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LEADERSHIP

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There are frequent flashes of irritation from various quarters involved in the dynamics of transition in South Africa. This has to do with the apparently slow and uneven progress of our moves away from domination towards some generally proclaimed and preferred democratic alternative. These signs of impatience seem to be based on an extraordinary and totally unfounded assumption : that there is a clearcut, sensible and obvious agenda available that we can follow in order to negotiate ourselves out of our difficulties. There is not, and never has been. More often than not, the basic assumptions for progress on the one side are causes of concern and reluctance on the other. Public manifestations of concern and reluctance in turn are seized upon to hurl accusations of bad faith and hidden agendas and these resonate back to constituencies and support groups and re-affirm prejudices and suspicions. All this combines to undermine goodwill and mutual acceptance of bona fides.

And this is where the current process started : Mandela and De Klerk accepting each other's integrity and good faith. This was the source of the hope and excitement in the beginning. It seemed almost unbelievably impossible that these two men, given the political histories and traditions they represented in the conflict of South Africa, could shake hands, look into the camera and say, "We accept each other's integrity and are willing to

negotiate a new deal for our country." After the first wave of incredulity and relief washed through the land a mood of : "Well then, let them get on with the job" set in. However, declaring good faith is not the same as sharing, or even having a common agenda. Precisely because there is no obvious agenda, it is vital for all concerned in the process of bargaining transition that good faith and mutual acceptance of integrity not only be declared at the outset but sustained throughout the process. If South Africa is to cut a deal for a democratic alternative to the present, then the agenda that will make this possible will evolve out of the quality of the interaction between the major participants represented in the bargaining. There is no predetermined script for what we are attempting, it will be written and rewritten as we move along. For the time being, South Africa's political arena will have to survive with institutionalized uncertainty. This is infinitely preferable to the certainty of deadlock.

Although there is no obvious agenda the problem we are trying to solve is not new, i.e. White Minority Domination. It was the defining characteristic of the domination of most colonial societies. To the extent that South Africa shares a colonial experience, there is a tendency to transport the resolution of white minority domination in other colonial societies onto South Africa. This feeds the illusion that South Africa will be following some clear agenda. The perverse manifestation of this illusion is some whites whipping up fears of post-colonial decay, or some blacks fantasizing about a chicken in every pot once

"every settler has had his bullet". The fears and/or expectations of colonial transition are very much present in the South Africa of today, even if the objective circumstances to make it happen are totally absent, i.e. no colonizing Metropole to enforce massive white exodus (- Algeria, Angola), or impose a formula for transition from outside (- Rhodesia, South West Africa). It is perhaps because white domination was got rid of elsewhere that there is an assumption that South Africa is "going the same way", only in our case, it may not be so traumatic because Nelson and FW "like one another". This is obvious nonsense.

South Africa is trying to solve an old problem in a new way - negotiating away white Minority Domination through its own internal political resources. This is the peculiarity of our transition. But we are not the only society experiencing regime transition. Most of the countries in the world are caught in the grip of this kind of transition - Eastern Europe, the Soviet Union, Africa, South East Asia - i.e. moving away from some form of domination or the other, such as

one party States, Military Rule, Dictatorships. In most of them, regime change is not coming about through revolutionary collapse or electoral recycling, but through a tentative and uncharted process of democratizing, with the regimes being an inherent part of the process. Although in each instance differences stand out which are unrepeatable in others, in most of them certain key variables emerge which appear to have a decisive impact on the scope, quality and tempo of transition :

the role of the security apparatus, the state and nature of the economy, the composition of the population, the quality of the political culture, the nature of the State etc. This allows for some comparative basis for studying societies in transition. Not to the extent that one can extract a recipe for success, but certainly sufficient to identify some major disasters that can be avoided. So, South Africa need have no reason to pity itself for being alone in transition, but can take dubious comfort from the manner in which it distinguishes itself with the quality of some of its dilemmas.

In attempting to negotiate transition in South Africa, the regime and its opponents have to address two sets of problems : problems of Normalization, and problems of Democratization. (The word "Regime" is not used in an obviously pejorative manner, it refers to a Government in charge that does not have demonstrable consensual support, but is effectively in power.) Normalization is the process of restoring rights and privileges to opponents of the regime that were previously denied these rights, e.g. freedom of speech, organisation and movement, party formation etc. Democratization is the process of including parties in political decisionmaking that were previously excluded from such participation. Although analytically distinct, these two sets of problems are inextricably linked in reality and simultaneously demand attention from the regime and its opponents as they interact with each other and them. Anyone who assumes an obvious and clearcut agenda for solving such problems, is living in cloud-cuckoo-land.

On February 2nd F W de Klerk gave unambiguous notice of his intention to normalize the political climate in South Africa. Up until then the ANC, arguably the oldest and major opponent of the regime, gave notice of its conditions for normalization through the Harare Declaration. The February 2nd Statement went a considerable way to meeting some of those demands. It created legal space for the ANC and other previously banned opponents to enter and explore a new possibility of bringing about transition in South Africa. Ever since then, South Africa has been caught up in a crisis of normalization whilst facing increasing demands for democratization.

There are two major unresolved issues of normalization : party-formation and non-partisan security.

Problems of party formation flow directly from the normalization of the political climate. Under conditions of "abnormal" politics, i.e. struggling for liberation or repressing revolution, the style of political participation, membership and decisionmaking is fundamentally different. Also issues that could develop into fault-lines of political competition tend to be transcended in "the Struggle". There is strategic and tactical solidarity and the relationship between political means and ends are relatively unambiguous and unquestioned.

Very soon after normalisation begins new problems, stresses and tensions concerning the style of political participation,

membership and decisionmaking emerge. Questions such as : Who is a leader? What is an effective mandate? What is the difference between an alliance, movement and party? can no longer be answered as unequivocally as during "the struggle". Attempts at dealing with these issues in the old way, i.e. : appealing to solidarity or "the line", simple aggravate the problems. Evidence of these problems in the South African context are, for example, the NP opening its membership to all races; Inkatha changing from a cultural organisation to a non-racial party; the Communist Party becoming a legal party distinct from, but still in alliance with the ANC; the ANC vacillating between remaining an alliance movement and becoming a distinct political party; the DP taking strain from the NP usurping its constituency space and political rhetoric; the Conservative Party hovering on the threshold between old style white Parliamentary politics and new-style negotiation politics. At the onset of normalisation the impression existed that negotiating transition was going to involve only the ANC and the Regime. This arose out of the fact that the most "abnormal" relationship that existed was that between the regime and banned organisations, of which the ANC was the most prominent. To the extent that the relationship between the ANC and the regime is fully "normalized" the political arena becomes viable for any other political party/organisation to act legally and normally. In order to do so effectively with a view to participating in transition, problems of party formation have to be addressed.

Party formation is more problematical for opponents than for the regime for obvious reasons. The regime is effectively in power, the NP is a well established party that has operated legally for decades. It can process decisions, consolidate mandates and enter into effective compromises. No wonder De Klerk says he is "in a hurry" to get ahead. The simple point is he is in a hurry because he is organisationally ready. The opponents of the regime are not. There is no clear electoral identity between the ANC, PAC, SACP, Inkatha, Nyandse, MDM, UDF, Labour Unions and Homeland Governments. Nor are they organisationally equally coherent and integrated. Nor is there strategic unity of purpose internally in these organisations or in relation to one another. It is pointless for the regime to press for negotiated compromises if its opponents are not organisationally consolidated to give effect to them. For example, if the obvious solidarity evident in the Groote Schuur and Pretoria Minutes is not transferable into the rank and file of the constituencies of the leadership represented in formulating the Minutes, the result is simply confusion and increasing anxiety.

Resolving problems of party formation must inevitably raise questions of party policy strategy and tactics. For example, it is illusionary for the ANC-SACP-Cosatu alliance to think that it can continue as a broadbased liberation front into the arena of negotiation politics and confront issues in the dynamics of transition, as if this shift will not create tensions of leadership, policy issues and tactics. To pretend these problems do not exist or to distract attention away from them is to

aggravate these problems and to debilitate those organisations individually in the role they have to play in transition. The role of labour, mass action, protest, defiance etc. is fundamentally different during struggle-, transition-, and post-transition politics. It is unlikely that coming to terms with these problems is going to be a trouble free and painless process. In fact, the process of political realignment that normalisation is going to bring about could make current political labels redundant over the next two or three years. At the moment, there appears to be also a lingering strategic ambiguity as to how to deal with the new legal space created through normalisation. This is not surprising given that a short time ago a conventional revolutionary paradigm was still firmly in place, whereas negotiating transition has become the dominant mode at least at current leadership level.

If party formation is more problematical for its opponents, then establishing a non-partisan security system is a much greater headache for the regime. This is the conundrum : De Klerk precipitates transition to resolve the crisis of legitimacy of the current constitution. However, the defenders of that constitution, i.e. SADF and SAP are also contaminated by the crises of legitimacy precisely in the manner in which they had to defend the constitution. This they did through "total strategies", maintaining Apartheid laws and eliminating opponents of the regime. To negotiate transition, stability is essential. However, if those who have to maintain stability are themselves the subject of negotiation and contaminated by a crisis of

legitimacy, then bad faith and suspicion is built into the very process of negotiation itself. How can a relatively non-partisan stability be maintained so that effective negotiation, bargaining or whatever can proceed? This is the nub of the problem. The Government being the regime in power must take the initiative because it is de facto responsible for whatever stability is being maintained.

A first priority must be to resolve the status of other agents of violence, other than the SADF and SAP. In this regard, one can distinguish between constitutional and unconstitutional agents of violence. In the former category, there are the Homeland Armies and Police Forces. They came into being under a constitutional agenda that has now been abandoned. However, they respond to different chains of command and have a certain degree of functional autonomy that may be used in manners at variance with the new constitutional agenda. In the latter category there are MK, APLA, Aquilla, Witdoeke, Warlords, etc., i.e. unconstitutional agents of violence. They are unconstitutional in the sense that they have no legal status. Nevertheless, within the organisational contexts in which they were created, they have chains of commands and agendas which may also be at variance with the agreed upon goals of transition. In an overall situation where there is a high degree of social dislocation, in particularly metropolitan areas, with a soaring crime rate, to have a multiplicity of agents of violence accountable to different command centres with different agendas, is to have an impossible climate for effective bargaining. No

wonder that when violence breaks out in whatever centre due to whatever causes, recriminations and accusations fly thick and fast. The regime has to set about integrating the security structure, negotiating an agreed upon security role and maintenance of stability, and systematically marginalizing rogue violence. If not, escalating violence will play havoc with the process of transition and deepen already existing investment apathy. To say nothing of the continuing spread of lawlessness and crime.

The ideal situation, as far as a non-partisam security structure is concerned, would be to confine military activity to defending the boundaries of South Africa; to confine police activity to crime prevention, and to negotiate a new security leg to deal specifically with community violence, unrest and riots during transition. For example, in the Namibian case all these functions were dealt with by UNTAG in conjunction with the South African Government. In South Africa there are no such external agents of stability, nor is there likely to be. This function will have to be negotiated from within the internal political resources as well. It may turn out to be a far more difficult task than the task of negotiating a new constitution. However, if it is done successfully, transition will progress not incrementally but exponentially. One thing is certain, it is intolerable to proceed with a transition where the parties all wish to take credit for progress in negotiation, but continue to blame each other for problems of stability. In all known cases of regime transition in other societies, the one area that had

to be removed from controversy before bargaining could proceed, was the maintenance of stability through the security system. South Africa will also not escape this problem.

In the area of democratization one major area that endures throughout transition is the nature of interim constitutional arrangements. Issues of controversy at the moment in South Africa are, for example : a Constituent Assembly, Interim Government, Parliamentary Elections, Local Government Structures, Plebiscites, etc. The underlying principle to these controversies is : how to create a satisfactory arrangement so that the regime and its opponents share responsibility for managing the process of transition. Achieving this objective would go a long way in dampening expectations and placating fears about what transition is going to bring about. At the same time, it would provide an invaluable learning experience and demonstrate visible progress on joint management of transition. This objective still remains an elusive goal.

The ANC suggests a Constituent Assembly to constitutionally finalise transition and an Interim Government to manage the process. The former is a constitutional device, borrowed from the Namibian experience. However, in the Namibian context a Constituent Assembly proved viable because stability was externally maintained and also because there was no regime that had to divest itself of power. Both conditions are absent in South Africa and no amount of sloganeering the virtues of a Constituent Assembly is going to fill these vacuums. The

problems around a non-partisan security system should make this abundantly clear. However, even if a Constituent Assembly may prove to be unacceptable, the problem which it raises is a very real one, namely, how to establish popular legitimacy for final constitutional arrangements. Both the regime and its opponents have repeatedly and publicly recognized the validity of this issue. A major positive development in this area has been the ANC's suggestion for a multi-party conference and the regime's positive acceptance of this. This breaks a potential deadlock on the Constituent Assembly and allows for discussion of the valid problems that it raises.

The other suggestion, namely that of an interim government, cuts much closer to the bone, and cannot be dismissed as easily by the regime. There has to be evidence of serious attempts to create mechanisms which could facilitate joint management of transition. If the regime dismisses the term Interim Government, it will have to fund an alternative one to fulfil the same function. It is patently ridiculous to normalise the political climate and invite your opponents to bargain transition with you, if the regime is not prepared to share responsibility with those opponents. That was the declared purpose of the exercise in the first place. In any case, it becomes counter-productive the longer the transition lasts, if only one partner takes the blame for everything going wrong and everyone rushes in to take credit when things go right.

Other issues of democratization lie in the area of transforming the civil service, striving for fiscal parity in the budget and

getting rid of structural inequality in the economy. They can be dealt with far more effectively however, once clarity is reached on interim constitutional arrangements to share responsibility for managing the process of transition.

What would be the optimal conditions and steps for successful transition away from domination towards democracy in South Africa? Who knows? However, at least some of the following are worthy of consideration:

- 1. A common declaration between the regime and its opponents that they accept each others' integrity on the irreversibility of the process;
- 2. A new security arrangement is negotiated where transitional unrest is dealt with not be conventional police or military units, but by a combination of elements from them as well as newly integrated elements from previously excluded agents from the opponents of the regime;
- 3. A formal agreement on maintaining non-partisan stability and eliminating criminal and rogue violence;
- 4. Before Parliament opens, De Klerk, Mandela and others agree to call for the lifting of sanctions and the repeal of all remaining Apartheid laws;

5. New working committees are set up to advise on all items covered by the Budget, i.e. Education, Health, Pensions, Housing, Agriculture etc. etc. These working committees operating in conjunction with State Departments and Cabinet Members and representative of opponents of the regime;
6. An overarching constitutional structure is created consisting of representatives from the regime and its opponents whether in Homeland Governments or from previously banned or even unbanned organisations;
7. The process of party formation matures sufficiently so that there is a clearcut electoral identity and non-acrimonious relationship between them for the purposes of political competition;
8. Out of the working committees and overarching constitutional structure a functioning interim government emerges that is clearly seen to be effectively managing transition;
9. An interim national plebiscite is held to ask for :
 - (a) The interim government to continue managing the process; and
 - (b) Suspend the current constitution and negotiate a new one.

10. After this mandate has been given effect to, a final plebiscite is held to legitimize the final constitution. (Preferably that referendum should be held the day after the Springboks beat the All Blacks at Loftus Versfeld and Mandela and De Klerk were seen by millions hugging each other with unrestrained joy after Lightning Hot-Stix Magubane scores the winning try. Even better, if Hot-Stix receives the ball from far-Northern Transvaal Springbok lock Snorbaard van der Merwe).

All of this would end in the deal of the century. Reality may not approximate these steps, but South Africa certainly has the talent and infra-structure to cut such a deal even taking all the ifs and buts and imponderables into account.