

# Turning Points in Transition

The Story of South Africa's  
Road to Peace





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**FANIE DU TOIT**  
**EXECUTIVE DIRECTOR**



# Political Transition and Turning Points

Fanie du Toit

ch.



Nelson Mandela leaving Victor Verster prison on February 11th 1990.

## Political Transition and Turning Points

Imagine it is 1989. You are walking down a street in South Africa and someone suddenly approaches you. The person stops to talk to you and tells you that Nelson Mandela has just met with State President PW Botha to talk about reconciliation. You stop, listen and remember that Nelson Mandela and other political prisoners have been imprisoned for twenty-five years and that many political organisations have been banned for a long time. Immediately you think that the person telling you about reconciliation between Mandela and PW Both cannot possibly be telling the truth.

Imagine that as you are thinking this, the same person predicts that in a few months time, Nelson Mandela and his fellow political prisoners will be released from prison and that the ANC and SACP will soon be unbanned. You are also told that in less than two years the leaders of SA's three main political parties will sign a peace agreement, mediated by a group of progressive leaders from faith groups, the trade unions and the business sector. And that this agreement will make it possible for South Africa to begin negotiating for a new Constitution and soon after, the first democratic elections in this country's history.

It is quite likely that you would have thought this person was a little insane.

Imagine that you could see a little further into the future, from where you were standing in July 1989 – to a Truth and Reconciliation Commission (TRC) that would produce insights, stories and experiences that would capture the imagination of the entire world and even further, to a stable, growing economy, and new levels of prosperity for many South Africans.

Imagine that you could see new people in the corridors of power at all levels of government; President Mandela holding the Rugby World



**infrastructure** – the basic structures needed for the efficient operation of a society or business – for example: roads, power supply, water systems, railways, public buildings





Two signs used during the apartheid era, the sign on the left shows where 'non-whites' were to cross – over the railway tracks, whilst whites are warned to cross by the bridge only. These two signs show clearly how the apartheid government were very strict about not allowing the races to mix and also how the whites were protected from the possibility of being run over by a train, by using the bridge whilst 'non-whites' were forced to use the more dangerous route over the tracks.

Cup aloft; South African's celebrating with the Soccer World Cup when this country was chosen to host the world's biggest sporting event; impressive new **infrastructure** across the country; a booming arts and culture industry in which the creativity of South Africans from all backgrounds is celebrated across the world; and finally white and black South Africans going about their daily business peacefully and in increasingly integrated places of work. In 1989 all this would have sounded like an impossible fairy tale.

But perhaps, you would see another side of the picture, too: ongoing poverty in the middle of fabulous new wealth; racial groups mixing at work but not at home; long periods of denial of HIV/AIDS; wide-scale corruption; frightening levels of violent crime in all communities, but mostly in the poor ones; neglect and thoughtlessness in municipal offices and hospitals, on roads, and in homes and schools; rising rape and murder statistics; waves of service delivery protests and **xenophobic** attacks on refugee communities; and of course, silent racism.

Given the good and the bad, the achievements and the failures, which South Africa would you prefer – that of 1989 or of 2011? Most South Africans it seems, would probably choose the democratic South Africa of 2011, with all its failures, rather than the apartheid South Africa of 1989.

Gone is the crazy notion that racial groups should develop separately. Instead, we now acknowledge and express our interdependence and connectedness. These are significant achievements, remarkable by any standard, and the envy of many nations around the globe. Even more remarkable is that South Africa achieved all this in less than a decade. South Africa's change, at all levels of society, can be described as the outcome of *political transition* – a period where political power changed hands in a carefully managed and largely non-violent way, from a privileged minority to a previously oppressed majority. This process is far from complete today, but is probably irreversible. During the process, political reconciliation paved the way for a more just society and South Africans across the board recognise the need to keep working towards this ideal of a just society for all. It is this ideal that kept reconciliation from becoming merely a cosy, elite-led agreement.



**xenophobic** – intense and usually irrational dislike or fear of people from another country

## The Aim of this Book

The aim of this book is to learn from the remarkable period in our history – the few years from 1989 to 1998 – during which South Africa experienced a political transition. We will be asking about the lessons that emerged from these years – and will try to answer the question, “How did we do it?” While the question of how South Africans made peace continues to be asked around the world, South Africans themselves are often too busy working on the next episode in their country’s journey to pause and ask how we actually got from where we were in 1989 to where we are now, more than twenty years later.

Our aim is more than gaining knowledge about the past. We also want to learn lessons from our past, and apply these lessons to current challenges. For a society with the challenges that we have, the lessons of compromise and creativity which emerge from our transition from apartheid to democracy are of great importance and value. Every day in many different ways, small and large, the transition continues, and with it, the demands for compromise, creativity and co-existence.

In what follows in this first chapter, I look at the concept of a historical turning point. I will also provide an overview of the South African transition by highlighting a selection of significant moments or ‘turning points’. This is meant to introduce the rest of the chapters in the book, each of which will dig deeper into the various aspects of South Africa’s remarkable transition from apartheid to democracy, and the lessons that emerged from them.

## Turning Points in History

Before we move on, let’s consider briefly the idea of a ‘turning points in history’. When the Institute for Justice and Reconciliation (IJR) first published a series of history books with this title in 2004, the idea was to encourage educators at all levels of society to teach history to a new generation of South Africans who would grow up as democrats, and who would need to know about their past in order to understand

how to move ahead. We chose the concept of 'turning points' to describe this series for several reasons.

One reason was to emphasise that history can and does change. Although this seems obvious when one talk about it in a classroom, there are times when this lesson can be forgotten, especially when it seems that things are especially bad. When one feels powerless, it is tempting to think that things cannot and probably will not change. "But wait a minute," we said in the first Turning Points books. "Look at South African history, and its incredible, unpredictable twists and turns – when the first hunters in Southern Africa decided to settle down and become farmers; or when the first European settlers came to Table Bay; or when the South African Union was formed across a territory so vast that it stretched from the mouth of the Orange River in the west to Kosi Bay in the east; or when the struggle against apartheid began; or when the transition to democracy occurred. Things change constantly, sometimes for the better and sometimes for the worse. Do not be despondent when you feel that you are stuck in a place without much power. Things can and probably will change."

Such change often occurs in unexpected ways. What seemed impossible yesterday, becomes the standard for today. Often profound change happens in moments of special significance, where human beings or a set of events, or both, push the flow of history in one direction or another. Thus, apart from the dynamism in history, the idea of turning points reminds us of another very important aspect of history – that history is best understood as a chain of interrelated events, and that to single out one event in history is probably to distort it. Thus it is that political parties or other ideological groupings often pick a period in history where they or their ancestors were the heroes, and ignore the periods that cast them in a less favourable light. Although history does teach that there is something we can call a 'just war' against evil systems, the historical agents – you and me – invariably find ourselves on both sides of the good/bad divide in history. It is sobering and very important to face these things one does not like about one's own people. To discover the humanness of one's ancestors, in both good and bad ways, may also be liberating because it frees one from accepting everything uncritically.



The changings road names of the new South Africa.

Another reason for using the term ‘turning points’ was to emphasise human agency – that is the human capacity to make things happen in history. In our second *Turning Points* series, which focused on the South African struggle for human rights, we traced the efforts of the brave men and women who fought for what we call human rights in South Africa. At times their struggle was simply for equality or respect; at other times groups of activists decided that workers or women or youth or farmers were not being treated fairly or were being discriminated against. This made them protest, agitate and campaign, over many decades, for the values and principles that today are the foundations of our wonderful Constitution. The implication of this realisation is two-fold. First, the idea of human rights is not something that reached our shores in 1994 – it is something that we as South Africans have cherished for as long as we have a recorded history. More importantly, human rights came about as a result of turning points, events made by human action and human intervention. The message of seeing turning points in this light is clear: we can and



Truth and Reconciliation Deputy-Chairperson, Alex Boraine and Chairperson, Desmond Tutu with copies of the final report of the Commission.

must make a difference. We *can* be part of creating changes in history. History does not only happen to us – we make history.

## Political Transition

What then do we mean by political transition? In its most basic sense, political transition describes a process through which political power changes from one regime or government to another. As we said earlier, if there is one certainty in the political arena, it is precisely that change is inevitable. No single individual, party or ideology has ever ruled forever. Sooner or later, political power comes to an end, and change occurs.

The much more important question is *how* such change occurs. One could probably claim, without too much fear of contradiction, that

democracy is the system that allows for regular, regulated and fair political change – regular because no single government can have a permanent mandate; regulated because the change takes place through non-violent and bureaucratic means rather than military or violent ones; and fair because all citizens have an equal say in the result. Transitions are therefore an essential and permanent feature of any democracy.

Yet the term ‘political transition’ is most often used to refer to irregular, unusual, often once-off political change, not in frequently after periods of bad, oppressive government or serious conflict in a country. Such events are also enormously influential – often causing massive change at almost all levels of society, and in the process creating unprecedented levels of both hope and fear among people.

So what are the typical conditions that may give rise to the need for political transition in this sense of radical, once-off change? There are mainly two such conditions – civil or internal war, and political oppression or non-democratic rule. Where different groups in a particular country compete for central control of the state, and do so through military means with significant casualties, one could say that there is civil war. When a civil war ends, a new political dispensation needs to be crafted, one which signals a radical break with the past. Such a change is often revolutionary in scope, affecting change at every level of society. This occurred, for example, in Angola and Mozambique in the mid-1970s, and in Sierra Leone more recently. This is also the case in countries where oppressor, non-democratic regimes come to an end for reasons other than civil war, as in Chile or South Africa.

If a country experiences civil war or political oppression, and comes to a point of radical political change, what are the options? Samuel Huntington, a political scientist, identifies three types of political transitions:

- **Transformations:** These are political transitions where the people in power remain in control of the process, or at least in very strong positions of power. Huntington identifies sixteen such

transitions that were either underway or had occurred by the late 1980s. Five of these emerged from one-party systems, three from personal dictatorships, and eight from military regimes. This type of transition requires the government to be stronger than its opposition, as was the case in Spain, Brazil, Taiwan and Mexico.

- **Replacements:** A second kind of transition involves very weak regimes. In this situation, political transition is the consequence of the government weakening until it collapses or is overthrown. This kind of change usually involves a series of struggles – before the fall of the government, during its fall, and after – as a new group replaces the old. In some cases one undemocratic government is simply replaced by another one, while in other cases a more democratic regime is founded after the government collapses. Ghana, Nigeria, Sierra Leone, Liberia and a number of other African countries have experienced successive regimes replacing one another.
- **Transplacements:** This kind of political transition happens in cases where the government and opposition are more equally matched, and where the moderates – those in favour of negotiation within each group – have the upper hand. In such situations, political transition is shaped by shared decisions and combined actions between the government and the opposition. In these situations government is willing to negotiate regime change, but unwilling to initiate it. It has to be pushed or pulled into formal and informal negotiations with the opposition. Within the opposition, ‘democratic moderates’ are strong enough to dominate ‘anti-democratic radicals’, but not strong enough to cause the collapse of the government. For them, negotiations make sense. South Africa has become perhaps the most famous example of negotiated settlement as a means to achieve political transition. Other examples of this kind of political transition include Poland, Czechoslovakia, Uruguay and Korea.

In what follows, I will briefly touch on what I consider to be four important turning points in South Africa’s political transition from apartheid to democracy. The transition showed a remarkable degree of co-operation and agreement between the National Party (NP)



government and the African National Congress (ANC) opposition on what had to be done in order to ensure a peaceful handing over of political power. This agreement, however, did not emerge from nowhere – it was the result of intelligent leadership and carefully calculated decisions, aimed at producing a result that would benefit most South Africans, without either side betraying the trust of its supporters.

## Four Turning Points in South Africa's Political Transition

To call one's political opponents 'terrorists' is a strategy used by democratic as well as undemocratic governments the world over, one which justifies the use of force rather than dialogue. To reason with terrorists is neither possible nor desirable. The only option is military force. For governments to move from this position to one of accepting the need for negotiation with the 'terrorists' requires a clear cost-benefit analysis and courage to act in the best interest of the nation. At the same time, for the 'rebels' or 'liberation armies' to talk with a government associated with the evils that caused their insurrection in the first place, requires equal wisdom and courage.

For two opposing political forces to recognise the need for negotiations *at the same time*, after a long period of violent conflict, is rare indeed. Yet, this happened in South Africa during the latter part of the 1980s, paving the way for the first major turning point to occur. On 2 February 1990, President F.W. de Klerk announced the unbanning of the ANC and the SACP, effectively putting an end to the status of these organisations as 'terrorist organisations' within white South Africa. He also announced that Nelson Mandela and other political prisoners would be freed. After Mandela walked free nine days later, a new political chapter for South Africa began. This moment was the result of a series of factors which are carefully described in Chapters 2 and 3 of this book.

In the early 1990s, negotiations were severely threatened by increasing political violence. The government and the ANC accused

each other of encouraging ongoing violence behind the scenes. Chapter 4 discusses the events that led to a second turning point – the signing of the National Peace Accord in September 1991, and the Record of Understanding in September 1992. The National Peace Accord aimed to build trust between political adversaries and to unite them in a quest for peace. The Record of Understanding signed by the government and the ANC meant that power sharing would be done on the principle of democratic participation guaranteed by a bill of human rights and a constitution.

A third turning point signified another vital step towards the handover of political power. This was the adoption of the Interim Constitution by a plenary session of the Multi-Party Negotiating Process. It paved the way for a Transitional Executive Council to work with government on matters related to transition and to the democratic elections on 27 April 1994. This turning point is described in Chapter 5.

The fourth turning point occurred after the formal handing over of political power in 1994. It relates to South Africa's efforts to deal with past political crimes. In a majority of cases on the African continent, countries that have signed a peace agreement have slid back into armed violence. One important cause of this failure to translate peace agreements into successful political transitions is that too many citizens continue to resent the terrible things that happened in the past, and to want revenge. For South Africa to become a transformed, non-racist and more just society, political violence had to be rejected. The newly elected Parliament adopted the National Unity and Reconciliation Act of 1995. This created a Truth and Reconciliation Commission with two aims: to restore the dignity of the victims of gross human rights violations through public testimony and some form of reparations, and to grant amnesty on certain conditions. This process is described in Chapter 6.

Chapter 7 discusses the broader goal of economic transformation in South Africa.

I hope that you enjoy this journey through one of South Africa's most remarkable periods.

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# Moving towards Transition: The Global and Regional Context

Shuvaí Nyoni



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Commander of Umkhonto we Sizwe,  
Joe Modise at a rally in 1993.



## Introduction

The democracy enjoyed in South Africa today was won through many years of struggle by South African women and men who sacrificed much. This aspect of the South African transition is discussed in Chapter 3 of this book. But the country's freedom would not have been possible without a range of external processes as well. The contribution of forces outside of South Africa is important. The history of South Africa's transition cannot be told without the inclusion of the role played by a variety of external actors and countries. The struggle against apartheid was fought militarily throughout Southern Africa, while larger global events also contributed to the eventual end of apartheid. Governments in Western Europe, the United States of America (USA), the Union of Soviet Socialist Republics (Soviet Union, or USSR), the People's Republic of China and Cuba were all linked in a variety of ways to South Africa's transition.


After the Sharpeville massacre in 1960, international feeling against apartheid grew. At first only African states supported the anti-apartheid struggle, but it soon gained international momentum. This grew into concrete action by states, such as **sanctions** and **embargoes** against the apartheid regime. In addition to actions by the governments of various countries, the global anti-apartheid movement was begun by grassroots organisations and movements in many countries.

This chapter looks at external dynamics from the mid-1970s to the negotiations that brought about democracy in the early 1990s. First we examine the Cold War. The dynamics of the Cold War and the alliances of Southern African liberation forces with the Cold War superpowers provide the broader external context of South Africa's transition. The new global relationships that formed at the end of the Cold War also help to explain the eventual shift in the international community to a unified stance against apartheid in South Africa.

On the African continent the **Organisation of African Unity** (OAU) and some individual countries played significant roles in lobbying at the international level. Tanzania and Zambia provided a safe haven for

exiles and ANC cadres. We look more closely at the Frontline States – a group of Eastern and Southern African countries – which helped South African liberation movements. Because of this, these countries then found themselves the targets of South African destabilisation operations aimed at preserving apartheid. The Frontline States were seriously affected by these activities. Therefore, they established the Southern African Development Co-ordination Conference (SADCC) in order to join forces against the military and economic dominance of South Africa. The unity of SADCC dealt a serious blow to the regime's efforts to dominate the region and to subvert anti-apartheid efforts.

International organisations such as the United Nations (UN) and the **Commonwealth** played a significant role in intensifying the anti-apartheid movement at a global diplomatic level. The Nordic countries – Sweden, Denmark, Norway and Finland – too played an important role in supporting groups such as the African National



**sanctions** – measures taken by one state to force another state to conform to an international agreement or norms of conduct. Measures could include stopping all or certain kinds of trade with the country (especially the sale of weapons), cutting diplomatic ties with them, not allowing them to participate in sport and not allowing them to be members of international bodies, like the United Nations and others.

**embargoes** – an official ban, especially on trade or other commercial activity with a particular country

**Organisation of African Unity** – The OAU was formed on 25 May 1963. (25 May is still celebrated as Africa Day for many years.) One of its main aims was to promote unity and co-operation among African countries, especially as these countries became independent from their colonial masters. The member states of the OAU believed that by supporting each other, they could become stronger politically and economically. The OAU also promised to work towards the end of colonialism, including apartheid, in Africa. Because African countries did not want to be controlled by outside powers, as they had been under colonialism, the OAU decided that it would remain neutral politically. That is, it did not support either the capitalist West or the communist East. In fact, many African countries became part of the Non-Aligned Movement. The OAU came to an end in July 2002, and was replaced by the African Union.

**Frontline States** – A group of countries, Angola, Botswana, Lesotho, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe that supported the struggle against apartheid

**Commonwealth (full name: Commonwealth of Nations)** – an international association consisting of the United Kingdom and countries that used to be part of the British Empire

Congress (ANC) and other South African movements financially and diplomatically, while also implementing economic sanctions and trade embargoes against the apartheid regime. These efforts emerged from an increased public outcry within those countries against the regime and its inhumane treatment of blacks in South Africa.

This chapter attempts to highlight these dynamics and demonstrate how they influenced change in South Africa.

## The Cold War

There has been a lot of debate about the extent to which South Africa's transition was shaped by external events. What cannot be denied, however, is that the end of apartheid was influenced by large global events. Prominent among these was the power struggle between Western capitalist countries (led by the United States) and Eastern communist states (especially the Soviet Union, China and Cuba). This contest of ideologies was commonly known as the Cold War.

The global powers of East and West tried to prevent the spread of each other's ideology in Southern Africa by becoming involved in



**colonialism** – the practice of acquiring political control over another country, occupying it, and (usually) exploiting it economically. Colonialism is a form of imperialism which was imposed by the powerful countries of Western Europe on many other parts of the world. It reached its peak in the late nineteenth century. In South Africa, the colonial period began with the arrival of Jan van Riebeeck in the Western Cape in 1652. The process of colonisation was ongoing, and was resisted by African peoples.

**imperialism** – a policy of extending a country's power and influence through colonisation, the use of military force, economic domination or other means. A powerful country (known as a metropole) dominates and exploits less powerful countries. Imperialism does not necessarily imply actual government by the metropole. The United States of America, for example, long dominated the countries of South America and parts of East Asia without ever exercising direct political control.

**boycott** – to withdraw from commercial or social relations, as a punishment or protest; to refuse to buy or handle goods for this reason. The term comes from the name of Captain Charles C. Boycott, an Irish land agent so treated in 1880 in an attempt to get rents reduced.



various civil wars and liberation struggles. For the Soviet Union and its allies, the end of **colonialism** signalled a victory over **imperialism**. The United States and its allies, though also against colonialism, wanted to ensure that the new states were not communist.

The two superpowers supported competing sides in liberation struggles and post-independence civil wars. Some liberation movements and states in Southern Africa believed that true liberation meant there also had to be liberation from the capitalist system of production. Because of this, they were closely aligned to the Soviet Union, China and Cuba. They relied on these countries for weapons, training of guerrilla armies and intelligence personnel, financial support, and education. The United States, on the other hand, rejected the use of armed force to overthrow colonial regimes. It tried to win the support of nationalist movements that promised the preservation of capitalist production and the security of Western markets.

## The Frontline States

The struggle against apartheid in South Africa was supported by a group of states in the region referred to as the Frontline States. This group included Angola, Botswana, Lesotho, Mozambique, Swaziland, Tanzania and Zambia; Zimbabwe joined the group in 1980, after it had achieved its independence from white minority rule. Cadres of Umkhonto we Sizwe (MK), the ANC's military wing, found safe haven in a number of these countries.

Julius Nyerere of Tanzania was extremely committed to the anti-apartheid cause. He was also instrumental in the establishment of the Organisation of African Unity, whose primary objective was the liberation of Southern Africa – the only part of the continent that remained under white minority rule. Tanzania provided the ANC with land near the town of Morogoro so that it could build a school. President Nyerere also encouraged the **boycott** of South African goods in his own country and beyond. He believed that buying South African goods offered support to the apartheid regime and assisted it to oppress black South Africans.



Frontline states that supported the struggle for liberation in South Africa included Mozambique, in this 1982 photograph, ANC President, Oliver Reginald Tambo stands with Graca Machel and her then husband Samora Machel who was the first president of an independent Mozambique. President Machel died in a still unexplained aircraft accident which may have been caused by the apartheid regime. OR Tambo, having led the ANC through decades of struggle whilst based in exile, lived to see his beloved homeland through the transition period which led to its present democracy. Graca Machel is now the wife of our first democratically elected president Nelson Mandela.

As an independent country that shared borders with Angola, Namibia, Mozambique and Rhodesia (which later became Zimbabwe), Zambia was an attractive destination for liberation movements in exile. Zambia hosted and supported the Popular Movement for the Liberation of Angola (MPLA), the South West Africa People's Organisation (SWAPO), the African National Congress, the Zimbabwe African People's Union (ZAPU), and the Zimbabwe African National Union (ZANU). Despite his socialist inclinations, Kenneth Kaunda, the President of Zambia at the time, was considered by the West to be a moderate African. The South African government tried to convince him to prevent liberation movements operating within his territory.

Angola's independence in 1975 was of particular relevance to neighbouring South West Africa, which later became Namibia. SWAPO had been engaged in guerrilla warfare since 1966. It moved its headquarters to Angola, which was also home to MK. The Western powers and South Africa were concerned because Angola and Mozambique had **Marxist-Leninist** governments. Western governments believed that the spread of communism, and thus a victory for the Soviet Union and its allies, had to be avoided at all costs. The Angolan civil war became a major theatre of the superpower struggle. The ruling MPLA received military, financial and political support from the Soviet Union and Cuba, while its opponents, the National Union for the Total Independence of Angola (UNITA), obtained support from the United States and South Africa. The South African Defence Force (SADF) sent troops to Southern Angola, which bordered on the **de facto** South African colony of **South West Africa**. In April 1980, SADCC was formed with the aim of establishing economic independence from South Africa. An important aspect

**Marxist-Leninist** – a form of communist political thought based on the theories of Karl Marx and Vladimir Lenin.

**de facto** – in fact; existing in fact; often contrasted with *de jure*, in law

**South West Africa** – the country, now known as Namibia, was colonized by Germany in 1894 and was then administered by South Africa after the German forces were beaten there in 1915, as part of the First World War. In 1966 the United Nations declared the administration of South West Africa by South Africa illegal. In 1990 the country became the Republic of Namibia.

of SADCC was that it envisaged a mutual defence mechanism to safeguard the member states from the SADF. The success of this effort was limited in a context where **structural adjustment programmes** and drought limited the options available to East and Southern African governments. Despite their continued support of the liberation struggle, the Frontline States could not avoid dealing economically and politically with South Africa. An example of this is the Nkomati Accord that President Samora Machel of Mozambique signed with P.W. Botha in 1984. President Machel felt that he had to sign this agreement so that he and his government could rebuild the Mozambican economy, which had been badly damaged by the country's own civil war. Other SADCC leaders were not convinced of South Africa's sincerity, and did not attend the talks or signing of the agreement.

Destabilisation by South Africa included efforts to topple governments in the region that were unfavourable to it. They did this by supporting rebel and dissident groups such as The National Union for the Total Independence of Angola (UNITA) in Angola, Mozambican National Resistance Movement (RENAMO) in Mozambique and smaller groups in Zimbabwe, Lesotho and Zambia.

South Africa had provided arms to the RENAMO with six months' supply of ammunition before attending the talks. They then affected



**structural adjustment programmes** – ‘Structural adjustment’ refers to policies that the International Monetary Fund (IMF) and the World Bank implemented in developing countries. If a poor developing country needed money – for example for a big project like building highways or developing a harbour or for paying debts – it might ask the IMF or the World Bank for a loan. Usually the loan was only granted if the developing country agreed to certain conditions. The details of these conditions and how they would be implemented were set out in a structural adjustment programme. SAPs always insisted that developing countries became more market-oriented – that is, that their economies should operate more like the ‘free-market’ economies of Western countries. The conditions could include reducing public spending and privatising state businesses, among others. Often it meant that the developing country had less money to spend on things like health care and education.

**precursor** – a person, thing or event that comes or happens before someone or something

The Front for the Liberation of Mozambique's (FRELIMO) activities by preventing access to ports and railways.

South Africa justified cross-border raids as 'pre-emptive strikes' – in other words, they wanted to prevent attacks on South Africa by stopping the 'terrorists' before they could do any damage. In reality, South Africa targeted its neighbours as punishment for hosting ANC liberation fighters and as a show of military and economic strength. Relations between Pretoria and many of her neighbours were not good. On the other hand, Malawi under Kamuzu Banda and Swaziland under King Sobhuza II co-operated with the apartheid regime. By 1986, SADCC states had begun, to varying degrees, to call for economic sanctions against South Africa, despite their own struggle to implement sanctions themselves.

Mozambique's independence from Portugal strengthened liberation movements in the region. This meant that black-ruled Mozambique could help South African liberation activists. Predictably Mozambique became a target of apartheid South Africa's destabilisation policies. Attacks were launched by South African operatives on suspected MK bases in Mozambique. There were also clandestine operations to bomb homes and infrastructure. Matola, a suburb on the outskirts of Maputo, the capital of Mozambique, was subject to frequent raids by the SADF. By supporting RENAMO, as explained above, they hoped to further destabilise Mozambique and assist a non-communist and more sympathetic black government into power.

The long and drawn-out negotiations over South West Africa were conducted with the underlying assumption that the territory's independence would be the **precursor** of transition in South Africa. The process was considered an experiment by some of those involved in the negotiation process at the international level. It was believed that, because the territory was under the custodianship of the UN, it would be a less complicated situation to deal with than South Africa itself. If the Western Contact Group – made up of the United States, Britain, France, West Germany and Canada – was successful in negotiating transition to majority democratic rule in Namibia, then it was likely that the same could be achieved in South Africa. This led

to the adoption of UN Security Council Resolution 435 in 1978. The Resolution provided for the implementation of a political settlement in Namibia under the supervision of a UN Special Representative for Namibia and the United Nations Transition Assistance Group (UNTAG).

At first South Africa agreed to a supervised and orderly transition that was supposed to take place in 1980. However, South Africa demanded that Cuban troops be withdrawn from Angola before it would comply with Resolution 435. It took almost ten years before outstanding issues were sufficiently dealt with by all sides. All sides involved in the conflicts in Namibia and Angola continued to experience casualties. One of the major turning points in the conflict was the military stalemate involving the SADF and UNITA forces on one side, and the MPLA and Cuban forces on the other, at Cuito Cuanavale in the south of Angola in 1987–1988. The Cuban and MPLA forces successfully held back the US-backed SADF and UNITA forces. At the same time the SADF faced the threat of further decisive defeat by the Cubans along the Namibian border.

Apartheid South Africa's contribution to war in Angola had become extremely costly for a country that had been experiencing economic decline and increasing military costs. The war in Angola is estimated to have cost South Africa more than one million US dollars per day during 1987 and 1988. Eventually, it became too expensive to continue the war in Angola and to resist transition in Namibia.

The dynamics of superpower politics in the Angolan conflict were influenced by shifts in the Cold War. The Soviet Union had severe economic problems, and was no longer able to support the Cubans and MPLA in Angola. Instead they exerted pressure to negotiate. These dynamics paved the way for the December 1988 Namibian–Angolan settlement that ensured the withdrawal of Cuban troops from Angola and the independence of Namibia. As with Zimbabwe and later South Africa, the independence of Namibia in 1990 came through an election where the majority black population were allowed to vote for the first time. This left South Africa as the only country still under white minority rule.



An armoured car of the South African Defence Force destroyed during fighting in southern Angola in 1975. Angola was one of the Frontline States that became a battlefield because of its own internal conflicts due to regional Cold War conflicts and its commitment to supporting the struggles of Namibia and South Africa in their drive for freedom from racial oppression.

## International Organisations

African states were united against apartheid. The OAU's African Liberation Committee, based in Tanzania, provided financial and military assistance to liberation movements. Once Angola and Mozambique attained independence, the Liberation Committee and the Frontline States were able to offer support to other movements. In forums such as the United Nations, African states lobbied for sanctions and other measures against apartheid South Africa. African states themselves applied sanctions against South Africa to varying

degrees, often with serious consequences for their own citizens, infrastructure and economies.

Although the OAU engaged in a sustained campaign for sanctions against apartheid South Africa, this was not possible at the United Nations. Since 1974 South Africa had been unable to participate in the General Assembly, but the country was still a member of the UN, and enjoyed support from the Western permanent members of the Security Council until the late 1980s. Then the global political context changed with the fall of communism and the end of the Cold War. In addition, African states made every effort to achieve the exclusion of South Africa from various international organisations, and encouraged international organisations to support the liberation movements. Various members of the UN and UN agencies played a significant role in raising various kinds of support (including financial support) for the liberation movements. Particularly important here were the Nordic countries, whose contribution to liberation and democracy in Southern Africa was substantial and sustained.

The Commonwealth became home to a vibrant and effective anti-apartheid campaign. South Africa stopped being a member in 1961. After that, a campaign developed for sanctions against it. The Commonwealth also promoted behind-the-scenes dialogue in Southern Africa. Multiracialism became more accepted within the Commonwealth as British dominance over the body diminished. The organisation's Secretariat played an important role in achieving majority rule in Zimbabwe and paving the way for a new form of engagement over South Africa. Though no joint sanctions came from the Commonwealth, individual countries applied differing measures.

The 1977 Gleneagles Declaration aimed to discourage sporting contact with South Africa. The adoption of sporting boycotts by some countries had a real impact on the growing international isolation of South Africa. It spoke directly to the cultural core of white South Africans whose involvement in cricket and rugby at an international level was a source of national pride.



In 1979, Commonwealth Heads of Government adopted the Lusaka Declaration on Racism and Racial Prejudice. In 1985 the Nassau meeting of Heads of Government agreed on a large number of economic and cultural sanctions. Calls were made for the release of Nelson Mandela and other political prisoners, the end of the State of Emergency in South Africa, and the 'discouragement of all cultural and scientific events' that did not contribute towards the dismantling of apartheid. Commonwealth anti-apartheid activity was centred on facilitating negotiations, and this was linked to various types and combinations of sanctions. By the time of the Harare Declaration of 1991, the end of apartheid was almost certain. With the Cold War having come to an end, the Heads of Government were able to agree on the end of sanctions against South Africa.

## Disinvestment, Sanctions and International Norms

The anti-apartheid movement was active both in Western countries and in Africa. One of its main weapons was lobbying big business, political parties, governments and ordinary individuals to impose economic, cultural, intellectual and sports sanctions, as well as to boycott South African goods. The extent to which these measures actually influenced the end of apartheid was widely debated. However, more and more calls for measures that would increase apartheid South Africa's international isolation emerged from an international community that viewed racial discrimination as a violation of human rights.

The Nordic countries, student movements and labour unions, as well as events within South Africa such as the Soweto Riots of 1976 and the Township Protests from 1984 to 1986, drew the attention of ordinary men and women to the illegitimacy of the apartheid regime. This was a success for the anti-apartheid movement for a number of reasons. First, apartheid had become an internationally abominable system, and calls to end it emerged more and more strongly. Second, ordinary citizens in friendly countries could campaign to demand that their

governments take action against apartheid South Africa. This often affected domestic politics if governments did not take action.

Sanctions, **disinvestment** and boycotts were actions taken at different times and to varying degrees against apartheid South Africa in efforts to pressure the regime to give up apartheid. Sanctions and boycotts were carried out at different times by different international and African stakeholders, and to varying effect. Endless debates and assessments took place to determine the extent to which sanctions and boycotts were effective in making the apartheid government change its position. The crucial issue with sanctions is the way in which they combined with other external and internal processes to influence the eventual decision by the regime to negotiate. In addition, the manner in which sanctions were adopted by organisations and individual countries is important in understanding the roles of some of these organisations – for example, the Frontline States, the Organisation of African Unity, the United Nations, the Commonwealth, and other bilateral and multilateral actors such as the Nordic states.

## Multilateral, Bilateral and Social Contributions

The Nordic countries were the first Western countries to extend support to the anti-apartheid movement. Most of their support initially was through education assistance for South African refugees (starting after the Sharpeville Massacre in 1960) and humanitarian assistance. At the United Nations, the Nordic countries and many of their Western counterparts initially refused to support efforts to secure freedom for the majority in South Africa. This was demonstrated through their opposition to UN resolution 1761 of 6 November 1962. This Resolution called for sanctions against South



**disinvestment** – reducing or withdrawing investments (usually an action taken by a company or organisation)

Africa and established the Special Committee against Apartheid. Continued lobbying, carried out especially by successive Nigerian ambassadors to the United Nations, was important in shifting the sentiment of many of the Nordic states.

In particular the governments of Norway and Sweden responded by providing support. The change in attitude towards the plight of South Africans was influenced by the visit of Chief Albert Luthuli to Oslo in December 1961 to receive the Nobel Peace Prize. His visit focused attention on the racial inequality in South Africa and the awful events of Sharpeville the previous year where police had opened fire on a peaceful demonstration that had been organized by the Pan African Congress, killing 69 people and injuring many more. This began to change public opinion in the Nordic countries. Governments of the Nordic states became more responsive to efforts of the Special Committee and liberation movements.

The role of public opinion was very important in increasing the level of the Nordic states' involvement. In addition to humanitarian assistance, these countries also provided scholarships and educational opportunities for liberation activists. Many of these individuals in exile remained connected to the struggle in South Africa and other parts of Africa, and ensured events in South Africa were known about in Europe and beyond. As noted above, acts of brutality by the apartheid regime in 1960 in Sharpeville, 1976 in Soweto and the Township Riots between 1984 and 1986 also received a great deal of international attention. This led to solidarity campaigns abroad, which encouraged citizens to put pressure on their governments to either boycott South African goods or to stop trade with South Africa.

## Conclusion

This chapter has given a broad overview of the external dynamics, pressures and realities that were related to the eventual triumph of democracy in South Africa. It has shown the effect that global events such as the Cold War and its eventual end had on conflict in Southern Africa. A focus on external relations reveals the manner in which the

transitions in Southern Africa were intertwined, and highlights the central roles played by other states in the region in South Africa's own transition. It also reminds us of the devastating price they paid for the assistance given to South Africa.

Democracy in South Africa was ultimately achieved through a set of interconnected efforts, and was at the same time slowed down by other international processes and interests. The international community or events outside South Africa alone did not lead to democracy, but broader regional and international contributions were important factors in South Africa's transition.

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# Moving Towards Transition: Internal Pressures

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## Introduction

The 1980s was a critical period in the movement towards democracy in South Africa. It was a time when state repression reached its **zenith** and ordinary people, working-class people, increasingly supported demonstrations against the apartheid state. This period was defined by boycotts, strikes and marches, as well as by the establishment of mass organisations which inspired individuals to take part of something bigger. It inspired ordinary individuals to brave the forces of the state as part of a collective. That resistance helped to turn the tide towards a negotiated settlement between the apartheid state and the liberation movements.

This chapter highlights the role of civic and community organisations in the battle against the apartheid machinery and state repression. It illuminates a range of activities, events and individuals involved in the liberation movement. The focus is on the liberation forces drawn from civic organisations and trade unions who challenged the might of the apartheid government.

## Putting the Movement towards Transition into Context

The mobilisation of society took place on a mass scale during the 1980s, and is unparalleled in South African history. It was the first time civil society and various community organisations united across racial lines and ideological divides, and banded together to confront the state and its violent apparatus. This did not take place in a vacuum. Important events and historical moments preceded this movement towards transition. The 1950s saw mass mobilisation around the Freedom Charter in 1955. The next year, on 9 August 1956, twenty thousand women marched to Pretoria to demonstrate against attempts to control the movements of African women. The following decade began with the use of brute force by the police against civil protest organised to show dissatisfaction with oppressive laws. In 1963–64, African National Congress (ANC) leaders were arrested and tried in the Rivonia Trial. The 1970s were defined



by the Black Consciousness Movement (BCM), as well as worker and student demonstrations, such as the 1973 strikes in Durban and the 1976 youth uprising.

The BCM, led by Steve Biko and others, emphasised psychological liberation from a system that regarded blacks as inferior and their culture as primitive. It became a political movement seeking to unite black people by affirming their common identity.

The Durban strikes began when 2 000 workers went on strike at the Coronation Brick and Tile Company demanding a pay increase. The strike spread to factories in Pinetown, New Germany, Pietermaritzburg, Port Shepstone and Carltonville, affecting key industries such as textiles, energy and roads. The 1973 strikes were particularly important because they represented a significant political and socio-economic change spurred by potential trade unionism. A working class that had been largely unorganised and divided suddenly found the courage to stand up and oppose capital, and indirectly the state.

Several factors contributed to the growing strength of the country's workers. The economic boom of the 1960s had increased demands for a larger workforce. That workforce quickly realised how powerful the collective could be in changing the general working conditions of the black working class, which included rural people, women and the urbanised **proletariat**. The rapid growth in unionisation meant that the apartheid administration had to find ways to stop popular shop-floor protests before they could spill over to the rest of society. However, devising means of control was one thing; efficiently implementing them was another.

**zenith** – the time at which something is most powerful or successful. Originally this was a term used in astronomy (the study of the stars), meaning the point in the sky that is directly overhead.


**proletariat** – a Marxist term for the working class; workers (as a group in society)

A major reform took place when government approved of the recommendations of the Wiehahn Commission. Among other things, the Commission recommended that the Labour Relations Act be amended to allow workers of all races to join the same unions. Around the same time, the Riekert Commission put forward proposals and recommendations to reduce restrictions on the mobility of urban workers and, ultimately, the abolition of the **pass laws**. This may have been one of the most important reforms undertaken by the apartheid government. The recommendations of these two Commissions opened the way for unions to operate legally and to strengthen their power base. The state and capital (big business) realised too late that this containment strategy was counterproductive to their exploitative practices and intentions.

These institutional changes laid the groundwork for the establishment of unions like the Federation of South African Trade Unions (FOSATU) in 1979 and the Council of Unions of South Africa–Azanian Confederation of Trade Unions (CUSA) in 1980, as well as the largest federation of trade unions, the Congress of South African Trade Unions (COSATU) in 1985. This turning point catapulted the mass movements of the 1980s into an alliance that married shop-floor concerns with community demands. This decisively contributed to a negotiated settlement.

## The Emergence of Mass Mobilisation

Though the apartheid regime tried to ease the pressure on the economy through extension of political reforms to unions, ultimately this was not successful. As unions expanded their activities to include



**pass laws** – a set of laws which stated that black workers had to carry passes. These passes were a kind of identity document. They included information about who the worker was, where the worker came from and who the employer was. Under apartheid, passes were used to control where a black person could live, work and travel.

**seminal** – strongly influencing later developments



The leadership of the United Democratic Front at a press conference, Johannesburg 1983.

issues of concern to communities, their industrial base expanded as well. Issues that were negotiated in the bargaining councils included broader social issues as well as retrenchments, wage increases, and health and safety matters. These issues tended to reflect the labour federation's membership. For instance, COSATU began to deal seriously with issues relating to women and gender rights. This was clearly highlighted by the 1988 COSATU Women's Congress.

It was **seminal** that COSATU adopted the Freedom Charter for its ideological orientation. Such an approach focused the political strategy of this union federation in the sense of aligning it with the politics of national transformation. It bears remembering that the banning of the ANC, the Pan Africanist Congress (PAC), and the South

African Communist Party (SACP) had left somewhat of a vacuum, as the leaders of these organisations were either banned, in exile or imprisoned. This left an important gap which unions could fill, while working alongside other black and white community organisations operating locally and internationally.

Naturally, the emergence of civic-minded unions differed from region to region. In the Pretoria-Witwatersrand-Vaal area, shop stewards played a key role in informing mass organisations. This resulted in the widespread opposition to the apartheid-designed Black Local Authorities (BLA), which had been developed by the government as a way to lessen the demands for full-scale democratic participation by the majority of the population. In the Western Cape region, university student bodies were vital to providing a link with workers' demands. The relationship between workers, students and community movements was in some respects **sympiotic**. Each spurred on the other, and when one experienced a lull in activity, the other movement would peak.

It would thus not be an exaggeration to say that the organisational capacity of the trade union movement encouraged the struggles of the 1980s, in the same way that the energy of the student movement propelled the protests of the 1970s. This ability of the unions is most evident in the union movement's impact on the United Democratic Front (UDF). It gave to that umbrella body the union traditions of electing representatives, holding workshops to draw up mandates and facilitating report-back sessions. These traditions were founded on the practice of accountability. This form of 'grassroots politics' was based on the abilities of ordinary men and women who wanted to build a better future for themselves and their country.



**sympiosis** – a close relationship which works to the benefit of each side. The adjective is **sympiotic**.

What is distinctive in this period moving towards transition and democracy is that various kinds of struggles combined their resistance muscle in their fight against the repressive state machinery. While COSATU saw its main role as organising the working class, other forces were also developing. Groups such as students, the clergy, white democrats and women activists banded together in different ways to build democratic structures in the townships, on campuses and in rural areas.

Below is a discussion about the contribution of union federations in the democratisation process. While you read this, refer to Table 3.1, which lists some important events of the 1980s.

**Table 3.1. Some major events in the 1980s**

Year	Strike
1980	Over 10 000 Johannesburg municipal workers strike over recognition.
	Council of Unions of South Africa (CUSA) formed.
1981	Over 13 000 mineworkers strike over death benefits.
	South African Allied Workers Union (SAAWU) calls for boycott of Wilson-Rowntree sweets.
1982	National Union of Mineworkers (NUM) formed.
	Neil Aggett dies in detention.
	Boycotts in schools.
1983	State of Emergency declared by the government. Introduction of the Tricameral Parliament.
	United Democratic Front (UDF) launched in Cape Town.
	School boycotts intensify.

## Moving Towards Transition: Internal Pressures

Year	Strike
1984	Rent boycotts.
	Over 40 000 black miners strike for two days over wages.
	Around 28 000 workers strike in response to calls by NUM.
	Simba boycotts, where the Sweet Food and Allied workers Union called for people to stop buying potato crisps, were initiated after the dismissal of 450 workers. They were later reinstated as a result of the boycott.
	Stay-aways supported by students and workers.
	800 000 workers and 400 000 students participate in a stay-away called by the Congress of South African Students (COSAS). FOSATU, the UDF and CUSA support the strike.
	6 000 workers dismissed by Sasol for participating in this stay-away.
	Campaigns against conscription and the Tricameral Parliament.
1985	900 strikers dismissed by BRT Sarmcol (a British multinational). The strike was to become the longest-ever labour dispute in South Africa.
	Partial State of Emergency declared.
	International Year of the Youth.
	Thirtieth anniversary of the Freedom Charter.
	Consumer boycotts of white buses.
	Disappearance of the Pepco Three.
	UDF leaders and 20 others charged with treason in the Delmas Treason Trial.
	Cradock Four murdered. Four activists from Cradock (Mathew Goniwe, Sparrow Mkhonto, Fort Calata and Sicelo Mhlauli) were abducted by police and then assaulted, killed and their bodies and the vehicle they were travelling in burnt.
	Victoria Mxenge murdered.
	Significant drop in value of the Rand.
	Limited sanctions imposed against South Africa by the United States.
	Banning of the Congress of South African Students, which spearheaded national school boycotts in 1980 and 1984–85.
	Launch of the Congress of South African Trade Unions (COSATU).

Year	Strike
1986	Around 30 000 mineworkers down tools over wages. Over 20 000 workers are dismissed for participating in the strike.
	State of Emergency was declared which meant the apartheid state could crack down on its opponents by detaining thousands of people without sending them to court or revealing their names, banning organizations and public meetings and forbidding media coverage.
1987	Protests against whites-only elections.
	Boycotts of Black Local Authorities.
	Attack on COSATU House.
	340 000 mineworkers demand improved working conditions and increased salaries. It is the biggest and most expensive strike ever held in the country.
	10 000 OK Stores workers fight for a living wage. OK workers from all over the country mobilise communities not to shop at OK Stores.
	Govan Mbeki released from prison.
1988	Khotso House bombed. The offices of the South African Council of Churches in Johannesburg, where many anti-apartheid groups worked, was bombed by police, nineteen people were injured.
	18 individuals and 17 organisations, including COSATU and the UDF, restricted.
1989	Led by the Food and Allied Workers' Union (FAWU), 6 000 workers strike at the South African Breweries (SAB).
	David Webster assassinated. He was a lecturer at Wits University and an anti-apartheid activist.
	Defiance Campaign. In August 1989 a campaign of defiance against the apartheid regime was launched as a run up to the elections to be held in September in which the black majority of South Africans had no vote. Protests occurred at 'whites only' facilities like hospitals, schools and beaches and public events were staged in defiance of the state of emergency.
	About 26 000 members of the South African Railways and Harbour Workers Union (SARHWU) strike over wages.
	Release of Rivonia Trialists. On the 15 October Walter Sisulu, Ahmed Kathrada, Raymond Mhlaba, Andrew Mlangeni and Elias Motsoaledi were released from prison.
1990	ANC and 72 other organisations unbanned. Restrictions lifted against COSATU and the UDF. Unbanning of political parties and the release of Nelson Mandela.

## Unity Talks

Conditions on the ground in South Africa necessitated a push towards upholding the Freedom Charter as a guide in the struggle for liberation. However, the leadership of FOSATU remained largely 'workerist'. This means that they thought it was best to concentrate only on issues that would directly benefit workers in the workplace. They did not want to be involved in struggling for other political issues. Increasingly, however, grassroots shop stewards put pressure on the union federation to recognise that workers' interests could not be separated from the broader political realities in the country. As the situation in the country intensified, so too did the pressures on ordinary people to fight against the repressive state. Simultaneously, a need for unity among the various unions was identified, resulting in a series of meetings referred to as the 'unity talks'.

These talks, which took place between 1981 and 1985, sought to secure agreement among the unions on a range of issues, including registration of unions and whether or not unions should engage in the broader political challenges in the country. The initial summit took place in August 1981 in Langa, a township near Cape Town. The meeting concluded with vague support for unity and rejection of the system of registration as a means to control the unions. Later discussions agreed on unity and a the need for a new federation. The death in detention of union organiser Neil Aggett on 5 February 1982, during the talks, highlighted the interrelationship between the broader political context and the plight of workers.


## Mounting Tensions

The apartheid government declared a number of States of Emergency in response to growing dissatisfaction and anger against the lack of political reform. PW Botha, President of apartheid South Africa felt that 'ordinary law and order was inadequate' and the state of emergency gave the police and military even more powers. The regime felt increasingly threatened by the conditions on the streets, which fostered a climate of ungovernability. For example,



ordinary people mobilised against provisions in the country's new Constitution that sought to further divide black people by providing Indian and coloured people privileges ahead of the black African majority. The 1983 Constitution provided for a Tricameral Parliament, which was designed to allow this select group of black people their own parliamentary chambers. The 1988 State of Emergency resulted in the banning of the United Democratic Front, which was replaced by the Mass Democratic Movement (MDM), a coalition of anti-apartheid activists and organisations aligned to the Freedom Charter. Significantly, the MDM worked to destabilise the national elections and embarked on a passive resistance campaign.

The grassroots and mass-based movements were supported by several activities orchestrated by the armed forces of the liberation movement. For example, several attacks by Mkhonto we Sizwe took place in the 1980s, including an attack on the intelligence headquarters of the South African Defence Force (SADF) in 1983, which left 18 dead and 200 injured. At the same time the country became a militarised society. The SADF, which had tens of thousands of soldiers deployed in townships, functioned as an enforcer of racist policies. It was used to subdue a civil war brewing in towns, suburbs and black areas, where anti-apartheid activities now began to receive support from ordinary people – including young white people. The stepping up of **conscription** into military service of white young men had a mixed result. 'National Service' meant white men were compelled to serve up to two years in the SADF structures, and a refusal to report for service could mean a prison sentence of up to six years. For **conscientious objectors**, the other alternative was exile, leaving the country without permission. Some draft dodgers simply refused the call-up on religious grounds, while others decided to join



**conscription** – compulsory enlistment, usually into the armed services  
**conscientious objector** – a person who does not want to serve in the country's armed forces because he or she believes that it is wrong to do so, either for religious or moral reasons


the End Conscription Campaign (ECC) formed in 1983. Some of these young men were subsequently imprisoned by the government. This organisation was banned in 1988.

Those who chose the exile option established the influential Committee on South African War Resistance (COSAWR), formed in the late 1970s, in order to mobilise international support against white domination. Such groupings openly showed their support for the UDF (discussed below). Tried and tested organisations like the **Black Sash** also lent their weight to COSAWR and the ECC.

## The United Democratic Front

The UDF was founded in 1983 to oppose the new Constitution and to demand a complete overhaul of the discriminatory policies of the regime. It was an alliance representing youth, workers, assorted sporting codes, women's groups and religious bodies. The UDF represented hope and change for millions of people excluded from mainstream political participation. Its membership numbered over two million people from all ethnic, racial, religious and class groupings. The organisation's mandate was to resist apartheid laws and policies.

In July 1983, the National Executive Committee of the UDF agreed to a national launch in Cape Town, which took place on 20 August. A defining characteristic of the UDF was that it was inclusive and non-racial. As their statement released on 1 August 1983 argued:

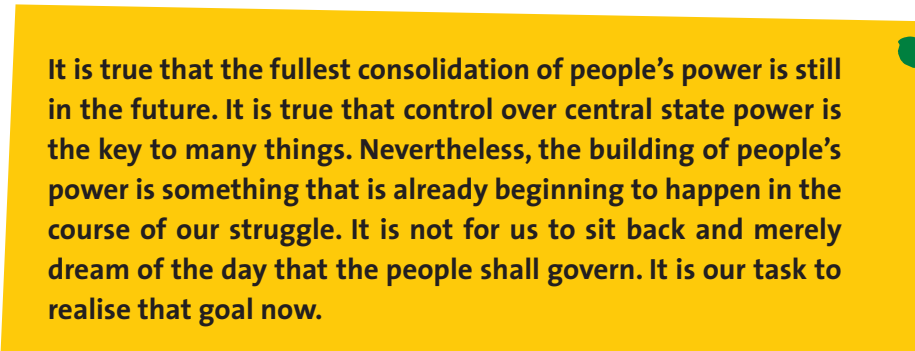


**The strength of the UDF lies in the democratic nature of its composition. The central characteristic of the UDF is that it is made up of trade unions as well as community, women's, student, religious, youth, sports, political, professional, and business organisations and interest groups. These organisations represent people of all colours and creeds from all strata of South African society.**


Organisations affiliated to the UDF included:

- Civic organisations – e.g. Soweto Civic Association, Merebank Ratepayers Association, Cape Areas Housing Action Committee
- Faith-based organisations – e.g. Diakonia, Islamic Council of South Africa, Witwatersrand Council of Churches
- Labour organisations – e.g. Council of Unions of South Africa, General and Allied Workers Union, Commercial and Catering Workers Union
- Women's organisations: e.g. Durban Women's Group, United Women's Organisation, Federation of South African Women
- Youth and student movements - e.g. Congress of South African Students, National Union of South African Students, Azanian Students Organisation

The UDF promoted resistance to the 'Koornhof Bills' (such as the Black Local Authorities Act), and to segregationist constitutional provisions (discussed above). Ultimately, it promoted the achievement of a democratic society. The following quotation from the movement's journal *Isizwe* makes this clear:



**It is true that the fullest consolidation of people's power is still in the future. It is true that control over central state power is the key to many things. Nevertheless, the building of people's power is something that is already beginning to happen in the course of our struggle. It is not for us to sit back and merely dream of the day that the people shall govern. It is our task to realise that goal now.**



**Black Sash** – a resistance organisation formed by white women in Johannesburg in 1955. It was originally started to protest the apartheid government's plans change the Constitution so that coloured people would no longer have the right to vote. Despite many protests, the government did change the Constitution. After that, the women began to wear black sashes to symbolise the death of the South African Constitution. They began to protest about other government actions as well. Their chosen method of protest was to stand silently in public areas, wearing their black sashes and holding placards.

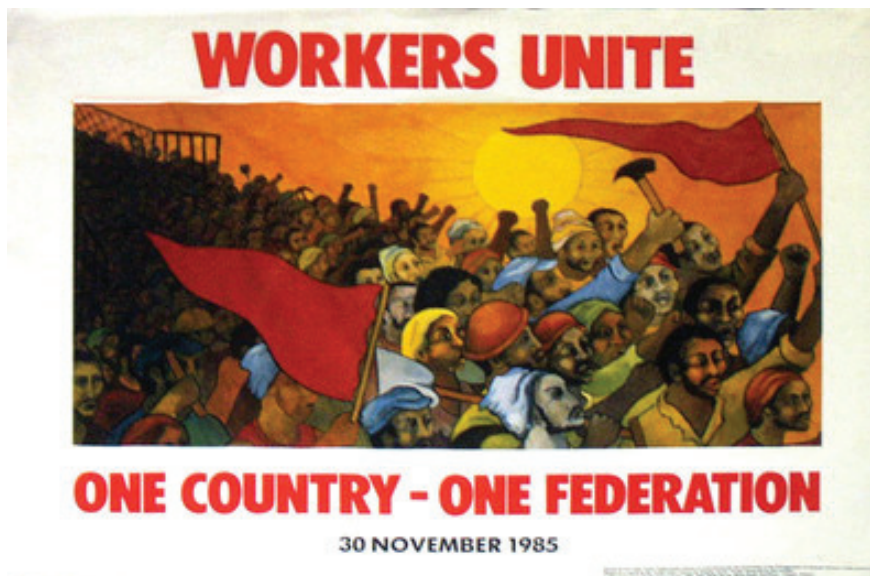
The UDF and its affiliates actively mobilised communities against voting in what were termed ‘apartheid elections’(see Figure 3.1). Other forms of resistance included rolling mass action in the form of rent and bus boycotts, stay-aways, strikes and other industrial action, and objection to the legitimacy of black councillors working with the Black Local Authorities. They were viewed by the strikers as puppets used by the apartheid system. The strategy of resistance included rendering the townships ‘ungovernable’, calling for the release of detained activists, the return of political exiles, the unbanning of liberation political organisations and full democratic participation in the official state administration. In the absence of democratic government structures, ordinary people began to establish their own structures such as street committees and people’s courts to run and manage community affairs. The UDF called for an active citizenship and co-ordinated action between trade unions and political organisations.

**Figure 3.1 Poster – Don’t Vote in Apartheid Elections**



The UDF and COSATU did not portray themselves as political parties. They fully recognised the exiled leadership of the ANC as the principal leaders of policies enshrined in the Freedom Charter, which emphasised the right of the people to govern. These organisations were critical in putting pressure on the apartheid regime and in mobilising ordinary people to act. Boycotts and stay-aways demonstrated the will of the people. Unions had significant organising power – a capacity that was evident throughout the 1980s and into the 1990s (see Figure 3.2). For example, unions mounted national campaigns against issues like the introduction of value-added tax (VAT).


**Figure 3.2 Poster – Workers Unite**



## The Congress of South African Trade Unions

The year in which COSATU was born, 1985, was the thirtieth anniversary of the Freedom Charter. That year also saw the beginnings of a **rapprochement** between the exile leadership of the ANC with prominent captains of industry, white clergy and progressive white politicians. At the same time, guerrilla activity by soldiers of liberation movements embedded in local communities and consumer-rent-bus boycotts spread nationwide. In an attempt to 'win the hearts and minds' (known as WHAM) of the black majority, the Nationalist government repealed the Mixed Marriages Act, the Prohibition of Political Interference Act and the Immorality Act. The value of the Rand dropped below US\$0.40, and overseas banks refused to roll-over the government's short-term loans.

The ideological practice of the new trade union federation was **unambiguous**. As COSATU's founding General Secretary, I said at the time:



**The working class must ensure that its interests are paramount in the liberation struggle. That is why the mass democratic movement in our country has acknowledged the leading role of the working class. We believe that the only way to ensure this leadership is to build democratic organisations in the factories, shops, mines, in the townships, cities and villages where we live. Our structures are rooted in a constituency where leaders are not free-floating individuals but subject to recall at any time and are accountable to their constituencies and operating on the basis of mandates and report backs.**

More than 500 000 members joined COSATU in the few months after the declaration of a State of Emergency which affected more than 36 magisterial districts in the country. In 1987, the country witnessed the largest number of industrial actions ever seen in the country's history. They included actions at well-known companies such as Premier

Group, Albany Bakery, Cadac, and Mercedes Benz, as well as postal strikes and the mineworkers' strike, where 300 000 mineworkers downed tools and took their grievances to the streets. Widely regarded as the biggest and costliest wage dispute in the history of South Africa, the 1987 mineworkers' strike brought the state and big business to their proverbial knees. Consequently, employers were keen to rein in the National Union of Mineworkers for disrupting the economy.

COSATU's growth was due in part to its organisation of workers on the shop floor. Registration, collective bargaining and industrial councils defined the strategies of unions, although COSATU did more than organise workers at the coalface. It also developed a range of leadership skills across its membership, and provided opportunities for empowerment through shop steward training. Through local shop steward councils (locals), these democratic practices seeped into the communities, which were now mobilised around broader social and political issues.

As forums for mass participation, the COSATU 'locals' developed into an important tool for organising. The 'locals' were expected to develop a set of principles to guide their relationship with communities. At the heart of this was the recognition that the plight of workers could not be divorced from the conditions in their communities, and indeed from the broader liberation struggle. In practice, many of these union locals were instrumental in building local civic organisations such as those in Tembisa and Katlehong.

COSATU's role in mobilising became particularly crucial in the latter part of the 1980s. It organised May Day stay-aways, was involved in struggles against tax systems such as 'VAT', and engaged in various other political activities.

**rapprochement** – the establishment or re-establishment of friendly relations  
**unambiguous** – clear, understandable

## The Impact of State Reform and Repression

The States of Emergency declared in 1985 and 1986 were brutal. Tens of thousands of people were detained, and various organisations banned and/or restricted. The brutality of the SADF, the notorious Vlakplaas and CCB atrocities (among others) are now well documented in the Truth and Reconciliation Commission archives. The brute force of the state police, the **omnipresent** troops in townships – especially the ‘mellow yellow’ vehicles and the ‘hippos’ (types of armoured vehicles) – made an already hostile situation even worse. Many of the police themselves were from the very townships they later ‘occupied’. Security training was accompanied by continuous propaganda from Security Branch operatives who described the ANC and other liberation movements as terrorists, communists and enemies of the state.

During these turbulent times, all of South Africa was in effect a terrain for political, economic and social struggle in attempts at securing democratic power for all citizens of the land, irrespective of race, religion or class. The regime offered piecemeal reform to some racial sectors of the population, while at the same time unleashing repressive measures. This clearly demonstrated the contradictory nature of apartheid policy. During P.W. Botha’s administration, the government had a policy they called the Total Strategy. Janine Rauch, a political consultant, wrote in 1994 that the regime was convinced that the war in South Africa was only 20 per cent military and 80 per cent economic, social and political. The granting of limited trade union and political rights to disenfranchised blacks was an attempt to win black support without relinquishing meaningful power..



**omnipresent** – present everywhere at the same time  
**volatile** – likely to change rapidly and unexpectedly  
**civil disobedience** – refusal to obey laws in an effort to induce change in government policy.



The Total Strategy's **volatile** blend of reform and repression is evident through the government's attempts to:

- scrap apartheid symbols and practices that were not essential to the maintenance of white supremacy;
- draw English-speaking South Africans into the Nationalist party;
- win the co-operation of big business;
- intensify the ethnic and class divisions among black people; and
- suppress domestic dissidents.

When these procedures did not produce the desired outcomes of propping up Nationalist power, government imposed a countrywide State of Emergency in 1986, which lasted until 1990. This granted the police broad powers to arrest and detain activists. As a result, it is estimated that more than 30 organisations were banned in 1987–1988 alone, including the UDF and the Azanian People's Organisation (AZAPO). This in turn paved the way for the emergence of the Mass Democratic Movement.

The MDM was a loose coalition of associations which brought about a final push for the end of the apartheid state. For the most part the MDM's **civil disobedience** approach was effective in demonstrating the limits of the authority of the regime. This can be seen in events organised in 1989 to resist policies of segregation – for example, by invading places of recreation like beaches and forcibly entering white-only hospitals. This was also the year South Africa witnessed the last apartheid national elections. By this time, large segments of the white population did not see any hope for the future of a discriminatory system, despite the continued state propaganda and attempts to muzzle the progressive press. There was still antagonism from far-right parties like the Conservative Party (CP) of Andries Treurnicht and the Herstigte Nasionale Party (HNP), but most people agreed that change and a negotiated settlement towards democracy were imminent.



A large crowd mourns the death of anti-apartheid activist David Webster at this funeral at St Mary's Cathedral in Johannesburg. He was assassinated by members of the government's Civil Co-operation Bureau on 1st May 1989.

## Liberal Democrats

While South Africa's liberation struggle was largely defined by the resistance of the majority (black people), a minority group of white South Africans also contributed to the struggle against apartheid. This is significant because these people were essentially standing up against the very communities, families and system designed to protect their interests. Public figures such as Helen Joseph, Beyers Naude, Bishop Trevor Huddleston and Helen Suzman were **ostracised** and made to carry the burden of speaking out against their own people. As the Progressive Party's only Member of Parliament, Helen Suzman fought a lonesome battle against the apartheid regime in Parliament.

Similarly, anti-apartheid organisations like the Black Sash and the ECC played an important role in challenging the regime. Spear-headed by white women, the Sash was an anti-apartheid organisation which used passive resistance as a means to challenge apartheid. The ECC was an effort by a group of white activists, many of whom were supporters or members of the liberation movement, to oppose the military structures created to sustain apartheid. All white South African men had to serve in the apartheid army. The ECC argued that the country's defence force was an illegitimate structure defending an illegitimate government.

## The Role of the Clergy

In many ways, the moral and spiritual fibre of the resistance movement is linked to leadership provided by the clergy. Those parts of the church that resisted apartheid took an ethical stand, and denounced apartheid. Working together with and on behalf of other organs of civil society, **black theology** denounced the policy of racial segregation and the military system propping it up as an abomination of Judeo-Christian values. The clergy became outspoken in their demand for social justice and freedom for all.

The churches were a critical part of the resistance movement in the late 1970s and the 1980s. The South African Council of Churches (SACC) and clergymen like Beyers Naude, Desmond Tutu and Denis Hurley became key protagonists in the struggle against apartheid. Smangalisso Mkhathshwa, Allan Boesak, Albert Nolan and Frank Chikane also denounced the use of biblical texts to justify racial segregation. Working as an **interdenominational** forum, these leaders of the SACC were instrumental in redirecting the focus of the liberation movement

**ostracised** – to exclude from a society or a group

**black theology** – when churches are used to point out the injustices done towards black people

**interdenominational** – referring to co-operation between more than one religious denomination or group

to operate within the limits of civil disobedience. They used as their examples the US Civil Rights Movement and the Liberation Theology of South America. Bishop Tutu believed that the centre of the liberation struggle had the following as its moral compass:

*What Martin Luther King and others were doing was to claim rights that were theirs under the (American) constitution. In South Africa, the constitution and the law are against us, so we have to overturn and dismantle that whole structure.*

A leading argument for a struggle to be forged in this direction and beyond was contained in the Kairos or 'Moment of Truth' Document. This document denounced the opportunistic use and abuse of the Bible to support apartheid ideology. It stated that the church should defend the rights of the poor and the oppressed, and stand against apartheid. There were church and other leaders who not only were outspoken about the need for liberation, but also provided financial support, food or a safe place for many who were under attack from the apartheid forces. They were also active in asking the international community for solidarity.

## State Propaganda and the Role of the Media

State **propaganda** was perpetuated through the mainstream media, which sought to legitimise apartheid in the eyes of the people of South Africa. English and Afrikaans newspapers failed sufficiently to challenge the workings and activities of the state. The government's mouthpiece, the South African Broadcasting Corporation (SABC), advanced apartheid ideology. For example, during the 1987 mineworkers' strike the apartheid regime portrayed the striking



**propaganda** – biased or misleading information used to promote a particular cause or point of view

workers as villains and the mine owners as victims. Often the media focused on the inconvenience of strike activity instead of the broader political issues that made democratic reform so necessary. The box titled 'Criminalisation of Protest Activity' presents a case study of the ways in which the media distorted the realities of protest against an illegitimate and racist regime.

## Criminalisation of Protest Activity



"A common way of representing protest activity in the press was to criminalise it. Thus protesting students became 'marauding mobs', and looters and strikers became 'intimidators, saboteurs and murderers'. This can be linked to the State's criminalising of black oppositional activity by legislating ways to contain and limit such activity. The discourse which operated within reporting in 1976 and 1987 fed into this. In '76 in particular, a war psychosis developed which emphasised the violence, arson and threat to white South Africa which the uprising posed.

"The use of language such as 'tsotsis' and 'drunken rioters' added to the criminal image being established. The further portrayal of 'instigators' (suggesting some covert force in operation) as responsible for forcing the protest continued to undermine and nullify the students' protest actions. The protest actions thus moved into the sphere of the criminal. Whilst the police's actions in firing live ammunition at unarmed students ('Automatics used on rioting mobs' *The Star*, 17 June 1976, page 1), and their attempt to prevent wounded students being treated at Baragwanath ('...armed police refusing to admit a 14-year-old schoolboy who had been shot three times...' *Rand Daily Mail*, 18 June 1976, page 1) was not seen as being negative or unacceptable. The police were instead represented as keepers of law and order. Their role perpetuated the war psychosis where armed action (and the use of armoured vehicles) was needed to hold the threat against white South Africa at bay.

"By 1987 media representation of protest activity had become more sophisticated, with the discourse of protest and political representation being well-developed over the years. Whilst the actions of miners originally


appeared to be reasonable, as soon as ‘violence erupted’ their activities became criminalised. The claims of intimidation and violence were relative to the statements of both workers and owners and often were not conclusively proved either way. Nonetheless, the media tended to criminalise the activities of the miners even when allegations were not conclusive.”

Source: Bird, E. & Z. Garda. The Role of the Print Media during the Apartheid Era. Media Monitoring Project (MMP). Available online at <http://www.mediamonitoringafrica.org/images/uploads/trc.pdf>

A shroud of  **censorship** covered information. South Africans were not only receiving limited information but, more critically, they were getting information that was distorted to align with the grand vision of apartheid. This was particularly the case during the States of Emergency, when the regime needed to exert tight control and distort the truth about the liberation movement. This provided an opportunity for alternative publications to flourish, such as *Grassroots*, *New Nation*, *Agenda*, *South* and *Speak*.

## Conclusion

The history of the 1980s can be likened to living in a pressure cooker. The more the state tried to repress and control the dissent, the more it bubbled over. Ordinary South Africans, many of whom would usually not risk being involved, saw the potential for change through



**censorship** – the act of officially examining, and sometimes suppressing, information that is considered to be undesirable for one reason or another. For example, a government could censor what newspapers are allowed to print.

**bantustan** – also referred to as  **homelands** – those territories reserved for black people and around which the principle of segregation in South Africa was organised. The homeland system was made up of ten ethnic areas. Four of these eventually became ‘independent’ (although this independence was recognised only by South Africa). They were sometimes known as the TBVC states – Transkei, Bophuthatswana, Venda, Ciskei. The other six were referred to as ‘non-independent black states’. They were Gazankulu, KaNgwane, KwaNdebele, KwaZulu, Lebowa and QwaQwa.



Many communities were uprooted and dumped in resettlement camps in Bantustans.

an overthrow of the repressive regime. The UDF provided a mass base for ordinary people to be involved, and COSATU – representing the collective might of millions of workers – offered the power to overthrow the regime.

Yet the efforts of ordinary people during the 1980s did not occur in a vacuum. The decade preceding the 1980s was defined by the mobilisation of workers and students – the explosion of a generation that dared to stand up against the apartheid regime. It was these efforts that forced the regime to intensify its stronghold and to attempt to create further divisions among people. This was evident in the introduction of limited rights for workers, and the limited benefits offered to Indians and coloureds to the exclusion of Africans. The limited rights in the **bantustans** fuelled many of these tensions as black people became increasingly displaced from white South Africa.

Restlessness permeated the factories, hostels, schools and homes of ordinary South Africans and inspired initiatives which aimed to organise and mobilise people.

At the forefront of the popular struggle against racial segregation were mass-based movements like trade unions and civic organisations. They demanded not only socio-economic rights but also political change. These organisations wanted to see human and democratic rights for all citizens of the country. In their approach to mass mobilisation they emphasised issues that affected both local and national interests. They took their direction from the grievances coming from the masses. Many of the strategies and lessons learned in the 1980s remain relevant today – accountability, unity, democratic practices, empowerment through on-going training and development, mandates and report-backs from elected representatives, and building working relations with community organisations.

As this chapter has tried to demonstrate, the 1980s were defined by ongoing protests, boycotts and stay-aways from work and schools, by the growth in workers, student, youth and women's movements, and by the coalition of the mass democratic movement. It was a decade of resistance by ordinary women and men that brought together schools, universities, workers, churches and communities, united in a common goal to end apartheid. The more the apartheid state tried to contain the frustrations and determination of ordinary people, the stronger the will for liberation grew – in other words, the greater the oppression and repression, the greater the need for freedom. The internal and external pressures of the 1980s helped to speed up the political and economic reform in South Africa. Eventually they led to the release of political prisoners, the negotiated settlement and the today's democratic dispensation with **universal suffrage**, in which the majority of the people in South Africa finally have equal rights.



**universal suffrage** – also known as universal franchise – the right of all adult citizens to vote in political elections



## About the author

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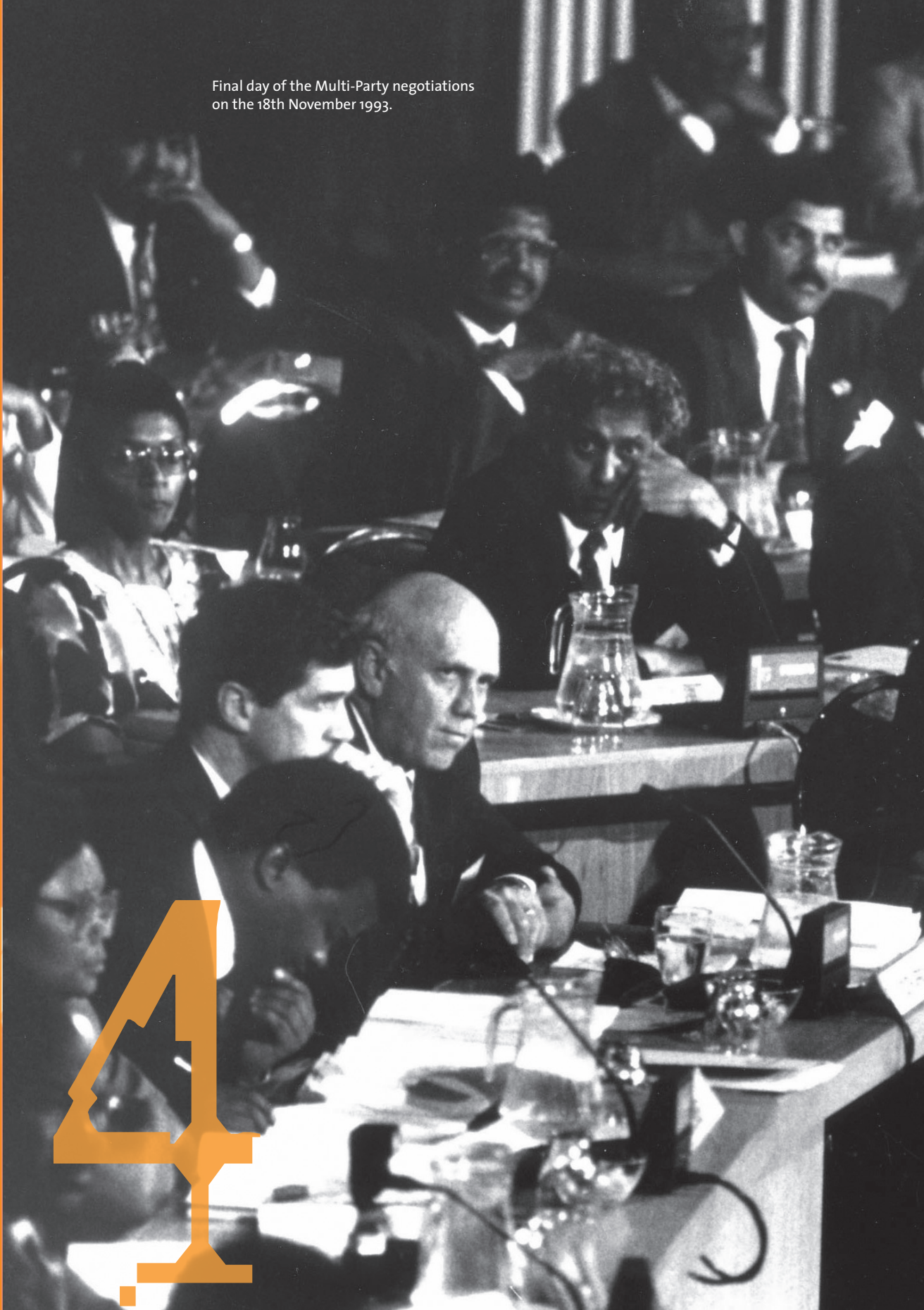
# Engaging the Other

Chris Saunders

ch.



Final day of the Multi-Party negotiations  
on the 18th November 1993.



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## Introduction

In the mid 1980s it seemed to most people that South Africa was heading towards a full-scale racial civil war. But this did not happen. Instead a negotiated settlement was reached in the early 1990s which brought peace and stability to the country. Having sketched the conditions which lead to the transition in the previous chapter, this chapter begins to explain how it actually happened. From the mid 1980s, starting **covertly** and in a small way, the two main sides in the conflict began to engage each other. This process of getting to know each other, and discussing issues that divided them, was important in making a negotiated settlement possible.

Before we look at the various steps in this process, it is necessary to remember that in the 1980s the government blamed the increasing internal unrest on the exiled African National Congress (ANC). It claimed that the ANC was controlled by communists, and that it was engaged in a campaign of terror against the population in order to bring about a revolution. The ANC, on the other hand, spoke of being committed to what it called a 'People's War'. It denounced the government as illegitimate and racist, and condemned it for carrying out policies that were recognised internationally as a crime against humanity, and for brutally suppressing opposition to those policies. The ANC leadership believed that the National Party (NP) government was determined to hold on to power indefinitely, by any means.

Given such views, how could these two parties begin to engage each other? What common ground could they find? And what of other parties in the conflict? The Inkatha movement headed by Mangosuthu Buthelezi, for example, was engaged in a low-level civil war in what is now KwaZulu-Natal with those who identified with the United Democratic Front (UDF) and the ANC. Though the Pan Africanist Congress (PAC) had virtually fallen apart in exile, its nationalist message retained its appeal for some, even if its armed wing was inactive.

Nelson Mandela and other members of the High Command of Umkhonto we Sizwe (MK) had been imprisoned since 1964 and were

-serving life sentences. From 1980, however, the global anti-apartheid movement began to focus on Mandela in particular. By the mid 1980s he had become an international **icon**, the world's most famous political prisoner. Early in 1985, after some months of unrest on the Witwatersrand, President P.W. Botha offered Mandela his freedom if he renounced the armed struggle. Mandela responded in a statement read out by his daughter at a rally in Soweto. He rejected Botha's offer on the grounds that it was the government that was responsible for the violence in the country, and it was the government that should first create the conditions for negotiations. In September that year, a month after the economic collapse brought on in part by Botha's failure to make any major concessions, a delegation of some of the country's leading businessmen went to Zambia to meet the ANC leadership in exile.

When Mandela had to go into hospital in Cape Town in November that year, he was visited in secret by the Minister of Justice, Kobie Coetsee. Botha knew that there would be enormous international **repercussions** if Mandela were to die a prisoner. He did not want Mandela to become a martyr. He wanted to find out more about Mandela's politics, and whether there was any possibility that he would split from those of his colleagues who were known communists. When Mandela was returned to Pollsmoor Prison at the end of 1985, the authorities separated him from his colleagues. He took this as an opportunity to raise with Coetsee the idea of talks that he hoped would be the prelude to the negotiations for which the ANC had asked before it had been banned twenty-five years earlier.

A stream of visitors from South Africa now travelled to meet the ANC in exile, despite Botha denouncing such visits as treating with 'the enemy'. The single most important meeting took place in Dakar,

**covertly** – secretly

**icon** – a person who is regarded as a symbol of greatness, someone who is highly respected

**repercussions** – the consequence of an action or event



Nelson Mandela, leader of the ANC delegation, speaks at a press conference after talks between the ANC and the apartheid government at Groote Schuur in Cape Town. These talks helped to move the country forward to transition and resulted in the Groote Schuur Minute.

Senegal, in June 1987. A group of sixty white South Africans, most of them anti-apartheid Afrikaners, headed by the former leader of the Opposition, Frederick Van Zyl Slabbert, met an ANC group led by Thabo Mbeki. Mbeki immediately struck a chord among those from South Africa by introducing himself as an Afrikaner. Despite their disagreements with the ANC on the armed struggle, the visitors from South Africa found the ANC leadership very intelligent and committed to a non-racial future for the country.

Though he denounced this meeting, Botha allowed his own officials to engage with Mandela, to find out what he thought of the South African Communist Party (SACP) and his vision for a future South

Africa. There were also meetings with other leaders. Over forty such meetings took place. Some of these meetings were held in the public gaze and others were top secret. The white South Africans involved soon discovered that the ANC leaders were people they could engage with, contrary to the propaganda to which they had been subjected. Furthermore, despite having different views on many key matters, they found that they had much in common with the ANC members, and shared a sense of being South Africans.

When Mandela was transferred from Pollsmoor Prison to a house at Victor Verster Prison in the Cape winelands in December 1988, Coetsee sent him a case of wine as a housewarming gift. At Victor Verster Mandela prepared a memorandum for Botha in which he denied that the ANC was communist in ideology and accepted that white fears of black domination needed to be addressed. In July 1989 Mandela was driven from Victor Verster Prison to have tea with Botha in Cape Town. In the many meetings he had while still a prisoner, Mandela impressed all he met as an exceptional personality. He continued to insist that, while he was not a communist himself, the ANC would retain close relations with the SACP, but he said that he was willing to work for a peaceful solution. In the ANC in exile, there were suspicions that Mandela was 'selling out', but in response he insisted that he remained a loyal member of the ANC and that he was only preparing the ground for future negotiations with the government.

Common ground was also found in talks that took place in England between Thabo Mbeki, Jacob Zuma and leading Afrikaners. These talks were arranged by a British businessman, Michael Young of Consolidated Goldfields. In September 1989 two top officials of South Africa's National Intelligence Service travelled to Switzerland for the first meeting between government representatives and leading figures of the ANC in exile, again to discuss the ANC vision for a future South Africa. The very lack of contact because of apartheid may have helped to forge the camaraderie that developed at such talks, as those involved found that they shared a desire to solve South Africa's problems. But how could that be achieved, given the long history of apartheid, the fear of many whites about what would happen if apartheid was abandoned, and the desire by many ANC militants,

especially in MK, to sweep away the government in power and to install a socialist state? The latter aim was reaffirmed at a meeting of the SACP in Cuba in 1989, which was chaired by Thabo Mbeki.

In Chapter 2 we saw how in the late 1980s the Cold War came to an end, and that one of the consequences of that was a negotiated end to the conflict over South West Africa. Before it was banned in 1960, the ANC had indicated that it sought a negotiated settlement. Now almost thirty years later its President, Oliver Tambo, persuaded doubters in its ranks that the ANC should also explore the option of a negotiated settlement, even if the government's intentions were still regarded with the deepest suspicions. In August 1989 the ANC issued a key statement in Harare, Zimbabwe 'the Harare Declaration', that laid down a set of conditions for negotiations to begin. These included the lifting of the State of Emergency, the release of all political prisoners and the abolition of apartheid laws.

In that same month P.W. Botha resigned as State President. After suffering a stroke in January, he had remained State President but had allowed the NP to elect a successor to him as head of the party. F.W. de Klerk, who had long been regarded as a conservative within the NP, then became party leader. By August the conflict between the State President and the leader of the party had become so severe that Botha's colleagues turned against him. De Klerk took over as State President when Botha resigned.

De Klerk was above all a **pragmatist**. By 1989, he had come to accept that apartheid was unworkable. Though he never acknowledged that he was meeting the conditions set out in the Harare Declaration, he gradually met most of them. In September, within weeks of becoming President, he allowed a major protest march to take place through the streets of Cape Town. That march was followed by others in different cities. In October 1989, on the eve of a Commonwealth Heads of



**pragmatist** – someone who responds to problems in a practical manner  
**de facto** – in fact; existing in fact; often contrasted with *de jure*, in law



Government conference where the issue of sanctions against South Africa was going to be discussed, De Klerk released all the Rivonia prisoners except Nelson Mandela. In December he met Mandela for the first time. He realised at once that Mandela was someone with whom he could work. By then he had decided to release him unconditionally, on the basis that Mandela agreed to work for a peaceful solution.

De Klerk was under great pressure from the country's closest allies, the British and American governments, to take this step and to unban the ANC. Financial and other sanctions were having a serious effect on the economy, and in January 1990 a visiting Congressional delegation from the United States (US) made it clear that if there was no significant reform US sanctions would be intensified. All this set the scene for De Klerk's breakthrough speech during the opening of Parliament on 2 February 1990. He announced the unbanning of the liberation movements, including the SACP, and the unconditional release of Mandela, which followed on 11 February.

All this opened the door to negotiations between the government and the ANC. De Klerk knew that this giant step was risky, for he could not be sure what the consequences would be. Nevertheless he had decided that it was best to seize the initiative. He hoped that he would be able to control events, and that the NP would be able to retain significant power in whatever new order would emerge. It was, he told the electorate, "a time for cool heads and firm, decisive action." He told the British High Commissioner and the American Ambassador that in his view the whites of Rhodesia had left it too late to negotiate in the late 1970s, and he wanted to avoid that mistake.

From the time of his release, Nelson Mandela was the **de facto** leader of the ANC because Oliver Tambo had had a stroke in August 1989. Mandela worked with some of those who had emerged as leaders of the UDF but also with others who now returned from long years in exile. The leadership style of the returned exiles was top-down and suspicious by nature. It contrasted markedly with the traditions that came from the more open and democratic UDF, which was now side-lined and was dissolved in December 1991. Though the UDF

leadership had seen itself as working for the banned ANC, and had anticipated that the UDF would be absorbed by an unbanned ANC, there were those who now thought that the internal leadership should play a larger role than it was allowed to. After all, it was the internal resistance, led by the UDF, that had been the chief factor in putting pressure on the NP government to enter into negotiations.

De Klerk's speech on 2 February had horrified the Conservative Party (CP) and the more extreme radical right. Though De Klerk was able to take the NP and the Democratic Party (DP) with him in his major change in course, he knew that he had to isolate those on the far right and try to neutralise the threat they posed to a negotiated settlement. A key step in this was the referendum that he called in March 1992, in which the white electorate was asked whether it wanted the negotiations to continue. Over two-thirds of those who voted agreed that the negotiations should continue.

Extremists opposed to negotiations, some of whom were active members of the state's security forces, carried out a variety of secret actions to undermine the opposition and strengthen its allies, that came to be known as 'dirty tricks'. This included supplying arms to members of Inkatha, to try to undermine the negotiation process. However, such actions only succeeded to make moderates more aware than ever of the need for a settlement.

The ANC, too, was concerned about those within its ranks who thought that negotiations meant selling out and still hoped to overthrow apartheid and all it stood for. The ANC leadership could not concede too much too soon, or some of its supporters would think it had betrayed them and the struggle. Because of this worry, the ANC carried out two parallel kinds of struggle at this time. One was the negotiation strategy. The other was Operation Vula, which had begun in the late 1980s. It had been designed to establish underground structures within the country. It continued alongside negotiations with the government until the middle of 1990, when the police arrested a number of its leading figures. Joe Slovo had long been the chief theoretician in MK, and he had been against negotiations for a long time. His hard-line position began to weaken when the Soviet



Members and supporters of the South African Communist Party (SACP) march in Pretoria a week after the assassination of Chris Hani, the Secretary General of the organisation.

Union itself supported the idea. In 1990 he suggested to Mandela that they should take the initiative and suspend the armed struggle, as a way to emphasise their commitment to negotiations. That was done in August 1990.

## The Process

How to proceed from there? In Namibia's case, the Western countries had worked out a road map to independence back in 1978. In the South African case, there was no such road map. The government knew that the ANC had majority support in the country, but also that there were

other parties that had to participate if the negotiated settlement was to gain real legitimacy. The first steps were to allow people to return from exile, and to release political prisoners. An initial meeting with the ANC was postponed when violence broke out at Sebokeng in the Vaal Triangle south of Johannesburg, but finally took place in May at Groote Schuur, the traditional home of the South African prime minister in Cape Town. Arrangements were agreed for the release of political prisoners and indemnity from prosecution for those returning from exile. A further bilateral meeting in Pretoria in August recognised the ANC's suspension of the armed struggle and made further agreements relating to political prisoners and indemnity.

Mangosuthu Buthelezi was not invited to these meetings, and the ANC would probably not have accepted his presence because of the ongoing violence between ANC and Inkatha supporters. Inkatha was further isolated and its reputation damaged when in 1991 it was revealed that it had received government funding to protest against economic sanctions being imposed on the country. By mid-1991 the government had repealed most of the key apartheid legislation – the Land Act, the Group Areas Act, the Separate Amenities Act and above all the Population Registration Act, which had provided for all South Africans to be racially classified. But the outbreak of more violence from August 1990, now centred in the Witwatersrand, meant that further negotiations between the government and the ANC about the way forward were delayed.

The ANC always insisted that a democratically elected body should draw up the constitution for a post-apartheid South Africa. However, the government knew that the ANC would dominate such a body, and did not want a situation in which the ANC effectively drew up the constitution on its own. It took time to work out a compromise, which was that there would be a two-stage process. In the first stage a multi-party negotiating forum, made up of all existing parties, would draw up an interim constitution, which would provide for a general election to be held. The election campaign period would be overseen by a multi-party body, for only the PAC wanted an external agency to oversee the transition to democracy. Then in the second stage, the body elected would become a Constituent Assembly to draw up a final

constitution. The NP government knew that the ANC had majority support, but in the early phases of the negotiations still hoped that it might split into radical and moderate wings, or that a deal could be done with Inkatha to prevent an outright ANC victory in a democratic election. As the negotiations proceeded, both scenarios became more and more unlikely, and the government sought to ensure that the ANC's ability to draw up a final constitution was somehow limited. The NP opened its membership to all in the hope that it might be able to win at least a blocking one-third of the votes, so that there would have to be compromises in drawing up the final constitution. The NP also insisted that a set of constitutional principles should be included in the interim constitution, principles that would be adjudicated by a new Constitutional Court. The constitutional principles would provide protection to minorities, not through recognising group rights, as De Klerk initially wanted, but through the protection of the fundamental rights of individuals that would be included in a Bill of Rights that would be part of the final constitution.

As the ANC and NP prepared to negotiate, violence sharply escalated. From 1990 to September 1993 a total of 10 495 people died, mostly in KwaZulu-Natal and the East Rand. By March 1991 the violence was so widespread that the political leadership appeared to have lost control. An important step towards peace was taken in September 1991 when twenty-nine political parties and other organisations signed a National Peace Accord. The CP, the PAC, the Azanian People's Organisation (AZAPO) and the Afrikaner Weerstandsbeweging (AWB) did not participate. The NP, the ANC and Inkatha signed the pledge to end political violence and adopted a code of conduct designed to achieve this. The political violence did not end, but the Accord also set up regional and local dispute resolution committees under a National Peace Secretariat. Without the first-rate work these committees did at the local level to bring people together and solve disputes peacefully, the violence would almost certainly have been greater, and it might have threatened the negotiation process itself. At the same time as the Peace Accord was signed, De Klerk appointed a commission of inquiry into the prevention of public violence and intimidation. It was headed by Judge Richard Goldstone, and it soon began to uncover some of the dirty tricks carried out by the security forces and others.



## ON THE EDGE OF THE ABYSS - AND BACK

by Theuns Eloff

(At the time Eloff was involved in the signing of the Peace Accord . Now Professor Eloff is Rector and Vice Chancellor of the Faculty of Economic and Management Sciences, North West University and Chairperson of the Association of Commonwealth Universities)

One year after the release of Nelson Mandela and other political prisoners and the unbanning of the ANC, the National Party government and the ANC had held a number of high-profile bilateral meetings. These resulted in various agreements, such as the Groote Schuur Minute and the Pretoria Minute. However, these were only preparatory steps – ‘talks about talks’, as they were often called – and multi-party constitutional negotiations were not on the horizon yet.

In response to one of the major obstacles, violence in the townships, then President F.W. de Klerk called a peace conference in March 1991. But he did so without consulting the ANC beforehand, which resulted in the ANC rejecting this conference. A joint meeting of business, labour and church leaders decided to intervene, calling individually on Mr De Klerk and Mr Mandela to reconsider their stance in the interests of the country. Neither wanted to yield, and tensions were high. Fortunately, a ‘typical’ South African compromise was reached: the government’s summit could go ahead, and the ANC would not condemn it publicly, as long as no final decisions were taken. Afterward, the ANC would join an inclusive and all-party process to address the issue of violence. The situation turned away from possible disaster.

The first all-party peace meeting included business, labour and church leaders. It was jointly chaired by then Archbishop Desmond Tutu and business leader John Hall – a gathering of more than eighty people at Barlow Park in Johannesburg in March 1991. It was the first time that all major (and some minor) political parties sat in the same room. After hours of radical differences of opinion, stalemate and failure loomed. Chairperson Desmond Tutu called for a coffee break. While tense delegates filed out of the hall, he seemed to sit thoughtfully, deep in prayer. One of the number of young scribes approached him a while later, with a flip chart containing a flow diagram of a possible process forward. It was a simple diagram, outlining practical steps, including the formation of a number of inclusive working groups, to work on specific issues related to the violence. When the delegates returned, Tutu put the flip chart up and asked the



facilitator to explain it. Within fifteen minutes the logjam was broken and a broad process agreed upon unanimously. This led to the National Peace Convention and the signing of the National Peace Accord on 14 September 1991.

Another small but important step in the transition to democracy had been taken.

But even during the Peace Convention, another obstacle threatened the signing ceremony. Hostel-dwelling members of the Inkatha Freedom Party, mostly Zulus, gathered in the street in front of the building where the meeting was taking place. They had been drinking and were demanding to see King Goodwill Zwelithini, who was not even attending the Peace Convention. They were becoming aggressive, and Chief Minister Buthelezi refused to address them. Some ANC members were becoming agitated and told me that they would walk out if something was not done to calm the unruly crowd. I spoke to Minister Roelf Meyer, who spoke to President F.W. de Klerk about the severity of the situation. Based on their previous relationship, the President was able to convince Minister Buthelezi to address the crowd and ask them to disperse. This happened minutes before the meeting was due to start. And so another potential pitfall was avoided.

## CODESA and After

The political violence between supporters of Inkatha and of the ANC continued. There were also massacres on trains carried out by a 'third force', as they were called by the media. Many thought the massacres were orchestrated by members of the security forces seeking to disrupt the negotiation process. Because of all this, it was not until December 1991 that the multiparty negotiating forum first met. It was called the Convention for a Democratic South Africa (CODESA). In the opening sessions, De Klerk accused the ANC of maintaining a private army. This unwise speech aroused Mandela's anger, and he strode to the podium to accuse the government of being illegitimate and racist. Fortunately, this spat soon passed, and the various parties – excluding those who rejected negotiations, such as the PAC and the CP – got down to work.

In Namibia a new constitution had been drawn up in three months, but there the parties were under pressure to complete it so that South African occupation would end. In South Africa it took almost two years from the first meeting of CODESA to the time when the Interim Constitution was completed. Major differences between the two main parties had to be overcome, and as we shall see the entire process broke down for many months in 1992. Relations between De Klerk and Mandela were sometimes frosty, especially over the issue of the political violence. Mandela accused De Klerk of either being involved in this or not doing enough to end it. De Klerk denied the charge and accused the ANC of being involved in the violence itself. Ultimately, however, he realised that only Mandela had the authority to keep the masses behind the negotiation process. So relations between the two men never broke down completely; had they done so, the process itself would have been in serious **jeopardy**.

In many ways, the key year in that process was 1992, when the negotiations did break down for a time, but eventually resumed. In May that year one of the working groups at CODESA reported that it could not reach agreement over the voting percentage required for the Constituent Assembly to adopt a new constitution. This deadlock reflected deeper disagreements over the process and the fact that neither the ANC nor the NP was yet ready to go ahead with finalising an interim constitution and having to fight an election. The ANC was still finding it difficult to adjust from being a liberation movement based in exile to operating as a political party, and the climate of violence was not **propitious** for an election campaign. The NP had received a boost by winning the referendum two months earlier, and was not ready to concede to the ANC on a range of matters relating to the new constitution.

After the breakdown of CODESA, the ANC embarked on a campaign of rolling mass action, which meant bringing its followers out onto the streets to demonstrate the extent of its support. Some in the ANC now called on the organisation to adopt the 'Leipzig option', meaning mass demonstrations that would paralyse the country and hopefully, as the demonstrations in Leipzig in October 1989 had done, help force the government out of power.



Then in mid-June, in the informal settlement of Boiphatong south of Johannesburg, over forty people were massacred by men from a nearby migrant worker hostel – supposedly Zulus who were Inkatha supporters. Mandela spoke of the government ‘killing our people’ and there were accusations that the police had stood by and allowed the massacre to take place, or even that white men with blackened faces had joined in the attack. The allegations of police involvement were rejected by subsequent enquiries, but at the time they strengthened those in the ANC who campaigned for the Leipzig option. The ANC broke off all negotiations with the government and issued a new list of demands. These included the end of all security force involvement in covert operations, the end of migrant labour hostels and the banning of all dangerous weapons in public, including the cultural weapons used mainly by supporters of Inkatha. The ANC also decided now to target the various Bantustan authorities as collaborators with the apartheid state.

In mid 1992 the country faced economic collapse and increased conflict. But from this, the lowest point in the transition, emerged new hope. By the end of September, violence significantly decreased for a time.

One factor behind this was the good relations that had developed between the chief negotiators on the two sides – Roelf Meyer, the Minister of Constitutional Planning, for the NP, and Cyril Ramaphosa, the Secretary General of the ANC, who had developed a reputation as a wily negotiator while he was a trade union leader. When the two men, who were roughly the same age, met at a trout farm, Ramaphosa had famously removed a fishing hook that had become stuck in Meyer’s hand, from this intimate encounter they grew to trust each other. From mid 1992 these two pragmatists formed a ‘back channel’ in which difficult issues were resolved amicably.

**jeopardy** – danger  
**propitious** – favourable, lucky



## Negotiations Resumed

In mid-September 1992 an ANC group attempted to march on Bisho, the capital of the Ciskei Bantustan, to protest against the authoritarian rule of its military dictator. Some Ciskei soldiers opened fire and killed twenty-eight of the demonstrators. This tragedy brought home to the ANC the need to make a deal with the government to get the negotiating process back on track. A proposed march on Ulundi, the capital of the KwaZulu Bantustan, was abandoned, and Meyer and Ramaphosa exchanged ideas about the way forward. Finally Mandela and De Klerk met and signed a Record of Understanding on 26 September, a key document that laid the foundations for a return to negotiations. The two sides committed themselves to calming tensions and finding ways to promote reconciliation. All prisoners whose imprisonment was related to political conflicts of the past would be released, which meant even those who had committed murder. The carrying of cultural weapons was now banned, and hostels were to be fenced.

Underlying the Record of Understanding, though not embodied in it, was the emergence – on both sides – of new thinking about the way forward. Joe Slovo began to argue for a major compromise, based on what he said was a realistic assessment of the balance of forces, the fact that the government had not been defeated and the danger of counter-revolutionary action wrecking the negotiating process. He proposed that the ANC should accept a temporary Government of National Unity (GNU) to ease the transition to democracy. After much discussion this was accepted by the ANC's National Executive Committee in November, provided it did not get in the way of an orderly transition to majority rule. From the ANC perspective, this was not the power-sharing for which De Klerk had called, because there would be no veto for minority parties. The GNU was to last for five years after the first democratic election and would be constituted on the basis of how many votes each party won. Separate 'sunset clauses' would prevent key officials from being removed from office for the same period.



Members of the Afrikaner Weerstand Beweging (AWB) after invading the World Trade Centre in Kempton Park, the venue for the multi-party negotiations. Their leader, Eugene Terreblanche is speaking on a megaphone.

This provided both continuity and some reassurance for those who otherwise could expect to be out of power after the transition. De Klerk repeatedly told his electorate that he was working for power sharing and that he rejected the simple majoritarisim which the ANC advocated, on the grounds that it would mean that minorities would be powerless. For its part, the ANC accused De Klerk of wanting a form of neo-apartheid. In the constitutional negotiations in late 1993, he

finally agreed to allow Meyer to abandon the idea of a veto in the Cabinet of the GNU, hoping that the clauses in the Bill of Rights would offer sufficient minority protection. He had also been assured by then that when it came to power the ANC would adopt the government's economic policy. When he came to write his autobiography, De Klerk would say that persuading the ANC to drop its demand for nationalisation and agree to continue the existing economic system was his greatest achievement. This ignores the fact that the ANC moved towards power in a particular global economic context – one in which neoliberal economic thinking was very powerful. The ANC therefore adjusted its policy and accepted that it would work within the new global system and try to integrate South Africa into global markets.

On 1 April 1993 the formal multi-party negotiations resumed, at the same venue as before. It was now no longer called CODESA, but the Multiparty Negotiating Forum (MPNF). This initially involved twenty-six parties, including the IFP, CP and PAC. The MPNF proceeded on the basis of 'sufficient consensus', which meant in practice agreement by the NP and ANC.

Two key events then seemed to threaten the entire process, but had the contradictory result of pushing it forward. The first was the assassination in Boksburg, east of Johannesburg, on 10 April of the charismatic Chris Hani, general secretary of the SACP and chief of staff of MK, by two right-wingers. Many saw Hani as a potential successor to Mandela. The outpouring of anger at his murder led to considerable rioting and approximately seventy deaths. For a while it seemed likely to bring an end to the entire peace process. But Mandela, appearing on national television, appealed for calm. Then, at a massive funeral for Hani, he argued that the process should instead be accelerated. Mandela's statesmanship and restraint by others averted a possible catastrophe. With a new sense of what failure could mean, the negotiators then worked with a sense of urgency. On 1 June they agreed that the country's first democratic election would be held on April 27 of the following year.



**An excerpt from the television address to the nation by ANC President Nelson Mandela's on the assassination of Chris Hani  
13 April 1993**

Tonight I am reaching out to every single South African, black and white, from the very depths of my being.

A white man, full of prejudice and hate, came to our country and committed a deed so foul that our whole nation teeters on the brink of disaster.

A white woman, of Afrikaner origin, risked her life so that we may know, and bring to justice, this assassin.

The cold-blooded murder of Chris Hani has sent shock waves throughout the country and the world. Our grief and anger are tearing us apart.

What has happened is a national tragedy that has touched millions of people, across the political and colour divide.

Our shared grief and legitimate anger will find expression in nationwide commemorations that coincide with the funeral service.

Tomorrow, in many towns and villages, there will be memorial services to pay homage to one of the greatest revolutionaries this country has ever known.

Every service will open a Memorial Book for Freedom, in which all who want peace and democracy pledge their commitment.

Now is the time for all South Africans to stand together against those who, from any quarter, wish to destroy what Chris Hani gave his life for – the freedom of all of us.

Now is the time for our white compatriots, from whom messages of condolence continue to pour in, to reach out with an understanding of the grievous loss to our nation, to join in the memorial services and the funeral commemorations.

Now is the time for the police to act with sensitivity and restraint, to be real community policemen and women who serve the population as a whole. There must be no further loss of life at this tragic time.

This is a watershed moment for all of us.

Later in June, the far-right AWB was given permission to hold a demonstration outside the World Trade Centre where the MPNF met. Using an armoured vehicle to break into the building, AWB members vandalised the interior and threatened to attack the negotiators. At that point two young white policemen said they would open fire with their automatic weapons. The AWB then retreated. Moderate Afrikaners, including Constand Viljoen, who had retired in 1985 as head of the South African Defence Force, were appalled by the thuggish behaviour of the AWB. Like Hani's murder, this event seemed to show that the country was at the edge of a precipice, and might easily descend into much greater violence and conflict. But like the Hani assassination, the AWB attack on the World Trade Centre served to put pressure on the negotiators to finish their work. They knew that they had to complete their task before the end of November, in order for the election to take place the following April.

It was particularly in this phase of the negotiations that the NP made major concessions, as we shall see in the next chapter. On 18 November 1993 the Interim Constitution was finally completed. It was taken to Parliament to receive endorsement there, to provide the necessary legislative continuity. The nature of the compromises embodied in the Constitution will be analysed in the next chapter, so suffice it to say here that basically it provided for a liberal democratic, multiparty state in which the Constitution was supreme. There would be an independent judiciary, separation of powers, and individual rights protected in a Bill of Rights. A key element of the Interim Constitution was a set of thirty-three constitutional principles, which had to be observed in the writing of the final constitution. The Interim Constitution was signed by F.W. De Klerk and Nelson Mandela early in the morning of 18 November 1993.

Along with the Constitution itself went a set of provisions for the run-up to the first democratic election. As the NP was one of the parties contesting the election, the government could not be allowed to retain all its powers during the transitional period. A Transitional Executive Council was therefore established, made up of representatives from the main parties at the negotiations. Alongside it was an Independent Electoral Commission, which came into being

to run the election. An Independent Media Commission was set up to ensure that state media were unbiased during the months leading to the election. With these new bodies in place, the scene was set for the election campaign.

As we shall see in the next chapter, the question of who would participate in the election and who would not was by no means clear at the end of 1993. The fear remained that those who did not participate might still try to undermine the process.

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# Balancing the Power

Chris Saunders

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Counting votes in the small rural town of Mtunzini during the first democratic elections in 1994.

Once the Interim Constitution had been finalised in November 1993, the scene was set for the first democratic election to be held in April 1994. At the end of 1993, however, it remained unclear how many parties would take part in the election. Some had threatened to boycott and therefore help undermine its legitimacy. In this chapter we will first see how in early 1994 two important parties were brought on board. We will then consider the election itself, before moving on to the aftermath. We will explore the nature of the compromises embodied in the Interim Constitution, and the relationship between that and the final Constitution, the working of the Government of National Unity (GNU) and the move away from the Reconstruction and Development Programme (RDP). The chapter ends with a general assessment of the nature of the negotiated settlement and why it was made.

## Bringing Others on Board

For the first democratic election to be as legitimate as possible, it was necessary for it to be as inclusive as possible.

The Pan Africanist Congress (PAC), which had refused to take part in the negotiations, now agreed to join the process. They made this decision after a series of incidents in 1993 in which cadres of the PAC military wing, known as the Azanian People's Liberation Army (APLA), attacked white people at random. These attacks further emphasised the need to reach a settlement.

However, a greater potential danger to the settlement came from the right-wing whites opposed to it, not least because many white males had served in the South African Defence Force (SADF) and knew how to use weapons. Conscious of this threat, in late 1993 Nelson Mandela and Thabo Mbeki engaged in talks with General Constand Viljoen. He was the head of the Afrikaner Volksfront (People's Front), a coalition of right-wingers opposed to the Interim Constitution. Viljoen was held in high esteem by many Afrikaners as the former head of the SADF. He was finally persuaded to join the process, in part because

of concessions made to him, and in part because of events that took place in Bophuthatswana in March 1994.

Bophuthatswana was a bantustan that had been given its 'independence' by the South Africa government in 1977 – an independence which was not recognised by any country outside of South Africa. It was ruled in authoritarian fashion by Lucas Mangope. The African National Congress (ANC) was refused permission to organise in the Bantustan. In early 1993 protests against Mangope's rule escalated, partly because of his refusal to consider reincorporation into South Africa. Mangope asked Viljoen to help by sending paramilitary forces to reinforce his own army against those pressing for reincorporation. Viljoen, who could draw upon former members of the SADF, agreed to help. However, he did so on condition that the Afrikaner Weerstandsbeweging (AWB) did not participate, for he knew how out of control they could be from his experience at the World Trade Centre the previous June. But the AWB did go in and rampaged through Mmabatho, the capital. In response the Bophuthatswana Defence Force shot and killed three AWB members, two of them in cold blood, an incident that was broadcast widely on television. The South African army then went in and restored order.

After this fiasco, Viljoen agreed that his Volksfront would contest the election. He was persuaded to do so for several reasons. First, he wanted to avoid the danger of civil war. Second, the ANC and the government accepted that a Volkstaat Council would be established to explore the feasibility of the creation of an Afrikaner homeland in the new order, and to propose possible boundaries for such an ethnic state. (In the end no such proposals were forthcoming, because the idea of such a state was absurd.) Third, members of the Council had to be elected members of Parliament. Fourth, an additional Constitutional Principle (number 34) was now added to give the right of self-determination to any community with a common cultural and language heritage. This actually meant virtually nothing in practice, but it was a sop to induce Viljoen and the IFP to participate in the election. As the Conservative Party still refused to participate in the election, Viljoen hoped to gain the votes of at least some of their supporters.



Members of a self-defence unit of ANC during pre-election violence

With only a week to go before the election, Mangosuthu Buthelezi of the Inkatha Freedom Party (IFP) was also persuaded to participate. He had long resented being side-lined by the ANC and the government in the negotiations, and he feared ANC **hegemony** in the new dispensation. Nelson Mandela and Thabo Mbeki, keen to bring him into the process, agreed to his demand for the political differences between the ANC and the IFP to go to international mediation after the election.

Buthelezi was also under pressure from the British and American envoys, Lord Carrington and Henry Kissinger, to participate. His position had been weakened when the Goldstone Commission found evidence that the police had supplied weapons to the IFP, and that IFP members had received weapons training. IFP participation in the

election seemed even less likely after an incident in March outside the ANC's Johannesburg headquarters, Shell House, in which fifty-three IFP demonstrators were killed by gunfire from the ANC building. Then F.W. de Klerk decided to re-impose a State of Emergency in Natal, which also was not well received by Buthelezi.

However, at the last moment a former Kenyan diplomat and a junior member of the Kissinger-Carrington international negotiating team, Professor Washington Okumu persuaded him to participate. He told Buthelezi that if he stayed out he would be isolated, and would then not be able to challenge the new South African state effectively. Once persuaded of this, Buthelezi agreed to sign a memorandum with the government and the ANC that spoke of protecting the role of the King of the Zulus and the Kingdom of Zululand. This agreement was to be included in both the provincial and national constitutions, and all outstanding issues between the IFP and the other parties were to be settled by international mediation.

## The Election

The last-minute involvement of the IFP created a major logistical problem for the Independent Electoral Commission (IEC). The election ballot papers had already been printed. Now, suddenly, the IEC had to print millions of stickers bearing the IFP's name, its crest and a photograph of the leader, and these stickers then had to be attached to the ballot papers. Many additional voting stations had to be established in KwaZulu and Natal.

The ANC reluctantly agreed to separate national and provincial ballots, allowing voters to support different parties nationally and provincially. Initially the ANC had said this would be too confusing, especially to first-time voters. On the day the voting began there were

**hegemony** – political or military dominance, especially of one country over another

explosions in Johannesburg as bombs went off, but those responsible, who were members of the AWB, were soon arrested and the rest of the election went off peacefully. There were long queues of people waiting patiently for hours to vote, many of them for the first time in their lives.

There had been no prior registration of voters, and this caused problems for the IEC, because they did not know in advance how many voters would turn up at polling-stations. Ballot papers had to be flown in when supplies ran out at some stations.

Some days after the election, there was a major scare in the IEC when it became known that a computer hacker had obtained access to the results and begun to alter them, but even that crisis passed. Though there were undoubted irregularities in the election, the general view of observers was that it had been substantially free and fair. Moreover, and this was key to the result being accepted by all, the outcome was one that all the main parties could live with. The ANC obtained 62% of the vote, just short of the two-thirds that would have enabled it to write the final constitution on its own. The National Party's 20% gave it a deputy president as well as a number of places in the GNU Cabinet. The IFP's 10% meant that it would also be represented in the GNU Cabinet. Buthelezi was appointed Minister of Home Affairs by Mandela in the new government, and the IFP won control of KwaZulu-Natal. F.W. De Klerk, the outgoing president, became one of the two deputy presidents, while Mandela chose Thabo Mbeki to be the other one. Cyril Ramaphosa, who was the other contender for that post, then agreed to chair the Constitutional Assembly (discussed below).

To the surprise of some, the Democratic Party (DP) did poorly in the election, winning under 2% of the vote. This was ironic because it had been that party that had argued, before any of the others, for the kind of liberal democratic constitution now put in place. A number of DP leaders, Zac de Beer and Colin Eglin in particular, had played key roles at the Convention for a Democratic South Africa (CODESA) and then at the Multiparty Negotiating Forum (MPNF), but this did not translate into votes for the party, though the DP did win control of the new Western Cape province. The PAC, which as we have seen was a





The Inauguration of Nelson Mandela as the State President of the Republic of South Africa on the 10th May 1994.

late-comer to the process and remained quite disorganised, also won less than 2%. Viljoen's Freedom Front did little better, winning only just over 2% of the vote.

After the results were announced the new Parliament sat in Cape Town, with the new members representing all shades of South Africa's population for the first time. Nelson Mandela was elected President. It had been little more than four years since he had walked out of prison, and he now symbolised the spirit of reconciliation that underpinned the new Constitution. On 10 May, leading figures from all across the world gathered at the stately Union Buildings in Pretoria to see him being sworn in as President. On this emotional day, the peaceful transfer of power was shown in the way the leaders of the armed forces saluted the new President, in the fly-past by helicopters

carrying the new South African flag, and perhaps most strikingly after the ceremony, when Mandela raised De Klerk's arm, with their hands joined above their heads.

## From the Interim to the Final Constitution

The Interim Constitution was a long, detailed document that reflected the compromises embodied in it. While some matters had been agreed relatively easily between the parties, others had been bitterly fought. How were such divisions overcome, so that the document could win general consent?

First of all, the parties agreed on many basic matters: that there should, for example, be a united state, an independent judiciary and a multi-party system of government. The legislature was going to be elected on a proportional representation basis, instead of the former single-member first-past-the-post constituency system. (Both of these approaches are discussed in Chapter 6.) The NP had benefited from that system for decades, but did not want to see it continued, if, as it expected, it would now be a minority party. The party list system that was chosen meant that there was no need to demarcate constituencies, but it also meant little accountability, for the party leadership could determine candidates and the order of names for seats. The power of the party leaders was further increased by the so-called anti-defection clause. This provided that a Member of Parliament (MP) would have to vacate the seat on ceasing to be member of party on whose list he or she had been elected. That MPs would be expelled if they did not toe the party line also increased the power of party leaders. (This clause was amended some years later to allow members of Parliament to cross the floor at certain times without losing their seats, but after some years that window was closed.)

All the bantustans, whether nominally 'independent' or not, were now reincorporated into the new South Africa. Now there would be nine provinces instead of the old four provinces. This was not entirely novel;

the Development Bank of Southern Africa had divided the country into nine development regions some years earlier. From April 1994, the Transkei and Ciskei bantustans and nearby areas mainly settled by whites became Eastern Cape province. The Venda, Gazankulu and Lebowa bantustans were included in the new Northern Transvaal province, which later changed its name to Limpopo. There was also a new Northern Cape province, with the provincial capital at Kimberley, while the area around Johannesburg and Pretoria, the economic powerhouse of the country, became a separate province, which soon acquired the name Gauteng.

The parties to the negotiations were divided on how much power to give to the new provinces. The ANC and its allies regarded **federalism** as neo-apartheid; they preferred a strong central government. On the other hand, the NP, IFP and DP believed in federalism. In the end, although the nine provinces were each given their own government and legislature, these had very limited powers. Schedule 6 of the Interim Constitution specified that the provinces had power over the following areas: agriculture, education, housing, health, local government, police, regional planning, roads, tourism, trade and welfare. But many of these were restricted and subject to national oversight. Furthermore, the national legislature could override any provincial law. The provinces were dependent on getting a share of national revenue, and this was to be determined by a Financial and Fiscal Commission, for the provinces could not impose taxes. So the new system was not nearly as federal as the NP and IFP had wished.

In the new order the Constitution was to be the supreme law. Parliament was no longer the highest authority in the land. The newly-established Constitutional Court, which was seen by the ANC as a counter to a Supreme Court dominated by judges from the old order, was to have the last word on all matters relating to the Constitution

**federalism** – a system of government in which governing authority is divided between a central government and the provinces making up the country



The Constitution of the newly democratic South Africa was printed as a booklet and made freely available to all.

as well as the power to review legislation. It also had to confirm if the final Constitution was in line with the thirty-four Constitutional Principles in the Interim Constitution.

The Constitutional Assembly, made up of the two houses of Parliament, was given two years to draw up the final Constitution. It was recognised that it was important for the public to be involved in the process, and an effort was made to do so. However, in the final analysis it was the Constitutional Assembly that decided on what went into the final Constitution, which in many respects was not all that different from the interim one. A key difference, however,

was that the Bill of Rights in the final Constitution included social and economic rights. The implications of that will be discussed in Chapters 6 and 7.

Once the final Constitution had been drawn up by the Constitutional Assembly in May 1996, it was sent to the Constitutional Court. The Court referred it back to the Constitutional Assembly because it was judged not in line with some of the Constitutional Principles. After the Constitutional Assembly had revised it, it went back to the Constitutional Court, which accepted it in December. It was then signed into law by President Mandela. Most of it came into operation in February 1997.

All judges were now to be selected by a Judicial Services Commission (JSC), which would give a list of names to the President, who would have the last say in who was appointed. Parliament was to remain bicameral, with a National Assembly of 400 members and a Senate, which together constituted the Constitutional Assembly. The National Assembly elected the President, who could serve for only two five-year terms. The DP had wanted the president to be elected separately, as in Namibia, believing this would enhance the separation of powers and allow voters to vote differently for party and president. However, the ANC insisted that the President should be elected by the National Assembly, which meant by the majority party.

The NP and DP had wanted more power to be given to the provinces in the interest of protecting minorities from centralised power. How else might they be protected? As we have seen there was to be a Government of National Unity. Any party that won eighty seats in the Assembly was given the right to choose a Deputy President, while any party with 5% or more of the vote was entitled to have a representative in the GNU Cabinet. Some in the NP had wanted the GNU to be permanent, but De Klerk and Roelf Meyer realised it could only be temporary, not least because the ANC would not have accepted anything else, but also because they saw it as a kind of imposed co-operation that would not work indefinitely. As we noted in the previous chapter, De Klerk also thought that giving any party a veto in the GNU would work against the trust he hoped would

develop, and that if a minority party or parties tried to thwart the will of the majority party it would not work. So the Constitution merely said that the GNU Cabinet was to function in a 'consensus-seeking spirit'.

The NP members in the GNU found their influence limited, and they were powerless if their advice was rejected. They therefore withdrew from the GNU in May 1996, as soon as the draft final Constitution had been approved. De Klerk said he thought it was in the interests of the people he represented to become a forceful opposition instead of working within the GNU any longer. While Inkatha remained in the GNU for the full five years of its existence, the NP began to collapse once outside it. De Klerk himself soon retired from politics, and within a relatively short period the NP itself had ceased to exist. Some of its members formed a New National Party (NNP), which itself had a relatively short life, many of its members joining with the DP to form a new Democratic Alliance (DA).

Though Mandela opposed both white and black domination, he accepted majority rule. For the ANC any power-sharing other than as a temporary expedient meant going against the will of the majority. All individuals would be protected through the Bill of Rights. In the Interim Constitution this did not include socio-economic rights, which were included in the final Constitution, which provided that the Constitutional Court could assess whether they were being progressively realised, based on the available resources.

The question of what the official language of the country should be was a thorny one. The NP had wanted Afrikaans to remain an official language and for mother-tongue education to continue in state schools. For many in the ANC, however, Afrikaans was still thought of



**affirmative action** – any action which is designed to benefit a person who was previously disadvantaged

**expropriation** – when a state takes property from its owner for public use or benefit. Usually compensation is paid to the owner.

as the language of apartheid oppression. The outcome was that eleven languages, including Afrikaans, were now to be official languages, though many expected English to become the main one. It was agreed that, subject to resources and 'limitations of reasonableness', primary and secondary education should wherever possible be offered in the language of preference of learners.

While all were now equal before the law, it was recognised that inequalities could still exist and needed to be addressed. Therefore a clause in the Constitution permitted **affirmative action** for those who had been disadvantaged by unfair discrimination in the past.

Finally, a closing section of the Interim Constitution provided for amnesty, but not for the blanket amnesty that the NP had wanted. As we shall see in the next chapter, this clause paved the way for the first Parliament to pass legislation providing for a Truth and Reconciliation Commission.

## Economic Aspects

Let us turn to the economic aspects of the transition to democracy. As we have seen in Chapter 2, there were many in the ANC who expected the end of apartheid to mean an end to capitalism and a transition to socialism. However, in the global context of the end of the Cold War, the collapse of communism in Eastern Europe and the dissolution of the Soviet Union, it was not surprising that the ANC dropped its commitment to the nationalisation mentioned in the Freedom Charter and instead adopted a neoliberal economic policy. Confiscation of property would have destroyed the economy, but in drawing up the Constitution the ANC wanted to prevent full protection of property, which might prevent redistribution. The outcome was a property clause which said that no deprivation of any rights in property would be permitted, except in accordance with the law. **Expropriation** could only take place for a public purpose and subject to payment of compensation as agreed or as determined by a court of law. Those who had been forcibly removed in the past under racial legislation were entitled to claim restitution. Importantly, this

left the issue of large-scale alienation of land from blacks before 1913 unaddressed.

The ANC had always been committed to redistribution and backed a wide-ranging Reconstruction and Development Programme (RDP), on which it campaigned in the 1994 election. The RDP was a socio-economic charter that promised that a million new houses would be built, running water would be provided for a million people, and massive electrification would take place within five years. In the GNU the NP accepted the idea of such a programme, but thought its realisation unrealistic and tried to water it down. Though the RDP was given its own ministry in the GNU, the ANC soon realised that major redistribution required economic growth. Therefore, under Thabo Mbeki's leadership, it swung towards the adoption in 1996 of a Growth, Employment and Redistribution macro-economic strategy (GEAR) that prioritised economic growth based on foreign investment. White influence in the economy remained strong, though now certain black individuals were given the means to become very wealthy in a very short time. Most whites kept their economic privileges in the new order, although they had effectively lost political power.

## Conclusion

Once the parties accepted the idea that no one group could prevail over the others, some form of negotiated settlement was the only way out. Such a settlement inevitably involved making compromises, and these were also inevitably taken by a small group of people, at first not democratically elected. Some would see the compromises as 'selling out' what had been fought for, but the outcome was a victory for realism over unrealistic expectations. In a sense, it was also inevitably an elite pact, though there was an important popular component in the making of the final Constitution. At a local level there had been many examples of successful negotiations between ANC-aligned civics organisations and white local governments, and as we noted the negotiations over Namibian independence had been successful. The costs and benefits of making an agreement and failing to do so were weighed, and it was realised that the alternative





A detail of the carvings on the doors of the Constitutional Court.

to negotiation was a continuation and intensification of conflict, which would mean the country would become a wasteland. No one wanted that.

By providing exceptional leadership, Nelson Mandela and F.W. de Klerk were able to take their followers with them. These included, on the side of the ANC, militants opposed to negotiating with an apartheid government, and on the government side those who rejected the idea of transferring power to a black government. Neither the ANC nor the NP had a past history of support for liberal democracy. De Klerk's claim that all he was doing was extending democracy to the majority was simplistic and inaccurate. Only the DP had always advocated the kind of constitution that emerged, with checks and balances, a bill of rights, and the constitution itself as the supreme law of the land. The DP was influential beyond its size in the negotiations, and both the ANC and the NP came to see that it was in their interests to reach a constitutional settlement based on such a democracy. The writers of the Constitution saw it as an essential bridge between the old order and the new, and recognised that any constitution can only go part way towards bridging those divisions.

Some now see the Constitution as the outcome of a particular process of bargaining, determined by a particular and uneven balance of forces at the time. Nevertheless, the Constitution embodies certain universal values that apply to all people and across time. As has often been said, however, any constitution is just a piece of paper. The extent to which it becomes part of the culture of the nation will determine in the long run whether it will remain a living document and continue to provide the necessary underpinning to keep our democracy alive.

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# Social and Political Transformation

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an.

President Nelson Mandela, with Cyril Ramaphosa, at the signing of the New Constitution at Sharpeville Stadium on 10 December 1996.



## Introduction

Transformation is about change – not small, ordinary changes, but fundamental changes. In South Africa, the term ‘transformation’ refers to the broad and basic changes that our society has undergone since 1994, and continues to undergo. This is a process that aims to transform the country from its apartheid past to a future that is based on democracy, equality, openness, freedom and dignity for all and as such it is really the continuation of South Africa’s road to peace.

The adoption of democratic constitutions – the Interim Constitution of 1993 and the final Constitution of 1996 – was only the starting point of transformation. Ultimately, the transformation process is not just about amending the laws that we have on the books, but also about changing how we relate to others as pupils, colleagues, friends, sons, daughters, refugees, immigrants and citizens, as well as how communities interact with each other. In other words, this process is incomplete if it only gives the appearance of equality, but allows people to continue to lead lives devoid of dignity, bereft of hope and unable to participate in how their society is governed.

In this chapter, we will examine transformation in South Africa by asking these questions:

- What is transformation and what must be transformed?
- Why did South Africa use a truth and reconciliation programme at the start of the transformation process, and with what success?
- What are the complexities of transformation?
- What does social and political transformation mean?

To make those questions concrete, imagine you are a 16-year-old white boy growing up in South Africa in the 1960s. In most ways, you are very fortunate because you are at the top tier of state-imposed racial categories. Yet, in another way, your life is restricted. Laws and



**disenfranchised** – to take away the right to vote

social conventions limit whom you can be friends with or marry, and you are compelled to serve in the military and defend your country if need be.

Now, imagine you are a young black woman in the early 1970s. Your life is extremely limited. Apartheid laws have removed you from your home in Johannesburg and forced you to live in a separate, far-away area allocated to your family because of their perceived race. You are prohibited from using the same public buildings, transport, parks and beaches as a white person. Your school provides an inferior education, with the result that you cannot compete for jobs or university places. You cannot marry a person of a different race – this would be a crime.

Transformation is about removing those conditions that, in the past, diminished the dignity of the great majority of South Africans, ignored the economic plight of many, and limited the extent to which a person could try to realise his or her potential. In the words of our Constitutional Court, transformation means living in a society that recognises ‘human dignity, the achievement of equality, and the need to improve the quality of life of all citizens’ and to ‘free the potential of each person’.

## Defining Transformation

### **The path to transformation**

South Africa held its first democratic election on 27 April 1994, and in so doing emphatically closed the book on an era marked by prejudice, division and violence. The election set the country on a new path towards overcoming the legacy of racial discrimination, forging national reconciliation between segregated communities, and building a better and prosperous life for all South Africans.

Although the 1994 election represented a radical break from the past, millions of South Africans continued to live under harsh circumstances of poverty and high unemployment, lacking access to basic services such as adequate health care, water and sanitation. Since the apartheid system politically and economically **disenfranchised** black



Sign outside the Constitution Court in all the official languages of South Africa.



people, large inequalities in wealth and advantage have persisted even after the right to vote was extended to all people in 1994.

With the end of apartheid, it was clear that South Africans needed to have a national conversation about the fundamental changes necessary to transform the country, and had to agree on ways to achieve those goals. The formal negotiation process held at Kempton Park near Pretoria between 1991 and 1993 provided a forum for this crucial conversation. At the Convention for a Democratic South Africa (CODESA), various groups agreed to several important processes and principles to help South Africa progress towards democratic governance. These were captured in the Interim Constitution of 1993. The groups who discussed these matters included liberation movements such as the African National Congress (ANC), the outgoing National Party (NP) government, academics and representatives of civil society.

As discussed in greater detail in Chapter 5, those agreements included the manner in which our country would hold its first free and fair election, the procedure the first Parliament after the election would follow when drafting the country's final Constitution, and the set of basic Constitutional Principles that would bind the final Constitution.

In May 1996 Parliament adopted the final Constitution of the Republic of South Africa, a document containing enormous legal, symbolic and practical significance. For now and for the future, the Constitution embodies a set of values that determines our society's political, social and economic structures and social **mores**. Given our specific historical context, it also lays down the framework for the changes that must be made as our country grows into a robust democracy which guarantees equality for all. The Constitution can be regarded as the primary and authoritative source of the vision for South Africa's transformation.

**mores** – (pronounced 'more-ehz') the customs of a community; that is, what the community believes is the right way to behave



## Preamble to the Constitution of the Republic of South Africa (Act 108 of 1996)

We, the people of South Africa,  
Recognise the injustices of our past;  
Honour those who suffered for justice and freedom in our land;  
Respect those who have worked to build and develop our country; and  
Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to –

- Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
- Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
- Improve the quality of life of all citizens and free the potential of each person; and
- Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

The Preamble to the 1996 Constitution envisages a unified, non-racial and non-sexist society based on democratic values, social justice and human rights (see box). The text implies that ‘transformation’ refers to the broad changes that South Africa had and has to make in order to change the country into a functioning constitutional democracy in which there will be human dignity, freedom and equality for all. What exactly did this transformation require of the new government elected in 1994 and of later governments, institutions, communities and individuals?

### **Transitional justice**

First, South Africa had to try to 'heal the wounds of the past' through consciously examining its own troubled history and attempting to come to terms with the past. To do this, a special measure was needed to investigate the past, to assist victims who had suffered under apartheid, and to hold wrongdoers accountable for their actions. South Africa was not unique in this quest. Several countries have experimented with transitional justice mechanisms in order to investigate their violent pasts and create conditions for reconciliation.

### **Building a new national identity**

Second, the country and its people needed to define and build a new national identity. Apartheid policies of division and segregation weakened any sense of national unity and spirit. In 1994, however, when all people became 'equal citizens', communities were given the opportunity to redefine themselves and their country. The adoption of a new state flag as well as other symbolic gestures aided this process, because they represented a bold, new South Africa. Yet these gestures were not sufficient to instil a sense of national unity in South Africans in pursuit of the nation-building process. It was also clear that human relations had to improve, and that there would have to be greater tolerance and respect for difference. A common purpose had to be built so that South Africans, together, could construct the new society based on values underlying democracy, social justice and human rights.

### **Political transformation**

Third, the country had to undergo political transformation. The country sought an entirely new model for the way government conducted its work, and for the way it interacted with people. The government had to demonstrate that it was accountable, responsive and accessible to all South Africans, and did not simply exist to serve a select group. Ordinary people had to be given opportunities to participate in policy and political decision making between national elections, since the Constitution envisaged a democracy that was both representative and participatory.

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State institutions had to conform to the constitutional values of openness, transparency and fairness. For example, during apartheid, the police, the military and the intelligence community operated within a culture of secrecy and violated human rights. Since 1994, new laws and policies were implemented to underpin these institutions and to guide their daily responsibilities.

Importantly, the civil service as a whole had to be reformed to allow all kinds of South Africans to take positions within it. Further, the civil service had to serve all people (rather than a select few) efficiently, transparently and fairly, as required by the Constitution.

During apartheid, the judiciary was distrusted by most of the population as an instrument of the apartheid state. In any democracy, however, the judiciary plays a critical role in safeguarding the rights of citizens, especially against the government or other powerful groups. Since 1994, the judiciary has been required to act independently of the state, to change its racial and gender composition to represent South Africa's demographics, and to interpret laws in a progressive manner.

Basically, political transformation required the three branches of government – the legislature, executive and judiciary – to respect, promote, protect and fulfil people's constitutional rights. This was a significant departure from the past, where the government was unresponsive to the basic needs of the majority of South Africans and thus lacked credibility.

### **Social transformation**

Fourth, the country had to undergo a process of social transformation. Coming to terms with our divided past and the damage inflicted by the apartheid system on people's relationships was an important starting point for social transformation. But, the overarching aim of the new democracy was, and still is, to enhance the capacity of all people to lead fulfilling and dignified lives, particularly those living under difficult conditions. The drafters of the final Constitution realised that the task of creating a just and equal society required something more than removing discriminatory laws from the statute

books. Therefore, concrete remedial measures aimed at uplifting previously disadvantaged groups needed to be adopted for South Africa to achieve equality both in principle and in practice. These measures included affirmative action, employment equity and broad-based black economic empowerment policies,

The experiences of countries around the world demonstrate that a society's prosperity is directly linked to genuine equality among its members. Where major differences exist in quality of life, earning capacity and the conditions people face, there is more likely to be discord and crime. Accordingly, it was widely recognised at the time of transition that achieving equality was a priority that had to be vigorously pursued.

### **Economic transformation**

Fifth, the country had to undergo economic transformation in order to reconstruct its economy, which had been severely weakened and distorted by apartheid. This aspect is discussed in more detail in the next chapter. South Africa's political change took place within the context of the country's re-entry into the global economic community. Since 1994, urgent attention has been given to macro-economic strategies that would result in positive and sustainable growth for the country, while also providing for a more equitable distribution of opportunities and income for people. Many more jobs had to be created in the short, medium and long term, as high unemployment rates generally indicate that people are unable to lift themselves out of poverty and do not enjoy a decent quality of life.

### **Confronting the past**

While the 1994 election marked the beginning of the process to fundamentally change South Africa along the lines described above, the new era did not start with a blank slate. Instead, the new democratic order had to directly confront our history, which was marked by the brutal repression of opposition by the apartheid regime, as well as by episodes of violent opposition by those seeking to topple apartheid. South Africa faced a choice about how to deal with its past in the context of transforming itself. Would it carry out swift revenge against the officials of the apartheid government who

were responsible for mistreating millions of people? Would those who had been involved in repression be prosecuted, as the Allied powers had done at the **Nuremberg Trials** following World War Two? Or would the country try to move beyond the history of repression and violent opposition through some other means? A variety of views emerged in discussions held in the early 1990s.

Some argued that granting 'blanket **amnesty**' to perpetrators of apartheid-era crimes was preferable, claiming it unnecessary to adopt a specific process to engage with the past. According to those in favour of blanket amnesty, focusing on the past would only serve as a distraction to building a reconciled nation. They claimed that South Africa was more likely to achieve reconciliation by 'letting bygones be bygones.'

Others argued that perpetrators should face criminal prosecution in the judicial system, since it was only conviction, sentencing and punishment by a court of law that would serve justice. Advocates of criminal prosecutions did not believe that the reconciliation of former enemies was a central goal for South Africa. They were not convinced by the argument that criminal prosecutions would render reconciliation impossible.

Yet others believed that the most effective way to 'heal the wounds of the past' and foster reconciliation was through appointing a truth commission. In their view, a truth commission represented an appropriate middle ground between blanket amnesty and criminal prosecutions. It could, they believed, be specifically tailored to fit South Africa's complex historical and political landscape.



**Nuremberg Trials** – a series of trials of important leaders of Nazi Germany for serious crimes 'against humanity' that they committed during World War 2. The trials took place in the city of Nuremberg in Germany. Over 200 people were prosecuted. Many were found guilty. Some were hanged and others sentenced to imprisonment.

**amnesty** – an official pardon for people convicted of political offences; an undertaking by the authorities to take no action against specified (usually political) offences during a fixed period

## The Truth and Reconciliation Commission

### **The decision to establish the TRC**

After much debate, South Africa rejected both blanket amnesty and criminal prosecutions in favour of establishing a Truth and Reconciliation Commission (TRC). Why was this route chosen? First, there had been no violent overthrow of the apartheid government. Rather, the weakened position of the apartheid government by the late 1980s was due to anti-apartheid opposition, international sanctions and its own unsustainable economic policies. While settlement negotiations would ultimately lead to a relatively peaceful handover of power to the new democratic government, the white minority retained significant military and economic power during the transition. Negotiators were particularly concerned about the possibility that apartheid security forces, who possessed tremendous numbers of weapons, would refuse to surrender power for fear of facing criminal prosecution and punishment. The negotiators understood that resistance by the apartheid security forces would significantly endanger the possibility of a peaceful transition to democracy unless amnesty was considered.

As negotiations progressed, a dominant view emerged: Instead of granting blanket amnesty or proceeding with potentially divisive criminal prosecutions, a special vehicle was needed to enable a peaceful transition, one that would promote national unity as well as a common South African destiny. Would South Africa not be better served if victims could learn the truth and perpetrators could seek amnesty for their wrongdoings but against certain agreed conditions? Further, since several apartheid operations were covert, many thought that the truth would more efficiently be revealed through 'confessions' rather than trials, where only evidence that satisfies strict legal standards may be introduced. By the end of the negotiations it was agreed that offering amnesty to perpetrators in exchange for truth would be the best means to encourage transgressors to admit their past crimes, for the nation to learn the truth about the past and for the victims to reach some sort of closure.



During the hearings of the Truth and Reconciliation Commission (TRC), apartheid era policeman Jeff Benzien showed how he tortured political prisoners to get information from them.

The decision to establish the TRC was thus an integral part of the historic 'compromise agreement' reached between the anti-apartheid movement and the National Party government. The negotiating parties agreed that amnesty would be offered to those who fully confessed to their crimes, so long as the offenses were committed in pursuit of a political objective. This agreement was **codified** in the post-amble to the Interim Constitution, which stated that amnesty would be granted for 'acts, omissions and offences



associated with a political objective'. This reflected a 'need for understanding but not for vengeance, a need for **reparation** but not for retaliation, a need for ubuntu but not for victimisation'. In this way, the Constitution envisaged that the hate and pain left in the wake of apartheid would be soothed in a manner that promoted unity.

After extensive debate in Parliament, the Promotion of National Reconciliation and Unity Act (the TRC Act) was passed in 1995. The Act provided four main objectives for the TRC:

- to investigate and establish as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed between 1960 and 1994;
- to grant amnesty to perpetrators who made a full disclosure of all relevant facts relating to crimes committed in pursuit of a political objective;
- to identify, locate and recommend reparations to victims of gross human rights violations; and
- to compile a report containing recommendations aimed at preventing future violations of human rights.

Although South Africa suffered various injustices over the centuries, Parliament asked the TRC to deal with the period between 1960 and 1994. It considered these to be the years of the apartheid regime's most ruthless policies of discrimination and abuse.

In international law, apartheid was considered to be a 'crime against humanity'. In that case, why were those who had committed crimes in an effort to end apartheid also required to disclose the truth of their acts in exchange for amnesty?

The decision to investigate abuses committed by both sides to the conflict embodied the important principle that all human beings

**codified** – organise procedures or rules into a written system or code  
**reparation** – a payment or action made in compensation for a wrong done to a person or state

have certain **inalienable** rights. It was believed that even those seeking to liberate the country from an internationally condemned governmental policy were not justified in violating these fundamental rights. Although the TRC acknowledged that anti-apartheid activists had a 'just cause', they nonetheless had to be held accountable for gross violations of human rights.

The TRC began its work in 1995, and finally disbanded in 2002. It had completed the bulk of its activities by October 1998, when it handed its official report to then President Nelson Mandela. Composed of seventeen commissioners and a large support staff, and headed by the widely respected Archbishop Desmond Tutu, it executed its mandate through three committees:

- the Committee on Human Rights Violations (the HRV Committee);
- the Committee on Amnesty (the Amnesty Committee); and
- the Committee on Rehabilitation and Reparations (the R&R Committee).

### The Committee on Human Rights Violations

The HRV Committee gathered evidence relating to human rights violations occurring between 1960 and 1994. TRC staff travelled the width and breadth of the country to collect statements from victims. The Committee held hearings where victims were given the opportunity to tell their traumatic stories of suffering and pain in a supportive environment. Statements were collected from over 20 000 people, 2 000 of whom provided oral testimony at the hearings. The proceedings were open to the public and broadcast widely on television and radio.

In addition to victims' hearings, the HRV Committee held special hearings on specific topics, including the armed forces and police, business and labour, children and youth, women, health, the legal system, media, political parties and religion.




**inalienable** – something that cannot be taken away or given away; often used when speaking about constitutional rights  
**bona fide** – genuine, real

## The Committee on Amnesty

The Amnesty Committee was tasked with considering whether amnesty (criminal and civil) should be granted to individual applicants who had committed gross human rights abuses between 1960 and 1994. Victims and perpetrators had the right to attend amnesty hearings in order to provide information. As required by the TRC Act, the Amnesty Committee granted amnesty only where (1) the applicant committed the act, omission or offence in furtherance of a political objective; and (2) the applicant made a full and truthful disclosure of all relevant facts. So amnesty was not granted in a wholesale fashion. Instead the individual had to make an application to the Amnesty Committee and satisfy the conditions established by the TRC Act.

As the Amnesty Committee was required to determine whether an offence was committed in furtherance of a political objective, it had to be able to tell the difference between such an offence and an ordinary crime without a political purpose.<sup>1</sup>



1. Section 20 of the TRC Act provided the following definition of an 'act with a political objective'. On the part of the liberation movement, it was considered to be an 'offence committed by any member or supporter of a publicly known political organisation on behalf of or in support of such organisation or movement, **bona fide** in furtherance of a political struggle waged by such organisation or movement against the state'. In respect of the state, an 'act with a political objective' was defined as an offence committed by any employee of the state in the course or scope of his or her duties and within the scope of his or her authority directed against a publicly known political organisation or liberation movement engaged in political struggle against the state, and which was committed **bona fide** with the intention of countering the struggle.

The TRC Act set forth the following factors to be considered by the Amnesty Committee in making this determination:

- the motive of the applicant;

## Social and Political Transformation

- the context of his or her act or omission;
- the legal and factual nature and seriousness of the act;
- whether the act was executed in response to an order from, or with the approval of, a political organisation or institution;
- the relationship between the act and the political objective pursued; and
- the proportionality of the act to the objective pursued.

The Amnesty Committee was also required to determine whether an applicant provided a full and truthful disclosure of relevant facts pertaining to the amnesty application. To this end, an investigating unit located within the TRC assisted the Amnesty Committee to verify the truth of applicants' testimony, as well as ensure that applicants provided full disclosure. The Amnesty Committee granted amnesty only if they found that the offence was politically motivated and that the applicant had provided full disclosure.

Amnesty meant that the perpetrator was immune from criminal prosecution by the state, and from civil actions for damages brought by victims. This immunity, however, only applied to acts for which amnesty was granted. If a perpetrator was refused amnesty, or failed to apply for it, criminal and/or civil prosecution against the perpetrator was permitted. Of the 7 127 amnesty applications submitted, 1 146 (16%) were successful.

### **The Committee on Rehabilitation and Reparations**

The R&R Committee was tasked with establishing a comprehensive policy on reparation and restitution for victims, determining who qualified for reparations, and making recommendations to government. While apartheid had severely affected millions of individuals – for example, by forcibly removing people from their homes, subjecting them to pass laws, maintaining segregated and inferior education institutions – only some were eligible to be considered as victims for the purposes of receiving reparations. The TRC Act made it clear that only victims *of gross human rights violations* would qualify for assistance.



Eugene De Kock testifies at the Truth and Reconciliation Commission. De Kock was convicted of a number of crimes carried out during the apartheid era and is still in prison.

According to the TRC Act, a victim was someone who ‘suffered harm in the form of physical or mental injury, emotional suffering, **pecuniary** loss or a substantial impairment of human rights as a result of a gross violation of human rights’. A ‘gross violation of human rights’ involved ‘killing, abduction, torture or severe ill-treatment’. ‘Severe ill-treatment’ required a violation of ‘bodily integrity’.

The R&R Committee checked the 20 000 statements submitted to the TRC by individuals complaining that their rights had been violated, and decided who qualified as a victim. In practice, the R&R Committee considered the findings of the HRV and Amnesty Committees, and then submitted its recommendations to the government. In addition to assessing which individuals qualified for reparation grants, the R&R Committee assessed which victims were eligible for ‘urgent interim reparation’ – a one-time disbursement to assist victims to pay for immediate medical or psychiatric help. The Committee was also asked to make recommendations regarding community rehabilitation and symbolic reparation.

### The TRC Report

From 1996 to 1998, the TRC hearings captured the attention of South Africa as moving stories were broadcast on television and radio across the country. After a five-volume Report was presented to then President Nelson Mandela in October 1998, the TRC was effectively finished its work, although a **skeleton staff** continued to process remaining amnesty applications and address reparation issues until 2001. In 2002 two further volumes were published.



**pecuniary** – having to do with money

**skeleton staff** – the smallest number of people necessary to perform only the basic tasks in a business or organisation. For example: Over the holidays, we only had a skeleton staff on duty to take care of emergencies.

**exhume** – to dig out something, usually a corpse, that has been buried in the ground

**expunge** – remove completely, erase

The Report contains the TRC's comprehensive findings and recommendations. It records the names of those found to be victims of gross human rights violations and the payment of financial reparation to 16 387 victims. Two types of financial reparation were recommended:

- a one-time urgent interim payment of between R2 000 and R5 000, depending on the size of a household, for victims suffering substantial difficulties due to injuries, both physical and financial;
- annual payments ranging between R18 000 and R22 000 over a six-year term, which would cost the state no more than R3 billion; and
- community reparations, services and activities aimed at promoting and healing communities effected by human rights violations.

The TRC also proposed that the government make symbolic gestures of reconciliation, including **exhumations, expunging** criminal records and erecting memorials, as well as programmes to help perpetrators and victims function in the new society.

The TRC Report offered an in-depth examination of historical violence in South Africa and the role of the apartheid state in the violation of gross human rights abuses both inside and outside the country. Among the findings were that the state's security and law enforcement agencies were responsible for the majority of gross human rights violations. While the Report recognised that the liberation movement had fought a just war against criminal policies, it attributed responsibility to various individuals within the liberation movement for specific gross human rights violations. The Report also considered the broader social context that had allowed gross human rights violations to occur, seeking in this way to encourage self-reflection by the various sectors of society (e.g. the judiciary, media, business) and to prompt discussion of their future role in a transforming South Africa. To help prevent a repeat of human rights abuse and to achieve an equitable society, the TRC urged the government, private sector and civil society to address socio-economic inequalities, racism, violence and economic equity. The TRC Report also condemned the destruction of records by officials of the former state from 1990, which did more to undermine the TRC's investigative function than anything else.



A protestor shows a placard that demands that the Truth and Reconciliation Commission must not forgive people who do not tell the whole truth about their actions during apartheid.

## Benefits and Drawbacks of the TRC

The decision to establish a truth commission was bound to be controversial. From the outset there were a number of competing visions of how to deal with the past. Even before the TRC began operating, the family of murdered activist Steve Biko challenged the constitutionality of the commission in the Constitutional Court in the case of *Azanian People's Organization (AZAPO) and Others v. The President of the Republic of South Africa (1996)*. Biko's family claimed that it had a constitutional right to justice and deserved to see alleged perpetrators face criminal charges in a court of law.



After considering detailed arguments on both sides, the Constitutional Court concluded that the amnesty provision was integral to South Africa's transition to democracy and did not violate victims' constitutional rights. Despite its ruling, the Court acknowledged that victims might feel aggrieved by the TRC process, as they could be prevented from obtaining a legal remedy against perpetrators. However, the Constitutional Court stated that without amnesty "both the victims and the culprits who walk on the 'historic bridge' described by [the Interim Constitution] will hobble more than walk to the future with heavy and dragged steps delaying and impeding rapid enthusiastic transition to the new society at the end of the bridge". The court believed that the TRC provided an 'alternative to continuing strife' and that amnesty was the most appropriate means of discovering the truth about the past.

The question of whether amnesty and justice are compatible has prompted a range of responses. Discussions on the TRC process have sought to re-examine the meaning of 'justice' in the context of South Africa's transition to democracy, pointing out that it can take several forms. With respect to the TRC model, the notion of 'restorative justice' was at the forefront of the amnesty process. This conception of justice does not focus on retribution and punishment but on measures that enable victims and perpetrators to learn to live in harmony.

Viewed within the context of the negotiated settlement, many commentators point out that the TRC was an essential element of the historic compromise, aiming to promote national unity and reconciliation. By requiring perpetrators to apply for amnesty, and only granting amnesty to those applicants who made full disclosure of all relevant facts pertaining to politically motivated offences, the TRC sought to make perpetrators accountable for their past actions. Attempting to prosecute perpetrators would have been an extremely long, expensive, painstaking and potentially divisive process that might not have yielded many convictions. There might not have been sufficient evidence to prove perpetrators' guilt beyond a reasonable doubt, and some doubted the judicial system's ability to adequately process numerous complex trials dealing with past abuses.

Did the TRC successfully execute its mandate to reveal the truth about

the past, to assist victims with healing and redress, to hold perpetrators accountable, and to promote national unity and reconciliation? There is no easy answer to this question. By holding hearings across the country, it allowed history to be written through the eyes of individuals and helped to build a memory for the country. It gave a voice to those who previously had none in society, and allowed them to share their stories about their past suffering – a process that has been described as **cathartic**. Unlike many other truth commissions, hearings were held in public, allowing victims to share their pain with the nation. Supporters of the TRC also argue that its structure and processes enabled victims to tell their stories in a compassionate environment, allowed for individual perpetrators to be identified and for victims to assign blame, which are important elements of healing. Many victims said that being able to speak about their experiences in a public setting made them feel that they were being heard and that their pain was being acknowledged. The TRC also published a list of victims' names with a brief description of their experiences, thereby acknowledging their particular role in the history of the country.

During the TRC's life-span, several instances of reconciliation occurred between perpetrators and victims and their families following an admission of the truth. Discovering the truth was said to assist victims in moving on with their lives. Testimonies of perpetrators also allowed for the possibility that loved ones could finally hear the fate of deceased family members and, in some instances, could locate their graves and hold proper funerals. On a broader societal level, the TRC was seen as impacting on the 'national psyche of the country' by creating a greater sense of awareness of, and responsibility for, the crimes committed during apartheid.

The TRC process was not praised by everyone. It has invited significant criticism as well. Several of its amnesty decisions attracted public disapproval. Further, critics point to the fact that many individuals who knew information relevant to the TRC's investigation refused to testify – not only perpetrators but others with crucial information, and key members of state institutions that existed at the time. For example, no officer from the National Intelligence Service testified and, while the police service was more forthcoming, few senior

military personnel presented their cases. Key apartheid Cabinet policy makers either did not testify, or, as with former President P.W. Botha, considered the TRC to be an invalid process.

Few prosecutions have resulted since the TRC completed its work in 2002, and thus many people who either did not apply for or receive amnesty escaped accountability. In some cases, where high-ranking officials faced prosecution, such as former Minister of Defence Magnus Malan, convictions were not achieved. These failed cases highlight the difficulties of prosecuting complex trials involving several actors in a chain of command.

Another criticism of the TRC is that it failed to properly address the needs of the victims of apartheid. In particular, critics note that the reparations process was slow and ineffective. However, some claim that the TRC process was inherently limited in its capacity to aid victims, both financially and emotionally, and that victims had unrealistic expectations of what the TRC would provide in these respects. Furthermore, the government, not the TRC, had the actual responsibility to pay reparations and determine the final amount.

Critics also attack the narrowness of the TRC's mandate, claiming that it drew attention away from the systematic nature of apartheid and its lingering effects on millions of South Africans. The argument is that the TRC focused solely on gross violations of human rights, and thus ignored the widespread suffering experienced by millions of South Africans caused by the systematic and far reaching effects of apartheid. However, supporters of the TRC argue that it was appropriate to so limit the TRC's mandate. They claim that the TRC was part of a larger process of reconstruction and that other processes or policies (e.g. affirmative action, employment equity

**cathartic** – the process of releasing emotions that have been hidden inside a person, as part of a healing process



Mita Molete, whose scalp was hacked with a panga (when she was three years old) during the 1992 Boipatong massacre that occurred during an intense conflict between the IFP and the ANC, at the Truth and Reconciliation amnesty hearings.

and black economic empowerment) were designed to address the systematic dimensions of apartheid and the structural inequalities that persisted in the post-apartheid era. Furthermore, the TRC made a series of recommendations for various sectors of society to assist with reconstruction in an attempt to address the broader picture of inequality.

One of the fundamental principles underlying the TRC was the assumption that reconciliation would be encouraged by permitting victims to recount their traumatic stories, and by allowing perpetrators to confess their crimes. In reality, however, learning the truth does not always lead to immediate reconciliation. Reconciliation requires a common understanding of the past, including knowledge of those who committed atrocities, their motives and context. It involves restoring peaceful coexistence so that conflicting parties can move on and accept each other's integrity.

It is difficult to draw sweeping conclusions about whether the TRC helped to reconcile South Africans. While some victims were emotionally ready to forgive, many others were not. Many perpetrators believed that they were not entirely to blame for their offences, as they were simply carrying out the orders of higher-ranking officials. On the other hand, a number of powerful instances of reconciliation occurred between victims and perpetrators after the truth was revealed.

Is the TRC to be viewed as deficient because of the criticism that it did not produce society-wide reconciliation? Its mandate was not to achieve reconciliation, but to 'promote and encourage the development of reconciliation'. Whatever the TRC's shortcomings in this regard, achieving widespread reconciliation was too vast a task for any commission to achieve, especially given the few years in which the TRC operated. Notwithstanding its shortcomings, the TRC was an essential part of South Africa's transition to democracy, and helped build bridges between people and communities. It played an important role in the healing process and established a new benchmark for public accountability.

Some argue that reconciliation is impossible without material

improvements to the conditions in which many South Africans live. In other words, improvements in peoples' material conditions and everyday lives have to accompany processes aimed at forging unity and national spirit. Time and experience have shown that reconciliation is an ongoing project; and that both the state and its people should continue to work to promote it.

### Transformation - an Ongoing Process

Transformation is an ongoing and complex process. While the government, civil society and individual people have made strides in changing old beliefs, conditions and ways of acting, we still face various challenges. Despite the TRC's accomplishments, people and communities are not yet fully reconciled. While there are clear signs of progress, more effort must be made in order to build a sense of unity around a common South African identity based on shared values, respect and tolerance for others.

Since 1994, the government has demonstrated its commitment to bettering the lives of South Africans by adopting new laws, policies and programmes directed at improving health care, education, land rights, housing and employment. Despite adopting specific measures such as affirmative action, employment equity and skills development for previously disadvantaged groups, the government continues to face challenges in addressing the structural inequalities and deficiencies inherited from the apartheid regime.

Further, many state institutions have not always lived up to the standards expected of them. Some have failed to consult people about their needs, while others have been inefficient in providing basic services.

On the whole, South Africa has yet to achieve the central goal of transformation – substantial equality among its citizens. Almost half of the population live below the poverty line. An increasingly wide gap in wealth divides poor, unemployed South Africans from the

middle and upper classes. The living circumstances of South Africa remain very diverse, with high levels of inequality – both within and between racial groups.

Although people can vote in elections and enjoy a range of human rights, many do not have decent jobs, adequate housing or quality education. Many attribute South Africa's high unemployment rate to lack of training and skills among the population, inadequate investment in the economy, and retrenchments due to competition within the globalised economy. Creating a non-racial and non-sexist society has thus remained a work in progress since the birth of democracy. Despite the strong constitutional guarantee of equality and political participation, and the affirmative duties imposed on the government to ensure basic access to housing, water, health and sanitation services, there is a significant gap between the vision of an open and democratic constitutional order and present-day reality.

Because extreme levels of wealth and poverty persist among South Africans, unity and cohesion remains a challenge. Almost two decades into democracy, South Africa continues to face difficult questions on how to achieve the transformation envisaged by the drafters of the Constitution. These challenges are not unique to South Africa. Many developing countries battle the same issues due to resource limitations, structural deficiencies, and a variety of interests and views.

Once apartheid ended, the new Parliament focused its attention on scrapping race-based legislation. Driven by its new constitutional mandate – to promote social and economic rights – laws were enacted in fields of social security, education, health and employment with the broad goal of overcoming poverty and inequality. But the dismantling of apartheid did not signal the end of social inequity within the country. This is manifested in the troubling trends relating to poverty, inequality and unemployment.

Unemployment remains very high in South Africa. By 2011, the narrow unemployment rate was over 30%, and the broader rate, which includes discouraged job-seekers, was close to 50%. The global

financial crisis of 2009 caused thousands of jobs to be lost in the formal and informal sectors. The Statistics South Africa 2005/2006 Income and Expenditure Survey found that about half (48%) of all South Africans live on a monthly income below R462. Clearly, many people still live in poverty and are unable to lead dignified lives, while life expectancy has continued to decline because of a lack of access to quality public health care.

South Africa's transformation requires that each year the government allocate a substantial portion of its budget to social spending – for example, to education, housing, rural development, health and social protection. One of the more direct means used by the government to alleviate poverty is the provision of social grants – including old age pensions, disability grants and child grants. By 2011 some fifteen million South Africans were receiving social grants, which provided a measure of relief to poor households. But, despite increases each year on social spending and the existence of social grants, South Africa remains one of the most unequal countries in the world. A recent survey revealed the poorest 10% of the population earned an average of R1 032 per capita monthly and the wealthiest 10% earned an average of R98 639 per capita monthly. Therefore, as we head towards the end of the second decade of democracy, the agenda of government (and civil society) continues to reflect the following priorities – alleviating poverty, increasing income, improving efficient service delivery, and narrowing the gap between the poor and the wealthy.

## The Importance of Public Participation

If 'ordinary people' are not included in important matters affecting their daily lives, this weakens our democracy and has a noticeable impact in areas such as HIV/AIDS, education and service delivery. Public participation in the formulation and implementation of laws and policies not only promotes good policy making, but is a fundamental aspect of living in a democracy. Our Constitution, the result of hard-fought negotiation and wide-spread public consultation, requires such participation. It envisages not only formal democracy where citizens





An elderly woman casts her vote in the 1994 election in a remote village in the Eastern Cape.

elect their representatives, but also an ongoing interaction between citizens and their elected representatives. Parliament expresses the will of the people, and is at the heart of both representative and participatory governance. Section 59 (1) of the Constitution – which gives expression to the participatory dimension of our democracy – states that the ‘National Assembly must facilitate public involvement in the legislature and other processes of the Assembly and conduct its business in an open manner’. Institutional mechanisms exist for public participation in national and provincial legislatures.

How has this space for public input into parliamentary process been used and by whom? Very few of the approximately 100 000 non-profit organisations in South Africa, mostly community-based,

have engaged in formal participatory processes such as making submissions to Parliament. Those that have tend to be well-resourced special interest groups or lobbies representing the worlds of big business and finance, or those that current power-holders view more sympathetically. Conspicuous by their absence have been the poor and the marginalised, for obvious reasons: time, communication, transport and education.

A key part of evaluating the state of democracy and political transformation in South Africa must be the extent to which ordinary people feel that their voices are being heard. This is particularly important where the majority of citizens face a wide range of socio-economic problems. How do we encourage a situation where citizens, especially poorer communities, do not feel removed from those who are in power? This challenge goes to the heart of democracy, and is not unique to South Africa. In recent years, attention has turned to the nature and impact of South Africa's electoral system. Does the electoral system at national and provincial level allow for citizens to have sufficient direct contact with their elected representatives? Does it allow them to sufficiently hold leaders to account in between elections?

## Political Transformation and the Electoral System

South Africa's constitutional and legislative framework provides for regular elections. National and provincial elections take place within a 'closed list proportional representation' system. This means that voters vote for a party, rather than for an individual. Each party participating in the election must provide a candidate list, in which party members are nominated in a specific order. The seats in the National Assembly are assigned to parties according to the share of the vote each receives – that is, in a proportional manner.

This is in contrast to a 'constituency-based' system, where a country is divided into various constituencies and voters vote for an individual to represent a particular constituency. Local government elections

in South Africa incorporate a mixed system, where half of the representatives are elected through a proportional representation list system and the other half are elected directly at ward level. The proportional representation system ensures that the national and provincial legislatures are broadly representative, providing a strong sense of inclusiveness for all under majority rule. It was decided to use closed lists in order to increase party identity and cohesion.

Elections in South Africa have seen a consistently high level of public participation. The Independent Electoral Commission (IEC), the body responsible for the organisation and administration of elections, has received much credit for this success. In the first democratic election in 1994 each voter received two ballots – one to vote for a provincial legislature and the second to vote for the National Assembly. A closed-list proportional representation approach was used for both the National Assembly and the nine provincial legislatures.

The process of drafting a final constitution and final electoral arrangements then began, but it was agreed that the arrangements from the Interim Constitution would also govern the 1999 elections. The only difference was that in 1999 the right to vote was limited to registered voters, who had to be South African citizens. In 1994 all permanent residents, even if they were not South African citizens, could vote. (This was because not all returning exiles had had the chance to sort out their South African citizenship by the time the election happened.)

In 2002, Cabinet appointed a task team to finalise South Africa's future electoral system. This team was supposed to propose final arrangements to Parliament before the 2004 election. Chaired by former Opposition Leader Dr Frederick Van Zyl Slabbert, it included members of government and civil society. The process included a survey on voter attitudes towards the current electoral system, a multi-stakeholder conference, and submissions from a range of civil society groupings. Many of the civil society groups argued that the electorate should play a stronger role in the election of Members of Parliament (MPs), in order to strengthen the link between them and representatives in the national and provincial legislatures.. It

was hoped that this would ensure greater accountability between elections.

The task team identified fairness, simplicity and inclusiveness as positive aspects of the existing system, and lack of accountability as its primary weakness. The majority of members proposed a new system that did not drastically change the existing one, and which could be modified in the future to increase accountability. The number of multi-member constituencies in the country should be increased from nine (the existing provinces) to sixty-nine, with one hundred seats being decided according to national closed lists. When the report was tabled, however, Parliament adopted the minority view, which was to keep things as they were. It was said that the majority view would be reconsidered after the 2004 election, but this was not done and the 2009 election continued to use the existing system.

Some people continued to maintain that, while a constituency-based system probably leads to greater accountability, other mechanisms should be devised to facilitate electoral accountability by public representatives to their constituencies and the electorate in general. However, the significant weakness of the electoral system – the lack of accountability, particularly in the context of one-party dominance – was strikingly exposed in the Arms Deal **debacle**.

## The Arms Deal

Between 1995 and 1996, the Ministry of Defence conducted a Strategic Defence Review of the capacity and requirements of the South African National Defence Force (SANDF). One of the main purposes of the Review was to identify key areas in which the SANDF required large capital expenditure. In April 1998, Parliament approved the Review. In September of that year the Cabinet provided details of the new arms and equipment it would purchase at a cost of R29.9 billion over twelve years. In December 1999, the Executive entered into five major arms transactions involving submarines, corvettes, light-utility helicopters, fighter trainers, advanced light fighter aircraft and

maritime helicopters. The purchase of the helicopters was eventually deferred.

As part of his ordinary function under the Constitution, the Auditor-General investigated certain aspects of the arms transactions. He produced a report in September 2000 about several aspects of the government's decision to buy this equipment, as well as the processes involved. In October 2000, Parliament's Standing Committee on Public Accounts (SCOPA) produced its own report on the arms transactions, which raised concerns about the procedures used.

SCOPA's core function is to satisfy the Legislature that money has been spent in accordance with the national Budget – in other words, that the taxpayer is getting 'value for money'. SCOPA should perform a **non-partisan** oversight role to ensure the effective management of fiscal resources. As part of that function, it was the tradition that a member of the Opposition should chair SCOPA. At the time of the arms deal investigation, the chairperson was an Inkatha Freedom Party (IFP) MP, Gavin Woods.

Before the arms deal, SCOPA enjoyed a reputation as one of the best-run, most efficient committees in Parliament. After 1994, MPs from all parties worked together on the committee in a non-partisan way. They established a system of working groups that, assisted by technical support from the parliamentary office of the Auditor-General, enabled the committee to effectively fulfil its duties.

A Joint Investigation Team (JIT) was created to look into the Arms Deal. The team consisted of the Auditor-General, the Public Protector, the National Director of Public Prosecutions and the Special Investigation Unit (SIU) headed by Judge Willem Heath. Heath had developed a

**debacle** – a complete failure or disaster

**non-partisan** – impartial; not supporting any particular cause or political party

strong reputation as a fearless and independent investigator, but the inclusion of the SIU became the focus of much controversy between SCOPA, the Speaker of Parliament and the Presidency. For the SIU to be involved in the Joint Investigation Team, a presidential proclamation was required, and this was never issued by President Mbeki's office. While Opposition MPs on SCOPA argued for the inclusion of the SIU, ANC members of the committee were forced by their party's executive to reverse their previous commitment to the SIU's inclusion. ANC MPs who refused were disciplined. The leading ANC member of SCOPA, Andrew Feinstein, who refused to back down, was replaced by a more co-operative party member. The Speaker of Parliament, Dr Frene Ginwala, reprimanded Woods for writing a letter to President Mbeki to request the inclusion of the SIU in the Joint Investigation Team.

The effectiveness of SCOPA broke down when its members were not able to disagree with their respective political parties. So the Arms Deal damaged the effectiveness of one of Parliament's most important – if not the most crucial – standing committees, turning it into a partisan body. SCOPA has not recovered its former stature, with serious consequences for Parliament's watchdog function. The episode showed that individual MPs remain solely accountable to their parties, and when party interests are in conflict with the public interest, the party's interest remains foremost.

South Africa's system of proportional representation has not only enabled one-party dominance, then. It has also enabled the dominance of party executives over MPs, and consequently over Parliament. These are critical matters for debate because Parliament has a constitutional mandate to exercise oversight over the Executive and promote accountable government.

## Conclusion

South Africa's political and social transformation is based on the country's Constitution. The Preamble envisages a society based on democracy, freedom and equality. The progress we have made, and continue to make, in combating poverty and inequality serves as the



Many people still have no access to taps and other services

ultimate test of our constitutional aspiration to transform the country from its ugly apartheid past into a compassionate and sustainable democracy.

Whereas the pre-1994 regime disregarded individuals' human, political and socio-economic rights, the current democratic regime has pursued various laws, policies and programmes aimed at realising the human and political rights of all South Africans. Access to basic goods, services and economic opportunities has also improved. The TRC process that took place soon after the transition to democracy helped South Africa deal with its turbulent history.

As we move further away in time from the apartheid era, the

phenomenon of a globalised world with rapid technological changes, increasingly open markets and growing class (rather than purely racial) cleavages form the context in which we strive to attain our goals.

As impressive as the transformation process has been, it is full of many complexities and challenges. Many people still do not enjoy all the socio-economic rights afforded to them by the Constitution, and are unable to fulfil their human potential and lead completely dignified lives. There have been many positive developments. However, difficult material conditions and continuing social inequities affect the ability of South Africans to interact with each other, to reconcile, to share common values, and to whole-heartedly embrace the project of nation building.

The break from the past in 1994 awakened hopes that our new democracy would protect and extend the opportunity for dignity and real equality to everyone, and bring about vast improvements to social relationships. This is no easy task, especially given our troubled history. A great deal of progress has been made in a relatively short space of time, but ultimately South Africa's transformation requires on-going efforts. All of us must work hard to promote it.

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# Economic Transformation

Mills Soko

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A mine headgear, a symbol  
of South Africa's struggle to  
transform itself economically



Following the first democratic election in 1994, the incoming government set out to tackle the challenge of reversing decades of racial inequality. One of the major aims was to create a distribution of economic power that would benefit all South Africans, especially those groups that had been politically oppressed and economically exploited. This chapter assesses the progress that has been made by the South African government in transforming the economy since the beginning of the democratic political dispensation in 1994. But to understand these choices properly, it is important, briefly, to revisit some aspects of South Africa's economic history.

### The Era of Colonialism and Apartheid

The discovery of diamonds in 1867 and gold in 1886 launched South Africa on the path of modern economic development and integration into the global economy. Although diamonds were very important for South Africa's economic growth, it was gold mining that drove the country's industrial revolution. Within twenty years of its discovery, gold made up two-thirds of the country's exports. British **colonialism** played a key role in the development of South Africa's mining industry and its growing links with the world economy. This was achieved through massive British investments in mining.

State intervention helped to ensure that there was rapid economic growth, while at the same time providing protection to the white minority against competition from the black majority. European immigrant labour was welcomed to provide the semi-skilled and skilled labour needed by the mining industry. African workers supplied the unskilled labour. This laid the foundation for the development of a racially divided labour force – skilled and semi-skilled white workers and unskilled African workers – created through the enforcement of repressive measures.

At that time, one of the big problems facing the South African economy was that there were not enough South Africans who were willing to work for wages. Somehow, African peasants had to

be convinced to do this kind of work. **Migrant labour**, the lifeblood of capitalist mining, played a very important role in South Africa's industrial transformation. Since 1899 black labour had been recruited by the Chamber of Mines, which kept black miners' wages as low as possible. The **compound system** was used to ensure that African miners moved between their rural families and their all-male mining quarters. The key motive for this was to restrict the miners' ability to learn urban political skills, while also weakening the social structure of the peasantry.

Industrialisation in South Africa was very different to industrialisation in most other countries. In spite of its contribution to wealth creation, the majority black working class did not become part of the country's capitalist social and political systems. Other industrialising societies eventually integrated all their citizens within their legal and socio-political systems. However, white South African governments systematically excluded black people from economic participation.

The rise to power of the National Party (NP) in 1948 raised the degree of state interference in the South African economy to unprecedented levels. Under NP rule, state interference was not limited to the

**colonialism** – the practice of acquiring political control over another country, occupying it, and (usually) exploiting it economically. Colonialism is a form of imperialism which was imposed by the powerful countries of Western Europe on many other parts of the world. It reached its peak in the late nineteenth century. In South Africa, the colonial period began with the arrival of Jan van Riebeeck in the Western Cape in 1652. The process of colonisation was ongoing, and was resisted by African peoples.

**Migrant labour** – Workers who live in one part of the country, usually a rural area, travel to another part of the country to find work. Migrant workers may also come from neighbouring countries. The migrant labour system was encouraged by various governments in South Africa so that big companies, especially the mines, could hire cheap labour. See also **compound system**.

**compound system** – a system of accommodation used by employers in apartheid South Africa to control migrant workers; especially used by mining companies. Male workers were hired for a fixed period, and taken to live in compounds (hostels) near their place of work. Their families could not join them, and they had to return home at the end of the contract. They could come back if they signed a new contract. Living in compounds meant that employers could control all aspects of their workers' lives.

regulation of the international flow of goods, **capital** and technology. It also regulated domestic labour, capital and property rights. White minority rule put pressure on policymakers to implement strategies that would improve white living standards. At the same time, because South Africa was a mineral exporter, it had to import whatever it needed to increase manufacturing and production. So South Africa's growth model during the apartheid years was based on two pillars:

- an industrialisation strategy based on **import-substitution industrialisation** (ISI) and
- reliance on cheap African labour.

The expansion of mass production of consumer goods was linked only to the buying power of the minority white population. The apartheid growth model meant that South Africa's white population became very prosperous. Because the NP government's traditional support base lay in the agricultural sector, the state made sure that subsidies, loans and cheap labour were easily available to farmers. An affirmative action programme was implemented to support the growing Afrikaner capitalist class, and to improve the social and economic status of the Afrikaner working class.

Afrikaner capitalists participated more and more in mining, industry and commerce, all of which had previously been dominated by the English. This resulted in similar Afrikaans and English business interests. The apartheid state also supported the creation of new, mostly Afrikaner-owned, enterprises. Economic growth averaged 6% per year between 1960 and 1969. Driven by foreign investment, the



**capital** – wealth owned by a person, a company or an organisation. It may be invested, lent or borrowed.

**import-substitution industrialisation** – an economic policy that promotes replacing imported goods with goods made inside the country. Such a policy has two advantages. First, it reduces a country's dependence on foreign businesses and foreign currency. Second, it encourages growth of the country's own economy. This policy was adopted by the apartheid government in South Africa in an attempt to reduce its economic reliance on the rest of the world, especially during the time of sanctions.



Germans from East and West Germany stand on the Berlin Wall in November 1989. Photographs like this show how, during a short space of time, the world changed, bringing an end to the Cold War. These events brought changes around the world including having an effect on bringing apartheid to an end.

bulk of which went into the manufacturing sector, this strong growth continued until the early 1970s.

South Africa's economic growth rate fell sharply in the early 1970s. In the next ten years, the annual growth rate decreased to 1.9%, while during the 1980s it averaged a mere 1.5%. Some experts believe that the sharp economic downturn was due mostly to the way that the apartheid system had structured the South African economy

– which was the result of the country's racially-based social and labour relations system. This resulted in skills shortages and falling productivity.

There were other factors as well, including:

- the failure of South Africa's manufacturing sector to export goods;
- the rising costs of capital goods imports;
- growing instability in export earnings;
- decreasing foreign investment;
- more and more money being sent out of the country by wealthy South Africans; and
- many South Africans living beyond their means, consuming more than the country was able to produce.

At a political level, the deliberate exclusion of the African majority from the mainstream of the economy had resulted in a series of popular struggles aimed at challenging the legitimacy of the apartheid state. This anti-apartheid resistance was triggered by a number of developments. The first was closely linked to the economic crisis. The dramatic rise in unemployment, combined with high inflation, sparked a chain of damaging labour strikes in 1973. The second development was the advance of national liberation struggles in Southern Africa. The attainment of independence in Angola and Mozambique boosted the morale of black people, while making the apartheid state feel increasingly threatened. Tied to this was the phenomenal growth and popularity of the Black Consciousness Movement, which mobilised the black majority against white racial supremacy. This many-sided crisis demonstrated that the inward-looking growth policies pursued by the apartheid state had become self-defeating, despite the impressive levels of industrialisation they had achieved.

When the African National Congress (ANC) assumed political power in 1994, it inherited a sick economy characterised by many serious challenges:

- a low economic growth rate;
- falling investment rates and capital flight;
- a high unemployment rate;
- negative foreign reserves;



- unsustainable levels of public debt;
- a dire shortage of skilled labour;
- vast racially-based social and economic inequalities;
- poor industrial relations;
- low investment in research and development;
- declining international competitiveness;
- a stunted small- and medium-sized business sector;
- industrial decay; and
- **balance-of-payments difficulties.**

The scale of the economic mess inherited by the ANC government was captured by Chris Liebenberg, the second Minister of Finance in a democratic South Africa, soon after his appointment to the Cabinet: “I was shocked. Absolutely shocked. I came home one night and said to my wife, ‘I don’t know what I let my head into, but this country is bankrupt.’”<sup>1</sup>

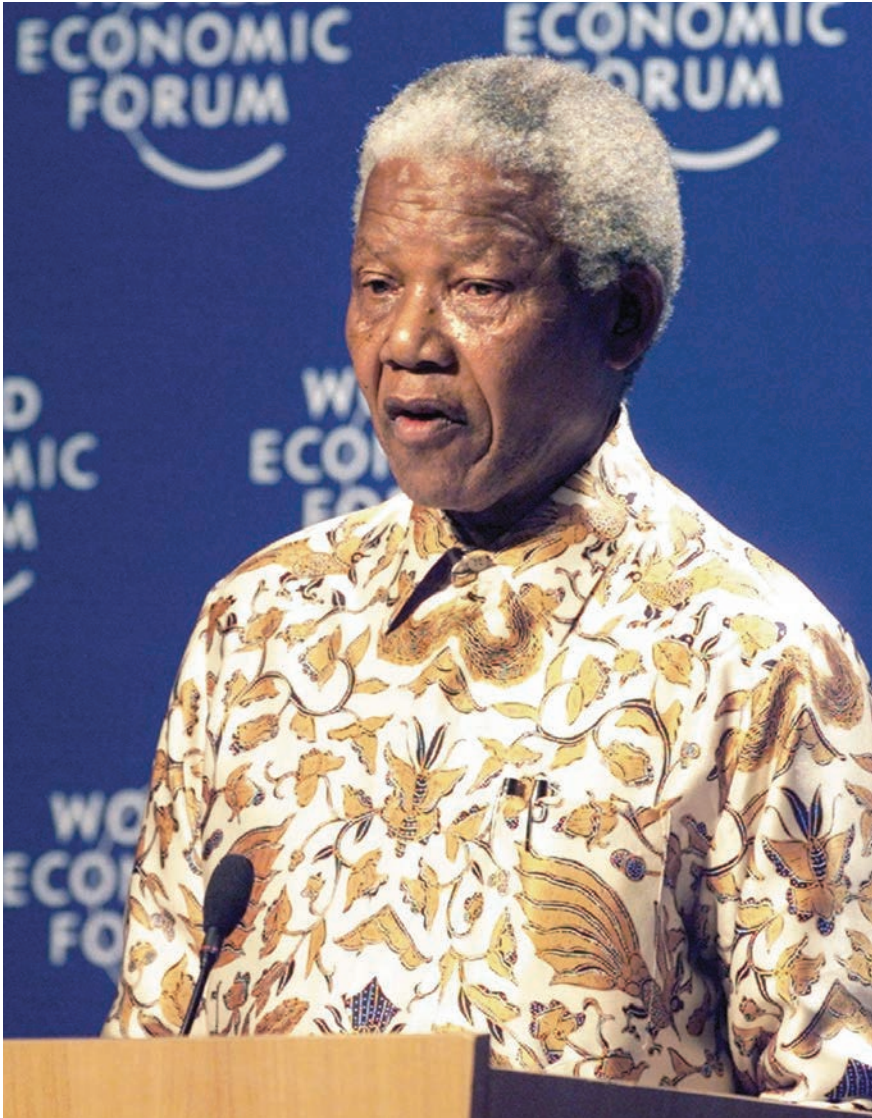
## Economic Policy Choices made by the ANC in the Early 1990s

The incoming ANC government was faced with two main economic challenges:

- implementing policies that would redistribute income, wealth and economic power; and
- creating a climate favourable to rapid economic growth.

The problem was that the ANC did not have a workable economic policy when it was legalised in 1990. Historically, the ANC’s economic thinking had been based on the Freedom Charter, which had been adopted in 1955. The Freedom Charter called for, among other things, the nationalisation of mines, banks and monopolies while demanding

**balance-of-payments difficulties** – the difference in total value between payments into and out of a country over a period of time




When South African President, Nelson Rohlhala Mandela attended the World Economic Forum in Davos.

equal access for all to health, education and legal rights. Its main shortfall, though, was that it failed to specify how its commitment to social and economic change would translate into a practical economic policy programme. This was to remain a problem in the years that followed.

There were several reasons for the obscure nature of ANC economic policy statements. For example, during the liberation struggle the organisation had been too preoccupied with the immediate challenge of overthrowing the apartheid state to worry about economic issues. The character of the liberation movement was also a factor. The ANC had always believed that it was a 'broad church' – that is, it provided a political home to opponents of the apartheid system irrespective of their race, class, sex, creed or religion. Because of this, it made strategic sense for the ANC to try to make all these different constituencies feel at home in the organisation. Sticking to vague economic policy statements had helped to unite the anti-apartheid coalition.

The dynamics of ANC economic policymaking were complicated, in particular, by the increasingly influential role that trade unions played in the anti-apartheid struggle. To a significant degree, the internal struggle against apartheid relied on the organisational strength of the labour unions. In return for supporting the ANC-led liberation struggle, the unions expected to have a greater role in the South African economy, even though their approaches differed on how this should be achieved. Some unions called for the implementation of traditional Soviet-style socialist policies, while others favoured social democratic policies similar to those of the Nordic countries.

The **ambiguity** of ANC policy declarations also served as one of the liberation movement's bargaining tools against the departing, yet still in power, NP government. For example, following his release from prison in 1990, Nelson Mandela did not rule out nationalisation of the economy as a policy option, but did not clearly come out in favour of it either. At the time, the NP government was in the process of privatising publicly owned companies so that they would not come under the control of a future ANC government. In a speech to business



**ambiguity** – being unclear because something is not described in enough detail

executives in May 1990, Mandela rejected the NP's privatisation plans completely, remarking, "It would only seem reasonable that so important a question as the disposal of public property be held over until a truly representative government is in place".<sup>2</sup>

The vagueness of ANC economic policy pronouncements does not, of course, imply that the liberation movement did not recognise the importance of developing proper economic policies. In fact, during the mid-1980s ANC intellectuals participated in several international conferences which provided them with the opportunity to explore with economists from inside and outside South Africa ways of tackling post-apartheid economic challenges. In addition to these policy conferences, a series of meetings were held between the ANC and South African business leaders to discuss future economic policy options for South Africa. Furthermore, the ANC set up the Department of Economics and Planning – later the Department of Economic Policy (DEP). Other initiatives during this time included the creation of Economic Research on Southern Africa, a London-based research group that produced a series of reports for the ANC. Within South Africa a similar research group, known as the Economic Trends Group, was set up to advise the Congress of South African Trade Unions (COSATU) on economic policy matters. Even so, despite their importance, the outcomes of these initiatives still did not have formal policy status within the ANC.

It was only in the 1990s that ANC economic thinking became more concrete and eventually became official government policy. In 1990, the DEP published a draft economic manifesto. The document was notable for its emphasis on 'economic restructuring'. It also suggested a crucial role for the state in strategic industrial planning and wealth redistribution, while demanding the overhaul of the financial sector. Furthermore, the document advocated a break-up of the large white-controlled firms that had traditionally dominated the South African economy in order to encourage competition and facilitate the growth of the small business sector. Additionally, the ANC document called for a high-wage economy and a greater role for trade unions in the formulation of economic policy. In sum, the document argued for a 'growth through redistribution' model. This model envisaged that

wealth redistribution would fuel growth, and the benefits of growth would then be redirected to meet the basic needs of the population.

Alongside the work of the DEP, in 1991 the ANC established the Macro-Economic Research Group (MERG) to formulate a new economic model for South Africa. MERG published its report in 1993. The report's central argument was that the economy could best be reformed through the labour market – with improved training and higher wages – and through measures designed to improve the structure of business. It advocated a two-phase growth plan – a 'public-investment-led phase' and a 'sustained growth phase' – that would link growth to increased savings and investment. This marked a shift from the growth path proposed under the previous 'growth through redistribution' model. The report envisioned a growth rate of 5% per year, as well as the creation of 300 000 jobs every year. This would be achieved through, among other things:

- expanded state investment in social and physical infrastructure;
- a strong industrial policy which supported training, education and technological progress; and
- the restructuring of institutions responsible for formulating and managing South African trade and industrial policies.

The period following the release of the MERG report was marked by a rapid shift to conservative economic thinking on the part of the ANC. This shift had first become evident at the ANC's policy conference in May 1992. This conference was important because the policies it adopted tied the ANC to an election platform and would guide a future democratic government. Two **contentious** issues dominated the conference: nationalisation, and the democratic government's relationship with the international financial institutions, namely the World Bank and the International Monetary Fund (IMF).

**contentious** – causing or likely to cause disagreement or controversy



There was a great deal of debate about the nationalisation question. The outcome was a carefully worded policy compromise. The document said, “The state should respond to the needs of the national economy in a flexible way... the balance of evidence will guide the decision for or against various policy measures”.<sup>3</sup> It also stated that the democratic government would consider increasing the public sector to improve efficiency, to enable affirmative action, and to empower those who had been historically disadvantaged.

In terms of international financial institutions, the conference document stated that relations with the World Bank and the IMF would be conducted in ways that would allow South Africa to control its own policy making, and promote the interests of all South Africans. Furthermore, the democratic state would seek to reduce its dependence on such institutions.

The conference made a commitment to liberalise South Africa’s trade policies and to create a policy environment that would attract foreign investment. Significantly, the ‘growth through redistribution’ approach that had been promoted in previous documents was discarded. Instead greater attention was paid to promoting **free-market economics**.

It is difficult to isolate a single reason why the ANC suddenly became economically conservative. However, a combination of factors seemed to have played a role in bringing about this change in ideological outlook.



**free-market economics** – a form of economics that emphasises that there should be as little government regulation of the economy as possible. A free-market economy is an economy in which prices are determined by supply and demand. Usually, the government does not interfere in competition between businesses.

**central economic planning** – Major economic decisions about how the economy should function are taken by the central government, including what and how much should be produced, and how it should be distributed.


**financial deregulation** – the removal or simplification of government rules relating to the control of financial institutions such as banks or insurance companies, or of rules that control the movement of money into or out of the country

First, the collapse of the Soviet Union in the late 1980s sparked a robust debate within the ANC and raised doubts about the effectiveness of **central economic planning**. The end of Soviet communism marked the triumph of free-market capitalism, which was consolidated by the rising prominence of and adoption by national governments of economic policies mirroring the so-called ‘Washington Consensus’. This was a set of policy regulations promoted by the international financial institutions and the United States Treasury as a standard reform package for the economies of crisis-hit developing countries. The measures included tax reform, privatisation of state enterprises, **financial deregulation**, trade liberalisation and **fiscal deficit reduction**. Second, the ANC’s policy debates were strongly influenced by the World Bank and the IMF, who supported and recommended the Washington Consensus. During the early 1990s, a variety of studies and conferences sponsored by the World Bank and the IMF took place in South Africa with the express purpose of winning the ANC leadership over to neo-liberal economic policies. As Jay Naidoo, former secretary general of COSATU, remarked, “In our policy debates we drew on the intellectual expertise of the policy experts and economists who were working for the World Bank, but we resisted the temptation to draw funds from the World Bank and the International Monetary Fund”.<sup>4</sup>

Third, ANC leaders were subjected to intense ideological **lobbying** by both international and domestic business. Mandela’s views on nationalisation changed when he attended an international conference early in 1992. In his biography of Mandela, Anthony Sampson explains how this came about:


**fiscal deficit reduction** – If a government spends more than it earns from taxation and other sources of income, the amount that it owes is called a fiscal deficit. Fiscal deficit reduction refers to government actions to reduce what it owes because of this deficit.

**lobbying** – an organised attempt to influence a group of legislators (the people making the laws of a province or country) or a political party



It was not until February 1992, when Mandela went to the World Economic Forum in Davos, Switzerland, that he finally turned against nationalisation. He was **lionised** by the world's bankers and industrialists at lunches and dinners. He argued with them that other industrial countries, including Britain, Germany and Japan, had needed nationalised industries to restore their economies after world wars.<sup>5</sup>


However, Mandela discarded his views on nationalisation after he had listened to three sympathetic delegates at the forum. As Sampson noted:



'They changed my views altogether', recalled Mandela. 'I came home to say: Chaps, we have to choose. We either keep nationalisation and get no investment, or we modify our own attitude and get investment'.<sup>6</sup>

At home, a series of strategic planning documents and meetings held after 1990 by various businesses had a significant effect on the thinking of the ANC leadership. These meetings were designed to sway the ANC leadership's economic views towards free-market capitalism. They included the *Mont Fleur Scenarios*, the Nedcor/Old Mutual's *Prospects for a Successful Transition*, Sanlam's Platform for Investment, and the South African Chamber of Commerce's *Economic Options for South Africa*.

Growing economic **pragmatism** on the part of the ANC leadership, therefore, played a crucial role in the liberation movement's economic



**lionised** – to treat someone as a celebrity  
**pragmatism** – an approach to life or action that is based on doing things in a practical way





A protest march by the Congress of South African Trade Unions (COSATU) against the Growth, Employment and Redistribution Programme (GEAR).

policy shift. With the support of Nelson Mandela and Thabo Mbeki, this policy pragmatism was championed by the DEP. At the time, the DEP was headed by Trevor Manuel, who became South Africa's Minister of Finance in 1996.

Although they were crucial to altering the ANC leadership's thinking on economic issues, the approaches of international financial institutions as well as international and domestic business did not go unchallenged. Within the ANC there was considerable resistance to the emerging ideological shift. This resistance first became clear at the 1992 ANC Policy Conference, where delegates sympathetic to COSATU strongly influenced economic policy resolutions. So, although the final text of the adopted policy guidelines did not make

reference to the previous 'growth through redistribution' model, it was nonetheless still quite radical in content.

COSATU's opposition to the ideological shift in economic thinking within the ANC was two-fold. First, it pushed for greater influence in macroeconomic policymaking. Second, the labour federation proposed the idea of a 'reconstruction accord'. The intention was to ensure that COSATU's electoral support was conditional on the ANC committing itself to the accord. Significantly, the accord paved the way for the Reconstruction and Development Programme (RDP), a set of socio-economic targets against which the performance of the ANC government would be measured by the trade union movement.

## The Economic Policies of Successive ANC Governments

The RDP represented the socio-economic platform upon which the ANC fought the first democratic election in 1994. It set out a comprehensive analysis of South Africa's developmental problems, stressing the importance not only of a new growth path for the country but also of transforming its politics, economy and society. It promised, among other things, to:

- \* generate 2.5 million new jobs in ten years;
- \* construct a million low-cost homes by 2000;
- \* supply electricity to 2.5 million homes by 2000;
- \* provide running water and sewage systems to a million families;
- \* redistribute 30% of agricultural land to small-scale black farmers within five years;
- \* provide ten years of compulsory, free education for South Africa's children;
- \* upgrade and increase infrastructure through a public works programme; and
- \* reform state institutions to mirror the racial, class and gender demographics of South African society.

However, the 1994 RDP White Paper – outlining how the government would translate these policy proposals into policy – reflected

important changes from the original RDP document. For example, while some of the targets in the original document were left intact in the White Paper, others were replaced by more general objectives. Crucially, the key principles of the original document were changed, with the initial focus on redistribution being replaced by a stronger emphasis on obstacles to growth and investment.

In 1996, the RDP made way for the Growth, Employment and Redistribution Strategy (GEAR). GEAR was launched at a time when there was a currency crisis in South Africa. It was seen by some as an attempt to defuse the hostility and lack of confidence that financial markets and business felt towards South Africa after 1994. The introduction of GEAR sparked anger among the ANC's Alliance partners – COSATU and the South African Communist Party (SACP). GEAR came three months after the controversial scrapping of the RDP – with the minister responsible for the RDP not even being officially informed of the decision to close down his ministry. Its launch brought to a head simmering tensions between the ANC and its Alliance partners, centred mainly around what was perceived to be a change in the ANC's political culture. The Alliance partners believed that the ruling party's leadership had failed to sufficiently consult its partners during the process of formulating GEAR. Both COSATU and the SACP were suspicious of GEAR because of the closure of the RDP office. They were concerned about cutting the deficit, and believed that the ANC was 'selling out' to Washington.

GEAR sought to create conditions to attract foreign investment and grow exports. To this end, GEAR laid the basis for implementing a variety of investor-friendly measures:

- \* a steady relaxation of exchange controls;
- \* easing of import duties;
- \* deregulation of financial markets;
- \* introduction of a flexible labour market;
- \* privatisation of state assets; and
- \* the pursuance of export-oriented growth.

In particular, the privatisation of state assets and export-oriented growth were promoted as crucial ways to encourage investment in

the country. GEAR predicted that the economy would grow from 3.5% in 1996 to 6.1% in 2000. It also predicted the creation of more than one million new jobs by 2000 and a boost of exports by an average 8.4% per year.

Key to South Africa's economic transformation has also been the policy of Black Economic Empowerment (BEE). The policy was introduced against the backdrop of growing uneasiness about the slow pace of social and economic change following South Africa's transition to democracy. There was growing frustration among ANC leaders and among large sections of black business that the South African economy was still being disproportionately controlled by white people. The BEE policy has developed in three waves.

The first wave was characterised by a narrow focus on black ownership and by the sale of shares by historically white businesses to black businesspeople and politicians. The transfer of share ownership happened voluntarily and with little government involvement.

The second BEE wave began with the creation in 1998 of the BEE Commission, chaired by political and business leader, Cyril Ramaphosa. The Commission's report, released in 2001, called for greater involvement by the state because voluntary programmes by the private sector had not provided adequate results. It affirmed a broad-based approach to BEE, and sought to include other elements of empowerment such as skills development and employment equity. This was also accompanied by the development of industry charters, which tried to standardise codes of good practice and set transformation goals.

The third BEE wave started with the introduction of a government preferential procurement strategy. This strategy sought to empower small, medium and micro enterprises, and reserved contracts for companies that showed acceptable levels of transformation. The government also enacted the Employment Equity Act of 1998, which became a vital part of the state's wider BEE policy framework. The Act required firms to 'implement an affirmative action approach in their labour recruitment and training policies'.

Land reform has also been vital to the South African government's efforts to change the racial structure of the South African economy. In the past, land ownership was used to entrench white political and economic supremacy. Black ownership was restricted to 13% of the country's land area. In 1994, the government set a target of handing over 30% of commercial farmland to blacks by 2014 as part of a plan to redress racial imbalances in land distribution caused by apartheid.

## Assessment of Post-apartheid Economic Policy

A mixture of policy reforms implemented by the South African government since 1994 helped to stabilise South Africa's macroeconomic policies and improve the country's economic performance. The South African economy recorded several years of uninterrupted growth – the longest since the 1940s. The economy grew by an average of 2.7% from 1995 to 2004, and by an average of 5% from 2005 to 2007. Economic growth, in turn, has resulted in a gradual rise in the country's **per capita** income. Even so, the economy's growth was modest by emerging markets standards. For example, growth in South Africa from 1993 to 2003 was three times less than that of Thailand and Malaysia. Higher levels of sustained economic growth – at least 6% to 7% – are needed to deal with social and developmental problems.

Though new investment created more than three million new jobs from 1995 to 2008, economic policies have failed to reduce South Africa's high national unemployment rate significantly. Most foreign investments have not been channelled into job-creating operations, but into buying market share or establishing partnerships with South African firms. The other investment pattern has been in the form of rapid buying and selling of shares in South Africa's financial markets.

**per capita** – per person



Informal settlements are still very much part of the new South Africa even though many strides have been made in providing housing

This may make money for the buyers and sellers, but does not create jobs in South Africa.

The failure of GEAR to fulfil its key objectives presented the ANC government with a dilemma. The government was aware that it had to do something to address the widespread poverty and joblessness plaguing South Africa. This was necessary if the government was to keep its political support and avoid social instability. However, the government did not pursue such a course of action. It was afraid that adopting policies that were too different from international trends would damage its international reputation for fiscal **prudence**. Within the country, though, the government had been criticised by its

Alliance partners and by civil society groups for putting the interests of foreign investors ahead of those of its grassroots constituency – the black working class.

Conceding the limitations of GEAR, in February 2006 the ANC government introduced the Accelerated and Shared Growth Initiative for South Africa (AsgiSA). AsgiSA was designed to unblock the **constraints** that hampered GEAR. The identified constraints were currency volatility, the high cost and inefficiency of the national logistics system, skills shortages, a lack of competition, a poor regulatory environment for businesses, and poor state capacity.

BEE – the most extensive attempt by the ANC government to transform the South African economy – has had a mixed impact. Although BEE initially succeeded in promoting black share ownership in the business sector, it soon became clear that this type of empowerment was neither sustainable nor did it seek to empower the broader black population. Only a few politically connected individuals benefited. Also, it saddled participants with debt and created tendencies toward opportunism and **cronyism**.

It was the recognition of these limitations that led the government to change the BEE approach from a focus on narrow ownership to broad-based empowerment. The broad-based approach to BEE has a number of advantages. It has:

- \* enabled black participants to have access to new procurement opportunities;
- \* allowed for their active involvement in running their own businesses;
- \* created opportunities for them to unleash their entrepreneurial flair;

**prudence** – forethought, caution, care

**constraints** – a limitation or restriction

**cronyism** – appointing friends or people you work with to positions of authority, not because they are the right people for the job but because you are doing them a favour

## Economic Transformation

- \* helped start-up businesses through the development phase by providing operational and financial support; and
- \* ensured through preferential procurement requirements that all companies in the supply chain contributed to BEE.

However, there are still concerns that existing BEE policy has not really transformed the South African economy. Has it really changed the existing economic structure? Has it created new markets, investments and domestic demand? The challenge is to develop and embrace strategies that will meaningfully transform the economy and society to reflect a changed and prosperous South Africa, where all racial and social groups are empowered and able to enjoy the fruits of democracy.

Land reform has probably been the most glaring policy failure of the ANC government. According to the Department of Rural Development and Land Affairs, nine out of ten black farmers who were given land through the government's land redistribution programme have failed. This failure could be due to a number of factors. On the government side, it could include inadequate technical capacity, incompetence and corruption. On the part of those who received the land, it could include their inability to produce effectively on the land. The government has given up on its target to transfer 30% of the land, and has decided to focus on assisting existing black farmers who have already received land.

## Post-apartheid Social Policy

### The general picture

There are some severe social problems in South Africa. For example:

- \* In 1994, it was estimated that seventeen million South Africans lived in poverty, accounting for between 35% and 40% of the population. Ten years later, it was estimated that between 45% and 55% of South Africans lived in poverty. This was a rise both in absolute numbers and proportion since 1994.
- \* The official unemployment rate is based on the expanded definition of unemployment – that is, it includes those of working



age who want to work but who have given up looking for work. In 2004 it was about 40%. Moreover, it was estimated that one in five workers was employed in the informal sector – that is, they did not have jobs in regular businesses or companies, but worked as ‘entrepreneurs’, often on the streets.

- \* In 1994, 5% of the South African population (mostly whites) owned 88% of the nation’s wealth.
- \* In 1993, 60% of the health budget was spent on only 23% percent of the population.
- \* Regarding income inequality, in 1996 the Gini-coefficient was estimated at 0.69, compared with an average of 0.43 for developed countries.
- \* In 1994, there was an estimated backlog of about three million houses.
- \* In 1994, about twelve million South Africans lacked access to water, and twenty-one million lacked sanitation services.

### **Education and training**

In 2008, spending on education accounted for 20% of the national budget and for about 5.5% of national GDP. School enrolment has grown noticeably since 1994 as a result of the introduction of compulsory education. In 2008, primary school enrolment stood at about 97%, while secondary school enrolment was 92% for girls and 85% for boys. Access to education has been equalised, and South Africa’s education system has become integrated.

Matric pass rates rose from 58% in 1994 to 63% in 2008, and the number of matriculants who passed Mathematics grew from 95 000 in 1997 to 149 228 in 2007. In terms of access to higher education, the share of black students at universities has grown, and a number of universities have become more representative – in respect of race, class and gender – than they were at the start of South Africa’s democracy.

Despite these achievements, the quality of school education still leaves much to be desired. South African children continue to fare poorly in Mathematics, Science and literacy tests. Although the matric pass rate has increased, only 20% are eligible for university study.

Many schools still do not have adequate infrastructure – 79% without libraries, 60% without laboratories, and 68% without computers. Many teachers are poorly qualified, and morale among educators is low. All this suggests that the government has done well in terms of promoting access to education, but not so well in improving the quality of education.

Linked to poor school education is a failed skills training system, represented by the Sector Education Training Authorities (SETAs). The SETAs were set up with the aim of tackling South Africa's skills shortage. In 2007, the country had a shortage of about 300 000 skilled workers. The SETAs have failed to adequately develop or improve the skills required in the country. Skills shortages and inadequate training have been major obstacles to attracting foreign investment and to economic growth in South Africa. They have also made it difficult for the South African labour force to adapt to technological changes in the economy and the workplace.

### Health

Government spending on health has also increased. Making up over 3.5% of national GDP, spending on public health in South Africa compares favourably with spending in industrialised countries. The abolition in 1996 of primary health care fees has increased access to health care. However, in spite of the expanded investment in public health, the overall performance of South Africa's health system has been terrible. South Africa has the fourth-highest rate of infection of HIV/AIDS, and the fourth-highest rate of tuberculosis (TB) in the world. Due largely to these diseases, life expectancy has declined from 63 years in 1990 to 51 years in 2006. South Africa also has one of the highest infant mortality and maternal mortality rates in the world.



**xenophobic** – intense and usually irrational dislike or fear of people from another country  
**poverty line** – the estimated minimum income needed to buy the necessities of life

Furthermore, mismanagement as well as poor salaries and working conditions in the public health sector have led to a significant flight of skills to the private sector. The share of doctors employed in the private sector had grown from 40% in the early 1980s to above 70% by the late 1990s. The public sector had one doctor for every 4 200 patients, while the private sector had one for every 600 patients.

## Housing

Since 1994, the South African government has built nearly 2.6 million low-cost houses. Nonetheless, the housing backlog still stands at around two million. Close to a million people a year migrate to the cities, and this has intensified demands for housing. Since 1996, about 3 000 new informal settlements have mushroomed across South Africa. Migration from South Africa's neighbouring countries – spurred by poor economic prospects in these countries – is likely to increase in future. This will make the housing crisis and unstable social circumstances even worse. The rise of **xenophobic** violence in the black townships can be seen in relation to this.

## Unemployment and poverty

Unemployment and poverty in South Africa are closely related. Those who are unemployed are likely to be the poorest of the poor. Unemployment has also been linked to a lack of education and skills. For example, in 2008 the unemployment rate was 3% for those with university degrees, 28% for those with matric, and 60% for those without matric. It is especially young people, women and Africans who have borne the brunt of joblessness. For example, over half of the unemployed are between the ages of 20 and 24.

In South Africa poverty has grown faster than economic growth. Although the social conditions of many poor people have improved due to higher social spending, over 40% of households still live below the **poverty line**. In a nutshell, many poor households have not shared in the benefits of the economic growth that South Africa has enjoyed since 1994. Social grants have been a vital means of alleviating poverty. In 2009, the number of South Africans who were receiving social grants from the state was 14 million, and this figure is expected to grow to 16 million by 2013. South Africa's social grant programme

is one of the largest in the developing world, and the country has become the biggest welfare state in Africa. However, despite the large-scale provision of social grants, poverty remains a critical social challenge in South Africa.

### **Inequality**

Since 1994, inequality between white and black people has remained more or less the same, but inequality among black people has grown. This increasing inequality has been driven by the growth of the black middle class due to, among other things, the removal of formerly discriminatory policies and upward occupational mobility among black workers.

The persistence of inequality between white and black people has been underlined by a study carried out by Business Unity South Africa, the organised voice of business. The study found that, fifteen years into democracy:

- \* Blacks (Africans, Indians and coloureds) were still grossly under-represented in directorships and executive leadership positions in companies listed on the Johannesburg Securities Exchange.
- \* Of 269 chief executive officer (CEO) positions, 91% were held by whites, 4% by Africans, 3% by coloureds and 2% by Indians.
- \* Women occupied 3% percent of the CEO positions and men 97%.
- \* Of 219 chief financial officer (CFO) positions, 92% were held by whites, 2% by Africans, 1% by coloureds and 5% by Indians.
- \* Women held 7% of the CFO positions and men 93%.

## **Conclusion**

This chapter has assessed the progress that has been made in transforming South Africa's economy since the dawn of democracy in 1994. The roots of social and economic inequality can be traced to colonialism and the apartheid system. British colonialism, in particular, played an important part in the evolution of South Africa's capitalist economy and its growing integration into the world economy. When the ANC government came to power in 1994 it inherited serious economic and social challenges. These were consequences of centuries

of colonial rule and decades of institutionalised racial oppression of South Africa's black population.

The new government was faced with twin challenges. On the one hand, it had to implement policies aimed at redistributing income, wealth and economic power. At the same time, it had to create a climate favourable to rapid economic growth. Several factors influenced the context in which the ANC government made its economic policy choices:

- \* the 'broad church' nature of the liberation movement and the ideological differences that meant;
- \* the fall of the Soviet Union and the doubts this raised about the effectiveness of central economic planning; and
- \* the severe ideological pressure to which the ANC was subjected by the international financial institutions and powerful sections of domestic business.

An assortment of economic reforms helped to stabilise South Africa's macroeconomic policies and improve the country's economic performance. This laid the foundation for increased social spending, especially on education, public health, social welfare and housing. However, despite the significant strides that have been made to reverse the apartheid legacy, South Africa continues to be faced with formidable challenges, including a chronic skills shortage, widespread poverty, high unemployment and growing social inequality. There is a pressing need for a more equitable distribution of economic power in South Africa. Unless South Africa is able to effectively tackle the economic disparities caused by apartheid and its legacy, the political and social stability of the country will remain at risk.

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## Notes

1. Source: Pippa Green, 2008, *Choice, Not Fate – The Life and Times of Trevor Manuel*. Johannesburg: Penguin. Page 121.
2. Source: Alan Hirsch, 2005, *Season of Hope – Economic Reform under Mandela and Mbeki*. Pietermaritzburg: UKZN Press. Page 12.
3. Source: Source: Alan Hirsch, 2005, *Season of Hope – Economic Reform under Mandela and Mbeki*. Pietermaritzburg: UKZN Press. Page 52.
4. Source: Jay Naidoo, 2010, *Fighting for Justice*. Johannesburg: Picador Africa. Page 232.
5. Source: Anthony Sampson, 2000, *Mandela*. London: Harper Collins. Page 435.
6. Source: Anthony Sampson, 2000. *Mandela*. London: Harper Collins. Page 435.

