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EXTRACTS FROM THE SUBMISSION OF THE ANC  
TO THE MEETING BETWEEN THE ANC AND THE GOVERNMENT  
TUYNHUIS - 8 OCTOBER, 1990

We are all painfully aware that since our last meeting on August 6th, close to a thousand blacks have been killed and thousands more wounded in the terrible violence which was unleashed in the Transvaal townships.

When the slaughter was at its height we convened an emergency extended meeting of our National Executive to address the situation. The meeting (which was held on the 18th and 19th September) had before it numerous reports from all the affected areas.

Based on these reports and additional material published by the media, the meeting concluded that the perpetrators of the violence were being orchestrated and instigated by elements who had twin objectives - firstly, to destabilise the peace process and, secondly to weaken the ANC.

We were reinforced in our conclusions by two stark realities. The violence was launched within a mere three days of the signing of the Pretoria minute and it was accompanied by a most intense propaganda offensive against the ANC from a number of quarters including Inkatha and, most unfortunately, members of your government.

On the ground, our people were understandably looking to the ANC for guidance on how to defend themselves against the carnage. In the light of this carnage many of our supporters began to question the wisdom of our initiative to suspend the armed struggle and demanded arms to defend themselves. This provided fertile ground, for provocative elements whom we suspect to be connected with the security authorities to play on our people's understandable emotions and to denigrate the ANC for having "sold out to de Klerk".

We do not believe that any of this was a pure coincidence. The very sophistication and professionalism of the killing machine which was switched on suggests something much more sinister. The plan clearly served the strategy of the right-wing some of whom undoubtedly continue to have a strong presence within the police, army and security establishment.

They calculated correctly that the massacres would put the ANC into a most difficult position; either we had to organise retaliation and discredit ourselves in the eyes of the government and its white constituency or fail to do so and discredit ourselves in the eyes of our own constituency. And we believe that they had at least the tacit support of elements within

Inkatha who resented the ANC's role as a main player in the negotiation process and who have long used violence (while pretending to oppose it) as a means of asserting their ambitions...

Leaving aside the apportionment of blame it became clear to our emergency NEC meeting that the on-going violence was posing an immediate and very grave threat to the prospects of a peaceful transition. We therefore considered it extremely urgent to propose a top-level meeting with the government to discuss the gravity of the situation and to draw its attention to our profound anxiety about the future and integrity of the whole negotiation process. We are grateful that at last we have managed to come together.

We are unlikely at this meeting to reach a consensus on the identification of the forces responsible for the terrible events. But, bearing in mind the horrendous scale of the carnage we also find it difficult to appreciate a reluctance on the part of the government to appoint a judicial commission of inquiry into its causes, and the way it was handled by the security authorities.

The troubles have for example been linked in the mass media to secret training bases for Inkatha members run by your security establishment in the Caprivi strip. This alone would at least merit public scrutiny. A reluctance to subject such widespread allegations to impartial inquiry fuels a popular perception that there are forces close to you, Mr. President, with a double agenda.

We have always gone in for straight talking at meetings between us and you must therefore bear with us when we say that neither we nor the majority of our people have any confidence in internal police inquiries, especially where the enquiries concern misconduct on the part of the police themselves in political matters.

On previous occasions when we made allegations against police handling of public political opposition by blacks which so often leaves many of them dead and wounded, we have been accused of unfair attacks against the security forces. It took an extremely rare judicial commission of enquiry into one such incident at Sebokeng in March 1990 to fix the real blame where it belongs.

We therefore repeat that it can only be a judicial commission of enquiry whose commissioners have the confidence of all our people which has any hope of getting to the bottom of this most tragic phase in our history which, if repeated, will more likely than not derail the whole negotiation process. And we make the further plea that such a commission should include the

participation of some blacks whose impartiality can be trusted.

I would like to add one comment concerning the salvo of vicious and unfair criticism to which I was subjected by members of your government arising from my public interventions on behalf of my organisation during the height of the crisis. General Malan accused me of being "a man of many mouths" and helping to create a climate of unrest and instability. (Star 16.9.90). He further stated that it is clear from my utterances that I do not support peaceful negotiations for a new South Africa.

If that is so then, of course, I should not be sitting at this table. If it is not so, the words are objectively calculated to undermine the dialogue for peace. I am of course not in the dock here and do not wish to spend too much time establishing my innocence.

I wish, however to remind you, Mr President, that I did my level best to exchange views with you personally on the carnage and to discover what steps the government proposed taking. Perhaps if we had been taken more into confidence and given an opportunity of at least setting out our views on the measures, a more constructive atmosphere would have eventuated.

As the reasonable man which I believe you to be, you might even have taken into account our input. But, as you are aware, I was merely told that you proposed making an announcement on the Monday following our discussion. But the announcement came earlier from the head of the police some days before the Monday.

The outrageous calumny was spread that I had asked the government to take measures of the sort included in "Operation Iron Fist". All I said, and I continue to say, is that the government is in duty bound to use its capacity to weed out the security forces and the criminal elements fueling the violence so that the security forces can become proper instruments for the maintenance of peace and stability.

As it turned out the measures which were announced sent shivers of apprehension through most of the black communities. We felt that, far from addressing the root cause of the violence, many of the measures were designed for the purpose of mere political harassment.

For example a curfew is usually imposed in the heat of strife and lifted when the strife has subsided. In the present case the process was reversed. The curfew was merely announced for future application and only imposed when the strife had virtually subsided.

There is yet another reason why we considered a get-together vital. We did

not have in mind another Summit at this point which would enter into agreements of the Groote Schuur and Pretoria type. Our Executive felt strongly that apart from the violence issue a number of other danger signals were threatening the future of the peace talks.

In general evidence is accumulating of a departure by the government from the letter and spirit of certain important aspects of both the Groote Schuur and Pretoria Minutes. Evidence is also accumulating of the application of double standards in the implementation of laws and discriminatory police responses as between the ANC and other organisations. In addition, senior members of your negotiating team seem to have become part of an offensive to disparage our organisation and to cast doubt on its integrity as a collective. Let us deal with these categories in turn.

You are aware that we were not required as part of the Groote Schuur agreement to suspend armed activity; indeed in a tribute which you paid to ex-President Botha you gave him credit for opening the way for talk between us because he was the first to change the formula from an insistence that the ANC must abandon the armed struggle to a requirement that it publicly commits itself to a peaceful resolution of the conflict.

It was clearly understood between us that the question of the stores of weaponry connected with the armed activities of MK would not at that stage be regarded as an obstacle to the grant or extension of leadership indemnities. Nor did we mislead you on the continued existence of an ANC underground, at least until the obstacles to negotiation have been fully removed.

The August 6 Minute was even more explicit. You will recall that when Clause Three was being considered we specifically reminded your delegation that we continued to possess secret arms caches and that despite our offer to suspend the armed struggle, the agreement did not, either directly or indirectly, imply that we were obliged immediately to hand over our weaponry. This, as you will recall, posed the further question as to what would happen after the cut-off date if any of our cadres were found in possession of weapons. You will recall, Mr President, that it was on your suggestion that this issue be referred to the Working Group set up under Clause Three to find an acceptable formula.

In the case of the arrest of Mac Maharaj and the refusal to extend the indemnity to both him and Ronnie Kasrils, we have been informed of the allegation that they may have been connected with the possession of some of this weaponry. If this is so (and it certainly appears to be so in the case of Sipho Nyanda) this approach is in direct conflict with both the letter and spirit of our agreements.

What purpose will be served by the debates within the Working Group established under Paragraph Three of the Pretoria Minute if, in the interim, we face harassment in this very area? If it is argued that the legal possession of weapons cannot be authorised by a mere agreement between the Government Executive and the ANC, then our answer is that the grant of an indemnity is completely within the discretion of the President, and that this discretion should have been exercised in the spirit of the understanding arrived at at Groote Schuur and Pretoria.

Perhaps it might be argued in the case of Maharaj and Kasrils, and also Hani, that the basis of the refusal to extend the indemnity was so-called "war talk". The worst that was said by any of the three either in press interviews or at Tongaat was that if the negotiation process fails we will have to resort to other means (including a return to armed struggle) for winning political democracy. In addition references to the carnage were included, including the right of the people to organise self-defence against the unending murderous assaults.

Perhaps some of the formulations were couched in sharper language than was necessary. But, in principle what they said is no different from the continued statements by representatives of your government that it will resort to projects like the "Iron Fist" if you see no other way to maintain law and order.

You surely cannot expect us to say that, come what may and whatever we are offered, and whatever actions you take against us, we will never abandon negotiations. It should be plainly understood that if we ever, once again, face a situation in which all constitutional avenues for an advance to democracy are closed, we will have no option but to use other methods. If this is war talk then I too plead guilty. Nor can we be faulted for insisting on the rights of self-defence when the state forces show either an unwillingness or an incapacity to prevent the kind of organised mayhem which persisted for so long in the Transvaal townships.

We are forced to conclude that in this area, as in many others, the authorities impose double standards. It is common knowledge that the AWB has established a net-work of armed commandos with military training camps where "men, women and children are trained in the handling of weapons..." Minister Vlok told the AWB that there was nothing wrong with self-protection provided that was the only task of the commandos (Citizen 28-9-90).

How then are we expected to advise our people that MK must cease to establish a similar net-work, including training in self-protection? A



reference by Hani to continued recruitment and training of MK members was precisely one of the main complaints against him when the indemnity renewal came up.

Another serious example of double standards is that section 29 is applied differentially as between our members and those of the white right wing. Our complaints that torture continues to be practiced against ANC and SACP detainees has been met with a blank denial. In the case of a similar complaint by the rightwing a general is immediately appointed to investigate. (Star 11-9-90).

After weeks of negotiations I was given an opportunity to see Maharaj. In contrast, the white right-wing is told that they should apply in respect of their detainees and their requests would be favourably considered. Many right-wingers facing charges of acts of terrorism are given bail whereas our members, facing lesser charges are kept in custody. This is so despite the extreme unlikelihood that they would estreat their bail, knowing, that in all probability, they will be covered by an indemnity in terms of our agreements.

In the case of Maharaj my own undertaking that, if released on bail, he would not evade trial, was apparently not considered good enough. And he continues to be detained under Section 29 despite the fact that the docket has now been forwarded to the Attorney General, clearly implying that the interrogation has been completed.

We also wish to draw attention to the fact that Themba Khoza who, according to press reports was found issuing weapons at the height of the recent conflict in Sebokeng, and those arrested with him have been released on bail.

I have burdened you with references to the three well-known members of our leadership because it is our submission that the way they have been treated and the discriminatory application of the laws places the most severe strains on the whole negotiation process. This is especially so when, as I have already stressed, they have, at the very worst, committed offenses which would undoubtedly be covered by the outcome of the clause three working group. We therefore request that at the very least those arrested in connection with Vula should either be charged or released. And, if charged, they should be granted reasonable bail.

There is yet another factor which puts an unnecessary strain on the negotiating process. There appears to be a campaign by some members of your government to denigrate and belittle the ANC. We do not, of course, expect that two organised political forces such as the Nationalists and the

ANC should desist from criticising one another. But especially in the light of the negotiating process such criticism should be both fair and informed.

All the members of your team at Groote Schuur and Pretoria are, for example, aware that Mr Slovo was among those who took the prime initiative to reinstate the Groote Schuur talks after their suspension and to convince the NEC that it must go to the Pretoria talks ready to suspend armed activity and to begin exchanges on a future constitution. We are therefore offended by the following words attributed to Minister Vlok: "We have the Tambo-Mandela-Mbeki moderates on the one hand, opposed by the militant Slovo-Hani faction, who apparently regard the present steps on the road to a negotiated settlement as unacceptable" (Citizen 22-9-90).

All in all, if the historic process, which our two sides have begun is to reach ultimate fruition, we must avoid as much as possible the temptation to look for short-term gains at each others expense which could well spell disaster for the longer term peaceful outcome which the whole world and, especially our people, so dearly want.