Transitional politics in South Africa:

From confrontation to democracy?

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"The old is dying and the new cannot be born;

in this interregnum there arises a great diversity of morbid symptoms"

GRAMSCI

This paper is concerned with the politics of transition in South Africa, which is defined as the movement away from apartheid and minority domination towards some form of democracy. This movement is characterised by a process of phased negotiations, in which the key political actors in South Africa are locked in an interdependent relationship. Because the outcome of the process – a negotiated settlement – depends on a series of compromises and concessions, it is by its very nature open-ended. This means that even if a settlement is reached, democracy might not automatically follow – South Africa might experience a regression to a new form of autocracy.

In the light of these assumptions, the paper tries to look at the meaning of transition and the context within which it applies to South Africa the role of key political actors and their strategic choices; and possible outcomes to the process. Because transitional politics in South Africa is so fast-moving and unpredictable, the paper focuses on the time period between February 1990 and September 1992.

The transition in perspective

Political commentators now generally accept that President de Klerk's 2 February 1990 speech redefined the rules of the political game in South Africa and in effect ushered in a

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new era of transitional politics – away from confrontation, and towards cooperation. Most commentators are also agreed that this transitional phase will have a limited lifespan, stretching perhaps from 1990-1995. In a sense, this assessment is useful insofar as it indicates a change in the nature of the political process in South Africa. However, a narrow focus on 2 February 1990 runs the risk of ignoring the recent history that has led up to this decisive moment. This new phase didn't just 'happen'. To be able to understand the context within which current political developments take place, it is necessary to examine the set of circumstances that gave rise to this new phase. This is necessary for two reasons: first, to develop a sensitivity for the reality that politics in South Africa are multifaceted, consisting of a dynamic interplay between contending domestic forces which at the same time interacts with regional and international developments. This means that in South Africa nothing is predetermined, and the outcome of the transition is uncertain. Second, we must recognise the legacy of the 1980s that will influence, and is already influencing, the politics of the 1990s.

The first question to be answered then is *why negotiation* and why at this time? It is clear that the configuration of domestic, regional and international forces, planned and unplanned, made it inevitable that de Klerk had to democratise. South Africa has, in recent years, come under more intense domestic and external pressure than many other countries to get rid of its form of domination and authoritarian rule. This pressure is related to significant developments in international politics, which included, amongst others: the end of the Cold War, with its impact on the process of regional conflict resolution in southern Africa[1]; and political reform, sparked off by the demise of dictatorial regimes in Eastern Europe and precipitated by Western pressure and political conditionality. It seems that there is a growing international consensus on the meaning of a democratic system of government, and a demonstrable predominance of market-driven economies.

Other forms of pressure included the international campaign of isolating the South African regime, which took the form of trade and financial sanctions and cultural and sporting boycotts.

However, it seems that these international pressures were complementary to the domestic struggle taking place inside South Africa. Indeed, the nature and outcome of transition in South Africa is being determined primarily by the internal dynamics of the situation rather

[1] Meyns, P. 'The new world order and southern Africa in the 1990s' in van Nieuwkerk, A. & G. van Staden (eds), *Southern Africa at the Crossroads: Prospects for the Political Economy of the Region,* Special Studies Series, SAIIA, Johannesburg, 1991. p.75.

than external pressures. In this regard, a distinction can be made between unplanned and planned internal pressures for change.[2]

Two examples should suffice. Regarding the former, it became apparent that the demands on the South African economy, imposed by the ideology of apartheid, could not be met. Population growth, urbanisation, squatting and various other unintended consequences of separate development became increasingly pressing. Regarding the latter, resistance to white domination had – and is still having – a major impact. This resistance was expressed through various strategies but by the end of the 1980s was epitomised by the African National Congress (ANC).

The second question to be dealt with concerns the impact of past political experience on the present phase and even future developments. Before negotiation became pre-eminent in seeking to get rid of domination, other forms of transition were attempted. It is necessary to identify them briefly and their legacies because they have a direct bearing on the likely success of negotiation.[3]

Legacies of the past

The National Party (NP) government attempted, after Verwoerd came to power, to use *partition* as a mode of transition away from domination. This had two consequences for the current mode of negotiated transition:

First, the whole exercise of apartheid and separate development created a massive and pervasive state bureaucracy. For example, by 1985 the political system had given birth to 13 Houses of Parliament or Legislative Assemblies. Each of these legislative organs has executive structures, which by 1986 had spawned 151 departments. Such a network is not cheap to run, and as time went by, its incumbents developed a powerful interest in keeping the system going. This enormous state structure will have to be transformed in the current phase of transition, and be made serviceable to a preferred democratic outcome.

Second, the fact that the de Klerk government abandoned partition does not mean that it has disappeared as a political goal altogether. Some 30%-40% of whites support the Conservative Party (CP), which is still firmly committed to partition.[4] The white Right

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[2] Van Zyl Slabbert, F., *The quest for democracy – South Africa in transition.* Penguin Forum Series, Johannesburg, 1992. p. 32.

[3] This section leans heavily on the insights of Slabbert, *op. cit.,* pp. 17-30.

[4] Voo Nieuwkerk, A. & A. du Pisani, *What* do *we think? A survey of white* opinion on *foreign policy* issues, No. 6. SAIIA, Johoonesburg, 1992, p. 4.

represents an important complicating factor for a negotiated transition to an integrated democratic state.

From 1979 to 1989 P. W. Botha was in charge of the Nationalist Party and the government in South Africa. Botha initially made some adjustments to the doctrine of separate development. However, this had the effect of stripping white domination of the ideological justification of separate development.

This doctrinal void was filled by a new security ideology: a total strategy required to meet a total onslaught. From the outset, Botha's ideas drew no distinction between defence/security interests and civilian and foreign policy. The revamped State Security Council inaugurated a National Security Management System which drew together a wide range of decision-makers into a formidable apparatus wielding extraordinary power in South Africa.

The NP government under P. W. Botha thus shifted from pro-actively motivating whites in favour of apartheid or separate development, to reactively motivating them against the total onslaught. Internationally, the Botha regime fostered self-righteous isolation from a hostile world and sought clandestine relations with other pariah states; regionally it fostered destabilisation and tried to establish itself as a dominant regional power; domestically, it fostered co-optive domination and rule by patronage combined with ruthless repression of those who did not comply.

At all three levels, the era of *technocratic reform* ended in deadlock, faced by heightened sanctions, military costs, and internal resistance. That was Botha's legacy to de Klerk, when he became president in 1989. One of de Klerk's first moves was to begin to dismantle the National Security Management System, and restore some form of civilian control. However, there are important legacies from this era which have a direct bearing on the transition:[5]

The security system as a whole, i.e. the military and the police played a fiercely partisan role in the era of 'total strategy'. Opponents of the regime developed a deep and abiding suspicion of the impartiality of military and police personnel. This impasse clearly bedevils current attempts at 'normalising' the climate of negotiation. In fact, the entire debate' over the existence of a 'third force' brings to the fore the question of whether de Klerk is in

[5] For similar conclusions see Schrire, R., 'The End of the Botha Era' in *Adapt or Die: The End of White Politics in South Africa,* South Africa Update Series, Ford Foundation, 1991, pp. 111-124; and Cloete, F., 'Negotiating Political Change in South Africa' in Nieuwmeijer, L. and F. Cloete (eds), *The Dynamics of Negotiation in South Africa,* HSRC, Pretoria, 1991.

control of the security forces or whether his government is using it in a clandestine fashion to destabilise its opponents.

The regime has to begin the negotiation process from the co-optive constitutional structures created in the 1980s. Those structures suffer from a fatal flaw – they lack legitimacy in the eyes of those whom it is supposed to serve. Consequently, any attempt to negotiate new interim structures has to deal with very real suspicions of new attempts at co-option and collaboration.

The regime's policy of regional destabilisation, particulary in Mozambique, has led to large-scale poverty and economic breakdown. This in turn, has stimulated migration among neighbouring territories, particularly into South Africa. There are hundreds of thousands of foreign migrants seeking emergency housing and relief from famine in rural and metropolitan South Africa. This places an additional burden on severely stretched resources for socio-economic upliftment.

The history of resistance and revolt against white domination in South Africa has been well documented and will not be elaborated on.[6] Suffice it to say that by mid-1980 there was a clear juxtaposition between reform and revolt, in which the ANC was the premier organisation representing the latter.[7] During this time, the ANC became increasingly committed to a strategy of *revolutionary transition.* At its 1985 consultative conference strategy and tactics were developed in pursuit of an insurrectionary objective – a 'people's war' to seize power.[8] However, ANC strategy became marked by an opposing discourse. The insurrectionists had to compete with an older tradition in ANC thinking: that of negotiated settlement and constitutional reconstruction.

According to this view, by the end of the eighties the 'strategic balance of forces' was characterised by certain victories over apartheid, but the liberation movement simultaneously faced certain 'objective weaknesses'; the crisis in eastern Europe; and a stalemate between the 'apartheid power bloc's' inability to rule in the old way and the liberation movement's inability to overthrow the regime. All these factors, it is argued, "set

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[6] Two excellent sources are: Lodge, T., *Black Politics in South Africa since 1945*, Ravan Press, Johannesburg, 1983; and the four volumes by Karis, T. & G. Carter (eds), *From Protest to Challenge – A Documentary History of African Politics in South Africa,* 1882-1964, Hoover Press, Stanford, 1977.

[7] Van Zyl Slabbert, *(op. cit.,* p. 26) gives two reasons for this: first, the ANC was the broadest-based liberation alliance, and secondly, the South African regime had targeted the ANC as its major opponent.

[8] Lodge, T., 'People's War or Negotiation? African National Congress Strategies in the 1980s' in Moss, G. & I. Obery (eds), *South African Review* 5, Ravan Press, Johannesburg, 1989, p. 45.

the stage for a negotiated resolution of the South African conflict".[9] As the conflict in South Africa intensified, de Klerk and Mandela stepped forward, hoping to break the cycle of escalating violence and repression by adopting negotiations as the dominant mode of transition. But, as with partition and technocratic reform, the legacy of attempted revolutionary transition lives on in the present:

First, the expectation of a sudden transfer of power and the benefits that would flow from it is very much alive within organisations that supported the 'liberation' struggle. Consequently, there is a strategic ambiguity on how to approach negotiations. Is it only another site of (revolutionary) struggle, or is it a viable means of transition to democracy?

Second, the all-encompassing nature of the revolutionary opposition led to a great deal of political intolerance among groups who were and were not part of the ANC alliance, evidenced in the current shifting conflict between Inkatha, Azanian People's Organisation (AZAPO), and the ANC and Pan Africanist Congress (PAC). This contributes to the violence which undermines the climate conducive to negotiations.

Third, the alliance between the South African Communist Party (SACP) and the ANC and the former's historical relationship with the Communist Party of the Soviet Union have fundamental political, ideological and economic implications for the ANC in the process of negotiated transition.

The above brief analysis brings home an important point: previous attempts at transition have legacies which live on and influence the current attempt at negotiated transition. These legacies have embedded theories about the role of the state, strategies for transition, and the place and role of the dominant white minority in the current dynamics of change. Their impact has not vanished simply because negotiation has become the dominant mode of transition.

Transition: what does it mean?

Before we delve into the dynamics and the positions of the key players in the transition, it is necessary to pause for some conceptual clarity. Since 1990, an astonishing number of 'new', fashionable political concepts appeared on the South African scene. Every political commentator, analyst or academic now regularly uses words such as *transition, negotiation,*

[9] A *Strategic Perspective,* discussion document of the ANC, as adopted by the National Working Committee on 18 November 1992, published by the Department of Information and Publicity, Johannesburg, p. 1, 2.

transformation, bargaining, scenario, phases, outcome, and so on. It is necessary, in my view, to get some clarity on the meaning of some of these concepts, and the theoretical perspectives we use.

Most useful, perhaps, for our purposes, would be to use a comparative international perspective on countries which experience transition away from authoritarian rule towards some preferred democratic outcome. This approach was popularised by O'Donnel and Schmitter in their four-volume *Transitions from Authoritarian Rule* (John Hopkins University Press, 1987). This approach makes sense when the following general points are kept in mind:[10]

First, a certain consensual view of democratic government prevails in international relations at the moment.[11]

Second, there is less consensus on the kind of economic system which should prevail, except that the economy should be market-driven.

Third, there are often unrealistic expectations as to what democracy can deliver. Nor are there given structural conditions which can guarantee democracy. For example, there is no definite relationship between levels of economic development, stagnation, growth and decline, and democracy. Also, there is no conclusive evidence on political tolerance being a precondition for democratic transition (some countries with backgrounds of extreme intolerance have managed to democratise, eg. Spain, Chile).

Fourth, it follows that to understand the process of democratisation, it is more useful to look at the strategic choices of key actors who have committed themselves to democracy, and relate these to the prevailing structural conditions.

Taking into account the widely divergent backgrounds of countries currently involved in attempts at democratisation, four ideal-typical *modes of transition* have been identified as countries move away from authoritarian rule:

A *leadership pact* is essentially an undemocratic arrangement between leaders within and outside the regime with a view to bringing about democratic transition. A number of interlinking pacts may drive transition, eg. between the civil and military authorities,

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[10] Van Zyl Slabbert, *op. cit.,* p. 6.

[11] Van Zyl Slabbert *(op. cit*., p. 3) argues that this consensus is reflected in two fundamental political principles that define democratic practice: (a) Contingent consent: the successful majority in an election will not use their dominance to permanently exclude the losers from gaining the majority or access to decision-making. (b) Bounded uncertainty: democratic systems of government is bounded by clear constitutional principles that effectively guarantee the rights and privileges of citizenship.

between labour, capital, and the state, and between different political groupings. In this context, mention is sometimes made of *social contracts* or compacts, which offer opportunities for negotiated agreements between conflicting parties to curb damage to each other's interests.[12]

A coup or military regime can *unilaterally impose* a process of democratic transition and attempt to restore civilian rule.

Reform is usually the result of mass pressure from below, where the compromise usually revolves around the need for substantial concessions and changes to be brought about without the use of force.

Revolution is the use of force or violence by the masses to bring about a regime-change with a view to establishing a democratic form of government.

These are ideal types: a society may experience a number of these modes during its transition. The modes of transition are heuristic devices to understand the kind of strategic choices key actors make, and that affect the process of democratisation. In a recent study, Schmitter and Karl[13] attempted to relate these modes of transition to the most likely outcome in society, and tentatively concluded that there is no inevitable relationship between modes of transition and democracy. The result may be a regression to a new autocracy; stabilisation short of democracy; unstable democracy; and a consolidated democracy.

Stages in the transition process

If we accept the proposition that towards the end of the 1980s but especially after 2 February 1990, South Africa entered into a new mode of transition, that of negotiating a political settlement, then a number of schemes can be put forward to characterise this mode. Various descriptions have been put forward by academics, including Zartman's perspective on 'pre-negotiation' and 'regime change', the latter which involves four steps: the collapse of the old regime; the elimination of alternative regimes; the readjustment of power relations; and the establishment of resolving and transitional formulas for a new regime.[14] Van Zyl Slabbert talks of 'normalisation' – the process of restoring or granting

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[12] Schlemmer, L., 'Social contracts: a recipe without ingredients', I*ndicator SA,* Vol.9 (1), 1991; and De Kadt, R., The fragile metaphor: inside the social contract', I*ndicator SA,* Vol. 9 (2), 1992.

[13] Quoted by Van Zyl Slabbert, *op.* cit. p. 7.

[14] Zartman, W., 'Negotiation and the South African conflict' in Nieuwineijer and Cloete, *op.* cit., pp. 12,13.

rights and privileges previously denied to opponents of the regime; 'democratisation', the process whereby groups, previously excluded, are increasingly involved in various levels of policy-making; and 'consolidation' which refers to constitutional, electoral and institutional means which help to establish and maintain a democratic system of government.[15]

Another useful way of looking at transition – and applied in this paper – is provided by du Toit.[16] Drawing from Bacharach and Lawler's bargaining theory, du Toit proposes that greater clarity about the nature of the bargaining process can be acquired if it can be considered as a three-stage process. This process is discussed below.

Bargaining about bargaining ("talks about talks"). In this important first stage, the most basic issue all parties to the conflict must address, is whether to pursue outright victory, or try to reach a mutually agreeable settlement. At the heart of this issue is the question of violence: victory on one's own terms has to be achieved through violent imposition. Once the conflict in South Africa is perceived by the parties to be of a non-zero-sum nature, a joint commitment to bargain can be made.

Preliminary bargaining ("position bargaining"). In this stage, conflicts which concern the bargaining relationship are addressed. These include: agendas (what is negotiable and what is not); arenas (where the bargaining is to take place); tactics (whether violence should be renounced, etc.); rules of conduct (what the relative status of the participants should be, etc.); and preconditions (what prior actions are required before actual bargaining starts).

These first two phases began in earnest in South Africa when de Klerk announced, on 2 February 1990, the unbanning of the liberation movements, the release of political prisoners and his intention to repeal apartheid legislation. Shortly afterwards, in May 1990, the ANC leadership and the government met at Groote Schuur, where they agreed upon a 'common commitment towards the resolution of the existing climate of violence' as well as a commitment to 'stability and to a peaceful process of negotiations'[17].

This was followed by the Pretoria Minute, in August 1990, which saw the government and the ANC recommit themselves to the sentiments of the Groote Schuur minute. Importantly, the ANC announced that it would suspend all armed actions with immediate

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[15] Van Zyl Slabbert, *op.* cit., pp. 57-71.

[16] Du Toit, P., 'The tragic theory of bargaining', in Ou Toit, P. & W.-Esterhuyse (eds), *The myth makers: the elusive bargain for South Africa's future.* Southern, Halfway House, 1990. See also du Toit, P. 'Bargaining power: dependence capabilities and tactical options in South African politics, *Politikon,* Vol.18 (2), 1991, pp. 74-90.

[17] Haysom, N. 'Negotiating a political settlement in South Africa' in Moss, G. & I. Obery (eds), *South African Review* 6: *From 'Red Friday'* to *Codesa.* Ravan Press, Johannesburg, 1992, p. 32.

effect – a decision that was not entirely understood or welcomed within the ranks of the ANC and its allies. The Pretoria Minute also provided an undertaking to lift the Natal state of emergency and repeal provisions of the Internal Security Act. It also provided for mechanisms to release political prisoners and the granting of indemnity to exiles.

A dramatic increase in levels of political violence in the Pretoria-Witwatersrand-Vereeninging (PWV) area and Natal led the ANC, in April 1991, to declare that if the government did not take certain steps to curtail the violence, the organisation would suspend negotiations.[18] These demands eventually led to the National Peace Accord, adopted on 16 September 1991. Although the efficacy of the Accord is in severe doubt, given the continuing violence, the Accord signalled that the phase of negotiations over preconditions and an appropriate climate for negotiations had largely ended. The process also confirmed the pre-eminence of the ANC and the NP as the principal players in the negotiating process.

Substantive bargaining ("process bargaining"). This phase deals with the issues from which the original conflict of interest has arisen. In the South African context, substantive bargaining is about finding a constitution acceptable to all South Africans.

This process began after the signing of the Peace Accord, when the ANC and the government began to focus their attention on an all-party/multiparty conference. The first step on the ANC's programme was to assist in the co-convening of a broad front of parties that it believed would attend any all-party congress. This front (the 'Patriotic Front') met in October 1991, and committed itself to a constituent assembly and an interim government – a position broadly in line with the Harare Declaration adopted earlier on by the ANC and endorsed by the Organisation for African Unity (OAU), Non-Aligned Movement and the United Nations' general assembly.[19]

After the Patriotic Front, exploratory meetings between the government and the ANC resulted in agreement over a date, venue, convenors and chairmen of a multi-party conference to be called the Conference for a Democratic South Africa (CODESA). At its first plenary session, in December 1991, the parties agreed on the scope of their work and

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[18] Haysom, *op. cit.,* p. 33; and Colinge, J., 'Launched on a bloody tide – negotiating the new South Africa' in Moss & Obery, *op. cit.*, p. 11, 12. The ANC demanded from the government: the dismissal of Defence Minister Malan and Law & Order Minister Vlok; a statutory ban on the carrying of dangerous weapons at public meetings; the establishment of a commission to oversee the dismantling of all special counter-insurgency units; the institution of an independent commission to investigate complaints of police misconduct; and an effective start to phasing out the hostels.

[19] Haysom, N., *op. cit.,* p. 35, 36.

set up five working groups which would deal with vital aspects of the constitution-making process over months to come.

Among the topics to be discussed by the working groups were: 1. Creation of a climate for free political participation and the role of the international community. 2. General constitutional principles/constitution-making body and process. 3. Transitional arrangements/interim government. 4. Future of the TBVC states. 5. Time-frames and implementation of decisions.[20]

The 19 delegations to CODESA fell into the following categories: the South African government; five parties represented in the tri-cameral parliament; six parties from the self-governing homelands; four parties/government delegations from TBVC states; and three delegations from the congress liberation tradition. No party to the right of the NP was represented. Neither was the PAC present despite the earlier promise of the Patriotic Front accord.

In the months that followed, the working groups reportedly made significant progress on details relating to interim rule.

In a shrewd attempt to solidify white support behind him and marginalise the right-wing, de Klerk called for a referendum in March 1992. The referendum poll indicated that more than two-thirds (69%) of whites were in favour of continued negotiations for a new constitution.

This result, however, led to the government taking a hardline stance in negotiations, and ultimately led to a breakdown of CODESA II in May 1992 over the issue of the structure and functions of a constitution-making body. In analyzing the reasons for the impasse, commentators[21] argued that the failure of CODESA II was about a fundamental disagreement between the ANC and the government on what democracy means. For the past five months, the ANC has been trying to negotiate a transitional arrangement as a gateway to democracy. The government has been attempting to get as many of the final features of the constitution as possible written into an interim constitution, leaving as little as possible to be decided by the elected national assembly. In other words, the government was seeking to secure a veto that would extend the life of the interim power-sharing constitution into perpetuity. This, then, was the nature of the deadlock at CODESA: the

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[20] SA *Barometer,* Vol. 6 (1), January 1992, pp. 5-11.

[21] See, for example, Phillip van Niekerk, 'No gains in push-me pull-you CODESA II', *Weekly Mail,* 22/5/1992, p. 27; and Don Beck, 'Different maps of the same river', *The Star,* 29/5/1992, p. 12.

ANC (and most South Africans) believed the negotiations were about the transition to majority rule. The NP government and its allies were trying to prevent majority rule.

The ANC then decided to embark on a programme of mass-action to break the deadlock, but when 39 people were massacred in Boipatong township in June 1992, the ANC withdrew from constitutional talks altogether. Its president, Mr. Mandela, said that his organisation remained committed to a negotiated resolution of the conflict in South Africa, but demanded (once again) from the government to take certain steps regarding the violence in the country.[22] In the meantime, the organisation and its allies decided on the continuation of 'rolling' mass action as a strategy of putting pressure on government but also as a means of mobilising its support base.

In July 1992 another important dimension of the transition came to the fore: that of the role of the international community. Both the ANC and government came to accept international involvement in the form of foreign monitoring by organisations such as the UN, OAU, EC and Commonwealth. For example, UN Security Council resolution 772, passed in August 1992, proposed an international mission which would coordinate with and strengthen the existing structures of the National Peace Accord.

However, this couldn't change what became increasingly apparent: that, at the heart of the crisis facing South Africa, a deep lack of trust existed between the two main adversaries, the NP and the ANC. This was evident in the new face of negotiations: that of reaction and counter-reaction to memoranda, letters and public statements, which revolved around the issues of continuing violence, amnesty and political prisoners. In a sense, these preconditions for restarting negotiations were essentially about the need to level the political playing field. Tragedies such as the Bisho massacre in September 1992 highlighted this point: that without a level political playing field, trust remained absent.

A significant breakthrough came towards the end of September 1992 when Mandela and de Klerk met at a 'peace summit', agreeing to resume full bilateral talks on the need to move towards an interim government and constituent assembly. At the meeting, the government undertook to release remaining political prisoners, secure hostels and to give effect to the ban on the display of dangerous weapons. Outstanding issues included a general amnesty and indemnity, the continuing programme of mass action, and restoring a climate of free

[22] These were: 1) an end to covert operations; 2) disarming and confining to barracks of special forces; 3) the suspension and prosecution of all security force personnel involved in the violence; and 4) ensuring an end to repression in the homelands *(Business Day,* 24/6/1992).

political activity, especially in the homelands.[23] However, the fragile and unpredictable nature of the negotiation process was illustrated by Buthelezi's immediate reaction to the 'Record of Understanding': he decided to withdraw Inkatha's participation in all talks. He also rejected the agreements – clearly in reaction to the decision to fence hostels and ban the carrying of weapons in public.[24]

Key political actors

Given the dynamic nature of transition politics, it is important not merely to provide a checklist of organisations involved in negotiations, but to identify actors together with the issues that pre-occupy them, because they will, to a large extent, determine the outcome of South Africa's 'quest for democracy'[25] during the different phases of the transition.

Two further points need to be made at the outset of this section:

A sensible approach seems to be to look at the critical role of key political actors and their strategic choices concerning democracy, democratisation and each other; to locate their choices within the context of opportunities and obstacles that have to be exploited or overcome; and then to plot a probable outcome to the process. In this way, structural factors are seen as interacting with the strategic choices of key actors rather than predetermining them.

It is important to keep in mind that while specific persons or parties may disappear or reform themselves, the problems they represent at a particular time will have to be resolved in some way or other as the process unfolds. As the dynamics of transition emerge, South Africa may experience extraordinary alignments, coalitions, pacts and accords between its key players.

Political influence on the incumbent regime comes from a wide variety of groupings, and the patterns of influence (some direct, some muturally supportive) form a complex web. The intention of this paper is not to describe the nature of this intricate and dynamic relationship between the key actors in the transition, but rather to focus on the policy and strategy of the most important of these. The following actors were therefore selected for discussion: the NP, ANC and SACP, PAC and BCM, the liberal lobby, Inkatha, and the

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[23] *Sunday Star,* 27/9/1992; Business *Day,* 28/9/1992.

[24] *Sowetan*, 28/9/1992.

[25] Van Zyl Slabbert, *op. cit.,* p. 57.

white rightwing. This selection does not mean that those left out (for example, the homeland governments or the international community) do not play an important role in the transition. Rather, lack of space does not allow for a full discussion of the role of *all* the actors involved.[26]

The incubment regime

Although National Party (NP) policies and strategies have shifted considerably since 1991, what seems to be emerging is a power-sharing plan, with restrictions on absolute majority rule together with the protection of minorities, and the projection of the NP as a multi-racial alliance with sufficient support to remain a vital part of the power structure.

This section will give an overview of the shifts in NP policy thinking and NP strategy to achieve its goal of 'power-sharing':

The NP's abandonment of apartheid and its acceptance of negotiations did not occur as a flash of new insight. It was instead a drawn-out process of more than a decade which finally culminated in de Klerk's well-known speech in 1990. Following Giliomee and Uys[27], four causes underlying the transition can briefly be identified:

First, there was the recognition of a power balance which in the medium term made domination by the exclusive Afrikaner and the broader white spectrum untenable.

Second, the de Klerk leadership neither had the resources nor the will to persevere with either co-optation or repression in the face of unwavering resistance.

Third, economic stagnation made it imperative to find an economic solution.

Fourth, in the last months of 1989 the international climate changed dramatically in the perception of the de Klerk leadership. For the first time it considered negotiations as a viable option.

In sum, it was a complex of interrelated factors and pressures which combined to bring about the demise of apartheid. The government never considered the state to be seriously threatened; nor did it ever perceive a transfer of power to be imminent. Rather, it moved into the transition firm in its conviction that the outcome of negotiations would strengthen

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[26] On the role and position of organised labour, see Fine, A and D. Davis, 1990: *Beyond Apartheid: Labour and Liberation in South Africa,* Ravan Press, Johannesburg; and Fine, A and E. Webster, 1989: 'Transcending traditions: Trade Unions and Political Unity' in Moss, G. and I. Obery, *South African Review* 5, Rowan Press, Johannesburg. On the politics of the homelands, see the SA Institute of Race Relations' annual *Race Relations Survey.*

[27] Giliomee, H., 'The last trek? Afrikaners in the transition to democracy', *South Africa International,* Vol. 22 (3), 1992, pp. 111-113; Uys, S., 'The fixer who let out the genie', *The Guardian Weekly,* 18/9/1992, p. 10.

the existing state, and that the NP had the means to ensure that it would play a vital role on all levels of government both during the transition and after.

Although the NP in its Federal Congress of 1986 accepted the principle of one nation and a common citizenship for all South Africans (outside the 'independent' homelands) the leadership for nearly three years played around with models still closely resembling apartheid thinking. The core idea was that the constitution would be based upon groups as building blocks. By 1989 the NP leadership realised that these proposals had little chance of acceptance by any credible leader outside the NP. In the course of 1989, then, a fundamental reassessment started to occur in the ranks of the NP and Broederbond leadership. What flowed from this?

Not surprisingly, the expressed constitutional policies of the NP offer only a partial glimpse of the way the de Klerk leadership hopes to secure Afrikaner survival during the transition and beyond. While safeguarding material interests is obviously a main objective the NP elite does also have ideal goals and needs which go beyond the material existence of its constituency. Survival has to be reinterpreted and this definition has to be given currency among the rank and file. Gerrit Viljoen was engaged in this task when he stated in March 1990:

"We who want change want it exactly because we realise that our survival depends upon orderly change... We must see that change is inevitable and can be made in such a way that does not put our existence as a nation at stake... The whole approach of government is to shift the emphasis from race to the quality of government and the broadening of democracy in spite of the risks."[28]

In the opinion of Giliomee[29], there are basically three options before the de Klerk government in the politics of the transition period. They are: an elite settlement, white group veto, and power sharing with the balance of power temporarily tilted in NP favour.

The idea of an elite settlement (between the NP and ANC) was widely floated during the first few months after the unbanning of the liberation movements. This idea started to fade away from the end of 1990. Why? First, the NP and ANC both currently believe that they do not need an elite settlement. Second, elite settlements are marked by situations in which elites enjoy considerable autonomy from mass followings and pressures. In South Africa, the degree of autonomy which the ANC leadership enjoyed while still in exile or in prison

[28] Giliomee, H., *op. cit.*, pp. 113-114.

[29] Quoted by Giliomee, H., *op. cit.*, p. 114.

decreased considerably as the movement established itself in the midst of the people. De Klerk, on the other hand, could only count on a limited brief from his followers: he could negotiate the sharing but not the transfer of power. Also, successful elite settlements are usually concluded either within a year at the utmost or not at all. The chances of one in South Africa were finally destroyed in the course of 1991, by rising levels of distrust between the government and the ANC.

When the government unbanned the liberation movements on 2 February 1990 its own constitutional thinking was remarkably vague. In May 1990 Viljoen declared that the government would not seek to thwart the will of the majority; however, it wanted minority protection because majority rule in itself did not guarantee democracy.

By September 1990 Viljoen, in his own words, had acquired a 'new vision'. In terms of this the NP had abandoned the idea of groups as such being represented and making claims; instead minority groups had to articulate their values and interests through a multi-racial alliance. It was accepted that the more support such an alliance could demonstrate at the polls the more effective it would be.

The de Klerk leadership was pushed from different quarters in this direction. Concerning its own constituency, the evidence was clear that it did not have any confidence in minority protection. The ANC also rejected minority or group rights. Indeed, some commentators have argued that it is in the best interests of whites to accept a non-racial approach and to eschew any form of minority guarantees or over-representation.

The power sharing plan which the NP leadership has adopted to present to its constituency contains three strategic elements. Firstly, it promises continuity. Even though de Klerk recently called apartheid an 'inhumane policy', he added that change would take place without endangering the 'values and achievements of communities and individuals of the past and our dreams and future plans'. As a symbol of continuity the NP leadership chose Afrikaans as an official language which it presented as a non-negotiable issue.

Secondly, it has adamantly refused to consider 'simple' majority rule. This is partly justified on survival grounds – it would in the leadership's perception be 'the end of' Afrikaner history – and partly for technocratic reasons: there was no possibility of the NP handing over the reins of power "to one or other group with no experience of governing a sophisticated country". To achieve its stated objective of securing a balance between the power of the numerical majority and the protection of minorities the NP proposes a whole range of measures: minorities to be over-represented in the parliament; the constitution

(and not parliament) would be sovereign and protect individual rights as enshrined in a bill of rights; powers to be devolved to regions as far as possible; maintenance of professional standards in the civil service; and an army which would be loyal to the constitution rather than the government of the day.

Thirdly, the NP from the end of 1990 started to project itself as a winning party which would remain part of the power structure for a long time. In October 1990 Viljoen declared at the Cape NP Congress for the first time that in terms of his 'new vision' a multiracial alliance based on moderate values could beat the ANC in an election. This idea was echoed by Foreign Minister Botha at a Transvaal NP Congress in August 1992.

Against this background the NP has so far encountered virtually no opposition to its decision to open the party's ranks to all South Africans and to its proposals for a power-sharing constitution – mainly because all Afrikaners who rejected power-sharing had already defected to the Conservative Party.

In this context of NP strategy and actions, a well-known commentator, Steven Friedman[30], posed the following question: can the present elite ensure change which will include the entire society but yet ensure the maintenance of rights and standards which have until now been the sole preserve of whites?

Friedman's answer, in short, is that the NP's goal is to share power but to wield maximum influence within a shared government. This implies a dual strategy but could be problematic for the NP to pursue. Why?

First, the NP's chief task is to use the transition period to ensure that a new order is stable, efficient and fair. However, this quest for a 'new order' seems to be an attempt to preserve existing institutions – the NP uses a discourse which envisages an orderly *incorporation* of liberation movements in existing styles and procedures of governing. This extends to the current institutions which provides for Parliamentary decision-making, competition between parties, an independent judiciary, civil services and military. This view applies to economic issues as well.

The core of this strategy – also favoured by some non-NP figures in the establishment – seems to be an attempt to take key decisions out of the political arena: what power-sharing seeks to subject to political agreement, this strategy seeks to place beyond the politicians and in the hands of the market, the courts or the citizenry. Who controls the government is

[30] *Ibid.*

secondary: the limits imposed on it are primary. Some examples are handing over control of the security forces to judicial control, in the hope of creating a 'tradition' of apolitical security management; or the introduction of a Bill of Rights ahead of a settlement; or privatising broadcasting. The NP is open to some of these ideas.

However, this approach might be problematic, since the enterprise can only be undertaken at the expense of key aspects of the NP's power-sharing strategy. Firstly, the NP can only seek to limit a future government by limiting its own power during the transition and this must inevitably weaken its capacity to secure the bargain it seeks. Control over the fiscus or the security establishment or the electronic media offers the NP resources which it may hope to use to se cure its place in a post-apartheid government. To surrender them might, in its view, be to relegate itself to opposition after a settlement is achieved.

It seems, therefore, that this strategy might be unrealistic, not least because it might imperil the transition itself. Since it demands that the NP unilaterally invent new traditions and then impose them, it would heighten political conflict. In fact, it already has – conflict over Value Added Tax was partly triggered by claims that the NP is trying to restructure the economy ahead of a settlement.

This suggests that the NP cannot remove decisions from the political arena without endangering the power-sharing settlement it hopes to achieve. It lacks the support and capacity to restructure a politicised and divided society unilaterally during a period of transition.

The question then for the NP is this: how to secure shared decision-making on the most favourable possible terms. In this regard, the real test of NP transition strategy is its ability to win new allies or partners, particularly among the black majority. This can be achieved either by securing a working relationship with liberation movements or by building a large enough black support base to neutralise them – or some mixture of the two.

But it must also retain its traditional constituency. This means far more than majority support amongst white voters. The ruling party's power rests on its control of the state. A crucial part of its constituency is, therefore, the civil service and the security establishment.

Is it possible for the NP – and the transition – to balance white resistance to change with black demands for it? Also, is it possible for the NP to mobilise support for goals across racial lines?

The NP's strategy requires it to achieve three goals: to cement favourable bargaining relationships with its opponents; to win significant black support, either for the party itself or for the values it hopes to safeguard; and to retain the support and cooperation of its constituency. How is it fairing?

Although the NP might want to believe that it is successfully pursuing these goals, a more sober assessment may be called for. On the first test, it seems that negotiations remain in place, not primarily because of NP strategy, but because the balance of power is such that the parties have little option but to continue seeking a settlement. On the second score, indications are that the NP is making limited progress: a recent HSRC survey indicated that in February 1992, the NP drew 3% support from blacks, while President de Klerk drew 5% of black support (against 52% for the ANC and 65% for Mr. Mandela}.[31] Thirdly, success in holding its constituency may be as difficult. Although the NP seems to have won increased business support, its traditional supporters are uneasy. And, while overt security force resistance to change may be contained, the NP may lack the capacity to ensure that the police actively assist it.

This analysis therefore suggests that the NP is not sufficiently in control of the transition to dictate its outcome. Indeed, the best it may be able to achieve is 'muddling through' the transition. The idea that the NP can outflank its opponents and create a new South Africa in the image of the values it now proclaims seems increasingly remote. The NP is most effective domestically when it exerts power to limit opponents but it lacks the capacity to shape alone a future which accords with its values.

The challengers on the left

To understand the position of the ANC in the transitional period it is necessary to look back at its attempts, at least since 1990, to adapt to the new political climate.[32] Essentially, the ANC of the 1980s was an intensely militarised body. Strategy was laid down by a revolutionary council (renamed in 1983 the politico-military council) and interpreted operationally by Umkhonto's military headquarters. Despite this, the ANC's political network inside South Africa remained poorly developed until the end of the 1980s. In fact,

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31 Friedman, S., *The Shapers of Things to Come? National Party Choices in the South African Transition,* CPS Transition Series, Johannesburg, 1992.

32 *Information Update,* published by the Human Sciences Research Council, Pretoria, 1992, March & May, pp. 21 and 14 respectively.

Tom Lodge argues that it was unable to achieve its strategic aim of promoting a generalised insurrection.[33]

At the same time an uneasy tension developed between the different styles and bases of three generations of leadership: the elderly veterans from Robben Island; the middle-aged managers of an insurgent bureaucracy; and the youthful architects of the widespread rebellion of the mid-1980s.

In February 1990, the ANC's leaders were suddenly confronted with the challenge of adapting an authoritarian and secretive movement formed by the harsh realities of exile to the requirements of a South African environment shaped by the tumultuous politics of the 1980s. Two years later, the process of changing the ANC into an organisation geared to open and democratic forms of popular mobilisation is far from complete. In adjusting to the demands of negotiated transition, the ANC still has to: transform itself from an exiled, liberation movement into a legal constituency-based political organization; forge a separate electoral identity from its former allies, i.e. the SACP and organised labour; consolidate grass roots support in competition with other political organisations, eg. PAC, AZAPO, IFP and NP; raise sufficient funds for the needs of the organization and its specialised projects; and participate in the various bodies, committees and accords that flow from the consequences of negotiated compromise.[34]

Whilst these problems are being resolved, it has to engage in talks with de Klerk.

In the ANC's Policy Guidelines adopted at its national conference in May 1992, the organisation sets out its vision for the future, which consists of four objectives: (1) to strive for the achievement of the right of all South Africans to political and economic self-determination in a united South Africa; (2) to progressively overcome the legacy of inequality and injustice created by colonisation and apartheid; (3) to develop a sustainable economy and state infrastructure that will progressively improve the quality of life of all South Africans; and (4) to create a sense of national unity.[35]

According to assessments by commentators, the ANC's Policy Guidelines place the organisation in the broad tradition of social democracy. For example, Anton Harber[36]

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[33] An in-depth overview is provided by Lodge, T., 'The African National Congress in the 1990s', in Moss & Oberty, *op. cit.*, pp. 44-78.

[34] Lodge, T., *op. cit.*, p. 45.

[35] Van Zyl Slabbert, *op. cit.,* pp. 44, 45.

[36] *Ready to Govern: ANC Policy Guidelines for a Democratic South Africa,* published by the Policy Unit of the ANC, Johannesburg, 1992, p. 1.

argues that the ANC is not classically social democratic – it does not envisage some of the large-scale state intervention that has long been part of such a policy. Contemporary social democrats, however, do still seek to ensure an equitable distribution of wealth by moderating market forces and use state intervention to pursue social policies, such as the provision of minimum health, housing and education. They also emphasise democratic practices.

The ANC's policies fall firmly within this definition. Given its four basic objectives as outlined above, its policies separates the ANC from free market capitalism: the document recognises a state responsibility to intervene to achieve social equality and a minimum quality of life. It also separates the ANC from communism: it treats issues of freedom and democracy as a priority. However, the document prioritises the need to overcome social, economic and political inequality and injustice. It reflects all the traditional social democratic concerns: the provision of education, housing and health, worker's rights, women's rights, affirmative action for the disadvantaged and care for the environment.

In structure, the ANC remains a broad-based social movement that embraces a range of people from communists to liberals. But two years after its unbanning and after an extended and intense debate about policies, the dominant ethos is clearly one of social democracy. The ANC has tried to balance the various forces within it and this means that many of its policies are non-committal. For example, with an eye on the influence and power of traditional chiefs, it says they "will continue to have an important role to play".[37] But it does not say when, or how this will be reconciled with democracy.

The document is also an attempt to balance the demand from the ANC's constituency for radical redistribution of wealth and resources with the post-Soviet criticism of too much state intervention. In fact, the ANC ascribes a large role in its policies to independent trade unions, civic organisations, development bodies and other non-state, non-capitalist structures. Even if the document is treated with some scepticism – as should be all election manifestos – it is important to realise that it gives the clearest indication yet of how the ANC will position itself in the rush to gather votes.

How does the ANC plan to achieve its goals? The ANC's vision of a united, non-racial, non-sexist, democratic South Africa can best be achieved, it believes, by transforming society through the organisation and mobilisation of the majority of the people. The ANC defines "mass organisation" as "bringing people together in structured bodies, to express

[37] Harber A., 'Wishy-washy, but it is social democracy', *Weekly Mail,* 5/6/1992, p. 25.

and pursue their common interests", while "political mobilisation" is seen as "an act of rousing the people to take part in activities aimed at realising their interests. These have entailed extra-parliamentary militant actions such as strikes, boycotts and demonstrations".[38]

After 1990, the ANC adopted the Harare Declaration as a guiding document on engaging the regime in negotiations; but the new political conditions inside South Africa did not mean a change of goals. A recent ANC document argues that "The central question in negotiations should be the creation of a united, non-racial and democratic South Africa. To this end, power will have to be transferred to the majority of the people. The forms of such a transfer could change, but the strategic goals remain".[39]

How then does the ANC view negotiations? The ANC argues that negotiations "are themselves a terrain of struggle. They constitute a forum where the issues of political power are contested... Negotiations are a result of other forms of struggle – a certain balance of forces in the political terrain compelling the other side to talk".[40] The ANC believes that to keep pressure on the regime, negotiations must be conducted in tandem with mass organisation and mobilisation.[41]

In this context, the ANC's central approach to transitional politics revolves around the demands for an interim government and a constituent assembly. The view within the ANC that an elected body must draft a new constitution for the country dates back to Nelson Mandela's call for a National Convention in the early 1960s.[42] Mandela saw the convention as a means to resolve conflict. But the idea was dealt a fatal blow by the imprisonment of ANC leaders. Until the 1980s, it remained submerged under a revolutionary culture which stressed the armed seizure of power. The concept of a convention (now called a constituent assembly) resurfaced within the ANC in 1989 at a meeting attended by COSATU and the UDF.[43] Since 1989, the demands for a constituent assembly and interim government have gained ever greater currency within the ANC.

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[38] *Ready to Govern, op. cit.,* p. 6.

[39] *Joining the ANC: An Introductory Handbook on the African National Congress,* published by the Department of Information and Publicity of the ANC, Johannesburg, 1991, pp. 11-17.

[40] Ibid.

[41] *Ibid.*

[42] Lodge, T., *Op. cit.,* p. 71.

[43] Rantete, G., *Room for Compromise: The African National Congress and Transitional Mechanisms*, CPS Transition Series, Johannesburg, 1992, pp. 1, 2.

What are the strategic goals behind the demands? Rantete[44] argues that the ANC demands are not purely symbolic. They are also vehicles through which it hopes to realise strategic goals.

The ANC's interim government demand stems partly from a rejection of the present government's legitimacy, hence its symbolic appeal. But is it also a reaction to violence during the transition (which is blamed on the security forces) and to a perception, strengthened by the Inkathagate exposé, that the government is using its control over the state to weaken its opponents. An interim government, the ANC insists, would help ensure fair management of the transition by ensuring that the security forces are controlled by all parties and that elections are free. Some ANC strategists also see interim government as a means of maximising the ANC's power in relation to the government's. For them, it would ensure that the government would no longer have the sole power to determine the course of the transition. This would ensure the establishment of a democracy.[45]

The ANC bases its constituent assembly demand firstly on the claim that, only if those who draw up the constitution are elected, can the process of drafting it be democratic. But the demand has strategic goals. The ANC believes it will win the assembly election and that this will put it in a strong position to form a new government. Some ANC critics – and strategists – see another goal for the demand: to ensure that the majority party writes the constitution. This would ensure that the principle of unqualified majority rule is conceded even before the constitution is written.

Can these demands meet the ANC's objectives? It seems possible that the ANC will have to consider some trade-offs in the process of achieving its objectives. This will have implications for the internal cohesion of the ANC – would it be able to sell compromises to all levels of membership?[46]

While there is clearly a need for an impartial structure to manage the transition fairly, the experience of African countries in which interim governments were established (Zimbabwe, Namibia) suggests that these arrangements have been far less able to ensure peace than the ANC expects. Experience suggests too that they may present difficulties as well as opportunities to "liberation" movements.

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[44] Rantete, G., *op. cit.,* p. 2.

[45] Rantete, G., *op. cit.,* p. 4-11.

[46] Rantete, G., *op. cit.,* p. 4

The ANC's ability to maximise its power in an interim government would depend partly on the tasks this mechanism is expected to undertake. While the ANC maintains that the primary tasks of an interim government should be to create a climate conducive to fair elections and to maintain stability, there are other tasks that remain unclarified. Will an interim government be simply a referee, supervising the election, or will it carry out normal government tasks? Will it embark on fundamental socio-economic restructuring?

ANC proposals for an interim government also raises practical problems. For example, participation in interim structures would demand human resources from the ANC. Is it prepared to assign its ablest leaders to an interim government? If it does, its organisation will suffer. If it doesn't, its power within that government is reduced.

While the ANC insists that an elected assembly would ensure democracy, elections realise democracy only if they are held in a conducive climate. Given the conditions produced by violence, there may be little chance that elections will be fair. This may force an unpalatable choice on the ANC: to insist on the ending of violence as a condition for the holding of elections or to proceed with them regardless of the level of violence. Either decision will be costly to it. To insist on the ending of violence may delay elections indefinitely, while to proceed with elections may ensure an unfair process which will disadvantage the ANC as much as some other parties.[47]

Even if elections are fair, an elected assembly will not automatically reflect the "will of the people" or guarantee legitimacy for the constitution. The real test of a constitution-making process, as the Namibian experience has shown, is whether it enjoys the respect of all the major forces in the society; a constitution lays down rules which all political actors must respect, and so it must enjoy the support of all who must abide by the rules. Even an elected assembly would have to find mechanisms which ensured that all major parties took part in drafting the constitution. If Namibia's constitution enjoys legitimacy, it is partly because minority parties did have the power to block decisions and so influence the shape of the constitution.

Some ANC statements have implied that it expects the majority party in the assembly to enjoy the power to write the constitution on its own. This would alienate other parties, who might then undermine or disassociate themselves from the constitution. But, as

[47] For a discussion, see Rantete, G., *op. cit.,* pp. 15-17.

Rantete[48] points out, a closer look at ANC thinking on this issue reveals that it recognises this problem. While it does insist that the party which gains a majority should have a larger say in the constitution, it nevertheless accepts that smaller parties must enjoy scope to shape decisions. A discussion paper[49] on the constituent assembly suggests that decisions would not be taken by a simple majority, but rather that "a two-thirds majority requirement may ensure that the new constitution is not simply an ANC constitution but a South African one". The ANC is not, therefore, wedded to a majoritarian assembly. This is further confirmed by the 1991 Anniversary Statement, which suggests that methods of deadlock resolution are needed in the assembly.[50]

Given the context of transitional politics, an often-heard question is whether the South African Communist Party (SACP) should be seen as part of the ANC alliance, or rather as an independent actor in its own right. A related question concerns the level of influence on ANC policy and strategy.

These questions became particularly pertinent after the Bisho massacre, when an ANC march on the Ciskei' s capital (part of the ANC's programme of mass action) resulted in a tragedy when Ciskei's Defence Force members opened fire on the unarmed marchers, killing 29 and wounding over 200. A number of critical analyses after the event argued the point that "dedicated revolutionaries and communists" within the ANC/SACP alliance, fed-up with negotiation strategies, decided to take the lead by exercising the so-called "Leipzig-option" – the overthrow of a government by massive civil resistance.[51] In this view, the SACP is blamed for trying to return the ANC to armed struggle.

To what extent is this true? Does the SACP have enough clout to determine ANC strategy? Two thoughtful articles, by Tom Lodge and Patrick Laurence, argue differently.[52] Lodge argues that members of the SACP continue to occupy leadership positions within the ANC disproportionate to the relative sizes, in terms of membership, of the two organisations. Similarly, the party is well represented within the organised labour movement. Despite this, he argues, the SACP's position in both cases is not a hegemonic one. Its influence has been

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48 At the time of writing, indications are that the ANC is firm in its insistence that the regime take sufficient 'practical steps' to deal with the violence before talks can resume (Statement of the NEC of the ANC, 3/9/1992).

49 Rantete, G., *op. cit.,* p. 11.

50 *Constituent Assembly and Interim Government,* discussion paper prepared by the ANC Department of Political Education, 1991, as quoted by Rantete, G., *op. cit.,* p. 11.

51 Rantete, G., *op. cit.,* p. 11.

52 See, for example, Pottinger's article in *The Sunday Times* of 13 September 1992 ('When Wild Men Seize the Moment') or *The Financial Mail's* comment on September 11, 1992 ('The Bisho Massacre: The Mob Edges Closer', pp. 43-44).

lessened by the new openness in its ranks thanks to the collapse of world communism, and by the growing differences between the ANC and its old ally, in terms of policy, resources, and support. Lodge concludes that if the SACP is to remain true to its principles, it may be forced into becoming a party of opposition in a post-apartheid South Africa; and this, ironically, could help underpin multiparty democracy in future.

According to Laurence's analysis, the relationship between the ANC and SACP must be seen in the context of ongoing attempts by the de Klerk administration (taking its cue from P. W. Botha's securocrat-dominated presidency) to drive a wedge between the two organisations and split the decades-old alliance. One facet of this attempt, Laurence argues, involved casting the SACP in the role of an anonymous, malign force manipulating the ANC for its own ends. In Laurence's view, it is important to understand that where SACP and ANC membership overlap and they do overlap considerably – it is a result not of sinister manipulation but of democratic processes. For example, at the ANC's 1991 annual conference, perhaps as many as half of the 50 executive positions were filled by communists after a free poll.[53] However, he also makes the point that there are signs within the SACP pointing to difficulties ahead. One involved a request from the SACP to the ANC to release Hani to work full time for the party. Another sign points to indications of a degree of disenchantment with the SACP in the ANC.

A possible early signal that the ANC might be starting to distance itself from the SACP came from Mandela himself. Speaking in 1991 about the coexistence of competing ideologies in the ANC, he added: "… after apartheid is destroyed, the SACP… will take their own line, which we will not follow. We won't follow socialism. We have got our own programme".[54]

Mandela's remarks called into question the thesis that the SACP would ride to power on the ANC's back. They resonated, too, with the still inchoate but definite feeling in the ANC that it must assert its own identity and not allow itself to be dominated ideologically by the SACP.

In fact, at the SACP's congress in December 1991, it became clear that the party planned to raise its profile as an independent political party in the critical time ahead. From Laurence's

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[53] Lodge, T., 'Post-modem Bolsheviks – SA Communists in Transition', *South Africa International,* Vol. 22 (4), 1992, pp. 172-179; Laurence, P., 'South African Communist Party Strategy Since February 1990', in Moss & Obery, *op. cit.,* pp. 79-94.

[54] According to SACP secretary-general Chris Hani, 'no more than 30% of the ANC's National Executive Committee members were from the SACP' (*Business Day,* 25/9/1992, p. 3).

view[55], the party seemed posed to fight the coming battle for dominance in South Africa's black community and to resist compromise by conservatives in the ANC's leadership.

The radical left

The PAC. The Pan Africanist Congress is the oldest non-Charterist organisation. It broke from the ANC in 1959 basically on two issues: the prominence of 'whites' in 'the struggle', and the issue of 'land'. These two issues have remained the dominant feature of its policies. Like the ANC it was also banned and went into exile, and underwent a number of shifts around the central issues of its identity.[56]

On the level of conventional indicators of the relative strength of a political movement, the PAC is much weaker than the ANC. However, the PAC hopes to exploit the difficulties of negotiated transition by (a) outbidding those 'moderates' who enter into the process of bargaining; and (b) developing a simple emotive appeal to address popular discontent.

The PAC is careful not to reject negotiations out of hand.[57] But finally they hope that negotiations must be a one-off event which signals immediate white abdication and a transfer of power to the 'African' majority. Put succinctly, the popular PAC position is to 'get the land back', implement 'scientific socialism', and get rid of domination.

While the PAC is currently less organised and supported than the ANC, given its ideology it has a certain populist potential which could grow as discontent develops with the pace and outcome of the current negotiated transition. Its likeliest constituency must be the young, unskilled, unemployed and politically unchanneled black population, which is large: about half the total black population is under the age of 21.

BCM. The Black Consciousness Movement (BCM) first emerged after 1968 when the South African Students Organisation was formed under Steve Biko. Today the Azanian People's Organisation (AZAPO) is the torchbearer of the movement. In ideological terms members of the BCM show closer affinity to the PAC than the ANC. It is very sceptical of the possibility of a negotiated transition away from domination.

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55 As quoted by Laurence, *op. cit.,* p. 86.

56 56 *Ibid.,* p. 92

57 Van Zyl Slabbert, *op. cit.,* p. 46. For a general overview of PAC policy and strategy, see Van Staden, G., 'Return of the Prodigal Son: Prospects for a Revival of the Pan Africanist Congress', *International Affairs Bulletin,* Vol. 12 (3), 1988, pp. 35-64; *Indicator South Africa,* Vol. 7 (3), 1990, various contributions; and Nyatsumba, K., 'Azapo and the PAC – Revolutionary Watchdogs', in Moss & Oberty, *op. cit.,* pp. 95-101.

Strategically it displays an almost anti-organisational romanticism.[58] It sees as its target not to advance the organisation, but rather to 'advance the cause of revolution'.

BCM support is not organisationally confined. Through AZAPO it expresses its political strategy, but some of its supporters can be found within the structures of the Charterist COSATU workers, and more within the non-Charterist NACTU unions.

Its overall strategic impact on the transition in South Africa is essentially anti-negotiation, with the potential for radical revolutionary outbidding and the same opportunities for growth as the PAC among disaffected black youth.

The liberal lobby

Organisations such as the Black Sash, the South African Institute of Race Relations, the South African Council of Churches, the South African Foundation, and the South African Chamber of Business will continue to promote essentially liberal-democratic, free-market values and traffic between the different political organisations in order to facilitate transition.

The only organised political party with a clearly defined liberal-democratic mandate, the Democratic Party (DP), finds itself in a struggle for political survival. It epitomises the trauma of realignment of parties during transition. In the case of the DP, one of its biggest problems was the fact that de Klerk had virtually taken over its space in white electoral politics. And, as Slabbert[59] argues, there is undoubtedly room for a kind of liberal party after transition, but given its legacy within white parliamentary politics it is difficult to see how the OP will be the vehicle to drive through the transition towards it, unless perhaps as a facilitator during bargaining initially between the ANC and NP and other parties.

The challengers on the right

Inkatha was created with the support of the ANC, but alienation set in from 1979 onwards, so that now a situation of apparently irreconcilable hostility exists between them.[60] As long as Buthelezi is its leader, it would be foolish to dismiss the significance of Inkatha for the politics of transition. The 1970s witnessed the peak of his national popularity among

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[58] The PAC and the South African government are involved in ongoing bilateral talks about the PAC's participation in negotiations. For example, following a meeting in August 1992, PAC foreign affairs secretary Gora Ebrahim and Constitutional Development Minister Roelf Meyer said 'they had reached agreement that a new constitution should be drafted by an elected constitution-making body' *(The Citizen, 19/8/1992).*

[59] Van Zyl Slabbert, *op. cit.,* p. 48.

[60] Van Zyl Slabbert, *op. cit.,* p. 55-55.

blacks, but the repression, revolt and reform of the 1980s saw it plummet as his political stance became an issue of controversy.

His support base has become increasingly rural and traditional[61] whereas his political ideology has been consistently universalistic and modem, favouring a 'liberal-democratic constitution, universal franchise, civil liberties, and a free market economy'.[62] He has consistently favoured negotiated transition to all other forms of political transition.

In the middle of 1990 he redefined Inkatha as a non-racial political party (renaming it Inkatha Freedom Party – IFP), thus becoming part of a general process of political realignment. He claims in excess of one million signed-up members.

The significance of Inkatha for transition lies more in its possible exclusion, than its inclusion. For example, inclusion in the negotiations appears to be a prerequisite for ending the violence in Natal. On the other hand, the manner of Inkatha's involvement in the process of democratisation could be a litmus test for democratic tolerance between rival political organisations (of which there is presently very little).

The phenomenon of Inkatha highlights the potential for ideological intensity and irreconcilability – positions to threaten the negotiated transition. Intense racial or ethnic sentiment could become an important ideological imponderable in transition.

The white right-wing

It is particularly from the white right that there is a real threat to transition in South Africa.[63] The theme of radical outbidding from the left, notably the PAC or BCM (analyzed above) is always that blacks are being *sold short;* that they can do better than the benefits that flow from any compromise. Radical outbidding from the right is always that whites are being *sold out* that any compromise is going to leave them worse off than they are now.

For the white right there is a compelling sense of urgency about current political developments. The uncertainty the transition generates among whites increases the prospects that the CP could win a white general election according to the old rules.

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[61] For discussion, see Maré, G. & G. Hamilton, *An Appetite for Power: Buthelezi's Inkatha and the Politics of 'loyal resistance',* Johannesburg, 1987; and Morris, M. & D. Hindson, 'The Disintegration of Apartheid: From Violence to Reconstruction' in Moss & Obery, *op. cit.,* pp. 152-170.

[62] According to an HSRC May 1992 opinion survey, 6% of its respondents said that they. 'felt very dose' to the Inkatha Freedom Party. The survey found that the party's main constituency consisted of Zulu-speakers in the rural areas of KwaZulu and Natal *(Information Update,* Human Sciences Research Council, Pretoria, 1992, p. 16). The persistent attack on Buthelezi that he is colluding with the regime, and evidence that Inkatha has received financial support from it, may finally erode Inkatha's previously broad-based support.

[63] Buthelezi, M. G., *South Africa: My Vision of the Future,* Weidenfeld & Nicolson, London, 1990.

However, given the transition, these rules will no longer apply. The CP consequently finds itself in a serious dilemma. Moreover, as this dilemma deepens, other organisations even further to the right increase in militancy and begin to outbid the moderation of the CP in parliament.

Can there be a right-wing coup? Most commentators would answer 'no'. It is one thing to disrupt transition, it is quite a different matter to take charge of government and administer the state.

The longer uncertainty is a feature of transition, the more right-wing militancy will enjoy a legitimacy beyond its support base. As transition becomes consolidated through compromises on normalisation and democratisation, so will white anxiety subside and right-wing militancy will become politically isolated. Leadership figures inside and outside the CP are increasingly beginning to accept that negotiating some form of partition or self-determination for whites may become the only realistic option. As their orientation becomes more acceptable in right-wing ranks, so right-wing militancy will become even more marginal.

South Africa is currently in an uncertain open-ended transition away from apartheid and minority domination, towards a more inclusive, and hopefully, just political settlement. Will this settlement bring about a democratic society? Not necessarily. But the fact that most political actors, through the Declaration of Intent adopted at CODESA I, are bound to democratic principles, gives hope for the future. Why then, over the past two years, has it proved so difficult to live and act out those principles? It is important to remember the context within which the negotiation process takes place. For decades, the NP government and the ANC were locked into contradictory and competing strategies to get rid of one another. Now they have agreed to pursue democracy, but seem confused over the means to achieve it. Neither organisation had evolved a shared coherent policy or strategy to cope with the kind of transition they had committed themselves to. The nature of the political interaction between the two actors furthermore suggests that neither is in full control of the process – strategic interaction brings about unintended consequences, with which both has to live, and transmit to its respective constituencies.

What then is encouraging about the process? At the time of writing, it began to look as if the main political actors are beginning to reach a mutual understanding about commonly acceptable mechanisms for effecting transition to a democratic constitution. This would

involve issues such as an interim government, elections, a constituent assembly, and a transitional parliament.

However, one of the biggest stumbling blocks in the way of a transition is the problem of violence, criminal or otherwise. It remains acute and relates directly to the acceptability and legitimacy of the instruments of state security to deal with it. Maintaining acceptable transitional stability lies at the heart of making progress on negotiations. At the same time, many commentators point out, the economy remains sluggish; the cost of living and unemployment increase. It is inconceivable that there can be any serious progress towards a democratic constitution under these circumstances.

The other serious stumbling block relates to the requirement that the negotiations process be inclusive rather than exclusive. The process will not easily advance, or, we might end up with an unconsolidated outcome, if important political actors remain outside the process, or are alienated.

If we assume that most of these obstacles can be overcome, it is possible to visualise a broadly accepted transition government (or 'government of transitional unity') by mid-1993. The establishment of multi-party transitional arrangements will in all probability be followed by preparations (vote r registration and education) for nonracial elections for a Constituent Assembly. The Assembly, which might start its work of constitution-making in 1994, will have a defined mandate of between 6-12 months. Finally, the existing Parliament will have to pass enabling legislation and give legal force to a new Constitution by early 1995. This will formally conclude the transition and enable the institutionalisation and normalisation of politics.

However, what is needed for the transition to bring about a democratic outcome? Van Zyl Slabbert argues the case for a series of additional pacts or contracts to be negotiated[64]:

A *civil-military contract* or pact in which agreement is reached on how the civil service and especially the security forces will be transformed to be made serviceable to a democratic outcome. Such a contract will provide continuity and stability during transition, as well as effective administration.

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[64] Grobbelaar points out that if the Conservative Party (CP) can maintain its present cohesion and force, it will significantly threaten any transformation process in South Africa. If it cannot provide its constituency with workable solutions, the party is likely to disintegrate. The result could well be a rapid spread of the idea of a 'third war of liberation' as well as attempts to derail the negotiations violently (Grobbelaar, G., 'Bittereinders – Dilemmas and Dynamics on the Far Right', Moss & Obery, *op. cit.,* p. 108).

An *economic contract* or pact between the major economic actors – that is, labour, capital and the state. Such a contract must establish ground rules for growth in the economy, labour management relations, investment, etc. The purpose of such a contract is to diminish uncertainty and create a climate of confidence for economic revival.

A *contract or pact on redistribution and development*. This essentially has to do with the transformation of the budget and addressing the problem of parity.

The sooner these transitional challenges are met, the shorter the lifespan of a transitional government and the quicker it can dissolve itself in favour of a new democratic constitution in South Africa.

What happens if these challenges are not met, or partially fulfilled? South Africa might then find itself with some form of undemocratic outcome. These could range from a clampdown, which Schmitter would call 'a regression to a new form of autocracy'.[65] Under a clampdown, repressive rule of some kind is reintroduced, eg. a national State of Emergency, martial law, a partial coup, etc. Political normalisation will be suspended, i.e. civil liberties will be repressed. A clampdown could involve high costs, if it takes the form of reimposition of old style white minority domination, or low costs, if effected by a new modernising non-racial oligarchy together with the security forces.

On the other hand, South Africa might find itself with an un-elected interim government, ruling by decree, and not prepared to risk an electoral polítical competition. Its rule is indefinite, and the costs high, but nevertheless lower than a clampdown option.

Where will South Africa be in the year 2000? At this juncture, it is impossible to say. The transition could bring about any outcome. Also, it is most important to realise that any new government will have to face a number of critical choices in formulating future policy: these relate to the restructuring of the state; the balancing of equalities and inequalities; and the management of resources in a context of relative scarcity. Given time and space constraints, these' challenges cannot be dealt with here[66], except to say that the attainment of democracy will depend not only on the nature and outcome of the transition, but also on the manner in which the new, post-settlement regime addresses these critical choices. South Africa has the capacity to become democratic, but it will not be achieved without struggle.

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[65] Van Zyl Slabbert, *op. cit.,* pp. 90-92.

[66] Quoted by Van Zyl Slabbert, *op. cit.,* p.83.