

Volume 33 Number 2 September 1990

SASH



New Political Terrain

**WHAT ROAD TO TRANSFORMATION?
CONSTITUTION-MAKING TALK
OTHER VOICES IN THE LIBERATION MOVEMENT
NATIONAL DEBATES: WOMEN • LITERACY • SECURITY • ECONOMICS**

September 1990

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SASH magazine

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editorial

The pace of recent political developments has us running merely to keep ourselves informed of a many-sided and complex political scene. Although we would like to believe that the country can make its way through this inevitable period of conflict, we cannot deny that there is a possibility of continuing uncontrolled hostilities and social disintegration.

While transition brings environments of uncertainty and conflict, it also brings opportunities for all political actors to fundamentally rethink the basis of our society. Fresh analytical approaches and inventive strategies are therefore required.

This issue of SASH sets out to prepare the ground for such thinking. Through a network of Black Sash members we have engaged a range of political analysts and activists in round-table discussions on the new political terrain. In reporting, our authors aim to stimulate reflection and debate, and to spur appropriate action.

We have tried to reflect many perspectives, particularly from within sectors of the broad liberation movement. To represent that diversity, we publish first-person accounts of current positions by senior members of AZAPO, Inkatha, the PAC and the SACP. We foresee that the agreements reached by the ANC and the government on 6 August will shift the focus of public debate to constitutional issues. In preparation for this we raise questions around the constitution-making process and its future legitimacy.

To date the ANC's central position in the pre-negotiation process has meant that its policies and positions are being tested and challenged, while those of other parties have remained relatively unexposed to wider public debate. In a climate of freer political competition we can expect to see different groupings vying for space and facing the pressures which exposure attracts. But the present contest is not merely a party-political affair: Authors in this issue argue that the important and often neglected dimension of integrating gender issues into national politics must be kept to the fore. So too must the call to re-evaluate approaches to education, economic systems, the armed forces and security.

The Black Sash continues to reassess its role while working for the achievement and protection of human rights. The past strengths of our organisation have arisen from the engagement 'on the ground' of a diverse membership, active office-holders, and committed employees. We are a national body operating in regional contexts, each presenting distinct characteristics. Black Sash members in the Northern Transvaal, the Witwatersrand, Natal, the Western and Eastern Cape regions often have a sense of operating in different worlds. These experiences, despite their variety, have enabled us to act with conviction in our protest and information work.

Our present task is not only to dismantle the too-simple frames of 'black' and 'white'. We must also examine anew the qualities we want in a future South Africa, and the Black Sash's role within our riven society. In this we lack the advantages available to global organisations like Amnesty International, whose passionate concerns are balanced by perspectives enhanced by geographical distance and political disinterestedness. In working for and reporting on change we are politically active and interested: Our volunteers and employees are engaged in awesome tasks as monitors and participants in situations of deep-seated conflict. But our non-party-political stance means that, while we feel free to work together with any party on issues where we share common goals, we will not be directed or controlled by them. We are free to criticise as well as commend.

The Black Sash does not stop its members, workers or elected office-bearers from belonging to the party of their choice. But within the context of our work their party commitment takes second place to the Black Sash's need to maintain impartiality in its quest for universal human rights in South Africa.

Sarah-Anne Raynham

Birga Thomas

ERRATUM

Please note that because of an error in the volume numbering of our September 1989 issue (subsequently corrected), this issue (September 1990) bears the same volume number. **Volume 33, Number 2 is correct for September 1990.**



common ground discovered

A year ago SASH published an article expressing 'cautious optimism' that South Africa 'might be entering a pre-negotiation period' ('From Conflict to Resolution in South Africa' by Helen Zille; SASH, September 1989). It was a reasonably bold assertion at the time. Although the word 'negotiation' was creeping into political rhetoric across the spectrum, this trend was contradicted by the National Party's traditional tactics in the run-up to the general election, and by the escalating mood of defiance and resistance.

It was a time of mixed signals, which proved particularly difficult to interpret inside our polarised country. It took some distance to lend perspective to the view. That is what a group of South Africans (including representatives of major political groupings) discovered when they met in Bermuda earlier in 1989 to discuss the prospects for resolving the country's escalating conflict. At a conference organised by the Washington-based Aspen Institute, the debate revealed much more common ground among the major political actors than it was possible for analysts to detect inside South Africa.

Based on the in-input of representatives from all South Africa's major political groups - ranging from Africanist constituencies to the Conservative Party - it was possible to conclude that a broad consensus was emerging on the failures of past policy and the need for multi-party negotiations (including the then-banned resistance movements) to forge a new, democratic and legitimate constitution. Even the Conservative Party spokesperson expressed support for this process - as long as the negotiation agenda included the establishment of a separate territory in which whites who did not wish to be part of a common South Africa could govern themselves.

Having established this basis, the conference then focused on the need to meet the preconditions for negotiation (the unbanning of organisations, the release of political prisoners and the lifting of the state of emergency) and the urgency of creating a climate in which the major political actors would be able to take their constituencies into the negotiation process.

No-one at the conference predicted the pace of subsequent political developments. A year later the pointers that emerged at Bermuda have transformed South Africa's political landscape. South Africa is now in the turbulent throes of a pre-negotiation period, resulting in unanticipated complexity, confusion and contradictions.

Is there still reason to be 'cautiously optimistic'? What are the major forces at work in current South African politics? Will it be possible for the major parties to agree on the vital next step - an appropriate mechanism for negotiations? Will the parties be able to carry their followers into negotiations and hold them for the duration? Or will the process be torpedoed by the mounting violence that is threatening the very fabric of our society?

It was with these questions in mind that SASH convened a small panel to discuss the current state of South African politics. The article that follows is a synthesis and analysis of the debate. □

participants
in the
panel
discussion



Black Sash Archives

Heribert Adam is currently professor of sociology at the Simon Fraser University in Vancouver, Canada. Internationally recognised as an expert on South African affairs, his speciality is comparative politics (southern Africa) and political sociology.



Cassandra Parker

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Piet Coetzer is National Party (NP) member of parliament for Springs and the NP director of information for the Transvaal. He was the NP representative at the Bermuda Conference. At present he is a member of the Standing Committee for Constitutional Development and Planning.



Cassandra Parker

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Cassandra Parker

Helen Zille represented the Black Sash at the Bermuda Conference. She is a former political correspondent of the Rand Daily Mail. She edited SASH magazine for two years and is currently involved with research consultancy.



Di Meek, left, assisted Carla Sutherland, right, in convening and recording the panel discussion on behalf of SASH. Meek is a freelance journalist. Sutherland is attached to the Department of Political Studies, University of Cape Town.

what road to transformation?

Sensing the growing political confusion generated by South Africa's current process of transition, SASH convened an informal round-table discussion between a small group of political analysts (shown opposite). Their brief was to discuss the new situation and reflect on options for the future. The discussion revealed an interesting coincidence of analysis in broad trends, although there were sharp differences on particular issues such as sanctions and negotiating mechanisms. Carla Sutherland facilitated the discussion and records her observations here.

When I was fourteen, and living in Rhodesia, I remember then-prime minister Ian Smith announcing that a peaceful settlement was imminent. He and his cabinet were convinced that a negotiated solution with all parties was the way forward. He promised it would bring international recognition, peace and prosperity to our war-torn land. In the weeks, months and finally years that followed, I waited. Despite the fact that the talks did happen, communiqués announcing the death of 'members of the armed forces, terrorists and civilians' continued. Nothing much seemed to have changed.

More than a decade later, I listened to the 2 February speech by state president F W de Klerk in Cape Town. I too was caught up in the euphoria and celebrations that followed. When the historic Groote Schuur 'talks about talks' took place, it seemed as though the major obstacles had been overcome. Few could doubt the sincerity of the government's new commitment to negotiations, or the integrity of the African National Congress' (ANC) long-standing claim to support peaceful means to establish a non-racial democracy. But at that point, and increasingly since, it has become apparent that while sincerity and integrity are important starting points, much more is needed.

Even while the Groote Schuur talks were on, there was a schizophrenic sense that the real politics of South Africa was not happening there between the polite and well-heeled negotiating teams. Rather it was happening in the rural areas of the northern Transvaal and Natal. These 'talks' were between, on the one side, armed police and shotgun toting 'white' vigilantes, intent on a forceful display of old-style apartheid, and angry, sometimes violent, banner-waving, slogan-shouting 'comrades', claiming their rights under a new, more open dispensation.

This sense was heightened in the wake of successful international tours by both De Klerk and ANC deputy president Nelson Mandela. Both were feted and congratulated, and joint nominations for the Nobel Peace Prize were in the air. Back home, however, the process looked as though it was going seriously awry. Amid allegations of deliberate stalling from both sides, levels of violence not seen since 1985 rocked the country.

What was called for was the counsel of reconciliation and peace, to nurture the 'climate

The politics of negotiations means looking beyond the headlines and rhetoric.

of negotiations'. A very different voice, however, was heard. The ANC refused to renounce armed struggle, while insisting that the government desist from its use of force in Natal and elsewhere. Calls for sanctions and international isolation continued with the recent changes labelled as 'nothing meaningful'. Despite a public commitment to a multi-party system, and an inclusive negotiating process, the ANC stood accused of intimidation and intolerance from political competitors. From within its own ranks, the ANC faced allegations of detaining, torturing and killing 'dissidents' (claims which were, for a welcome change in the South African context, immediately acknowledged and those responsible disciplined, but still the reports continue). It made the ANC's call for the release of all political prisoners ring a little hollow.

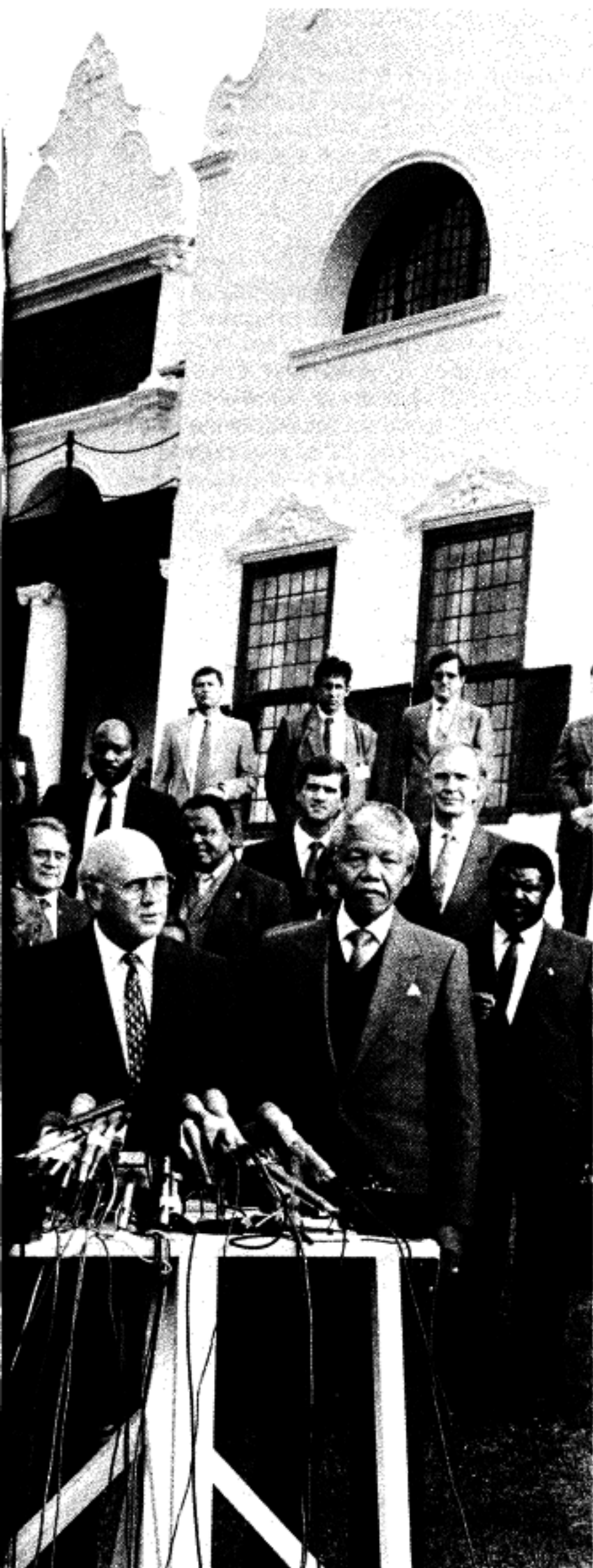
Inconsistencies and contradictions on De Klerk's side were no less apparent. Building trust is essential in the process of negotiations and reconciliation. This was undermined by government delays over the return of exiles and the release of prisoners (even those who fit comfortably within the government's own definition) and the detention and trials of ANC members and other activists. So did the rigid and dogmatic attitude towards the Harms Commission (despite the disbanding of the Civil Cooperation Bureau) as it fuelled allegations of half-truths and cover-ups. It made the apparent inertia in response to, at best, 'over-zealous' police actions in Sebokeng, Welkom and Robertson, and to the mobilisation and arming of the right wing particularly indefensible.

There was a growing sense that the seed of hope planted at Bermuda, and beginning to flower, had got trampled underfoot in the political jostling for power. All that was left was the poignant scent of something that might have been. But, of course, real politics is not about flowers of hope and the like. It is, essentially, about power. The panel's understanding of the politics of negotiations means looking beyond the headlines and rhetoric, to the patterns of power that make the current political conjuncture explainable.

the political momentum

All panel members concurred that the present political momentum is irreversible. There is no way in which a return can be made to the control-through-apartheid-repression days of the past. In persuading the vast majority of its own followers of the necessity of its new course, and wooing a more liberal constituency and the international community, the NP has invested too much in the process to be able to go back. Most importantly, the cost of doing this has been high. It is now impossible to reunite Afrikanerdom. Political survival, for the NP and its sup-





State president F W de Klerk and ANC deputy president Nelson Mandela, backed by their respective delegations, address the press at the end of the Groote Schuur talks in May 1990.

porters, lies not in the past with a fragmented, isolated and fearful community but in the future with bold new alliances, in domestic credibility beyond the Afrikaans community, and in international acceptability. It is a future only open to them with the successful completion of negotiations.

Similarly, the ANC is effectively locked into the current process. There is little chance that it can return to the politics of protest and armed struggle. The government, with astonishing alacrity, has met most of the preconditions for negotiations set out in the Harare Declaration. If the ANC is to maintain the essential financial and political support of its many international allies, and potential power-brokers, it must make good its commitment to peaceful solutions. It must rapidly complete the task of transforming itself from a liberation movement to an effective political party, armed not with protest strategies but with credible and viable policy on how to run a post-apartheid South Africa.

This task is made more difficult in the context of a largely unprepared constituency. An almost exclusive focus on the *preconditions* for negotiations has meant, in the wake of swift action by the government, that the ANC appears to be floundering in the new role it is expected to play. It also makes the role of the Centre for Development Studies, the ANC post-apartheid policy 'think-tank', crucial, and the virtually wasted two years of its operations lamentable and costly.

If the NP's new strategy caught the ANC leadership off-guard, it was even more inexplicable to the organisation's grassroots supporters, who had, after all, borne the brunt of mass-based protest. For them, at best, De Klerk's concessions heralded what appeared to be certain: the speedy demise of an already spent power. At worst, it represented a sophisticated ploy to lull them into docility before a harsh new crackdown. Either way, they were unprepared for the demands of a testing new political terrain. But, unprepared or not, they remain essential to the successful completion of the current political process.

the ANC and the government

In overcoming these obstacles the panel agreed that the ANC has to operate within a number of constraints. It has been banned for thirty years, working either in exile or as an underground movement. During the six months that it has operated openly, it has been hampered by a number of factors. Not least has been the fact that the hard core of its activists remain in exile, pending the final outcome of the first round of talks. The return of these exiles, while strengthening the ANC organisationally, may

... the NP's new strategy ... was even more inexplicable to the [ANC's] grassroots supporters.

The government faces an enormous task in educating a constituency equally ill prepared ...

also exacerbate problems already beginning to surface.

Despite government propaganda to the contrary, the United Democratic Front (UDF) and its affiliates were never just an ANC front waiting to accept ANC directives unquestioningly. Different *modus operandi*, which reflect varying political imperatives, still need to be integrated. This and the 'jostling' between exiles, prisoners and 'internals' for political influence, has made the making of policy - central to the task of educating a constituency - both time-consuming and difficult. Finally, the ANC, committed to proper consultation and broad participation, remains unwilling to make centralised policy decisions. This in effect means that a number of important issues can only be decided in December at the ANC's first open congress inside South Africa.

The government also faces an enormous task in educating a constituency equally ill prepared for the momentous and rapid changes in the offing. With the prospect of losing both political power and economic privilege, it is not surprising that the right wing is growing and arming itself. Piet Coetzer argued however, that the NP had shown a great degree of cohesion - there had not been a single resignation of an office bearer at any level from the party since 2 February.

The panel observed that cohesiveness may have been gained through the strategic decision to have a referendum prior to the implementation of any negotiated settlement. In this way the NP has largely defused calls for elections and won for itself important space to manoeuvre and act decisively. This is something that the ANC may well come to envy as it attempts to take policy through its cumbersome process of consultation. However, it has also fuelled fears that all the NP is bringing to the negotiating table is a white veto, rather than real powersharing. This makes the ANC's task of convincing its constituency and critics of the sincerity of the government all the more difficult.

As 'white' fears heighten in the context of spiralling violence the NP may find its task increasingly difficult. In addition, as the reality of sharing economic and political power comes home in the form of squatter camps on the edge of Hout Bay and of Midrand, declining standards of living, and of increased government spending to rectify the inequalities of the past, the prospect of a 'white' referendum may become ever more daunting. Time is critical, as the 1994 elections represent a very real deadline for the government.

The panel generally agreed that time is no less critical for the ANC. The increasingly frail figure of Mandela, a figure of unity and integrity, has towered over the process thus far. If the process of negotiations outlives Mandela,

the already fragile unity within the organisation, and between the leadership and its mass base, may fragment even further. In the context of having to sell compromise both to the 'young lions' of the townships and sceptics in the 'white' constituency, there is a growing concern that few but Mandela could do it.

the process of negotiations

This is not the only factor to consider. Mandela remains an individual, albeit a remarkable one, and the ANC is much more than that. What is of equal importance is for the ANC to stamp its authority on the process of negotiations. The setting of the agenda is central to negotiations as it delineates the areas of decision-making. In this the government appears to have a head-start with its different political style and greater preparation which looks likely to maintain. This will force the ANC to play a reactive, rather than pro-active role. In attempting to circumvent this, the ANC will tread a delicate line between being accused of stalling tactics (by government supporters), or of being undemocratic (by its constituency). This latter point must be of particular concern with a constituency unprepared for, and unsure of negotiations. Nor is its task easier when the ANC is accused of being a 'sell-out' party by a section of the black community which is resistant to negotiations at this stage.

The panel noted the irony that the government and the ANC are becoming increasingly dependent on one another for their political survival. The process was embarked upon on the premise that the ANC would be able to bring with it the majority of 'black' South Africans, and the government the majority of 'whites'. This premise, while generally compelling, could falter as, even in this pre-negotiations phase, major obstacles can be discerned.

Firstly, the question of the appropriate mechanism for negotiations looms menacingly. It is in the ANC's interests (and in keeping with democratic principles) to argue for a truly representative forum (such as a constituent assembly) to draw up the new constitution. This argument gains in appeal in the context of the NP's advantages in the process thus far. But this would represent transfer of power to the majority before constitutional negotiations begin. The NP can hardly negotiate about power-sharing when it has already handed over effective power.

resistance

But perhaps more fundamentally, the past few months have demonstrated irrefutably that it is not enough to simply consider the major two protagonists. While they may represent the vast majority of South Africans, they cannot claim

to represent them all. Critical differences exist often with vocal and organised representatives.

Ireland reminds us of how only a few hundred organised and armed activists can sustain resistance, sabotaging any prospects of peace and stability. Beyond the ANC and the NP there is a wide range of political organisations. While this fact might portend a healthy and competitive multi-party system in the future, this appears tentative at best. The racial or ethnic basis of many of these in the context of an intensely militarised society, and an undeveloped tradition of political tolerance, militates against this prospect.

Social contract theory points to the importance of consensus about the ground rules of cooperation for community survival. In essence constitution-making is about establishing those ground rules. The more inclusive this process is, the more chance for consensus. Significant groupings, amongst others the Pan-Africanist Congress and the Conservative Party, have rejected the current process. It is not enough for the ANC and the NP to come to a common understanding about the future of this country.

An interesting aspect of government strategy that emerged during the discussion was that the government might consult the ANC on certain policy decisions during the pre-negotiation period. If this consultation is taken seriously, it could mean in effect that the government and the ANC would run the country together *prior* to the completion of negotiations. Whatever the advantages of this 'camouflaged cooptation', it does not address the problem of how to incorporate those that fall beyond the ambit of the ANC.

The discussion also underscored the fact that the NP may be dumping its historical allies (the bantustan leaders and even, more significantly, Inkatha) in favour of a more open approach to alliance-building. This approach, premised on the convergence of interests between the government and other groups including the ANC could serve to further alienate other essential constituencies.

political intolerance

The hostilities in Natal were considered to be deeply disturbing. The violence in that region is not only over scarce and diminishing resources. It has as much to do with intolerance arising from competing claims to potential political power and economic privilege. Clearly, little or no consensus exists on the basic rules of political competition and cooperation.

Further, the conflict in Natal demonstrates a problem associated with societies in transition: namely the clash between short-term political imperatives and long-term goals. The process leading up to the transfer of power makes it important for contenders for a share in that

power to begin, as they have in Natal, to demonstrate their support. This is being done through the mobilisation of as large a support-base as possible and, at times, the undercutting of opponents competing within the same or a similar constituency for support. This short-term imperative can fuel unrealistic expectations about the future, and encourage political intolerance.

sanctions

Another example of the clash between short- and long-term interests is the issue of sanctions. The panelists stressed the need for sustained economic growth to meet the demands of a post-apartheid South Africa. These demands will include, most importantly, increasing employment levels as well as improved social services. The ANC's continued insistence on sanctions and international isolation is only explicable in terms of the short-term imperative to maintain pressure on the NP - while allaying fears and forestalling critics within its own constituencies that it is handing the negotiating initiative to the government.

It may prove to be the most costly strategy of all if, as must be virtually certain, the ANC takes up the reins of power in the future. With them will come the responsibility of providing promised social services and benefits - promises that must be met if the ANC wishes to stay in power beyond the first election.

While all the panelists accepted that the process is irreversible, they stressed that there was no certainty as to where it would lead. It could be the hoped-for negotiated settlement, with the promise of peace, stability and prosperity. Before that vision can be realised there remain a number of obstacles. If they are not, for whatever reason, overcome, that vision could be shattered, and at worst be replaced by the terrifying prospect of the problems in Natal becoming a glimpse of our national future.

In the euphoria of February, I know I missed both De Klerk and Mandela's insistence that we were just at the beginning of an arduous journey. I really thought we were at the end. In a rapidly fluctuating, and increasingly complex political situation, an organisation like the Black Sash needs to be constantly assessing the contribution that it can make. In the thirty-five years of our existence, many changes have been faced and many demands met. This period ahead of us, however, may prove to be the greatest challenge of all. □

Beyond the ANC and the NP there is a wide range of political organisations.



Pension payout at Driefontein. Black Sash worker Josie Adler with Beauty Mkhize.

own affairs

Mrs Mphuti's story, more than any mere description of the own affairs system, shows how the vast bureaucracy of racial and ethnic structures really works - or rather, does not work.

Dismantling the system will be a mammoth task for many reasons - just one being that thousands of bureaucrats and several hundred legislators have a vested interest in its continuance.

Mrs Mphuti first came to the Black Sash Transvaal region advice office in November 1989.

She is classified as being a black (African) person. Her husband is classified as a coloured person. They have six children between the ages of twelve and three years.

The two elder children are not classified as anything because their births were not registered by their parents. The younger four children are classified as black and this is shown on their birth certificates.

The family lives in a coloured township.

Mrs Mphuti's husband disappeared on his way to work on 5 October 1989. He told a workmate to go ahead as he was not feeling well and from his medical history it seems possible that he may have suffered a terminal haemorrhage.

He had left his identity document at home so when Mrs Mphuti started to look for him she had to search the black as well as the coloured hospitals because the ambulance staff who picked him up would have had to guess to which race group he belonged so that they could take him to the correct hospital for that race group. She has not found him in spite of repeated visits to both the mortuaries in Johannesburg.

She came to the Black Sash because she was destitute. She does not work because she stayed at home to look after the children. Her husband was a weekly paid worker and disappeared on pay-day so she did not even have one week's wages in hand. She cannot claim benefits from the Unemployment Insurance Fund or from her husband's pension fund because both would require proof of his death.

She had been to the coloured social workers employed by the administration of the coloured house of representatives. They said they could not help her because her children are classified as black.

She went to the social workers of the Transvaal provincial administration which administers welfare and pensions for black people outside the homelands who are resident in this province. They said they could not help her because, although the children are classified as black, they attend coloured schools and live in a coloured township.

They made two suggestions to her: 1) that she should seek to have the children reclassified as coloured - a process which would take at least 18 months and would require the assistance of their father or the production of his death certificate;

2) that she should move from the coloured township and find accommodation in a black area and remove the children from the coloured school. It is quite impossible to find accommodation in a black township unless one has money and quite a lot of it.

After intervention by a lawyer she was given a food parcel.

When we enquired from her about the classification of the children we found that the two elder children had been admitted to the coloured school because they had never been racially classified. Mrs Mphuti told us that when she had tried to enter the third child in school at the beginning of 1989 she had been refused because this child has a birth certificate and is classified black.

This child is not yet in school because the family is Afrikaans speaking and she would not understand the language in a black school. In May 1989 Mrs Mphuti had asked the social workers how to have the children reclassified as coloured. They told her to 'wait'. She is still waiting and will have to wait a long time. □

Sheena Duncan and Marj Brown

dismantling apartheid: from 'own affairs' to all our affairs

'What has to be worked for is the repeal of Schedule 1 of the Republic of South Africa Constitution Act of 1983. This is a legislatively simple process.' **Sheena Duncan** argues the necessity for and the feasibility of any alleviation of administrative ills which need not wait on the outcome of long-term political negotiations.

The proposition that apartheid must be dismantled is more or less accepted by most South Africans, as it is by the international community in the various declarations by the Organisation for African Unity (OAU), the United Nations, the European Community, the United States, the Commonwealth, and numerous other bodies.

But the size of the task is not recognised. Dismantling apartheid is not just a question of repealing racist laws.

Apartheid is the whole structure and organisation of the South African society in all its aspects. It has been put into place over many decades predating the accession to power of the National Party in 1948. It is a way of life for all South Africans and it will take many years before we can shed the effects of our indoctrination in racial group thinking and group organisation.

This article deals only with the administrative aspects of the dismantling of apartheid and suggests a way forward which need not be dependent on the progress of political negotiations. We do not have to wait until the eventual gathering of a constituent assembly or a national convention to start preparing for a more just society.

own-affairs government

The extraordinary verbalisation of the concept of 'own affairs' was put into constitutional law only with the passing of the Republic of South Africa Constitution Act in 1983 but it was already a fact of life for African people who were all separated out into their various ethnic citizenships in terms of the Bantu Homeland Citizenship Act of 1970. It is a long and boring history which need not be detailed here, except to point out that black people living within the bantustans have been subjected to 'own affairs government' for much longer than the coloured, Indian and white people who were affected by the new constitution which came into effect in 1984.

The present position is that South Africa has thirteen separate race-based legislative 'parliaments' in four 'independent' states, six 'self-governing national states' and in the three houses of the tricameral parliament which legislate for, as well as separately administer, the 'own affairs' of the coloured, Indian and white race groups.

In addition, there is the 'general affairs' government which is in fact (if not in theory) the same thing as the white house of assembly which legislates for such matters deemed to

be of general importance such as finance, foreign affairs, defence - and the affairs of African people who live outside the bantustans. The 'general affairs' government has given responsibility for the administration of the affairs of these people to the four provincial administrations under the general control of the Minister of Provincial Affairs and Planning.

In case readers are now beginning to think that this article is written as a piece of satire I need to explain how the system works. Take the payment of social pensions as an example. It is one form of administration we know best from our experience in the advice offices.

- Pensions for white people are administered by the white house of assembly;
- pensions for coloured people are administered by the coloured house of representatives;
- pensions for Indian people are administered by the Indian house of delegates;
- pensions for black people living in the six 'self-governing' states are administered by the governments of those places;
- pensions for black people living in the four 'independent' states are administered by those governments;

- pensions for black people living outside the bantustans are administered by the Provincial Administration of the OFS, Cape Province, Natal and the Transvaal, subject to the control of the general affairs Minister of Provincial Affairs and Planning.

That adds up to seventeen different administrations. Thirteen of them have the power to make laws relating to social pensions, but in fact all of them are subject to the 'general affairs' decisions of the Minister of Finance who decides how much money will be made available to each administration for pensions. In the case of the independent states it is called 'foreign aid'.

The same 'own affairs' provisions apply to health, education, cultural and religious affairs, water supply, welfare, community development and housing, rent control and squatter removal, and agriculture. The effort of imagining the implications of this web of bureaucracy can result in extreme dizziness. Perhaps the recent history of Mrs Mphuti gives the best explanation of 'own affairs' (see page 12).

Some of the above functions have been devolved by the 'own affairs' administrations to local authorities. 'General affairs' is anything which is not an 'own affair'. The 'own affairs' are listed in Schedule 1 of the 1983 Constitution Act.

race classification

The whole of this incredible structure is built upon the race classification provisions of the Population Registration Act of 1950. This act requires that all citizens of South Africa and all permanently resident aliens must be classified according to their race.

That classification dictates which of the many legislatures and administrations will control a person's life. Take one woman only: It dictates where she may live, where she may go to school, by which church minister she may be married, in which hospital she may give birth, which old age home will accept her, in which cemetery she may be buried, and for which parliament or local authority she may vote.

Of course, recent reform measures mean that, if she is rich enough, she can beat the system and more or less

choose to do what she thinks is best for herself and her family. Most people are not rich enough.

preparing for the future

The demand for the abolition of race classification is more than justified. Almost all South Africans are agreed that it must go and that it is the basic apartheid law which underpins all the other structures.

On 14 May 1990, the Minister of Home Affairs, Gene Louw, told parliament that South Africa's race classification law was unacceptable, totally inflexible and undoubtedly discriminatory (*Citizen*, 15.05.1990). He went on to say that a moratorium on the Act was impractical, and that it could not be scrapped immediately as it formed part of the ongoing constitutional debate.

He is quite right. It is not so much that it is part of the constitutional debate but that it is the very basis of the present constitutional system of government. If it is repealed now there will be total chaos because no one will know who is responsible for paying teachers' salaries, maintaining hospitals, paying pensions, running the schools.

But we cannot wait for the conclusion of constitutional negotiations. If a democratically elected government comes to power in South Africa it will be totally unable to put its

policies into effect if it has to cope with the present multiplicity of administrative structures. It will be a disaster, given the expectations of the soon-to-be enfranchised majority, if nothing has been done to reorganise the present race-based bureaucracy. We have to begin to do it now and this is possible within the terms of the present constitution.

What has to be worked for is the repeal of Schedule 1 of the Republic of South Africa Constitution Act of 1983.

This is a legislatively simple process.

If whatever is not an 'own affair' is a 'general affair' the removal of the schedule would allow the government to move rapidly towards the establishment of single government departments for health, education, welfare, housing, pensions, etc.

This would greatly facilitate the creation of orderly government in the future. We have not experienced 'orderly government' in our understanding of the term but we can at least make a beginning.

On 28 February this year, Peter Soal of the Democratic Party (DP) moved a private member's motion in the house of assembly that education and health should be removed from the own affairs schedule of the Constitution Act. The Minister of Health Services, Welfare and Housing, Sam de Beer, said, 'Surely it is quite silly for them to advance such a solution to our problems today.'

The Minister of Education and Culture challenged the DP to 'just mention one example of a place in the world where education is dealt with as a general affair ... In the United Kingdom one finds special provision for the English, the Scots, the Irish and the Welsh ...' (*Hansard*, 28 February 1990).

Ah well, by May 1990 the Deputy Minister of Education and Training was saying he foresaw a future in which there would be a single education department (*Citizen*, 16.05.1990). Hospitals were opened to all. It is no longer 'silly'.

The process is underway but even when all legislative and administrative barriers have been removed and we have a new government it will be decades before we move out of the separate little boxes in which apartheid has placed us. □

dismantling apartheid - an irreversible process

The following definition of the irreversibility of change was adopted at the National Conference of the South African Council of Churches held at Bellville from 25 to 29 June 1990.

The dismantling of apartheid will be irreversible only when:

1. A constituent assembly is constituted.

2. Sovereign power has been removed from the existing apartheid legislative structures and invested either in the constituent assembly or another agreed interim structure.

3. The white minority cannot legally reverse or veto the process through the present unrepresentative legislative structures. □

legitimizing constitutions: Albie Sachs conveys the ANC vision

Now that the countdown towards a new constitution has begun there is much debate about how best to win broad acceptance for it. Shauna Westcott presents the views of Albie Sachs, member of the African National Congress constitutional committee.

Whatever the controversy about the causes and degree of the National Party shift announced by president F W De Klerk on 2 February, there can be no doubt that it has substantially altered the political terrain. For the first time in 30 years there is not only popular access to formerly forbidden ideas, organisations and individuals, but also some hope of a reasonably peaceful and swift transition from tyranny to democracy and social justice. In this context, the question of a new constitution for South Africa has acquired a dramatic urgency and SASH seized an opportunity to canvass the views of Albie Sachs, a member of the constitutional committee of the African National Congress (ANC).

Few individuals have played a greater role in creating space for the nascent culture of democracy in South Africa than Albie Sachs. A cardinal aspect of his intervention, however, has been the relationship he maintains between his freedom of spirit and his commitment to his organisation. In honour of that discipline, therefore, what follows gives emphasis to his expertise on constitution-making rather than to his extraordinary gracefulness as a human being.

Among the first points Sachs made, in an interview sandwiched between a thousand other appointments, was that the enduring appeal of the Freedom Charter - a constitution in embryo - lies in the fact that (whatever *Business Day* editor and columnist Ken Owen may believe) it was a popularly constructed and endorsed document. 'I was quite active in the process preceding its adoption, and I was at Kliptown', he said. 'I think we got it right because the people were involved, expressing their anxieties and their longings. People adhered to it because they had made an input. It was theirs, not hatched somewhere by some enlightened group and given to the people for their benefit.'



Denise Ackermann (left) and Shauna Westcott (right) pictured at the time of their conversation with Albie Sachs.

... the body which has the legitimacy and the right to adopt a new constitution should have a mandate from the whole community.

'Participation was important in encouraging people to perceive themselves as having rights', he adds. 'I was part of a small group at UCT who very solemnly sat down and wrote what we thought should be included. We took it very seriously.' This process of popular participation in the creation of the Freedom Charter holds vital lessons for the making of a new constitution for a democratic South Africa. Sachs says the ANC envisages two aspects to the process of giving continuity to the democratic way in which the Freedom Charter itself was adopted.

'The first relates to the election of the persons who are going to adopt a new constitution. The constitution expresses the sovereignty of the whole society. Therefore, the body which has the legitimacy and the right to adopt a new constitution should have a mandate from the whole community. In practice this means general elections in which people are free to choose their representatives for a constituent assembly or national convention.

'The second aspect of popular involvement is related to the actual terms of the constitution. It is not as though people will be selecting a team and the only role of the public thereafter will be to applaud good play and boo the bad. There are many areas of rights where public involvement can help the drafters to find correct formulations.

'For instance, it would be possible to have a charter of workers' rights in which workers' organisations themselves spell out with their own voice and in their own language how they feel their rights should be guaranteed in a new South Africa.

'Similarly, women's organisations could convene an assembly or series of gatherings to enable women to spell out in their own voice the rights they feel they should have in a new constitution.

'These could be expressed in the form of broad constitutional principles, as part of a bill of rights, and also as a more detailed charter of gender rights with a statutory foundation and appropriate mechanisms of enforcement ranging from legal proceedings to channels for complaint and publicity.'

Sachs goes on to suggest that there could be a special body, in or outside of parliament, whose role would be to examine all pending legislation with a view to seeing and reporting on how it affects the lives of women.

Similar provisions and channels could exist for other sectors, for instance religious organisations, who could look at drafting a charter of rights and responsibilities on an interfaith and interdenominational basis. Journalists could make a major input in the area of press freedom, and so on.

Turning to the vital question of building an ethos of respect for human rights, Sachs notes first that the ANC has done a great deal in this

regard, with the Freedom Charter one of the most evident examples.

'In terms of mechanisms for guaranteeing human rights, the ANC has given attention to and stressed a bill of rights and the role of the judiciary. Extensive discussions on the constitutional guidelines continue. But it goes beyond that. Anyone listening to the statements of ANC leaders will recognise the emphasis given to tolerance of others' ideas and points of view, to the importance of a new openness corresponding to the new situation.'

On the constitutional guidelines themselves, Sachs says the ANC has received 'extensive feedback' from a variety of sectors in South Africa and has held a number of special seminars to consider these responses.

One seminar he attended was called by the ANC Women's Section in November last year, with the aim of enriching the guidelines by

a living paradox

A meeting with Albie Sachs is a meeting with paradox. He has been mutilated, yet he is whole. He is a 'non-believer', yet he exudes a sense of wonder. He is a loyal and disciplined member of the ANC's cadre, yet he is a free spirit. He deploys language with the precision of an engineer, yet he exults that he took 'perhaps the most critical single decision of my life surrounded by roses'.

He regards himself as 'in a way just an ordinary member of the ANC' who goes to his branch meetings. But he also takes pride in the work of the ANC's constitutional committee ('a very good team') of which he is a member, and enjoys his role as informal stirrer of debate in the cultural field. He is 'coming home in instalments'.

Those unable as yet to meet him in person can look forward to encountering him in the pages of *The Soft Vengeance of the Damaged Freedom Fighter*, an autobiographical account that begins with the bomb blast in Maputo that nearly killed him and ends with a quietly triumphant, almost mystical, pilgrimage back to Mozambique.

The book, published in South Africa by David Philip, is due out in time for the *Daily Mail* Book Week towards the end of the year. Its theme, 'the whole story' as Sachs puts it, is the relationship between the personal and political dimensions of struggle. He says of this: 'For a long time we seemed to feel that the good political activist was someone who suppressed his or her subjectivity and intimate feelings for the sake of the common good. I now think it should be the other way round - that we should contribute our personalities and our deeper feelings to the common good. I think this makes

means of the inputs received. Among these was a paper by Dorothy Driver of the University of Cape Town's English department, which attacked certain 'critical silences' in the guidelines.

Although Driver's input was not a formal paper at the seminar, everyone had read it and it 'obviously had considerable impact on the discussions', Sachs said. 'The paper was extremely valuable and basically all the points made were valid. The only observation I would make is that, important as it is to win the battle of language, it is equally important to ensure that there is effective organisation of women.'

He says 'extensive changes' have been made to the constitutional guidelines in the light of criticism from Driver and other individuals and organisations.

'Basically, the two main additions were to affirm the presence of women in all sections of

the guidelines and not to confine the gender question to one special clause. The second was to spell out a constitutional duty to combat sexism. We also had extensive discussions on the question of the family. These are ongoing questions and can't be resolved at one meeting, but what one can say is that the question of gender is on the agenda.'

To those eager to cast their eye on the revised constitutional guidelines, Sachs suggests that they request a copy from Brigitte Mabandla of the ANC Department of Legal and Constitutional Affairs. He stresses that the guidelines are 'in a state of constant revision' but that the November 1989 seminar made 'concrete recommendations for textual changes in relation to the gender question'.

Turning from the question of language to the issue of organisation, Sachs emphasises that the draft constitution of the ANC itself 'puts heavy

*Women
[could] spell
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constitution.*

us better persons and better activists and enriches the meaning of what it is to be an activist.'

Sachs says it took three things to bring this understanding home to him. The first was being in the ANC and 'encountering the enormous diversity of personality, culture and style represented by our comrades'. The second was the feminist movement. The third was the bomb.

'I feel like I am on a relentless and irreversible high that started with surviving the bomb but corresponds to the survival of people here struggling against all the repression and violence aimed at them', he says.

'The sense of transformation is powerful. Things we have dreamed about for decades - and our parents before us - are beginning to be realised; and not as a gift, but as a result of what we ourselves have done.

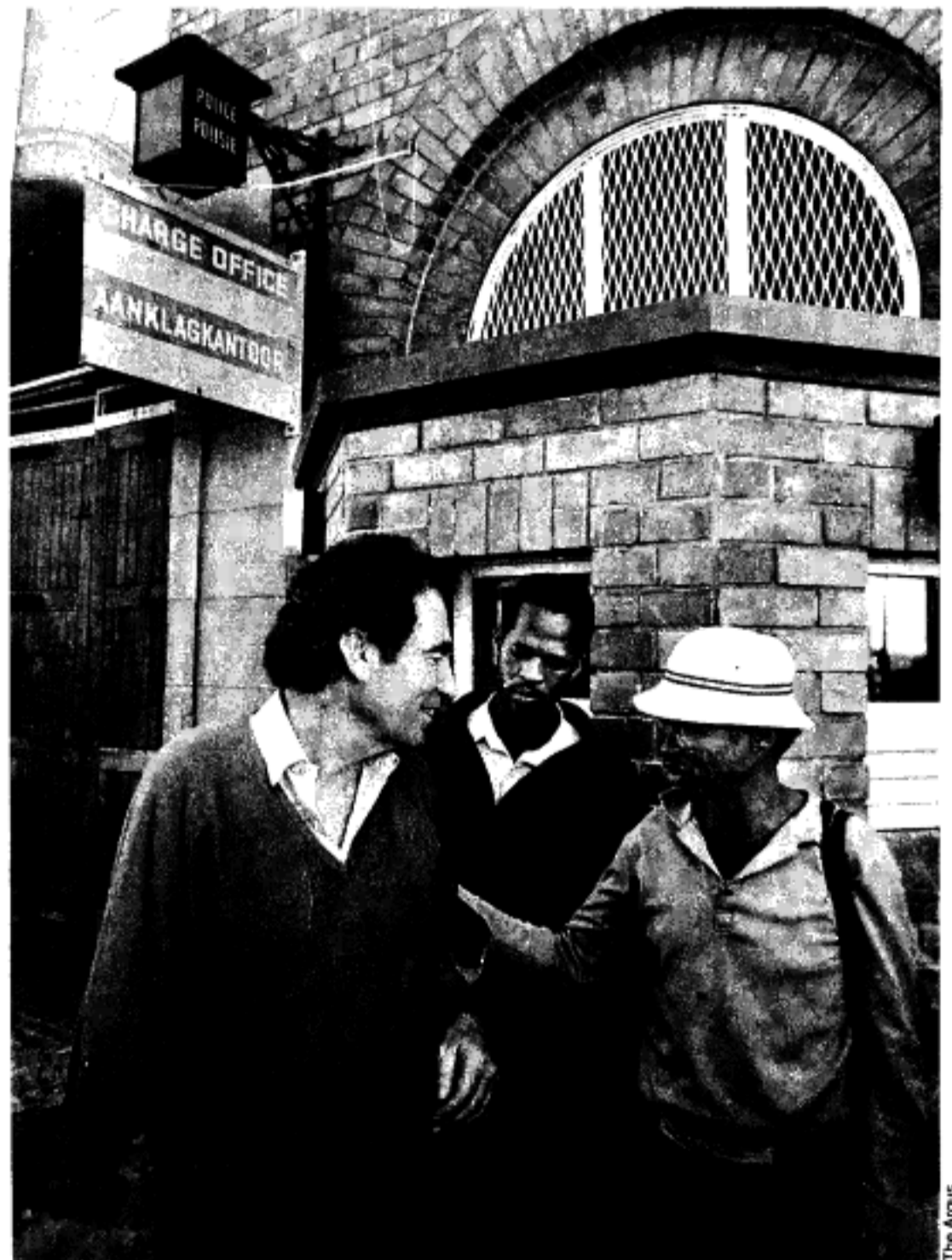
'I am encountering an energy and sense of optimism all over, not only here in Rylands, Cape Town, but also among white friends and associates who seem overjoyed at being able to feel free of the strangling effect of apartheid.

'A lot is said about allaying white fears. Maybe more should be said about responding to decent white hopes.

'At a purely personal level the trip has been exactly as I expected, namely full of the unexpected. I come home in the evening exhausted, not just from shouting hundreds of *vivas*, but emotionally and morally exhausted from being exposed to so much love and such intense sensibilities.

'I look forward to more serene days here in the future but without ever losing some of the exciting madness.'

We look forward too, comrade. *Hasta la vista.* □



Albie Sachs, visiting Cape Town from exile, speaks to well-wishers outside Caledon Square police station where he spent several months in solitary confinement 27 years ago.

'Obviously there will have to be collaboration between those who are exercising state power and those who've been excluded from political rights.'

stress on the rights of members and on branches as the foundation of the organisation'. Questioned on the problem of the legitimacy of interim appointments, he says this:

'We adopted an interim constitution for the ANC adapted to the whole new situation that has emerged. The basic idea is that an interim leadership is established to recreate the ANC as a legal organisation on South African soil and to establish branches which will be the foundation of the new organisation. Then, at the end of the year, a conference will be called. Delegates will be chosen by the grassroots at branch level to adopt a new constitution for the ANC of a more lasting character, and to elect a new leadership.'

'It is expected that the principle of election and accountability will run all the way through the organisation, from branch executives to regional executives to the national executive and the presidency. But we have to have an interim nominated leadership to set the whole thing in motion.'

As for the question of an interim government, perceived by many as posing a legitimacy problem for the ANC, Sachs merely observes that 'obviously there will have to be collaboration between those who are exercising state power and those who've been excluded from political rights'. He adds that 'exactly how this is to be done will be a matter for discussion and negotiation'.

ANC leader Thabo Mbeki was more explicit on this question during the recent ANC/Idasa conference in Lusaka on 'The Future of Security and Defence in South Africa'. During informal discussion in the conference commission on internal security, he pointed to the Groote Schuur Minute, issued after the first talks about talks between the National Party government and the ANC, as a step in the direction of an interim government.

Mbeki noted that the Groote Schuur Minute embodied 'acceptance from the government that we have the right to monitor police action, not for body counts but for the purpose of preventing misdemeanours'. Although a way for translating this into action had yet to be worked out, it remained 'an agreement, a decision, which means that [Law and Order Minister Adriaan] Vlok is obliged to meet with monitoring groups and act on their recommendations'.

'As we go along we will in fact build an interim government from bits and pieces', Mbeki said. 'This public and official intervention on police behaviour is in the nature of this process. So is Mandela's call for public accounting; so are calls for democratic control of the SABC. These are the little building blocks of the process of formation of an interim government.'

Asked what popular perceptions of 'collaboration with the enemy' might do to the ANC's support base, Sachs quotes Mandela: 'There is no easy walk to freedom', and adds: 'Every stage of struggle presents its own complications. We are entering a new phase with new political challenges.'

He pauses to repeat what he said at the beginning of the interview - that he speaks in his personal capacity - before saying: 'In Mozambique, where I lived for 11 years, I had the wonderful experience of participating in the immediate post-revolutionary phase in which there was tremendous enthusiasm for what appeared to be total victory and seizure of power by the masses. For me it was a very wonderful period, but Samora [the late president Machel] used to say all the time: "Where there's revolution there's counter-revolution. The dispossessed fight back. They go underground. They internationalise the struggle. They subject you to prolonged siege and civil war." In Mozambique, 700 000 people died as a direct result of what was euphemistically called destabilisation.'

'In Nicaragua, where there was a very clean revolution that had vast popular support, people ended up exhausted by constant intervention and civil war. If we can avoid that in South Africa, I think this will be very much in the interests of the people.'

'It is not a question simply of being nice to the other side. It's a question of doing everything possible to safeguard the integrity of the country, for the benefit of all.'

Nowhere are the seeds of counter-revolution more apparent than in Natal, where it is obvious, says Sachs, that a 'multipronged approach' is needed for there to be any hope of forging peace.

'An important step will be to establish the constitutional process as a means whereby people can resolve differences. Leaders, whatever their ambitions, should know that they can run for office and don't need sawn-off shotguns.'

Pressed on how this could be brought about in the midst of terror and murder, he stressed the 'direct connection between the whole process of constitution-making and making peace', adding: 'An election system enables both idealists and self-seekers to express themselves.'

For both categories of persons, and the millions of gradations in between, the practical implications of all this are very clear. The prime task for the next few months - and beyond - is to engage in organisation at grassroots level to forge not only the texts but the processes of justice and democracy. □

Shauna Westcott

a beginner's guide to the constitution-making process

The question, 'How do we arrive at a broadly acceptable constitution?', is not easily answered. Joyce Harris captured some of the complexities when she consulted John Dugard, Steven Friedman and Van Zyl Slabbert on behalf of those of us not yet initiated into the terms and idioms of constitution-making.

So much has happened in this country since president De Klerk's historic address to parliament on 2 February that it is difficult to catch up with events and adjust one's attitude and thinking. The contrast between then and now is so vast - despite valid allegations that the majority of the people are still denied access to power - such enormous adjustments have already had to be made in attitudes and beliefs, that it becomes almost impossible to envisage the leaps required during the next stage of extending our political horizons to encompass not only negotiations but even the possibility of reaching some form of consensus.

Whether or not irreversible changes have been made is disputed, but the reality of the changes already achieved cannot be. After a history of 42 years of repression the government's rhetoric and some of its actions appear to have altered direction so drastically that it is not surprising that its opponents are hesitant to grant it instant credibility. However, there has been a certain constancy in the process which, if continued, should eventually inspire confidence.

It is against the backdrop of long-standing discrimination, oppression and an apparent readiness now to consign outdated ideology to the scrapheap, that the country is struggling to achieve the degree of trust and stability necessary to put it on the road to peace and democracy.

The difficulties are considerable. Most political constituencies are in disarray due to changed circumstances and there is much conflict and uncertainty regarding *bona fides* and beliefs on all sides.

Many people are exploring the subject of acceptable process and procedures for the future. I asked three political analysts for their opinions regarding the most feasible process routes for arriving at a legitimate and broadly acceptable constitution. They also considered questions on whether democratic participation in constitution-making is a desirable and realisable option; on what defines a constituent assembly and on how it should or could be elected. There were differences and similarities in their replies.

interim government

Van Zyl Slabbert said that there has been a convergence of values on the rhetorical level between the government and the ANC, but no agreement

yet on meanings and procedures. However, there is an increasing willingness to find a way of working together, leading, it is hoped, to an interim government to manage the transition away from domination and towards democratisation - which in his view is a more likely development than a constituent assembly. The ANC talks of a Namibian-style constituent assembly but there is no similar supervision here to bring it into operation and no midwives to help with the birth. In Namibia the constituent assembly became the present parliament. Here we already have a parliament.

Slabbert believes that some form of Constitutional Commission of Inquiry might be agreed to by the interim government with a brief to present a constitution, which would then be subjected to a plebiscite or referendum. Only after that could procedures be devised to implement the constitution.

An interim government could be achieved through agreement between the government, the ANC and whomever else they decided to bring into it. The first step towards this would be the normalisation of society, a process happening now which involves the creation of political space in which to operate and the giving of rights in order to do so. The next step is democratisation of the state, the civil service, health, education, the economy. Only after this has



John Dugard is Professor of Law and the director of the Centre for Applied Legal Studies at the University of the Witwatersrand.



Steven Friedman is a respected journalist and a consultant with the Urban Foundation.



Van Zyl Slabbert is director of policy and planning of the Institute for a Democratic Future in South Africa (IDASA) and a political consultant.

been achieved can a democratic constitution emerge. Unless there is a build-up of a democratic culture at all levels at the same time there will be no democratic constitution.

constituent assemblies

John Dugard said he was influenced by the Namibian example of a constituent assembly elected by proportional representation. Under such a process each party puts up lists of candidates and gains representation in the constituent assembly according to the proportion of votes it polls. Geographical constituencies are not necessary, only political parties. Ethnic grouping would not be acceptable.

However, he is not sure of the timing of such an assembly. If there were to be an election next year the whites would probably be represented by Andries Treurnicht, and De Klerk might well lose his constituency. In his view it is essential first to build up trust and credibility in the South African community, because legitimacy is dependent on gaining the support of the whole country and all the people.

The problem is to decide at which stage other constituencies should be brought into the procedures, and how to do so. The ANC in exile, through Thabo Mbeki, endorses a constituent assembly. Nelson Mandela seems to favour an interim management structure. There are many differences to be resolved and many problems to be ironed out.

Steven Friedman said the fundamental question to be answered is: 'Who endorses the constitution?' The ANC believes that it is the people as a whole who must endorse it. This is the democratic route, but presently the problem is that numbers have no power and those in power are short in numbers.

The present system is clearly not working and while there are moves towards negotiations, the government is strong enough to resist the simple handing over of power. If a minority group is strong enough to negotiate, the results must still be ratified by its constituency. Unless this is done there will be a strong white minority resisting the constitution and the majority government will find itself facing the kind of trouble that has

erupted in Welkom. The ANC's problem is that the constitution must enjoy legitimacy among whites.

There appears to be no simple solution. A constituent assembly will be convened near the end of the negotiation process and much will already have had to be achieved by the time it is constituted. There are different types of constituent assemblies. One is the simple majoritarian type in which everyone votes without any checks and balances. This will mean that minorities will have no power and the game, in a sense, will already be over. On the other hand there could be mechanisms for checks and balances to provide for minority protection or concurrent majorities in which the members of each group have to vote on the proposals.

In fact, there is very little difference in the debate about a constituent assembly and the debate on the constitution. The issues are the same. How, then, to achieve a constituent assembly?

negotiations

Friedman believes there will have to be negotiations to decide who is going to be at the negotiation table - a series of negotiations between anybody powerful enough to negotiate and willing to do so. A long process might eventually lead to a constituent assembly, but by that time there would have to be some consensus on the type of constitutional settlement to be reached.

The crucial question is that if the solution to the country's problems can be found only through the creation of a non-racial, universal constituent assembly, how do you get there? Will there be checks and balances and if so of what kind? Will there be proportional representation, and if so which particular constituencies will have sufficient muscle to participate?

It seems a constituent assembly is really the end result of a long process of negotiation, by which time most of the problems will already have been resolved.

All three of these eminent analysts are agreed that the process will be a long one; that a constituent assembly is likely to be achieved only after prolonged negotiations; that a con-

stituent assembly is not necessarily the only answer; that its form will decide its results, and that it is fundamentally important to build up an atmosphere of trust and credibility between all constituencies. What happens in the interim period is also crucial. An essential development would be the growth of the democratic culture referred to by Slabbert. Without that we may well adopt a new constitution, but not necessarily a democratic one. Means and ends are interrelated and interdependent.

It is interesting to note in an article in the *Weekly Mail*, that Gerrit Viljoen, Minister of Constitutional Development, has indicated that: 'The government has not decided whether it would participate in negotiations "as government or as the National Party"... There would be a referendum and implementation (of a new constitution) within the five-year life of the present parliament ... Real negotiations include negotiations about the process itself ... He emphatically favours a referendum over an election ... involving the whole population including those presently excluded ... He is against a constituent assembly arguing that it is not appropriate for a country with an existing government and constitution. An election for a constituent assembly would force parties to solidify old positions ... which would restrict space for future compromise ... The government has to see to it that the whites don't say "no" in a referendum. If they say no the consequent deadlock would have very, very serious consequences.' (*Weekly Mail*, 22.06.1990)

There are many points of agreement between the sentiments of Viljoen and the three consultants, which should encourage the hope that, despite the difficulties and pitfalls that lie ahead, it will be possible to reach a form of consensus that is acceptable to all sections of the community. If South Africa goes ahead with a broad-based determination to democratise, while remaining aware of the dangers, and tolerating other constituencies in the process, it can still become a pathfinder for the rest of the world. □

Joyce Harris

basic constitutional questions

What should Black Sash members know to be constitutionally literate in the 1990s? Karin Chubb and Jenny de Tolly address the question in the context of securing women's rights.

In August last year, some 60 Western Cape women spent a weekend looking at constitution-making and exploring ideas on how to make women's voices heard in a new South African constitution. The conference was organised by IDASA as a follow-up to a women's conference in Harare in April of the same year when we were urged by the Zimbabwean women to organise *now* to ensure that women attain full and equal rights.

We recommend the published papers of talks delivered during this weekend. They outline the basic concepts and problems of making a new national constitution. For example, in a simply set-out paper, Eleonore van der Horst answers three key questions.

what is a constitution?

Van der Horst distinguishes between descriptive constitutions (describing the actual way in which a state is organised and power is exercised) and prescriptive constitutions (a set of fundamental, legally binding rules, embodied in a document, in terms of which the state has to be organised, and power exercised and limited).

She points out that constitutions 'are the product of negotiations over real conflicting issues in a given society, in the classic sense the embodiment of a social contract', and goes on to say that 'no constitution can remain effective if ... there is no general respect for the rights of others, be they individuals or minorities'.

when are constitutions made?

'Constitutions are mostly made when a country needs to make a clean break with the past, e.g. Germany after the last war, colonies on independence.' New constitutions are

generally the products of a 'sense of national crisis'.

As a new constitutional dispensation has to be in place before the old one can be abandoned, the time constraints of constitution-making become crucial. Ideally, the making of a constitution is a slow, careful process requiring several years. It is very doubtful that the makers of the new South African constitution will have that sort of time.

who writes constitutions?

In most countries, a team of legal experts would draw up a constitution based on a consensus of demands made by a broad spectrum of citizens.

Historically, both the constitutional experts and the constituent assembly have been made up mainly or even entirely of men. As we are in the process of abolishing a racist constitution (white men having made laws and policy for blacks), we should strive also to abolish the tradition of sexism (men making decisions on behalf of and for women) in the process of making a new constitution. It is therefore vital that women are fully and competently represented in all phases and at all stages of this process. It is not enough that women's organisations should formulate demands which are then taken into account - or not regarded, as the case may be. Women should have direct representation on all decision-making bodies.

the constitution-making process

Issues concerning the *process* of constitution-making and the efficacy of constitutions recurred during the conference weekend. Here too Van der Horst makes some useful points.

It is clear that, as a constitution defines the relationship between in-

dividual and state, its credibility and strength must be derived from broad-based support.

How is this support secured? A new constitution is often put to the people in the form of a referendum. 'It is probably generally accepted that a constitution, because of its higher authority, needs to be approved by more than 50 per cent of the population, but whether this requires a 3/4 or 2/3 majority is a question for which there is no answer in law.'

For a referendum to be meaningful and for people to be able to make informed decisions, there has to be a grassroots education programme around the new constitution. Should this be left entirely in the hands of political parties vying for power?

a Black Sash role?

We offer three suggestions as to how the Black Sash best become involved in the process of constitution-making:

1 We can inform our membership by offering resource material and holding discussions on constitutions. This would give present-day context to our stated aims and objectives: 'to promote justice and the principles of parliamentary democracy in South Africa' and to 'seek constitutional recognition and protection by law of Human Rights and Liberties for all'.

2 In addition, we can disseminate information to a wider audience by publishing booklets. Two are in the planning stage: 'You and Human Rights' and 'You and the Constitution'.

3 Lastly, and by no means least, we can contribute to a new women's charter, or to the incorporation of women's rights in the new constitution. We need to promote women's demands for full and equal rights as citizens. Ways of enforcing and safeguarding these rights will have to be found. □

Titles of recommended papers:

- 'What women should know about constitutions and constitution-making' by Eleonore van der Horst
 - 'Problems of constitution-making for South Africa' by Sarah Christie
 - 'Women and language in the ANC Constitution Guidelines for a democratic South Africa' by Dorothy Driver
- (available from IDASA regional offices)

Sarah Christie reflects on gender oppression in South Africa and the search for future justice.

women's new voices

At one and the same time you have to have a job, be in the union and run the home. If you're a young woman maybe there's also a baby to look after. Maybe in the mornings you take your child to a crèche or an old woman. If the man comes earlier he hasn't the ability to go and fetch the child and look after it while I's still working. He expects the woman to go and fetch the baby, put it behind her back, get to the stove and cook for him ... and he's busy reading the paper.

And we do it happily because we grew up that way, we saw our parents do it and we think it's the African law.

(Lydia Ngwenya, 'Women and Trade Unions', SALB, 1983)

Until recently people on the left have been critical of feminism, describing it as a banner raised by 'contradictory' forces, but a new women's voice is now being heard.

Liberation movements in the rest of the world delivered very little to women. There is a growing concern that liberation from apartheid in South Africa might achieve nothing for women save to substitute a black for a white male oppressor. The concern arises from several precedents. Remember Stokely Carmichael's aphorism: 'The only position for women in the black movement is *prone*'? The attack on the muslim women's movement by the fundamentalist Iranian revolutionaries was appalling and in South Africa sexual violence is sometimes glossed as a consequence of the violence of apartheid and sometimes minimised in the name of tradition. Reflecting on world-wide patriarchy suggests that simply blaming apartheid is misplaced and posits no useful solution. There is no going back to a notional precolonial state of innocence; ours is a country ineluctably urban in orientation.

Women must therefore recognise that despite the contradictory nature of feminism and the difficulty of establishing solidarity because of class and cultural divisions, these problems are not peculiar to South Africa.

the apartheid legacy

The Black Sash strives for a society where it is permissible to speak with a contrary voice, and we should be concerned about the drift to consensus politics which is a power-bargaining mechanism for dealing with conflict, based on the idea that everything is negotiable; a dangerous corollary is that principles are capable of being traded. Thus, views which do not accord with the prevailing conventional wisdom may be repudiated as divisive, revisionist or simply subversive.

If we take a long view we note that democracy is a recent phenomenon and frail. It does not thrive in poverty. I don't know of a democratic social order which copes with massive unemployment, declining productivity and a wretchedly ill-educated working class.

The legacy of apartheid is that all of us have been part of its power, as collaborators, victims and perpetrators. The effect of apartheid has been a limitation of the personality of individuals as the chief means of safeguarding the privileges of its ruling class.

The apartheid state perverted common law legal norms (though they were in any event biased in favour of the propertied middle class). It is vital that we try to resuscitate respect for tolerance, and concede that there is always a need to limit power wherever it is found.

In this respect H L A Hart, writing on the constitutional protection of human rights, has drawn attention to the fallacy of 'moral populism' which fails to distinguish between the acceptable principle that political power is best entrusted to the majority, and the unacceptable claim that what the majority do with that power is beyond criticism and must never be resisted.

legal protection of human rights

I assume all would want a new constitution to incorporate an entrenched bill of rights. The bill should include first generation (civil and political) rights, and second generation (socio-economic) rights. Both first and second generation human rights were incorporated into the Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948, but second generation rights remain a pious aspiration for all but a handful of countries in northern Europe.

The legal and constitutional framework to locate a just society is not neutral, but the challenge to eliminate poverty and create a sane and fair social order will not be won through institutionalisation of legal protection but by the creation of material and cultural wealth.

Constitutional structures will be informed by the prevailing ideology of the role of law, but however interventionist the state, any new constitution should provide both legal and political mechanisms to influence and control government.

The prime example of active judicial review is the United States. The US Supreme Court has often been proactive, particularly in regard to political and civil rights. Michael Perry's view is that though there may be a danger in allowing the courts to rule on social and economic rights, the judiciary can challenge the inertia of political process and serve as an agency of ongoing insistent moral re-evaluation.

Litigation is however sporadic and expensive, even if plaintiff is successful. Our system of legal aid is hopelessly inadequate and requires drastic amendment. There is no developed system of class actions, where individuals can sue on behalf

of a wide range of people, effectively asserting public interest through litigation.

socialisation for a democratic rights culture

But we should remember that legal rights are useless unless there is a democratic rights culture. The US constitution was there with slavery and the Salem witch hunts. Legal rights and structures for affirmative action in favour of those who have been discriminated against are inadequate without consciousness, created through education and social organisation. There was no point to the anti-victimisation provisions in the Labour Relations Act until there were strong unions. Women need to be imaginative about what processes to use and when to use them. There is a provision in the Labour Relations Act already which outlaws discrimination on the grounds of sex, yet it has hardly been used.

Socialisation for a non-racial non-sexist society has to happen in early childhood, not as a painful and expensive process in adulthood, when men have become entrenched and women demoralised.

We should not make the mistakes of the US women's movement when separatist radical feminists called heterosexuality rape, and married women were accused of being collaborators. From a foolish misapprehension of the nature of gender oppression, pregnancy was characterised as a disability: as men don't get pregnant, an employer's refusal to grant paid maternity leave could not be construed as sexual discrimination. A charter of women's rights, even if not enforceable through the courts, could be a useful point of reference.

changing priorities

There is obvious discrimination against women which is well known: unequal pay, inadequate family support, the trivialisation of women through sexism and pornography, inadequate maternity leave and child care facilities, inadequate protection against assault and sexual violence, both in marriage and from strangers. The list goes on.

Our system of social welfare both social and occupational is structured to operate unfairly against women in a number of other important ways. Job loss through pregnancy and child-rearing means women lose equity in occupational pension schemes. Employees who withdraw from a scheme are routinely paid out only their contributions and derisory interest. The employer's contribution remains in the fund for the benefit of those who stay. Part-time working mothers are unlikely to earn adequate pension benefit as their work is typically not pensionable. Disparities in retirement age are predicated on the notion that women are supported and have no independent pension need.

Domestic workers invariably have no occupational pension. As the penalty for being mothers of the nation, the overwhelming majority of women look forward to an old age of unrelieved poverty. This social problem affects the entire society and we should campaign for the establishment of a national social pension, which takes cognisance of the factors which peculiarly discriminate against women.

family law

Women are economically penalised when they marry, yet socially punished if they do not.

Divorce law and practice is quite inadequate. It is adversarial and administered by practitioners who seem uncomfortable dealing with time-consuming family disputes. Lawyers have the sole legal right to approach the bench as representatives, yet because of the high overheads of commercial practice, the cost of pursuing legal remedies is prohibitive and resentful couples are forced to settle.

A concerted campaign must be mounted to amend the inequities in our family law. Some headway has been made in the last ten years, but it is not enough and alternative resolution of family disputes through mediation, not litigation should be encouraged.

The social and economic cost of contraception and abortion must be measured against the social and economic costs of rearing unwanted children and the deaths of women who are vulnerable to back-street abortionists.

the search for justice

In general women's issues should not be routinely separated from the general movement for change. I am not convinced that a women's portfolio at central government level would remove discriminatory practices or create a climate for justice or that a women's charter would be more than a litany of hope.

A 'feminist' analysis of constitutional structures is only strained when we ignore the fact that all our existing constitutional works are male in character. It is this normative element in constitutional thinking which needs to be eradicated. I also believe that whether one is a socialist or a free-market capitalist, social and economic injustice to women can be resisted through campaigns which are not tied to particular political parties. Remember Albie Sachs' view that the only truly non-racial system in South Africa is patriarchy.

Ultimately, our search is for the establishment of a sane, compassionate, egalitarian society where gender oppression, from whatever source, is eliminated, and when a girl is born the neighbours need not say, 'Ag shame, still trying for a boy?' □

masekela on the issue of women

It is important that in our struggles we should also struggle for empowering women, not only in the cultural processes but in the political and economic ones as well. And here it is important to stress that our view of the manner in which the question of women should be addressed is not in a ghetto of women's affairs but that we seek to see the issue of women, of gender integrated into any discussion on any topic pertaining to the future of our country.

Barbara Masekela (Head: Department of Arts and Culture, African National Congress) at the National Arts Festival, Grahamstown, 5 July 1990

the namibian constitution: a potted version

Namibia's constitution has earned high praise for its theoretical thoroughness. Noël Robb produced a distillation of the 95-page document for SASH readers' consumption.



President Nujoma swears in Prime Minister Geingob as Namibia took formal independence on 21 March 1990

how the Namibian constitution came into existence

Namibia's newly elected constituent assembly's first task, in November 1989, was to appoint 24 of the 72 elected members to serve on a Constitutional Draft Committee. This body sent the SWAPO draft proposals to Advocate Ishmail Mohammed, a Johannesburg-based expert on the Indian constitution.

His proposals, together with SWAPO's, were put before the constituent assembly and further proposals were made and accepted by all parties represented.

The constituent assembly was bound by a set of basic constitutional principles drawn up by the Western Control Group (Canada, United Kingdom, USA and Germany) in 1982, and adopted by the Security Council of the United Nations as the basis for all future constitutions.

Just before Christmas 1989, the Constitutional Draft Committee asked three South Africans, Professor Marius Wiechers of UNISA, Professor Gerrit Erasmus of the University of Stellenbosch and Advocate Arthur Chaskelson, head of Legal Resources, to assemble all these proposals in a document written in constitutional language. By mid-January, the task was completed and the draft constitution was then fully discussed by the Drafting Committee who made several amendments. It was then presented to the constituent assembly who accepted it with just a few minor changes. So it was that within eight weeks the new constitution was adopted unanimously. It has received almost universal acclaim.

the preamble

The tone is set right from the start: 'Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is indispensable for freedom, justice and peace ...' And later: 'Whereas the people of Namibia have finally emerged victorious in our struggle against colonialism, racism and apartheid, and are determined to adopt a constitution which expresses for ourselves and our children our resolve to cherish and to protect the gains of our long struggle ...' Throughout the

constitution it is the *individual* and not the *ethnic and minority group* which is protected via an independent judiciary. The most notable articles in the constitution are summarised below:

1. The official language of Namibia is to be English, but the use of any other language as a medium of instruction in private and state schools (provided proficiency in the official language is attained) is protected by the constitution.

2. Citizenship is fairly broadly available, but is denied to those whose parents were, prior to independence, diplomatic representatives, career representatives of another country or members of police, military or security units seconded for service within Namibia by the government of another country.

3. The fundamental human rights listed (protection of life, liberty, and respect for human dignity) 'shall be respected and upheld by the legislature, executive and judiciary and all organs of the government and its agencies ... and shall be enforceable by the courts'. Further, 'there shall be no slavery or forced labour' (the latter is allowed for members of the defence force, police force and prisons service, provided it is required by law). Moreover, conscientious objectors will not be jailed; instead they will be allowed to do alternative service.

4. Equality and freedom from discrimination - 'no persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status. There shall be no arbitrary arrest or detention: anyone arrested must be informed of the grounds for such arrest in a language they understand.'

5. All persons are entitled to a fair trial. Most importantly, 'no person shall be tried or convicted of any criminal offence or act or omission which did not constitute a criminal offence at the time it was committed', that is laws cannot be made retrospective (as many are in South Africa). Further, the death penalty has been abolished.

6. Privacy, family and children's rights are all protected as are property rights: 'all persons shall have the right in any part of Namibia to acquire,

own or dispose of all forms of immovable and movable property ...'

7. Political activity is protected: 'all citizens shall have the right to participate in peaceful political activity intended to influence the composition and policies of the government ...'

8. Everyone has the right to an education, and primary education is to be compulsory and free until the child has completed primary school or reached the age of 16, whichever is the sooner. The right to establish and maintain private schools, colleges and other tertiary institutions is protected, provided the standards are satisfactory. No restrictions based on race, colour or creed are allowed in these private institutions.

structure of government

The president is the head of state and of the government, and commander-in-chief of the defence force. He/she is elected by direct, universal and equal suffrage by all citizens of Namibia. He/she must obtain over 50 per cent of the votes. Every Namibian citizen over the age of 35 who is eligible by birth or descent to be elected to office as a member of the national assembly is eligible for election as president - male or female. The term of office is five years; no president may hold office for more than two terms, and he/she can be removed from office by a two-thirds majority of all members of the national assembly, confirmed by a two-thirds majority of all the members of the national council.

On the recommendation of the Judicial Service Commission, the president appoints the chief justice, judge president of the high court and also the supreme and high courts judges, the ombudsman and the prosecutor general. Likewise, the state president alone appoints the attorney generals, prime minister, ministers.

the national assembly

The legislative power of Namibia is vested in the national assembly, comprising 72 members elected by the registered voters according to general, direct, and secret ballot. The people vote as individuals for the party and policy of their choice, not

for an individual candidate; the parties are represented in parliament according to the percentage of the total number of votes obtained. (A party receiving 50 per cent of the votes would have 36 members of parliament.) No more than six members may be appointed by the president by virtue of special expertise.

the national council

This consists of two members elected by members of each regional council representing each geographical (*not* ethnic) region. Members hold their seats for six years and may be re-elected.

The national council has considerable powers: all bills passed by the national assembly must be referred to the national council. If the latter confirms the bill, it is referred to the president for signing. If amendments are proposed, the bill must again be referred to the national assembly. If two-thirds of the members of the national council object to the principle of the bill, the national assembly has to reconsider the principle. Unless it is passed by a two-thirds majority, the bill will lapse.

the administration of justice

The judiciary consists of:

- The supreme court of Namibia (equivalent to our appeal court).
- The high court of Namibia (equivalent to our supreme court).
- Magistrates and lower courts of Namibia: 'The courts shall be independent and subject only to this constitution.'

The attorney general is appointed by the president and the prosecutor general by the president, on the recommendation of the Judicial Service Commission.

the judicial service commission

This consists of the chief justice, a judge appointed by the president, the attorney general and two nominated members of the legal profession.

The ombudsman is independent and subject only to the constitution and the law, and shall be either a judge of Namibia or a well-qualified advocate. He is appointed by the president on the advice of the Judicial Service Commission, and holds

office until the age of 65, unless extended to 70 by the president.

His duty is to investigate all complaints concerning alleged or apparent violations of human rights and freedoms, abuse of power, unfair, harsh, insensitive or discourteous treatment of an inhabitant of Namibia by an official in the employ of the government.

promotion of the welfare of the people

The state shall actively promote and maintain the welfare of the people by adopting policies aimed at:

1. ensuring equal opportunity for women to enable them to participate fully in all spheres of Namibian society, and promoting the principle of equal pay for men and women;

2. protecting the health and strength of workers, especially children. Those under 16 are protected from economic exploitation and may not be detained;

3. encouraging trade unions, with Namibia becoming a member of the International Labour Organisation (ILO);

4. providing a pension for senior citizens and a living wage for all workers;

5. planning to raise and maintain an acceptable standard of nutrition, standard of living and public health.

On first reading through the constitution of Namibia, it may appear that the promise to protect every individual is a hollow one - idealistic, impractical and impossible to honour. But once the reader takes into account the creation of an independent judiciary and an ombudsman, it becomes apparent that each individual does have access to the lower courts to protect these rights.

We will be watching with fascination to see how this constitution works in practice. □



Graeme Williams/Alrapix

namibia's constitution: a model for south africa?

A study of the Namibian constitution was the first project of the new Black Sash (Cape Western) interest group on constitutions. Sue Philcox expresses some concerns arising from the study about future issues in Namibia and South Africa.

Much of the Namibian constitution was decided upon by the international community in 1982, following United Nations resolution 435. There was, therefore, no process of discussion and debate, with the result that there is a considerable amount which could and surely will be, criticised, particularly by the working class of Namibia.

For instance there can be problems with an executive and administration which is not directly responsible and accountable to the legislature. Then, there is no structural change in the economy. There is no nationalisation of land or foreign property. Approximately 70 per cent of the arable land of Namibia is owned by whites and an estimated 60 per cent of Namibians are un- or underemployed; and about 60 per cent live in rural areas. The status quo, in a structural sense, remains.

Local and regional government still must be brought into being. What presently exists is based on racial and ethnic divisions. It does not appear that there is to be 'a great debate' about local government. As we have seen to our cost in South Africa, where people are not consulted and involved in what affects them directly and most closely, there can be subsequent problems.

However, the new constitution must be tested and local and regional government must be created within the next two years. If the new state is able to create jobs and fulfill expectations it will go a long way to ensuring the success of the new regime but if some sort of land policy, which will respond to the land-hungry and dispossessed, is not formulated, the fruits of independence will turn sour for the majority of the population.

There is much in the Namibian constitution which could become a model for one in South Africa. However, there are issues that need to be widely debated and the debates should become part of the process of constitution-making. A South African constitution will operate for approximately 39 million people in a country with a relatively sophisticated economy;

the Gross Domestic Product (GDP) is R237 billion. The Namibian constitution will operate for 1,6 million people with a largely rural and mining economy; the GDP is R3,5 billion.

Some fundamental issues which confront South African constitution-makers are whether to have a multi-party or single-party democracy, the protection of group or minority rights (whatever these may be), land-ownership and wealth distribution, the need for action to redress the injustices of apartheid, the forms of local and regional government, the part to be played by a bill of rights (if any), language and many other matters.

As far as a multi- or single-party democracy is concerned, despite the prevailing difficulties, a multi-party system should be negotiated. The African National Congress (ANC) in their constitutional guidelines are quite clear on their opposition to ethnic politics which they propose to outlaw. Ethnic divisions are deeply entrenched in our society and there is a danger that they may form the basis for political association in the future. Multi-party democracy will have to be tested by popular support. In addition it will be necessary to provide a balance between the protection of individual civil liberties and the level of societal intervention to limit the liberties so as to preserve other claims and values such as respect for human welfare and a more just society. The protective powers of a bill of rights and the rule of law can go some way in determining this balance.

Then the issue of group loyalties is essential to address. In the case of some groups, group loyalty is dominant and the attitudes to sub-loyalties is widely divergent. Perhaps an interim protection of some group rights will pave the way for a movement towards greater agreement about the society to be shaped. Here a bill of rights might be helpful in protecting the civil liberties and fundamental human rights that we should come to expect in our society.

Albie Sachs has written extensively on what a bill of rights should be about. Perhaps the most impor-

tant point that he emphasises is that a bill of rights is not set into the constitution to protect vested interests and block corrective action, but to consolidate the gains of people in struggles. He describes the process needed to adopt a bill of rights and likens it to the adoption of the Freedom Charter by 'possibly millions of people'. A bill of rights must deal with the extension rather than the restriction of democracy and it must be centred around affirmative or corrective action. Much requires to be discussed and debated on these issues.

The problems of distribution of wealth and appropriate economic policies need to be addressed in the context of the South African reality. A mixed economy is an acceptable liberal tenet but we live in a society with a frighteningly high unemployment level and no infrastructure for a welfare society. We need to consider the economic pressures that advocate a centrally planned economy. A new society that continues to oppress the majority does not have much chance of survival.

In the same way the policy toward land reallocation will be crucial to the way in which a new order will work and survive. It is essential that the opportunities are provided for the advancement of all people.

Regional and local government will also be a crucial consideration in constitution-making. We are presently witnessing the widespread collapse of local government which has been structured entirely on racially discriminatory principles. The regional services councils and the black local authorities serve the interests of the present government. They lack credibility and legitimacy. Their previous history has been a disaster - their future is bleak. It is necessary to depoliticise local government and begin negotiations with representative leaders and communities. Local government is the most significant arena for political accommodation. It must be used as a way in which the majority of people can determine their own future. □

It is important briefly to refer to the historical circumstances from which AZAPO policies have emerged before outlining aspects of our struggle and strategies for the future.

Black consciousness is the product of the historical experience of black people in South Africa. The colonisation of our land three centuries ago has led to countless wars of resistance, to systematic land dispossession by various colonialist governments, exploitation of the wealth of the country and the impoverishment of black people who became a pool of cheap labour concentrated either in suburban ghettos or in barren and remote homelands.

The process was completed at the beginning of the century after gold and diamonds were discovered and the 1913 Land Act had been passed.

Today, the large majority of us have no homes and die more as a result of poverty and socio-economic diseases than from normal causes. We have little or no access to knowledge. We have been stripped of the most basic human freedoms one can think of. As a result of this abject poverty and ruthless oppression, black people are dehumanised and have lost self-esteem.

psychological liberation

Thus, the first task for the Black Consciousness Movement (BCM), which was ushered in by the South African Students Organisation (SASO) in 1969, was to go through a programme which aimed at the psychological liberation of black people. The BCM, which had penetrated all sections of the black community such as students, youth, workers, women, artists, by 1976 articulated the aspirations of black people, debated possible solutions to their problems and proposed that the end-result for our struggle should be an 'egalitarian, non-racial society'. At present, South Africa is dominated by racial bigotry and gross inequalities in the distribution of wealth.

The BCM sees the following aspects of our struggle as having an important bearing on the process of shaping the new society:

1. The solidarity of black people is understood to be the most important requirement for the successful execution of the liberation struggle.

black consciousness: the AZAPO inheritance

The Azanian People's Organisation (AZAPO), intellectual home of the black consciousness tradition, is now poised to expand its potential for influence. Monde Ntwasa, vice-president of AZAPO (Cape Province), sets out the basic positions on which it will canvass for support.

It defines and anchors the philosophy of Black Consciousness (BC). The SASO policy manifesto reads, 'The concept of BC implies the awareness by the black people of the power they wield as a group, both economically and politically, and hence group cohesion and solidarity are important facets of BC.'

Included in the term 'blacks' are those who, either by law or tradition, are socially and politically discriminated against as a group in South African society, and who in turn identify themselves as part of the struggle for Azania. People who are classified 'African', 'coloured' or 'Indian' are covered by this definition. However, the physical appearance of a person is not necessarily the only criterion for being 'black'.

2. The principle of non-collaboration with the ruling class is imperative. BC holds that it is not possible to achieve the liberation of black people by participating in, and therefore giving legitimacy to, the structures that are meant for the oppression of black people.

3. The rejection of racism is one of the main tenets of BC philosophy. BC rejects the notion that human beings can be divided into many different races. This notion is propagated by groups of people like the white ruling class in South Africa who, following on historical precedents, wish to exploit others whom they regard as inferior and whom they therefore believe deserve to be exploited.

4. The rejection of exploitation is another tenet. The BCM holds that the mode of production in South Africa rests on the exploitation of the majority of the people - the black

workers - by a very small minority of white monopoly capitalists. Capitalism cannot survive without such oppression.

5. Black Consciousness stresses and promotes self-reliance of the oppressed in the process of struggle. The BCM believes that too much dependence on external assistance could compromise the liberation movement or even lead to a situation of 'selling out' on the interests of the oppressed. Most importantly, self-reliance is a means of empowering black people so that they do not have to depend on charity. Therefore, BC regards with contempt all institutions or groups who cultivate and perpetuate a dependency syndrome among black people by providing short-term help of the 'soup and biscuits' kind.

In short, BC implies that the process of achieving a new society requires that black people should close ranks to oppose the definite racism meted out by white society, and to work out their direction clearly so as to bargain from a position of strength. The new society can be achieved only by the efforts of the oppressed and not by the oppressor.

This is in contrast to a characteristic theme in the strategic thinking of whites which was succinctly expressed in the editorial commentary of *Deurbraak* (Progressive Party journal, August 1972). The main assertions were:

1. that whites were wielding political power and that if the blacks wanted to share this power, they would have to persuade whites to give away certain powers. The only way of achieving this would be by co-operating with whites;

2. that if the blacks wanted to take over power they would do well to remember that the whites would only allow it 'over their dead bodies';

3. SASO was 'advised' not to 'scream' at whites because this would only serve to convince whites that blacks were determined to chase them to the sea. This would make whites all the more adamant about clinging to their power.

AZAPO

After the nationalist government banned all BC organisations in 1977, AZAPO emerged as the main flag-bearer of BC. It also developed an overt socialist programme for the fundamental transformation of South African society.

AZAPO does not discern any fundamental differences between the white people of today and those of 1976. There are still strong similarities with the strategic thinking which characterised the white political mood of the 1970s. It has merely taken on a new guise in that the underlying assumptions behind achieving the New South Africa are that blacks must make all the necessary sacrifices; they must abandon the armed struggle although the SADF remains intact; they must forego the option of nationalisation; they must stop talking about sanctions and stop protesting unless it is done 'peacefully'. It has become a very common media occurrence to see warnings by white leaders that continued resistance by black people will drive whites to move to the right. Whites are still unable to accept a solution that will not be based on group interests.

The general mood in South Africa presently is one dominated by talk of a 'negotiated settlement'. The National Party (NP) is offering to 'negotiate a future' for South Africa. The projected process will consist of three phases: 1) the removal of obstacles to negotiations; 2) a structuring of the negotiating process and an identification of participants; 3) the actual negotiations.

The vision of the future South Africa which the NP wishes to negotiate is 'one undivided state with one brand of citizenship for all and universal adult suffrage'. (De Klerk, *The Citizen*, 20 April 1990) It will be a multi-party system with 'more than

one voters' roll which does not exclude a common voters' roll'. (Viljoen, *Beeld*, 6 March 1990) It will have a two-chambered parliament where the second chamber shall have rights to block legislation affecting minority groups on important political issues such as the nature of the economic system and regular elections. (*Beeld*, 28 April 1990)

AZAPO does not reject the idea of negotiating because we believe that for problems to be resolved, negotiations are sometimes imperative. However, AZAPO believes that true negotiations are not possible between parties whose strengths are excessively unequal.

In support of this argument AZAPO notes that:

- the racist government's war machinery is intact;
- their morale is still relatively high;
- no significant divisions have developed in the ranks of the ruling class;
- the economy is still relatively strong although it is declining. The objective behind the rhetoric about a New South Africa is to salvage the economy;
- the enemy controls virtually all communication media in the country and is, therefore, in a position to manipulate the consciousness of the masses. The enemy uses this power to divide the masses and turn them against their true leaders who have been democratically elected. In this respect, it is important to note that AZAPO is opposed to personality cults.

AZAPO believes that it would be foolhardy for the oppressed to go into negotiations unless they have achieved certain goals:

- their morale must be strong;
- they must be united to a significant degree;
- they must have a clearly defined political agenda;
- they must be in a good position to in-

fluence the pace and direction of the negotiating process.

Therefore it is imperative that a constituent assembly is convened to establish achievements and define direction.

AZAPO is further concerned that the 'future South Africa' that De Klerk is proposing is not different from the present except that blacks may be included in parliament and in one of many voters' rolls.

While AZAPO believes that negotiating may be a necessary step in resolving conflict, AZAPO does not regard the De Klerk proposal as political negotiation. AZAPO sees these proposals as a polite gesture by De Klerk to include the liberation movement in his system. It is an invitation to sell out.

AZAPO's 'resolution on negotiations', adopted at its ninth annual congress on 4 March 1990 states that 'the timing for negotiations' is premature and, therefore, cannot deliver the expected revolutionary change to benefit the oppressed and exploited masses of Azania and that at this juncture negotiations can only effect the following:

1. benefit a few elitist groups in our society to the exclusion of the underprivileged and disadvantaged;
2. give a new lease of life to the capitalist system that had already shown signs of collapse;
3. create confusion and interorganisational conflicts as liberation forces scramble for crumbs from the oppressor's table.

In the light of this solution, AZAPO rejects De Klerk's proposals and instead calls for a conference of the organisations of the oppressed to resolve the multiplicity of viewpoints among them. This is an essential step before we can even talk of talking to the enemy.

To give concrete substance to our call, we plan to co-ordinate a planning meeting of key representatives from all the political groupings in the liberation movement. □



CASSANDRA PARKER

Monde Ntwasa is a medical scientist presently engaged in research for an M.Sc. in medicine. He was the 1987 president of the Azanian Students Movement and is the present Western Cape director of the Black Students Study Project.

the new inkatha

The prospect of multi-party negotiations has been a catalyst for much repositioning amongst political groupings. Inkatha has now moved to reconstitute itself as a political party. Musa Zondi, member of Inkatha's central committee, outlines its new aims and policies.

Up until 14 July 1990 Inkatha was known as the NATIONAL CULTURAL MOVEMENT. It was dedicated to fight racial discrimination and devoted itself to the complete eradication of apartheid in South Africa.

Now Inkatha has not only voted to transform itself from a broad-based liberation movement into a political party but has also voted to open its doors to all races thus transforming itself into a nonracial, all-South African political party. It will have an ineradicable presence in our country's centre-stage politics from where the forces of transformation will actually come.

Inkatha has done this as a result of the state president's address to parliament on 2 February 1990 when he astounded the world with his radical departures from so much of the thinking of previous National Party governments. What he said in his opening address and the subsequent steps he has taken, has challenged every political organisation in South Africa. Inkatha's response is to say that all of us are challenged to put South Africa first, and then to battle with fear and prejudice so that we can set in motion a dynamic process which will transform South Africa into a normal, Western-type industrial democracy in which there is freedom of speech and of association; where the rule of law is guaranteed by an inde-

pendent judiciary; and which provides for equality for all before the law and in the constitution.

Inkatha is now responding to that challenge. It is one which all of us have yearned for and which demands the kind of responses which Inkatha has been practising for some time.

purpose and objectives

The new South Africa now emerging demands a new Inkatha - one that can make a major contribution to the establishment of a free, democratic, nonracial and multi-party society that will benefit and reconcile all people in the country.

The new Inkatha's strength comes from the solidarity and purposefulness of the leadership of Dr Buthelezi and his supporters who have led the battle against apartheid and fought for and obtained the new freedom for all democratic political forces to operate inside the new South Africa.

This strength is the launch pad from which the new Inkatha aims to become South Africa's largest and most effective democratic political party, dedicated to the service of all people and to giving them a better and happier life. It will achieve these ends through positive, constructive, peaceful and democratic means.

The new Inkatha with its policy of open membership may in future establish alliances and partnerships

with other political parties and forces dedicated to democracy, and sharing common purposes. It dedicates itself to four great tasks:

1. to establish an open, free, non-racial society offering equal opportunities and safeguards for all people;
2. to harness the great resources of the country to fight the real enemies of the people, namely poverty, hunger, unemployment, disease, ignorance, insecurity, homelessness and moral decay;
3. to redistribute the wealth of the country to the benefit of all people, and to establish political and economic structures that encourage enterprise and create more wealth;
4. to ensure the maintenance of a stable, peaceful society in which all people can pursue their happiness, and realise their potential, without fear or favour.

Further, the new Inkatha will become a pro-active force moving out into the new political marketplace to make good its promises contained in the four tasks described above. We believe that Inkatha's policies of economic growth through enterprise are the only path to peace, security and prosperity for all.

Inkatha's future support base

The existing 1,8 million card-carrying black membership of Inkatha will be combined with new members who are now joining for the first time since it has been opened to all races.

Inkatha will be opening up branches in white, Indian and coloured residential areas. Further than that it will be campaigning for support across the board on a non-racial ticket among all South Africans. □



Musa Zondi is also national chairperson of the Inkatha Youth Brigade.

africa for the africans: a pan africanist viewpoint

All parties, including the Pan-Africanist Congress (PAC), agree on the need for change in the politics of the country but they start from different points, argues Kwedi Mkalipi, senior member of the PAC. In this article, he sets out to 'correct the impression that the PAC is opposed to talks' and presents the organisation's viewpoint on a number of key issues.

history recalled

The PAC broke away from the African National Congress (ANC) in 1950 because, among other things, it disagreed with the policy of multi-racialism adopted by the mother body. It was not, as many want to believe, that the PAC was a racist organisation whose members hated the whites. Rather, PAC members hated white domination and not white people.

The PAC subscribes to a programme of action adopted by the ANC at their Bloemfontein Conference in 1949. The programme rejected all forms of white leadership because, it argued, white leadership militates against the genuine interest of Africans.

political stand

The PAC stands for the government of the Africans by the Africans for the Africans. It accepts any person who owes his allegiance and loyalty only to Africa and who accepts the democratic rule of the African majority.

Besides embracing all who genuinely owe their allegiance and loyalty to Africa, this definition reflects a conception of Africa which is more a question of attitude and a state of mind. Our allegiance is to all the people from Cape to Cairo; from Malagasy to Morocco. It does not embrace those who have made Africa a piece of Europe which enables them to divide 'Europeans' (the superior) from 'non-Europeans' (the inferior).

We envisage a future Africa that will be free and in which colour will count for nothing. We reject multi-

racialism and, therefore, refuse to guarantee minority rights. We believe group rights will lead to group conflict. We are prepared to guarantee individual rights and an independent judiciary which will protect those individual rights.

Let me point out that the PAC is rooted in a shared philosophy reflected in Pan-Africanist ideology. The unifying idea is a united and free Africa. The tendency of our thinking is that the political end result should be a United States of Africa. There could be an intermediate stage of federations within the continent. There is obviously still a great deal of discussion on this issue within PAC ranks.

In our relationships with whites, we will follow in the footsteps of men like Julius Nyerere of Tanzania, Kenneth Kaunda of Zambia and Robert Mugabe of Zimbabwe. These leaders have included some whites in their cabinets.

Barney Desai, PAC Western Cape co-ordinator, emphasises this point when he says: 'I see no reason why in a free and democratic Africa, a predominantly black electorate should not return a white man (*sic*) to parliament.'

Some want to portray the PAC as an ogre that wants to kill all the whites who live in our country. This is wrong. In our vocabulary, the word race as applied to a person has no plural form. To us there is only one race to which we all belong - the human race.

bantustans

The PAC rejects the balkanisation of the Fatherland, dividing it into

smaller, weaker states, and for this reason we do not recognise the so-called homelands. The leaders of these homelands are chiefs and civil servants. It is with these men that the National Party negotiated for the balkanisation of the country. These same men were used as instruments of colonial rule in the system of native administration before the advent of the homelands policy. We want the homeland leaders to be part of the solution and we believe they should be brought into talks.

negotiations

Today, stress is placed on the need for talks to change the unjust system of apartheid. It is generally accepted that the pressure for real change must come primarily from the most under-privileged group. This is a basic tenet of all revolutionary philosophies. A glance at the east European canvas reveals the validity of this truth. There too, the pressure for social revolutionary changes came primarily from the toiling masses - the workers.

It is said the government is now willing to open talks with genuine black leaders in this country but we have several questions about this. What is the real aim of these talks? Does the government aim to hand over power to the black majority in this country? Is the government prepared to accept one-man-one-vote in a unitary state? Is this not a delaying tactic?

We believe that at this point the ANC is better placed than groups such as the PAC to hold talks with the government. They have been informed by the government of its

intentions while other groups have not. We regard this as a tactic of divide and rule.

Press reports indicate that ANC deputy president Nelson Mandela was involved in discussions with the government for years before he was released. He was even given facilities to inform his fellow executive members in Lusaka about the progress of these discussions. This is the difference between us and the ANC.

Let me hasten to state that the PAC has never rejected talks out of hand. We support the demand for the establishment of a constituent assembly where representatives of the people elected by universal adult franchise will deliberate and enact a new constitution for the country.

The PAC also demands the immediate and entire abolition of the Native Land Act of 1913 and the Native Trust and Land Act of 1936; the Population Registration Act of 1950; the Bantu Education Act of 1953; and all security laws which restrict individual freedom of the people in speech and assembly. We also demand the right to fair trial and commitment to the equitable redistribution of resources.

We regard the three laws mentioned by name above as the pillars of apartheid. Their removal could be a sign of change. The land acts, for example, imposed a heavy-handed policy of territorial segregation. The primary aim of the law was to get rid of those features of African land ownership which white farmers found undesirable and at the same time to increase the size of African reserves for the more convenient recruitment of labour for whites.

We reject these acts, for they work against the interest of Africans. We demand that these laws must be

scrapped and not further amended. Mere amendment would mean the perpetuation of a situation where the country's wealth would be concentrated in the hands of the few.

We also reject the Population Registration Act which divides people of South Africa according to their skin colour. We fear that if this act is retained it will give rise to group privilege. It will give an opportunity to those in power to identify the groups for which special protection and privileges would be provided. We fear that president F W de Klerk wants to frustrate the desire of the Africans to be on an equal footing with the whites in this country.

violence

The PAC decided to take up arms as far back as 1961 with the formation of Poqo, the military wing. Poqo was later replaced by the Azanian People's Liberation Army (APLA). It is generally argued that the liberation forces in both the PAC and ANC are weak and that the South African Defence Force is too powerful to be challenged.

I cannot argue about this because I have never been a soldier and thus do not know whether there is truth in this view. But the PAC viewpoint is that while there may be an inequality of strength at present, history has shown that there is not a single revolution that has not suffered setbacks. For instance, there was a time when the American Revolution was dying because of inefficiency and corruption. We believe the liberation forces can overcome these difficulties.

Let me point out that the internal wing of the PAC has

adopted a strategy of non-violent mass action. True, many would argue that it is impossible to be neutral in a state like South Africa because the policy of apartheid is in itself violent. I am sure I speak for many when I say violence breeds hate and that conditions must be created for all South Africans to enter discussions on a constituent assembly. We reject the present-day talks because they are based on group representation. We argue that the National Party wants to use these talks for the purpose of perpetuating group divisions among South Africans.

Instead we call for African organisations to meet among themselves to sort out their differences before they start talks with the government. Talks should be for all South Africans, black and white, and this should not be the monopoly of the National Party and the ANC. We have never rejected talks, but we do reject talks in their present form.

Negotiations from a position of weakness open the way to unacceptable compromises. We are willing to talk with anyone about our standpoint.

economic policy

The PAC envisages a planned economy. The form of such an economic system is still the subject of discussion among ourselves. The African people have been exploited a great deal and to amend this it will be necessary to restructure the economy. We must remember that without state intervention there will be no change in the present unfair distribution of wealth. The rich will become richer while the poor will become poorer. Such a state of affairs cannot be allowed to continue. We believe that the nationalisation of major industries may solve the problem of unequal distribution of wealth. Again, these viewpoints can be the subject of discussion in the proposed constituent assembly.

In conclusion, let me point out that we are not aligned to any superpowers. We are neither capitalist nor communist. We are nationalists and Pan-Africanists. □



Kwedi Mkalipi is general secretary of the Cape Credit Union. He was imprisoned on Robben Island for 20 years until his release in December 1985. He states that he has no feelings of regret for the years spent on the island - 'his university'. He has great respect for Nelson Mandela and others who were with him during those years.

the communist party's commitments

In July the South African Communist Party emerged from the political underground to become a legal party. Ray Alexander, member of the central committee, and Jack Simons, academic, give a first-hand account of the background and current thinking of the party.

The Communist Party of South Africa (SACP) was formed on 29 July 1921 in Cape Town's City Hall. From its very inception it established the principle of nonracialism. For nearly 40 years after its formation, the party was the only nonracial political organisation in South Africa.

The SACP pioneered the idea of one-person-one-vote in a unitary South Africa, it popularised the call for democratic majority rule.

The party advanced the idea of organising workers of all races in 'one union for one industry'. It particularly concentrated on the organisation of African, coloured and Indian workers.

The party was declared unlawful under the Suppression of Communism Act (1950). That was another first.

The SACP regrouped in the underground in 1953. When, in 1960, the African National Congress (ANC) was also banned, that shared condition promoted a close relationship between the two organisations. It has continued since the unbanning of both the ANC and the SACP by president F W de Klerk on 2 February 1990.

For more than half of the party's existence, it operated in the political underground. Party members continued to be in the front ranks of struggle. More than 100 members lost their lives on the gallows; in prison, during detention/torture; and through assassination at home and in exile.

The state's violence however, did not deter party members from carrying on with the struggle for social justice, for the

removal of discrimination and the achievement of socialism. For 69 years the party has been actively engaged in the working class and national liberation struggle.

This had left a deep impact on its organisation and methods of work. Those years of dedication, sacrifice and struggle taught our working class and fighting youth what communists are made of.

That is why the SACP's flag flies high wherever our people assemble, and our party is more popular than at any time in our 69-year history.

The unbanning of the SACP gives it an opportunity to emerge as a legal political party. Its clear-cut policy is to accept the leadership of the ANC in the liberation movement - that is the ANC and all its associates in the Mass Democratic Movement.

The declared policy of the party amounts to a division of labour. Whereas the ANC is recognised as the head of the liberation movement, the Communist Party claims by

reason of its history and special relations with the trade union movement to fulfill the role of leading the working class.

However, it must be acknowledged that the collapse of traditional communism in the Soviet Union and its allies in eastern Europe has significantly changed the outlook on communism in all countries in the world.

What appears to have emerged in the communist countries of eastern Europe are social-democratic or labour-party programmes in a variety of forms.

The struggle for socialism will continue because it is just and because capitalism fails to satisfy the legitimate demands of its critics who reject the anarchy of the capitalist system. Among them are intellectuals who are inspired by the ideology of socialism, and the working people who suffer the consequences of unemployment, homelessness; inadequate education for their children, health and social services.

The Communist Party of South Africa is wholly committed to the ideals of socialism. It seeks to pursue this goal by means of a non-violent transformation of the social system through a programme based on equality, social justice, the elimination of all race and sex discrimination.

The key to the solution of South Africa's problem will be found in a parliament based on the principles of universal franchise, multi-party representation, a bill of rights, reconciliation and reconstruction in a single united democratic South Africa. □



Ray Alexander and her husband Jack Simons, the first of the returning exiles, are welcomed home by Frances Baard at Jan Smuts airport on 2 March this year.

the politics of peace

With little time left for rethinking the ground rules of South Africa's future state policies, security and defence remains a neglected issue. Laurie Nathan argues for urgent consideration of an alternative approach to the armed forces and to defence policies.

Over the past few years South Africa has been inundated with conferences and books on the post-apartheid era. But until quite recently a crucial aspect of the new society was consistently ignored: the armed forces and policy on security and defence. These issues were addressed seriously for the first time at the Idasa conference on 'The Future of Defence and Security in South Africa' held in Lusaka in May this year.

Despite the significance of the conference, its real value remains to be seen. It will have been most worthwhile if it proves to have been not simply an isolated exercise, but the start of a broad public debate. Even the most optimistic prognosis must anticipate some level of violent conflict. Future security policy can either intensify or reduce the militarism that wracks our society while the armed forces will remain the decisive instrument of state violence.

This article attempts to stimulate thinking around these issues by presenting a critique of the traditional approach to security, proposing a radical alternative, and discussing some of the obstacles to its implementation.

the conventional approach to security

The conventional approach to developing security policy concentrates on strategic and technical considerations. It begins with a 'threat analysis' that attempts to identify the possible future threats to the country, and concludes by working out the type and size of the armed forces required to meet them.

Fuelled by the self-serving interests of the military and the arms industry, the tendency is to predict 'worst case' threat scenarios and thus to develop bigger or more sophisticated armies, improved weapons systems and larger arsenals.

This approach has obvious limitations. It takes a narrow military perspective, tends to ignore the underlying reasons for conflict, and is over-reliant on the use of force. It diverts resources from more socially useful ends and contributes to a war psychosis in civilian society.

Most important, it is counter-productive. If all nations are engaged in extensive war preparations, their fear of each other is heightened and their sense of security undermined. As the vicious cycle of 'bigger and better' escalates, war preparations are more likely to cause than prevent wars.

Is there a creative alternative to this approach? Without wider discussion and research it is too soon to say. But it is possible to imagine at least some features of a different policy, that could be termed the politics of peace.

the politics of peace

This new politics would differ fundamentally from the conventional approach in respect of both its aims and means. To begin with, its main objective would be the establishment and maintenance of peace, rather than security.

Peace would be understood as more than its dictionary definition of 'freedom from war'. Its essential ingredients would include security but would also encompass economic and social justice and protection of the environment. This broader definition has several advantages:

- it recognises that 'violence' is not limited to direct physical harm to people and property, but can be psychological (for example censorship), economic (poverty), environmental (destruction of natural resources) or political (disenfranchisement);
- it focuses attention on the need to identify and address many of the chief causes of violence, conflict and crime;
- it requires the building of something positive rather than the prevention of something negative;
- it situates security in relation to other goals and a greater ideal; and

- its achievement lies primarily in a fundamental political and economic restructuring of society and not in military means.

The politics of peace would be as concerned with violent conflict as the traditional approach to security, but its emphasis would be on either preventing such conflict or resolving it without resort to force.

a new approach to conflict

At a regional level the prospect of a serious military threat to South Africa is extremely remote. The countries of southern Africa will undoubtedly welcome the post-apartheid state into their community.

Although the subcontinent may remain politically and economically unstable for some time, a military response to this problem will only exacerbate it. The road to peace lies rather in South Africa's becoming a member of the United Nations and the Organisation for African Unity, participating in the joint economic and social programmes of the neighbouring states, and refraining from interfering in their domestic affairs.

The most likely internal sources of violence would be right-wing and left-wing groups dissatisfied with the process of negotiations or the new government's policies. It should be obvious from the history of our country that the use of state force against them will only intensify their resistance.

The recent experience of Namibia shows that competing ideologies and interests can be accommodated through negotiations. The spirit of cooperation and compromise that characterised the adoption of the new Namibian constitution has significantly reduced the potential for ongoing hostilities.

In other southern African countries the transition to independence was quite different. For various reasons the leading liberation movements excluded rival groups from the formation of government and policy. This contributed to the latter's decision to engage in armed resistance against the new state.

The crucial lesson for South Africa is that the reduction of future conflict depends to a great extent on the inclusion and accommodation of competing parties in the process of negotiations and of shaping the new constitution and government, and on the creation of a democratic political system.

the new police force and army

The politics of peace would have profound implications for the new police force and army.

Their character, for example, would be shaped by the imperatives that they enjoy the trust of the citizenry, reflect the values of the new society and are subject to civilian control. They would therefore have to be nonracial, committed to upholding the new constitution,

accountable to parliament and nonpartisan in relation to party politics.

Their role would be defined partly along conventional lines, that is with reference to the internal and external threats to security. They would obviously have to be capable of containing violence, if necessary through the use of force. But their role would also be defined by the national goal of peace and its emphasis on a nonmilitary approach to conflict. Their armed deployment would be an act only of last resort when political solutions had been exhausted.



Pictured in the group above are former enemies: SADF and ANC members who met in Lusaka to discuss the future of defence and security in South Africa. From left to right: former PF commandant Jakkie Cilliers, M.K. chief of staff Chris Hani, colonel Hilda Burnett (retired), Thabo Mbeki and Stellenbosch University philosophy professor, Willie Esterhuyse.

This definition of the role and character of the police and army, and the improved situation in South Africa and the region after apartheid, would have important consequences for their size, composition, training, structure, budget and strategies.

the problem of peace

None of the ideas raised above are new; most have been argued in a more comprehensive way in other forums. There will no doubt be many obstacles to their acceptance, however.

One obstacle is 'peace' itself. Few concepts are simultaneously as desired and discredited. This is not surprising when governments engage in war and war-preparations in the name of peace and regard peace movements as 'the enemy'.

In South Africa peace activities have been regarded with particular suspicion, in part because they have been seen by parties engaged in violence as undermining their cause. Peace activists are viewed as 'idealistic and naïve', or worse, as 'cowards and communist dupes'.

One way of overcoming this problem might be to avoid using the term and rather couch the

motivation for it in more acceptable language. But it is difficult to see how we will ever approach a situation of real peace if we are frightened to embrace the word.

At this critical point in South African and world history, with years of conflict behind us and new possibilities ahead, it makes more sense to bring 'peace' in from the fringe and include it in the mainstream of political thinking.

the problem of vested interests

The main reason for the marginalising of peace initiatives is that they threaten the interests of states, militaries and arms industries that acquire status, power and profits from war and war preparations.

To secure public support for these activities, governments promote the view that force is an acceptable means of resolving disputes, glory is to be had in military victory, 'the enemy' is demonic, and 'people are inherently aggressive'.

The most powerful challenge to these ideas has been the educative work of progressive social movements. The anti-war movement in the United States, the European campaign for nuclear disarmament and the environmental and women's movements are examples of the influence that can be exerted on public perceptions and government policy.

This is not to suggest that a peace movement should necessarily be formed in South Africa. But people and groups who are committed to peace have to get involved in the debate on the future of the armed forces and security policy, and not leave these issues to military experts alone.

the problem of nice ideas

Another reason for the marginalising of peace campaigns is to be found in the argument that they are so idealistic that they dare not be taken seriously.

This argument is not without validity. 'Nice ideas' will never be taken seriously if they remain at the level of ideas. The outstanding challenge is to translate them into viable policies that are properly researched and, preferably, based on the experience of other countries.

With the full weight of our violent past and the failure of the traditional approach to security bearing down on us, and with the possibility of on-going hostilities in the future, it would be simply stupid to ignore the need to develop a new approach to building peace. □

Laurie Nathan is chairperson of the End Conscription Campaign in Cape Town; author of 'Out of Step: War resistance in South Africa' and co-editor of 'War and Society: The militarization of South Africa'.

As the debate on future economic systems continues, South African economist Peter Moll approaches the subject of social democracy by way of the east European experience.

Recently, the South African Communist Party issued a paper provocatively entitled 'Has Socialism Failed?' Martin Jaques, a member of the executive committee of the British Communist Party, boldly announced 'the end of communism as we know it'. Why are left-wing people with communist or socialist sympathies reconsidering their strategies? Is it because we now realise, on seeing east Germans gleefully selling bits of the Berlin Wall, that eastern European socialism was undemocratic after all?

I doubt it. Thoughtful leftists have ceased to idealise the eastern European systems at least since the disillusionment of the Soviet invasion of Czechoslovakia in the 1960s. A quick flip through the major left-wing journals (like *New Left Review*, *Review of Radical Political Economics* and *Monthly Review*) will confirm that western leftists were disgusted by the judicial murders and forced removals of the Stalinist period, and the suppression of freedom in eastern Europe by the Red Army. As just one example among scores, consider the interview with Lucio Colletti in *New Left Review* 86 (July 1974), in which he, long a member of the Italian Communist Party, insisted that there can be no socialism without the freedom to strike, freedom of the press, and free elections, and rejected the 'Stalinist fixation on violence', beloved of some on the far left.

As far as serious socialists are concerned, the recent implosion of vile dictatorships is welcome, but is of no more significance to their fundamental outlook than, say, the partial recovery of parliamentary democracy in most countries of South America was in the early and mid-1980s. The real reason for the winds of change in socialist thought lies elsewhere.

on the irrelevance of the rout of the east european dictators

I suggest we should recall the reason that thoughtful leftists sympathised with certain goals of existing socialist societies. It was not merely revulsion at the injustice that persists under capitalism, though that was significant. It was that there were some achievements, even within the malfunctioning world of 'actually existing socialism', that gave hope to the new home-grown socialist movements in the Third World.

socialist achievements

These achievements were fourfold.

1 *Growth*: The USSR economic growth rate between 1928 and 1965 was 5,7 per cent per annum, the fastest that the world had ever seen; the USA lagged behind at 3,7 per cent per annum.

2 *Elimination of abject poverty*: By the late 1950s the USSR had virtually eliminated absolute or abject poverty - a triumph to be contrasted with extreme poverty in certain parts of the USA and severe economic discrimination against black Americans at the time.

3 *Employment*: Some socialist countries achieved full employment for extended periods without the cataclysmic busts besetting capitalist systems.

4 *Equality*: In most cases, socialist countries had less inequality than capitalist countries of equivalent size and wealth.

Hence, until recently, reflective left-wingers stuck to the paradigm of central planning, although, it was hoped, succeeding implementations of it would learn from the tactical errors of the past. Thoughtful radicals felt they could distinguish between the individual aberrations of Stalin and the system of central planning. If

it was impossible to justify communist repression (but remember, who could justify Indonesia's crushing of East Timor or the judicial murder of Sacco and Vanzetti?), it was at least possible to vaunt the above socialist victories which capitalist countries of equivalent wealth had scant hope of equalling.

economic collapse

So what's new? If left-wingers already knew that the eastern European governments were undemocratic, why should the convulsions of 1989 and 1990 lead to painful soul searching?

It is because, if one takes the longer view, the *political* collapse of 1989/90 is merely the culmination of the steady *economic* collapse of the 1980s. The world-wide economic crisis of that decade has revealed the frailty of socialist accumulation in such a way as to sunder all four pillars of empirical support.

Consider them one by one:

1 *Growth*: The Soviet growth rate was a proud six per cent from 1950 to 1960. It has steadily fallen since: five per cent 1960 to 1970, four per cent 1970 to 1975, three per cent 1976 to 1980, and two per cent 1980 to 1985. The industrial output of Hungary grew only two per cent per annum between 1985 and 1988, that of Yugoslavia only one per cent. Meanwhile the output of developed capitalist countries grew at 11 per cent, and non-oil developing countries at four per cent. The outcome was a revolution of rising expectations as the middle class saw Westerners living more comfortably each year.

2 *Elimination of poverty*: Once abject poverty had been overcome, workers became increasingly conscious of relative poverty. People who had suffered through the war years may have

The real reason for the winds of change in socialist thought lies elsewhere.

The year 1990 will be seen as a turning point as portentous as that of 1848.

been satisfied with the frugality of socialism. But young people saw the yawning gap between themselves and their Western counterparts. Hungarian real wages fell one per cent per annum between 1985 and 1988, and Yugoslavian real wages fell three per cent per annum.

3 *Employment:* Full employment was achieved at the cost of outdated technology and diminished productivity. For example, in the USSR during the 1970s, 29 per cent of total manual-labour hours were spent in materials handling, compared with nine per cent in the USA; the USSR had protected employment by not mechanising. These increasing costs of full employment were registered in lower growth rates, to the deep consternation of USSR planners.

4 *Inequality:* 'Actually existing socialism' had produced some equality, but it had also sown the seeds of its own destruction. The growth slowdown inevitably provoked convulsions - more empty shelves and longer queues in the USSR, unemployment of 12 per cent in Yugoslavia, violent anger at low living standards in East Germany, hyperinflation in Poland. Governments were forced to undertake monetary and industrial restructuring, exacerbating inequalities at least temporarily.

Thus the crisis of the 1980s has swept aside even this justification for central planning. The year 1990 will be seen as a turning point as portentous as that of 1848 (publication of *The Communist Manifesto*) or 1917 (the Russian Revolution). It is the year in which socialism adapts or dies.

Enter social democracy, and its closely related variants, the mixed economy (to use Oliver Tambo's catchphrase), and the welfare state. The similarities among these economic systems are greater than their differences, for example in the extent of state ownership of industry. These systems, which might be referred to collectively as managed market-systems, are the only *demonstrated* alternatives to free-market individualism today. Although voluntary cooperatives like Mondragon in the Basque country in Spain are attractive alternatives for those fortunate enough to be participants, they have not yet shown the ability to absorb the entire labour force, or even a significant proportion of it.

Consider, for example, the social democratic alternative. It attains growth objectives by utilising the energies unleashed by relatively free markets. It achieves social objectives by setting the 'rules of the game' after negotiation among the government, political parties and trade unions. Equality goals are pursued through progressive taxation, even-handed trade union legislation, and national health, education and social welfare systems.

Social democracy is not imposed upon society. It is the result of a series of historic compromises among the various social forces. Workers' struggles are of paramount importance. In fact, past victories of the working class such as the 40-hour week are fine examples of welfare-state legislation.

Women in social-democratic countries (for example, Sweden) have achieved much greater equality with men than have women in either free-market countries or centrally planned ones. A much higher percentage of the work force is unionised in social-democratic countries than in the USA.

the great divide

The record of social democracy in combating poverty and reducing inequality is far better than that of countries like the USA where the gap between the rich and the poor has been steadily widening. The Reagan years exacerbated the situation, but the trend was already in place in the early seventies and has continued since the end of Reagan's two terms. To put the matter in perspective, compare the proportion of income received by the poorest 20 per cent of the population among the countries of the world. In the 1970s this proportion was about 10 per cent in the USSR (this may be an overestimate since data on rural households are unavailable), about eight or nine per cent in Norway, Sweden and the UK under the Labour government, and five per cent in the USA. The great divide is not between capitalism and 'actually existing socialism' but between free-market USA and the rest. Indeed, the share of the poorest 20 per cent in the USA fell from 4.7 per cent in 1967 to 4.2 per cent in 1983, and has fallen further since, as it has under the Thatcher government in the UK.

Socialism is a *portmanteau* word for our moral seriousness, summarising our rejection of the present and our hope of a better future. Its meaning changed between Robert Owen (the father of the producer cooperative) and Karl Marx (who developed the ideas of class struggle, historical materialism, and scientific socialism). It changed again between Marx and Vladimir Ilyich Lenin (who insisted that the Communist Party be the vanguard or leader of the working class). It altered yet again between Lenin and Daniel Ortega (leader of the Sandinist insurrection in Nicaragua in 1979, who opted for a mixed economy rather than for scientific socialism). And it is destined to change again, and maybe more than once. Presently a social-democratic content appears to give socialism its best chances of long-term survival. □

Peter Moll is currently a visiting scholar at Northwestern University, USA.

literacy year: present realities and future options

Teaching literacy as an isolated skill has met with only limited success. This realisation has come at a time of increasingly flexible thinking on many fronts in South Africa. SASH consulted members of the Adult Basic Education programme at the University of Cape Town on what South Africans could learn from the literacy provision experience of other countries and how we might respond to local challenges. Martha Funk-Bridgman and Sarah-Anne Raynham report.

Between nine and 12 million South Africans cannot read or write - many, even their own names. Few of the people who can read these words now have any conception of how illiteracy affects people in their daily lives (see accompanying illustrations).

As hope for a future democratic South Africa turns to hard planning, the problem of illiteracy looms as a threat to effective liberation for this large portion of the population. At present, literacy providers - most prominently the state - reach less than one per cent of the illiterate population. It is fortuitous that 1990, when a new political dispensation can be glimpsed, has been declared 'literacy year' by the United Nations.

The Adult Basic Education (ABE) programme in the Department of Adult Education and Extra-Mural Studies at the University of Cape Town researches and develops material for literacy planners, trainers, organisers and teachers. Programme members were invited by SASH to explore literacy in the context of the bolder re-thinking of issues which is taking place as a result of the current political developments. SASH asked: can lessons learnt from foreign experience enhance the options in this country?

International precedents

Recently an ABE researcher was sent to Research on Education in South Africa (RESA) which is based in the Department of Sociology at the University of Essex. His brief was to investigate mass literacy provision in Cuba, Mozambique and Brazil. His report will examine the comparative advantages and disadvantages of the different approaches in the context of the South African situation. Already the research has highlighted the choices and consequences of particular programmes. For instance, it is now argued that campaigns are ineffective in helping learners retain their new skills unless at the same time they offer improved socio-economic perspectives. There is thus a move towards integrating local literacy projects into development work such as primary health care and cooperative education. In such projects people have the opportunity to improve their job prospects through simultaneous literacy and skills training.

Literacy in South Africa

If South Africa is to meet the challenges posed by illiteracy, we need to know and analyse what is happening locally outside of progressive educa-

tion circles. What is industry doing and how effective are its programmes? What is the current state of night schools run by the Department of Education and Training (DET)? 'Some of the isolationism is beginning to break down', said one programme member. 'Because of the changing political situation, there is a new sense among progressive organisations that working with management and even with education departments has begun to be thinkable. This is important, because if the time for mass-scale literacy provision has arrived, then groups from different sectors need to cooperate with each other so that limited resources such as money, person-power and venues can be utilised for maximum benefit.'

With regard to literacy provision in South Africa the ABE programme has noted a general practice of placing a ceiling on literacy teaching. In some projects, people are taught to decode and build words, but they are not taught to read with meaning. Sometimes learners sit in the same class for as long as four years, with very little progress taking place.

'We must take the ceiling off literacy', stated one programme member. 'It should be possible to progress from functional reading to

reading with meaning, to understanding our world and being able to operate fully as an adult in a literate context.'

'Maybe we should even come up with a new term for literacy teaching, to get away from the idea of functional reading and writing', agreed another member. 'Perhaps we should refer to it as basic education. This encompasses the range of skills which gives us access to adult materials such as newspapers, magazines, road signs, letters, questionnaires and forms, and other means of communication.'

'We should deliberately broaden our thinking and investigations', an ABE spokesperson proposed. 'What we should be looking at for South Africa is literacy across an adult basic education curriculum, rather than literacy on its own, searching for a context. The teaching of reading, writing and numeracy should happen within the context of a broader curriculum, which gives people access to information and

skills, whether in the world of formal education or alternative non-formal educational structures. Vocational, agricultural or other forms of training could similarly provide broader contexts for literacy teaching.'

It was pointed out that, 'literacy had been compartmentalised for so long that in one organisation you can find nutrition and alcoholism programmes on the one hand and separate literacy programmes on the other, but the two programmes don't talk to each other - there is no integration'. Literacy organisations and community and worker organisations need to work together to identify an appropriate curriculum for their learners. The resulting curriculum should have a starting point and an end-point, rewarded either with a certificate upon completion, or the opportunity to progress into further education. There is even talk of drawing up a basic education curriculum, working backwards from further education courses, so that the basic curriculum teaches the

preparatory skills necessary for on-going education in later life.

A constant problem in the literacy field is how to help learners retain their newfound skills. More research needs to be done in this area. One obvious gap is the lack of suitable reading materials for adult learners who already have basic literacy skills. We need a range of material in the various vernaculars, in English and in Afrikaans, so that people carry on reading and progress along the literacy continuum.

The current illiterate population has developed out of a specific socio-political context. In the present structures, literacy provision tends to be remedial. To break the cycle, literacy provision needs to be supported by more general fundamental change in the political, social, economic and cultural arenas. Furthermore, unless literacy provision is linked to other projects or educational endeavours, it will remain a small and fragmented enterprise. □

juluka

The conceptual leaps from illiteracy to reading and writing with meaning are greater than most literates realise, as are the limitations on those in modern society who cannot read road signs, phone numbers, public notices, or even their own private letters. The following incident illustrates such a leap into understanding the meaning of writing.

Siviwe, the youngest son, was too precious to his mother to be sent off to school every day. But now the young man wanted to read. He would visit a literacy teacher at her home in the evenings, to learn about reading and writing from her as she prepared her vegetables for dinner. One day he told her he could write, but he still wanted to learn how to read. She was most surprised to hear that he could write, for she had worked with him earlier to teach him how to sign his name. But when he showed her his beautifully 'written' page, she saw that while it was only scribble - it was also an immaculately formed approximation to writing. He obviously had no idea that one could 'write' with meaning. She handled the situation, as she said, breathless and with her stomach sitting in her feet. - She asked him to tell her what the writing said. He looked for a long time and then said, 'Nothing'.

Later one day he told her in passing that he was going to a Juluka concert and asked for directions.

The teacher explained with careful gesticulation that he should get off the train at a stop where there was a two-worded sign (Salt River). He found his way there and when he returned from the concert he was full of enthusiasm about the music and dancing. As they sat in her kitchen chatting about his impressions, she responded by penning the word 'Juluka' on a piece of paper. When she showed it to him, he suddenly recognised the letters as representing the name of his favourite music group - they were the same letters he had seen on a poster at the Salt River station. As he read 'Juluka', he came to realise that he was reading, that the series of letters on the paper had a meaning. It was a very special moment of illumination for both of them. The learning process was broken open at that point, and gradually he was able to combine sounds, words and meaning. □



Adult literacy class near Tsolo, Transkei.

nomonde's way

Nomonde Matiso, a fieldworker with the Umtata Adult Literacy Centre, helps to run twenty adult literacy groups in rural Umtata and Tsolo districts. She talks about herself and her work in an account recorded by Marie-Louise and Jeff Peires.

My schooling had its ups and downs, so I will say that I just passed standard eight, and then I went to work at St Mary's Hospital as a cleaner, washing walls. After that I went to work for the church in Umtata diocese. We used to discuss problems, trying to call the youth and the old people together, across that big space between them ... I started off part-time in literacy. As I was working, I felt that I was not quite sure what I was doing because really I was just going into the villages, and learning while I was teaching. I didn't have anybody who could show me how to work. So I went to Mariannhill for a week, but I was still not satisfied because that was very, very short, only four days. I had a part of the method, based on Paulo Freire, but I wanted to know exactly. So I went to Zimbabwe for one month, and there I learned what I wanted to know. It's really good. I like the method of getting the ideas from the people, not using my own ideas. I am learning from the people, and they're also learning from me. Our groups are mixed, but mainly they are women. The men are working in Johannesburg, or in town. The

young women learn because they want to get work, or to get a better job. The old women, they want to read their Bibles, and their hymn books in the church. Also, the women want to read the letters they get from their husbands. They feel very bad when someone else is reading a personal letter to them. It is very difficult for the learners to come to their groups, because they are always fetching water and fetching wood. Then they find that the learning takes a long time, that they are not always prepared for their children. Some of them are poor people, so they must go and hoe for another woman to get a two-Rand to buy food. So it's very difficult for them. Also if a woman has a problem at home, that also affects her and she can't always concentrate. The co-ordinator (literacy instructor) of the group is chosen by the learners themselves. She is not always someone who is highly educated, sometimes she has standard six. But she is someone the learners feel free with, that they can say anything they like. The co-ordinators are sympathetic to the learners. They also have husbands in Johannesburg,

and they also face the same problems of water and wood. They also have to look after their children, to take them to the hospital, to see that they go to school. So it's easy for the learners to share with the co-ordinators.

When we come together as a group, we begin by praying, then we just make a song as a warm-up, to break the ice. And then afterwards, there will be that sharing. Like an English 'How are you?', but much more deep. People say what is in their minds, and then we try to advise each other.

So these groups have a value beyond literacy. Because we are also making people aware of their situation. In the olden days, there were cows and sheep and everything, so people didn't feel that education was very important. But now if they want something, they must go to the post office or the magistrate's court and sign for it. They see how those who call themselves educated treat the uneducated people. So as we are sharing, we are giving people that awareness of what is really happening in South Africa. □

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Lives of Courage

Diana E H Russell (Basic Books, New York, 1989. Distributed by David Philip, Claremont)

About now, every year, I begin to compile a Christmas-present list for family and friends. It is a worrying time - it is tough finding interesting gifts that are also ideologically and (this year) ecologically sound. This Christmas, relatives and colleagues are going to have to get their own Caroline Cullinan calendars, because right now, at the top of my list is Diana Russell's *Lives of Courage: Women for a New South Africa*.

Deceptively simple in approach (it consists of 24 interviews with South African women 'who [are] actively engaged in the anti-apartheid struggle') it is impressive, not only because of the stories that are told, but because of the painstaking attention, on the part of the author, to structure and editing. The interviews, selected from over sixty conducted, are organised into five different sections preceded by succinct introductions to each of the topics dealt with: women in prison, women leaders in political organisations, trade union work, women's organisations, and specific issues that women activists are addressing.

In addition, there is a fascinating general introduction to South Africa's political history, and specifically the role that women have played in shaping that history. We are introduced to the author herself: who she is, what she does, and why and how she wrote this book. It is an important starting point, immediately personalising what is often presented as simply the dry, if horrific and tragic, facts of our country and, moreover, making the author as real and vulnerable as the women she interviews.

Each individual interview allows the reader an insight into the motivations and actions of a deliberately diverse selection of activists: 'One of my goals was to represent the ex-

traordinary diversity of South African women who are fighting apartheid - diversity in race and ethnicity, social class, age, occupation, political affiliation, as well as kinds of opposition work.'

While for the most part this is admirably achieved, the political spectrum is presented as a great deal more homogeneous than it actually is. The Pan-Africanist Congress and Azanian People's Organisation, for instance, are not represented at all, and Russell dismisses Helen Suzman with a sentence: 'Although (she) ... is a courageous and outstanding woman who has helped many blacks and political radicals and fought for many important issues, I do not think her participation in the white parliamentary structure in contemporary South Africa qualifies her for inclusion here.'

What is fascinating, however, is that despite the broad commonality of the political affiliation (almost exclusively the United Democratic Front and African National Congress) frequently divergent viewpoints are represented within that spectrum. So, for instance, voices representing the traditional conceptualisation of women and their role in the struggle are frequent:

'A woman is a mother, and women are the people who are suffering the most ... My approach to the white sisters is, "Our children are dying in the townships, killed by your children. You are mothers. Why do you allow your children to go to train for the army?"' (Albertina Sisulu)

'About two years ago, we were discussing with the leadership of the movement what liberation for the people of South Africa really means. Will women find themselves in the same position as they have always been? Or do we see liberation as solving the conditions of women in our society? If we continue to shy away from this problem, we will not be able to solve it after independence. But if we say that our first priority is the emancipation of women, we will become free as members of an oppressed community. We feel that in order to get our independence as women, the

prerequisite is for us to be part of the war for national liberation. When we are free as a nation, we will have created the foundation for the emancipation of women.' (Ruth Mompati)

New, angrier, and increasingly insistent voices are also given space:

'Women are doubly oppressed; we are oppressed by the regime and by our fellowmen. Even within the movement we have to fight against male domination ... I always draw a parallel between oppression by the regime and oppression by men. To me it is just the same. I always challenge men on why they react to oppression by the regime, but then do exactly the same things to women that they criticize the regime for.' (Sethembile N.)

'Women's oppression is one facet of the oppression in South Africa, and I don't see my focusing on it as any different than somebody else focusing on trade-union work ... (But,) for example, when I went to a union gathering, a lot of people didn't look at me or talk to me because they know what I do and they think it is terrible that I'm not fighting in mainstream political organisations to address the issue of gender, which makes me feel more and more that there is never going to be a rightful, equal place for women, including after the revolution.' (Rozena Maart)

While these 'debates' are interesting, and often challenging, perhaps the real strength of the book is that it gives a glimpse of each activist as a real person, a glimpse that is occasionally painfully personal:

'I needed a very strong acknowledgement of my body when I came out (of detention) ... I needed reassurance that my body was fine because it had been hurt so much, or my conception of it had been. Whenever I'd been touched during my seven months in solitary, it had been to degrade or to physically hurt me.' (Elaine Mohamed)

It is a glimpse which also demonstrates repeatedly how women, as women, are affected by apartheid:

'The way women experience detention is totally different from the

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way men do. I burst into tears when a security policeman said to me: "I really enjoy interrogating women. I can get things out of them and do things to them that I can't do to a man." (Elaine Mohamed),

and by organising against it:

'It was very difficult for a woman to organise men ... Some of them would say, "If you don't make love with us, we're not going to join your union."' (Lydia Kompe)

These glimpses certainly reinforce the national conference recommendation that 'we continue to be a human rights organisation with an added dimension of always asking how each area of our work affects women' (SASH, May 1990, page 28). But perhaps most importantly they demonstrate the way in which difficult questions, all too often skirted around, can be confronted.

Lives of Courage will remain an important record of a particularly difficult period, made all the more meaningful because it is recorded in the active voice of the participants, and a pertinent reminder of the price many paid for their sustained opposition to apartheid and their struggle for a just society for us all. Recently, while reading some of Winnie Mandela's comments during the tour of the United States, and covered extensively in the commercial press, I recalled a little of what she had said to Russell:

'The years of imprisonment hardened me ... Perhaps if you have been given a moment to hold back and wait for the next blow, your emotions wouldn't be blunted as they have been in my case. When it happens every day of your life, when that pain becomes a way of life, I no longer have the emotion of fear.' (Winnie Mandela)

Most of all, it is an inspiring book. Archbishop Tutu's response, quoted on its cover, is too good not to include here:

'When I read a book such as *Lives of Courage*, I fairly burst with pride and expectation - pride that South African soil has produced such indomitable women ... and expectation at the contribution such women will continue to make in a post-apartheid

South Africa ... Their stories utterly refute those who believe an individual cannot make a difference. This remarkable book is a manifesto of hope.' □

Carla Sutherland

Women and Gender in Southern Africa to 1945

Cherryl Walker (ed.)

(David Philip, Cape Town, 1990)

Nearly all recorded history has been blind to women and gender issues. A feminist perspective does not mean to study only women. It is the race-, class- and gender-specific conditions of existence, and the experience of them, with which we should be concerned, and this entails the relations of men and women between classes, racial, ethnic and cultural groupings. It means investigating those spheres in which women are absent as well as those in which they are visible. *Women and Gender* succeeds in doing exactly this. By focusing on the operation of gender relations in both precapitalist and colonial eras in southern Africa, it highlights the position of women in those societies, showing how the subordination of women persists under different social formations, albeit in different forms. This is done against a rich tapestry of empirically diverse material from precolonial and colonial regions in different parts of southern Africa to 1945.

The book is a collection of thirteen essays. Topics covered are: women in precapitalist societies in southern Africa; the legal status of women in Basutoland; women and domestic service in the eastern Cape; women and patriarchy in colonial southern Africa; women under indentured labour in colonial Natal; women and migrant labour; the influences of Christianity on African women; women and seminary education, reformatory and industrial schools; Afrikaner women and the

volksmoeder ideology; and women and the suffrage movement.

The essence of the book is captured in the following quote: 'The history of African women in southern Africa ... is the history of their oppression. While the oppression suffered by women in precapitalist society cannot be understood in the same terms as the oppression of women under capitalism, in both systems the sexual division of labour has involved the social subordination of women and a gender-specific exploitation of women's labour power. The assumption of male authority over women that was intrinsic to the indigenous sex-gender systems became distorted, in many respects reinforced, by the impact of colonialism, but it was not *invented* by the colonists; the imperatives of capital *flowed along contours already suggested* by the precapitalist structuring of gender relations.' (page 27; my emphasis)

In other words, the oppression of women predated capitalism, contrary to notions held by Qunta that capitalism destroyed the equality women enjoyed with men in precapitalist times. What needs to be stressed, however, is that the nature of this oppression was qualitatively different to oppression experienced by women in colonial and capitalist societies. Jeff Guy, in his chapter 'Gender oppression in southern Africa's precapitalist societies', insists that an understanding of the oppression of women in these societies is crucial in understanding the workings of precapitalist society in a holistic way, because 'the control and appropriation of the productive and reproductive capacity of women was central to the structure of' those societies.

He goes on to show how this control was exercised through the institutions of marriage and bridewealth and the control of the fertility of women. He also develops illuminating insights about the transition from pre-capitalist to capitalist societies and the consequent undermining of patriarchal controls by the migrant-labour system.

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Walker's chapter 'Gender and the development of the migrant labour system c. 1850 to 1930' complements Guy's by showing how, in fact, the position of women changed under migrant labour, as gender relations became radically restructured to meet the needs of the changing economies. 'As the efficacy of internalised social sanctions began to break down, chiefs, fathers and husbands felt compelled to turn to more overt forms of control over women's mobility. In this process they frequently turned to colonial administrators for assistance, to form a curious alliance - an alliance based on very different objectives for the two parties but nevertheless threaded through with a unifying presumption of male power over women.' (page 180)

Walker alerts us to the complex ways in which the patriarchy forms alliances across class and race when material interests are at stake, by showing how men from different class and race groupings colluded in the oppression of women. She ends by describing the impact of urban environments, Christianity and education on migrant women, and their contradictory responses of resistance to, and collusion in, their own oppression, '... the brave and radical protest of South African women has had a profoundly conservative, patriarchal aspect. The tenacity and courage displayed by African women in the face of enormous hardships is celebrated in popular tradition and history. But it includes as a major theme a determination to defend the domestic community ... It is, therefore, a contradictory story. It has to include not only an acceptance by women of the need for deference to men ..., but also ringing challenges to authority epitomised by the saying which has become identified with women's resistance in South Africa: "When you have struck a woman you have struck a rock"'. (page 47)

The highlight of *Women and Gender* is its introductory chapter. It is a must for all involved with social sciences; it is a must for all women, especially those interested in women's studies, feminism and resis-

tance politics. In this excellent overview Walker locates the book firmly within a feminist perspective, pointing out its strengths and weaknesses in terms of feminist debates. This is followed by an overview of each chapter, highlighting key issues and arguments raised in them; and finally she pulls together the major themes that the book is concerned with. Put differently, this overview itself is an excellent review of the book.

Walker makes it clear why a historical approach to women's oppression is essential, because it 'provides a useful corrective to overly simplistic formulations about women and their place in society in the past, and by extension the present' (page 4). It is a corrective especially for black women and women involved in resistance politics, who may be tempted (as is Qunta) to glorify and romanticise the precapitalist past, blaming all forms of oppression on apartheid and capitalism. The oppression of women is not unique to capitalist societies, but predates it, as this book sets out to show, and has persisted in socialist countries despite the fact that socialist programmes have been designed to improve the position of women. The book explains partly why this is so, and provides the analytical tools to investigate why the subordination of women persists across social formations. The key to understanding this phenomenon is to understand the mechanisms of the sexual division of labour under different social formations. One of the main reasons why inequalities between the sexes persist, also in socialist countries, is that the state colludes in the production of the sexual division of labour by allowing inequalities to exist in the domestic and public spheres.

Yes, African women may have been better off in precolonial society, but women were still subordinated by men under that system. All forms of patriarchy, whatever the class or race, need to be abolished if women seriously want to be recognised as full human beings, now and in the future. □

Rhoda Kadalie

The challenge of new voices: Four poetry collections

Abduraghiem Johnstone, Karen Press, Stefaan Steyn and Ishmael Vayej (*Buchu Books, Cape Town, 1989 and 1990*)

'THE GERMANS SAID THEY DID NOT KNOW', shrieks the graffiti on the high retaining wall. And inescapably the curving road draws you forward to the corollary: 'ARE YOU GOING TO SAY THE SAME?'

For me this becomes a challenge to respond to my fellow South Africans whose experience I can share only through their writing.

The heavy literary censorship of the sixties, silencing a decade of black writers, cheated us of knowing much that we should have known. Many writers and publishers succumbed to self-censorship. Brave exceptions like David Philip, Sprocas, Ravan and Skotaville, and in later years the rebel Afrikaners of Taurus, systematically and at times effectively challenged the censorship laws.

This movement led last year to the establishment of the breakaway Independent Publishers' Association of South Africa, formed explicitly to work for freedom of expression and against apartheid. Readers can no longer plead ignorance due to censorship. Progressive weeklies and literary magazines document the wealth of writing by and about workers, and from time to time address the vital and complex problem of evaluation. (This question is examined at length by Gareth Cornwell in *New Contrast*, Autumn 1990.)

One of the newer publishers, concerned with 'making room so that a genuinely democratic debate can be conducted about the society we wish to create', is Buchu Books, a non-profit collective established in 1988. The voices of four new poets from their Open Door series are interesting.

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Stefaan Steyn's Afrikaans poems, though somewhat self-consciously folksy and overdependent upon wordplay, are incisive and mordant.

Ishmael Vayej is bitter, strident in what he describes as a 'celebration of my blackness'; tender and evocative in the 'celebration of my humanity'. Few readers will fail to empathise with him.

Abduraghiem Johnstone thunders and flashes. His statement is clear as he rejects 'elitist varieties of language', moving instead with facility from Cape working-class English and Afrikaans to (token?) Xhosa. His are exciting if at times maddening poems. Spine-chilling, they take me right there, to where my countryman stands crying blood. I need to know and Abduraghiem Johnstone knows how to tell what it is to live his life.

Unlike her Open Door comrades, Karen Press writes not as participant but as observer, yet her communication proves as valid as theirs. Her shorter poems strip the mask from the apparently normal to reveal the underlying and horrific reality, images of bird's song and ripe orchard smells lulling us before we learn that 'underneath each tree ... new guns have been planted'.

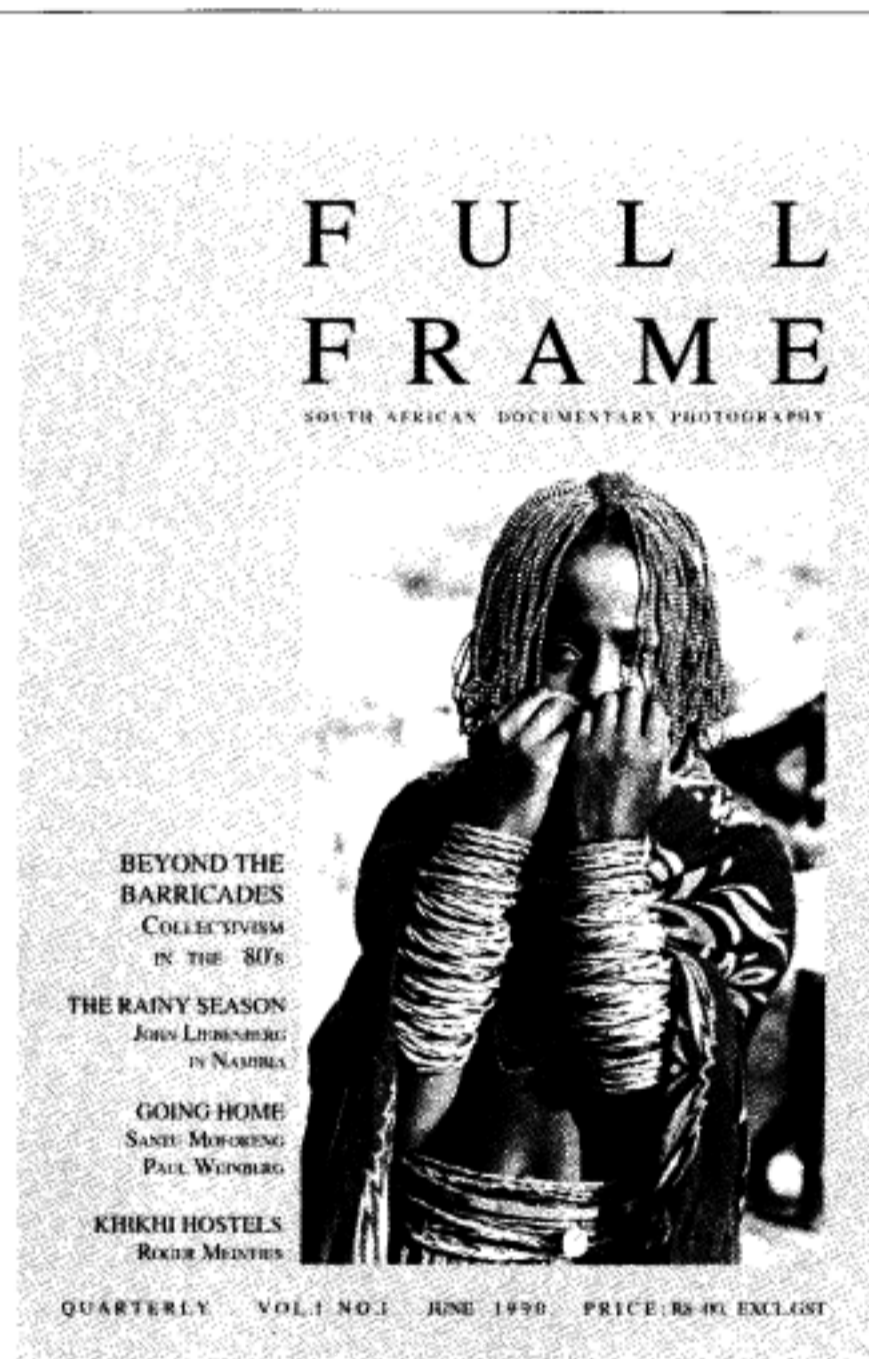
This device is developed in the narrative poem, 'Krotoa's Story', an imaginative and brave sortie into unmapped territory. It describes the life of the Khoi woman known as Eva who served Dutch East India Company officials as interpreter, servant, and wife.

Press creates a convincing sense of the woman's innocence, her excited, bewildered contact with the new culture, her ultimate alienation from both Khoi and Dutch. It is a tragic paradigm of the cynical exploitation and rejection still with us today.

The voices from Buchu Press may not all be pleasing - but how important it is to listen to them. *Umntu ngumntu ngabantu*, the amaXhosa say - a person becomes a person through other people. □

Nancy Baines

Miershoop (Stefaan Steyn);
The Blackness of Being Black (Ishmael Vayej);
Poems from the Valley of Amazement (Abduraghiem Johnstone);
Bird Heart Stoning the Sea (Karen Press)
 (all from Buchu Books, Cape Town)



Full Frame: South African documentary photography

Guy Tillim (ed.), (Afrapix, Johannesburg, June 1990)

Full Frame is the first of its kind in South Africa - a quarterly magazine devoted to the finest news and documentary photography. It aims to restore documentary photography to its deserved place as a mainstream, rather than 'alternative', enterprise. The first issue features images of the 1980s from 'Beyond the Barricades', a collective venture by 20 South African photographers.

Even a casual reading of the images should convince devotees of text that good photographs often speak and communicate more directly and powerfully about ourselves and our society than do words.

LETTERS

Abortion issue at Malibongwe

From Jane Raphaely (Cape Town)

I read the report-back on the Malibongwe conference with great interest but I was very surprised to see that abortion does not seem to have figured in any of the discussions or papers.

I just can't believe that this most crucial of all women's issues was never raised, particularly by the Black Sash members present and would be very interested to have some information on this.

Karin Chubb (Black Sash representative at Malibongwe) responds:

As there is very great sensitivity around the issue of abortion, for religious as well as political reasons, we are pleased that both the Cape Western and the Natal delegations put abortion on the agenda at Malibongwe in their respective papers. This contrasts, for example, with the all-Africa conference organised by the Women's Global Network on Reproductive Rights in Uganda three months before Malibongwe, where abortion 'did not receive any attention' (Agenda 6, 1990).

At Malibongwe, discussion centred mainly on the need for sex education and on the problems around AIDS. However, the fact that abortion was raised at all and was included in one of the resolutions on women and health creates space for organisations within the country to take up the issue and encourage debate around it. In the short space granted in a magazine article, the Black Sash representatives at Malibongwe of necessity had to be brief and tended to highlight issues which were then of more central concern to the organisation. □

NEWS-STRIP

Happy birthday!

It may have been cold outside but at 25 Anderson Street it was all warm vibes, warm words and warm music as the Transvaal region celebrated the Black Sash's 35th anniversary.

About 500 people from rural communities, political organisations, townships and suburbia gathered in the brand-new premises of the South African Council of Churches - one floor down from the spacious Black Sash offices in what will soon become the new Khotso House - to pay tribute to the Black Sash; to see the photographic representation of 35 years of protest and caring; to drink endless cups of tea and coffee accompanied by trayloads of cakes and sandwiches and much animated chat; to listen to the songs of Jennifer Ferguson and, later, the music of a lively marimba band, and to hear five speakers outline briefly their association with and feelings about the organisation.

Joyce Harris coped superbly with the challenge of condensing 35 years into five minutes and spoke eloquently of both the highlights of those years and their significance in the broad picture of the country's political development.

From Sheena Duncan came a review of the lighter moments - from the parliamentary official who told the Black Sash contingent all wearing black roses, that 'you can't propagate here' to the hatpin sent by a fan in America and addressed to the Women's Defence of the Constitution League, Pretoria, which arrived, eventually, at their Johannesburg offices marked sternly in red 'Not for Defence Headquarters'.

In an emotional ceremony, Helen Suzman was presented with a sash by Transvaal chairperson and Madame of Ceremonies for the afternoon, Judith Hawarden, to mark her election as an honorary life member - one of only three - and, in her characteristic crisp and humorous style, spoke of her relationship with and regard for the Black Sash during her long and sometimes lonely parliamentary career.

Driefontein's Beauty Mkhize, speaking on behalf of her own and the other rural communities with which the Transvaal region has been involved, paid tribute to the Black Sash and presented a woven mat with a 'Happy Birthday' greeting - in black, green and gold.

A second honorary life member, Beyers Naudé, proposed the toast to the organisation (with water because the great crowd made the wine inaccessible) with great warmth and charm, saying many flattering things about women in general, the women of the Black Sash in particular and, in passing, paying tribute to the strength and support of his wife Ilse.

Thirty-five candles on a gigantic birthday cake bedecked with a licorice sash, and comprising four luscious fruit cakes baked, joined and iced by Jeanette Cohen, were blown out by a justifiably proud and glowing Jean Sinclair helped by the guests of honour and cheered on by assorted 'happy birthdays' and 'vivas'.

It was a truly happy occasion which proved that the Black Sash has a firm place in the hearts and minds of a broad spectrum of South Africa's people. □

Pat Tucker, Transvaal

Dream Auction

As part of the nationwide celebration of the Black Sash's 35th birthday on 19 May, Cape Western region enjoyed a very successful dream auction. In the build-up to the evening, members were pressed to offer their skills, energies, facilities such as a holiday home, or anything that would fetch a price. These 'dream' offers were then put up for auction on the night, and the bids were generous and fast.

A cottage in the hamlet of Greyton for a weekend went under the hammer for R330. A camping weekend in the Kouebokkeveld to look at Bushmen paintings was fought for to the bitter end; 'Up to three hours of classical background music' (by live chamber musicians including cello, flute and violin)

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went to a lady who likes to entertain in grand style; a weary mother paid R100 for six nights of babysitting; and dinner, bed and breakfast at the exclusive Greenways Country Hotel was much sought after. And so it went - a fair isle jersey knitted for a youngster, a designer tracksuit made to order, a day sailing in Table Bay, or a guided day's walk on Table Mountain with a tea fit for the queen.

Edi Nederlander entertained at half-time with her own brand of indigenous blues, while guests assessed their cheque book balances. The auctioneers were on their feet for four hours, cajoling and encouraging, and the organising Thomas family were out in force, each playing a role in the smooth operation.

The night ended with the presentation of a birthday cake to our national president, and a large total of pledges and cash to buy back pensions for the staff pension fund. □

Mairi Brimble, Cape Western

News from Cape Eastern

- Black Sash Cape Eastern has been invited to participate in the Task Force being organised under the auspices of the East Cape Council of Churches addressing the issue of the needs of returning exiles and the reintroduction of the exiles into society.
- The *Evening Post* has allocated a weekly 'pensioners' corner' slot to the Port Elizabeth Advice Office which will use the space to give further information and make pensioners aware of their rights and responsibilities.
- Black Sash member Bobby Melunsky has organised a 'Greening the Townships' campaign by sending plants from her garden to the Advice Office which clients can then take home with them. Other workers have been urged to do the same. □

Conference on the role of para-legals

The Black Sash Cape Western region together with the Legal Education Action Project (LEAP) at UCT held a conference in Cape Town from 12 to 14 July entitled, 'Working for Justice: The role of para-legals in South Africa'. The main focus of the conference was to develop an understanding of the role para-legals can play in South Africa in the present and future.

The keynote speaker was Penuell Maduna of the African National Congress' legal department with an address entitled, 'The need to restructure the South African legal system: Para-legals and access to justice'. Speakers from Zimbabwe and Namibia described the work of para-legals in their countries.

The second and third days of the conference were devoted to workshops focusing on the development of para-legals as a service, and the sharing of training methods and para-legal resources.

The conference was attended by para-legals from all over the country working in areas such as advice offices, crisis work, removals and other land issues, trade union organisations, law firms and legal resource centres as well as universities. The rich combination of all these people led to interesting and diverse discussions on the problems faced by para-legals and suggestions of ways to overcome these. The conference was by all accounts a successful and stimulating experience. □

Sue van der Merwe addressing the audience (pictured below).



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The Knysna mural completed (top), and in preparation (bottom).

Soweto Day in Knysna

Soweto Day, Saturday 16 June 1990, was a memorable day for Knysna. The Black Sash Southern Cape region decided to commemorate the day in an unusual and constructive way, by inviting children from all primary schools in the town and district to participate in painting a giant mural in the town centre. The theme decided upon was 'Fun in the Sun', and hundreds of drawings were sent to the Port Elizabeth Technikon where a painting lecturer and students selected 38 and combined them for the mural. The children did the actual painting. Black Sash members organised transport, materials and refreshments.

A wonderful time was had by all and the buzz of excitement spilled over to the spectators, who were able to watch a nonracial group of children having fun together. The municipality's aesthetic's committee specified that we were not allowed to paint any slogans, so we merely asked the children to paint their names, and this lovely mixture of names and the date says it all, as far as we are concerned! □

Carol Elphick, Knysna

Street children

There is good news about Pietermaritzburg's street children. Eighteen youngsters have moved into what we hope is the first of several shelters.

Nearly two years ago, as a result of a neighbour's complaint, the children were evicted from a house owned by the city council. That was the beginning of a long struggle by concerned persons to find alternative shelter for them. After several possibilities had fallen through, it was decided at a recent council meeting (by a majority of one) that a vacant council house should be allocated to the children.

In the light of previous disappointments we rejoiced in a tempered way: although the house is situated in a light industrial area, and despite the imminent abolition of group areas, the council insisted on applying for permission. When there appeared to be undue stalling, the Black Sash

planned an all-night vigil to prompt a decision. This proved unnecessary because at the last moment permission from all the relevant authorities came through.

As the winter really set in, there was yet another delay - this time as a result of minor alterations being done to the house. Finally, the mayor of Pietermaritzburg (ironically one of those who had opposed the project) ceremoniously presented the keys to the chairperson of the Street Children's Committee. The children settled in their new home, and when we last heard from them, they were busy washing and ironing their clothes. □

Fidela Fouche, Pietermaritzburg

OBITUARIES

Laura Calder

Laura Calder - a founder and honorary life member of the Black Sash - died at Simonstown recently. For many years she was a staunch member and very able, faithful treasurer of the False Bay branch.

In her private life, she was a devout Christian and a very lovable woman, known to thousands of South Africans and (then) Rhodesians during her many years at New Kings Hotel in Kalk Bay and at Morning Glory at Seaforth. □

Connie Hughes, Cape Western

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Launching of the Rural Women's Movement

Eighty-five women representing women's groups from 16 communities in the northern Cape, western and south-eastern Transvaal, met at the community hall at Machakaneng near Brits on 28 and 29 April. The workshop was organised by the Transvaal Rural Action Committee (TRAC). All the communities have worked with TRAC and other organisations in resisting forced removals, forced incorporations and farm worker or labour tenant evictions.

The purpose of the forum was to bring together women from rural communities, since they have difficulty in making their voices heard and have seldom contact with national urban-based organisations.

The programme started with detailed reports from each community, dealing with historical accounts of the struggle against forced removals, incorporation and evictions, and the strategies employed to resist them; accounts of the situation regarding amenities in the communities; accounts of police arrests, detention and harassment; accounts of the organisation and strength of women in the communities; problems with vigilantes, un-

democratically elected and corrupt councillors, and imposed chiefs.

The forum decided to organise itself more formally, calling itself the 'Rural Women's Movement', and formulated some resolutions to the effect that it would fight 'with all the means at our disposal the evil system of apartheid'. The following issues were singled out for rejection: a) the bantustan system; b) the inferior system of bantu education; and c) racial and gender discrimination at work. Demands included 1) freedom of residence; 2) the right to acquire land freely in South Africa; 3) equal representation of women in a future democratically elected South African parliament; and 4) the protection of small businesses from intimidation by large businesses and monopolies.

On Sunday, a 'public day', various speakers addressed the forum. Marj Brown of the Black Sash spoke of the history of Black Sash-TRAC involvement over the years in the campaigns against removals, incorporations and evictions, and presented a poem to rural women. Bahle Sibisi of the Land Action Network (formerly National Committee Against Removals) spoke on the situation in Bophuthatswana

and the popular resistance to Mangope's rule. Grace Nidwaba of the Environmental Development Agency (EDA) spoke about the community health projects organised by the agency with rural women; and Sister Christina of Dobsonville, a spellbinding speaker, stated that apartheid is not only unjust and immoral, but also a sin against God. She urged the delegates to display unity.

Youth groups from Oukasie and Modderspruit as well as the Machakaneng women's choir entertained the delegates. The youth of Driefontein presented a play dramatising the death of Saul Mkhize, their community leader who was shot by a policeman during a meeting in 1983. It was a very emotional occasion, since Saul's son participated in the play, and his widow, Beauty Mkhize, was present as a delegate. The unity of the youth with the women, and their discipline was very impressive. □

Ken Margo and Lydia Kompe, TRAC

Meg Orpen

Meg Orpen, born March 1910, died on 8 April 1990. She joined the Black Sash in 1955 shortly after it was formed. She was involved in all the early demonstrations and protests, especially against the Senate Bill which ultimately removed the coloured people from the voters' roll. Indeed she was involved to the extent that she kept with many others an all-night vigil outside the Union Buildings in Pretoria. The 'Haunting Process' was one of her keen activities at that time. This involved a group of Black Sash members 'haunting' the Union

Buildings to protest against the Senate Bill to any minister leaving - until the Senate Act became law.

In 1956 Meg Orpen started the first branch of the Black Sash in Modderfontein. Aside from being a hardworking member of the early Progressive Party, she launched a nursery school there, which still operates as a thriving enterprise.

Meg was also a journalist and wrote numerous salty, satirical poems to the *Star*, *Sunday Times* and *Cape Times* against apartheid - commenting on all new apartheid bills. Unfortunately, none of these poems is available for print. Meg came from the Fairbairn family who fought for a

free press, very successfully, against Lord Charles Somerset. She studied Fine Arts at UCT, and throughout her life was a dedicated painter.

After returning to the St James area in the Cape she became involved with the fate of the coloured people of Kalk Bay when it was declared a white group area. She was also involved in the Daily Bread feeding scheme through Holy Trinity church, of which she was a staunch member.

We shall sorely miss her reliability, allegiance and support in the False Bay branch. □

Peggy Moyle, Cape Western

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Harms Commission - has it failed?

Frustration and a sense of powerlessness mark everyone's feelings about the Harms Commission. When announced it was welcomed in raising the hope that those responsible for more than 100 unsolved crimes against anti-apartheid figures would finally be brought to justice. It was also seen as a further indication of De Klerk's commitment to a more open and democratic government.

However, as time has passed the Commission has failed to fulfil expectations and is being viewed as a massive cover-up. Furthermore, evidence led at the Commission indicates that high-ranking members of the government and the South African Defence Force (SADF) sanctioned the establishment of the Civil Cooperation Bureau (CCB) and were aware of its activities. The date that the CCB came into existence is not clear but evidence suggests that it goes back many years.

Facts which have emerged are: confirmation of a CCB budget running into tens of millions of rands; the elimination of activists both inside and outside the country; the existence of Vlakplaas and trained hit-squads. The terms of reference of the Commission have been restricted to activities inside the country, and Harms has refused to call certain key witnesses, especially those in high-ranking positions in the government.

This concern with the effectiveness of the Commission, and a considered need to bring the emphasis of the inquiry back to its political origins, resulted in the formation of an *ad hoc* group to explore ways in which this could be done. The obvious connections between the Johannesburg City Council security department and the CCB could also not be ignored. Individual organisations undertook to take up the issue with their own constituencies. The Black Sash Transvaal region is distributing information and has held a protest stand. The combined efforts

of the group culminated in a public meeting entitled 'Come clean on the CCB'.

Speaking at the meeting, David Dison, the well-known human rights lawyer who led evidence before the Commission, argued against the assumption that commissions generally result in a cover-up. The Hiemstra Commission's proactive and inquisitorial attitude had resulted in an incisive and successful commission, Dison (and others on the platform) felt. In the present instance, this impression of a cover-up could have been avoided if the Attorney General and his investigative team who had been designated to lead evidence had construed their role differently. This team did not seem to see it as its task to initiate investigation. Instead of adopting an aggressive and inquisitorial approach, they presented evidence in a detached manner, leaving the warring parties to hack it to bits. He said: 'The result is at times a charade of technical objections, jurisdictional points, hidden identities (absurd beards and moustaches, allegedly to protect identity) and a ritualistic invocation of the privilege against self-incrimination whenever a witness feels he is getting into hot water.'

Dison feels that it is not too late to save the Commission. This can be done, he says, by issuing subpoenas to all the known and named operatives of the CCB, all the generals and high-ranking officers involved in the administration of the CCB, and the Minister of Defence himself. He also suggests that there are other avenues which can be followed: for example, the Attorney General of the Witwatersrand could put together a special prosecution team to bring the culprits to book. The state president, members of the cabinet, the chief of the SADF and the Minister of Police could also take action against these groups.

To put it bluntly, 'the party is not yet over' with regard to either of the commissions and possibly justice will still be seen to be done. □

Laura Pollecutt, Transvaal

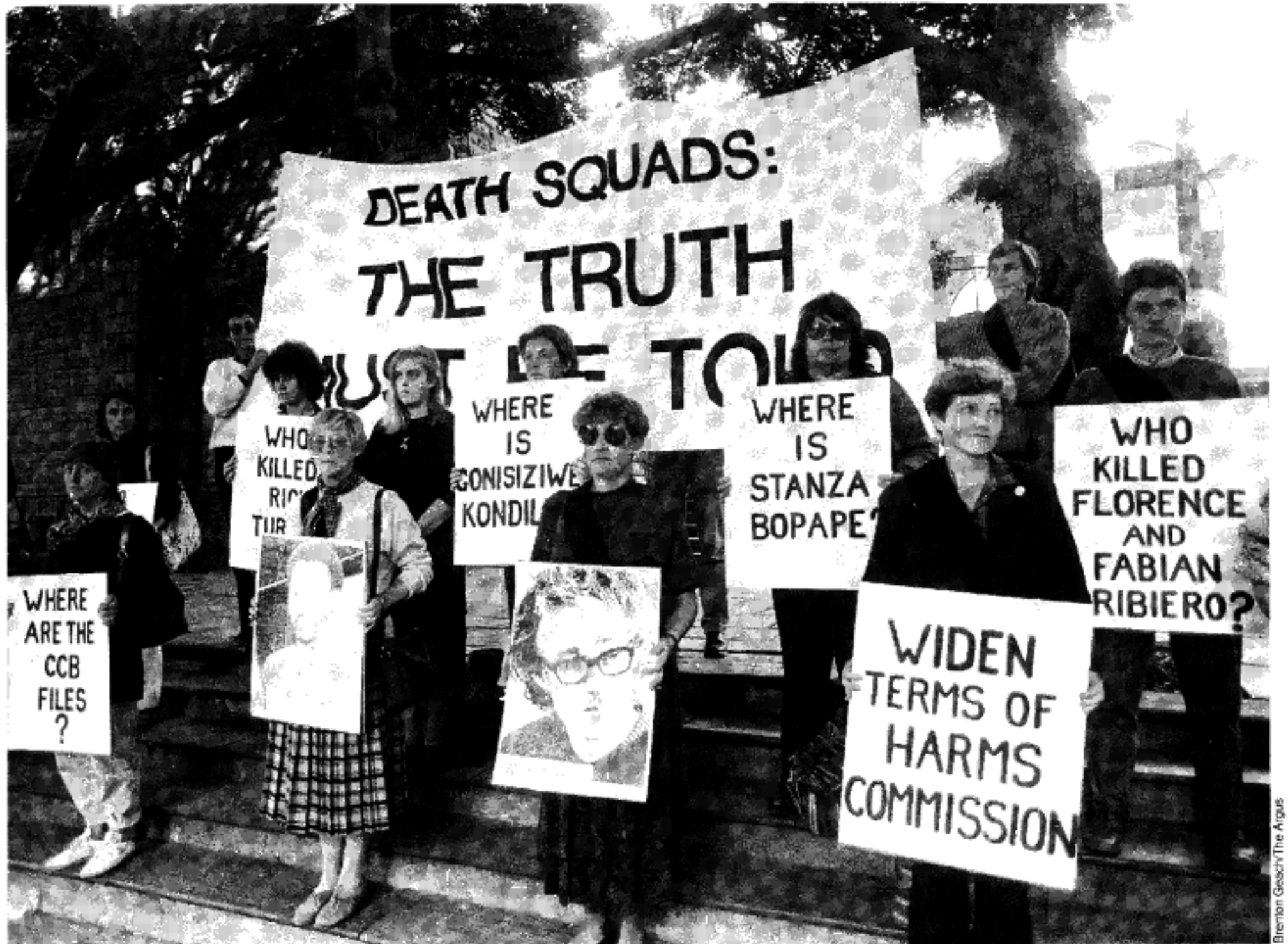
Focus on Harms Commission and CCB

The Cape Western region of the Black Sash mounted a public meeting and a group stand on 19 June to draw attention to the Civil Cooperation Bureau (CCB) and its alleged unlawful 'death squad' activities, and to the implications of a possible cover-up of these activities resulting from the existing terms of reference of the Harms Commission.

The meeting was held at lunchtime in the St George's Cathedral hall, Cape Town. In her opening address chairperson Karin Chubb, vice-president of the Black Sash, called for a full and public disclosure of the activities of covert CCB and police groups, a strengthening of the Harms Commission with an extension of its brief to include assassinations outside the borders of South Africa, and a guarantee from the government that CCB-type units have been disbanded. To this she added a concern that 'if these demands are not met and if the truth is not told, we shall carry the burden of unsolved political crimes with us into our future. It is a legacy that would weigh heavily not only on us but also on our children.'

Molly Lubowski (mother of assassinated Anton Lubowski) then lit the Human Rights candle and gave a very moving talk in which she expressed the concern that 'die moordenaars van onskuldige mense loop los rond sonder enige vrees dat hulle ooit tot verantwoording geroep sal word'.

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The Cape Western region stand on 19 June 1990.

Professor Hugh Corder drew attention to the legal parameters and implications of the Harms Commission. He pointed to the possible negative effects of commissions of inquiries, illustrated by recent political histories saying that they could 'lead to the smothering of discussion of issues under investigation ... and the giving of a "veneer" of respectability to what is otherwise abhorrent'. Turning to the Harms Commission, he commented that 'its task was complicated by clearly obstructive tactics employed by those under investigation, such as blocking of the search for evidence, destruction of evidence, and a large number of extraordinary and apparently contradictory claims'.

He posed the question 'whether the use of a one-person judicial com-

mission of inquiry was the best mechanism for arriving at the true facts in this case, and whether the independent reputation of the courts did not suffer as the result of inquiries such as this'. He added: 'One is forced to wonder at the policy reasons which induced the state president to limit the Commission's brief to South Africa's borders, when the CCB by its own admission was active outside them.'

In his address to the meeting, Professor André du Toit gave his interpretation of recent events and emphasised the point that 'the truth must be told ... that the terrible things that have been done cannot be swept under the carpet', for if that happens 'they will come back to haunt us in our brave new post-apartheid South Africa'.

Laurie Nathan, allegedly one of those on the 'hit list', warned us against forgetting to be shocked and angry about such unlawful events.

A picket stand involving about 30 Black Sash members was held in front of a banner that read 'Death Squads ... The truth must be told'. The placards expanded on this statement with questions such as 'Who killed David Webster?', 'Who killed Victoria and Griffiths Mxenge?', 'Where is Siphwo Mtimkulu?', 'Where are the CCB files?', 'Who authorised the killings?' and 'Only the truth can heal'.

Pamphlets printed in English and Afrikaans describing the disturbing facts and consequent demands were handed out to the public at the meeting venue and outside. □

Ros Bush, Cape Western

