

THE CITIZEN COMMENT

13 Nov 1989 Amazing poll

THE Namibian election turned out not only to be peaceful but, if predictions of a 95,5 per cent poll prove true, it was also one of the most amazing, since we cannot recall an election with such a huge turnout of voters.

Clearly the 701 000 voters of Namibia saw this as a history-making opportunity to determine their own future.

After the April 1 incursion by Swapo, and the eve-of-election drama over the disputed Untag messages suggesting another Swapo incursion was imminent, many observers had expected the five-day election would be marred by intimidation and violence.

Considering Mr Robert Mugabe came to power in Zimbabwe by means of intimidation, Namibia can be thankful that Swapo did not attempt the same thing.

Perhaps it was the presence of Untag that made the difference.

Or it may have been that after the April 1 fiasco, which gave Swapo a drubbing as well as a bad Press overseas, its leader, Mr Sam Nujoma, decided not to try any heavy-arm tactics again.

Whatever the reason, there was no intimidation or violence of any consequence, and any irregularities were not sufficient to invalidate the election.

UN Special Representative, Mr Martti Ahtisaari, and the Administrator-General, Mr Louis Pienaar, both expressed their satisfaction with the way the election had gone.

Mr Ahtisaari praised the A-G and his staff, as well as Untag, and said it was "the people of Namibia whom I chiefly wish to congratulate.

"I have told the Administrator-General that I am satisfied that the voting process has been free and fair in accordance with UN Resolution 435 and have agreed that the process of counting the votes should go forward."

From his words, one can assume that the United Nations will validate the election.

The outcome of the poll will now be awaited with great interest.

The 72-member Constituent Assembly will be chosen by proportional representation according to the share of the votes achieved by each of the ten parties.

The assembly must adopt a constitution by a two-thirds majority. After that, decision-making is by a simple majority, including the option whether the assembly should convert itself into a government or ask the country to go to the polls again.

Expectations are that Swapo will not have the two-thirds majority needed to write the constitution on its own.

It will then have to seek the support of other parties.

The Democratic Turnhalle Alliance, if it fulfils predictions that it will get slightly more than a third of the votes, will be able to veto anything in the constitution it dislikes.

On the face of it, Swapo will not be able to achieve the kind of constitution it had boasted it would introduce.

Some observers believe that an election next year will be necessary, with Swapo winning it and forming the government on a simple majority, but still operating under a constitution in which the DTA has had a decisive hand.

Provided Swapo does not try to take by force what it could not achieve through the ballot box, the transition should be just as peaceful as the poll itself.

But if Swapo tries any dirty tricks, it will stand condemned before international opinion.

For now that the United Nations is certifying the fairness of the election, Swapo will be expected to accept the outcome and abide by the constitutional principles laid down by the United Nations Security Council.

But as Mr Mugabe showed in Zimbabwe, constitutions are not worth the paper they are written on, and we can expect a Swapo Government in time to change Namibia's.

Whatever the outcome of last week's election, Namibia is on its way to independence and nothing can stop that. But it would be nice to know that it means peace and reconciliation after the 23 years of guerrilla war.

'Stop the hangings!'



THE FACE OF MOURNING: Pauline Moloise says a final prayer for her son Benjamin, hanged in Pretoria Central Prison on October 10, 1985, after being convicted killing a security policeman. Pic: Themba Nkosi

THE case for the abolition of the death penalty becomes more compelling with each year. Experience worldwide shows that executions brutalise all involved. Nowhere has it been shown that the death penalty has any special power to reduce crime or political violence. SIZA NTSHEKALA reports

MORE than 2 660 people were hanged in South Africa within a period of 10 years, between 1978 and 1988, according to the Human Rights Commission (HRC).

Last week National Association of Democratic Lawyers (Nadel) launched a countrywide 'Anti-Death Penalty Campaign Awareness Week'.

In its latest fact paper, the HRC said 'officially boasting the second highest execution rate in the world, South Africa is one of 101 countries worldwide which has retained the death penalty on its statute books'.

In the period from mid-1985 to mid-1988, Iran was the only country that executed more people than South Africa.

Linda Zama, Durban human rights lawyer and the regional secretary of the Nadel said: 'We need to launch a very intensive educational campaign to highlight the consequences of the death penalty in any society. We must introduce programmes to edu-

cate our communities about the death penalty.'

She said the sociological aspect of South African legal education was grossly lacking. Lawyers, said Zama, needed to be probing and broad-minded and very sensitive to social, economic and political dynamics.

She also said that lawyers needed to strengthen their research into the sociological background of their clients. This will assist them to understand the causes of the crimes and not to generalise in the treatment of their clients.

Zama said the greatest immediate need in South Africa was to subject capital punishment to the scrutiny it deserves in a state which styles itself as western.

Nadel's view is that the press, religious leaders and members of the legal profession must play a greater role in our community in ripping open the question of capital punishment and revealing its raw spots.

The African National Congress (ANC) has appealed to the world to join the South African oppressed masses in demanding Prisoner of War status (PoW) for arrested ANC combatants.

'If de Klerk is honestly committed to change, he should prove it in practise,' said the ANC.

'He has the power to commute the death sentences imposed on scores of innocent people.'

In July 1987, the now effectively banned South African Youth Congress (Sayco), together with the trade union movement and other Mass Democratic Movement (MDM) affiliates, launched the 'Save the Patriots Campaign'.

This was aimed at winning clemency and ultimately PoW status for those under sentence of

death for politically related.

This campaign is an attempt to pressurise the South African government to sign the 1977 Protocols of the Geneva Convention.

Protocol One extends the normal protection applicable to PoWs to 'armed conflicts in which peoples are fighting against colonial domination and against racist regimes in the exercise of their right of self-determination.'

Since 1958, the Legislature in South Africa has added eight crimes to the original list of three capital offences.

'It is significant to note that while South Africa has been extending the number of capital crimes, the rest of the world has moved away from capital punishment,' pointed out the HRC.

At least 16 countries have

abolished capital punishment during the past 10 years.

The Society for the Abolition of the Death Penalty in South Africa, which existed in the early 1970s, has been recently re-launched.

The aims of the society are to reduce the incidence of capital punishment and to work for the ultimate abolition of the death penalty in this country.

The society has called on the government to appoint a judicial commission of inquiry to examine every aspect of the administration of the death penalty.

Request

'Should the government fail to accede to that request...we would recommend that the society institute its own commission of inquiry, to undertake the task which ought to be done by government,' said Professor Etienne Mureinik, a member of the new committee.

There have always been many voices in this country calling for the total abolition of the death penalty.

In 1969, Professor Barend van Niekerk conducted research into the judiciary and racial bias in death sentences.

The research revealed that black South Africans were more likely to be sentenced to death than whites, and 41 percent of the lawyers surveyed believed that such differentiation was 'conscious and deliberate.'

Between 1947 and 1966, 288 whites were convicted of raping blacks and 844 blacks were convicted of raping whites. None of the whites convicted were sentenced to death but of the blacks convicted, 121 received the ultimate sentence.

Sentenced

In contrast, the then Minister of Justice, CR Swart, declared in 1955 that during his terms of office 'not a single non-white who has been sentenced to death for raping a European woman had escaped the death penalty.'

Peter Randall, former Director of the Study Project on Christianity in Apartheid Society (Spracas) and former Assistant Director of the South African Institute of Race Relations (SAIRR) said: 'For this reason the white section of the population is unlikely to feel directly concerned and involved, and the power structure is not sensitive to the issue.'

Randall said this was one of the reasons for the lack of public

interest among those wielding power in the whole question of capital punishment.

He pointed out that another tendency on the part of many white South Africans was to shy away from a subject with racial connotations on the pretext that it is 'political' and too controversial for normal debate.

In 1968, after it became known that South Africa accounted for almost half the world's known executions, an attempt was made in parliament calling for the establishment of a commission of inquiry into the desirability of abolishing the death penalty in this country.

According to the Human Rights Commission (HRC), the then Minister of Justice, BJ Vorster, said there was very little support for the abolitionist cause. He claimed that it had been shown that capital punishment was an effective deterrent.

Political trials

Rev Frank Chikane, General Secretary of the South African Council Churches (SACC) said: 'We oppose the death penalty in general, but particularly in the case of political trials, because we question the very legitimacy of the apartheid regime.'

The Southern African Catholic Bishops Conference (SACBC) believes that the extension of clemency in political cases could terminate the violence in which both the state and its opposition have become enmeshed.

Black Sash

A comprehensive report by the Black Sash entitled 'Inside South Africa's Death Factory' also called for a commission of inquiry into the death penalty and a moratorium on all executions pending the commission's report.

In South Africa, capital cases are tried in the Supreme Court before a judge with two assessors.

Assessors are usually trained lawyers and participate in deciding questions of fact, including the existence of aggravating or extenuating circumstances.

The judge alone decides questions of law and has sole discretion over sentencing.

If the accused is unrepresented, defence counsel is appointed by the court.

There is no automatic right of appeal against the decision of the Supreme Court. Defendants must first apply to the trial judge for

leave to appeal.

If this is denied, the convicted person may petition the Chief Justice for leave to appeal. The Chief Justice's decision is final.

The Appellate Division of the Supreme Court is the final court of appeal.

With the exception of Venda, the nominally independent 'homelands' have constituted their own final courts of appeal, consisting of retired white South African judges or judges still serving in the provincial divisions of the Supreme Court.

As a consequence of poverty most black defendants in capital cases are represented by lawyers appointed by the court, who are usually the most junior members of the bar and are paid substantially lower rates and are briefed for a shorter period than privately hired counsel.

This arrangement does not permit the appointment of an attorney who is crucial for the proper preparation of a case. Most black defendants are too poor to hire their own lawyers.

Trials are conducted in one of the two official languages, English or Afrikaans, neither of which is the mother tongue of most black people.

Disadvantage

Accordingly, black defendants must often rely on interpreters and may be put at a disadvantage as a result.

Amnesty International opposes the death penalty in all cases. In its view, the death penalty is the ultimate form of cruel, inhuman and degrading punishment and violates the right to life.

Amnesty International calls on all countries which retain the death penalty to stop all executions immediately; to commute all outstanding death sentences and to abolish the death penalty in law.

United Nations

The United Nations (UN) has endorsed the goal of abolition. In 1977, the General Assembly reaffirmed its main objective of 'progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this punishment.'

'Even people who are well informed, are shocked to learn the systematic racial bias of the process that leads people to the gallows,' said Zama.



A recent demonstration against death penalty outside the Durban City Hall. Pic: Rats Mayet

The rise of the 'corporate guerrillas'

n/american 13/11/89



Black Management Forum President Don Mkhwanazi addressing a business function recently

IN 1976 the Black Management Forum (BMF) was launched to address issues affecting black managers, who for long had been relegated to low level, token posts within white-owned corporations. LECHESA TSENOLI looks at the organisation, how it sees itself and how others view it.

THEIR president calls them corporate guerrillas. They are to be found in companies, both small and big, playing what are called lower and middle management roles in the hierarchy of these companies.

Since 1976 - when some of them began to question the roles they were playing as so-called managers without power - a lot of ground has been covered.

Today the president of the Black Management Forum, Don Mkhwanazi, confidently declares: 'The image of the BMF is almost right and its credibility almost unquestioned in most relevant publics'.

However, apartheid social engineers and companies intent on profits had other ideas for people like these, who form part of the middle class in the black community.

They were targeted for co-optation in order that they form a buffer between the aggrieved masses and the ruling classes.

Some were appointed to appease local and international pressure to stop discrimination.

To achieve this the black middle class has been socialised into values alien to their backgrounds thus setting them apart from their communities. The glittering lifestyle of some of them often engenders bitterness among their fellow blacks.

Exclusive suburbs have been built throughout the country close

to the otherwise ill-planned and ill-maintained townships to cater for, among others, these people.

They have been criticised bitterly on the grounds that some of them are reactionary and side with the authorities.

Thami Mohlomi, Southern Natal regional secretary of the Congress of South African Trade Unions (Cosatu), puts it this way: 'Black personnel managers should accept that they are part of management in cases that involve workers and management.

'They should be neutral where there is rivalry between a progressive union and a sweetheart union, which invariably is promoted by management.

'As go-betweens between management and workers they should play that role fairly and not become a conduit of management's union-bashing tactics. Where there are enquiries black managers ought to inform workers of their rights, which often does not happen to the detriment of the workers.'

Mohlomi further said in disciplinary cases black managers ought to be more understanding than, for example, white managers, who come from a different background.

Trade unionists like Mohlomi are well placed to assess the role of managers as they deal with them regularly. However their sense of grief was - and still is - grossly underestimated in other

circles.

The BMF, which was formed in 1976, could be described essentially as an activist lobby within the business community that has taken up cudgels on behalf of black managers.

BMF's major thrust is to attack discriminatory practices by companies and to seek out and provide their members with opportunities to improve their skills so that they become effective as business leaders.

Mkhwanazi is fully aware of the problems that his organisation is facing.

He says: 'I cannot over-emphasise this point. Our actions should be endorsed by the masses. Our actions should be in line with

the national agenda. The people expect us to take a stand on issues of national importance.

'Our genuine involvement and credibility will be judged by the stands we take. We can no longer remain ambiguous and simply remain on the fence.'

Talking about black advancement, he amplified the same view: 'In our quest for economic empowerment we should first appreciate that first and foremost we are black before we are managers.

'Secondly we must appreciate that black managers are the illegitimate children of the struggle by the masses. Black advancement does not mean the realisation of an individual's potential.

'It does not mean self-fulfillment or self-aggrandisement, but the liberation and development of the black nation as a whole. Much more importantly, it means the restoration of human dignity.'

As to their effectiveness within corporate business, Mkhwanazi says some academics and practitioners in management believe black managers have to constitute at least 30 percent of management to be heard.

Presently black managers constitute a minimal three percent.

Bheki Sibiba, a prominent member of BMF, writing in their magazine *The Black Leader*, said this of the black manager: 'Black managers have a strategically critical role to play, even though they are rejected and distrusted by their white colleagues.

'They endure worker suspicion and are generally relegated to positions of no consequence and with minimal impacts on profits.'

Addressing the BMF's ninth annual conference recently Mkhwanazi said: 'Gigantic leaps must be made against the background of underrated black managers and the perceived inherent failure of blacks to make it.

'Hostile and often underqualified or unqualified white front line managers.

'These are steeped in racism but vehemently deny belonging to baaskap or believing in archaic policies of the Nats, not to mention the CP and AWB.

'Some front line managers

are elevated to their positions of responsibility without prior training or experience in management and supervision. They are elevated because of their colour.'

Further reasons, Mkhwanazi elaborated, are that whites are elevated because of the shortage of qualified managers and because of their technical competence, which he believes is no guarantee for success in management.

Technical competence and colour (of the candidate) are not an adequate preparation for management responsibility, Mkhwanazi maintained.

Looking ahead, he said: 'One of the most critical elements in the acquisition of economic power has to be through the ownership of enterprises where we can gain unfettered practical experience in operational management, strategic planning, risk taking and competition in the market place - that is, ownership and control of productive assets'.

The area, Mkhwanazi continued, wherein BMF can exert pressure is at board level.

Too much emphasis has been placed on middle and lower management as a stumbling block in the advancement of blacks.

'Whilst this is true, South African corporations are not known for their democracy. I want to submit they are not democratic in nature. The will and the wishes of the MD, Chairman or Chief Executive is the law in many companies,' he explained.

He called on the BMF to intensify its campaign to win the hearts and minds of what he called the 'corporate captains' and believed that if they did that, their battle would almost be won.

According to Mkhwanazi, the BMF's manpower programme of development received encouraging support from a Zimbabwean Minister of Manpower and Labour.

He quoted him as saying: 'At attaining independence we inherited an economy that was characterised by shortages of skilled manpower and a surplus of unskilled manpower.

'We in Zimbabwe recognised very late the importance and necessity of mobilising and developing the indigenous human resource.

'I am gratified because your gathering here as oppressed people of South Africa demonstrates that you are concerned with manpower needs now and hopeful that your deliberations will enhance manpower development in South Africa.

'I know that detractors will say this is time for fighting and not for training and development.

'To them I say it would be far more better if they could recognise the many aspects of this struggle and give each its due emphasis before its too late.

'Our Zimbabwe manpower survey of 1978 came too late to avoid the crippling effects of manpower shortages which we are still experiencing.

'My hope is that our history will not repeat itself in South Africa.'

Mkhwanazi maintained that this situation was exactly what the BMF's manpower initiative was trying to prevent.

Included in the BMF's unfinished business is their response to the African National Congress constitutional guidelines.

These guidelines have been circulated for discussion by all its members nationally before their response is made public.

However, the BMF as part of its activities has already had two seminars aimed at addressing issues pertinent to post-apartheid South Africa.

The themes of these two seminars were A New Economic Framework and A New Corporate Culture.

Both themes constituted an attack on the current status quo, its historical origins and proposals for the future.

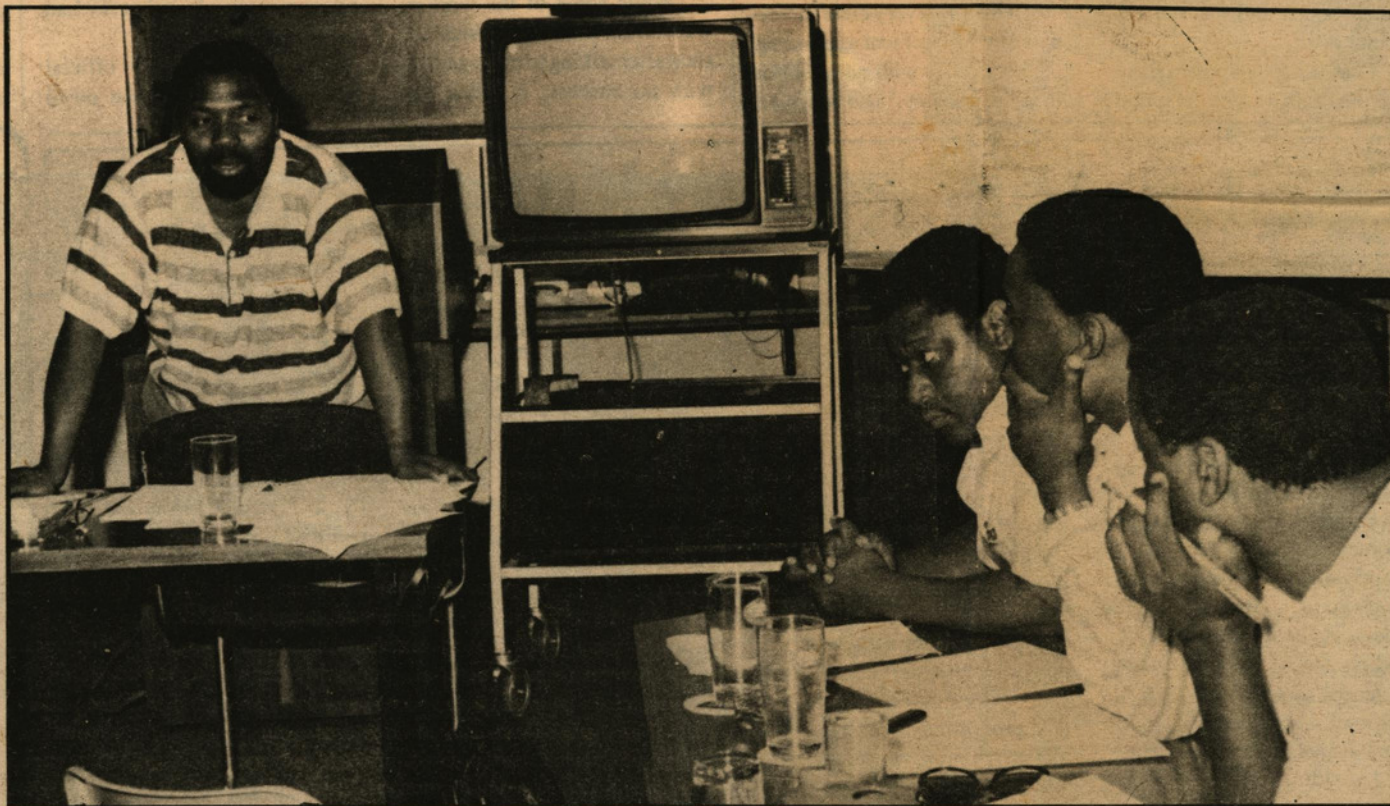
Fraser Mtshali, the editor of the BMF's publication *The Black Leader* best indicated the organisation's attitude to itself and its future when he wrote:

'There is no doubting that tremendous strides have taken place at BMF.

'The organisation has attained a new character, a character that reaches out to people.

'Gone is the self-centred image that BMF enjoyed a year ago.'

History will tell whether the BMF is merely paying lip service with its liberation rhetoric.



The Black Management Forum is a vehicle through which black managers become effective business leaders. Here some of its members thrash out ideas at a workshop



Archbishop Desmond Tutu (centre) officiated at the Cathedral of the Holy Nativity at the consecration of the second Bishop Suffragan of Natal, Bishop Matthew Mandlenkosi Makhaye. The primatial crossbearer leading the procession is the Reverend Fred Isaacs. Behind the archbishop is his chaplain, the Reverend Christopher Arends.

Bishop-Suffragan ordained 13-11-198 NATAL WITNESS

Witness Reporter

A SECOND Bishop-Suffragan of Natal, Bishop Matthew Mandlenkose Makhaye, was consecrated at a service at the Cathedral of the Holy Nativity on Saturday morning.

Hundreds of Anglicans from all over the province came to see Archbishop Desmond Tutu presiding over the service, conducted half in English and half in Zulu, assisted by 11 Bishops from other provinces.

The service was originally to be held at the Jan Smuts Stadium but was moved to the Cathedral at the last minute because of bad weather.

Those who could not fit into the Cathedral were accommodated in a nearby hall and St Peter's Church and watched the service on large television screens.

Guests at the event included three Suffragan Bishops from the diocese of Cape Town, the Bishop of Lesotho, the Bishop of Zululand and the Bishop of Pretoria, Bishop Richard Craft, who delivered the sermon.

Two retired Bishops of Natal, Bishop Phillip Russell and Bishop Ken Hallows were present as well as the Chief Minister of KwaZulu, Chief Mangosuthu Buthelezi.

Representatives from other churches included the Presiding Bishop of the Methodist Church of South Africa, the Reverend Stanley Mogoba and the Reverend Joseph Wing of the Congregational Church.

Intimidation

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WHEN workers decide to withdraw their labour in support of wage demands it is a matter for the established machinery of industrial relations in seeking a settlement. It is technically illegal to urge the community to boycott a product (a law of very dubious morality or effect), but if people feel strongly enough about the dispute there is nothing to stop them refusing to buy.

The breweries dispute has, however, degenerated into thuggery which has no place in the industrial bargaining process. Intimidation of beer pur-

chasers is criminal, it undermines trade unionism and it cannot be tolerated. The very fact that the perpetrators find intimidation necessary suggests that solidarity with the breweries workers is nowhere near as complete as made out.

Trade unionism is a component of a free society. But when it becomes dictatorial it is no less detrimental to freedom than any other form of dictatorship.

The unions should distance themselves from violent intimidation and use their influence to stop it.

Homelands - hint of a new status

MINISTER of Constitutional Development and Planning Dr Gerrit Viljoen said at a meeting last week that negotiations would also focus on the question of homelands becoming regional or provincial governments within the

By **THEMBA MOLEFE**

envisaged new constitution.

He said this after a meeting with members of the Qwa-Qwa Legislative Assembly. According to him, non-independent homelands were in fact

provincial governments.

Viljoen, the Government's new chief negotiator, last Friday began a series of consultations with homeland authorities on how they would be included in the Govern-

ment's initiative to negotiate a new constitution for South Africa.

Talks centre around methods to include blacks in a national forum to draw up a new constitution and how the Government should approach these negotiations within the framework of its

homeland policy.

Speaking to the Press after their "frank and straightforward" discussions, Viljoen and Qwaqwa's Chief Minister Dr Kenneth Mopeli said their meeting was exploratory and had no specific agenda.

They would, however,

not be drawn into speculating whether they discussed the dismantling of homeland governments. They said they reached agreement on the need for a new constitution accommodating all South Africans, including non-independent homelands.

Viljoen said the question whether "independent" homelands would be drawn back into South Africa was not on his agenda as the different homelands would decide on this issue.

Mopeli said negotiations should be as inclusive as possible, embracing all population groups and extra-parliamentary organisations. His government wished to see the homeland as a nonracial regional government.

He reiterated the homeland's stance against independence saying Qwaqwa would remain part of South Africa.

Viljoen's itinerary this week includes KaNgwane, KwaNdebele and Gazankulu. A date for discussions with KwaZulu's cabinet is yet to be finalised.

THE next phase of politics in South Africa, if I may hazard a prediction, will be dominated by the arduous task of definition: who's who, and what's what? Or, more to the point, who belongs to which party, and to what policy? It's no longer good enough to be "against apartheid"; you have to be for something.

Various offerings are on the table. The CP offers an ill-defined participation, to be achieved either by negotiation like the partition of India and Pakistan, or by war like Israel. On the opposite fringe, groups like the New Unity Movement offer a formula for left-wing revolution so ferocious that it frightens even the SA Communist Party.

Between the two lies ... what? Neither the major participants in the debate nor their policies have yet been defined. A little light has broken through the curtains of censorship and disinformation, but to talk of real negotiations under the present conditions of obscurity and confusion is surely nonsense.

Until recently, for example, I was hotly challenged whenever I said that Govan Mbeki was, to judge by his fascinating little book, *The Peasant Revolt*, a doctrinaire communist. I was accused of smearing a man who could not from his prison cell defend himself.

As soon as Mbeki emerged from prison, he told the world he was a communist, and I no longer need to argue the point.

Similarly, Walter Sisulu says he is a "scientific socialist", Ahmed Kathrada says he is a member of the Communist Party, and the ANC has issued a pamphlet announcing that it intends to seize, in the holy name of the people, all the assets of the Anglo American Corporation, General Mining, First National Bank, Volkskas, and the Free State land barons.

Well, at least we know, to a small

Well, then, tell us who you are, and what you stand for

KEN OWEN

degree, where we stand.

The next question is where the seizure of private property would end? One academic says barber shops and similar small businesses will be excluded from nationalisation, but what would happen to a chain of barber shops? What would happen to taxis and mini-buses? Would Putco be seized by the state, and would the state then use its awesome powers to drive the mini-buses off the streets again?

There is, after all, no monopoly so complete or so brutal as a state monopoly. No other monopoly eliminates choice so completely.

This is a vital debate. Only when we know where every party stands, and what it stands for, can we decide whom to support in the coming negotiations. Certainly it will not be possible to bargain sensibly until some of the confusion has been cleared up.

That confusion is extreme. Take, for example, the general fallacy among black people, assiduously planted by a generation-long campaign of academic lying, that apartheid is synonymous with capitalism. The idea is nonsense; it has been planted by people who simply want

to take over the powers, and indulge in the corruption and exploitation, which has been characteristic of the apartheid state — people who don't want to dismantle the machinery of oppression, but to capture it, and use it for themselves.

Don't take my word for it. Take instead the word of Walter Williams, a black American professor of economics who thinks "the whole ugly history of apartheid has been an attack on free markets and the rights of individuals, and a glorification of centralised government power".

Williams's new book, *South Africa's War Against Capitalism* challenges the popular wisdom of the left that makes Big Business the handmaiden of apartheid. This idea has been assiduously put about by South African socialists in what has recently been acknowledged by one of their number to have been a generation-long war against the liberals.

Williams traces some of the early job reservation laws (Transvaal Ordinance No 7 of 1907) to the fears of mainly British miners, members of the Mine Workers Union, who went

on strike against the employment of Chinese workers. The agitation for an industrial colour bar was led by "Comrade Bill" Andrews, later to become the first secretary of the SA Communist Party.

The famous Eddie Roux's socialist father boasted that "After the revolution, the (black people) will be segregated in their own territories. ..." It was the socialist workers, not the capitalists, who sought to use the all-powerful state, to entrench their privileged position.

Williams argues too, as he has done in the United States, that minimum wages operated as a mechanism to oppress blacks. Wherever a minimum wage exists, he argues, the less preferred worker — in this case the black worker — is eliminated. He is denied the chance to overcome discrimination by working for less; so he starves.

This is not simply a repetition of the argument, trite but true, that apartheid's strangling network of laws — the internal passports, the influx control, the reserved jobs, the controlled markets, the monopolistic transport systems, the allocations of state housing, the restrictions on business, on movement, on assembly

and speech — resembles most closely that of the pre-*glasnost* Soviet Union.

It is to pinpoint the source of political confusion in South Africa: the close relationship between the ANC and the SA Communist Party has perverted the struggle against apartheid. It has become, not a struggle for freedom, but a struggle to change masters.

Under apartheid, the state planned the economy, allocated capital, provided or denied labour, dictated the siting of factories, and favoured some businesses over others; under socialism, the state plans the economy, allocates capital, etc., etc. One privileged class of bureaucrats will be replaced by another privileged class of bureaucrats, but for the bulk of the population post-apartheid society will be little better than apartheid society.

In some respects, certainly, it will be worse. The "capitalists" who are the real targets of a campaign that masquerades as a war on racism will surely not wait to be looted and oppressed; they will flee, like the capitalists of Mozambique, some sooner with all their assets intact, others later, lugging heavy suitcases to the airports.

As Williams says, in sharp contrast to many left-wing South African legal figures, the Roman Dutch common law offers acceptable protection for civil liberty; the mischief has been created by statute law. The remedy is to restore the common law, to repeal the statutes of apartheid, and to negotiate a constitution that will curb the power of the state to interfere in the lives of free men and women.

None of this, one suspects, is acceptable to the ANC and its Communist Party allies; its objective is not liberty, but an envious determination to seize the power wielded by the apartheid state. If this definition of ANC aims is erroneous, this is the time for the newly released ANC leaders to say so.