

How ANC stirred up a witch's brew

THE Goldstone commission comes in for a drubbing in the latest edition of the ANC's mouthpiece, *Mayibuye*, for its clearly wilful refusal to accept conventional mythology.

The commission, established in terms of a peace agreement to which the ANC was party, has been assiduously following up every ANC allegation of "third force" involvement in township violence.

After generally careful examination of the evidence it has, regrettably, been unable to find a scrap of evidence to support the ANC's claims. This, suggests *Mayibuye*, amounts to failure.

As proof, *Mayibuye* cites the case of Bongani Mbatha, the terrified country youth seized by a crowd in Thokoza, paraded around in imminent danger of a "necklacing" and then presented to the press to tremblingly "admit" he was a killer paid by the police.

Mbatha was subsequently handed over to the Goldstone commission where he immediately, and not unnaturally, recanted. Yet another example of "failure" on the part of the commission, implies *Mayibuye*.

This, surely, is a witch-burner's view of justice and due process.

African

Blacks Inherit a Shattered Economy

South Africa Sanctions May Have Worked, at a Price

By BILL KELLER

JOHANNESBURG

IN the arsenal of diplomacy, economic sanctions are crude weapons, slow-acting and unpredictable. When they work, innocents suffer. The bad guys, after all, are usually the ones with the bunkers and gas masks — or, in this case, the power and cash — to endure a war of attrition.

But as the use of real force has become less politically palatable, the world has increasingly turned to the trade embargo, the investment ban, the credit blockade or the assets freeze as a way of punishing a misbehaving state. The United States now monitors official sanctions of one kind or another against a dozen countries. Do they work?

South Africa now presents one case study of sanctions that have run their course. With the white Government's agreement last week to submit to the oversight of a multiparty council in the months before next April's election, making the transition all but irreversible, the African National Congress is on the verge of calling off the economic penalties the world imposed against apartheid.

In hindsight, few now question that the sanctions had powerful consequences, but there is no consensus that the results were quite what the sponsors intended.

The United Nations imposed an arms embargo against South Africa in 1977 after a massacre of schoolchildren in Soweto, but the real economic siege of South Africa began in 1985 when Chase Manhattan Bank, under pressure to sever its ties with the apartheid rulers, called in its loans. Other banks in America and Europe followed suit. The following year Congress voted, over President Reagan's veto, to restrict trade, investment and lending by American companies in South Africa. Scores of state and local governments enacted their own anti-apartheid statutes.

It is impossible to isolate the effect of sanctions from the other pressures that finally drove the white Government towards surrender: the riots and nettlesome guerrilla war waged by the African National Congress, the ascent of a more sophisticated and pragmatic generation of Afrikaners like President F. W. de Klerk, the collapse of the Communist bogey man that so terrified South African whites, the shame of sports and cultural boycotts and, perhaps most of all, the sheer, self-defeating folly of an ideology that tried to make foreigners of the country's black laborers and customers.

The African National Congress contends, and some independent economists agree, that sanctions helped hasten the end of apartheid through a combination of psychological and economic pain.

"Sooner or later, probably later, the Government would have had to face up to including blacks," said Edward Osborn, chief economist of Nedbank, who has studied the impact of sanctions. "But I think the short answer may well be, yes, sanctions accelerated the process."

Critics of sanctions counter that sanctions worked, but economic growth would have worked better, and would have left the next, democratic Government with a healthier country to run.

Such apartheid practices as reserving certain jobs for whites and forbidding blacks from living in cities, most experts agree, were abandoned because the state simply could not hold back the tide of job-seeking blacks. A booming economy, with more jobs, the critics argue, might have brought down those barriers faster.

"Sanctions have slowed down change," said David Steward, the chief Government spokesman. "They slowed down the big engine that was already breaking down apartheid."

Some sanctions hurt worse than others. The trade restrictions, by most accounts, had limited effect on a country rich in gold and diamonds. When America and Europe refused to buy South African goods, exporters scrambled to find new markets in the East and, except for a few industries like wine-makers in the Cape region, they succeeded. South African consumers, in turn, had little trouble finding new sources of oil and other imports, using devious channels and paying a premium to middlemen.

Tight Money

The most devastating blow was the loss of easy credit from foreign banks. While most developing countries are big borrowers, South Africa became an exporter of capital, rationing out its cash to satisfy foreign creditors. Tight money helped push the country deeper into recession and, Mr. Osborn and other economists are convinced, helped persuade Mr. de Klerk to reverse course in February 1990.

Critics of sanctions, including the Government and the Zulu-based Inkatha Freedom Party, contend that the main victims of this economic punishment were destitute blacks, who make up most of the country's nearly 50 percent unemployment rate. Poverty, in turn, bred violence.

"Violence doesn't take place among the middle-class suburbs," said Peter Smith of Inkatha. "It takes place among the poorest, the marginalized, and blacks are poorer and more marginalized as a result of sanctions."

Trevor Manuel, the head of the A.N.C. economics department, conceded that blacks shared in the suffering, but not disproportion-

Violence kills 184 in Natal

By RYAN CRESSWELL

AT least 184 people were killed in political fighting in Natal last month, according to figures compiled by the Human Rights Commission.

The HRC says the figures — for 35 townships and squatter camps — are the third-highest reported in the province in three years.

The organisation says there has been a recent shift of violence away from the Natal Midlands and the South Coast to the greater Durban area and the region north of the Tugela.

Durban was the worst area, with 85 recorded deaths.

During August, more than 70 homes were burnt in fighting between the Inkatha Freedom Party and the African National Congress.

HOW JOINT RULE WILL WORK

THE establishment of a Transitional Executive Council will herald the first stage of joint rule for South Africa. RAY HARTLEY explores three scenarios that could arise and how the council could deal with them

CASE 1: THE DECLARATION OF A STATE OF EMERGENCY

IT IS March 4 1994 and a third wave of killings hits Cape Town's central business district. Durban and Johannesburg have already been engulfed by violence, and protest marches in the cities have turned ugly.

Law and Order Minister Hernus Kriel has twice tried to declare 22 districts unrest areas, but after intense lobbying by the ANC his efforts have been rejected by the TEC by a 75 majority, with 18 of the 25-person council voting against his decisions.

The TEC sub-council on defence used its legal authority to demand documents and information from the Defence Ministry on the unrest and compiled a report to the TEC, which formed the basis of its rejection of the unrest areas.

President FW de Klerk wants to declare a state of emergency and move in troops to quell the violence.

He is required by law to consult the TEC.

On March 5 he addresses a full meeting of the council and presents his case.

After a stormy debate the ANC and PAC and their allies remain opposed to the emergency.

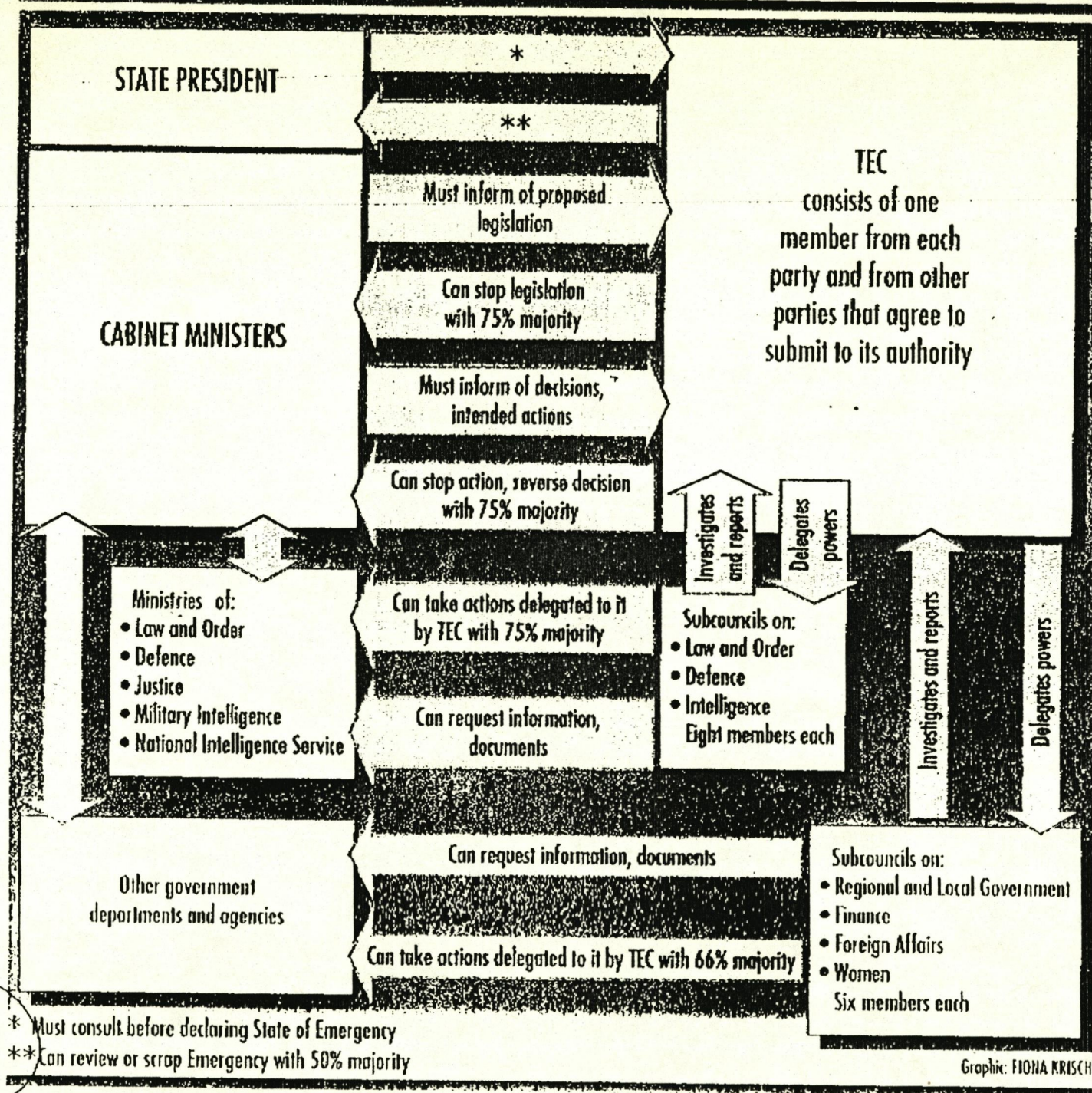
Some members of the council do not participate in the debate, saying they are unable to take sides.

President de Klerk decides to go ahead with the declaration of emergency on the advice of his cabinet, which argues that the violence could derail the election, leading to a major constitutional crisis.

His decision can be reviewed by the TEC after 80 percent of its members decide that it needs to be discussed again.

If 80 percent of the TEC members vote against the emergency, it will have to be repealed with immediate effect. The question is whether those opposed to the emergency can muster 80 percent support in the TEC.

But even if they fail and get only, say, 70 percent sup-



Graphic: FIONA KRISCH

Danger in quest for truth

TENDAI DUMBUTSHENA says the ANC's proposed commission of truth will result in an endless cycle of vengeful violence

THE ANC was among an élite of liberation movements collectively known as the Authentic Six, accorded by the OAU the status of sole representatives of their respective oppressed peoples.

The others in this select club were PAIGC (Guinea Bissau and Cape Verde Islands), Frelimo (Mozambique), MPLA (Angola), Swapo (Namibia) and Zapu (Zimbabwe).

Except for Zapu, all the movements exploited their diplomatic strength and military might to govern at the attainment of independence.

They must wonder why the ANC, which is poised to dominate South Africa's first non-racial government of national unity, subjected itself to the embarrassment of commissions of inquiry into human-rights abuses at its military camps.

It is no secret that horrendous atrocities were committed with impunity by liberation movements in their rear camps in neighbouring territories and against civilians at home in the name of the struggle.

All liberation movements which subsequently assumed

power in Africa saw no need to open the seedy side of their history to public scrutiny.

Is it the weakness of the ANC, the higher moral sensibilities of its leadership or an overweening belief in the justice and morality of its cause which made its leadership so willing to permit a public inquiry and accept its findings?

Or is it the exigencies of electoral politics that made it a political imperative for the ANC to present itself as a liberation movement whose senses of morality and justice were not vitiated by the savagery and brutality of war?

Perhaps the uniqueness of the ANC's position is that, after decades of conflict with successive white governments, it did not find a power vacuum it could fill with a political agenda and set of ethics unfettered by the interests and demands of other powerful groups.

One of the top ANC-SACP ideologues, Joe Slovo, admitted in an internal debate on strategic objectives that the failure of the ANC to inflict military defeat on the SADF was a source of weak-

ness which made compromises unavoidable. The Motsuenyane commission was one such compromise.

The leadership of Robben Island veterans cannot be discounted as a contributory factor to the willingness of the ANC to subject itself to public scrutiny.

Untainted by the tragic errors — some of which were understandably made within the context of a war — Nelson Mandela could sanction a commission of inquiry without running the risk of inflicting mortal political wounds on himself and the core leadership, which was in prison or waging the struggle from within South Africa.

They therefore had the moral authority to allow the ANC to reveal its seedy past in the full knowledge that there was no personal culpability on their part, and that most excesses would ultimately be judged within the historical context of a war.

The ANC has been criticised for failure to adopt a recommendation by the Motsuenyane commission to punish the culprits. The reason for this decision, it would

seem, is that, with an election pending, such retribution and inevitable recriminations and bloodletting could harm the ANC at a time when it is poised to assume power.

But its call for a commission of truth to punish perpetrators of atrocities by all parties is equally fraught with danger, as it would open old wounds and threaten the progress towards a new, non-racial political dispensation.

In Zimbabwe, the army of Ian Smith and the guerrilla movements committed terrible atrocities against innocent people and made no attempt to account for the dead and missing.

Zimbabwe's greatest achievement after the Lancaster House agreement was to close the book on those tragic years and allow the policy of reconciliation to facilitate the reconstruction of a new society.

The ANC's proposed commission of truth will undoubtedly cast the National Party in a darker light than the ANC and PAC, but its end result would be to fossilise South Africa in an endless cycle of recrimination and vengeful violence.

OPINION

Learning to take the rap

WITH the introduction of the Transitional Executive Council Bill to Parliament this week, South Africa enters perilous waters. Only the resolve, honesty and accountability of the participating parties will see the country through the months ahead.

Inkatha, in terms dangerously close to secession, says it will ignore the multi-party transitional councils set up to lead South Africa into its first non-racial elections. The right-wing parties, in words verging on sedition, warn of civil war.

True; the manner in which the bills were hatched, patched and dispatched leaves much to be desired but that is no longer the point. Any delays in putting the country on the path to national elections could have devastating consequences.

The violent interregnum in which we now live, an era in which the government neither governs nor opposition parties rule, is spawning its own demons which threaten long-term stability. The TECs may not be good, but they are the best option we have to regain control over a situation sliding into anarchy ahead of elections.

But there is a major caveat. Unless the participating political parties — and here primarily the ANC and the NP — show a willingness to accept responsibility for actions taken and consequences invoked, there can be no

chance of a successful transition.

Until this point there has been precious little indication on the part of the parties to accept that responsibility. The National Party endlessly blames its rivals for fomenting violence, even as evidence mounts that sections of the security forces have declared for one side or the other or simply taken to freelance crime.

The ANC liturgically clings to the mythology of a concerted government-inspired "third force" aimed at undermining it. No hard evidence exists but its constant accusations against the security forces as a group are taking their toll in the townships. The slaughter of policemen continues and the mobs shorthand the ANC's conspiracy theory to mean the "third force" is white — any white. Racist attacks and counter-attacks mount.

The National Peace Accord, another multi-party agreement signed amid high hopes, is now surviving only by the nobility of those volunteers who serve its peace-keeping missions. The politicians, in words and deeds, have contravened its terms with obscene regularity while refusing to take responsibility for the actions of their members.

It will have to stop. A strong sense of political accountability on the part of the TEC partners is all that will save the process from the implacable forces now circling this fragile creation.

MK's toughest fight — keeping the troops happy

A VERBAL confrontation does not easily shake Umkhonto we Sizwe commander Joe Modise, because the MK strongman has been engaged in more serious confrontations — of a military nature — before.

But when Mr Modise describes the mood at the recent Kangwane MK special conference as "tough", things must have come to a head.

The rumblings of MK cadres — about 300 delegates packed the Ngwenya College of Education in Kangwane — resembled those of "men who did not know where their next meal is going to come from", according to Mr Modise.

Something had to be done. The special conference at Kangwane was convened to address not only the welfare of cadres, but also the question of restructuring and

After years of waging war on apartheid, the ANC's military wing, Umkhonto we Sizwe, is facing a foe of a different kind, reports BRIAN SOKUTU

the national peacekeeping force.

But had the welfare issue not been at the top of the agenda, there is no doubt the conference would not have succeeded in restoring unity and faith in MK's military and political leadership.

Mr Modise agrees that the men who returned from exile to face destitution at home "went through difficult times with their families".

The ANC has faced "major problems" resettling MK cadres inside the country, says Mr Modise.

While in exile, the soldiers

were given refugee status by the United Nations High Commissioner for Refugees and qualified for support. Foreign countries like Sweden, Norway and Denmark pledged financial assistance.

"Once back home, we all lost refugee status and funding dried up," explained Mr Modise.

It is against this background that MK commander-in-chief Nelson Mandela made a R10-million pledge when opening the MK conference in Kangwane to address the crisis.

The money, to be distributed

proportionately to the regions, is to be administered by a national structure which will have representation from regional command bodies, the office of Mr Mandela and from that of ANC treasurer-general Thomas Nkobi.

The structure, to be convened by MK army commissar Andrew Masondo, is due to meet next week.

The military headquarters, which now faces restructuring, has undertaken the responsibility to establish an "MK fund" within a month. It is envisaged that the public, business and employed MK members will contribute to the fund.

MK delegates attending the conference, including PWV deputy commander and former Soweto Youth Congress leader

Oupa Monareng, believe the confrontation could have been averted had MK implemented resolutions taken at the Venda 1991 conference.

The Venda resolutions included the restructuring of the military headquarters and the formation of a Supreme Military Council.

Said Mr Monareng: "The MK PWV region pushed for the Venda resolutions to be reviewed, and questioned why they were not implemented. We felt problems could have been resolved had the Venda resolutions been implemented."

"We went to Venda because we anticipated this. MK felt marginalised and nobody wanted to see it going into disarray."

The leadership was under pressure on the question of ac-

countability. We had to confront each other frankly."

Mr Modise agreed: "The decisions taken at the Venda conference were not implemented because of lack of resources, structure and so on."

On the national peacekeeping force (NPKF), MK resolved that the Transitional Executive Council's sub-council on defence should establish a NPKF Joint Command Centre comprising representatives from all the military formations and police forces.

Mr Modise said the NPKF would "guarantee free political activity" to parties contesting the elections.

"We came out as a strong and united force. It was a very challenging conference," said Mr Monareng.

TEC could usher in new era in world aid for SA

By PETER MALHERBE
in London and
JOHN FRASER in Brussels

WORLD leaders and legislators are poised to welcome South Africa back into the international financial community — if the Transitional Executive Council lives up to expectations.

Sanctions — the "stick" aspect of international pressure for reform — have largely fallen away since the adoption of the TEC by negotiators at the World Trade Centre.

Frantic

Now the "carrot" beckons in the shape of the go-ahead for International Monetary Fund lending for South Africa and a package of other support measures.

European Community leaders are meeting in Belgium this weekend to discuss developments in South Africa as diplomats prepare for a frantic round of negotiations on aid to SA.

The package the EC has promised when the power-sharing TEC has been established includes:

- EC pressure on the IMF and World Bank to normalise relations with SA.

- Upgrading the EC office in South Africa to an official delegation.

- The withdrawal of "code-of-conduct" restrictions on European firms doing business in South Africa.

- A new political dialogue between Europe and South Africa, with the posting of military attaches to EC states' embassies in Pretoria and a restoration of military and security links.

Diplomatic sources have indicated that this week's agreement in South Africa to establish the TEC may not satisfy the EC leadership, who could decide to wait until the TEC is firmly in place before acting.

ANC leader Nelson Mandela and Foreign Minister P. W. Botha are both expected in Brussels next month, where they are likely to hold a series of high-level meetings with EC leaders.

Mr Mandela arrives in the Belgian capital on October 3 to receive an honorary degree from the VUB, the Flemish-speaking Free University of Brussels.

Mr Botha will be in Brussels the following week to address a conference on EC relations with South Africa.

Sanctions are no longer a major issue after the lifting of EC restrictions on trade in coal, iron, steel and gold coins. Sweden is expected to announce the lifting of its trade embargo on South Africa next week.

Remaining EC restrictions are in line with UN embargos on military equipment and oil.

EC politicians have warned, however, that South Africa should not expect a major increase in aid, despite the progress towards democracy.

Development Commissioner Manuel Marin said the EC's aid programme to South Africa was the largest individual programme run by the European Community.

Because of its relative wealth compared to its African neighbours, South Africa could be excluded from joining the Lomé Convention — a trade and aid deal linking the EC with 69 countries, including all the black states in sub-Saharan Africa.

Action

However, this would not prevent the negotiation of a specific trade agreement with Brussels. Such an agreement was likely to resemble the accords the EC already has with Turkey and Morocco.

A confidential Foreign Affairs briefing document quotes a US State Department spokesman as saying US opposition to IMF lending to SA (the Gramm Amendment) would be lifted "once the TEC was in place".

"The action would be taken once the ANC had given the go-ahead."

"The process of removing state and local-level sanctions in the US can be expected to begin once the ANC has formally called for sanctions to be lifted."

Mr Mandela said this week that this would happen this month.

Australian Foreign Minister Gareth Evans predicted the Commonwealth would lift trade sanctions within two weeks, and financial sanctions would follow soon after, the document noted.

IFP brawl erupts over poll boycott

By RAY HARTLEY

THE simmering conflict between Inkatha hardliner Walter Felgate and party moderates split into the open this week ahead of a crucial meeting between Inkatha leader Mangosuthu Buthelezi and President FW de Klerk on Thursday.

The meeting is likely to be dominated by efforts to get Inkatha back to the talks and to win IFP support for four transitional bills to be tabled in Parliament in the next two weeks.

Tensions between those who back Mr Felgate's statement this week that Inkatha would disrupt the April 27 election and those who favour participation in the ballot erupted on Friday when party chairman Frank Mdlalose took

the unprecedented step of repudiating Mr Felgate on national television.

He said decisions about participation in the election would be made at an Inkatha special congress and not by "individuals".

Mr de Klerk, meanwhile, faces his own problems, with divisions within the NP over whether to contest the April elections in an alliance with like-minded parties.

The president is known to favour a "go-it-alone" strategy. But a strong lobby, including Law and Order Minister Hernus Kriel, Justice and Defence Minister Kobie Coetsee and Local Government Minister Tertius Delpont, are advocating that the Nats form an election pact with various homeland parties and right-wing groups.

Inkatha officials have, meanwhile, downplayed reports that moderates were plotting the

reduction of Mr Felgate's influence on Mr Buthelezi.

Kwazulu Health Minister Ben Ngubane said: "We don't work like that in Inkatha. There is no plot."

Mr Felgate said if there was a plot against him it was clearly being led by inconsequential members who were too afraid to identify themselves.

Former DP MP Mike Tarr, now an Inkatha central committee member, said he rejected Mr Felgate's suggestion that Inkatha embark on mass action to disrupt the election.

"There's no way I'm going to be part of any mass action. Not to fight elections is crazy. What you are actually doing is cutting your own party's throat," he said.

But he added that there was no plot to oust Mr Felgate.

ANC president Nelson Mandela entered the fray on Friday saying those who raised "the spectre of

ethnic strife" served a lost cause.

"We call on the spoilers to return to negotiations. Let us resolve our differences around the table. Those who talk of civil war do not care for the lives of our people and for the economy," Mr Mandela said.

This week another door slammed shut for Mr Buthelezi when a full bench of the Pretoria Supreme Court ruled against a Kwazulu government application to have certain decisions made by sufficient consensus at the talks set aside.

Multi-party talks chairmen Pravin Gordhan and MJ Mahlangu — respondents in the case — said the judgment should be "morally binding" on Inkatha and the Kwazulu government.

"The Supreme Court ruling paves the way for their immediate return to the negotiation process," they said after the hearing.

Cosatu boss set to quit his post for election

By RAY HARTLEY: Political Reporter

COSATU general secretary Jay Naidoo and 19 other union officials were last night nominated to the ANC's election list at Cosatu's special congress in Soweto.

The nominations mean the 20 will vacate their Cosatu positions, a move that will significantly alter the federation's top leadership.

Mr Naidoo, who has served as general secretary since Cosatu was launched in 1985, was carried to the stage on the shoulders of workers amid loud singing and dancing after his name was read out. He said: "We are going with the mandate of the biggest organisation in the country, and obviously we are carrying forward a tradition of militancy that has emerged out of the growth of Cosatu."

"It is a nostalgic moment, it is a sad moment; Cosatu has been my life."

Among the other senior Cosatu officials who will vacate their posts for the election are first vice-president Chris Dlamini, general secretary of the National Union of Metalworkers of SA Moses Mayekiso, and the National Union of Mineworkers assistant general secretary, Marcel Golding.

National Education, Health and Allied Workers Union general secretary Phillip Dexter and Numsa education secretary Alec Erwin were also nominated.

The list was finalised after a dramatic 11th-hour alliance meeting, attended by ANC president Nelson Mandela, on Friday night.

Replacement

At the meeting, Mr Mandela assured the Cosatu leadership that the federation's 20 nominations would be included in the top 51 percent of the ANC's election list.

The Cosatu congress will today decide who will replace Mr Naidoo as SA's most powerful trade unionist. Cosatu assistant general secretary Sam Shilowa, whose name was removed from the list at the last moment, is expected to replace Mr Naidoo.

Earlier, the congress adopted a resolution calling for a constituent assembly with the power to "reverse any provision contained in the interim constitution."

The resolution warned technical committees at democracy talks not to "tamper with hard-won worker rights".

On Friday, Mr Mandela said the federation could not take it for granted that an ANC government would take the side of labour.

Judges warn bill could wreck property market

By CARMEL RICKARD

SOUTH AFRICA'S chief justice has warned that the draft bill of rights could wreck the property market if it is not changed.

Chief Justice Mick Corbett, on behalf of all the other judges, has sent a 31-page memorandum to the World Trade Centre committees dealing with the present draft bill of rights.

In their memorandum, the judges point to many flaws in the wording of the bill of rights, saying some clauses are "ambiguous and confusing", while others will create great uncertainty and "serious problems of interpretation and application".

Still others were so inadequately worded that they would open the door to "busybodies" bent on instigating litigation.

Judge Corbett stresses that the judges' comments are "apolitical", and deal with practical problems and legal consequences rather than the principles reflected in the draft.

Drastic

However, he takes issue with the drafters for asking the courts to decide a crucial question of principle: whether the bill of rights should apply only between the state and individuals (vertically) or whether it should also apply to relationships between individuals (horizontally). The judges say it is "highly undesirable" to leave this problem for the courts to decide.

They say that if the bill of rights operates vertically only, then the eviction clause in the bill will inhibit the state from selling or letting properties.

If the clause acts horizontally as well, it would prevent individual landlords from evicting people who don't pay their rent. The effects would be "even more drastic", and could wreck the property market.

The judges say that, if the intention of the clause is to protect squatters, the drafters should spell this out clearly. They also criticise the clause on compensation for land taken away because of race policies, saying the problem should be dealt with in a

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Bill could wreck property market

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different way.

The judges express concern that the "fundamentally important" issue of detainees' rights is not dealt with adequately because the draft bill does not spell out certain internationally recognised procedural rights. For exam-

ple, it does not outlaw evidence obtained in violation of the detained person's rights.

Members of the committee debating the bill of rights said Judge Corbett's comments were being taken "very seriously indeed".

Substantial changes had been made to the current

draft before the judges' comments were received, and many of these alterations were "already moving in the direction of the chief justice's suggestions".

When an amended draft is ready, it will be sent to the judges, and to other lawyers' bodies, for further comment.

FW, Mandela clash over R1bn phones deal

By EDYTH BULBRING
Political Correspondent

A BITTER row between the government and the ANC threatens to block a R1-billion foreign investment in the cellular phone industry — the first major investment initiative since apartheid was scrapped.

So messy has the row become that President FW de Klerk and ANC leader Nelson Mandela took time out from their pressing schedules 10 days ago to discuss the issue — two cellular telephone licences which the government wants to award before September 30.

The ANC and Cosatu are determined to block this move, while the government is under pressure to grant the licences before the tender adjudication expiry date

at the end of the month.

The ANC accuses the government of secretly trying to restructure the telecommunications industry before a new government takes over, while the government believes the ANC is engaging in political power play and wants to award the licences to its favoured companies after the elections.

Government officials believe the envisaged technology will provide 70 000 new jobs and affordable telephones speedily for two-million people, and stimulate competition to the benefit of the consumer. There would also be benefits for local industry.

This week, the parties' top negotiators and officials met in an attempt to find a compromise.

Public Enterprises Minister Dawie de

Villiers and Post and Telecommunications Minister Piet Welgemoed met the ANC's Cyril Ramaphosa and Cosatu general secretary Jay Naidoo on Tuesday.

This was followed by meetings between Postmaster General Ters Oosthuizen and ANC information systems head Andile Ngcaba on Friday and yesterday. But the two parties were unable to make any progress, with the ANC insisting it will oppose the granting of the licences.

Should the licences not be awarded by the end of the month, the government could face the withdrawal of these tenders and litigation from companies that have spent millions of rands on their presentations.

The government also believes that to halt the process would cause irreparable damage to the economy and foreign in-

vestor confidence.

This row comes just weeks before Mr Mandela is expected to announce the formal lifting of sanctions and ask foreign countries to invest in the country.

At stake is one licence which the government has promised to Vodacom, a consortium with a 50 percent Telkom shareholding. A British company called Vodafone has a 35 percent stake, and 15 percent is held by Rembrandt.

The favourite for the other licence is Mobile Telephone Networks — a consortium including M-Net, Cable and Wireless, Transnet's Transtel and a black-owned company.

The ANC and Cosatu oppose the granting of the licences on the basis that it amounts to a unilateral restructuring of the telecommunications industry just be-

fore a new government assumes power.

Mr Ngcaba says the government did not consult properly, that it operated in secret and that the proposed equipment — the Global System for Mobile Communications — which would be obtained abroad, had not been sufficiently tested, would provide few advantages for local industry and was too costly for consumers.

He says the licence should be owned by a public company and the airwaves should not be privatised.

"What they are trying to do is give the airwaves to their friends as a reward for supporting apartheid and so that they can have their own private network outside the public telecommunications network that won't be tapped or listened to."

The government denies the ANC's

claims. Officials say they consulted widely in a process that was conducted openly.

Government officials suspect the ANC of political posturing, saying it is trying to block the process with a view to rewarding favoured overseas companies with the tender for certain paybacks after the election.

Mr Oosthuizen said yesterday he could not see how the process could be stopped or slowed down.

"If a state does not honour its promises, how the hell can you do business with that state again?" he asked.

Mr Welgemoed, who had been determined before the intervention by Mr Mandela to go ahead with granting the licences, has now had his hands tied by the political implications that a standoff between the two leaders will bring.

LAST-MINUTE CONCESSIONS have left the Nats weak and vulnerable

Coup ends 341 years of white rule

■ Power shift The Nats ARE losing real power to the TEC. The Government will be weak and isolated at the TEC which has sweeping powers to override Government decisions on security and finance that could affect elections. But a special court will have the final say.

By DAVID BREWER

THE Government won't stand alone at the TEC - it will have its echo and its shadow for company. But that won't be enough for a veto.

That is the effect of the coup the African National Congress achieved in last-minute haggling at the World Trade Centre this week when it beat down the Government on voting percentages.

What this vital concession means, say negotiation analysts, is the end of 45 years of Nat power and 341 years of white rule. For the TEC, expected to take office next month, can more easily override Government decisions on the two key aspects of power - security and finance.

The TEC's functions are to ensure free and fair elections and "transition to a democratic order".

But this definition has been left broad, giving it great latitude to override Government actions.

The TEC and its seven subcouncils will have sweeping powers to prevent the Government taking any action that could possibly be construed as favouring any party in the election - such as the deployment of troops and even how the Budget is spent. The subcouncil on finance will sit on all budgeting committees.

There is now little chance that the Government and its Nat shadow will be able to exercise a veto on the three most powerful subcouncils: those on law and order, on defence and on intelligence services.

The minor parties that could have supported the Nats are either boycotting the TEC or are too small to sit on these key subcouncils.

President FW de Klerk and his Government insist they are not handing over power to the TEC. But the facts show otherwise.

This is how the arithmetic of power will work: each of the subcouncils on law and order, defence and intelligence will have eight members.

The original proposal was that 80 percent of subcouncil members would be needed to overrule the Government. This in effect worked out at seven of the eight members - six would have been too few. So the Government would have needed just two subcouncil members to veto its decisions - the Government itself and one other, perhaps even its NP shadow. The ANC rejected the idea.

In last-minute horse-trading the ANC won a crucial victory by beating down the percentage from 80 to 75, which makes all the difference.

HOW GOVERNMENT CAN BE OVERRULED

SAY the Minister of Defence Kobie Coetsee decides to send troops into Katlenong to quell violence. The Government thinks this is a good idea, but the ANC opposes it, saying this peacekeeping task should be left to the new joint National Peacekeeping Force due to be set up by the TEC.

The Government and ANC can't agree, and it goes to a vote at the subcouncil on defence. Six of this eight-member subcouncil vote against deployment, so the troops cannot move in. For the TEC Bill says that the deployment of troops in peacekeeping or crime prevention needs the concurrence of BOTH the Minister and the subcouncil on defence.

But the Government is adamant that the troops must go in. So it appeals to the Special Electoral Court which makes its decision which is final and binding with no appeal.

If the court says the troops can go in, then in they go. If not, then not. That is where the buck stops.

For three-quarters of eight members is six - so six will be able to overrule the Government which now needs three out of the eight to mount a veto - a much more difficult prospect than two because of the Government's isolated position. Even if both the Government and the NP are represented on these crucial subcouncils, it will not be enough. They need one more ally, and this will be difficult.

Government sources say they hope the political minnows at the TEC would vote with them - like Gazankulu and QwaQwa as well as Auchi and Rajbansi's one-man band, or perhaps the virtually non-existent Afrikaner Volksunie or the Democratic Party.

But there is little chance these minor parties will be represented where the real power is - in the three subcouncils on law and order, defence and intelligence.

These subcouncils will almost certainly be taken by the big boys like the ANC and its allies the SA Government, Transkei and maybe the PAC which have armies, police and intelligence operations of their own to be relevant to the subcouncils.

So in this league, the Government and the Nats may have only themselves for company - not enough to exercise a veto.

The TEC has sweeping powers to level the political playing fields. After the elections the TEC will disband and give way to the elected interim government.

There is one body even more powerful than the TEC and its subcouncils - the Special Electoral Court.

If there is any disagreement between the TEC or one of its subcouncils on the one hand and the Government or any other party on the other, the matter may be referred to this court whose decision will be final and binding with no appeal.

This five-member court will also hold sway over the Independent Electoral Commission. Its chairman will be an Appeal Court judge, two other members must be Supreme Court judges, one other must be a lawyer or magistrate with at least 10 years' experience and the fifth a suitable person.

The court will in effect be the supreme power in the run-up to elections, followed by the TEC - with the Government bringing up the rear.

SCOREBOARD

How the newsmakers rate.

■ **Walter Felgate**

Threatened widespread mass action and disruption to halt elections. Is this the view of Mangosuthu Buthelezi?

X

OUR VIEW

IFP must give in

The issue:

South Africa is at the crossroads of war and peace as De Klerk and Buthelezi meet this week.

We suggest:

The two leaders reach a record of understanding to prepare the way for peace through real consensus.

IT WAS nearly a year ago that the Record of Understanding between De Klerk and Mandela breathed life back into negotiations after the Boipatong massacre and the Codesa flop. Unfortunately that agreement reinforced the IFP's rogue status, setting off a chain of events leading to more violence and growing threats of civil war.

With political violence now killing 18 a day and unspeakable massacres almost a weekly occurrence, such threats are almost academic; we are at war and political leaders stand condemned unless they take the lead in ending it.

All indications are that De Klerk will this week present Buthelezi with proposals for even stronger guarantees for regional powers than have so far been tabled at the World Trade Centre.

The danger of course is that De Klerk could go overboard in appeasing Buthelezi, and antagonise the ANC instead. There is a limit to De Klerk's appeasement before he goes down in history as South Africa's Neville Chamberlain.

Negotiators cannot be expected to keep on giving in to Buthelezi's "territorial demands". The real compromises now have to come from the IFP as the tide of events turn against it after KwaZulu's case was thrown out of court.

It is now more urgent than ever that Buthelezi be advised by more moderate men instead of the fiery Walter Felgate who threatens mass action and civil war. The sheer senselessness of this suicidal course has now become apparent to other IFP members who realise they risk losing all as an election boycott will hand KwaZulu-Natal to the ANC on a plate.

The solution is to achieve real consensus in which all parties make concessions and no party holds the rest to ransom as the IFP has so far done.

JON
Qwelane



JUST JON

Violence: why is De Klerk equivocating?

RADIOMAN John Berks may not please everyone with the simple but blunt way he sums up the violent situation we have experienced in South Africa over the past three years and more, but there is an abundance of truth in his words.

He says, and these are words he has used more than once this week: "Life is very cheap in Africa."

Those seeking mathematical precision in these matters always harp back to the arrival on African shores of the forebears of the "colonialist minority settler regime and the privileged white settler class" as being the primary cause of violence.

They want to deny that much of Africa today is a mess whichever way one looks at it - politically, economically, and socially.

They want to deny that post-colonial Africa is a political mess mainly through misrule, dictatorships, denial of human rights, corruption, nepotism, political murders, coups, power struggles and the vehement promotion of tribalism in some countries.

They want to deny that many African states are financially bankrupt mainly through unworkable political ideologies which sought to regulate and harness market economies.

They also want to deny that many of our cousins on the African continent are living in conditions of social decay - all because funds were brazenly stolen by those in power.

As all these scourges take place, brutal elimination of political opponents - usually voices pleading for a halt to the merry dance of madness and destruction - happens at a frightening pace.

Personally, I do not care if anyone tries to deny these things: they are real, and many African journalists I have encountered on my trips abroad have spoken about them openly. It is usually journalists from the affected countries who have tabled resolutions condemning their governments.

True, it can be plausibly argued that the departing colonialists did not do much to prepare Africans for eventual self-rule, leaving them in the lurch.

Devil's advocate

But if I must play devil's advocate, the colonialists could easily turn around and say - and with justification - that they did not come to Africa to educate its natives, only to look for riches for themselves.

In any event, intellectual debates over what is undeniably a mess will not bring us closer to solutions; what will is an honest assessment of the position, acknowledgment that much of the rot is directly traceable to systems that were unworkable from their implementation, and perhaps also a determination to start afresh in more realistic and sober circumstances.

Of course the colonialists were devils incarnate, no doubt about that; selfish bloodsuckers who stopped at nothing, not even systematic genocide - the extermination of American Indians is a classic example - to get their filthy hands on the riches of other lands.

And of course here at home apartheid was the creation of similar bands of bloodsuckers who, as time went on, would not keep their grubby fingers out of the honeyjar, hence the State coffers are at a low.

All that, however, does not rationally explain why life is so cheap on our continent in general, and in our country and townships in particular.

Barely six days after the countrywide celebration of Peace Day last week, home-grown gangs of butchers got down to serious work. When it was all over 25 taxi passengers lay dead in an East Rand town.

And you still hear some "intelligent" people looking askance at suggestions that emergency measures must be imposed immediately and with all the severity possible, to weed out the agents of violence and murder.

In the face of such unprecedented savagery and cruelty, why does President de Klerk still dither on the imposition of emergency rule?

■ (Jon Qwelane is Editor of Tribute magazine)

Mandela meets AWB chief

By BEN MACLENNAN

IN AN unprecedented meeting yesterday, an AWB "colonel" and ANC president Nelson Mandela met in an ad hoc meeting in a Beaufort West hotel room.

The brief meeting was brokered by police after a tense stand-off between 36 heavily armed AWB

members and ANC supporters outside the hotel. After the meeting the AWB group dispersed.

Mandela flew to the town yesterday to meet local "opinion-makers". The AWB members, led by "Colonel" Ferrus Munro, AWB deputy-commander in the Cape, gathered near the hotel, in uniform and armed.

When Mandela's party arrived, the AWB moved to the hotel. ANC supporters, who grew to number 100, watched in silence and unfurled an ANC flag.

Captain Johan van der Hoven of the SAP Community Relations Division then negotiated with Munro and Ystergard member Jan Louw. They were then disarmed and taken into the hotel.

Munro said afterwards neither he nor Mandela had offered to shake hands. "If you meet somebody, you only offer your hand if you have trust in that person. I know what I am, he knows what he is and we don't fiddle about with that." Munro said he told Mandela he was standing there "in the name of the living God, the God of Blood River".

"I wanted to put over to him that he must have no doubt that if a hair on the head of a conservative white is harmed we will fight back and hit hard."

He said Mandela "does his thing well" and had replied with conviction.

During the meeting, there was a brief disturbance when armed men, apparently AWB members, tried to move down the side of the hotel. - Sapa

Cosatu names ANC men

■ **In with the old:** Cosatu leader Jay Naidoo will be at the head of the union's nominees, which were announced yesterday, for the ANC election lists.

VETERAN unionist Jay Naidoo tops the list of 23 Cosatu leaders nominated yesterday for the ANC election lists.

Expectations reached fever-pitch as 1700 delegates at Cosatu's special national congress waited for listing committee secretary Musi Buthelezi to read out the names at Soweto's Vista University.

Senior unionists included in the national list to the National Assembly included Cosatu first vice-president Chris Dlamini, National Union of Metalworkers of SA general secretary Moses Mayekiso and his Southern African Clothing and Textile Workers Union counterpart Johnny Copelyn.

Cosatu resolved to second 11 nominees for the national list to the National Assembly, another nine to the National Assembly regional list, and three for the regional parliament.

The 20 names on the national list had been guaranteed by the ANC-led alliance, Buthelezi said.

Delegates resolved to endorse

the names of 20 trade unionists to be included in the top 51 percent of the ANC's list.

Also on the National Assembly list were: Numsa education officer Alec Erwin; Post and Telecommunications Workers' Association president Kgabisi Mosonkutu; former Transport and General Workers' Union general secretary Nathie Nhleko; National Union of Mineworkers' assistant general secretary Marcel Golding; former CWIU president Don Gumede; SA Commercial, Catering and Allied Workers' Union president Duma Nkosi; and National Education, Health and Allied Workers' Union general secretary Phillip Dexter.

Cops set to undergo 'apartheid cleansing'

■ **Back to apartheid:** The Government accuses the ANC of returning to an apartheid-style racially-divided police force – but the ANC says many white cops are racists.

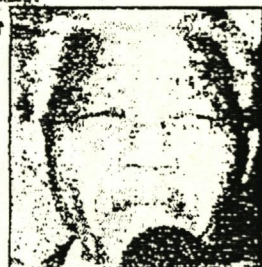
By DAVID BREWER
POLITICAL CORRESPONDENT

THE security forces including the police will undergo "re-orientation" after the elections, the African National Congress has warned.

ANC spokesman Ronnie Mamoepa says that when the ANC becomes the majority in the government due to be elected on April 27, the security forces would have to move swiftly to overcome decades of apartheid training.

This is the latest in the polemic following ANC leader Nelson Mandela's repeated demand for the removal from the townships of white police, especially the Internal Stability Division (ISD) – the revamped riot police – which he calls "racist" and blames for much of the violence in the East Rand and Natal.

The highly-trained ISD is racially-mixed but is led largely by a white officers.



ON THE ATTACK . . .
Nelson Mandela.

Mandela launched a scathing attack on "racist" white policemen although he said not all were racist. He especially hammered the ISD as a "most cruel and disorderly" group of officers.

He questioned why white police were sent to black townships when black police were not sent to control the AWB attack on President de Klerk in Ventersdorp.

But Mamoepa denied the ANC wanted to keep white cops out of the townships, stressing it was the ISD which must be removed even though it included both black and white policemen.

But Ministry of Law and Order spokesman Craig Kotze says the Government found it "extremely worrying that the ANC is hell-bent on a policy of apartheid policing and dividing the police on racial lines".

Kotze said the ANC wanted to create no-go areas so that it could use its self-defence units and armed wing Umkhonto we Sizwe to "clean areas of political opposition. The only force that stands in the way of chaos is the ISD. If they left there would be total anarchy."

At the heart of the row is the ANC's demand that black police living in the townships should be in charge of law and order there.

Mamoepa says this is because they are members of the local community and are sensitive to the community's needs and would serve them the best.

Kotze, however, believes the ANC made the demand so it could intimidate the black policemen living in the area to carry out its specific wishes.

SETTLE KEY ISSUES, says Government, or elections can't proceed

Gritty ultimatum on negotiations

■ **Hanging in balance:** April 27 is off unless negotiators reach key constitutional agreements in the next month, says the Government.

By DAVID BREIER
POLITICAL CORRESPONDENT

THERE is no way elections can be held unless key constitutional issues are settled in the next four weeks, says chief Government negotiator Roelf Meyer. Using classic brinkmanship tactics to increase pressure on the ANC as negotiations enter the last lap, Meyer told the NP faithful at its Transvaal congress outside Kempton Park yesterday that negotiations were entering a critical phase.

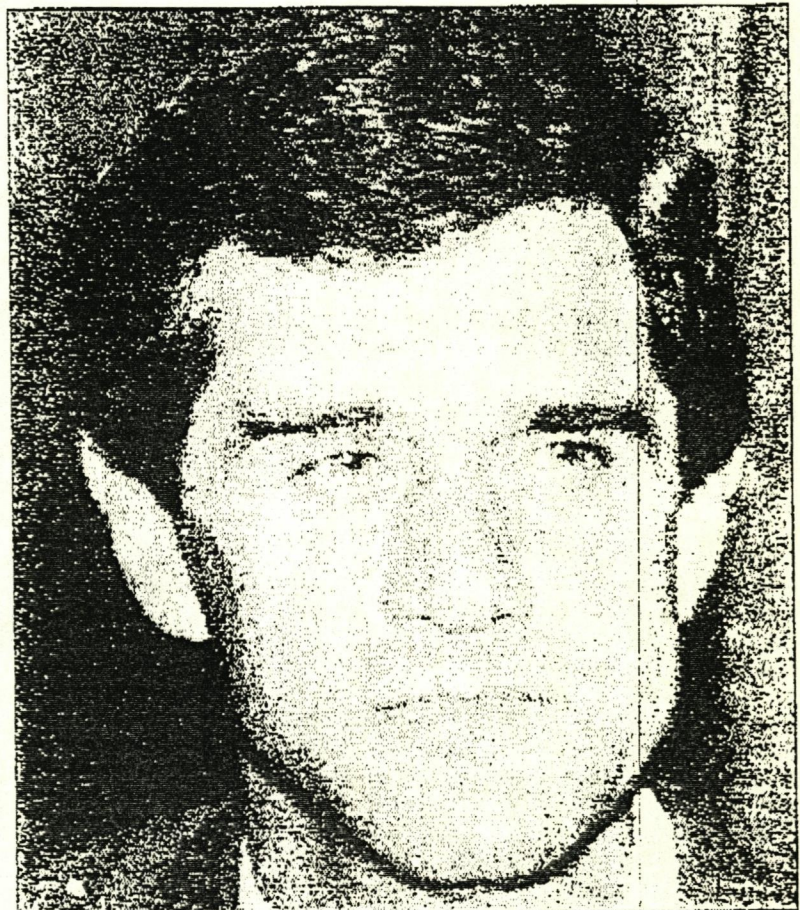
Meyer acknowledged that the postponement of the elections would lead to more violence unless it could be justified. But he said progress would have to be based on substance "so we achieve what we set out to".

He said that unless four key issues were resolved in the interim constitution by the middle of next month, "there is no way we can hold elections ... it means we cannot move ahead".

The Government demands even greater regional powers which must be entrenched, a constitutional court which can protect these powers, and a ~~to~~ deadlock-breaking mechanism ~~in the~~ next four weeks. It will hand in proposals for greater regional powers at the World Trade Centre this week.

Meyer went even further, saying that not only would the Nats have to be satisfied with the interim constitution, but the constitution would also have to satisfy the parties boycotting the talks - the Inkatha Freedom Party and the Conservative Party.

Meyer said the IFP and CP had until the end of next month to say where they stood before it was decided what the next step was.



PUTTING THE PRESSURE ON ... Government negotiator Roelf Meyer.

Government sources agreed it was a tall order to expect the IFP and the far Right to fall into line by the end of next month, indicating that the crunch was imminent.

President de Klerk meets IFP leader Mangosuthu Buthelezi this week when the Government is likely to propose stronger guarantees of federal powers to satisfy Buthelezi's demands. Meyer now uses the word "federal" to describe the new constitution in an apparent bid to appease Buthelezi.

His fellow negotiator Dawie de Villiers admitted that negotiations for the interim constitution were behind schedule, but said it was possible to complete them in time for the April 27 election target.

The interim constitution has to be ready in time for a second short session of Parliament in November. A first short session starting tomorrow is to handle transitional Bills setting up a Transitional Executive Council and other bodies.

NP 'antis' may break ranks soon

■ **Doing the splits:** Growing divisions in Government have emerged into the open and could lead to Nat defections in Parliament.

By DAVID BREIER
POLITICAL CORRESPONDENT

NATIONAL PARTY dissidents could make their move within the next few days in a bid to slow down negotiations. Government officials acknowledged.

The Nats have already begun to prepare their damage control in advance, describing the rebels as disgruntled white MPs dissatisfied at their lack of promotion.

The dissidents could make their move in the short parliamentary session beginning tomorrow which is to pass the four transitional Bills so far agreed to at the World Trade Centre talks.

But there is no danger that the possible handful of defections could hold up the Bills as the Nats have the support of the Democratic Party and the ANC in Parliament.

Divisions in Government ranks emerged into the open at the Transvaal Nat congress this week when hardline Minister of Law and Order Hennis Kriel acknowledged he was one of the "antis" - a term used for virulently anti-ANC Nats seeking an election pact with other parties including the far Right.

Kriel claimed the entire Cabinet were "antis". But Deputy Minister of Justice Sheila Camerer said that while she was anti-ANC, she was not one of the "antis" described in a current Nat press witchhunt.

It is believed Minister of National Health Rina Venter, recuperating from surgery, is a member of the "anti" group in the Cabinet. Others are Kobie Coetsee, Tertius Delport, Danie Schutte, Andre Fourie and George Bartlett.

Kriel threw down the gauntlet by openly flouting official Nat policy that the NP would fight the election on its own.

"It was not, and is not, NP policy to go it alone. We will bring together people who belong together because they share the same principles."

President must consult before declaring state of emergency

servants, the backlash at the polls could cost the government a significant section of its support.

CASE 3: A NATIONAL TEACHERS STRIKE

Teachers have just voted at their extraordinary congress on April 12 1994 to resume the national teachers strike after the government had reneged on an undertaking to review salaries, saying that this should be done by the new government.

With polling two weeks away, the strike threatens to disrupt the election campaign and contribute to growing levels of violence in the country. The TEC decides that it will intervene to defuse the strike before this happens.

The TEC is faced with a dilemma: either it must leave the government to deal with the strike and acknowledge the limits of its powers, or it must act and those backing the action must face the electoral consequences.

But TEC members are split on what action to take. In terms of its powers, the TEC could order the government to raise its offer to teachers to eight percent in the hope that this would satisfy the striking teachers.

While some TEC members support this strategy, others support the deployment of the TEC's peacekeeping force at schools to stabilise the situation and prevent schoolchildren from taking to the streets.

A third option is the formation of a new TEC sub-council on education to investigate the matter and negotiate with the education department and the union.

This would require the approval of President de Klerk in terms of the TEC Act, and he would face the dilemma of whether to concede that the TEC should deal with the matter.

port. President de Klerk could be faced with a major political crisis if he goes ahead with the emergency. He will alienate the majority of TEC members and appear isolated if he goes ahead.

CASE 2: AN INTERIM BUDGET

The government needs to pass a two-month "standstill budget" to keep its departments operational until the new government comes into being in May. It is February 1994 and Finance Minister Derek Keys has produced a draft interim budget.

In an effort to avoid controversy, Mr Keys's interim budget is simply a pro rata extension of fiscal allocations in the existing budget.

But after a debate in which the ANC points out that the existing budget is biased in favour of the NP's constituency, the TEC decides by a 75 percent majority that the budget would affect the outcome of the election and therefore falls within its jurisdiction.

Mr Keys presents his draft

budget to a full sitting of the TEC. The ANC points out that allocations to agriculture and a proposed two percent "interim" increase in public-service wages are efforts to buy votes and cannot be tolerated.

The ANC points out that the six-person TEC sub-council on finance has in any case

begun work on the full 1994 budget, which differs in many respects from the 1993 budget.

The TEC votes by a 75 percent majority to send the interim budget back for redrafting despite Mr Keys's warning that funding for policing, defence and the maintenance of services has

run out.

The government now faces a situation where it needs to pass a budget urgently, but needs to satisfy the diverse interests represented by 75 percent of the TEC to do this.

If the budget contains no relief for farmers suffering under the drought and no interim increase for public