

INTERNATIONAL ACTION AGAINST APARTHEID (1985)¹

Some observations on the situation in South Africa and possible action by the United Nations

SUMMARY

The mass upsurge of the people of South Africa and the crisis of the racist regime provide an opportunity for the international community to play an important role in promoting a just and lasting solution. Unless concerted, effective and purposeful action is taken, however, another opportunity will be lost and the danger of a bloodbath may, in fact, increase.

The Western governments, in particular, bear a grave responsibility. It is encouraging that, in the past few months, several Western governments, responding to public opinion in their countries, have been taking significant actions to demonstrate their concern. But uneven and uncoordinated actions at the national level are inadequate. There should be a clear definition of objectives and concerted action by all States.

The first priority is the release of Nelson Mandela and other political prisoners, ending of the State of Emergency and the withdrawal of treason trials, to be followed by negotiations between the regime and the leaders of the struggle on the modalities for the total elimination of apartheid and the establishment of a democratic, non-racial system. Unilateral "reforms" or concessions by the racist regime are of little relevance.

The United Nations, despite its inadequacies, remains the best instrument for concerted international action. It has played a significant role in sustaining the morale of the oppressed people of South Africa and in promoting international support to their legitimate struggle.

The lines of action developed by the United Nations remain valid. While effective pressure on the racist regime is essential, sanctions alone cannot produce a solution. They can only encourage and assist the efforts of the South African people. Direct assistance to the victims of apartheid and the struggle against apartheid is equally important.

United Nations action has so far been hampered by the fact that Chapter VII of the Charter has been inoperative. As a result, hardly any Western country has taken significant action in the important fields of trade and transport.

There is an urgent need for serious discussion by Member States on concerted action at a new level. The agenda of consultations should include the following:

- (a) Means to persuade the major Western Powers - particularly the United Kingdom and the United States - to agree to a determination by

¹ This paper was circulated privately in September 1985, and was not published.

the Security Council that the situation in South Africa constitutes a threat to international peace and security;

- (b) Specific sanctions in the fields of investment, trade and transport;
- (c) Assistance programmes;
- (d) Means to enable United Nations bodies to respond effectively to the fast-changing situation in South Africa.

Introduction

The upsurge of the black majority in South Africa against the abominable system of apartheid has become one of the major events on the international scene. The courage and determination of the people - workers and students, women and children, and religious personalities - has surpassed all expectations.

The racist regime has been unable to control the situation, despite the immense military power it has built up since 1960 and the brutality with which it has tried to suppress the resistance. It has felt obliged to promise major "reforms" - on citizenship and pass laws, for instance.

The black people have shattered the predictions of so-called experts last year that the Nkomati accord and other developments would make the national liberation movement impotent. They have disproved the assessment of analysts in Washington that white domination in South Africa would continue into the twenty-first century.

They have forced major financial institutions in the West to stop credits to South Africa. (These institutions are no more anxious to invest in that country to help the poor blacks!).

The situation in South Africa has become an issue of national concern in many Western countries. Governments which have long resisted sanctions against South Africa have felt obliged to take action and public opinion demands more.

The struggle of the South African people and the development of public opinion in the West has created an unrivalled opportunity to promote the initiation of an irreversible process for the elimination of apartheid and the establishment of a non-racial democratic society in South Africa.

The situation demands, however, more than isolated actions by governments and organisations. There is an urgent need for a co-ordinated strategy, under the auspices of the United Nations, to ensure a just and lasting solution without undue loss of life and suffering.

Some Basic Facts

It is necessary to emphasise some features of the growing confrontation in South Africa.

First, the *raison d'être* of successive governments in South Africa has been to consolidate and perpetuate white domination by resisting or diverting international opinion and the “winds of change.”

They have tried to impose a final solution” or create a *fait accompli* by a plethora of laws for racial segregation, forced removals of millions of black people and the establishment of bantustans. The purpose was to turn most of South Africa into a country with a white majority while seemingly giving freedom to Africans in scattered reserves and obliging them to provide cheap labour as migrant workers without any political rights.

The successive regimes have not hesitated to resort to ever more ruthless repression to impose this solution. They have also tried, not too successfully, to divide black opposition by building up tribal chiefs dependent on the white rulers. Some of these chiefs, now in power in bantustans, have been most savage in violence against the black people.

To divert attention and assuage international opinion, the minority regimes have from time to time announced so-called reforms. These reforms have always been manoeuvres to give an appearance of mitigation of oppression while proceeding with dispossession of the black people. They have always been accompanied by greater repression against the opponents of apartheid. There has never been a let-up in the expansion of the military-repressive apparatus.

Second, the minority regimes have consistently refused to talk to, much less negotiate with, the leaders of the movement of the black people for freedom, even with the late Chief Albert Lutuli when the African National Congress was sworn to non-violence.

In recent years, to deceive world opinion, they pretend to consult with black “leaders” chosen by them - and detested or disowned by the people - like the tribal chiefs, heads of bantustans and members of urban councils. They have occasionally agreed to meet church leaders. But it is always the master listening to grievances or offering some crumbs. The fundamental issues of freedom and equality were always “non-negotiable.”

Third, the minority regimes have repeatedly used repression and violence to suppress peaceful movements whenever they began to pose a challenge - for instance, the African National Congress in the 1950s, the Pan Africanist Congress in 1960, the black consciousness movement in the 1970s and the United Democratic Front in the 1980s.

They have also tried to suppress white dissent and any dialogue or contact between whites and the liberation movements.

The issue for them was not violence or non-violence. Their concern was to suppress any movement which threatens white domination.

Fourth, despite all the inhumanity of the regime, the liberation movement has consistently espoused the ideal of a non-racial society in the interests of all the people of South Africa. It has tried its utmost to avoid a black-white racial conflict.

Thus, decades of experience has shown that the racist white minority regime in South Africa cannot be the moving force for peaceful change to a democratic society in South Africa. It can, at best, move towards a camouflaged and more sophisticated system of racist domination, and become even more repressive against the genuine leaders of the liberation struggle.

A lasting solution can only be obtained by exerting sufficient international pressure to convince the racist regime and its supporters that white domination must come to an end; assisting, by all appropriate means, the legitimate struggle of the black majority for full equality; and promoting negotiations, through a national convention of representatives of all the people or other means, on the future of the country.

This has always been the approach of the United Nations.

Role of the United Nations

Despite its limitations, the United Nations has played a positive and significant role in its consideration of the situation in South Africa during the past four decades.

Contrary to the propaganda of the Pretoria regime, and some of its friends, it has been a force for sanity and conciliation.

While totally opposed to apartheid, it has always recognised that a solution will need to be negotiated by the South African people themselves, taking into account the legitimate interests of all segments of the population. It has not seen the problem in terms of a black-white conflict, but sought to enable all the people of South Africa to rid themselves of racist tyranny and establish a non-racial democratic State.

It has helped sustain the morale of the oppressed people of South Africa and their liberation movements during all the difficulties and reverses they faced, and helped promote moral and material assistance to them in their struggle for freedom.

It has, by persistent effort, helped develop public opinion and public movements in support of the liberation struggle.

It has not been able to take binding measures to exert pressure on the racist regime - except for the mandatory arms embargo - because of the vetoes of the major Western Powers against any other sanctions. But partly because of the efforts of the United Nations, a substantial majority of Western countries now support sanctions against South Africa. They were reluctant for many years **to** take national measures in the absence of binding Security Council decisions, but in the past year several Western countries were persuaded to take such measures, however limited.

The United Nations may, in fact, feel gratified that it has contributed to the creation of a situation in which a solution of the problem is at last in sight. But with the pace of developments in South Africa, it faces a new challenge.

The United Nations is the most appropriate forum for international agreement on the objectives and on co-ordinated international action. Without such co-ordination, measures by individual States may have little practical effect. Unilateral initiatives by major Western Powers, in the light of their so-called interests, may create confusion and complications.

The United Nations also provides a forum for continuous contact with the leaders of the black majority in South Africa. It can promote widest public understanding and support which are crucial for the success of international efforts. It can provide good offices for a dialogue between the saner leaders in the white community in South Africa and the leaders of the liberation struggle.

Appeasement of Racists - the Road to Disaster

The major Western Powers - influenced by their fast-growing economic interests under apartheid or so-called strategic considerations - supported neither effective pressure on the Pretoria regime nor assistance to the struggle of the oppressed people.

Their policies were predicated on the assumption that the Pretoria regime was too powerful and too intransigent for justice to triumph in the foreseeable future. Concerned mainly at the excesses of the racist regime which created difficulties for them, they espoused "white-led change," paying greater attention to the possibilities of the racist regime than to the feelings of the black majority. This approach led to the so-called policy of "constructive engagement" and its variants.

In 1984, both the Botha regime and the major Western Powers prepared to celebrate the success of the "engagement."

The "peace process" in the region was moving forward. The Botha regime had announced a series of "reforms" and even enacted a new constitution which was welcomed by the United States as a step in the right direction.

But the day when that constitution was enforced saw the beginning of a national uprising of unprecedented scope. The “peace process” and the “reform process” were seen by the black majority as the implementation of the final solution to dispossess the African majority.

The subsequent developments have daily confirmed that the policies of the major Western Powers were ill-conceived. It is to be hoped that they will be more inclined, in the light of this experience, to try to harmonise their policies with those of the great majority of States. The United States, in particular, must be assisted to reassess its role, for it can make a vital contribution to United Nations efforts.

(I recall that in 1963, President John F. Kennedy recognised that the situation in South Africa was a threat to international peace. The United States imposed an arms embargo against South Africa and encouraged other Western Governments to take similar action. The United States Representative, Governor Adlai Stevenson, assured the Special Committee against Apartheid of cooperation. Such an approach by the United States at this time would enormously advance the prospects for a just solution in South Africa).

The Present Challenge

The United Nations must give urgent attention to the new situation in South Africa, define the objectives for the present stage, and agree on concerted international action towards that end. While the general lines of action pursued so far remain valid, there is a need for a sense of urgency and emphasis on means to ensure that effective measures are universally applied.

Objectives

The primary objective is to enable the South African people, through a process of negotiation, to dismantle and eliminate the apartheid system and establish a non-racial democratic society. In the process, the independence of Namibia and the security of neighbouring States should be assured.

The modalities for the transformation of society, as well as transitional measures and any special arrangements to meet the legitimate interests or fears of any segment of the population, are a matter for the South African people to decide.

A negotiated settlement requires, as an indispensable prerequisite, the ending of the State of Emergency and all repressive measures, the release of Nelson Mandela and all other political prisoners, a general amnesty and an abrogation of the bans on the liberation movements and other organisations.

The leaders of the freedom movement must be enabled to play a key role in the

process of change until democratic elections can be organised to choose a national convention or constituent assembly or other appropriate body.

The black people cannot be expected to have any confidence in “white-led change,” or so-called reforms under the aegis of the present regime.

At the same time, there is reason for confidence that the leaders of the liberation struggle will demonstrate statesmanship, and that with the certainty of the demise of racist tyranny, a spirit of conciliation will predominate.

International Action

The first priority is to exert all possible influence on the major Western Powers - particularly the United Kingdom and the United States - to secure a determination by the Security Council that the situation in South Africa constitutes a threat to international peace and security, so that the provisions of Chapter VII of the Charter can be operative.

Such a determination will make possible universal rather than isolated action, and consideration of sanctions in the fields of trade and transportation - such as prohibition of export of “dual purpose equipment,” oil and computers and import of krugerrands and coal.

The present attitude of the major Western Powers is unreasonable and an abuse of their authority. They agreed, as long ago as 1963, that the situation was seriously disturbing international peace, but have since arbitrarily prevented the recognition of a clear and present threat to peace or breach of peace, though they will continue to have the right of veto on any specific proposals for sanctions.

Of great importance at this time is increased assistance to the oppressed people of South Africa and their liberation movements. This matter needs urgent and serious consideration; at a time when the needs have greatly increased, contributions to the United Nations funds for assistance have stagnated.

The racist regime can be expected to retaliate against neighbouring African States. Means to prevent such retaliation and assist the African States will need to be considered.

Arrangements will also need to be considered to ensure that the United Nations is able effectively to monitor the implementation of its decisions and respond to the fast-changing situation.

Consultations

The effective implementation of such a strategy requires extensive consultation among Member States. It is hoped that the Special Committee against Apartheid,

the frontline States in Africa, as well as Nordic and other Western States committed to this strategy, will take the lead in ensuring such consultations.

It may be recalled that at the last session of the General Assembly in 1984, the Chairman of the Special Committee against Apartheid - Major-General J.N. Garba of Nigeria - together with the Permanent Representatives of Norway and Sweden, initiated consultations among a number of delegations in order to respond to the developing crisis in South Africa. They resulted in a resolution on “concerted international action for the elimination of apartheid”, adopted by an overwhelming majority of votes, including those of a substantial majority of Western States.

That resolution, and the consultations which accompanied it, have helped in persuading several Western States to decide on national sanctions against South Africa, even if very limited. The process was accelerated after the declaration of the State of Emergency in South Africa in July when the Security Council, in a non-binding resolution proposed by France and Denmark, called for such measures.

The consultations required at present are for stronger measures, universally applied. They will need to involve not only governments already committed to sanctions, but the major Western Powers which have so far opposed and blocked sanctions.

There has been little meaningful dialogue between these major Western Powers and other States for many years, as the former were stubborn in pursuit of their real or supposed interests. It is to be hoped that they will be persuaded by the developments in South Africa, the failure of their approaches and public opinion in their countries to join in purposeful consultations toward a common United Nations strategy.