

CHAPTER 2

The Political Context

Background

COMSA came to South Africa to provide practical assistance to indigenous structures seeking to promote peace. It would, however, have been impossible – indeed short-sighted – to have ignored the political context in which that violence occurred.

As elaborated in subsequent chapters, violence in South Africa is deeply rooted in the apartheid system and the continued uncertainty which plagues the country despite the reforms announced by President de Klerk in February 1990. Although it would be naive to assume that the advent of the first democratically elected government in South Africa would lead to an immediate cessation of violence, COMSA is firmly of the view that a Government which enjoys the support of the majority of the population is in a far better position to address the issue of violence than one which does not.

An election would, in the first instance, provide political rivals with a different sort of battlefield and nullify any remaining arguments in favour of the use of force. A democratically elected government would then be in a position to undertake the long overdue task of restructuring the law enforcement agencies, which have all too often been a part of the problem, rather than of the solution. Most important, a government accountable to the majority of the population would be under tremendous pressure to confront the social and economic issues which are at the heart of the frightening spiral of violence afflicting South Africa.

Thus, although COMSA's immediate objective was to help restrain violence on a day-to-day basis, it sought to put this violence in the broader context of the urgent need for a negotiated political settlement.

Contacts With Political Parties and Interest Groups

During its first week in South Africa, before the group split into the Durban and Johannesburg-based teams, COMSA was briefed by representatives of all the political parties who are signatories to the National Peace Accord, including the National Party, ANC and IFP. During that week, COMSA also met with ANC leader Nelson Mandela and PAC leader Clarence Makwetu.

Subsequently, the Durban-based team, led by COMSA Chairperson Austin Amissah, paid a call on Inkatha leader Chief Mangosuthu Buthelezi in Ulundi. The team also called on the ANC Natal Midlands Chairman, Harry Gwala, after the assassination of his deputy, Reggie Hadebe. COMSA kept in close contact with all parties in the Natal area, especially during negotiations with the IFP, the *amakhosi* (traditional chiefs) and the ANC in an effort to help establish Local Dispute Resolution Committees (LDRCs) and organise the return of refugees in Umbumbulu, and KwaNdwalane and KwaMavundla in the Port Shepstone area.

The Johannesburg-based team, meanwhile, attended a reception hosted by the Minister of Foreign Affairs, Roelof 'Pik' Botha, on behalf of State President, and were also received by a number of ministers in Pretoria, including Constitutional Affairs Minister Roelf Meyer, Minister of Law and Order HERNUS KRIEL and the former Minister of Local Government, National Housing and Manpower, Leon Wessels. The team held further meetings with the ANC and PAC, and initiated meetings with AZAPO, the Democratic Party and the Conservative Party.

Partly at the initiative of the National Peace Secretariat, and partly at its own initiative, COMSA visited a number of the 'homelands', including Transkei, Ciskei, Bophuthatswana, KaNgwane, QwaQwa, Lebowa and KwaNdebele. The primary purpose of these visits was to encourage – where this was not already the case – participation in the National Peace Accord, as well as to discuss the eventual reintegration of these territories into a new South Africa.

In between its other activities, COMSA also frequently met with political experts and interest groups including the South African Institute for International Affairs; the Institute for Democratic Alternatives in South Africa (IDASA); the South African Council of Churches (SACC); the Congress of South African Trade Unions (COSATU); prominent business people; and civic groups.

Visit by the Secretary-General

Political contacts made by COMSA in South Africa were buttressed by the close personal contact the Commonwealth Secretary-General maintained with all parties and interest groups. During the first phase of the COMSA mission, the Secretary-General stopped over in Johannesburg where, in addition to consulting with mission members, he spoke on the phone with Foreign Minister Botha and met with Mr Mandela and Chief Buthelezi as well as John Hall, Chairman of the National Peace Committee and Dr Antonie Gildenhuys, Chairman of the National Peace Secretariat.

His visit took place against the backdrop of the National Peace Committee (NPC) meeting of 24 November 1992, at which it was announced that the ANC and Inkatha had agreed to a bilateral meeting between their leaders, and that

the NPC was inviting all signatories to a meeting which, it was hoped, might act as a catalyst for multi-party negotiations.

Welcoming these developments – which were among the first signals that the political stalemate that dominated 1992 might finally be broken – the Secretary-General called for “leadership and vision” in order that the final lap of South Africa’s political transition could be completed.

Signs of Hope Amid the Gloom

COMSA feels that there are grounds for cautious optimism in South Africa in 1993 although there were many disturbing developments in the last quarter of 1992.

On the negative side, COMSA arrived in South Africa after the second Convention for a Democratic South Africa (CODESA) broke down over disagreements on a timetable for transition, the issue of power-sharing and what size of majority would be required in order that a new constitution could be accepted.

The possibility of a resumption of talks receded even further after the Boipatong and Bisho massacres in June and September 1992 respectively. These left in their trail a spiral of violence which in Natal escalated to the point where the Government was obliged to deploy additional security forces in the area. The fragile political tolerance that had begun to develop among the political parties also broke down.

The publication by Chief Buthelezi, the Chief Minister of KwaZulu and himself a traditional Chief, of a draft regional constitution which, if taken literally, would amount to the secession of Natal from the rest of South Africa, exposed the divisions that appeared with the breakdown of multilateral negotiations. The formation of the Concerned Group of South Africans (COSAG), including Inkatha, Ciskei, Bophuthatswana and white groups to the right of the political spectrum, such as the Conservative Party, has also heightened the danger of fragmentation and dissidence.

COMSA, like other international groups, was shocked by the findings of the Goldstone Commission (referred to also in Chapter 3) that the SADF’s Military Intelligence continued to wage a ‘dirty tricks’ campaign against the ANC long after CODESA began. The subsequent purge of the security forces initiated by President de Klerk has gone some way to restoring confidence in these forces. However, as elaborated in the conclusions of this Report, COMSA feels that far more needs to be done to rid the army once and for all of its covert operations.

COMSA also witnessed an outbreak of attacks claimed by the Azanian People’s Liberation Army (APLA), the armed wing of the PAC (see Chapter 3). These attacks were followed by retaliatory attacks by extreme right-wing elements and threats of ‘hot pursuit’ raids into Transkei and neighbouring

countries, where the APLA is alleged to have its bases. These threats raised memories of the apartheid regime's destabilisation operations against neighbouring countries. More disturbingly, the APLA attacks have provided ammunition for racist bigots at a time when South Africa desperately needs to nurture the process of reconciliation that began with the dismantling of apartheid legislation.

The ambivalence of the PAC over the APLA attacks, and its anger, however understandable, with the massive response generated by the deaths of a few white people, does not help efforts to redress the situation. COMSA is especially concerned over the breakdown of bilateral talks between the PAC and the Government. It had been hoped that these talks would clear the way for the PAC to participate in multilateral constitutional negotiations for the first time.

Despite these drawbacks, during COMSA's stay there were many determined efforts to promote peace and break the impasse hindering the resumption of negotiations. Bilateral contacts among the various groups and parties continued. While it was sometimes difficult to foresee how all these separate discussions would finally merge into one forum, there is no doubt that they have cleared much of the undergrowth which in the past has been a barrier to progress in the multilateral negotiations.

Throughout the post-CODESA II period, the ANC and the Government have maintained contact with each other through Mr Meyer and ANC Secretary-General Cyril Ramaphosa. After several months of not talking directly to each other, President de Klerk and Mr Mandela met again in September 1992. This led to the historic Record of Understanding between the ANC and the National Party. Despite accusations and counter-accusations over the implementation of measures agreed in the Record of Understanding (especially those relating to curbing violence), relations between the two parties have continued to improve.

The ANC's recently-adopted 'Strategic Perspectives', which endorse power-sharing even beyond a transitional period, is evidence of the spirit of give and take that appears to characterise the present relations between the organisation and the Government.

A Government-ANC *bosberaad* (bush meeting) in December 1992 is reported to have brought these two sides closer together, and a further summit between the leaders of the two parties was held.

The Government has also held bilateral talks with Inkatha, which objected strongly to the Record of Understanding, and COSAG, primarily to dissuade these groups from pursuing individual options by assuring them that they have a legitimate place in any future negotiations.

The ANC, as mentioned earlier, agreed in principle with Inkatha to a meeting between their two leaders. Like the Government, the ANC has also been conducting bilateral talks with a number of 'homeland' leaders, such as those in Bophuthatswana and Ciskei. Such contacts, though often fraught with

difficulty, can only help to reduce misunderstandings and misgivings created by the institutionalised separation of peoples under apartheid.

Areas of Consensus

Although vast differences of opinion on the way forward remain, COMSA has gained the impression, through its many contacts, that a consensus is slowly emerging on an agenda for progress. This includes:

- The resumption of multi-party negotiations, fashioned after but not necessarily under the banner of CODESA, taking account of some of the structural problems of this forum. The most realistic assessment at this stage appears to be that such talks would resume by March 1993.
- The setting up of a Transitional Executive Council (TEC) that would allow all parties contesting the election to have a say in the running of key institutions of government in the run-up to the election.
- Preparations for the election, including voter-registration; the adoption of a transitional constitution providing for a constitution-making body; promulgation of election rules that would be fair to all; and the appointment of an independent Electoral Commission.
- The holding of South Africa's first one-person, one-vote election. The only major disagreement now is over when this would happen, with the Government maintaining that it would not be logistically possible for such an election to take place this year, and parties like the ANC and PAC insisting that elections be held in the last quarter of 1993.
- The election for a Constituent Assembly to draw up a new constitution while also serving as the legislature. It will then be decided whether another election is held for the first post-apartheid parliament, or whether the Constituent Assembly will simply become the new parliament.

Outstanding Issues

The issue likely to become most contentious once this process is under way is that of the extent of devolution of power to the regions.

Closely linked to this issue is the reintegration into a new South Africa of the 'homelands' which opted for independence under apartheid laws – Transkei, Bophuthatswana, Venda and Ciskei (the TBVC states). So far all but Bophuthatswana have accepted the principle of reintegration. COMSA came away from meetings with representatives of the administration in Bophuthatswana, which has a strong ethnic identity and is economically better off than the other 'homelands', with the distinct impression that this will be a difficult issue to resolve. Similarly, after frequent trips to Ciskei, and talks with Brigadier Oupa Gqozo, COMSA formed the impression that reintegration,

even where the principle had already been accepted, would not be a straightforward affair.

Of immediate and major concern is that legislation adopted during the apartheid era which prohibits free political activity continues to exist in these territories. Such legislation does not help create an atmosphere conducive to free and fair elections. The international community has frequently been asked to put pressure on the 'homeland' administrations to lift these restrictions. However, COMSA is of the view that the South African Government, which heavily subsidises these administrations, has far more leverage in these matters, and indeed bears the primary responsibility for ensuring free and fair political activity in these territories. It is essential that free political activity in all parts of the country is possible before multi-party elections are held.

Areas of Concern

COMSA believes that the two main areas of concern during the months ahead will be:

- **Ensuring the involvement of all players in the political process.** There is, in the view of many of the smaller groups, a tendency by the principal parties to take decisions without consulting them. For their part, the principal parties become impatient with the long drawn out consultative process and neglect to consult smaller groups, some of whom, they believe, are deliberately attempting to hold the process hostage. These arguments notwithstanding, COMSA urges all concerned to make every effort to work together to reach agreement. The exclusion of any group is, in the long run, a potentially destabilising factor.
- **The relationship between violence and the negotiations.** In the past, the continued incidence of violence has frequently been cited by various parties as a reason for not returning to the negotiating table. The arguments for this are understandable. However, COMSA believes that violence should not be allowed to hold the negotiation process to ransom. Negotiations must take place in spite of the violence. Indeed, the longer the negotiating process is delayed the more likely are frustration, anger and hatred, which are fuelling violence, to spill over into uncontrollable and widespread civil conflict. Time is of great essence for the success of the democratic transition and any delay may result in the forces of moderation losing the initiative to those of political extremism which are waiting to seize such an opportunity.

Role of the International Community

The resolution of the conflict in South Africa is primarily a matter for the people of that country. It would be unwise for the international community to try to

be prescriptive or become directly involved in any way in the process, unless asked to do so.

There are areas, however, in which COMSA believes international observers can be of assistance.

While the immediate task of international observers is to help arrest violence and so contribute to the creation of a climate conducive to the resumption of negotiations, the international community can also – through continuous contacts such as those made by COMSA during its first phase – maintain pressure on all parties to return to the negotiating table.

Once the process of preparing for elections is under way, COMSA foresees a role for international experts in the practical preparations for, as well as observing of, the elections. This is an area in which the Commonwealth has gained considerable experience in the last few years and where it could be of assistance if requested.

These considerations suggest the need for the international community to continue to maintain a presence in South Africa up to, and including, the first democratic elections. This view is endorsed by a cross-section of political parties and interest groups in the country. Where the Commonwealth is concerned, the decision by the Secretary-General to extend the COMSA mission for a further period is an indication of his, and the Commonwealth's, commitment to ensuring as smooth a political transition as possible.