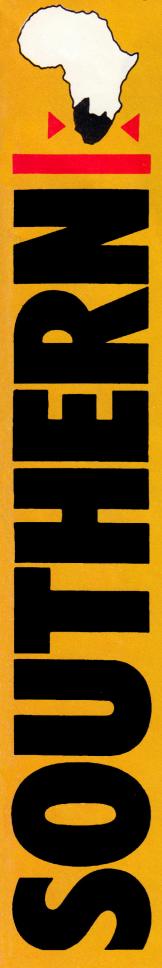
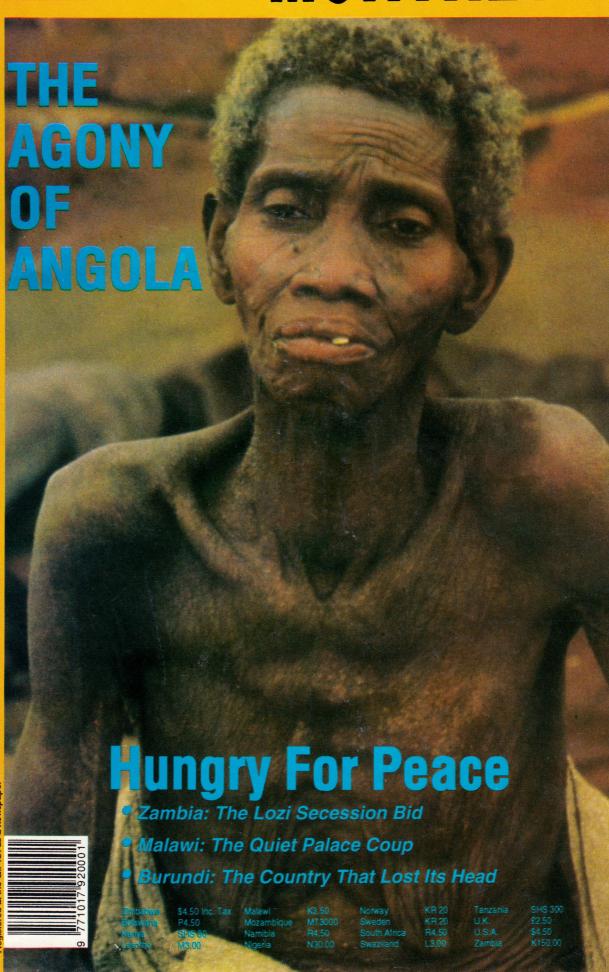
Vol. 7 No. 2

AFRICA

# POLITICAL WOLLD & ECONOMIC





Vol. 7, No. 2 NOVEMBER, 1993



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They hold meetings, they discuss their differences, but Angolans never agree to end the war. Half a million people have died since the war resumed late last year and three million others are refugees in their own country. Humanitarian agencies describe the situation as catastrophic. In the words of one senior relief official, if the war does not stop, it will be impossible to distribute food and medical assistance to those in need. See Cover Story p.5



As President Kamuzu Banda's health continues to deteriorate following brain surgery in South Africa last month, so is his grip on the country's politics. His role has been taken over by a President ial Council chaired by

a one time MCP stalwart, Gwanda Chakuamba, who after 13 years of imprisonment, helped to form the opposition United Democratic Front (UDF) and is now back in the MCP. See p.21.

Since Zambia held its first multi-party elections in more than two decades in 1991, the newly established democracy has never had it going easy. Fourteen Members of Parliament for the ruling MMD party have resigned since then and



nine cabinet ministers have left their posts. Derrick Chitala, an MMD founder and Deputy Minister for Special Duties in the Office of President Frederick Chiluba, disucsses Zambia's fragile democracy with SAPEM's Editor-in-Chief, Ibbo Mandaza. See SAPEM Interview, p.39.

**COVER PICTURE: COURTESY OF ICRC** 

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#### **SAPEM**

#### THE TEAM

Editor-in-Chief: Ibbo Mandaza Managing Editor: Tendayi Nyakunu Senior Editor: Fernando Gonçalves Editorial Assistant: Thomas Deve Intern: Zerubabel Mudzingwa

#### **FEATURES**

Political: Ibbo Mandaza SAPES Newsletter: Thomas Deve Economic: Guy Mhone Gender Issues: Patricia McFadden

#### **PRODUCTION**

Layout: Dick Masala Cover Design: Hassan Musa Printed by National Printing & Packaging

#### **SUBSCRIPTIONS**

Anne Derges

#### **ADVERTISING & MARKETING**

Patrick Sagwete 95 Harare Street, Tel: 726060

#### **NETWORK**

Gilbert Mudenda, Moses Banda (Zambia)

Geri Augusto (Angola)
Mafa Sejanamane (Lesotho)
Guy Mhone (Malawi)

Augostinho Zacharias

(Mozambique)
Issa Shivji (Tanzania)
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(South Africa)
P. Katjavivi, Kaire Mbuende

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The Diaspora

Bernard Magubane (North America)

Ron Daniels, Kai Crooks,

Jackie Howard.

#### **DISTRIBUTION**

Nationwide News Agents; or The Editor, SAPEM, P.O. Box MP 111, Mt. Pleasant, Harare Tel. 727875; Fax: 732735; Telex 26464 AAPS ZW or 95 Harare Street, Tel: 726060

Published by the Southern Africa Political Economy Series (SAPES) Trust, P.O. Box MP 111, Mt. Pleasant, Harare, Zimbabwe



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Back Cover	5 000	4 500	4 250
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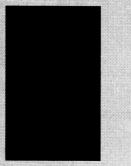
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# THE NEW SOUTH AFRICAN CONSTITUTION TAKING SHAPE

#### KLAUS FREIHERR VON DER ROPP

N his way from Moscow, Bavarian Premier Franz Josef Strauss was able to convince the South African President Pieter Willem Botha back in January 1988 that the USSR had abandoned its imperial goals in Southern Africa. This enabled the Anglo-American-Soviet diplomacy which, for the first time, gave the states in the south of the African continent, the opportunity to settle the region's conflicts by peaceful means. Due to its rapid decline of power, the Soviet Union could no longer take on the role of London and Washington had hoped it would assume: to exert a moderating influence on South Africa's and Namibia's liberation movements, with which it had been closely liaised for many years, as well as on the government of Angola and Mozambique. Nevertheless, the Anglo-American negotiators, headed by British ambassador Sir Robin Renwick, benefited from the very fact that the Soviets did not disrupt their diplomacy.

Renwick and his American partner, Chester A. Crocker, knew that the subcontinent would sink into chaos should diplomacy fail. Their efforts initially focused on coming to grips with the most readily manageable problem; and this in the sense of a confidence-building measure for the settlement of further conflicts. They concentrated on Namibia's consummation of internationally recognised independence. A corresponding plan had been on the table in the form of UN Security Resolution 435 since September 1978. The foreign mediators, however, were only able to induce Pretoria to cooperate on this matter after giving the White South Africans to understand that the inversion of political power in favour of the Black majority, envisaged in Resolution 435, was the appropriate solution for the settlers' colony of Namibia, but not for the multi-ethnic state of South Africa.

In March 1990, US Secretary of State, James Baker, and his Soviet colleague, Edward Sheverdnadze, seized the opportunity during their stay in Windhoek for the Namibian independence celebrations to conduct negotiations on the settlement of the Angolan civil war which broke out in 1975. Britain's role was now limited to establishing contacts between the governments in Pretoria and Luanda. Furthermore, Washington and Moscow incorporated Portuguese diplomacy, spearheaded by the then State Secretary in the Foreign Affairs

Negotiations on the constitution of postapartheid South Africa have reached a decisive stage. Instead with the debilitated de Klerk government, the alliance of the African National Congress and the South African Communist Party has to negotiate to a growing extent with the (conservative) Afrikaner Volks Front. The conceivable outcome of talks thus slowly shifts from a system of institutionalised power-sharing to a partitioning of the country to the detriment of the Whites ("sacrificial partition"). Over the past 20 years, Klaus Freiherr von der Ropp (Cologne, Germany), together with liberal Afrikaner dissidents sharing similar views, has expounded corresponding ideas on this subject in numerous articles.

Ministry, Jose Manuel Durao Barroso, into their efforts. In 1991, they led to the conclusion of the Treaty of Lisbon, which specified details of a ceasefire, military disengagement, and the holding of UN-observed parliamentary and presidential elections. The latter, although there was no prior extensive disengagement of the armed forces of the parties involved in the civil war and the UN only sent about 700 observers to Angola because of financial problems on the East River, took place in September 1992. The UNITA party, which was the loser in both elections, resumed the armed struggle, took it into the urban areas for the first time, and has controlled by far the largest part of Angola since.

The miscarriage of the Angolan peace process prompted the United Nations to earmark contingent ten times larger for Mozambique. The basis for the peace process in Mozambique is the Treaty of Rome, which owes its conclusion in October 1992 to the mediation of personalities from the Catholic Church of Italy and Mozambique and to diplomats from the USA, Italy, Britain, Portugal and Russia. Elections are scheduled to take place in Mozambique in mid-1994.

For Britain and America, the successes in Namibia, the failures in Angola, and the imponderabilities of developments in Mozambique, are primarily important in terms of possible consequences for the inner-South African dialogue over this country's future. It

must lead to success if Southern Africa is to stand a chance at all of peace and thus development. Up until the beginning of 1993, the inner-South African round of negotiations called itself the "Convention for a Democratic South Africa" (CODESA). Since then, out of consideration for the negotiating partners which subsequently joined it, the name has been "Multi-Party Negotiation Forum".

The first CODESA general assembly (CODESA I) in December 1991 was described as a "love-in" by some observers. Although this and the following round of negotiations (CODESA II in May 1992) were boycotted by the latently important, militant Pan Africanist Congress (PAC) and the already powerful Konserwatiewe Party (KP), the main protagonists of the South African conflict, that is to say, the alliance of the African Congress (ANC) and the South African Communist Party (SACP), and the government of President Frederik Willem de Klerk, for the first time were represented at negotiations on South Africa's future. What is more, apart from a number of marginal parties, the Inkatha Freedom Party (IFP) also attended CODESA I and II.

The optimism which emanated from CODESA I — sometimes, there was even almost a feeling of euphoria at the conference venue, the World Trade Centre in Kemptom Park, Johannesburg - spread to other African countries. At long last, they argued, their decade-long struggle against apartheid seemed to be bearing fruit. At long last, Black South Africans would take their fate into their own hands under the leadership of the ANC/SACP alliance. From the beginning of 1992 onwards, there was a never-ending stream of visitors from South Africa (Whites too) to other countries of the continent and of official delegations from Black African countries to South Africa. Even numerous flight connections were restored. Finally, the formerly ostracised republic was able to establish official contacts to a number of other African states. Ambassadors were exchanged with the Ivory Coast, Morocco and Gabon — previously only with Malawi in 1967 — and trade missions with most bordering states. More politically significant was the official visit de Klerk paid to Nigeria in April 1992, the one African country which up until then had fought the South African apartheid policy more vehemently than any other. The fact that the Nigerian head of State, Ibrahim Babaginda was President of the Organisation of African Unity at the time, enhanced the significance of this visit. In comparison, the fact that the liberated countries of Eastern Central Europe and those in Eastern Europe, including Russia, now established diplomatic relations with Pretoria was of secondary importance.

#### South Africa's Economic Decline

The negotiations on post-apartheid South Africa are framed by a background of an absolutely desolate economy. The following factors are the primary determinants: Apartheid led to an almost unimaginable inflation of state administration and thus to an enormous waste of money. The latter also applies to the efforts over the decades to achieve economic autarky. The worldwide recession caused a sharp drop in revenue for raw materials exports. The same has applied for years to gold exports. South Africa has not come to rest politically since the turmoil in 1976/77. Consequently, financial circles at home and abroad have lacked confidence since in Pretoria's ability to restore stability. Since the process of reform began at the end of 1989 and the beginning of 1990, instability has proliferated. A single figure proves the point: today, 60 people are murdered in south Africa every day, one out of ten for political reasons. The policy of sanctions pursued by the USA - and to a much lesser extent by EC member states and Japan — since the mid-eighties has, as its initiators intended, hit South Africa's economy hard; the American sanctions were particularly effective in the financial field. Finally, no one can forecast exactly what the economic and financial policy of the government of post-apartheid South Africa will be. This incertitude alone explains the undiminished exodus of national and foreign capital from South Africa.

The result of all this is an extremely high unemployment rate, which has long since reached the 50 percent mark nationwide and is reputed to be 70 percent in some eastern regions. South Africa's Gross Domestic Product would have to increase by an annual six percent to just employ all young persons moving onto the job market. Instead, it has been waning for years. Today, only seven percent of these youngsters find a job. The rest, most of whom, incidentally, have not school-leaving certificate, try to make some kind

of a living in the informal sector, for example, as street traders, in the transport business or as prostitutes, or enlarge the army of unemployed. The latter leads to an alarming surge in crime, mainly involving people from the ghettos.

#### **Democratic**

For some obscure reasons, the question of the democratic character or capability of South African society is virtually never raised abroad. It is more comprehensible that the same also hardly happens in South Africa itself. Each of the South African parties would rate itself as democratic, yet hesitate to view respective political adversaries as democrats. Under these circumstances, the already extremely arduous process of negotiation would merely be burdened if participants queried the democratic capability of their partners. Furthermore, fear of the answer prevents the question from being asked in the first place.

The fact that international reports on South Africa fail to mention that, as a rule, the slogan "kill the boer, kill the farmer" circulates during rallies by the powerful ANC Youth League verges on manipulation.

The fact that White South Africa never had an interest in the development of a democracy embracing all sections of the population is probably undisputed. Black South Africa, on the other side, was forced into armed struggle. For that reason, up to this very day, at least the politically aware section of the Black population lacks confidence in the police, the courts, and the remaining, all of them "White", institutions of the state. Consequently, a law-of-the-jungle culture, and thus, finally, a constellation of general violence emerged. It is not, however, solely directed against the bureaucracy of the de Klerk regime. Rather, intolerance also characterises the way Black opposition groups deal with one another. Above all, the continuous power struggles between the IFP and the ANC/SACP in KwaZulu, in Natal and in the ghettos around Johannesburg have hit the headlines since the mid-eighties. There can be no reasonable doubt that forces pertaining to the police and the military ("Third Force") were involved here.<sup>2</sup> The latter fan the flames of conflict, but are not its cause.

Virtually no observer of developments in South Africa would classify the IFP — still overwhelmingly the party of conservative Zulus — as democratic. The same should apply to the PAC; its election slogan "one settler, one bullet" probably speaks for itself. The fact that international reports on South Africa fail to mention that, as a rule, the slogan "kill the boer, kill the farmer" circulates during rallies by the powerful ANC Youth League verges on manipulation. The fact that orthodox Communists are strongly represented in leading ANC bodies also gives rise to doubts concerning the ANC's understanding of democracy.

The comment by an observer of the constitutional talks whose name is unknown still holds true: "You cannot negotiate or legislate democracy into existence". Helen Suzman, a long-standing opposition member of parliament in Cape Town, recently expressed her concern that South Africa's future government would inherit "an ungovernable population in an economic wasteland" from its predecessor. Irrespective of the nature of the constitution of post-apartheid South Africa, government will only be operable on the basis of emergency laws.

Nonetheless, the signing of the "National Peace Accord" in September 1991, in which church circles and the business community acted as mediators, has had a clearly positive impact. Without the activities of the thus created "National Peace Secretariat", South Africa might well have gone up in flames in mid-April 1993 following the murder of SACP Secretary-General, Chris Hani. The "Commission of Inquiry Regarding the Prevention of Public Violence and Intimidation" (Goldstone Commission) presided over by Judge Richard Goldstone, assumes a particularly important role in this context. A post-apartheid South Africa will continue to urgently rely on these institutions set up in September 1991.

#### **Breakdown of CODESA**

Bearing in mind the afore-mentioned, successful negotiations could not be expected to follow the "love-in" of December 1991 at the CODESA II in May 1992. The ANC/SACP alliance demanded that South Africa should become a centralist state partitioned into regions, the regions functioning as administrative but not political units. In addition, it rejected the proposal that a passage should be inserted into the constitution forcing the country's parties for an indefinite period to govern South Africa in coalitions ("enforced coalitions"), regardless of the parliamentary majorities. This is precisely what the strategy of the de Klerk government and the other minority parties, including the IFP, which collaborate with it was in May 1992 and

See, however, more recently, the excellent article by Vincent Maphai, "Democracy and Intolerance" in: *Die Suid-Afrikaan*, February/March 1993, pp.25-27. In addition, *ibedem*, Elsabé Wessels, "Democracy in South Africa: Party Political Viewpoints", pp.14-18; Khehla Shubane, "Civics as a Building Ground for a Democratic Civil Society", pp.35-37, and Marie-Louise Stroem, "Education for Democracy in South Africa", p.46.

An extremely informative look at this aspect is presented in Robert von Lucius, "Kriegzone' in Township Sebokeng/Schueren radikale Weisse schwarze Gewalt?", in: Frankfurter Allgemeine Zeitung, 15 July 1993, p.6.

probably still is.3 They were (and are) bent on guaranteeing their participation in power in any conceivable form in the government otherwise dominated by the majority grouping ANC/SACP, and are trying to do so at three levels. They want the new constitution to stipulate that the three most powerful parliamentary parties permanently rule the country together. In other words, there should be no system of "winner takes all". Via the (White) bureaucracy — most of its members, incidentally, are liaised with the, in the final analysis, anti-reformist KP — the White South Africans will continue to exert considerable influence on the organs of state. This particularly applies to the armed forces, the field of financial and economic policy, and the police. After all, Pretoria did not demand the constitution of a centralist state divided up into regions for the new South Africa, but that of a powerful decentralised federal state.

The question is whether the de Klerk government seriously believes in the realisability of a federal republic of South Africa. It knows that, due to a lack of democratic traditions and, more important still, traditions based on the rule of law, a federal system will hardly be workable in South Africa. Federalism in South Africa is only conceivable under the legal umbrella of a rigid state-of-emergency regime. This, however, is not the long-term key to the resolution of the South Africa conflict.

The fact that the negotiation process did not founder despite the failure of CODESA II, the subsequent activities of the ANC, SACP and COSATU, and the massacre of Boipatong and Bisho was primarily attributable to the UN Security Council, which tried to strengthen and thus rescue it in Resolutions 765 and 772. Here, British and American diplomats were able in New York and in South Africa itself to utilise one of the few remaining opportunities to shape developments in South Africa. For the first time in the long history of the UN Security Council debates on South Africa, its members tackled the problems facing the country. The Council now urged the South Africans to continue the ongoing negotiations. Furthermore, it was important that it resolved to send UN observers to South Africa. The EC, Commonwealth and OAU subsequently followed suit. All the observers were integrated into the activities of the National Peace Secretariat.

Diplomatic pressure by the Western states and the realisation of the desolate economic perspectives induced the government and the PAC's participation in negotiations, however, did not prevent APLA, in line with the PAC's election slogan, "one settler, one bullet", from attacking farms since the end of 1992 and killing their owners.

ANC-SACP alliance to resume their negotiations in September 1992 and sign the "Protocol of Understanding". Although the other CODESA parties were not involved, this agreement between the then by far most important political players has been the guideline of all constitutional negotiations since. The crux of this arrangement was that a Constituent Assembly (CA) should be elected. In June 1993, it was agreed that the CA elections would be held at the end of April 1994. This CA, however, will not be sovereign, but will decide within a constitutional legal framework agreed upon beforehand by the CODESA parties. The fact that a CA is to be elected at all is a major concession by the minority parties, NP, IFP et al. to the ANC/SACP alliance, which will win the elections by a clear margin, and to PAV. Vice versa, the fact that it can only take its decisions within the previously agreed framework, is a major concession by the ANC/ SACP to the minority parties. In view of the still existing power constellation, however, it would come as no surprise if all important decisions were taken by the CA before the election and if the role of the CA was limited to ceremonially confirming them.

In two other respects, the ANC/SACP alliance has made concessions to the minority parties since. Following the proposal by the SACP chairman, Joe Slovo,4 it has expressed its willingness to run South Africa together with the other parties for five years in a "Government of National Unity", regardless of the outcome of elections in April 1994. However, it is still unwilling to establish this principle indefinitely, the goal of the minority parties. What is more, the ANC and the SACP have now come out in favour of the federalisation of South Africa. A still disputed point between these two groups and the minority parties, however, is which powers should be vested in future regional governments and which in the federal government. Negotiations on the many other still unresolved questions relating to South Africa's future constitution will only be possible once an agreement has been reached on this aspect.

A keen public interest has been shown in the

appointment of the "Transitional Executive Council" (TEC). As a kind of subsidiary government, its function would be to run South Africa together with the de Klerk government up until the day on which, as already mentioned, the "Government of National Unity" can assume government responsibility following the elections of April 1994. In view of the predominance of anti-reformist circles in the official armed forces (SADF) and the police (SAP), as well as the existence of the "Ystergarde" of the fascist "Afrikaner Weerstandbeweging" and the puppet armed forces of the Bantustans of Bophutatswana and Ciskei, and the powerful police of KwaZulu, both the ANC/SACP alliance and the PAC have a vital interest in securing a say in the running of the SADF and the SAP. In the event, say, of a civil war, their "private armies", Umkhonto we Sizwe (MK) and the Azanian People's Liberation Army (APLA) would be no match for the aforementioned armed forces. Apart from having a say in the armed forces, the ANC/SACP, PAC, and all other parties involved in negotiations will also "co-govern" in all other portfolios via participation in the TEC.

### The "Multi-Party Negotiation Forum" — A New Negotiation Approach

Apart from the 16/24 CODESA parties, PAC and the now extremely powerful KP took part in constitutional negotiations between March/April 1993 and mid-July 1993. PAC's participation in negotiations, however, did not prevent APLA, in line with the PAC's election slogan, "one settler, one bullet", from attacking farms since the end of 1992 and killing their owners. As opposed to the countless murders in the ghettos — the victims were without exception Blacks — these incidents disquieted White South Africa. It made de Klerk's policy of reform responsible for the breakdown of law and order which could indeed be observed throughout South Africa. Very many Whites now turned their backs on de Klerk and have backed the moderate and thus pro-negotiation wing of the KP since. Internally, however, the moderate faction had so far been unable to assert itself against the radical wing. This meant that, although the KP was physically present during the negotiations at the World Trade Centre between March and July 1993, it did not really participate. In mid-July, it terminated its participation in constitutional talks altogether, since the majority of the other parties refused to discuss the subject of "self-determination", i.e. the creation of an independent Afrikaner state. Since then, the KP has been pursuing the same goal via different means, including the threat to turn South Africa into an "African Bosnia".5

During the first half of 1993, the constitutional negotiations were already increasingly burdened by the erosion of de Klerk's power and his, in

<sup>3.</sup> See on this aspect the albeit controversial article by Andrew Gowers and Michael Holman, "De Klerk Resists Black Majority Rule in South Africa, in: *Financial Times*, 26 May 1993, p.1

<sup>4. &</sup>quot;Negotiations: What room for compromise?", in: The African Communist, 1992/93, pp.36-40.

See on this the interview with General Martinus Groenwald, "Jugoslawien am Kap", in: Der Spiegel, 22/1993, pp.174-177.

South Africa, once all-powerful NP. Since the end of 1989, de Klerk had rejected the (apartheid) ideology of his NP and adopted the programme of the liberal opposition Democratic Party (DP) with growing radicality. The DP had previously at most rallied the support of just under 25 percent of the White voters. Today, de Klerk can basically only rely on their backing. More or less all White South Africans (i.e. 50 percent of the total White population), who had previously voted for the NP for at least 40 years, probably now have a much greater affinity to the moderate KP wing than to the NP. They feel deceived and betrayed by de Klerk, who, even during the referendum of March 1992, did not really seek discussion with them. The weakening of the NP was accompanied by the loss of its unity. There are clear indications that at least five of his ministers, including Defence and Justice Minister, Kobie Coetsee and Minister of Law and Order, Hernus Kriel, as well as many NP parliamentarians share the misgivings of their former voters concerning de Klerk. They lack the conviction in the realisability of his ideas.

It would be surprising if this opposition in his own ranks did not trigger de Klerk's downfall or — more probably — force him to adopt its ideas of an "Afrikaner Israel", a "Volksstaat". The remaining 25 percent or so of the White South Africans support the up to now uncompromisingly hard core of the KP or fascist groups such as the AWB. Their representatives would appear to be willing to negotiate a restructuring of South Africa with the "governments" of the Bantustans, but not with the ANC/SACP alliance. It cannot be ruled out, however, that individual personalities, such as Abraham Viljoen of the National Peace Secretariat, and British diplomacy may be able to persuade the KP and even the AWB to enter into the inevitable negotiations with the ANC/ SACP alliance. The aim of these negotiations will be the creation of a "Volksstaat", which, according to the current intentions of the KP and AWB, will be located in the north of the country.

#### Towards a South African Bosnia?

In mid-May 1993, 20 to 30 parties and other groupings of the conservative/reactionary camp joined forces in the "Afrikaner Volks Front" (AVF). Apart from the desire for an "Afrikaner Volksstaat" they often have very little in common. Its moderate members argue along similar lines to the German government when it demands that Moscow should re-establish the republic of the Volga Germans: create a territory in which those persons who are at most tolerated elsewhere are

able to develop a perspective for themselves and their descendants whilst preserving their cultural and general identity ("sacrificial partition"). Today, innumerous other concepts of a "Volksstaat" also exist - a reflection of the previous disunity of the "conservative" camp. A particularly controversial aspect is its possible location in South Africa, whether in the north of the country (as already mentioned), in the arid northwest of the Cape Province, or in the Western Cape. The latter is probably still the most likely option, since this is where a "Volksstaat" would be economically most viable. Despite the existing ethnic intermixture in this region, the inevitable exchange of population can be best limited here. And, finally, it is undisputed that there were no Black Africans living here when the first European settlers arrived in the mid-17th century.



The murder of Chris Hani showed the destructive potential of the White exremists

It is fair to assume that the AVF is currently working on the elaboration of a common stance. If it is successful it will become a more important negotiating partner for the ANC/SACP alliance than the de Klerk government. It is not only well aware that the AVF has charismatic leaders in the form of the only recently retired generals, Constand Viljoen and Martinus Groenewald, but also that the latter still wield considerable authority among the reservists and the active soldiers of the SADF and members of the SAP. In other words, the SADF, SAP and also large sections of the (White) bureaucracy perhaps already tend to be power instruments of the AVF rather than the de Klerk government. The AVF

will continue to gain strength through its ability to win over the IFP and the "governments" of Bophutatswana and Ciskei — Pretoria has increasingly reduced support for its puppets since September 1992 — for its goals.

The AVF is not only in a position to prevent the TEC from commencing activities by triggering strikes - especially in the energy supply sector - or unrest and to later impede the holding of the general elections planned for April 1994. The murder of Chris Hani in April 1993 and the attack by members of the AWB on the World Trade Centre in June 1993 will have made it clear to the outside world just what a large destructive potential the AVF has at its disposal. Even more important than the action taken by the AWB was the fact that the (White) police deployed to guard the conference let events take their course without intervening and that they joined in the songs and prayers chanted by the AWB in the World Trade Centre. The AWB with its approximately 50 000 members — all male members gathered combat experience during the wars in Angola and Namibia — has sufficient power leverage to trigger a civil war at any time.

Today, making sure it does not, is a top priority task for both the ANC/SACP alliance and the de Klerk government. As they cannot eliminate the AWB, their aim must be to make it as weak as possible. Providing the other parties in the AVF can agree on a common and realistic position, the best way to doing so is for the alliance to adopt this AVF stance on an "Afrikaner Volksstaat". The de Klerk government will support such a development. After all, no less a person than Wimpie de Klerk, the President's older brother and close adviser, remarked at the beginning of the negotiation process: "I don't think partition is a viable alternative in the present climate . . . But, who knows, as negotiations drag on and stalemates develop . . . it might just become something to look at in the future."6

It is definitely conceivable, therefore, that the ANC/SACP alliance on the one hand and the de Klerk government and the moderate AVF wing on the other, aware of the alternative of South Africa's destruction, will agree to the setting up of the "Afrikaner Israel". The fascist wing in the AVF and the PAC as well as the ANC Youth League with its large following, however, will oppose such a move. It remains to be seen whether their opposition can be overcome through draconian emergency measures. If not, there is still a danger of civil war. Its aftermath would be a country partitioned into a great deal more than just two (fundamentally destroyed) states.

Cited according to Dries van Heerden, "Partition and the Reasonable Right", in: Sunday Times, 18 March 1990. Cf. also "Partition May Be Negotiable — Slabbert", in: The Star, 5 April 1990.