter Amy



Gill de Vlieg

Colour? Bernard O'Riain, wearing panache and a dress suit, delivering water to potentially thirsty speakers at the opening meeting? National president Jenny de Tolly's brief and graceful dance of thanks to those who served (had she rid herself of the lead in her feet)? Picnic lunch on the lawns organised by the ever-innovative, creative and indefatigable catering team? A tiny coterie of the next generation of Black Sashers giggling and gurgling their way through serious sessions and into some very broody hearts? Marj Brown giving her advice office report with Amy doing headstands on her lap?

Colour? Trudi Thomas describing Border region as "bordered on the one hand by the sea, on the other by Ciskei and Oupa Gqozo whose state of mind borders on insanity"? Albany region, finding their local police taking "a very creative view of criminal law"? The national president confessing to being a "techno-peasant"? The Duncan Villagers sending the reports about their inadequate toilets straight to the security police? The vision of Karin Chubb in the Namibian bush surrounded by "40 patriarchs"?

Feminist conundra – "chair or chairperson"; "how do you pronounce 's/he' – s he? she?" Is there really a difference between marriage and a legal contract about living together? Political conundrum – would Border who fundraise by making "polony and mashed egg sandwiches" for political functions cater, if asked, for the Afrikaner Weerstandsbeweging (AWB)?

Yes, there was a lot of colour during the three days of national conference 1992. There was a lot of warmth and a lot of camaraderie, a lot of laughter, a fair amount of tension and considerable potential for tears and anger as the horrors of the past year were laid out and examined and discussed.

The subjects were serious. The referendum loomed. The country was, as it is, in a time of crisis and transition. Still, the women of the Black Sash proved, as they have done so often, that serious need not be humourless; that shared experiences, even shared horror, can create fellowship; that problems can be solved and practical solutions found. It was, as somehow it always is, a rejuvenating, reinvigorating, energising experience, coloured with that element that has characterised the Black Sash throughout its history – an essential humanity. It was a very good year. □

resolutions

from the 1992 black sash national conference

Codesa and women

The Black Sash notes that

- over 50 per cent of South Africans are women,
- fewer than four per cent of the members of the Codesa working groups are women, and
- Codesa has adopted the principle of non-sexism in its declaration of intent,

and resolves:

- 1 to lobby all key Codesa bodies to honour their stated commitment to non-sexism by drawing women into all decision- and policy-making structures so that representation at Codesa is proportionate to the gender distribution in the general population.
- 2 Furthermore we call on Codesa to set up a Women's Rights Review Commission drawn from the parties represented at Codesa to:
 - examine the effects of the working groups' briefs on women,
 - direct the working groups of Codesa towards issues of particular importance for women,
 - investigate how Codesa's decisions affect women, to make appropriate recommendations and to work out mechanisms by which these would become binding on Codesa.

Changes to the national constitution

The following changes to the national constitution have been unanimously accepted:

- 1 wherever *chairman* or *chairmen* is used, to change it to *chairperson*;
- 2 wherever *he/she* is written, to use *s/he*;
- 3 to delete the call for two referees on applications for ordinary membership.

Levy increase

The treasurer and national executive motivated for an increase in:

- the membership levy from all regions to national headquarters of 15 per cent,
- the local magazine subscription of 15 per cent and
- the overseas magazine subscription to R60.

Abortion law

The Black Sash National Conference 1992 calls for a formal commission to enquire into the present law on abortion (the South African Abortion and Sterilisation Act Number 2 of 1975) and its implementation. The members of the commission should be appointed for

- their special knowledge of women's health;
- their commitment to non-racialism;
- their commitment to non-sexism;
- their experience in or openness to interfaith dialogue and relations.

The majority should be women.

Worker representation

At the pre-conference fieldworker's meeting, . . . paid workers agreed to put the following proposals before conference:

- 1 That a workers' representative be elected annually by all paid Black Sash workers to represent them on all national bodies at which worker issues are discussed and decided on.
- 2 That every worker receives a full explanation of how their salary notch was arrived at before the end of March 1992.

This proposal was accepted unanimously.

Dedication

The following resolution was referred back to all regions, and will be discussed at national conference 1993.

That the Black Sash dedication be altered by omitting "So help us God, in whose strength we trust", on the grounds that the Black Sash is an all-embracing human rights organisation, and the reference to "God" in the dedication may alienate some people. □

statements

from the 1992 black sash national conference

Land and shelter

The 1992 national conference of the Black Sash affirms the statement the Black Sash made at its national conference in 1991 and has noted the progress made in pursuing the debate surrounding land in South Africa, both within the organisation and in the wider public.

The 1991 statement was:

The issue of fair and equitable access to land and shelter must be addressed in the process of creating a new, just and stable South Africa.

This is a matter of considerable legal and emotional complexity. It is a major point of conflict now, and will continue to be so until a broadly accepted national policy can be established which effectively acknowledges – and fairly addresses – contending claims for the right to land and shelter including those which are not necessarily on the Western concept of private property and title deeds.

The Black Sash believes that:

- *all people are entitled to safe, secure and affordable shelter in an environment that provides opportunities for work and fulfillment of other basic needs;*
- *the process of developing an appropriate national policy on land and settlement must be based on the participation of all affected parties; and*
- *actions must not be taken now which preclude implementation of fair policy in the future.*

With the above in mind, the Black Sash

- *calls for a moratorium on the sale or lease of state, public and para-statal land, if that transaction effectively removes land from a process of equitable distribution;*
- *calls for a moratorium on the arrests for "squatting", evictions and demolitions of existing dwellings, and removals in the absence of a suitable alternative;*
- *calls for the amendment of the Prevention of Illegal Squatting Act so as to afford the homeless assistance rather than persecution;*
- *commits itself to a long-term campaign to inform itself and the wider community on the range of contending perspectives on land and the right to shelter.*

At this 1992 conference we again affirmed that the land is the common heritage of all the people who live in South Africa. Land is a finite resource and not merely a commodity to be traded for private profit.

- We noted that the concept of freehold title and title deeds is relatively recent in the history of human com-

munity and that there are many other forms of ownership based on history, usage, occupation and sustainability existing in our country at the present time.

- We affirmed that the basic right to shelter and the right to access to land with security of tenure in both urban and rural areas take precedence over the right to private property. They are the prior rights and the constitution-making body must take this into account when framing a bill of rights.
- We rejected the present government's attitude to questions of land distribution based on its refusal to recognise the principle of restoration and restitution for evils done in the past, and its determination to preserve the existing gross maldistribution of land.
- We rejected its present mode of dealing with competing claims to land by a system of state largesse, an emphasis on its understanding of productivity which takes no account of human need for community in relation to land, and its ad hoc and totally inadequate response to the current crisis of urbanisation.
- We affirmed that the goal for the future in South Africa must be sustainable urban and rural environments for the well-being of all people and for the conservation of land for the nurture of future generations.
- We call for existing landowners and rate-payers to negotiate with the homeless and landless people presently moving on to unused land rather than to resort to an instant confrontational and defensive reaction.
- We reiterate our call for a Land Claims Court to be established to mediate in competing claims to land in both urban and rural areas.
- We furthermore believe that such a court must be legally bound to take into its consideration of the rightful occupation of a particular parcel of land the following factors:
 - * the history of that land,
 - * its present usage,
 - * length of occupation,
 - * need of those using or occupying,
 - * exploitable resources such as mineral rights and agricultural potential,
 - * the national interest, environmental sustainability, and conservation for the future.
- We also call for the establishment of an independent representative Environmental Commission, with the power to ensure that land and water and environment are conserved for the nurture of future generations.

ON ...

LAND
AND
SHELTER

statements

Codesa

The Black Sash is concerned that the Convention for a Democratic South Africa (Codesa) appears to be exceeding its brief. While we believe that Codesa is a positive step forward in the negotiation process, we believe that only a body elected by the people of South Africa should have the right to decide on the new bill of rights and constitution. These should not be debated and written in advance and in secret by parties at Codesa or in bilateral meetings. Codesa or an interim government should exist for only as long as it takes to organise a constituent assembly. For this reason we call on Codesa to:

- 1 make its proceedings public by carrying them in full on radio and TV,
- 2 limit its discussions to the processes required for establishing a constituent assembly, and refrain from deciding on matters which should rightfully be decided by the elected representatives of the people of South Africa.

Human Rights Review Committee and Codesa

Noting that:

- 1 Codesa is not a democratically elected body and that the support by the general population of the parties involved at Codesa has not been tested or cannot be quantified or guaranteed;
and
- 2 political parties view political negotiations and the constitutional process from the point of view of governing a country and its people, and not from the point of view of living in a country under these governing principles;
and
- 3 currently all negotiations at Codesa are being held behind closed doors and are not open to public scrutiny;

we call for the establishment of a Human Rights Review Committee which shall be drawn from all prominent human-rights organisations in South Africa that shall be empowered to:

- a) review all resolutions arising out of Codesa before these are accepted, to ensure that there are no infringements of human-rights principles;
and
- b) refer any such infringements back to Codesa for review, with the right to propose any appropriate amendments.

The rainbow and the flood: Negotiation and destabilisation

In South Africa today we stand between the rainbow and the flood. The rainbow symbolises our slow but determined movement towards a just, open and democratic society. We believe that the processes in the current period of transition should contain the promise of the future. In this spirit the 1992 Black Sash national conference believes that positive initiatives should be supported and strengthened.

Among these are the National Peace Accord, the Goldstone Commission of Inquiry and, most importantly, Codesa. However, the Codesa process itself needs to become more open, democratic and inclusive.

The flood symbolises the state's updated total strategy designed to destabilise and weaken its opponents. The National Security Management System has been replaced by the National Co-ordinating Mechanism in which communications and community services are ostensibly the main concern.

However, there is clear evidence that the political agenda of the 1980s has simply been adapted, and that the security forces are still involved in destabilisation – orchestrating the political violence in Natal, and the escalating violence elsewhere, the assassination of opposition leaders, including many involved in the peace process; the random killing of train commuters; the deepening of divisions and fuelling of conflict in black communities already under economic and social stress.

At the same time the state is busy restructuring the economy through privatisation of important service sectors such as transport and postal-telecommunications, as well as natural resources such as the forests. By this it seeks to deprive a future representative government of access to the economic resources it will need for a constructive programme to increase national wealth and distribute it more equitably.

The Black Sash calls on its members ... and supporters to monitor, analyse and expose covert policies, strategies and actions designed to perpetuate minority control of power and privilege in a post-apartheid South Africa that will constitutionally be democratic, non-racial and non-sexist.

Privatisation

National conference referred a statement on the privatisation of resources to Cape Western for an urgent review with proper documentation. The reviewed statement will be circulated to all regions.

ON ...

CODESA

HUMAN RIGHTS
REVIEW
COMMITTEE

NEGOTIATION
AND
DESTABILISATION

statements

Broadcasting

The Black Sash, noting that the South African Broadcasting Corporation (SABC):

- 1 remains closely associated with the government,
 - 2 continues to approach news and current affairs reporting from the perspective of the National Party, and believing that
 - a) for many South Africans, and particularly rural people, radio is the main source of contact with the events and concerns of the rest of South Africa,
 - b) impartial reporting is an essential component of the creation of a climate for free and fair elections,
- therefore calls upon Codesa to
- 1 prevent the government from unilaterally restructuring or privatising the SABC,
 - 2 set up an interim board of control to run the SABC in this transitional period.

This board would have responsibility to ensure that

- a) there is impartial control of all broadcasting,
- b) the views and experiences of a wide range of constituencies and political parties are reflected on radio and TV.

Solidarity with women in human rights struggles in other countries

We express our solidarity with the women of other countries who are engaged in struggles for human rights ...

At this time we wish to send a message of support to those women of Nairobi who on 3 March 1992, while peacefully protesting against the detention of political prisoners, were teargassed, clubbed and injured by the police.

Those injured included Wangari Maathai, founder of the Green Belt Movement in Kenya, whose linking of environmental abuse to human rights violations is an inspiration to us here.

Recommendation from the black sash 1992 national conference:

That the Black Sash work in its regions to alert all members to the need to address the issue of affirmative action in South Africa and the processes required in this regard to redress the wrongs of the past and create a human-rights culture. Discussion should work towards formulating future Black Sash policy. The material available from the national conference is a useful starting point.

Law and justice

The Black Sash, noting that:

- 1 assassinations of individuals recognised for their efforts in the peace process, as well as murders aimed at destabilisation continue unabated;
- 2 investigations into such killings all too frequently fail to lead to the prosecution of those responsible;

- 3 these factors reinforce the breakdown of faith in the ability of the legal process to ensure that justice is done;
- 4 until justice is seen to be done, violence will continue to escalate;

calls on:

- a) the Minister of Law and Order to put into immediate and practical effect the commitment of the South African Police to "full, proper and expeditious investigation(s)" and the submission of all necessary evidence to the Attorney-General as quickly as possible as specified in the National Peace Accord of September 1991;
- b) the Minister of Justice to facilitate, by all means possible, the swift and fair dispensation of justice in order to restore the credibility of the judicial process; in line with the principle stipulated in the Peace Accord (Clause 1:13).

International Women's Day (8 March 1992)

We, the Black Sash, express our solidarity with the community of women worldwide on this, International Women's Day. Amid the continuing violence and oppression in our own society, the support, reciprocally, of the world community is a source of strength to us. A transitional process which aims to address racial injustice but continues to exclude the most disadvantaged, namely black women, in effect perpetuates oppression. We therefore call for the inclusion of women across the social spectrum in decision-making processes.

Conference noted on the death penalty that

the Black Sash reaffirms its rejection of the death penalty:

- nowhere has the death penalty been proved to act as a deterrent;
- nobody gains anything by continuing with this inhuman practice because we all become victims of the process of brutalisation.

We again call for the total abolition of the death penalty.

Qualifying age for social old-age pensions

The Black Sash, noting:

- 1 the Minister of National Health's stated intention of raising the qualifying age for an old-age pension for women from 60 to 65;
- 2 that the present levels of unemployment are unlikely to change appreciably within the foreseeable future, therefore leaving elderly people particularly vulnerable;
- 3 that many families who are disadvantaged by the heritage of the apartheid system are solely dependent on social old-age pensions;
- 4 that there is no adequate alternative social-welfare system;

calls on the Mouton Committee to recommend to the government that they maintain the eligible age for women to qualify for a social old-age pension at 60 and, with immediate effect, lower the qualifying age for men to 60. □

ON ...

BROADCASTING

LAW AND
JUSTICE

AFFIRMATIVE
ACTION ...

The range and volume of work accomplished in the regions – by fieldworkers, advice office staff and volunteers – is staggering. Domini Lewis extracts the essentials from a daunting file of reports.

viva the workers!

Albany

Based in Grahamstown, this small but active region has a constant membership of between 55 and 65, at least half of whom are involved in the advice office work.

The Women's Issues group which has held regular meetings, has also formed a channel of communication with the local ANC Women's League. With a view to strengthening ties between the two organisations, Carla Sutherland ran a joint workshop on violence against women which was a learning experience all round. A joint photographic exhibition with the focus on the positive side of women's life in the Eastern Cape is being planned for the future.

Together with the Albany Council of Churches, the region hosted a number of panel discussions conceived as an outreach initiative towards the Grahamstown public. Issues debated included "Repentance or Retribution for Apartheid?", local government, AIDS and VAT.

A sub-group has begun to lobby the Cape Provincial Administration (CPA) to protest against cuts in ambulance services in the Cape Province. Rina Venter was also taken to task on this issue when she addressed a meeting in Cradock.

The Albany advice office relies on a high number of volunteers (about 26) as three people are assigned to work every Saturday morning, and to review cases and do follow-up work on Wednesday afternoons.

Skills development and bridge-building have been a focus of advice office work during the year, particularly for caseworker Jonathan Walton and fieldworker Glenn Hollands. The advice office manual was updated and improved, and copies distributed to each volunteer and interpreter.

Casework included insurance cases, amendments or alterations of dates of birth in order to apply for old

age pensions, the plight of domestic workers, unfair labour practices and dismissal, mine workers pension and provident funds.

As most of the communities serviced by the Albany Black Sash are engaged in some form of local-level negotiations, the region is increasingly being called upon to facilitate opportunities for discussion and negotiation, mediate when necessary, and to assist in the development of negotiating skills.

– which the region hopes to amend. The region has an excellent relationship with the media, which has provided extensive coverage of key issues – squatter communities, domestic workers and legislation, the work of the advice office.

The most noteworthy victory has been forcing the East London municipality to relocate squatters which it had evicted from Orange Grove. A sit-in was staged at the house of East London mayor Carl Burger, demanding that the municipality provide the people with an alternative place to stay. The following day, after meeting with the mayor and other councillors, the people were given permission to return to their original site and, most significantly, the council resolved that it would not demolish people's homes without consulting them first.

The advice office continues to be at the centre of events in the region and provides an indispensable service to



Verne O'Rlain, one of the organisers of national conference, and Cassandra Parker

Border

Towards the end of September 1991, residents associations were banned in Ciskei and a state of emergency declared. In order to counteract the threat of violence, a peace conference was convened drawing together diverse political organisations and the business community. A regional dispute resolution committee, set up in accordance with the National Peace Accord, was later established. Although the Black Sash was represented on the original steering committee, the organisation was not seen as one of the main protagonists and was not invited on to the dispute resolution committee

the communities it serves.

Although the overall number of cases recorded has dropped by 12 per cent, the number of people visiting the office has risen substantially. Approximately 40 people seek assistance daily. Labour cases continue to form the bulk of work. This can be attributed to the weak state of trade unions in the region. Patriot Dyani, the caseworker specialising in labour law, represents clients at conciliation board meetings at least once a fortnight. Although time-consuming, the success rate is about 75 per cent, and therefore justifies the time spent.

There has been a sharp rise in the number of domestic workers' employ-

ers who seek advice regarding wages, conditions and pensions for their employees.

Pension cases continue to form the bulk of social welfare work. Improved relations with the CPA have increased the workload, as they now refer clients to the office.

Urban land struggles around the East London city have become a burning issue in the region. Squatters occupy private farm land, and that belonging to the East London municipality, the Amatola regional services council or the CPA. Despite the often violent reaction of the conservative white local authorities, the squatters' peaceful forms of struggle have forced local government structures to recognise the need to find a place for landless communities.

The land issue has to be practically resolved through the involvement of all interested parties in order to avoid potentially violent situations due to the plight of the landless and homeless in dispossessed and oppressed communities.

stand ever for Knysna was held in commemoration of Human Rights Day.

As a result of a successful public meeting, held together with Cape Western, on "The move towards a single municipality", the Southern Cape branch was invited to attend the inauguration of the White Location Clinic, and a "think-tank" on job-creation for the unemployed and school leavers in Knysna.

The majority of complaints received by the advice office were labour-related and could be satisfactorily concluded by phoning the employer. Due to the high unemployment rate in the region, workers are vulnerable to exploitation by unscrupulous employers, many of whom do not seem sufficiently aware of their responsibilities under the Basic Conditions of Employment Act. The solution would be an education programme for both workers and employers.

In the past, the advice office saw many pensioners whose pensions had

Cape Western

During 1991, a "quartet" consisting of Thisbe Clegg, Anne Hill, Carol Lamb and Rose Meny-Gibert worked together as a quasi-executive in order to facilitate the day-to-day running of the region, with the support of the administrative secretary Judy Woodward, the regional council and sub-committees, branch chairs and the national executive.

Early in the year, members were fully involved in Cowley House and the release of political prisoners. Meals were provided to feed releasees and their families; members provided transport and were part of welcoming committees. A stand was organised at the entrance to the Cape Town docks in support of those political prisoners who were in prison after the majority were released.

An exhibition of press photographs taken during the release of the political prisoners was displayed at the closing ceremony of Cowley House, and then at the Baxter Theatre and at the University of Cape Town's Summer School.



Domini Lewis

Left: Cape Western delegation;
below: early morning stand outside the conference venue



Gill de Vlieg

Southern Cape

Membership decided to follow a path of self-education and positive action rather than protest during the past year.

After a public meeting to discuss the structure plan for Knysna, the region was invited to attend all meetings held between the civic and Knysna municipality. A summary of objections to the structure plan, drawn up by the Black Sash and the civic, was subsequently published in the *Knysna-Plett Herald*, which the region considers a breakthrough.

On 10 December, the first group

been cancelled through failure to attend the pay-out. In most cases the letter advising the pensioner of the commencement of payment had not been received. The CPA office in Oudtshoorn now phones the advice office with a list of names of those who have not been paid, and caseworker David Ngxale is thus able to contact them.

Fieldworker Phumlani Bukashe travels thousands of kilometres each month to attend to the needs of the various and far-flung communities with which the region interacts.

The Repression Monitoring group has been closely involved in the monitoring of the taxi war – taking affidavits, giving needed support and serving on the Joint Forum on Policing and the Peace Committee.

A new membership booklet has been completed and is being translated into Afrikaans and Xhosa, following on last year's decision at regional conference.

The Constitution group, formed to examine what is meant by the process of negotiation and issues surrounding the formulation of a new constitution, drew up a questionnaire which has

been circulated to all regions and in the Cape Western region in order to assess the membership's understanding of constitutional issues.

Several members are active in the Women's Alliance launched in July 1991. They provide a vital link in the increasing focus on women's issues in the region.

In the advice office, the old age pensioners, disabled people and the unemployed who seek assistance reflect the deep problems facing South African society. Thus, a focus of work has been training members and workers in the office to best address the needs of these individuals, and to restructure procedure accordingly.

Legal Resources Centre lawyers held an informative briefing session for the region on returning exiles and how to apply for documentation for them. Members are involved in providing para-legal assistance at Moira Henderson House, the primary reception area in Cape Town for returning exiles.

The *Para-legal Manual*, a joint

Thandi Gaqa, the former trainee fieldworker, is now established in Col-esberg in the centre of the Karoo. The region has great hopes that her skills and initiative will further add to the development of para-legals in that area.

Throughout the past year, the region has sought to make women the primary focus of issues raised in committees, interest groups and its advice office work.

Cape Eastern

Although the year was started with many good intentions to rejuvenate the region and develop a strong working group, unfortunately this did not happen. Membership has remained at about fifty, but many are not active.

Meetings, attended by about 15 people, have focused on women's issues of rape, maintenance, inheritance and single parenting; cases presented by the advice office pertaining to women greatly disturbed the members present and have helped to put general members more in touch with the advice office's work.

Black Sash is represented on this body.

On Children's Day, a stand was held on the Cape Road, together with representatives from other organisations.

The advice office is the hub of work in the region, and it has thus been crucial that the whole organisation work together as a team giving support where needed and sharing responsibility. To this end, the region is moving towards a single executive body in the forthcoming year. As requested by headquarters, the minimum needs of the region have been defined and work has been consolidated.

The issue of social pensions peaked in October to 50 per cent of advice office work. This was directly related to the CPA's announced "cut off" period for disability and maintenance grant reviews from the end of November.

Approximately 28 cases were seen per day, of which social pensions constituted 40 per cent and labour issues 29 per cent. In the year in review, 6 406 cases were interviewed, including follow-up.



Mary Kleinberg

Above: Jenny de Tolly, Barbara Klugman; right: Pam Lewis, Cassandra Parker, Barbara Klugman, Gill de Vlieg



Sue Joynt

production by the Black Sash and the Legal Education Action Project (LEAP) (available to all regions at national conference) has been an exciting and worthwhile venture which will provide much needed and accessible legal material for grassroots work.

The Rural Advice Training programme (RAT) has worked in the Bolland, Karoo and Southern Cape, developing basic para-legal skills according to the needs of the community. Most areas require information about housing, rent problems, local authorities, pensions and grants.

The region supported the Red Location community in their actions against the Ibhayi council with regard to the lack of upgrading of their community housing. A sit-in was held at the Ibhayi council offices and representatives from the Black Sash attended meetings held between the community and the authorities which were quite successful. The village of Masangwana is growing steadily. The region also called for the disbanding of the Ibhayi town council which is now virtually defunct. While there is nothing to replace that structure, the "One City" talks are in progress and the

The advice office initiated a series of appeals for disability grants on behalf of clients whose reviews had been returned and who were seriously incapacitated, by writing to the attending doctors and asking for a further medical certificate. This usually resulted in a certificate that was more informative and definite about the patient's condition. Of the 167 appeals undertaken in 1991, 80 per cent have been successful and the backpay and missing monies recouped for clients substantial.

During 1991, Cathy Binnell co-ordinated the training programme and

Judy Chalmers assisted her, combining fieldwork with training. Five training courses were held during the year, drawing on people from the rural towns, workers from local organisations and the Northern areas, and Black Sash fieldworkers. The courses, which ran for three weeks, covered practical issues such as administration skills and problems of pensions, labour and consumer issues, letter and report writing, and the development of office resources. The particular problems of communities involved were addressed when necessary.

The majority of rural advice offices whose workers received training are now well established with their workers, many previously volunteers, receiving salaries from funders.

Southern Transvaal

Most of the membership in the region, seem to have mixed feelings about the past year. In addition to redirecting and focusing its energies where best utilised, the region is having to come to terms with the restricted availability

successful, although worrying for those on the outside. The "You and the Vote" booklet currently being worked on has highlighted the dire need for accessible material on the electoral process. The issue of women's rights in the constitution and in the Convention for a Democratic South Africa (Codesa) has provided thought-provoking discussions in the women's coalition and in the newly formed Women's group.

The Urban Removals and Homeless group continued to work with urban homeless people threatened with eviction from and demolition of their shacks. Although they still responded to some crises, they worked in an ongoing way with people who were not under immediate physical threat, in order to strengthen the position of such people by focusing on the improvement of conditions and creating the basis for securing permanent safe homes.

The group comprises a small number of volunteer Black Sash members and a part-time fieldworker. The work has expanded and diversified, however, and the areas requiring attention

were 2 494 return cases. The main issues dealt with involved employment followed by benefits.

The plight of domestic workers continues, and the National Manpower Commission's proposals to improve their working conditions need to be dealt with urgently. Domestic workers were assisted to take 290 cases to the Small Claims Court during the year, with relative success. Recently the advice office has been attempting to claim R500 compensation for domestic or other workers who have been abused or assaulted by employers. 56 cases of abuse by employers have been reported to the office.

118 cases during 1991 dealt with security guards. The problems faced by security guards, and the new Security Act's failure to improve their working conditions are burning issues in the advice office.

Advice office workers are putting a great deal of energy into training people from surrounding townships and feel positive about the resultant scope for interaction between the Black Sash

Right: Serving with a smile: Million Kgalushi and Neil Duncan;
below: Laura Pollecutt, Ethel Walt, Pat Tucker



of the majority of members who are in full-time employment and/or raising families, and also the demands of employees who need support and appropriate management

Campaigns were taken up on repression, constitutional reform, free and fair elections. The region initiated and participated in peace action in response to the ongoing and ever escalating violence. The stand in Bophuthatswana drew media attention to the continuing repressive regime of Lucas Mangope, and was very suc-

cessful. This has put increasing pressure on the existing workers which could not be alleviated in the current freeze on employment within the Black Sash. Recent redeployment in the Johannesburg advice office has made possible a second part-time post, which should provide immediate short-term help.

The Johannesburg advice office saw about 4 000 cases more in 1991. Of the sample categorised, 3 722 clients were male and 1 508 were female. New cases totalled 2 736, while there

advice office and other urban advice offices.

The Transvaal Rural Action Committee's (TRAC) main campaigns have concerned the restoration of land and the calls for a Land Claims Court; campaigning against specific evictions and for a national moratorium on evictions of rural labour tenants and others who live on private land. More recently the group has been working on Bophuthatswana in relation to Codesa. They are working with 26 different communities.

Northern Transvaal

The region has been experiencing the same restlessness and general insecurity that seems to be sweeping the country, and has gone through a year of questioning and re-questioning its role in the emerging national scenario. However, members have picked themselves up and entered 1992 ready to commit themselves to actively striving for a "human rights for all" culture in the region.

The newsletter was used to maintain links with members by highlighting current developments on the political scene, and reporting back on national and regional issues.

Working groups have met independently and with somewhat decreasing regularity to discuss issues of topical concern. The Capital Punishment group was involved in action to stop the execution of Paul Bezuidenhout, the first person to be hanged following the moratorium on the death penalty. It also took part in a picket in front of the chancery of the "Republic" of Bophuthatswana calling for the commutation of the death sentences of

Penny Geerds and Martha Oliphant continued to render service to the broader Pretoria community through their advice office work. Apart from normal duties, Geerds researched and produced the booklet *Masisebenzisane* (Let us work together) and undertook research on behalf of Idasa in the Waterval Boven/eMgwenya area.

Members of MANCO, the management structure, played a valuable role in dealing with issues in the advice office as they arose, especially the ongoing debate about conditions of employment and their implementation – thus easing the operation of the office.

There was a 10,8 per cent increase in the number of cases seen in 1991, an average of 8,61 cases were seen per day. All case work has been undertaken by paid workers, as volunteers disappeared as the year progressed. They have been able to cope with the workload; however, little time has been available for the assessment and analysis of cases.

An issue to note from the advice office work is the negative attitude of clerks of the small claims court who continually block the process of do-

affairs on identity books, and attendance at a talk on credit agreements, there was little organised local "training" on para-legal issues. Workers attended various talks, workshops, seminars and conferences on land proposals, the peace accord, constitutional rights, negotiation and mediation, women's issues, and proposed future social-work policies.

Natal Midlands

The violence which has ravaged this region has still not abated, despite the establishment of various peace accords extending from grassroots initiatives up to the national level. Many of the members living in the region have been involved in monitoring the violence, collecting food and blankets, or working in the refugee camps. Almost all have been personally touched by the violence, in the death or injury of a friend, colleague or employee.

1991 proved to be a busy and often exhausting year. The rapid changes in the political climate seem only to have made things more complicated, and the steady increase in clients visiting



Sue Joynt

Left: Sheena Duncan, Noël Robb;
below: delegates catch up on conference papers during lunch



May Kleinberg

Lucas Molekwa and Adam Mashele. On his request, a dossier was sent to president Mangope.

From the Domestic Workers group, Penny Geerds and Laura Best gave oral evidence to a committee set up by the department of manpower to investigate proposed legislation for domestic workers. Branch members participated in the audience of the "Agenda" programme on South African Television in which the department's proposals were discussed.

mestic workers making claims. On a number of occasions they altered the original complaint forms which the advice office had completed on behalf of clients, stating that the complainant was asking for too much or was not entitled to make certain claims. Although this was brought to the attention of the chief magistrate, who confirmed that only the commissioner of the court can pass judgements on claims, the practise persists.

Apart from a meeting with a representative of the department of home

the advice office is testimony to the increasing social and economic insecurity of many South Africans.

A current initiative is the conversion of general meetings into public meetings to be held at lunchtime at a venue in the centre of the central business district. Issues will be addressed as they affect the city, such as education, health, transport.

A booklet called "What is Sash?" has been produced for present and prospective members. This was also used as the basis for a workshop on the

Black Sash's role in the future South Africa. "Your rights and the police under the peace accord" has been translated into Zulu.

Although a number of stands were held on issues such as the land question, pension parity, the Bophuthatswana fiasco, casspirs at flea markets, and Edendale hospital, these are attracting fewer people as this form of protest seems less necessary than before.

The environment group has had a successful year. It managed to get hormonal herbicides banned in Natal, and the Pietermaritzburg council to agree to a municipal recycling scheme.

The region has been contacted on many occasions in the last year to make statements to the press on current issues affecting communities in the area. Statements were made on hunger-strikers, the repeal of the Group Areas Act, pension parity, the opening of parliament, the repeal of apartheid legislation, state funding of Inkatha, child witnesses, rape, sexual harassment, and domestic worker legislation.

advice office is kwaZulu, civil pensions and assisting non-unionised workers with labour disputes. The total number of cases seen over the past year is 3 910, with an average of 326 cases per month. The caseload has increased by 10,5 per cent.

The advice office has experienced an extremely busy and successful year, largely due to the many hours of hard work by the staff, volunteers, support group members, and the extension of the caseworker's job into a full-time position. Research on the situation of domestic workers, and education projects such as general talks to clients in the waiting-room prior to interviews, and info-briefs on domestic worker issues are now being undertaken. This has led to a change in direction for the advice office, which can be proactive for the first time in its approach to problems.

To highlight the disparity in pension payments, a stand was held in July 1991, this was preceded by a letter to the *Natal Witness* and the *Echo*. A series of six articles was written for

manpower appears unable to cope with.

Natal Coastal

This region has in the past year experienced a period of change and readjustment. It is hoped that with the support and assistance given by the national executive and the facilitatory skills of Annemarie Hendrikz, the region will be able to resolve its current problems and return to its previous strength. Notwithstanding the region's problems, there has been some activity involving members.

The region was asked by headquarters to represent the Black Sash at two historic occasions. One was the first national conference of the ANC since its unbanning, held appropriately in Natal, the site of the movement's last conference on home territory. The second occasion was the Patriotic Front conference. Anne Colvin attended the first, and was accompanied to the second by Jane Argall and Anne Truluck.

The Black Sash, LHR and the Committee for Children's Rights, who together formed the "Artists for Human Rights" committee, organised a commemorative Children's Art Exhibition as part of the forty-third anniversary celebration of Human Rights Day in Durban in December. The artwork on display was selected from the workshop held for 400 children on the topic of the United Nations Declaration of Human Rights in 1988.

The Highway branch of Natal Coastal has held a number of meetings in the past year at members' homes, where they have been addressed by interesting speakers. A highlight was an excellent talk given by a staff member of the Association for the Advancement for Rural Development (AFRA). A light classical concert held in March, for which the performers donated their services, raised R1 781.

At the advice office workshop held in Cintsa it was decided that advice office's nationally would campaign for the abolishment of the "own affairs" system. The advice office has held various workshops in conjunction with Pietermaritzburg and Hillcrest as part of this campaign, looking specifically at the inequalities in social pensions for all races. The aim is to formulate a unified social pension system for all races. □



Jenny de Tolly, Rosalind Bush, Sarah-Anne Raynham, Sue Joynt and Sheena Duncan

REAP (Rape Education Action Project) developed out of a proposal for a workshop to be held in the city on the issue of rape. The project, which will be holding a series of public discussions throughout the year, currently involves the Black Sash, the African National Congress (ANC) Women's League, Rape Crisis, Lawyers for Human Rights (LHR), Women for Peaceful Change Now, the Centre for Criminal Justice and the Five Freedoms Forum.

The focus in the casework of the

publication in the *Echo*. These outlined basic information from how to apply for a pension to what to do if your pension suddenly stops.

Problems with the Unemployment Insurance Fund continue to bring a constant stream of clients to the advice office, which sees approximately 58 people per month with UIF-related problems. The problem appears to be twofold – a lack of communication between the fund and the applicants, and a genuine backlog in the Natal Midlands which the department of

 INTERNATIONAL NETWORK



Jim McLogan (The Argus)

women confer on mother earth

One of the themes that emerged at the World Women's Congress for a Healthy Planet was that "it is the military who are destroying the earth". Jacklyn Cock reports on this gathering of over a thousand women from 90 countries.

One of Florida's specialties is Key Lime Pie; it is deliciously sweet and fluffy but not especially filling. Eating it in a Miami restaurant the night before the opening of the World Women's Congress for a Healthy Planet in November 1991, I hoped that it would not be a metaphor for the congress itself — lots of sweet-sounding talk, but insubstantial; lacking the solid base of economic analysis necessary to address human needs.

These fears proved groundless. The congress was an extraordinarily exhilarating event. It brought together over a thousand women from 90 different countries who for four days engaged in hard-headed analysis of the linkages between environmental degradation and the global economic crisis.

The congress was the brainchild of Bella Abzug, 70-year-old indomitable United States (US) politician, activist and feminist. It was one of the meetings to prepare for the Earth Summit in Brazil this June. This has been described as "the most important meeting in the history of humanity". Heads of state from around the world will develop an Earth Charter to regulate economic development and environmental protection for the planet. The World Women's

INTERNATIONAL NETWORK

"A strong theme of the congress was that women suffer most directly from this environmental devastation."

Congress aimed to ensure that the Earth Charter has a women's dimension.

Collectively the women participants presented a sharp challenge to the traditional understanding of environmental issues which focuses narrowly on the conservation of threatened species and wilderness areas. In the major sessions a panel of five women judges (from India, Sweden, Australia, Kenya and Guyana) heard testimony on the growing gap between the north and the south, and the devastating environmental implications of Third World debt as well as individual horror stories of environmental abuse. Some of these were frightening.

- In the Marshall Islands women whose bodies are poisoned with radioactive fall-out are giving birth to "jellyfish babies – living blobs of flesh with no limbs, eyes or brains";
- famine-stricken Ethiopia, once 60 per cent covered with forests, has only three per cent left;
- in the snow of Himalayan mountain peaks, scientists have found soot from Kuwait's burning oil wells;
- on a coral atoll in the Pacific where, according to New Zealand feminist economist Marilyn Waring, "the French still insist that their nuclear testing has no effect on the food chain", women hang fresh fish like laundry on a line. They eat only those that flies land on; the others are discarded as too contaminated.

A strong theme of the congress was that women suffer most directly from this environmental devastation. They are also the backbone of the environmental movement everywhere in the world. In many contexts grassroots struggles around environmental issues are linked to struggles for human rights. Vandana Shiva, who works with India's Chipko movement – the best known example of women protesting against forest destruction, maintained that "the real issue is one of rights. Unless people have a right to resources, they cannot conserve them, and those rights have been denied since colonial times." The general consensus was that a healthy planet involves fundamental change to achieve human rights and a more just economic order.

Military threat

Besides presenting a sharp challenge to those who believe that the global environmental crisis

can be solved without such fundamental change, the congress also exploded a powerful myth in the modern world: the myth that the military protects and defends us; in reality, numerous women insisted, the military is the greatest single threat to our security.

Nuclear dangers

As Rosalie Bertell from the Toronto-based International Institute of Concern for Public Health said, "it is the military who are destroying the earth" and they are doing so in the name of "national security". "The main source of environmental destruction is the 'smart bombs' and the chemicals, pesticides and defoliants created for the Vietnam War, not aerosol deodorants."

As we know, thousands of children in the Third World die every day 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 world's resources. World-wide military expenditure is now more than 900 billion dollars per year. 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.

The congress was insistent that the end of the Cold War does not necessarily mean that our planet is a safer place. The threat of nuclear proliferation is deepening as 24 Third World countries will have acquired ballistic missiles capable of carrying nuclear weapons by the end of the century.

At the same time nuclear pollution is both global and massive. According to Rosalie Bertell, a medical doctor specialising in environment-related cancer and birth defects, since 1945 about 1 900 nuclear bombs have been exploded both in the atmosphere and underground. The explosive force of these tests totals about 40 000 times the force of the Hiroshima bombs. Bertell said, modern "weapons were designed to destroy food, drinking water, jungle foliage and air. Their use in Vietnam created virtual death traps for animals and humans. The research and development involved meant that between 70 000 and 100 000 new toxic chemicals were introduced into the air, water and land globally." Bertell blames the mil-

"... 'it is the military who are destroying the earth' and they are doing so in the name of 'national security'. 'The main source of environmental destruction is the «smart bombs» and the chemicals, pesticides and defoliants created for the Vietnam War, not aerosol deodorants.'"

INTERNATIONAL NETWORK

itary primarily for the greenhouse effect and global warming.

The Action Agenda which was presented to United Nations (UN) officials at the end of the congress drew attention to "the disastrous environmental impact of all military activity, including research, development, production of weaponry, testing manoeuvres, presence of military bases, disposal of toxic materials".

The congress therefore demanded that all nuclear weapons be dismantled and destroyed and that nuclear testing cease at once. It urged an immediate 50 per cent reduction in military expenditure and demanded that military activities should be open to public scrutiny. National armies should be converted into environmental protection units which would monitor and repair damage to natural systems, including clean-up of the military bases.

It was suggested that women support the recommendations of a "swords into ploughshares" report by a UN study group on proposed developing mechanisms for transferring to environmental protection and development programmes some of the world's vast military resources. For example to:

- use military-related satellites and other information-gathering systems for global monitoring and sharing of environmental data;
- create UN international environment disaster relief and monitoring teams;
- integrate the aims of environmental conservation and sustainable development into government concepts of security.

Resource management

The resolution which drew the loudest and most prolonged applause was that, "We will educate our daughters and sons to shun military service if it is in the service of governments which use military power to exploit the resources and peoples of other nations."

Peggy Antrobus, director of the women and development unit at the University of Barbados, stressed that while women are cleaning up the environmental mess at the local level, they are largely excluded from the institutions which create the mess in the first place. So a strong theme at the congress was the political empowerment of women. Women demanded a share in a more

accountable and responsible management of the earth's resources. The participants resolved that all decision-making bodies should be made up of "no more than 60 per cent and no less than 40 per cent membership of either sex".

However, there are no guarantees that women who achieve political representation will change the male-dominated institutions, such as the military, which the congress identified as mainly responsible for the global environmental crisis. There was no mention of women's increasing incorporation into armies worldwide. Bertell referred to the Gulf War as "by far the most sophisticated attack against air, water, and food as well

as people, yet accomplished by the warriors". But there were 33 000 American women amongst these "warriors". Altogether women constitute 11 per cent of the US army and this increase reflects a global trend. This presents a challenge to the tendency to privilege women's "essentially feminine qualities of compassion and caring".

Destructive "development"

The congress was appropriately held in Miami, the scene of one of the worst environmental crimes of the century – the destruction of

the "river of grass", the Everglades. Once a vast ecosystem that covered four million acres, the Everglades now occupy a mere ten per cent of their original expanse. What remains of this magical place is largely due to the conservation efforts of a group of women and one woman in particular, Marjorie Stoneman Douglas. Now 100 years old she was present at the congress and received a standing ovation.

There are lessons for all of us from her life and the damage done to the Everglades; the first is a warning about the destructive power of irresponsible and greedy "development". The second is about the creative power of women. For the past twenty years international organisations have tried to link environmental and developmental issues and build a global solidarity among women. Despite many international conferences and meetings the gap between the overdeveloped countries of the north and the impoverished south has widened; the position of women in the south has worsened. The crucial question is whether the Miami conference and the 1992 Brazil Earth Summit can help to reverse this tragic trend. □

"Women demanded a share in a more accountable and responsible management of the earth's resources."

"The resolution which drew the loudest and most prolonged applause was that, 'We will educate our daughters and sons to shun military service if it is in the service of governments which use military power to exploit the resources and peoples of other nations.'"

REVIEWS

South Africa's Informal Economy

Eleanor Preston-Whyte and Christian Rogerson (editors) (Oxford University Press, Cape Town, 1991; 410 pages)

This volume is a timely contribution to the study of South African society. The various essays strive to inform and guide the reader through the complex debate on the role of the informal sector with its conflicting First and Third World character, contribution to the Gross Domestic Product, value as employment provider and role in the transformation of South Africa.

The role of the state and of the private sector to assist, support or exploit marginalised people or to develop potential is examined. The powerful testimonies of growth and survival of spazas, manufacturing and many other voices of subsistence become the golden thread which joins these separate yet cohesive writings. The search for a methodology which would acknowledge both income-generating and non-income-generating work, makes the task of evaluating official statistics with research data a messy but necessary one.

The variety of activities examined reveals a kaleidoscope of life in both rural and urban areas. Dewar and Watson focus specifically on the challenge for urban planning to view issues like distribution networks and physical planning as opportunity rather than as problematic obstacles.

Friedman and Hambridge's perspectives of female dominant activities highlight the plight and position of women in South African society; their role as entrepreneurs is undervalued and often seen as complementary to male activities or as supplementing the family's income. Policy and strategy should therefore be gender specific in order to empower women; furthermore, development must transcend economic objectives and include sociological dimensions.

Cunningham locates centrally the debates on environmental concerns, relevance of herbal medicinal cures

and future pharmaceutical research which would enhance a historical and cultural trade which is widespread and substantive.

The presence of elements of managerial economics as key success factors demands a response. Needs analysis, locating consumers, an extensive distribution network, uniqueness, location as well as skills like budgeting and planning, are but elements which provide a competitive advantage. The need for training and education is evident in order to transform petty traders, co-operatives, palm-wine tappers and many more participants into economically viable entities.

The growth of the taxi industry makes a particularly interesting study. A combination of the deregulating process, application of free-market principles, and the satisfying of transport needs provided the impetus for growth from informal taxi businesses into a giant taxi industry. This industry stands as a reminder of the nurturing role of the informal sector, but also of the by-products such as conflict inherent in a market-driven economy.

Constant conflict between First and Third World standards becomes evident when the history of street trading and union resistance to manufacturing are presented. The presentation of historical research and suggestions for future policy and planning should ensure that the search for sustainable development will enhance both the sociological and economic components of the informal sector. Africanisation will test the international experience like that of Italy and Hong Kong.

To rise above subsistence and marginalisation to maximisation and optimum utilisation of resources is a formidable task, requiring vision, determination and partnership. In this process of diversification, the real strength of the economy is acknowledged. The demands of transformation of the South African economy require an investment in the informal sector in specifically those areas which deal with women, domestic work or special welfare groups. This book forces the reader to focus on harsh realities, but maintain the ability to give a measure of hope in the way forward.

Linda de Vries

Thandeka's Story. A book for literacy teachers

Nancy Murray (Buchu Books, Cape Town; 78 pages)

This is an exciting little book, and one which should be extremely useful to anyone engaged in literacy teaching. The author has drawn on her own obviously varied and extensive experience to outline practical and didactically sound ways of improving the teaching of reading. In a gentle and constructive way she shows the shortcomings of conventional methods of sounding out letters and word-by-word reading. Without ever mentioning such theoretical concepts, she guides the teacher away from analytical reading (where a sentence is put together word by word) towards reading strategies which use a synthetic approach to grasp the text as a whole. She suggests ways of teaching anticipation, using guessing, word recognition and contextualising as aids to turn learners into self-assured readers. Her book is full of very useful suggestions and ideas to build confidence in the learner and to help the teacher to give lessons that are relevant to the needs of the class.

I particularly liked her emphasis on respecting the dignity of the adult learner and being sensitive to her or his needs and constraints. The book is clearly designed to help learners develop independence and confidence in a supportive environment. I hope that it will be used widely.

Karin Chubb

Understand Codesa

In February the Civil Rights League published a booklet called *Routes to Democracy in the New South Africa. Some comments on Codesa's task.* Delegates to national conference received copies which they found very useful and informative.

To order send R3,00 to:
Treasurer, Civil Rights League
P.O. Box 23394
7735 Claremont

REVIEWS

Human Rights for All. Education towards a rights culture

David McQuoid-Mason, Edward L. O'Brien, Eleanor Greene
(David Philip, Cape Town, 1991; 120 pages)

When two-thirds of the population has grown up in the post-1963 history of repression and resistance, how are they to learn about and become committed to a human rights culture? And if they do not, what future is there for them and the rest of us? Sheena Duncan, in speaking to national conference about the marginalised, those who have no place in the formal economy, said: "... we can call for and work towards a massive national effort ... to harness the energies of all people into the rebuilding of this shattered and destroyed society".

That national effort would have to be both economic and educational, and the education would have to go beyond the three Rs. It would have to include the "fourth R - rights": basic information about the global consensus on human rights and initiation into the hard process of building a human rights culture, so that people and society are equipped with the necessary standards, attitudes, mechanisms and skills.

The manual *Human Rights for All* is a timely and valuable contribution to that process. Aimed at teenagers and young adults it presents hard information in accessible language and attractive A4 format - large print and good layout, relevant and humorous illustrations, and systematic development of the theme.

Beginning with a basic consideration of rights, including group-discussion exercises, and review of the Universal Declaration of Human Rights (UDHR), the chapters move through political rights in a democracy, national security and fair procedures following arrest, social and economic rights, and what can be done when human rights abuses occur. A useful glossary ("Words to know") is followed by four appendices: an ab-



breviated version of the UDHR; plain language and original versions of the UDHR; the African Charter on Human and Peoples' Rights (1981); and a summary of the United Nations Convention on the Rights of the Child.

Each chapter contains blocks of information and a variety of student-centred activities - case studies, role plays, simulations, opinion polls and mock trials, as well as small-group discussions. All are designed to engage the students in problem solving. A teacher's manual is available to assist the process.

Ideally the book should be used in a course over six months or a year, during which students would have the chance to develop a real grasp of the issues and be able to apply learnings in their own Student Representative Councils, sport clubs, trade unions and peer-group organisations.

However, it can also be used on an *ad hoc* basis, to answer particular queries or provide a programme for an one-off educational event on a topic such as property ownership, health care or work conditions.

Chapter 5 on non-violent conflict resolution is especially useful in providing practical guidelines for negotiation, arbitration and mediation in situations of conflict ranging from family to workplace to wider community.

Published in association with Lawyers for Human Rights and the National Institution for Citizen Education in the Law (United States), this volume retails at the modest price of R19,95. It is highly recommended. I hope a future edition will include "third generation rights" (ecology, environment).

Margaret Nash

Stokvels in South Africa. Informal savings schemes by blacks for the black community

Andrew Khehla Lukhele (Amagi Books, Johannesburg, 1990; 63 pages)

Most SASH readers will know something about stokvels, the informal savings clubs common in black communities, where members hold parties to contribute (*gooi-gooi*) every month, drawing benefits in rotation.

Andrew Lukhele, founder and 1990 president of the National Stokvel Association of South Africa, in this book provides historical background and insight into the stokvel movement, and maintains that the collective buying power and capital availability in the stokvels association make it a financial giant to be reckoned with.

Old but trusted values like co-operation, sharing, honesty, trust and communalism are essential ingredients for stokvel success. There is a strong message to big business that a harvesting policy towards the black community will be challenged and rejected.

Stokvels in South Africa is an illumination of survival strategies, in growth and self-esteem of the marginalised and the destitute through the functioning of stokvels.

Linda de Vries

REVIEWS

Para-legal Manual

(*Legal Education and Action Programme/Black Sash, Cape Town, 1992*)

In 1990, a conference of para-legals was held in Cape Town. Hosted by LEAP and the Black Sash, its aim was to draw together people from all over South Africa who worked as para-legals.

At the conference it was decided that there was a need to pool the resources of the participants. A committee was set up with a mandate to establish what para-legal information was available nationally. It was decided that a manual would be compiled from all this information; where there were gaps, new material would be written in an accessible form.

The emphasis was on accessible – existing manuals for para-legals served a particular, if limited, purpose. The manual that was mooted here was to include ideas for ways para-legals could share their information, and besides the basic task of assisting clients, to train and empower others in their community.

Two people were employed part-time to edit and simplify the English of all resources where necessary. The target readership was advice office workers as well as para-legal trainees. The final result is an amazingly comprehensive manual, covering an extremely wide range of practical law. Each section is structured to include a contents page, an introduction to the issue at hand, legal facts, and pages where a typical case study is given, plus checklists, flow-charts, etc.

Another part of each section deals with how to workshop the ideas or facts with people in one's community, a resource page and model letters or forms. These are all colour-coded for easy accessibility.

The first chapter goes into detail about the role of para-legals and their accountability to the community in which they live. Para-legals are introduced to legal and communication skills, administrative skills and development skills including how to nego-

tiate and how to run workshops. The para-legal is also guided here in how to set up an advice office, raise funds, employ people and set about writing a constitution.

The last two decades have seen the rise of many service organisations, all with a particular skill or piece of knowledge. The para-legal manual is exciting because it consolidates so much in one place. The file that holds the manual is bulky but easily worked through.

It is currently available only in English. Should communities want certain sections translated, these are easily separated and can be used on their own. The committee that coordinated the compilation of the manual will update it once every six months and anyone buying a copy is supplied with a form to request updated material. This committee would also be willing to coordinate the translation of sections should funds be available.

Advice offices are important development centres in the broad sense of the word. With this manual, advice office workers will have access to information beyond the narrow sense of the law; they will have a tool that will help empower not only themselves but their clients and, hopefully, whole communities.

Marj Brown

Wake Up Singing

Jane Rosenthal (*Maskew Miller Longman, Cape Town, 1990; 92 pages*)

Until recently there was no real South African equivalent of the sort of "youth literature" that has developed in Europe since the seventies: modern novels and stories written for (and actually read by) intelligent young people. As a genre, these books break with past traditions because they do not portray an ideal, intact world but reflect instead all the conflicts and prob-

lems of the young reader's social context and life experience. These problems are dealt with honestly and openly, whether the subject is divorce or drugs, AIDS or teenage pregnancy.

South African "youth literature" has come of age with the Maskew Miller Longman "Young Africa Series", which is characterised by well-written, attractively presented short novels with South African themes. Mirrored are aspects of our conflict-ridden and divided society, as seen through the eyes of young South Africans. No easy answers are given, no comfortable happy endings – but the reader may be able to identify with some of the experiences portrayed, will perhaps be led to some deeper understanding of her or his own situation.

Jane Rosenthal's *Wake up Singing* makes an important contribution to this series. The hero of the novel, 16-year-old Nicholas Mackenzie, is at school in Johannesburg in 1985 and has remained largely ignorant of political realities in the country. Isolated by effective censorship and regimented by the school system, he regards "cadets like Mathematics – something boys, men, had to do". He does not, at first, question the purpose of militarisation at school level. When he befriends Em and her brother Theo, however, his perceptions are changed. Theo dismisses cadets as training for "mindless obedience ... getting you ready to shoot teargas canisters in Soweto", Em and Theo introduce him to another world, to his black peers in Soweto, to the realities of children in detention, of schools turned into battle grounds. These experiences finally force Nick to make choices, to follow his conscience, to defy school rules by observing 16 June as a day of remembrance and to opt out of cadets.

There is a wonderful scene where Nick, during a cadet inspection, displays a "Troops out of Townships" T-shirt to the near-lunatic martinet of a schoolteacher who, as departmental stool-pigeon, is in charge of regimenting young bodies and minds. During the family conflicts and social ostracism that follow Nick's rejection of the system, he gains the strength to determine his own priorities. □

Karin Chubb

LETTERS

"the language struggle"

Jack Curtis, Johannesburg, writes:

The article in SASH, volume 34, number 3 (January 1992), is interesting and informative, particularly in respect of the statistics on "home language". However, three statements would tend to indicate that home language is not likely to be a major factor in determining the official language or languages. They are:

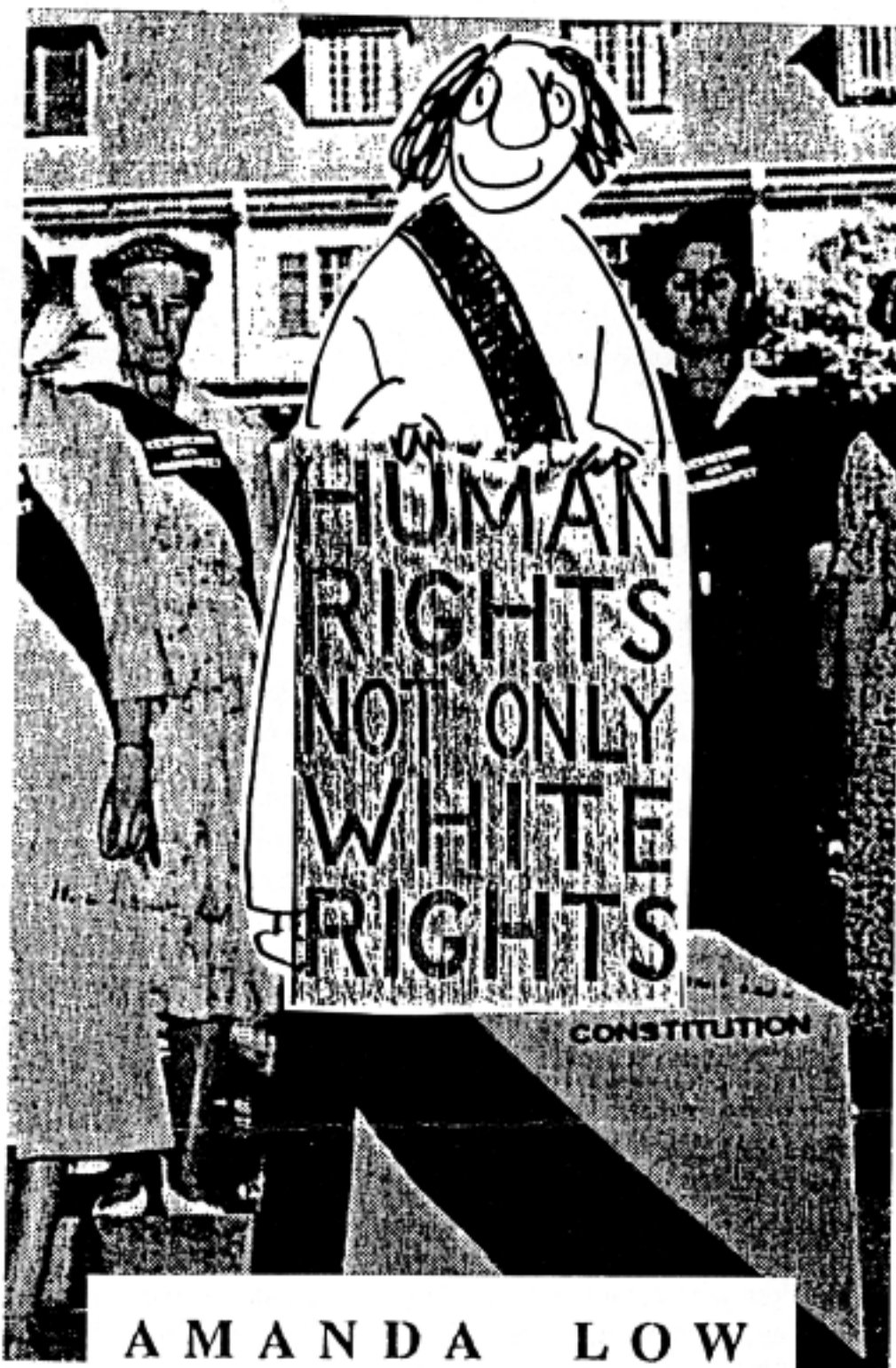
- 1 "the complexity of the situation in South Africa, where 24 languages are 'officially' spoken as mother tongue" (home language);
- 2 "a person who has no or very little knowledge of the language(s) in which the official affairs of the country he or she lives in are conducted is reduced to the status of a minor";
- 3 "the equalisation of language, culture and nation is completely removed from reality — and was mainly devised to divide the black people in this country".

Clearly, statement 1 indicates a need to reduce, not increase, the number of "officially spoken" languages.

Since South Africa, the old or new, "is not an island entire unto itself" (Donne) but an inter-dependent unit in a complex economic, social and political system, citizens of South Africa will need an increasing fluency of a language in which the official affairs of the country may be conducted.

In this regard English, although the home language of only 8,68 per cent, is undoubtedly the dominant second language, probably to the extent of about 65 per cent of those who have a second language. Nationhood does not require a merging of cultures, it does require the adoption of an accepted language of communication at an official level.

Other languages, appropriate to a region, may also be recognised within such region. □



AMANDA LOW

passing on SASH

Norah Taylor Ingham, Johannesburg, writes:

I joined the Black Sash when meetings were held in Jean Sinclair's house but I have been an inactive member for a number of years.

However, I hand the magazine on to people such as Esse Letsola whose *Land Reform in South Africa* is a very thought-provoking book and so I spread the work of the Black Sash whenever I can. □

It used to be a good practice to pass on copies of SASH after reading. Can we revive it? (Editors)

womandla's history

Gus Ferguson, Cape Town, writes:

It occurs that you may not have seen this early shot of a much younger Amanda Low (circa 1955). I found it skoffling through her garage looking for her Barbara Cartland bibliography.

Love
Gus Ferguson
Womanduensis to
A. Low (Ms) □

We note with interest that in her younger years Amanda Low was less obnoxious and wore her sash the correct way around. (Editors)

NEWS-STRIP

OBITUARY

MaBuka Merle Beetge (Robinson)

Tenacious, laughing, slight, friendly, plucky, cheerful, forthright, indomitable, naughty, courageous, unpretentious ... are some of the adjectives which come quickly to mind when I think of Merle.

She became a Star Unsung Heroine for her service to farm labourers and homeless people in the area near Grasmere. But if you took a drive anywhere in a radius of 150 km south of Johannesburg and enquired of anyone where MaBuka (mother of the book) lived, you would immediately be befriended and accompanied to her farm, where she had lived for over two decades until her recent, premature death from the crippling emphysema she fought for the last five years.

Her neighbourhood is not universally celebrated for tolerance and equity. Her life became a lone crusade, a litany of unhistorical acts – a hundred bail arrangements when squatters were arrested, umpteen times; confrontations over water supplies cut off; banal bureaucratic encounters over identity documents and pensions denied or stolen; attending to the sick and crippled and the small children who got left behind when the adults were arrested, or creating a fuss when the next time round the babies were carted off with the adults.

As much as her life was growing her

daughters Linda, Kim and Sheina and running her business in the city, so were her daily activities of trying to intercede locally in the current political violence. She would help bereaved parents at mortuaries to arrange burials for their sick children or people struck down in violent acts; she arranged for clinics and fire engines to service people "outside areas", and arranged food parcels for destitute families. On more than one occasion someone was brutally set upon and murdered for alleged misdemeanors (like drunkenness or, recently, the incident involving "kaffir" and "farmer" dogs). Merle's linkage in these situations ensured that a semblance of community prevailed over an otherwise unchecked landscape of brute force and tyranny.

These were at the same time charitable and compassionate acts and a strong political statement carved by Merle and lived out even when her physical energy had failed, without diminishment of effort or commitment.

In the predicament imposed on individuals by an evil society, the response of ordinary people to real moral challenges is often more heroic than a single act of bravery. I believe Merle in this way inspired in those who knew her and loved to work with her the very best of the essential spirit of the Black Sash – to live in service to society, with love and humility, asserting the correctness of an enduring set of human values. □

Josie Adler

Cape Eastern

Pensions review affects thousands

All advice offices, but particularly those in the Cape, were made aware of the fact that disability grants had been reviewed last May. Many recipients had not been reinstated until November, and most of these did not receive the six-months pay due to them. In March 1992, however, there were reports that literally thousands of all classes of social pension were not being paid because the recipients had not applied for review. June Crighton in Port Elizabeth leapt into action; faxes, deputations, phone calls and memos resulted in a huge turn-around which included an immediate reinstatement of moneys paid into financial institutions, the promise that March and April payouts would be done together and May be "normal", provided reviews had been done by then. The budget also promised greatly increased pensions (R293 for blacks) and parity next year.

New advice office

Black Sash members Cathy Binnell, Audrey Durham and Judy Chalmers are assisting in a newly established church advice office in Walmer. Here too the crisis has been in pensions, necessitating pressurising the Cape provincial administration to send a team to the church hall on 23 March 1992 to do immediate reviews for the aged. □

Judy Chalmers

Southern Cape

Knysna too has a services crisis

Tembalethu township was proclaimed near George in 1981; 770 timber homes were promised but only 150 built. People were granted permission to build their own homes but there was no mention of service charges. George municipality appointed the Tembalethu municipality,

Northern Transvaal

Our loss and East London's gain

Penny Geerds has been our advice office director for about two years, during which time she authored *Masisebenzisane*, still in continuous demand, and also completed a research project on income patterns and the affordability of services in Engwenya in the eastern Transvaal. Not everyone knows what a loyal colleague, friend and member she is and we will miss her when she moves to East London. Thank you, Penny, and welcome to Laura Best.

Death penalty

At our annual general meeting, after national conference, we were privileged to hear professor Jan van Rooyen, co-chair of the Pretoria chapter for the Society for the Abolition of the Death Penalty in South Africa. He expressed the opinion that nobody would be hanged in South Africa again. Imagine our dismay when we heard the news that seventeen executions were to take place. Since then, as a result of urgent lobbying by many organisations, the seventeen have been temporarily reprieved. Let us work towards abolition of the death penalty through a bill of rights. □

Isie Pretorius

NEWS-STRIP

but the councillors are discredited and ostracised. Yet negotiations and agreements between the two bodies went ahead, and the people were not informed that bulk services were sold to Tembalethu and that these were subsidised by the Cape provincial administration until June 1991. Not until November 1991 did they learn from a newspaper article that R75 000 in arrears was due.

The people asked for a meeting with the George municipality, which was at first aggressive and inconsistent, and demanded R55 per family per month. On 19 December 1991 electricity was cut and further cuts threatened. Early in January 1992 the civic offered R12 per family, which has now been accepted, but the people wish to pay directly to the George municipality, not Tembalethu. There are other issues which need to be addressed.

The Black Sash has been instrumental in sponsoring a series of mini-advertisements to publicise the people's side of the story, and we have asked the civic if they would like us to set up a public meeting to debate the possibility of a single municipality, as negotiations have tentatively begun.

Knysna's Joodsekamp squatters face eviction

For years the Joodsekamp area had belonged to the Woodcock family, who had allowed people to settle there, free of rent; now it is owned by a development consortium of four called Vroegvoer, and early in February 1992 notices of eviction were served on the Joodsekamp residents. The residents responded by calling a meeting of all "service" organisations, a development forum was set up and an action committee formed to complete a census and a questionnaire. Roughly 200 homes will be affected, and many residents have lived there for 40 to 50 years.

Urgent negotiations are under way because the whole issue is complicated by the possible expropriation of adjacent land by the municipality, and it appears that there is a deadline on 31 May 1992. □

Carol Elphick



The first group stand was held in Knysna on Memorial Square to commemorate Human Rights Day (10 December). It was the height of the holiday season so the posters were read by more people than usual.

Albany

Albany takes the bit between the teeth

Victory in the battle over the Social Assistance Bill was, as Sheena Duncan said in her fax, sweet, and this battle, like any others, produced its unsung heroines – even in the outback.

Taking on the minister

When the minister of health and welfare paid what she no doubt hoped would be a genteel visit to Cradock in February, she did not foresee that a posse of Grahamstown women would be there to ambush her. But the crisis over the bill was at its height, and Albany was not about to let this opportunity go by. Dusty and saddlesore, Rosemary Smith, Adrienne Whisson and Glenda Morgan stepped into a scene from *Sarie*. Undaunted by the designer suits and silk stockings, they fired their salvos from the back of the hall, completely dominating question time and earning an invitation to continue the conversation later, after a gift of homemade jams had been presented to the minister.

In due time there arrived at the Albany Black Sash office a salmon pink, gold-embossed assurance that the cries of the women of the outback had been heard.

Over koeksisters and tea our intrepid heroines later encountered none other than a one-time mayor of Grahamstown and member of the president's council and her lieutenant, and ever one for spoiling a good party with politics, Smith challenged the pair on the matter of the water cuts in the Grahamstown township. When said dignitaries expressed themselves ever so pleased that there had been "no violence", Whisson and Morgan had to restrain Rosemary from ripping aside her sash to reveal a bright blue bosom (see story below).

A kind of violence that leaves a different sort of bruise

Albany co-chairperson Rosemary Smith and Glen Hollands, the Albany fieldworker, were returning from the township where they had been meeting with civic leaders and monitoring a police roadblock, when their vehicle was stoned. Smith suffered serious bruising and cuts and the

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car was extensively damaged. Hollands escaped with a scratch.

The crisis had arisen because the city council cut bulk services to the township because of an outstanding debt of R775 611. As negotiations failed, tension in the Rini streets rose, residents were forced to carry water long distances, and security forces began to prepare for the inevitable backlash. Smith and Holland had been discussing with the Grahamstown Civic Association (GRACA) the possibility of carting water by tanker when the incident occurred.

Several other vehicles were stoned during that afternoon and a Queenstown couple were critically injured when they lost control of their car, killing a pedestrian. Our two workers later received messages of regret and condolence from many in the township, and, following talks between the town councils and civics, services were restored the next day.

Crass insensitivity, especially action taken in the intense heat of February, needlessly damages delicately built relationships; there is now talk of forming a dispute resolution committee for Grahamstown. □

Lynette Paterson and Glenn Hollands

Southern Transvaal

Aftermath

The region is recovering from the effects of conference and it is rumoured that their extraordinary organising and catering team are gradually refamiliarising themselves with family members who, for several weeks before and several days during conference, were asking themselves who the exhausted stranger letting herself in at the front door could be. They are, we are told, also making their several ways gingerly back into the kitchen.

New council

Members who attended the Transvaal annual general meeting heard delegates and observers report back enthusiastically on conference and were treated to the marvellous Black Sash video – a revelation for all who have never heard Jean Sinclair proclaim that she is “absolutely furious” and a great chunk of nostalgia for those who have been around since the early days. The new regional council – including some new faces and minus a couple of familiar ones – was elected and will function without an

executive until after its first meeting at which the regions’ plans and programme for the coming year will be workshopped. Former chairperson Barbara Klugman, though on the council, has declined to take the chair again. □

Pat Tucker

Cape Western

Black Sash picnic

This event – the revival of a tradition dating back to the early days of the Black Sash in the Western Cape – grew from an idea birga thomas had last year, which she put to Jenny de Tolly and the result was a perfect day with good food, wine and company in the delightful gardens of “Thelema”, Jenny’s family’s estate in the Franschhoek mountains.

The original idea was to have this first and foremost as a fund-raising day, but then other priorities took over, such as making this a “thank you” to our supporters such as the various ambassadors, and also as a day to draw our members together for a purely social event.

The result was a most enjoyable day – perfect weather and scenery – delicious pub lunches organised by Mairi Brimble and team, and wine tasting for those who wanted. Others brought their own lunches and while we all relaxed on the lawns under the oak trees the young cooled off in the swimming pool. After coffee and cake, birga held an impromptu “lucky draw” and various ticket holders received prizes of a sort; the stunning first prize being a Gus Ferguson collage of our “own” Amanda Low.

By 16:00 the grounds of Thelema were emptying and the organisers and husbands were left with the washing and tidying up!

It had been a great success and already people are saying, “Do it again!” Many thanks to Jenny’s family – they took the invasion of their property and privacy with such good grace, and to birga and helpers for a wonderful day.

Carol Lamb



Wolfgang H. Thomas

Sunshine, wine and delicious food ...
Cape Western picnicked at a wine farm.

REVIEWS

Natal Midlands

Examining the future role of the Black Sash

Our first workshop in 1992 proved both stimulating and exciting as it showed how much consensus there is in our region. The following is our "vision statement":

We envisage Black Sash as a proactive women's organisation, working impartially, sensitively and in an informed way for justice; networking increasingly with other NGOs and community structures; monitoring and exposing human rights abuses, and promoting the recognition of first, second and third generation rights; expanding our advice office services to reflect the Black Sash's general policies; engaging in relevant research and promoting human rights education.

We believe that we are currently doing nearly everything this statement envisages, as the following shows:

1 **Rape Education Action Project (REAP).** Towards the end of last year we joined with a number of other non-governmental organisations (NGOs) in the city (including the African National Congress Women's League, Five Freedoms Forum, Lawyers for Human Rights, Women for Peaceful Change Now, Rape Crisis and the Centre for Criminal Justice at the University of Natal/Pietermaritzburg) to discuss the possibility of holding a seminar on rape, which is a major problem here. It became obvious, however, that a single seminar would be grossly inadequate, and thus REAP was formed. We plan to hold monthly seminars on different aspects of rape, such as medical, psychological, socio-cultural, date rape and so on, and our first, in early March, on media and rape, attracted a lot of interest.

2 **Public meetings**

We have made a decision to hold public instead of members-only meetings on important issues, such as local government, pre-primary education, censorship, and public transport. Our first, on

future local government, had a good response, and Sheena Duncan addressed the second on the Social Assistance Bill.

3 **Recycling scheme**

Our environment group, with Earthlife Africa, put together a motivation for a municipal recycling scheme, and a report was presented to the city council's environment committee last November. The council has now committed itself in principle to such a scheme and has employed a consultant to advise.

4 **You and the constitution**

This booklet, with special emphasis on women and the constitution, is being worked on by the women's group which hopes to complete the draft by the end of April.

5 **Gail Cockburn**

We motivated that Gail Cockburn be asked to survey how our advice offices are addressing women's issues, and when she visits every region she will address this particularly.

The battle over the Social Assistance Bill

Sheena Duncan alerted all regions that there were significant changes proposed in an amended Social Assistance Bill which would affect all social pensioners. A concerted campaign, targeting Democratic Party members of parliament and the minister of health was mounted, and great success achieved in the joint committee, and the amended bill has since been steered through parliament. The concessions made were that the age for women to qualify for old-age pensions should remain at 60; that "foreigners" did not include citizens of Transkei, Bophuthatswana, Venda and Ciskei; and that the words "at the minister's discretion" were altered to indicate that pensions are a right, not a privilege. This was a victory but we still need to address inequalities and straighten out bureaucratic bungles. □

Jenny Clarence



Wolfgang H. Thomas

A fond farewell was said to Sarah-Anne Raynham, co-ordinating editor of SASH for the last three years, at a party (at her own home!) before national conference. The participatory style introduced by Raynham during her tenure finds a natural extension in the team of three who take over from her - a "troika" of co-ordinating editors.

One settler, one ballet

You don't have to be a Codesa groupie to enjoy alliance politics. Or so it appeared when PAC publicity secretary Barney Desai was seen gyrating around the dancefloor with Black Sash national president Jenny de Tolly at the Canadian embassy last week. □

Read by the SASH editors in the Cape weekly South, 28 March 1992

The white boss?

A man phoned through to the East London office recently and spoke to our staff member Patriot. The caller asked to speak to the "boss" and was told that we operate on a team-management basis, so there is no boss. He thought about this for a moment, and then asked to speak to the "white lady". "Oh no!" said Patriot, "I've just sent her to the shops." □

Val Viljoen (Border region)

The Black Sash dedication

In pride and humbleness we declare our devotion to the land of South Africa; we dedicate ourselves to the service of our country. We pledge ourselves to uphold the ideals of mutual trust and forbearance, of sanctity of word, of courage for the future, and of peace and justice for all persons and peoples. We pledge ourselves to resist any diminishment of these, confident that this duty is required of us, and that history and our children will defend us.

So help us God, in whose strength we trust.

Aims and objectives of the Black Sash

The organisation shall be non-party political and undenominational and, by non-violent and peaceful means, shall pursue the following objectives:

- i) To promote justice and the principles of parliamentary democracy in South Africa;
- ii) to seek constitutional recognition and protection by law of human rights and liberties for all;
- iii) to further the political education and enlightenment of South African citizens and others;
- iv) to address in all its work how each area of such work affects women;
- v) to undertake whatever other activities may further the objectives of the organisation.

National executive 1992/93

Mary Burton
(vice-president)

Karin Chubb
(vice-president)

Jenny de Tolly
(president)

Sheena Duncan
(advice office coordinator)

Sue Joynt
(treasurer)

Barbara Molteno
(secretary)

Sarah-Anne Raynham
(national newsletter)

birga thomas
*(coordinating editor SASH magazine,
representing the "troika")*

Sue van der Merwe
(Codesa portfolio)