THE END OF APARTHEID?
South Africa Moves to the Vote

BY MAGGIE PATERSON
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CHAIRMAN'S MESSAGE

The Australian Social Justice Council is pleased to offer *The End of Apartheid? South Africa Moves to the Vote*, as its first Occasional Paper for 1994. Our intent is that this document will contribute to the level of informed discussion at this singular moment in South Africa's modern history: the formal end of apartheid through free and fair elections for all South Africans, set down for 27 April 1994.

During the past three years, the combined churches of South Africa, as part of their ongoing work for justice, have set up a programme whose mandate is to monitor negotiations for peace, political violence and preparations for elections. Church members from different countries outside South Africa, including Australia, have provided the monitors to work under the direction of a South African National EMPSA office, based in Johannesburg. Maggie Paterson, the author of this Occasional Paper, works in the National Office as the Communications Officer.

South Africans are intent on building a new society: one that is inclusive of race and gender, participative and free. Elections in April will mark the formal end of apartheid. South Africans though, especially those most ardent for change, know only too well that these elections mark but the beginning of the long process of reconstruction, not only of political processes but of public confidence and mutual trust.

This document was prepared in late 1993 and updated in early 1994. One of the author's concerns is that, even though the major political, economic and social changes have been negotiated, a week in South African politics is an exceptionally long time. Unexpected developments arise. However the Council and the author's hope is that this Occasional Paper will help Australians to better understand and support the historic changes that will be happening in South Africa in 1994.

The ACSJC would welcome feedback on this paper, for possible use in our quarterly newsletter *Justice Trends*.

+ William Brennan  
Chairman, ACSJC  
Bishop of Wagga Wagga  
1 February 1994
The struggle for human rights is a struggle born out of anger – anger at injustice, anger at inequality, anger at cruelty, anger at humiliation. Yet the formulation of a constitution, and especially of the parts dealing with the protection of human rights, has to be undertaken with serenity. Human rights are for all. What we are seeking is a set of principles and procedures that will guarantee secure lives for everybody, not just for ourselves and our children, but for those who are causing us hurt, and their descendants. Ours is the very special task of reassembling ourselves and our society out of the wreckage left by the past. Apartheid did not just fail, it damaged each and every one of us, oppressor and oppressed alike.

Albie Sachs, Advancing Human Rights in South Africa, Oxford University Press, Cape Town, 1992 (lawyer and member of the National Executive Committee of the African National Congress)

BUILDING A CULTURE OF NEGOTIATIONS

South Africans have found that history can take its time. There has been little cause for euphoria since the release of Nelson Mandela, the world’s most famous political prisoner, in February 1990. That act, for most people in the outside world, spelt the end of apartheid. That was more than four long years ago, and in those years the majority of South Africans have learned that the negotiations process itself is a struggle of a different order.

It is already clear that the 1994 elections in South Africa will be one of the major news events of the international media year. Yet agreement on the election date (27 April), one of those ‘historic moments’, along with agreement on the Transitional Executive and the Interim Constitution with less than 150 days to go before the election, caused little visible excitement on the part of most South Africans. Euphoria was strictly reserved for the negotiating chamber.

This is hardly surprising. While political leaders have been locked in difficult and protracted (and largely private) negotiations, there have been few real signs of hope to sustain black South Africans in their daily battle with grinding poverty and the ever-present spectre of political violence. They have learned not to take much on trust.

The agreements were greeted in the South African press as major breakthroughs, the beginning of the end of white Afrikaner rule, the
dawn of a new era. Indeed, this is the case, and in many ways the achievements of the multi-party negotiators have been remarkable. The cautious response of most ordinary South Africans underscores their need to see results. The release of African National Congress leader Mandela, and the lifting of bans on the long-silenced liberation movements, fired the hope of millions throughout the country. At the time however, Mandela himself sounded words of caution: he was free of one jail, but there was still the bigger jail outside that had yet to be dismantled.

Negotiations have been about dismantling that jail and laying the foundations of democracy and peace. They have produced mountains of paper, the Interim Constitution alone is 164 pages, each one the product of laborious negotiation. But perhaps the real history has been the process itself. The national (and occasionally international) news spotlight has been on the multi-party talks at the cavernous World Trade Centre near Johannesburg’s main airport. But negotiations have been taking place at many other levels, which are also directly linked to the struggles of the past, particularly the intense struggles of the 1980s which involved virtually every sector of society, from unions to school children, from civic associations to sports clubs.

At this deeper level, the foundations have been laid for a wider participation in the running of society. No-one, however optimistic, now believes transformation will come, as a miracle, overnight. Election day will be the day the real work begins.

WHY SO LONG?

South Africa’s constitutional negotiations have been a fascinating spectacle. The apartheid state, world famous for its racist and repressive policies, has been negotiating its own demise. At the same time, every inch of the way has seen its interests, and those of its allies, finding new expression as they seek essentially to retain, albeit in amended form, former positions of power and privilege bestowed under apartheid. Long before formal negotiations with the African National Congress (ANC) began, the secret Broederbond or Brotherhood (now called the Afrikanerbond), the Afrikaner think-tank to which all key government, economic and church leaders belonged, produced a policy paper on the survival of the Afrikaner, which argued that negotiations were the only way forward.
The behind-the-scenes power play which has been the backdrop to the public negotiations is what has made the situation in South Africa so complex. What has become abundantly clear, particularly where politically-related violence is concerned, is that South Africa is reaping the harvest of decades of apartheid policies. Throughout the Southern African region, the apartheid government promoted, directly and indirectly, policies of violent destabilisation designed to sustain its position of regional power. This included covert operations, assassinations, hit squads and warfare, using both its own security forces personnel and surrogates. Many of these forces, groups and individuals, now seem to be finding new homes for their skills.

It is now generally acknowledged, even by the South African government itself, that negotiations came about because there was no alternative. The most intensive repression of the 1980s did not succeed in eliminating burgeoning political opposition at home, and instead intensified international isolation and sanctions. The power of white South Africa in the region had steadily eroded, evidenced in the hard-won independence of Namibia. The final nail in apartheid's coffin was the economy, locked in disastrous decline. Coinciding with all this were dramatic changes in the established world order and new pressures for settlement of long-standing regional conflicts. These pressures affected both the government and the liberation movements.

Grand apartheid, the vision of the National Party government in the early 1960s, had established a framework in which the black majority were no longer South Africans but 'citizens' of a series of tiny, fragmented 'nation states' which were granted either 'independence' (Transkei, Bophuthatswana, Venda and Ciskei: the TBVC states) or self-governing status (such as KwaZulu). Land dispossession, which had been a feature of South Africa's colonial history for centuries, was stepped up, with more than three million black people uprooted and literally dumped in a barren wilderness. Grand apartheid was a costly exercise, both in human lives and in duplication of bureaucracies and security forces. It was impossible to sustain: it is now proving a nightmare to unravel. It has left a heritage of smaller power bases and interests, which groups, both black and white, have endeavoured to defend in negotiations and through involvement in violence.

Since the late 1970s, attempts by the South African government to contain opposition through introducing reforms – for example, at a
national level, a tri-cameral constitution with chambers for coloureds and Indians; at a local level, elections for local authorities in black urban areas – met with ever fiercer rejection. Even hardliner P. W. Botha, replaced as President by F. W. De Klerk ten years later, acknowledged that white South Africa had to ‘adapt or die’.

Thus a process of negotiations at a national level began long before Mandela’s release. On the ANC’s part, the push for negotiations reflected the recognition there could be no sudden overthrow of such a strongly entrenched regime. On the government’s part, it reflected the recognition that its interests, its survival as a force, now lay in controlling rather than ceding the transition.

The negotiations struggle has primarily been between a government effectively in power but lacking legitimacy and increasingly lacking authority, and an opposition led by the ANC and its allies with popular legitimacy but not in power. Each side has also had to address the fears and expectations of its constituency. In addition, groups which had operated within the apartheid structures, such as homeland governments, saw impending change as a threat. The security forces, too, although told by President De Klerk that they were no longer there to support a particular political system, faced changes that for many of them were traumatic.

Initial encounters between government and the ANC-Alliance concentrated on pre-negotiation issues such as release of prisoners and return of exiles. The need to secure the widest possible support for agreements produced an unwieldy and largely unrepresentative multi-party negotiating forum. Its first incarnation, convened more than two years ago, was called CODESA (the Convention for a Democratic South Africa), but some parties, including the white right wing and the Pan Africanist Congress (PAC), did not participate.

The process painstakingly inched its way forward. Crises and cliffhangers were part of the process. Key moments occurred when President De Klerk, facing an increasingly vociferous right-wing opposition, called a referendum of the white electorate in March 1992 and secured a substantial 69 per cent endorsement of his negotiations policy. Shortly after, the ANC suspended its participation in CODESA in frustration at the persistent increase in township violence (specifically the Boipatong massacre) in which the security forces were believed to be implicated. The ANC and its trade union allies embarked on a mass action
campaign, which served as a reminder of its grassroots muscle and a reinvigoration of its organisational base.

When talks at last resumed, twenty-six parties were present. Unable to agree on a name, negotiations became known as the Multi-Party Negotiating Process (MPNP), with a plenary Multi-Party Negotiating Forum (MPNF), a smaller working Negotiating Council (MPNC) and a host of technical committees of experts to deal with difficult issues as they arose. From that point on, the negotiations process moved ahead, surviving walkouts and deadlocks. It also survived a near-national disaster with the assassination of popular leader Chris Hani in April 1993. This assassination led to a massive expression of public distress and anger throughout the country.

**DECISION-MAKING**

A leading constitutional lawyer wryly described the methods by which agreement was reached in the negotiating process.

*Consensus/‘sufficient consensus’:* At least 80 per cent of the proposals were adopted by consensus. If that failed, the system of ‘sufficient consensus’ was invoked by which, with no formal voting, the chair determined whether a proposal was deemed to be adopted. (In practice that meant that if either government or the ANC were not in agreement, consensus is not sufficient.)

*Bi-laterals:* Questions which threatened to block progress were taken up in bi-lateral meetings, for example, between government and ANC, or between government and Conservative party. Agreements then went back to the wider forum. (Bi-laterals have been held on everything from a national anthem and flag, to demarcation and powers of regions, and deadlock-breaking mechanisms in the constitution.)

*Multi-laterals:* Small multi-party talks, which tended to announce decisions which were then subject to further agreement.

*March-outs/withdrawals:* Frequently used by conservative groups which felt they were losing ground in negotiations (Inkatha Freedom Party and its Freedom Alliance partners, including the white right wing).

*Mediations:* Especially needed in bi-laterals and multi-laterals.
WHAT HAS BEEN AGREED

The framework so painstakingly put together in the negotiations sets the scene for another phase of this long transition process. Essentially negotiations have been about agreeing on both a transitional authority to oversee South Africa's first democratic elections, and the structure of the first elected assembly that will double as an interim government and a final constitution-making body.

A peculiarity of these milestone elections will be that the South African government will still be in power during an election that will take power from it. All the agreements made by the Multi-Party Negotiating Process (MPNP) had to be taken to the existing white parliament for enacting legislation. Legislation reflecting agreements reached in September 1993 on four bodies mentioned below was passed in parliament, but could not be implemented until the whole package, including the Interim Constitution and the Electoral Bill, was agreed: action which only happened at the end of November 1993. This delay gave additional leverage to groupings like the Freedom Alliance, a coalition of conservative forces formed in late 1993, which has sought to strengthen regional powers and entrench power-sharing prior to a democratic election.

For the pre-election and election phase, four main structures were agreed on, three of which will be in place only until the election. They are designed to level the playing field.

The task of the Transitional Executive Council (TEC) is to create a climate for free political activity and free and fair elections. The structure of the TEC reflects that of the Multi-Party Negotiating Forum and has certain functions and powers. But it functions alongside the present government headed by State President F. W. De Klerk. The TEC will remain in position until the elected Interim Government of National Unity and Reconstruction takes effect after 27 April 1994.

The Independent Electoral Commission (IEC) is to manage the elections, including election monitoring and adjudication. It has a chairperson and ten members, appointed by the state president on the advice of the TEC, and five international experts.

The Independent Broadcasting Authority (IBA) is to take over control of radio and television from the state. Its major task will be to ensure fair and even-handed coverage during the run-up to the elections. (This body will remain in place after the elections.)
The Independent Media Commission (IMC) is a watchdog body that will ensure equitable treatment of all political parties by broadcasting services and state-financed publications and information services. Members of this body are to be appointed by the TEC.

The main component of the package, the Interim Constitution, was also the most difficult on which to reach agreement. This constitution, with its five year term, to some extent marks a departure from the ANC's original demand for an elected constituent assembly that would draw up a new constitution. It is also a very long way from the demands of government for minority vetos, and of Chief Buthelezi's Inkatha Freedom Party that a final constitution be agreed on before elections. But while it has been described as ensuring a power-sharing government, the extent of power-sharing will depend on the ability of parties, including the government, to muster significant support in the elections. This means that government will not be simply be by the majority party, but will include parties with a genuine representation. It is more than likely that many of the parties represented at the Multi-Party Negotiating Forum will soon simply disappear.

The Interim Constitution, to which final details are still being added, will be in place for five years after the election. It includes a bill of rights, and provides for the repeal of a host of legislation, including laws which established the independent and self-governing states. This means that at some stage in the near future (still to be decided), the legislative basis for states such as Bophuthatswana will cease to exist.

The Interim Constitution provides for an interim government, which will include an executive president drawn from the majority party, and Cabinet representation for all parties achieving a minimum percentage of the proportionally representative vote. It lays down functioning guidelines, including majorities required for decision-making in various key areas, and sets out the powers and demarcation of nine new regions (instead of four provinces). It includes an agreed set of constitutional principles which will underpin any new constitution or amendments to the Interim Constitution.

Detail aside, an essential feature is that for the first time South Africa will have a constitution incorporating a bill of rights that is supreme, as opposed to the former colonial/apartheid version of the Westminster system, in which parliament is supreme. The courts, including a power-
ful constitutional court, will have the power to ensure that parliament does not infringe or undermine essential principles of the constitution and bill of rights.

Although it has inevitable flaws, as any document worked over by weary negotiators, the Interim Constitution has generally been welcomed (except by conservative parties grouped in the recently formed Freedom Alliance), as an enormous step forward to democracy in South Africa.

**HOW THE TRANSITION WILL WORK**

The Transitional Executive Council (TEC) met for the first time on 8 December 1993, as scheduled. Its related commissions, though up and running, have yet to come into full effect.

The TEC has seven sub-councils: law and order; defence; intelligence; local/regional government and traditional authorities; finance; foreign affairs; and the status of women. Here, the power balance is critical, as decisions have to be carried by special majorities: 75 per cent for the security-related councils and 66.6 per cent for the rest. This means that it needs only three people on each sub-council to block any decisions. In addition, President De Klerk has retained the power to declare a state of emergency after ‘consultation’ with the sub-council, which the TEC itself can only overturn with an 80 per cent majority.

Although the Transitional Executive Council does not replace government, it does represent the first tangible progress of negotiations, in that black South Africans for the first time have a meaningful say in key areas of government. The TEC is designed to be a powerful monitoring body to ensure that no administration, be it the government or homelands, acts in a way contrary to the principle of democratising South Africa. And it has a veto over Cabinet, President De Klerk and Chief Buthelezi. All the state apparatus, including the armed forces (South African Police and security forces, as well as Umkhonto we’Sizwe and APLA, the armed wings of the African National Congress and Pan-Africanist Congress respectively), are for the first time accountable to an all-party body and have to adhere to agreed codes of conduct.

Although this is real progress, it is clear that the negotiations are far from over. Indeed they have continued with intensity in setting up the Transitional Executive Council and its sub-councils, and will continue throughout the functioning life of the TEC. So, that long last mile of
negotiations still has many hurdles to overcome; real change in South Africa will be a slow process.

BEFORE ELECTIONS: THE MAJOR THREATS

Millions of South Africans will vote for the first time in April 1994. Voter education, provision of voter identifications and securing a climate in which political activity can take place freely, without intimidation and coercion are crucial problems. High levels of political violence have devastated many communities. The violence has clearly been linked to political events.

Key problem areas are also linked to three of the homelands – Bophuthatswana, Ciskei and KwaZulu. All three, which together have administrative control over approximately nine million people (or nearly a quarter of the total population), have rejected the authority of the Transitional Executive Council, as has the right-wing Conservative Party with which they form the right-wing Freedom Alliance, formerly known as COSAG (Concerned South Africans Group). Ciskei and Bophuthatswana are legally independent states created under grand apartheid. Under the new agreements, the TEC cannot legally be implemented in those areas unless adopted by their own legislatures. Of the four independent TBVC states (Transkei, Bophuthatswana, Venda and Ciskei), the Bophuthatswana and Ciskei administrations have most to fear from a new national, democratic dispensation. And, along with KwaZulu, they are most closely connected to continuing patterns of violence and repression.

The question of the reincorporation of the TBVC states, to which Transkei and Venda have already agreed in principle, was not faced head on in the formal talks. The main parties have used a softly-softly approach, although ANC chief negotiator, secretary general Cyril Ramaphosa, complained of the obstructive role of the Ciskei and Bophuthatswana delegations: ‘South Africans live there and have had their citizenship forcibly taken away from them and are being deprived of exercising their democratic right.’ However, the main negotiators managed to keep these groups in the negotiating process while gradually increasing the pressure. This may have included a money squeeze. Bophuthatswana depends on South Africa for 50 per cent of its revenue; mismanagement in Ciskei has made it even more dependent than Bophuthatswana.
The repeal of legislation under which these states exist is now inevitable. The unanswered question at present is when. The Interim Constitution is not due to be fully in place until after the election, although sections can be promulgated before then. However, it is clear now that all people who formerly were denied South African identity documents on the grounds that they were really citizens of Bophuthatswana or Ciskei are now able to register — and are doing so in their thousands.

Both Bophuthatswana and Ciskei currently use their powers primarily to prevent organised political opposition. In both states, security laws modelled on those of South Africa have been extended. In Bophuthatswana it is illegal even to debate or advocate the reincorporation or amalgamation of Bophuthatswana into South Africa. Ciskei’s Brigadier Ouapa Gqozo recently had his security laws, which had allowed wide powers of detention and bannings, overturned in a court appeal. He quickly brought them back under a new declaration. Bophuthatswana’s President Lucas Mangope produces an historical rationale for his ‘country’s’ existence, claiming the ‘foreign’ ANC is waging a subversive war against him. Many Bophuthatswana residents, including local chiefs, have been sent into ‘exile’ into South Africa. Violent repression has stepped up since 1992 in keeping with the growth of popular resistance to his government.

Legally, KwaZulu is less of a problem than Bophuthatswana and Ciskei: it could be forced to comply with the Transitional Executive Council through the courts and, if necessary, by the security forces. However, it is seen as far more intractable. This is because of Buthelezi himself and the Inkatha Freedom Party. Inkatha was built up during the 1970s and 1980s to reinforce Buthelezi’s position and is tightly enmeshed into the homeland administrative powers and structures, including the traditional system of chiefs and headmen which is still powerful in rural areas. Because of this, many people in the Natal region now feel threatened by the prospect of a new government and fear they will lose their jobs and positions. The TEC has no control of Inkatha itself. The powerful support given Buthelezi and Inkatha over the years by the South African government, by countries in Europe and by elements within the United States, is partly responsible for what Inkatha has become. And another factor which makes it necessary to proceed with care is Inkatha’s role in violence.
THE PATTERNS OF VIOLENCE

The persistent spectre of politically-related violence, which has cost more than eleven thousand lives in the last four years, is particularly prevalent in the Natal and Pretoria-Witwatersrand-Vereeniging (PWY) regions. Even the chairman of the National Peace Secretariat, Dr Antonie Gildenhuys, has now acknowledged that the violence follows a distinct pattern directly related to the progress of negotiations; 'Political violence seems to escalate each time a milestone is reached in the negotiating process' (speech quoted in Business Day, August 1993). The aim of the main perpetrators, who remain unidentified, is obviously to de-rail negotiations.

However, there is no simple explanation of the violence. There are many interlinking factors, further complicated by a certain amount of criminal opportunism. But a study of the pattern of violence, its location, its victims and perpetrators, and most of all its effects, does indicate political gains and losses. It is clear too, that South Africa is reaping the bitter harvest of its twenty-year involvement in military and covert destabilisation in the Southern African region. All those operatives, those strategies and those weapons have come home to roost. The proliferation of weapons in an already heavily-armed population is a major problem, with cheap guns pouring in from war-torn Angola and Mozambique. In one township east of Johannesburg, it is estimated there are more than a million illegal firearms.

The Johannesburg-based Human Rights Commission, in a statement in 1993 to mark National Peace Day (2 September), commented: 'The most important thing that can put a total stop to political violence is the election itself. It will reveal for all the world to see the true support base of each political player.' This points to the real fear of those such as Chief Buthelezi, President Mangope and Brigadier Oupa Gqozo: the fear of political extinction once all South Africans are given a free democratic choice.

This bid for political survival provided the backdrop to the push in the negotiations forum for strong regional powers, even to the point of regional autonomy, which came from members of the Freedom Alliance, with the tacit support of the government. Buthelezi, for example, hoped at the minimum to achieve a national position through consolidating his hold on a regional base. Failing that, at one point he appeared
to be considering a secessionist option. KwaZulu/Natal’s proposed ‘new constitution’, recently drawn up with the help of North American professional advisers, would turn the province into a fully independent state with its own bank, courts and army. Signs are that Buthelezi and his Inkatha Freedom Party are only too aware that they may have little chance when it comes to a free and fair vote. Recent polls have indicated only 3 per cent support Inkatha nationally, and only 31 per cent in its own Natal stronghold.

Tragically, the fear of political extinction is costing hundreds of ordinary people their lives. Much of this is superficially explained away as ‘black-on-black violence’, ‘faction fighting’ or ‘Inkatha versus ANC power struggle’. Again, Human Rights Commission figures reveal a pattern. In 1992, deaths in the PWV region through politically-related violence were running at two-thirds of the national figure; Natal, previously having the highest death toll, was about 30 per cent. The increase in the PWV region at that time directly coincided with Inkatha’s launch as a national political party. In the first six months of 1993, the positions were reversed: the percentage of Natal deaths increased to 54 per cent of the national total. Analysts have commented that this was related to Buthelezi’s retreat to his regional base as Inkatha Freedom Party national support diminished and his attempt to assert a national role weakened.

After that period, the killings in the PWV region again took on a new intensity, as national negotiations forged ahead. This brought the national death toll to its highest level in three years. Whatever the explanation, it was clear that the majority of the killings were being perpetrated by unknown killers, and often at random. Such random slaughter seems to suggest no obvious political motivation. In ‘drive-by’ killings, for example, where gunmen in passing cars open fire on residents unselectively, they have no way of knowing the political affiliations, if any, of their victims. Nor do the wholesale killers of commuters on trains or in taxis. There is little apparent criminal or political gain from these killings, although it is widely believed that such killers are mercenaries acting on behalf of others.

The effect of this violence is to destabilise whole communities. A more insidious effect is to destroy confidence in the major negotiators, particularly the African National Congress, since the victims are mostly black township residents. An attack or massacre can produce a spiral of
conflict within communities: if killings occur in an area where the Inkatha Freedom Party is not popular, then the Inkatha may be identified as the culprits and reprisals may occur. Peace workers have found many instances in which misinformation has been identified as the spark causing violent conflicts, sometimes dividing even supporters of the same organisation.

It is also significant that the violence, although creating the perception nationally and internationally of a whole country being torn apart, is in fact intensely localised in two areas, Natal and the Pretoria-Witwatersrand-Vereeniging region, which incidentally, together contain an estimated 46 per cent of the prospective electorate. Even within these regions, violence is further localised. In the PWV, for example, it is focused on two geographically tiny East Rand townships. This reinforces the question about an outside influence which fosters the conflict. The same ingredients – poverty, unemployment, overcrowding, political diversity – exist in other townships where there has been relative calm.

The pattern lends support to a widely held view that there is a third force, or forces, behind most of the violence. There is certainly evidence of involvement by police and military in some cases, including murder. There is a history of police support for groups such as Inkatha, who are seen as allies, against the ANC who historically have been seen as enemies of the state. There is evidence that the South African government funded some Inkatha rallies through the police, and there has been a push to give para-military training to young Inkatha men. There is also evidence of links between sections of the security forces and ultra right-wing groups, but there is little firm evidence of a secretly coordinated programme of instigated political violence. This has been repeatedly pointed out by the Goldstone Commission, the investigating arm of the National Peace Accord. However, in those black South African communities worst affected by violence, the existence of such a force is widely accepted.

A great weariness has set in among the communities most hit by violence. There are few moments where this lifts. One such came on National Peace Day, 2 September 1993, a day when the National Peace Committee called for a mass one-minute silence at midday and a national committal to peace. The fervour with which millions spilled onto the streets at midday to hold hands, sing, and then stand in silence, provided
a glimpse of South Africans’ heartfelt desire for peace. Almost immediately afterwards, a new spate of massacres began in the already devastated East Rand townships of Thokoza and Katlehong. In spite of that, and perhaps reflecting a grassroots dissatisfaction with Inkatha leadership, small but encouraging signs of a rapprochement with some of the embattled township hostels have recently been occurring. These hostels, home to thousands of migrant workers, many under Inkatha influence, have been key components in this local conflict.

**THE RIGHT-WING THREAT**

In recent months, the increase of veiled and not-so-veiled threats of civil war, linked to dissatisfaction with negotiations, has raised the prospect of a post-election secessionist war. Civil war talk has come from both Chief Buthelezi and his Afrikaner Volksfront (AVF) allies, the white, politically far-right groupings, heavily armed and with long-established links into the security forces. As negotiations produced final agreements, the five-party Freedom Alliance became both more belligerent and more divided. The AVF announced that it would unilaterally set up a *Boerestaat* (white Afrikaner state), and establish its own transitional executive.

Chief Buthelezi’s Inkatha Freedom Party itself also began to show cracks, with significant members pushing to participate in elections, while Buthelezi himself held out, morosely threatening to resign. The divisions at the top were being mirrored at a local level, where conflicts between different Inkatha groups began to surface in Natal. As previously mentioned, Inkatha is also present in the urban hostels for migrant workers, many of whom come from rural KwaZulu. In some areas of the PWV, hostels have been the epicentre of violence in the surrounding township. The churches have made strenuous efforts to reach out to hostel residents with some signs of success hopefully leading to a process of healing in the community.

In essence, there is little rational cause for Buthelezi’s discontent with what is offered constitutionally. Most political commentators agree that the African National Congress has made enormous concessions in its effort to achieve as broad a base of support as possible for the negotiations process. Buthelezi’s main call was for strong regional powers: the draft interim constitution provided this to such a degree that the ANC
was accused of jettisoning its own policy of strong central government. Although central government retains overall control, much strength has been put in regional hands, unlike in a federal system.

In Natal at least, a significant number of white South Africans support Buthelezi on the basis of the image he has successfully projected: a moderate, wedded to peace and the free market. But it is the ultra-right wing, whose ‘shock troops’ in 1993 stormed the World Trade Centre, venue of the Multi-Party Negotiations, terrorising black delegates under the benign gaze of the security forces, which has become a focus of concern. The Afrikaner Volksfront (AVF), an alliance of smaller groupings including Eugene TerreBlanche’s neo-Nazi Afrikaner Weerstandsbeweging (AWB: Afrikaner Resistance), has been strengthened by the leadership of retired generals such as former South African Defence Force (SADF) head Constand Viljoen. A recent poll showed 36 per cent Afrikaner support for the AVF leaders, compared with 32 per cent for De Klerk.

The links of these groups with the police, the military, the bureaucracy and, in the rural areas, with white farmers, has made political leaders and military analysts look seriously at the danger of an attempted military-linked coup before or after elections. The SADF, based as it has been until mid-1993 on compulsory white conscription, maintains a commando system in which all former servicemen can join a local commando unit and be supplied, legally, with unlimited weapons.

It is clear to all that the armed right wing constitutes a serious danger in terms of its capability in armed attacks or subversion. However, military researcher, Dr Rocky Williams (writing in Work in Progress, 1993), feels an outright coup attempt is less likely: to be effective, a coup would have to neutralise the political power centre, party leaders, bureaucracy, trade unions, civic and grassroots organisations and political organisations as well as local government structures. In addition, it would have to secure key economic installations and administrative structures and gain the acquiescence of business. In the context of South Africa, ‘with a resilient civil society and complex infrastructure’, this would be a ‘logistical nightmare’. Nevertheless, there is potential for grave damage in actions short of a coup.

Perhaps even more serious is the potential invisible role which could be played by sections of the security forces, using intelligence experience, hit squads and ‘dirty-tricks’ skills as well as access to resources. It was
through these elements that Inkatha personnel received secret military training and political funding. Such operations could have a significant, although unseen influence in the pre-election campaigning phase.

THE NEGOTIATING CULTURE: PAST AND FUTURE

The strength of the struggle against apartheid lay in its close link to community issues. Apartheid affected every aspect of daily life: housing and homelessness, jobs and transport, land and food, health and education. Many of the activists targeted for detention, torture, or assassination, were from trade unions or local organisations working on human rights, land or education issues. For all its attempts to divide, apartheid proved a politically unifying factor. The ANC Freedom Charter first acclaimed in June 1955, was less a political manifesto and more a claim for rights which all people recognised as relevant to their lives.

In this deep-rooted way, methods of protest developed which drew on the strength of an apparently powerless people. One example was the use of consumer boycotts. In some towns they were used where the problems of black townships were not being addressed by the local authorities. They had a dramatic effect on white businesses, and at that time led to unprecedented negotiations involving white business and city leaders and representatives of the township residents, unions and youth. Black civic associations, focused on local issues, also developed. At their most effective, civic organisations were based on street, block and area committees; the basis was laid for what has become a strong network. This now forms a vital part of the negotiations process directed at developing new local government policy to address problems of division and inequality.

ECONOMY: THE HEART OF THE MATTER

Almost every issue affecting communities had as its root cause the interests of an economy designed to enrich and sustain a privileged enclave: land and the lack of it, control of a cheap labour force, housing and citizenship rights, education, health and welfare. Throughout the negotiations phase, from 1990 onwards, efforts have been made to restructure the economy through privatisation and deregulation to ensure that key areas were removed from government control before a new, democratically elected government was in place.
The growth and unity of the trade union movement, in defiance of all efforts to suppress it, was therefore a major factor in challenging the economic system which apartheid enshrined. It has also been vital in challenging efforts at unilateral restructuring.

By the end of the 1980s, the Congress of South African Trade Unions (COSATU), the main union federation, had well over a million paid-up members and was winning increased legal recognition. It also developed considerable skills in negotiating with business leaders, and increasingly, through its education of workers, established a participatory approach to policy formulation.

By 1992, COSATU had developed its Growth Plan policy, which provided a broad framework looking at redistribution, industrial policy, the role of the state and building up the unions. A key demand has been the establishment of a National Economic Forum, comprising labour, business and government, precisely to block unilateral economic restructuring and unlock available resources for immediate short-term redistribution.

The economic policy ideas of COSATU harmonise with those of its political ally, the ANC. They favour growth through redistribution through state intervention, limited nationalisation, price control and other interventions, plus production and provision of basic necessities such as electricity, water, transport, housing, education, health and welfare, food, clothing and recreational facilities. Both groups argue that this would serve to 'kick start' an economy which has been in serious decline for most of the last decade.

The National Economic Forum is now dealing with a range of issues from job security and job creation through to trade and tariff policies. A series of important and closely related forums have been established, such as the Electricity Forum, Local Government Forum, Drought Forum, VAT (Value Added Tax) Coordinating Committee and Housing Forum, all of which have related regional forums. These have a direct link to local community needs: for example, more than three and a half million households are without electricity. The estimated cost of connection is ten billion rand (approximately five billion Australian dollars). However, there would be a flow-on effect in the development of industry, for example, to supply an increased demand for electrical goods, and in the expansion of small businesses. Similarly, the Housing Forum has a commitment to labour-based construction, agreement on
provision of finances for building houses, supply of materials by monop-olies at subsidised rates, and legislative changes to ensure the rapid release of land. The difficult question of transforming the hostels in which migrant workers stay in the cities is also being addressed. Through protracted negotiations and pressure, the unions have also faced the restructuring of the National Manpower [sic] Commission, examining areas ranging from labour legislation and workers' rights to minimum wages and pensions.

The whole economic debate has taken place against the background of sanctions, most of which have now been removed with the establish-ment of the Transitional Executive Council. The uncertainty of a violence-ridden political transition is not the best climate for new investment, and both unions and political organisations have had to address the reluctance of new investors to come forward if their profits are to be reduced by social-responsibility commitments or taxation.

For South Africa readmittance to the international community will now mean access to the World Bank, the International Monetary Fund, and probably the European Union through the Lomé Convention, as well as to regional and African economic trading arrangements. The International Monetary Fund’s first loan, however, will be devoted to strengthening foreign reserves (South Africa has a large foreign debt), apparently with a view to reinforcing confidence in the economy.

It has become abundantly clear in the negotiating years that the new government will need all the economic help it can get. The government is now counting the cost of apartheid’s wasteful multiplicity of bureaucracies. New revelations of mismanagement, patronage and corruption appear almost daily. Pension payouts and golden handshakes, for example, for Members of Parliament, will cost the taxpayer dearly. In addition, the debts of the homeland governments are now estimated at forty-one billion rand (approximately seventeen billion Australian dol-lars). South Africa’s government debt is at a danger level of almost 60 per cent of gross domestic product.

LAND AND HOMES

The linked issues of housing and land have also been at the heart of community struggles for many years. Again, the past four years have seen a pattern of initiatives from the government aimed at firstly molli-
fying international opinion, and secondly limiting any prospect of substantial redistribution of land. Among the legislative pillars of apartheid, which were repealed in 1991, were the Land Acts of 1913 and 1936 which effectively deprived the majority of the population of any access to most of the land. However, the desperate struggle for access to land and housing continued in both rural and urban areas. Communities which had been forcibly removed from their land over the years joined together to establish a Back to the Land campaign, and several returned to land from which they were removed. Cities saw growing disputes around established ‘informal’ settlements. With no viable housing policy, chaotic and sometimes violent settling of vacant land, whether privately or publicly owned, has been taking place.

The government’s initial gesture towards land reform explicitly removed racial restrictions on access to land, but left redistribution to market forces. In addition, community organisations found that vacant, state-owned land, much of it suitable for urban housing, was being quietly sold off to commercial investors and developers. Other large tracts of land were being allocated to certain homelands, apparently in an attempt to strengthen positions prior to negotiations proper. Protests over all these aspects, but primarily the demands of the dispossessed to have their land back, penetrated the negotiating chambers. The result was a chapter in the Interim Constitution making provision for the restitution of land or compensation for people and communities dispossessed under racially discriminatory legislation.

Policing

The South African security forces (police and military) have been at the cutting edge of the apartheid system. Their recruitment, training, culture and mandate were to support the ruling party. President De Klerk himself spelt this out when he briefed police commanders about the country’s change of course in January 1990 (before the release of Mandela):

Up to now the police have been required to perform two types of functions. The one is to handle typical crime situations – murder, rape, theft, etc – the task of a police force all over the world. But you also had another task to fulfil, and that was a control function connected to a specific political party and the execution of laws . . . You will no longer
be required to prevent people from gathering to canvass support for their views. This is the political arena and we want to take the police out of it. We don't want to use you any more as instruments to reach certain goals. We as politicians must take full responsibility for politics.

(Quoted in South Africa's Police: From Police State to Democratic Policing by Gavin Cawthra © CIIR, London, 1992.)

This was much easier said than done. Even by the end of 1993, four years later, the restructured police force was not much distinguishable from the old. The emphasis given through public relations is on a police service, working for communities. Efforts have been made to transform the training of police, with the help of international policing experts and criminologists. But when the former riot squad, renamed the Internal Stability Unit, is deployed in many areas, particularly those worst affected by violence, black communities still can see little difference. This has been a key problem in the transition, as the ANC, the former ‘enemy of the state’, and other similar organisations, now walk openly in the corridors of power. De Klerk did not mention how the security forces had been used to enforce apartheid with covert operations including death squads and informers, and overtly with brutal force. Old habits die hard, but gradually cases are emerging where police are brought to account. An example is the Trust Feed massacre in Natal, where on 3 December 1988, eleven people were killed in an attack on a house in Trust Feed, a rural community. In August 1991, five police officers were convicted of murder.

The presence of international monitors has helped to moderate police behaviour at public events. But there are many accounts of the activities of sections of the security forces which go unmonitored. The police themselves acknowledge they have a bad image in black communities, a problem which is not always solved in their encounters at a negotiating or peace-making level in the local and regional committees of the National Peace Accord.

The question of policing during the operation of the Transitional Executive Council and the running of elections is a serious concern, particularly in those areas where police formerly acted in accord with one political group. While the TEC has fairly extensive powers of monitoring and reviewing the police and military, control will remain in the present hands until after the election. However agreement was reached on the setting up of a Joint Peace-Keeping Force, made up of
military force members from the South African Defence Force, Umkhonto we'Sizwe (MK, the ANC military wing), APLA (the military wing of the Pan Africanist Congress) and existing policing agencies.

The TEC has powers to determine both the mandate and functions of this Joint Peace-Keeping Force and its relationship with the South African Police and the South African Defence Force. This Joint Peace-Keeping Force has been the fruit of debate around the long-term future of security forces in South Africa. In practice, it will be impossible in the time available to turn it into an effective body for securing a peaceful elections period. But a start has now been made in establishing a new, more representative and integrated security force for the future.

DECLINING LEGITIMACY OF GOVERNMENT

The negotiation process saw the gradual decline of the National Party government’s ability to govern. At the outset, De Klerk basked in a glow of international approval, and was strengthened in his bid to retain control throughout. Violence, seen as a problem of black communities and conflict, at first left the government unscathed. However the pressure of continued instability eroded this position in the eyes of business and industry, as well as those of the international community, which became impatient for a way forward.

The government’s acceptability, like the police, was never at a premium in the black community at large. Challenged every step of the way in attempts to restructure the economy and pre-empt redistribution by a new government, the National Party government gradually gave up its attempts at unilateral action. More and more, the country looked to the World Trade Centre, venue of the Multi-Party Negotiating Process, as the effective parliament. Petitions and submissions on every issue being considered were brought there, studied by technical committees, and elements were included in the final agreements.

Two moments stood out which starkly exposed the irrelevance of the government. The country stood on the brink of explosion after the Easter 1993 assassination by white right-wingers of communist, military man and key peacemaker, Chris Hani, the most popular leader in the country after Nelson Mandela. It was Mandela, not De Klerk, who was called to address the nation on state radio and television. Thousands of ANC and COSATU marshals, not the police, controlled the crowds
when up to three million people turned out at demonstrations and commemorations. The second moment was quieter and more sombre. The May 1993 funeral of Oliver Tambo, who had led the ANC since it went into exile more than thirty years previously, was South Africa’s most prestigious ‘state’ funeral. It was attended by thousands of dignitaries from all over the world, but not by the South African government.

**WOMEN**

As elsewhere in Africa and the Third World, women bear the brunt of economic hardship in South Africa. As one-third of the workforce, and with a literacy rate slightly higher than men, they have not until recently been reflected at higher levels of employment or political or union leadership. Statistics show 52 per cent of economically active women are employed (this excludes subsistence agriculture and unpaid domestic work), compared with 84 per cent of men. Figures in the homelands are 20 per cent women, 52 per cent men. Women make up a quarter of the manufacturing workforce (mainly in the textile industry), 95 per cent of domestic workers, 57 per cent of clerical and sales workers, and two-thirds of professionals, including teachers and nurses who are often paid less than semi-skilled workers. The worst situation for women is in the rural areas, where customary law puts control of the land, even where women do the farming, in the hands of men.

The white Afrikaner establishment is male. A gesture in the right direction was made with the first government-ANC meeting in May 1990: the government delegation, as ever, was all-white and all-male. The ANC delegation was made up of a real cross-section of South African society, with all race groups – and two women. Through the growth of the trade unions and the legal establishment of the ANC after 1990, the issue of women in leadership positions has been strongly pushed. Women’s organisations in communities and the church have become more assertive. Initiatives such as the Women’s Development Bank, and the broad-based Women’s Coalition, which cuts across the political and racial spectrum, are important initiatives.

How far this process has made a political impact can be seen in the multi-party negotiations themselves. When a motion was put that women must be included in every delegation, on the panel of chairpersons and on the technical committees, it was accepted without demur.
Overnight the men's club was transformed, and articulate women were discovered in every party.

However, compromise did hold disappointment for the women's lobby. Debate on the Interim Constitution's bill of rights homed in on the subjugation of women under customary law. However, to mollify traditional leaders in the forum, many of the provisions of gender equality were made subject to 'opt-out' choices for individual women in those communities. This particular battle will continue another day.

GEARING UP FOR ELECTIONS

South Africa's first democratic elections, in April 1994, will be the first time most of its people have voted. The daunting task ahead is to prepare an electorate of between twenty-two and twenty-six million people, of whom eight million are illiterate, and two or three million have yet to receive identity documents.

Some of this task is being addressed by the Independent Electoral Commission in ensuring access to voter information and free political activity. However, this is easier said than done in many parts of South Africa. Farmworkers, for example, are isolated and dependent on their employers, who can forbid access to political canvassers or even church workers running voter education workshops. The same goes for rural communities and domestic workers. But work is already being undertaken all over the country in church and non-government organisation sponsored programmes reaching out to communities, and training instructors from different sectors of society. In the Cape region, ten thousand people have been through workshop courses, including rural women, traditional leaders and party officials.

The real problems lie in the conflict-torn areas, particularly in Natal and PWV, where 'no-go' areas exist under control of local Inkatha or in some cases ANC; in these areas representatives of other parties are unable to operate. In areas under KwaZulu homeland control, local community venues are denied for ANC meetings. Apart from political meetings, access to voter education is desperately needed. KwaZulu's three million people include many of the poorest and least educated in the country. Elections in this homeland are one-party affairs, with most candidates returned unopposed; of 780 000 registered voters, only twelve thousand voted in 1988. In Bophuthatswana, only Bophuthat-
Swan 'citizens' can do organising work for political groups or unions. This rules out thousands of residents who refused to give up their South African identity documents when the state was created.

In many areas, the system of traditional leaders is a factor inhibiting free political activity. Manipulated, distorted and coopted as the system has been over the decades, it nevertheless retains a residual authenticity, particularly in parts of rural Natal. It has also been the flashpoint of political conflict, where the development and spread of democratic, anti-apartheid organisations have come up against the authority of local chiefs and headmen. In Ciskei, where the headman system had long been unpopular and discredited and had in fact been scrapped, it has been a sharp source of conflict since Brigadier Gqozo re-instated it to exert local administrative control in the villages.

The South African political context is so complex and volatile that it is strange to see the political organisations gearing up for electioneering in terms that would not sound out of place in European countries or Australia. Already the signs are that it will be a tough and expensive battle, and the danger is that it could exacerbate the violence which has racked South African communities for so long. The Democratic Party, battling to stem defections from its ranks to both the Inkatha Freedom Party and the African National Congress, had a taste of what is to come when it called a rally at the Orange Farm squatter settlement where ANC-Alliance support is strong. ANC and local trade union leaders and their supporters packed the stadium and it became an Alliance rally. Democratic Party members had to flee from angry locals. Even United Nations-related monitors had to retreat and on this occasion the situation was only calmed with the help of international church monitors (EMPSA). It was a sign of how high feelings can run.

Despite a concerted effort from some quarters, including conservative research centres, to create a climate of opinion which says that elections cannot be held because of the threat of violence, there is a strong sense from popular organisations and the churches that the elections cannot be delayed. When the day dawns, as Peace Day showed, South Africans will come out in their millions and vote for the future. And the next stage of their long struggle will begin.
At the heart of political democracy, at the centre of any constitutional order, lies the right to vote. The vote is the best antidote to violence. To accept that the existence of violence is a justification for not holding elections is to give those who fear they will lose in electoral competition a stake in perpetuating violence.

GLOSSARY

EMPSA: Ecumenical Monitoring Programme for South Africa. The South African Council of Churches (SACC) and the South African Catholic Bishops Conference (SACBC) acted together to set up this special programme. At an international level, the World Council of Churches (WCC) and the Vatican Pontifical Commission of Justice and Peace (VPCJP) are the main sponsors. International participation is coordinated by an office in the WCC in Geneva.


IFP: Formed in early 1970s as a 'national cultural movement'; officially became the Inkatha Freedom Party, a national political party, in October 1990. Led by Chief Mangosuthu Buthelezi, who is also Chief Minister of the KwaZulu homeland government and Minister of KZ Police. Membership is entwined with administrative structures and rural, traditional systems including, ambivalently, the Zulu king.

PAC: Pan Africanist Congress of Azania. Formed in about 1960 as a breakaway from the ANC. More militant in rhetoric and while it participated in negotiations and will take part in elections, accuses the ANC and NP government of being in alliance.

NP: National Party. White majority party that has formed the government of SA since 1948. Creator of apartheid, has undergone a public face-change, opening its ranks to all races and bidding for black electoral support. Leader: F. W. De Klerk.

CP: Conservative Party. Official opposition in parliament and now threatening to undercut NP's Afrikaner support. Hardline, old-style segregationist party with support in security forces ranks. Setting up independent radio stations 'to preserve Afrikaans culture and language'; wants an independent Afrikaaner 'volkstaat' (homeland).

DP: Democratic Party. Parliamentary opposition party. Includes the remnants of former white liberal parties. Membership predominantly white middle class and English speaking. Many of its leading members have defected to ANC, NP and IFP.
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the fragmentation of the ‘nation states’; and the impact on
women, land, and the economy. The author, Maggie
Paterson, ponders the post-election redefinition of the South
African government — when the real struggle for democracy
begins.

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