

SOUTH AFRICA

IN THE NINETIES

Prospects for solutions



At this relatively early point in the decade South Africa is captivated by the drama of its early transition to inclusive rule. Progress in negotiations has been unexpectedly favourable. What were thought to be irreconcilable and mutually destructive conflicts in policy and interests between the two major power formations, the ANC and the National Party, have proved to be "self-negating prophecies", to use the phrase of the well-known political scientist Arend Lijphart.

The very damage that these two mobilised forces could do to each other has induced caution and convergence in constitutional and economic thinking. The outlines of a future constitution emerging from the Codesa negotiations indicate a system of mutual accommodation or, more cynically expressed, mutual co-optation. The exact provisions for the inclusion of both majority and major minority parties into executive government have yet to emerge. They will be more or less formal and more or less permanent, depending on the degree of trust. However, that these provisions will exist seems to be beyond doubt.

Thus the first major "task" of South Africa's decade of transition, the elimination of the minority rule, is well in hand. The second and third major tasks are the main problems, and the major challenges. They are also interrelated.

The second challenge is a resumption of economic growth which is sufficiently high and sustained to reduce active grievances, resource competition and the violence which it has produced. The major impediment in this regard inheres in the success of the first task, that of a negotiated compromise. Just as political demands have been scaled down, so will economic and fiscal policies among the major players have to be compromised.

Between the competing economic interests, aspirations and expectations an economic policy will have to be forged which is a trade-off – a compromise or contract designed to limit mutual damage. Unfortunately the lessons emerging from the newly industrialised

countries, and particularly from the high-growth examples on the Pacific Rim, is that in the new era of mobile global capital and markets, compromised and half-baked growth strategies fail. South Africa needs an almost unconditional strategy for growth, but political trade-offs will make this unrealistic, if not dangerous.

The third major challenge is that of establishing and sustaining democratic freedoms and accountability. Inclusive rule or majority rule is not enough.

Among all the world's societies only some 15 per cent are stable, liberal democracies. They have a per capita annual GDP of well over \$10 000, compared with the less than \$2 000 of the remainder. Democracy of a liberal or pluralist kind is the exception in poor societies and particularly in societies which are both poor and deeply divided along ethnic class or regional lines.

Notwithstanding all the hopeful plans and proposals for economic re-stimulation which are proposed from time to time, our economy cannot conceivably develop quickly enough to take the strain out of perceptions of relative deprivation and the sting out of rising expectations among poor people. The stress of these factors will lead to constraints on freedom unless the entire process of transition occurs on the basis of a realistic conception of what is possible in the economic field.

South Africa's liferaft for democracy, therefore will have to be harnessed together with "social contracts", alternatively called "accords" or "compacts". Codesa and the "peace accord" in a sense provide the models. One must always bear in mind, however, that the brittle performance of the "peace accord" illustrates how easily frustrated constituents of the leaders in the accord can break agreements reached. Nevertheless, such accords are South Africa's only hope of establishing a socio-political and economic system in which democracy can develop and survive.

Social contracts have five critical requirements: first, they must acknowledge conflicting interests and seek creative ways of reconciling the conflicts. Second, where policy conflict is unavoidable they must seek to limit mutual damage to participating interests. Third, they must attempt to create policy space which participating leaders can use to preserve the unity and support of their constituencies. Fourth, and most importantly, where critical benefits cannot be delivered in the short term, they must develop programmes of action which leaders can sell to their constituencies as a basis for patience and deferred expectations.

Finally, in social contracts the contending leaders should avoid attempts to discredit the legitimacy of the partners on the basis of ideological positioning outside the contract. The participants have to recognise that they need their ideological "enemies".

If social contracts are South Africa's liferaft, we should also realise that the policies which emerge from such accords are seldom "efficient". Compromises and trade-offs never make for ideal economic policy. This liferaft may keep democracy afloat, but we must not beguile ourselves with the idea that it can become a first-class luxury cruise ship.

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CONTENTS

Editorial - L Schlemmer

1. Designing a new constitution for South Africa – DJ van Vuuren
2. Whites' reservations about the ANC's commitment to democratic values seriously impede reform – Nic J Rhoadie
3. Defending the laager: white resistance in South Africa – JL Olivier
4. Final victory for capitalism? Some imponderables – Ian Liebenberg
5. New national symbols for South Africa/Azania – Neville Alexander
6. Language planning in South Africa – AD de V Cluver
7. An economic system for the new South Africa – Johann du Pisanie
8. Conscription and a future Defence Force – Chris de Villiers
9. An analysis of the Standard 10 examination results of black pupils in the Northern Transvaal region of the Department of Education and Training – JA Schoeman
10. Possibilities for land reform in South Africa – Masiphula M Mbongwa
11. The rights of indigenous peoples – JC Bekker
12. Crime in South Africa and the need for a national crime prevention strategy – WJ Schurink and Evanthe Schurink
13. Interim government: prospects and pitfalls – L M du Plessis
14. Self-determination: a horizon for freedom? – AWG Raath
15. Potchefstroom result represents a new level of alienation between South Africans – CD Schutte
16. Potchefstroom and the referendum – Richard Humphries
17. Group demonstrations: a fundamental right under all circumstances? – CP de Kock
18. 1992: A crucial year in education for South Africa – SWH Engelbrecht and A van der Merwe

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a new constitution

DESIGNING

With the convening of the Convention for a Democratic South Africa (Codesa – 20-21 December 1991) an important facet in the process of democratisation, and a greater degree of clarity concerning constitutional development and constitutional points of view, was attained. From the declaration of intent which was signed by the important political parties/ groupings/administrations (except two)² represented at Codesa, it would appear as if there is, in principle, agreement with respect to a wide range of aspects. These include a commitment to an undivided South Africa, a single nationhood, a common citizenship, freedom, equality and protection of all irrespective of race, colour or conviction, the rejection of discrimination and domination, a free and open society based on democratic values, the

protection of the dignity, values and rights of all South Africans, and the promotion of economic growth and the creation of a constitution which shall ensure

- that South Africa will become a united, democratic, non-racial, non-sexist state in which sovereign authority will be exercised over the territory as a whole;
- that the constitution shall be the supreme law and that an independent, non-racial and impartial judiciary will monitor such;
- that there shall be a multiparty democracy with regular elections held on the basis of universal adult suffrage on a common voters' role with the right to create political parties and to join them; in general the basic electoral system shall be based on proportional representation;
- that there shall be a separation of powers between legislative, executive and judicial authorities with appropriate checks and balances;
- that the language, cultural and religious diversity of the people of South Africa shall be respected;
- that everyone shall enjoy universally accepted human rights, freedoms and civil rights, including freedom of religion, speech and association, which shall be protected in an entrenched and justiciable Bill of Human Rights and by a legal system which will guarantee equality before the law.

By this it is not meant in any way to minimise the complexity of views and approaches concerning the specifics of a constitutional and socio-economic dispensation. On the contrary, over and above the abovementioned general points of view and on certain detail on which there is agreement, there are also important differences. These differences could become serious hurdles to a settlement at Codesa. The point of view of parties who are not represented at Codesa also work against overly optimistic assumptions of an unproblematic process and a generally acceptable solution.

To a large extent conflicting points of view concerning the political process

for South Africa

and institutions can be explained in terms of divergent majoritarian and power-sharing paradigms.

With specific reference to the *process of transition*, there is a wide degree of unanimity among the important political parties/ organisations and administrations concerning the need for transitional arrangements and an interim government. There are, however, differences concerning the precise nature and form of such arrangements, while certain participants are opposed to them.

For certain players an interim government, as a forerunner to a constituent assembly, represents an important phase in the process of constitutional change. Apparently a breakthrough was reached at Codesa on 4 March 1992 regarding a new transitional executive structure. It has a bearing on an appointed multiparty cabinet. Legislation to give effect to this step will have to be approved by Parliament.

A constituent assembly is supported by the most important representatives, but represents a dilemma for the National Party government in that a constituent assembly will disturb the current balance of power and arguably negatively influence permanent power sharing.

The parties and organisations differ among one another as to the nature and form of Codesa as a forum for negotiation, as well as concerning the manner in which the opinion of the voters needs to be measured.

Attempts to form coalitions are already part of the political process – for instance, the Patriotic Front (October 1991) and the activity in right-wing circles (January/February 1992). Different points of view and different

political cultures are, however, at present not conducive to successful coalition forming. The referendum (17 March 1992), however, forced the white right-wing to oppose the government collectively.

With respect to the *institutional division of governmental functions*, that is the executive, legislative and judicial institutions, there are different points of view among the most important parties as to the composition of the executive authority. These range from a directly elected executive president (ANC and DP), to a president with limited powers (IFP), to a multiparty presidency (NP). The proposals concerning the composition of the cabinet reflect the differences in the ANC, NP and DP's views on a majority government and power sharing. The NP and DP propose a constitutionally determined coalition cabinet (an extremely debatable concept), while the ANC propagates a cabinet appointed by the majority party (the inclusion of representatives of other parties in such a cabinet is, however, not excluded).

The major parties are *ad idem* that there should be a parliament composed of two houses. The first house (lower house) should be constituted in a proportional manner while the second house (upper house) should *inter alia* make provision for the representation of the different regions.

However, acknowledgement of regions and representation in a second chamber or upper house creates problems in terms of delimitation, the nature of representation, the number of regions and the powers that authorities at this level of government enjoy. The NP's view, that the second house must *inter alia* protect the specific interests of minorities (the definition thereof is, however, problematic) could cause problems. The same applies to the decision-making powers which the party desires to allocate to this house.

A second chamber (or upper house) and the recognition of regions thus make the territorial division of governmental functions important. The majority of the participants at Codesa are in favour of a federal system. For the other participants the regions should not have original powers, but should be subordinate to the central government (the new policy statement by the ANC is not clear in this regard).

The jurisdiction which the government enjoys, and which can be either centralised or decentralised, is closely related to this issue. Centralised control means that the government exercises central control in spite of the devolution of power. From this it becomes clear that the ANC's view of the state is, to a certain extent, reasonably comprehensive. Over and above central control there are proposals concerning the application of social and economic rights, affirmative action, and the accountability and composition of the public service and other bodies.

Decentralised control means that a community possesses the capacity to look after its own interests. For the NP this means that over and above political institutions there should be autonomous non-political institutions which do not require state intervention. Cultural, religious and sporting activities are seen as examples of these, as well as various occupational, professional and other spheres of interest which contribute to the orderly structure of society through autonomous institutions. The jurisdiction of the government thus influences the degree to which human rights find expression, civil liberties and political co-determination. As far as the latter is concerned, the type of party and electoral system – in addition to the issue of franchise – is important. All participants at Codesa are in favour of a multiparty system and also make provision for a proportional electoral system, although it is not always clear what is understood under the latter. As far as power sharing is concerned, proportionality is, however, an important principle for the NP, and the party is of the opinion that it can be used as a mechanism of control and restraint. The party's view of self-determination which minorities must enjoy is related to this – as is evident in the fact that minority parties, in terms of the NP's constitutional proposals, will enjoy representation in both executive and legislative bodies at regional level. Community interests are recognised at local level and a neighbourhood council can be formed which will possess autonomous powers to regulate norms and standards for the residential environment, to grant licences and permits concerning the use of property, to provide facilities at local level, to regulate security matters and civil protection, and to perform any other functions that may be allocated to the neighbourhood council in terms

of other legislation – for example education and welfare.

The aim of the NP's proposals – namely the prevention of domination by the majority – makes them complex, especially when certain of the proposals concerning checks and balances are taken into consideration. Some of these have already been mentioned: a multiparty (rotating) presidency, the compulsory formation of coalitions at cabinet level, the allocation of original powers to regions, a proportional electoral system, two votes per person at local authority level, decision-making through consensus, and, in certain cases, a weighted system of decision making. Certain of the abovementioned checks and balances – such as the bill of rights and the right of the courts to test legislation – are, however, normal in a federal dispensation.

Apart from the aforementioned problems, contentious issues include the composition and control of the security forces during a process of transition, the handling of socio-economic aspects, and the maintenance of order and stability. In addition, contradictory statements by the ANC on financial and economic matters weaken confidence, and could prompt reaction from moderate elements and promote polarisation.

There are also parties and organisations who are not participating in Codesa and who have vastly different points of view concerning a new constitutional dispensation.

For example, for the right-wing groupings the Codesa negotiations are unacceptable because, in their view, the negotiations concern the existing rights and freedoms of the Afrikaner nation and will eventually lead to a black majority government. Only when the Afrikaner's – and those who associate themselves with the Afrikaner's struggle – right to self-determination (which includes a separate geographic area) is acknowledged, will negotiations be acceptable to the right-wing groupings.

The CP is apparently not opposed to a smaller nation-state than the current 'white' South Africa (the latter is a territory which has historically and juridically usually been considered Afrikaner/white territory). The CP, however, differs from other supporters

Whites' reservations about the ANC's commitment to democratic values seriously impede reform

of the idea of an Afrikaner nation-state in that it currently envisages its attainment of power through an election – whereafter negotiations over the precise boundaries of the nation-state will take place. The CP also favours a co-operative confederation or a commonwealth of states which are economically interdependent.

In the same way as violence by black South Africans is a practical option to enforce their political power, violence in right-wing circles is a reality which could confront the authority of the state and lead to inter-ethnic conflict.

On the other hand, the attitude of the PAC and Azapo heightens the tension and places the NP government under further pressure. The PAC is not willing to participate in negotiations unless its demand for a constituent assembly, which would establish a new constitution and eliminate white domination, is met. Azapo sees Codesa as an instrument of the white parliament, and thus rejects the forum. This organisation talks in terms of a transfer of power as a result of an armed struggle and mass mobilisation. Azapo is in favour of an interim government which would organise elections for a constituent assembly.

Political violence (including the murder of policemen) and contradictory statements and points of view concerning crucial issues are indicators of a difficult process of transition, as well as of a possible diminution of demands and non-negotiable issues.

1. The following parties/groupings/administrations were/are represented: African National Congress; Bophuthatswana Government; Ciskei government; Democratic Party; Dikwankwella Party; Inkatha Freedom Party; Itando Yesizwe Party; Ximoko Progressive Party; South African Government; Inyandza National Movement; Labour Party of South Africa; Natal and Transvaal Indian Congress; National Party; National People's Party; Solidarity Party; South African Communist Party; Transkei Government; United People's Front; Venda Government.

2. Bophuthatswana Government and the Inkatha Freedom Party

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Those decision-makers charged with transposing the decisions of Codesa into viable democratic institutions will soon experience what countless analysts have already observed in many socio-culturally and ethnically deeply segmented polities: it requires a specific mind-set on the part of the interest groups concerned to create a stable democratic sociopolitical order. This mind-set embodies a complex system of values which is regarded in most stable democracies as a legitimate frame of reference for the ordering of complex human relations. The absence of such a frame of reference often results in social regression at best and in anarchy at worst. Democratic societies are confronted by grave challenges when fundamental socio-cultural and ethnic divisions have to be accommodated in democratic institutions. In these circumstances, conflict is almost inevitable if the aforesaid mind-set of democratic values does not also culminate in a *meeting of minds*.

To what extent is South Africa blessed with the common matrix of values, social and political codes of behaviour needed to create the frame of reference that will make the meeting of minds possible, and without which no legitimate and stable social order can materialise? In the face of South Africa's social, economic and political realities only the very optimistic will contend that Codesa is already fully operating within such a frame of reference. What particularly inhibits a meeting of minds are the unmistakable signs that many whites dismiss as premature the assumption that all the main politically relevant interest groups

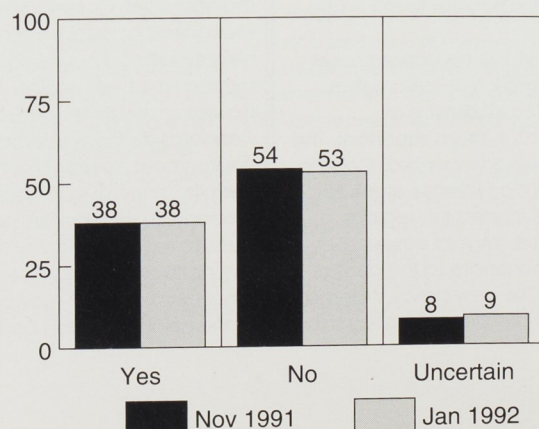
share a framework of democratic mind-sets based on common values. This doubt can clearly be deduced from a mass of survey data that underscore the existence of wide-ranging suspicion among whites, particularly about what they claim to be the hidden agendas of the main black power groups.

Regarding the whites' perceptions of the *distance in values* between whites and blacks, for example, two surveys conducted in November 1991 and January 1992 showed that a majority of white respondents (54 per cent and 53 per cent respectively) believed that whites and blacks did not share enough values to negotiate a new democratic South Africa, as against 38 per cent in both instances who thought that such a commonality of values did exist (see figure 1). In fact, white scepticism is currently one of the greatest obstacles to democratically managed sociopolitical reform in South Africa. Surveys show that these reservations are clearly mirrored in the whites' perceptions of the role of blacks in a new sociopolitical order.

For example, the degree of the whites' mistrust of the ANC's promise that a future ANC majority government would not tolerate black domination over whites is clearly reflected in the trend projected in figure 2. Findings based on five countrywide sample surveys undertaken between June 1990 and January 1992 show that, on average, 86 per cent of white respondents totally disbelieved the ANC's promise.

The question is not to what extent these perceptions are substantiated by

Figure 1: Whites and blacks have enough common interests and values to create a new South Africa



Telephone surveys: whites countrywide

Figure 2: The extent to which whites believe the ANC's promise not to tolerate black domination over whites

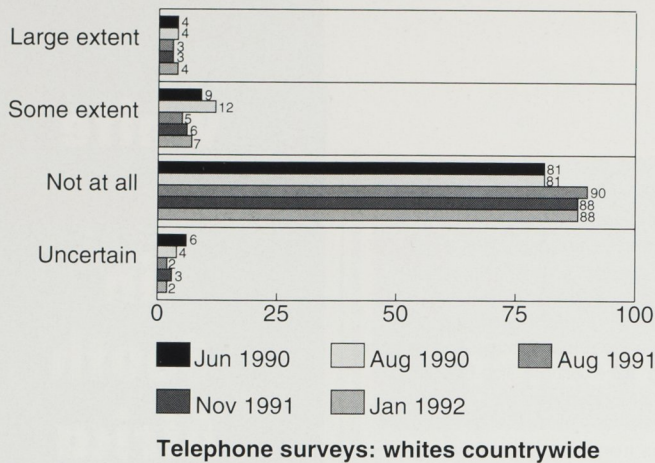
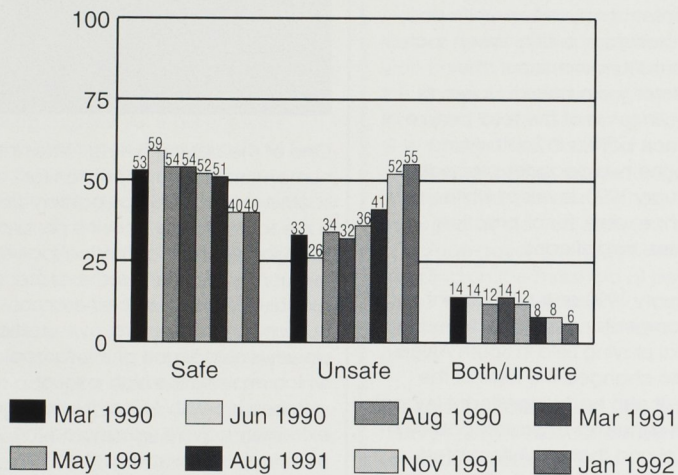


Figure 3: Countrywide telephone surveys among whites: Perceptions of personal safety

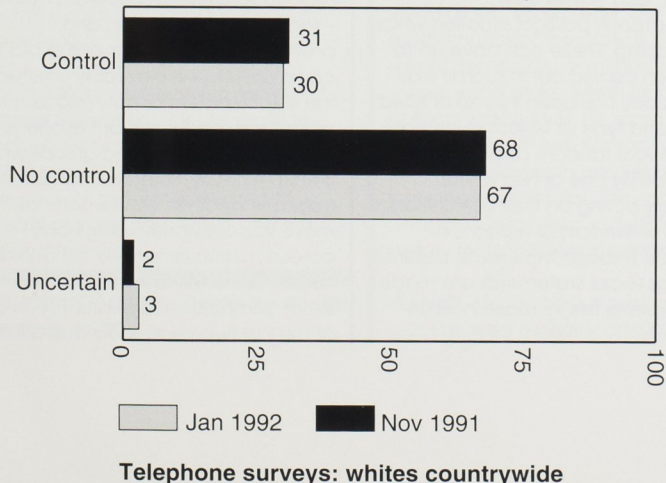


objective realities, but rather how deeply people believe that an ANC (black) dominant government would pose a threat to their survival-related interests – particularly those interests which, apart from their material assets, concern their personal safety. As set out in figure 3, for example, eight countrywide sample surveys among whites conducted between March 1990 and January 1992, dramatically emphasise the rate at which whites' fears for their personal safety have escalated between the March 1990 survey and the most recent one, in January 1992. This rate increased from

33 per cent to 55 per cent in respect of those respondents who said that they felt unsafe in March 1990 and in January 1992, respectively.

This fear for one's personal safety is exacerbated in white ranks by the feeling that the NP government can no longer contain the present mass violence and that it is therefore incapable of discharging the state's function of maintaining order. Based on findings derived from two countrywide surveys conducted among whites in November 1991 and January 1992, for example, apparently

Figure 4: What measure of control does the government have over the violence that is occurring in South Africa at present?



almost 70 per cent of the respondents in the two samples felt that the government had no control over the violence that is sweeping across the country (see figure 4). Less than a third thought that the government had the situation under control.

Historically, the citizens' intensifying perceptions that their quality of life has not reached the levels to which they justifiably aspire has consistently proved to be a key variable in revolutionary movements and other incidents of mass civil protest. Perceptions played a major role, particularly in situations where the disgruntled believed that the incumbent government or leadership was the main source of their real or assumed deprivation. More often than not the revolutionary temperature was raised by a government which might have started to become sensitive to the grievances of the citizenry. Such a government might even, with the best intentions, have committed itself to removing these grievances but then introduced the wrong policies in an attempt to rectify its earlier indiscretions. Against the backdrop of the French Revolution, the prominent French statesman and author Alexis de Tocqueville concluded 160 years ago: '... experience teaches us that, generally speaking, the most perilous moment for a bad government is one when it seeks to mend its ways... Patiently endured so long as it seemed beyond redress, a grievance comes to appear intolerable once the possibility of removing it crosses men's minds. For the mere fact that certain abuses have been remedied draws attention to the others and they now appear more galling; people may suffer less, but their sensibility is exacerbated' (author's emphasis).

De Tocqueville refers to 'a bad government'. In objective terms the government concerned may even be a 'good' one; one that may even be reform-orientated (as De Tocqueville's words imply). The decisive difference emerges, however, when the 'regime' is labelled as 'bad' in the collective perception of the citizenry at large. The present reformist policy of the NP government in general, and Codesa in particular, will prove an interesting test for De Tocqueville's proposition in years to come.

DEFENDING THE LAAGER

There has been a dramatic increase in acts of political resistance by members of the white community during the past two years, and especially since December 1991. These acts of resistance presented themselves peacefully, and by way of some of the most violent acts this country has experienced up to now. The violent events of the last two months, directed at black individuals, stand as grim examples of this.

It is important to recognise that the recent wave of white resistance has its origins in the late 1960s and not in the 2 February 1990 speech by President de Klerk. The roots of the recent wave of white resistance are to be found in the first adjustments to the National Party's apartheid policies which were introduced in the late 1960s. Also, there are clear differences in the way in which white resistance has presented itself before and after 2 February 1990.

White resistance to sociopolitical change began in the late 1960s when the National Party made minor adjustments to its sport policies in order to counter increased threats of isolation in the international sports arena. These minor adjustments resulted in a group of conservative MPs breaking away from the National Party to form the *Herstigte Nasionale Party* in 1969. Similar events caused a second breakaway and the formation of the Conservative Party (CP) in the early eighties. Within five years of its formation the CP became the official opposition in 1987.

On the economic front, South Africa's economic expansion of the 1960s and early 1970s created huge shortages in semi-skilled and skilled labour. White immigrants from Europe could not fill these shortages. This forced the government to ease its job reservation policies – a process that continued through the 1970s and ended in 1979 when these measures were formally scrapped.

With the easing of strict apartheid policies in the workplace and on the

sports field we saw the beginnings of the recent wave of white resistance politics in South Africa. For example, the first multinational games of 1973 in Pretoria caused a number of protest meetings by conservative whites. Likewise, the gradual erosion of job reservation gave rise to resistance from whites in, for example, the building and mining industries.

While this trend continued through the 1970s and the 1980s, a characteristic of incidents initiated by whites during this period was its peaceful nature. Also, there were rarely direct confrontations between white and black civilians in public. When such confrontations *did* occur, they sometimes were violent. However, viewed in terms of the total picture of resistance politics in South Africa during the two decades preceding 2 February 1990, levels of white resistance were, for all practical purposes, insignificant.

2 February 1990 and subsequent developments not only changed the political playing field in South Africa but also changed the rules of the game. It also had a significant impact on the dynamics of protest politics in general and that of white protest politics more specifically. The removal of the pillars of apartheid, coupled with worsened economic conditions, a dramatic increase in crime and continued high levels of violence in the black communities, increased feelings of political, economic and social insecurity among certain sections of the white community who, up to then, found themselves in privileged and secure positions.

The period since the beginning of 1990 has seen a sharp increase in the level of white resistance. The initial increase in peaceful protest is now increasingly being supplemented by violent activities which present themselves in two ways: first, organised bomb attacks on property, which symbolise the new, and in their view, unacceptable, political situation which is developing. These acts have up to now been carried out in such a way that nobody has been injured or killed. The second type of violent events are spontaneous random attacks on black individuals by one or two whites seemingly acting on their own initiative and not within formal resistance structures. Through these acts, political as well as social statements are made. What explains this increase in white resistance?

white resistance in South Africa

One of the central driving forces in human society is competition for scarce resources. Since political power is the scarcest resource, it is no surprise that competition for political power frequently resulted in some of the bloodiest conflicts in the history of humanity. While control over political power is clearly one of the factors which explains the high level of violence in South Africa, it would be extremely naïve if we ignored the economic and social factors that contribute to the violence.

Research in South Africa and the United States showed that when boundaries which separated advantaged and disadvantaged groups from one another begin to break down, levels of competition increase. This in turn increases the likelihood of violent or non-violent forms of protest. This situation is exacerbated if this process happens during times of economic contraction. This is exactly what has happened in South Africa during the last two decades.

The gradual erosion of the government's apartheid policies during the last two decades created new opportunities for upward mobility – socially, economically, and politically – by members of the black communities. This inevitably resulted in the establishment of new relations – other than master-servant relations – between individuals and groups who were previously isolated and insulated from one another. Blacks can now move into previously whites-only careers, public amenities, schools, and neighbourhoods. This creates a new set of competitive relations. The events of the last two years show that South

Africans in general, and some whites more specifically, are ill-prepared and unwilling to accept this new situation.

Should recent trends continue, we can expect to see increased levels of direct confrontation between white and black civilians in future – primarily initiated by conservative whites. This, in turn, increases the likelihood of counter-action by blacks. This situation is cause for great concern.

Just as the causes of this type of activity are to be found in the political, economic and social spheres, so are the solutions. It is imperative that the negotiation forum which will be responsible for drafting a new political order in South Africa be as broadly based as possible. If groups with significant support are excluded from this process, either by choice or by design, any decisions made by such a forum will have no support or legitimacy among those who did not participate. This will increase polarisation and the likelihood of violence. It can be expected that violence coming from groups who do not accept the outcome of the negotiation process will increasingly take the form of guerrilla activities. It is therefore imperative that the whole issue of private armies and the general availability of arms be addressed as a matter of urgency. Without a stable political dispensation there cannot be a stable economy and vice versa. Many observers have stressed the need for the South African economy to grow much faster than has been the case up to now.

Without a vibrant economy this country will not be able to meet the challenges of the future – challenges that lie in both the social and political spheres. South Africans will have to learn how to resolve their differences peacefully. On many occasions in the past violence has been the first resort and not the last. In this the government has certainly not set the example of how to resolve conflict peacefully.

South Africans have been socialised to regard the use of violent means to settle differences as acceptable. What should be learned is how to use the energy generated in conflict situations in a constructive and not a destructive way.

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FINAL VICTORY FOR CAPITALISM? Some imponderables

In the summer of 1989 Francis Fukuyama's article "The end of history" appeared in the neo-conservative Washington quarterly *The National Interest*. It asserts that the idea of liberal democracy has now won out around the world, and that this victory occurred along the lines indicated by the German philosopher G W F Hegel. The Cold War is ending, ideological battles are winding down, Western-style democracy has emerged as the *final form* (my italics) of human government. The world is standing on the threshold of peace,' writes American academic Torbjorn Knutsen in his summary of Fukuyama's article.

The return of the phrase 'The end of history', usually associated with Hegel (and sometimes Marx), to contemporary political discourse sparked an intense debate in Washington and the United States. For Fukuyama communism was or is in a worldwide crisis and in time would disappear. Communism is soon to be 'thrown in the dustbin of history'.

For an intermediate time some countries would still indulge in 'old-fashioned bloody struggles and revolutions' (for example Iraq), but eventually the victory of liberal democracy and market economies and predominance of capitalism are at hand and there can be no retreat.

The argument is attractive. The grand march of capitalism in our time is unstoppable and eventually a 'new world order' will emerge. The mathematics of this order is simple: *liberal democracy + market capitalism = new world order*. Some ignorant political leaders will, for some time, be left to their own self-destructive devices believing in obsolescent language games like 'ideology', 'struggle', 'war', etc. BUT: historical victory for capitalism is certain.

In South Africa, the Fukuyama thesis was followed explicitly and implicitly

albeit more along crude ideological lines (for example Ingrid Scholtz, in the November 1991 edition of the *Nasionale Pers* magazine, *Insig*, argues: 'Die Marxisme wat so 'n aantrekkingskrag vir intellektuele en werkers gehad het, het jammerlik misluk . . . Nou, in 1991, het dié spook (die kommunisme) die genadeskoot gekry . . .'). The implications are clear. South Africa needs *liberal democracy* and unrestricted *capitalism* to become a prosperous country. What is more; this will put us on the *high road* to unstoppable success. This is the new *solution*.

Closer and more critical academic scrutiny of the Fukuyama thesis by Christopher Norris, Torbjorn Knutsen and Daniel Singer from the USA and Andrew Prior (UCT) in South Africa, among others, to a great degree cuts back this theory to what it is: a quasi-ideological language paradigm (or language game) under an academic pretence. Some of the criticism raised by theorists against the Fukuyama thesis will be mentioned here briefly, more as food for thought than as a detailed analysis.

Regarding the theoretical assumptions: Back in 1930 Alexandre Kojève (1902-1968) used the Hegelian term 'end of history'. For Kojève, the rise to power of Stalin signified a climactic end of history. Much earlier Hegel saw, in the Napoleonic wars, the triumph of the ideals of equality and freedom of the French Revolution. History was at an end. In the 1990s once again Fukuyama sees a historical teleological move towards liberalism. Knutsen observes: '(The critics of Fukuyama) maintain that Fukuyama lacks a true understanding of the complexities of Marxist and Hegelian thought.' Furthermore: 'Both the right and left agree that ideological battles are far from over.' For example, religion is still a powerful source of conflict (e.g. Northern Ireland and Lebanon). Religion has great potential for mass mobilisation, for example Iran, Iraq,

Continued on page 8

Afghanistan and some of the recently independent southern states of the former Soviet Union. The Hegelian guise of Fukuyama's theory does not make up for these global spots of real and potential unrest.

Furthermore, it is noted that Fukuyama never gives a definition of his most crucial operative term, *liberalism*. Without such a definition nearly anything from state capitalism (Republic of China, South Korea), authoritarian regimes with militarised economies (for example South Africa in the 1980s), to (radical) social democracy (Sweden, Denmark, Norway) and Western/Euro socialism (France) can be called liberalism. Clearly there are states and social structures that are not necessarily *per se* only liberal, but reflects a host of other characteristics. To define them as 'liberal' would be, to say the least, unscientific.

A further analysis of Fukuyama's article exposes the underlying assumption that history is moving determinedly towards greater social freedom. By putting this rigid framework of historical determination on our social and political environment, Fukuyama becomes the mirror image of the dialectical historical theorists (such as utopian Marxists and Marxist-Leninists). While trying to move radically away from the prophets of communism, Fukuyama himself becomes not only an ideologist, but also a historical determinist (something he insists he dislikes in others). Perhaps Fukuyama would be more believable if he admitted that, in history, ideological trends (ideologies) and political entities come and go. What is here today will not necessarily be there tomorrow. The Pax Romana came and went. So did the Byzantine empire, the Third Reich, Stalinism, and the Soviet Union. And perhaps acknowledging that structures created by humankind and concomitant ideologies (like communism) in Daniel Singer's words '(forms) part of humankind's unfinished, uncertain and often tragic struggle for mastery over its own fate'. What happened to Stalinism or the Soviet Union can happen to Reaganism, Bushism and America or to apartheid and the National Party tomorrow.

There are also problems regarding the practical consequences of the Fukuyama thesis: Fukuyama does not

take into consideration the fact that global capitalism has, in some cases, contributed to what theorists sometimes call *neo-colonialism*. Poorer peripheral states, like less-developed countries (LDCs), are left behind and even exploited by core-powerful states like the USA and Germany. Christopher Norris observes that, for example, the Gulf War was ideologically legitimised under the banner of the 'new world order' – thus demonstrating that the likes of the Fukuyama thesis can sometimes be used to dominate not only *economically*, but also *militarily*.

For us in South Africa the Fukuyama thesis can be misleading. The real praxis of a new society will have to be worked out between contending (and hopefully negotiating) actors. These actors will come from different ideological backgrounds and the resultant negotiations might bring us an eclectic mix of ideologies and economic structures that does not fit the category of 'liberalism' alone.

Rather it would benefit us (business people, academics, activists and political actors alike) to work within the parameters of our own ideals and experience, rather than to become 'groupies or true believers' in Fukuyama's and other semi-ideological and biased theories. To paraphrase Milan Kundera, one of the great writers of our time: 'We must be able to laugh at kitsch – only by laughing at it, can we escape it.' This is equally true for the 'great march of totalitarian kitsch' and for the 'great march of American kitsch', of which Fukuyama's bold and provocative conjecture forms a part.

IAN LIEBENBERG – *Political Science Research, HSRC*

New national symbols for South Africa/ Azania

National symbols such as flags, anthems, insignia and colours imply the existence or the becoming of a nation. In different countries under very different historical circumstances, national symbols have obtained legitimacy and acceptability by very different routes. In South Africa itself, the present national symbols were the outcome of a series of compromises between Afrikaans- and English-speaking white inhabitants of the country. For this reason, they have never embraced the entire population and have, in fact, been spurned by the majority of the people. For most of us, indeed, they are no less than the insignia of national oppression, a constant reminder that we are excluded from enjoying the rights of full citizenship because we are supposed to be one or other shade darker than the white citizens.

Present discussions about national symbols are, to say the least, premature. They will certainly influence the eventual outcome but they cannot be decisive. Only a democratically elected constituent assembly will be able to decide the issue itself or, at the very least, the principles upon which *ad hoc* solutions will be based.

The simple fact of the matter is that there is no nation in South Africa at present. We are building a single national community. The practice, adopted by very many of us, of referring to our country by means of the double-barrelled word, *South Africa/Azania*, shows how complex

in South Africa

and controversial the national question continues to be. We would simply be fooling ourselves and our children if we tried to give the impression that by cobbling together a set of 'national' symbols, whether a rising (or a setting?) sun, the Olympic rings, or anything else, we have somehow ordained the nation. Most of our history has been one of conflict between white and black, between ruling classes and oppressed classes. If we follow the advice of Ernest Renan, the famous French historian, we shall have to 'forget' many things before we can constitute a nation. Among some of the things we shall have to 'forget', in my view, are the present symbols that pass as the national symbols of South Africa. It is no less than a matter of class and racial hallucination to suppose that the present symbols could in any way become acceptable to all South Africans. To underline the point I am making, one could ask the question: How many white South Africans, other than soldiers and policemen, have ever been (never mind *lived*) in a black township for more than a few minutes? Can they have any idea of the depth of alienation that has become such a terrifying feature of our society?

No, we shall have to wait for the impulses towards the unity of our people to become the dominant ones before we shall be able to speak sensibly about national symbols. These may well have to be imposed eventually by democratic or undemocratic means. In the meantime, makeshift, so-called symbols will have to do. They accurately reflect the bitter legacy of racism and apartheid, the opportunistic groping for legitimacy by some and for the trappings of power by others. They do not, and cannot at this stage, paper over the deep cracks that continue to divide our people from one another. Only the healing process of a democratically elected constituent assembly that will bring about greater unity by means of a series of speak-bitterness meetings – not unlike *boegoe brandy* and *perdepis* – will be able to overcome the ravages of our past.

DR NEVILLE ALEXANDER – *Health, Education and Welfare Society of South Africa*

Language planning can be defined as a deliberate effort to change the language behaviour of a specific group of people in such a way that the attitude of members of the group towards certain political objectives changes. Language planning leads to the formulation of a language policy. A language policy specifies, among other things, which language should be used under what circumstances. However, language policies are often formulated without any preceding language planning.

EARLY LANGUAGE PLANNING IN SOUTH AFRICA

The first language policy statement for South Africa was probably that of the Dutch East India Company, which specified that their employees should not learn the indigenous languages of their trading stations, but that the indigenous population should learn Dutch. A later example of a language policy was shown in the attempts of Lord Charles Somerset to anglicise the Dutch-speaking population of the Cape. Later Milner attempted to anglicise the Boers after the Anglo-Boer War. Attempts by the early missionaries to teach the members of their flocks English and to establish English as the medium of instruction can also be seen as part of a more implicit language policy. It would seem, therefore, that early language policies attempted to introduce and spread English among South Africans.

A second objective of early language policies was to change the status of the indigenous languages. The attempts of the missionaries to codify the black languages and to develop them as biblical languages fall under this objective. The attempts to take a low-prestige, so-called 'kitchen language' such as Afrikaans and develop it as a standard language that could be used as an official language similarly form part of early language planning activities.

All of these examples have one common underlying objective: to use language as a means to achieve certain political and economic objectives. Attempts to anglicise the South African population were clearly part of Britain's larger colonial drive. Attempts to elevate Afrikaans to the level of an official language were aimed at creating a common identity that could be used as a base to gain political power. The early debate in ANC circles on the functions of black languages in a democratic South

Africa formed part of more general attempts to correct the socio-economic position of black South Africans in their own country.

The ineffectiveness of these language policies is indicated by the small increase in the percentage of South Africans who know English or Afrikaans. From 1946 to 1980 the percentage of people who could speak English increased from 28 per cent to 40 per cent of the total population while the percentage of people who could speak Afrikaans increased from 35 per cent to 44 per cent. This implies that most South Africans today cannot speak either of the official languages – a problem that any new language policy must address.

THE PRESENT DEBATE ON LANGUAGE PLANNING

Modern language planning in South Africa is still concerned with the same (universal) problems of the early language planners: the spread of English remains one major objective while attempts to change the status of the black languages and of Afrikaans remain a second major objective. A new dimension that has been added is the possible lowering of the status of Afrikaans. The most important participants in the debate on a new language policy are the present government, the PAC and the ANC. A brief outline of the language policy of each follows.

THE LANGUAGE POLICY OF THE GOVERNMENT

Afrikaans and English are the present official languages of the greatest part of South Africa, but nine black languages also function as official languages in the so-called TBVC and national states. It seems that the government is considering a language policy with three official languages: Afrikaans and English and a black language that varies according to area. Thus Zulu would be the third language in Natal while Xhosa would be the third language in the Eastern Cape. This type of policy has been criticised on the grounds that South Africans do not live in clearly demarcated areas of the country any more.

THE LANGUAGE POLICY OF THE PAC

The PAC has probably the most comprehensive language policy. The explicit objective of this policy is to help unite all South Africans into one

AN ECONOMIC SYSTEM FOR THE NEW SOUTH AFRICA

nation. For this purpose a language with no divisive connotations or perceived history of oppression is needed and in South Africa English enables all South Africans to communicate with each other. To neutralise the ethnic grouping that was created by apartheid it is suggested that Zulu and Xhosa be united into one new (written) language called Standard Nguni. Southern and Northern Sotho should similarly be combined into Standard Sotho. These two new languages should be able to function as official languages next to English. There are very few examples of the success of this type of language engineering, particularly if the languages concerned have already been established as standard languages.

THE LANGUAGE POLICY OF THE ANC

This policy is informed by the Freedom Charter paragraph which states: 'All people shall have equal rights to use their own language and to develop their own folk culture and customs.' Accordingly, the ANC language policy determines that, as in America, there should be no official language and that the eleven main languages serve as national languages. The ANC therefore does not intend to use language planning to achieve more general political objectives. The population is allowed to identify the most popular language by using it.

THE LANGUAGE POLICY OF AZAPO

Very little is known about the language policy of this organisation. They are explicit about the need to teach English to all black people so that communication across tribal and ethnic barriers will be possible. English will also serve as the communications vehicle with the rest of the world.

CONCLUSION

The majority of South Africans seem to agree that English will play an important role in a post-apartheid South Africa, that Afrikaans might play a less important role than now, and that the black languages will probably play a more important role. It seems quite likely that most South Africans will know at least two languages: English and one of the dominant black languages. This type of policy will ensure greater participation in the democratic processes than has been the case up to now.

PROF AD DE V CLUVER – Department of Linguistics, University of South Africa

There seems to be general agreement that the New South Africa should have a 'mixed economy'. However, without more information this term is meaningless – every real economy consists of a public as well as a private sector and is, therefore, mixed. Important questions remain, for example which types of goods and services each sector is expected or allowed to supply.

Most people accept that the public sector must supply so-called 'public goods', which have two characteristics: it is difficult to prevent people from using the good and one person's use of it does not reduce the benefits another receives from it. Examples are law enforcement, defence, provision of money and public streets. 'Private goods', for example cold drinks, houses and shirts, have the opposite characteristics.

Those in favour of the free market model argue that all or most private goods should be supplied by the private sector and allocated to users by markets. Those favouring other economic models maintain that, in addition to public goods, the public sector should also supply all or most private goods, which may be allocated by charging prices or by methods like rationing, queues and waiting lists. Differences of opinion occur between and within these groups, partly because the dividing line between public and private goods is unclear in practice. Therefore, debating theoretical economic models for the new South Africa will be rather futile. Studying the nature of the real economy and enquiring how the political system can induce movement towards agreed-upon goals will be more fruitful.

The economy consists of millions of individuals who take their own decisions and are driven by their own personal goals, distinct from the goals of society. However, the decisions must be taken within the framework of legal and social rules which create links between particular decisions and their likely outcome, that is benefits and penalties bestowed upon the decision-makers. The combined outcome of the individual decisions pushes the economy in a particular direction, for instance into development, stagnation or decline.

The current process of constitution-making affords the rare opportunity to

consciously devise rules in such a way that the prevalence of the individual decisions will further societal goals, which will probably include an improvement in average welfare and a more equal distribution of income and wealth.

To reach the first goal, *entrepreneurs* should be encouraged to take calculated risks; *workers and salaried managers* to work more effectively and efficiently; and *investors* to supply funds by means of which entrepreneurs, managers and workers can obtain buildings, machines, materials and other inputs to work with.

Entrepreneurs take the risk of starting and running a business with the purpose of making a profit for themselves. They are strongly associated with innovation, because by introducing new products which fill new needs, and new processes which lower costs, they hope to increase their profits. Doing this, they further the welfare of society and create jobs.

Managers of public sector organisations are not entrepreneurs in this sense because they do not own the organisations. They tend to avert risks by following well-known procedures rather than introducing innovations. The same phenomenon often occurs in 'big business' when managers do not share in the ownership of the business. However, such managers can be induced to act like owner-entrepreneurs by setting objectives for them which are derived from the goals of the organisation and by linking their remuneration (for example bonuses, increases and promotions) to the extent that they attain the objectives. To reach the objectives, they need the workers' co-operation. There is increasing realisation that this is best achieved by setting remuneration-linked objectives for each worker in a similar fashion. Furthermore, the scarcity of skilled and managerial workers in South Africa is inducing managers to send promising workers on frequent courses to improve their skills. In other words, there is a natural tendency to create upward mobility for workers which automatically contributes to an improvement in society's welfare and a more equal distribution of opportunity, income and wealth. The terms of the new constitution should support this natural tendency. For example, the after-tax income of workers and managers in the *public*

CONSCRIPTION and a future Defence Force

11

and private sectors must be allowed to vary with their personal achievements. Although tax rules should enable the future government to bring about more equality in after-tax income (the second societal goal), the rules should not empower the government to reduce the variation to such an extent that its incentive power is lost.

Investors may be workers, entrepreneurs or foreigners. South African workers and salaried managers from all population groups indirectly own a substantial percentage of business assets through financial intermediaries, particularly pension funds and life insurers. However, two rules which often apply to this situation harm employees. First, the investment is often not made voluntarily, but enforced by means of conditions of employment, while average investors have no control over the ultimate destination of the investment. That is decided for them by the management of the financial intermediary and by government regulation. Second, employees who resign often lose the contributions their employers have made to their pension funds. This rule probably deters many workers who have acquired skills and savings from entering the small-business sector – a most important avenue of upward mobility and means of reducing inequalities. A suitable phrase entrenching rights of personal choice and property in the constitution would prevent such disadvantageous rules.

Investment by foreigners can greatly augment domestic savings and bring with it entrepreneurial, technological and managerial skills, thereby increasing the rate of development. But South Africa has to compete with other countries for foreign funds and skills, which seek safety and high after-tax returns. Even if *current* returns on investment were higher in South Africa, *uncertainty* about future levels of taxation and the possibility of arbitrary nationalisation of assets without proper compensation would still deter foreign investment. To avoid this, constitutional limits should be placed on governmental power to tax and confiscate.

**DR JOHANN DU PISANIE – Chairman:
Ekobest cc**

The current military call-up system, in place since 1969, formed part of a deliberate government strategy to militarise and politicise white youth and to orient them favourably towards the status quo. That this system succeeded to a large extent is undeniable. Thus, it should be clearly understood that the conscription system did not serve merely to create a large pool of whites who had undergone military training and who could be called up to counter a threat to the government (whether internal or external), but also served to politicise and indoctrinate white youth in line with the now discredited total onslaught ideology of the SADF.

Resistance to conscription over the years has been, almost exclusively, religiously and politically motivated. Only recently have the compelling economic arguments against conscription been marshalled against the system. However, the bottom line remains that it is impossible to build an accountable, neutral, national defence force on the fundamentally unfair and racist basis of the present conscription system. It is worth noting that the SADF claims to have more black volunteers serving in the permanent force than the number of white conscripts currently called up. Given the clearly reduced military needs of the government (even seen entirely from the government's own perspective), there appears to be no rational explanation for the perverse retention of whites-only conscription, particularly in the light of the political controversy caused by the system. Possible explanations include a reluctance to alter the internal structure of the SADF at the present time, due to political instability at high levels, or perhaps a reluctance to make a concession which would be seen as significant in a symbolic sense by conservatives. The most likely reason would be a reluctance to relinquish the ace up the sleeve which the white-controlled SADF represents to the Nationalist government.

The main argument put forward in favour of conscription is that it is a cheaper system than running a fully professional defence force, or a hybrid system as proposed below. Arguments of this kind are fatally flawed by the blithe assumption that the only costs to the state of a conscription system are those reflected in the military budget. Of course it is cheaper for the *military* to pay a conscript a token wage, rather than to pay a volunteer or a professional career soldier a professional wage. However, such arguments conveniently overlook the hidden costs of conscription to the economy. These hidden costs include the loss of income of conscripts, particularly in the case of skilled individuals, with the resulting loss of tax revenue to the state. The conscription system is intrinsically inefficient, with individual conscripts being far less motivated than well-paid professionals or volunteers. The administration or bureaucracy required to run a conscription system is enormous and would be increased dramatically if all black citizens were to be included in the system. A very large proportion of the present permanent force is involved in administering the call-up system. Many more are involved in the inefficient training of new batches of conscripts at six-monthly intervals. In fact, the system is so inefficient that conscripts themselves are drawn into the administration and training procedure as the SADF chokes on its own bureaucracy.

The ECC proposes the following as an alternative to the present system of whites-only conscription: The core of a new defence force should comprise professional career officers and a professional permanent force. Existing SADF personnel should not automatically fill these positions. In fact, the present permanent force includes large numbers of incompetent, inefficient bureaucrats who should ideally be weeded out. Equally, members of other forces such as Umkhonto we Sizwe should not automatically be absorbed into the existing defence force.

Continued on page 12

An analysis of the Standard 10 examination results of black pupils in the Northern Transvaal region of the Department of Education and Training

Rather, suitable volunteers from the SADF and other military forces should be selected for a new force.

Supplementing the permanent force should be a professional force of short-service volunteers. Such volunteers could serve a two- to four-year period before retirement into a reserve. Recruits could be accommodated in existing SADF facilities with no difficulty. These volunteers should be paid a realistic wage, and would be much more cost-effective employees than unwilling conscripts who serve only a few months after their training is complete. The present short period of initial service means either that training must be skimped in order to make trainees available reasonably quickly, or else that well-trained soldiers are released back into civilian life after a very short period of useful service to the military. The use of short-service volunteers as proposed above will alleviate this problem while retaining one of the benefits, in military terms, of the conscription system: the building up of a relatively large reserve or citizen force which can be called up in case of a military threat to the country.

As to the size of the future defence force, it is widely agreed that an active force of between 50 000 and 100 000 (probably around 60 000 or 70 000) would be ample for South Africa's legitimate defence needs, especially if a volunteer reserve is implemented. Given a permanent force, at present, of about 60 000, the additional salary costs would amount to less than 1 per cent of the current military budget.

Various military commentators have made proposals which are similar to ours. The common thread in such proposals is the reliance on a professional core force supplemented by well-trained volunteers who will serve for a short-to-medium period of between two and ten years. Militarily, systems of this kind are clearly preferable to systems relying on coerced service by unwilling conscripts. In addition, we believe that such a system will be more efficient and ultimately less expensive than a conscription system, while also satisfying those with moral objections to conscription.

CHRIS DE VILLIERS – End Conscription Campaign

The November 1991 Standard 10 (Grade 12) examination results of black pupils were extremely disappointing in comparison with the results of pupils from other population groups. Only 38,6 per cent of the candidates from the schools of the Department of Education and Training passed the examination. Of these, 9,6 per cent obtained a university entrance certificate.

Numerous reasons for the poor results were put forward. These ranged from apartheid to the DET's alleged inability to provide sufficient physical facilities, equipment and teachers.

Notable, however, were the many commentators who blamed the poor results on the politicisation of schools and the breakdown of a culture of learning and teaching.

BACKGROUND

Since March 1990 the then newly formed teachers' unions have been waging a defiance campaign against the Department of Education and Training in a clear attempt to politicise schools and to make the schools (and ultimately the country) ungovernable.

The defiance campaign is characterised by the following resolutions:

- Only examination subjects should be taught, that is subjects like vocational guidance, religious education, physical education, etc., should be excluded.
- All departmental officials should be boycotted and prevented from exercising any form of control over teachers' work.
- All departmental instructions should be ignored.
- Teachers will dress as they please.
- All sporting and cultural activities, as well as in-service training courses for

teachers, should be ignored.

- Teachers should not prepare lessons in writing.
- Teachers should not submit leave forms or sign attendance registers.
- Principals and heads of department at schools should not control either teachers' or pupils' work.

Most of the urban secondary schools in the Northern Transvaal Region (notably in Mamelodi, Atteridgeville and Soshanguve) were seriously affected by this campaign.

The most serious results of the defiance campaign were as follows:

- All forms of authority are defied and rejected.
- Departmental officials are chased away from schools. Several have been intimidated, threatened and physically attacked.
- Several principals who attempted to maintain order and discipline were forcibly ejected from their schools.
- The remaining principals have become virtual prisoners in their own schools and they and their heads of department are prevented from exercising any form of control or maintaining standards.
- Many teachers have seen this as licence to report at schools if and when it pleases them, and not to prepare any lessons or to give written work or tests.
- Union members have befriended pupils (Cosas members, also known as Young Lions) and are using Cosas to carry out acts of defiance and intimidation.
- Management councils, democratically elected by parents, are being threatened and intimidated to resign. They are being replaced with Parent-Teacher-

Student Associations (PTSAs), which are usually self-appointed bodies. Pupils (students) are allowed to become involved in all matters relating to the administration of the school, including staff matters, discipline and finances.

- Vandalism has reached alarming proportions. Huge losses are incurred through arson, theft, breakages, the non-return of textbooks and a complete lack of any sense of responsibility.
- At some schools union members and pupils themselves usurped the authority to enrol other pupils. Many pupils were enrolled with falsified documents while automatic promotions based on the pass-one-pass-all call occurred at some schools.
- Very little effective education is taking place and there is a total lack of discipline in many schools. The situation is characterised by abuse of liquor and drugs, assaults, widespread intimidation, and a total disregard for authority.
- Concerned parents, teachers and pupils who are prepared to speak out in public are intimidated into submission.

EXAMINATION RESULTS

As could be expected, this situation has had a very direct detrimental effect on examination results.

The overall pass rate in the Northern Transvaal region's schools dropped from 55,87 per cent in 1989 to 44,3 per cent in 1990 and 41,9 per cent in 1991. In the worst-affected areas the pass rates dropped as follows:

	1989	1990	1991
Soshanguve	61,7 %	43,4 %	33,5 %
Mamelodi	63%	43,2 %	34,9%
Atteridgeville	47,2 %	42,2 %	38,3 %

It should be noted that the secondary schools in Atteridgeville with 1 : 29 and Mamelodi with 1 : 36 have the most favourable teacher/pupil ratios in the region. These townships also have the best-qualified corps of teachers.

In comparison, other areas with less favourable ratios and facilities and a large percentage of underqualified

teachers, but which were not as seriously affected by the defiance campaign, fared much better.

The Moutse area is a case in point.

In 1989 the pass rate in Moutse was 82 per cent. As a result of the defiance campaign the pass rate dropped to 57 per cent in 1990. In May 1991 the parents stepped in and forced the teachers' union to abandon the defiance campaign. The pass rate rose again to 60,2 per cent in 1991.

A further breakdown of all the public secondary schools' results revealed the following:

- Thirty eight of the region's secondary schools were seriously affected by the defiance campaign and resultant disruptions. The average pass rate at these schools was 33,2 per cent.
- In comparison, the remaining 23 schools that were relatively free from disruption recorded a pass rate of 65,8 per cent – virtually double that of the affected schools.
- Of the latter group, two schools had a pass rate above 90 per cent, six above 80 per cent and two above 70 per cent.

CONCLUSION

From the above it is quite obvious that there are factors other than, for example, the quality of the buildings, the qualifications of teachers and the pupil/teacher and pupil/classroom ratios that determine whether a school will yield good results.

The essential ingredients for a culture of teaching and learning at any given school have always been and will always remain:

- dedicated teachers who are true to their calling
- order and discipline among pupils and teachers
- involved parents
- respect for authority
- sound management by the principal.

By adhering to these principles, every school can live up to its inherent potential of a 100 per cent pass rate.

Possibilities for land reform in South Africa*

The Convention for a Democratic South Africa (Codesa) has emerged as the basis of settling the fundamental problems of the country. It is within this context that land reform possibilities are assessed. Attention will focus on its justification, objectives, options and feasibility.

JUSTIFICATION

The White Paper on Land Reform (1991) conceded the necessity of land reform if the new South Africa is to be based on justice and non-racial democracy that extends opportunities to all its citizens. It noted that such land reform would affect the economic, social and constitutional foundations of the old order.

But the White Paper confined itself to rural and urban aspects of land reform. It specifically excluded the constitutional, political and administrative aspects. It argued that these were matters of a constitutional negotiation conference. In one word, Codesa.

Despite the reservations and differences that have been expressed about the White Paper and subsequent Land Reform Acts, the majority of Codesa parties confirmed the necessity of land reform. Land reform can, to that extent, be identified as an integral agenda item of the Codesa process.

OBJECTIVES

Two sets of land reform objectives have emerged since Codesa. The first is pre-Codesa and the second is post-Codesa objectives. They are essentially similar. They seek a new ethical base for the new land order;

land restitution; a land claims adjudication body; land redistribution; empowering access to farmlands; efficient and sustainable land use; tenure systems reform; land conservation; physical and socio-economic infrastructure; efficient land administration; and mass participation.

The main distinction between these sets is that the constitutional and administrative framework of pre-Codesa objectives were to be realised by and within constitutional and administrative structures of the old order, whereas the post-Codesa objectives will be realised by and within the Codesa structures.

Since Codesa has, as part of its task, to establish constitutional, political and administrative structures of land reform, there are three additional objectives in the post-Codesa objectives. These are non-racial sovereignty over the land; common citizenship; and legitimate land administrative structures.

OPTIONS

Many parties inside Codesa, and those who are outside it, have varying land reform programmes. But the nature of Codesa indicates that no land reform programme of any single party can form a Codesa land reform programme. The latter is going to be the product of Codesa parties and outside forces. This means that only elements of land reform programmes of Codesa parties and outside forces will form the Codesa land reform programme.

Identifying a specific Codesa land reform programme is difficult. But it is possible to identify options with a great chance of forming elements of the Codesa programme. This task, in turn, depends on identifying factors which will enter when considering Codesa reform options, in other words the criterion for choosing Codesa reform options.

This criterion will include options which enjoy the widest possible consensus of parties; are regarded as an indispensable basis for the new land order; enhance growth and equity simultaneously; may arrest, slow or reduce growth but reward that policy with equity benefits which will trigger greater growth; use the full potential of the private sector capital and initiative and market mechanism; employ public sector capital to augment the

private sector in ventures that are otherwise commercially not attractive.

The need to build a coherent, consistent and flexible post-Codesa land reform programme implies that not all qualifying options will be chosen. Some will be left out and others will be reserved

FEASIBILITY

There are crucial factors that will determine the feasibility of the post-Codesa land reform. These determinants include the acceptability level of land reform by the public; its level of support by the civil service and bureaucrats; the nature of the incumbent government; the size of government budget allocation for land reform; the state of the economy; the relative strength of pro- and anti-land reform interest groups financially, organisationally and politically; the level of land-based conflicts and instability; and the attitude of the international community.

How these determinants play out will condition the feasibility, nature, content, extent, pace and outcome of the post-Codesa reform programme. To be exact about the outcome of these determinants is impossible at this stage.

CONCLUSION

It is evident that land reform in South Africa involves a number of complex and complicated social and historical issues. These issues have only begun to become clearer and simpler as the new order unfolds.

Assessing possibilities of post-Codesa land reform can therefore yield only limited but very important information. The first one is that it is almost certain that a post-Codesa of whatever sort will be undertaken by the post-apartheid government. The second is that a properly formulated, debated and managed post-Codesa land reform programme promises to yield more growth and equity prospects than the present order. Lastly, it is almost impossible to ascertain the exact nature and feasibility of the post-Codesa land reform.

*Views expressed in this article are not necessarily those of DBSA.

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THE RIGHTS OF INDIGENOUS PEOPLES

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Settler regimes that invaded and subjugated indigenous peoples took possession of their territories and exercised exclusive jurisdiction over them. The settler states derived their rights to regulate the peoples and to perform other colonial activities from the doctrine of discovery. In the 1823 United States Supreme Court case of *Johnson v M'Intosh* Chief Justice Marshall held that under principles of Europe's law of nations, the discovery of territory occupied by Indian tribes in the New World gave to the discovering European nation 'an exclusive right to extinguish the Indian title of occupancy, either by purchase or conquest'.

Marshall explained that 'the character and religion' of the indigenous peoples of the New World 'afforded an apology' for considering them a people over whom the superior genius of Europe might claim an 'ascendancy'. Hence, the discovery of indigenous territory gave an 'exclusive title' to the European discoverers of the New World. Indigenous territories were deemed vacant and appropriated by the 'civilised' western states.

On that score the legal system of the colonial authority concerned was imposed upon the indigenous people and termed the common law or law of the land. In contradistinction, indigenous customary law was afforded limited recognition but only in so far as it was not contrary to public policy or the principles of natural justice.

There were, in the views of the settler states, no indigenous states. On the contrary, they regarded it as their sacred duty to dismantle tribal organisations and to treat indigenous peoples as individuals under guardianship. It is remarkable that as recently as Mr M C Botha's term of office as Minister of Bantu Administration and Development, South African blacks were regarded as being under guardianship. He frequently referred to the homeland policy as a process of 'ontvoogding'.

During the course of recent history almost all colonies have become sovereign independent states. The doctrine of discovery has, however, status. Peoples not disappeared. Numerous indigenous peoples still suffer from the effects of the doctrine of discovery. They claim that they are still subject to diminished indigenous rights and such as New Caledonia's aboriginal Melanesians, the Kanaks, the Australian aboriginals; various groups, whether they are found in North, Central, or South America, the Caribbean, the Pacific, Asia, from Bangladesh to China, or Northern Europe, are now asserting their indigenous rights and status at domestic and international level.

There are, of course, also a large variety of other minority groups. They must, however, be distinguished from what has become known in international law as indigenous peoples. The latter concept is not easily defined. The best attempt is probably that contained in Convention No 169, Indigenous and Tribal Peoples, of the International Labour Organisation. It refers to 'peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of

their own social, economic, cultural or political institutions'. That is the objective part of the definition. A subjective rider adds that 'self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply'.

Judged by this definition, tribes in Africa would also qualify to be designated 'indigenous' groups. Yet, the United Nations documents and the international law literature on the topic steer clear of tribal groups in Africa. In my own investigation of this topic, I have found only one reference to an indigenous group in Africa, namely the pygmies. Some thirty observers or state members of the United Nations attended the ninth session of the Working Group on Indigenous Populations in 1991. Only one came from Africa, namely from Senegal. Taking that as a point of departure, one might assume that, say, the Zulu and Tswana would for international law purposes not be regarded as indigenous peoples, but the Bushmen and Griquas might well be.

In terms of Article 20 of the Banjul (African) Charter on Human and Peoples' Rights, all peoples 'shall have the unquestionable and inalienable right to self-determination' and 'shall freely determine their political status'. The term 'peoples' is not defined by the charter. Presumably the criteria will, by analogy of the ILO definition above, be descent and intention to associate. It is, however, not clear whether these would include only the colonised people and those who were engaged in what is called the liberation struggle against foreign domination. African countries have, after all undergone a sea-change at independence. The question therefore arises whether the term 'peoples' includes tribal groups within independent African states who wish to secede or who wish to have particular cultural or other rights recognised.

My own view is that ordinary tribes would, in this context, not qualify for indigenous peoples' status. The Organisation of African Unity has so far emphasised territorial integrity and acceptance of the territorial boundaries as they were at the time of independence. It is well known that colonial boundaries cut across traditional and ethnic divisions and

have led to violence and bloodshed. Yet so far the OAU has been adamant that it will adhere to the existing territorial boundaries.

African countries, moreover, and they include South Africa, have another priority, namely to first achieve national unity. Without some cohesion and a sense of national identity it will not be possible to unscramble tribal issues, such as boundaries. What is more, in a modern setting the state has assumed many of the functions that formerly belonged to the tribe or clan. here should, first and foremost, be an allegiance to the state. Tribal allegiance is no substitute for state allegiance. In the present constitutional debate in South Africa it would seem that too many tribal groupings are jockeying for position. The homeland leaders represent people that are predominantly tribal and chiefs (or kings, as some prefer to be called) are also insisting on representation at constitutional talks. It is trusted that they do so fully realising that national unity is the first and foremost consideration. Tribal positioning may merely lead to endless bickering and even tribal wars.

All the same, those groups, say the Bushmen and Griquas, who might genuinely be regarded as indigenous peoples who are weighed down by disadvantages, may, in a future South Africa, assert their rights and status by telling their stories. 'Telling their stories' is the phrase used to describe the process by which these groups make written and oral representations to the United Nations Working Group on Indigenous Populations. Indigenous peoples have, for some time now, been telling their stories to the Working Group. This Working Group was created by the United Nations Economic and Social Council in 1982 and given the mandate to develop international legal standards for the protection of indigenous peoples' human rights. It brought out a Draft Universal Declaration on the Rights of Indigenous Peoples in 1989.

A second, revised, text was released in 1991. A commentary and evaluation of the latest draft will be published in the next issue of *South Africa in the 90s - prospects for solutions*.

Crime in South Africa

and the need for a national crime-prevention strategy

CRIME RATES IN SOUTH AFRICA REACH UNPRECEDENTED LEVELS

Police-recorded crimes between January and November 1991 totalled 1 566 392 cases with some of the most serious categories averaging some 3 900 cases daily. While caution should be exercised in interpreting these statistics (police-compiled crime statistics, for a variety of reasons, are not an accurate reflection of the number of crimes committed), these figures, compared to the previous corresponding time period, demonstrate a steep rise in the prevalence of crime in South Africa. Some trends and characteristics portrayed by these statistics are the following:

- The increase in serious crime occurred in rural areas.
- Attacks on people aged 50 years or older had increased dramatically, with the worst areas being the Witwatersrand (269 incidents and 333 victims) and Natal (107 and 131).
- Burglaries at homes in traditional white metropolitan suburbs were prevalent.
- Armed robberies, and especially the hijacking of vehicles and trucks with cargo, showed a sharp increase.
- Seventy-three cases of rape, 200 burglaries at businesses and about 177 housebreakings in black areas were reported daily, showing

increases of 12, 15 and 26 per cent respectively.

Phenomena which especially give reason for alarm include

- the continued killings and assaults in hostels and trains on the Reef;
- more incidents of public violence in especially Natal/KwaZulu townships;
- more casualties resulting from taxi wars in black townships in the Western Cape;
- the terrorist-style attacks on the Free State's farming community since 1 December 1991;
- the killing and wounding of more than two dozen people when a gunman went berserk in Ladysmith on 20 January 1992; and
- the murdering of members of the police force.

WHAT IS THE COST OF CRIME TO SOUTH AFRICAN SOCIETY?

Crime diminishes the quality of life of all South Africans by exacting economic, physical and psychological costs. While fairly accurate estimations of some economic and physical costs can be made (for example damage to and loss of property, the cost of operating the criminal justice system, and medical costs as a result of injuries suffered in criminal victimisation), it is not possible to make an exact assessment of the emotional harm caused by crime. One dimension of the psychological costs of crime is people's emotional reaction to the threat of victimisation. A high level of fear often has a chain of socially undesirable consequences. People perceiving a high threat of crime may, for example, distrust strangers, portray cynical attitudes regarding the efficiency of the police, withdraw from community life, employ surveillance tactics (for example installing locks, having neighbours watch one's house), and move to resettle in another neighbourhood.

AN AFFORDABLE CRIME-PREVENTION STRATEGY FOR THE FUTURE

Together with economic and social policies, the conception of a national crime-prevention policy for southern Africa should be high on the agenda for creating a new South Africa. Crime and the fear of crime can handicap

WHAT IS THE COST OF CRIME TO SOUTH AFRICAN SOCIETY?

the most zealous supporters of the new dispensation and bring the whole process of creating an equal and just society to a standstill.

Local crime-prevention strategies have up to now been aimed largely at the (pre)-offender and not at the (potential) victim. The upsurge in the crime rate suggests that these responses, which were largely based on actions of the official criminal justice system, have failed to address the crime problem effectively. South Africans are beginning to realise, as most citizens in overseas countries do, that a victim-orientated approach can be more useful in the prevention of crime. Crime control should no longer be regarded as the sole responsibility of the police, the conventional court and the penal system.

A positive step in the fight against crime is the increasing realisation among South Africans that the emphasis of local crime-prevention actions should no longer be that of total dependence on the official criminal justice system. People are becoming more aware of the necessity of self-protection and the initiation of crime-prevention actions in their immediate communities. However, these actions are not well planned and comprehensive in nature but rather resemble strategies based on an animal kind of instinct for self-preservation. Crime is therefore not addressed as a community problem and crime prevention is not perceived as part of the fibre of community life. Through our close-mindedness we are intentionally or unintentionally creating a 'fortress society' dominated by self-interest and self-preservation.

Current efforts to combat lawlessness and to curb the soaring crime rate in South Africa seem to reflect a loss of faith in the ability of official structures to protect innocent citizens. These efforts include: organised surveillance strategies undertaken in co-operation with the police, city or town councils, and civic associations operating in neighbourhoods and business centres; frightened individuals retreating behind barbed-wire fences, locks, bolts, costly security devices and electronic systems; private security companies; and vigilante groups who mete out instant justice to criminals or potential criminals.

It is clear that the preceding strategies present no real solution to our crime problem and that some of these actions may even intensify it. Naturally there is no 'quick fix' solution for the problem of lawlessness created by a complex range of unique social, political and economic circumstances. While it could be regarded as premature to propose a blueprint for crime prevention for the new South Africa, it is clear that a national crime-prevention policy is urgently needed by the architects of the new dispensation. If the criminal justice system is to retain some credibility in the eyes of the public, crime prevention should be added to the list of priorities that are to be addressed by Codesa. Such a strategy should include the following elements:

- a national council for crime prevention with the aim of developing co-operation between ministries, local government, police, voluntary organisations and the private sector;
- a national crime-monitoring system developed through systematic gathering, analysing and interpretation of formal and informal crime data;
- development of local crime-prevention programmes by experts in collaboration with concerned community members;
- media campaigns geared at informing and training the public in its civic responsibilities;
- systematic evaluation of programmes and strategies to prevent crime;
- social crime prevention by addressing the causes of crime on a primary, secondary and tertiary level; and
- utilisation of existing community-based structures, for example schools, churches, civic associations, youth clubs, defence units, etc., in the fight against crime.

Interim government: prospects and pitfalls

There is one significant barometer regarding progress with the process of political negotiation in South Africa, namely the degree to which the two most politically powerful participants involved in the process, the ANC and the NP government, can reach agreement on a transitional or an interim government.

Initially it appeared that the differences in this regard would be difficult to overcome. The ANC stood for interim government in the fullest sense of the word: a fully-fledged government – elected on a one-man-one-vote basis – to govern during the period in which negotiations were conducted regarding a final constitutional dispensation. This demand was accompanied by a political sentiment that insisted on a complete break with the apartheid system before significant negotiations could take place concerning a new dispensation.

The government, on the other hand, was prepared to discuss transitional measures – the phrase 'transitional government' was not even used at first – but insisted that the present 'lawful government' (in terms of the 1983 constitution) should rule the country until such time as a new constitution, drawn up by a (non-elected) multiparty conference, came into force. This reflected a political sentiment of concern for vested interests: the more vestiges of the status quo that could be authoritatively incorporated into the process of transition, the less traumatic the transition would be.

Politics as a power game is, of course, not based on mere sentiment. Participants in the political process make calculations concerning what they think their bargaining power in terms of certain scenarios would be, and then insist on the scenario that would – according to their own perceptions – provide the maximum political leverage.

The ANC's aim was to win a one-man-one-vote election for an interim government, and so to gain a decisive say in drawing up a new constitution. The government, on the other hand, wished to temper the effects of expected majority support for the ANC through maximum retention of 'present power' – and with the co-operation of other groups that also perceive the ANC as a threat – and endeavour to avert a too drastic transformation of the present dispensation.

Since about the middle of last year there have been surprising developments concerning an interim government, all of which have begun to indicate that the main participants are moving closer to consensus on this issue. The government has, for example, indicated to an increasing degree that it would accept a generally elected interim government (instead of mere transitional measures) subject to certain conditions that are to be negotiated. The ANC has likewise

Self-determination: a horizon for freedom?

indicated that it does not wish to dominate the interim phase, and the latest is that even the possibility of an interim government in coalition with (at least) the NP – subject to certain clear conditions – is not excluded.

Once again, hard political realities demand greater consensus in this regard. The ANC's self-confidence concerning the majority support that it enjoys among the entire population is tempered by uncertainty concerning the precise extent and 'depth' of that support. Political participants 'from the black side' who would probably not impress with the strength of their popular support in a one-man-one-vote election are assuming a disproportionately prominent role at the negotiating table – a factor which is, all things considered, serving to undermine the political esteem of the ANC (and not so much that of the government). In addition, the ANC's political-strategic and ideological break with militant (black) liberation movements such as the PAC and Azapo cannot simply be shrugged off, even if this at present appears to be no more than a mere splintering off. Faced with attacks from both 'right' and 'left', the ANC has only one real counter, namely demonstrable success in the negotiation process, and for this a political compromise with the NP is essential.

The NP's devastating defeat (in terms of white politics) in the Potchefstroom by-election, however, also makes that party's sustained political credibility – like that of the ANC – dependent not only on a significantly positive result in the referendum, but to a large degree also on demonstrable success with the Codesa negotiations, which are, by and large, of much more lasting significance than the referendum. An interim government is the first hurdle that will have to be crossed in the process of negotiation.

To a certain extent, however, the NP has benefited from its humiliation at Potchefstroom. The ANC – which has up to now not been greatly concerned about trends in far-right white politics – is now unavoidably confronted by the possibility that it may have to negotiate with the CP rather than the NP as the political representative of the whites – a possibility 'too ghastly to contemplate'. This means that the ANC might – also with regard to the question of an interim government –

lean further backwards than had allay 'white fears' by reaching a compromise with the NP. Here much will, of course, also depend on the outcome of the referendum. Initially, the state of political uncertainty prevailing at present is undermining foreign investment confidence. Stable interim government could, as everyone realises, help to restore this confidence.

A power alliance between the NP and the ANC, even if this were to involve a question so 'transitory' as interim government will, however, not be an unmixed blessing. A compromise between those in positions of power would not in any case guarantee the protection of the subjects' rights at the grassroots level; on the contrary, such a compromise could be dangerous.

Interim government based on mere bargaining between the main participants involved in the process of transition would entail a completely inadequate break with a non-democratic past. Interim government should therefore from the outset be subjected to the higher authority of a justiciable bill of human rights. Codesa itself will therefore have to agree on at least an interim bill to effectively protect basic rights, **especially during the transition.**

This will also mean that there will have to be a constitutional court – and the sooner the better. The South African courts have, to say the least, thus far failed dismally to provide meaningful judicial leadership on human rights issues in the modern sense of the word. A future human rights dispensation will prove successful only if it begins to assume significance together with the broad politics of the day.

Human rights will, to a far greater degree than at present, have to feature in the debate and especially in negotiations on an interim government. Success with the protection of human rights, especially in the interim phase, is, when all is said and done, the surest way of allaying the fears of politically uncertain groupings (including all minority groups – also whites) in an era in which political power bases are continually shifting and being eroded.

**PROF LOURENS M DU PLESSIS –
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Developments in Eastern Europe in the past two years and the State President's speech at the opening of parliament this year have focused attention sharply on the rights of ethnic groups to self-determination. An especially relevant question of our time concerns the possibility of an Afrikaner state – and the conflict-minimising possibilities that such a state offers – as part of a multi-dimensional solution to the political problems of South Africa. In this respect it is especially Professor Carel Boshoff's model of an Afrikaner state and the report of the Continuation Committee for Constitutional Affairs which have recently sparked interest.

THE ORIGINS OF THE RIGHT TO SELF-DETERMINATION

To a large degree the problem of ethnic conflict in the Western world can be traced back to the French Revolution. As a result of the principle of 'revolutionary democracy' with its postulate of a one-man-one-vote dispensation on the basis of majority rule, ethnic or other interest groups which constituted numerical majorities within states often obtained dominant positions within such states. This often led to a struggle of nations and ethnic groups which formed political minorities within such states.

After the First World War the League of Nations attempted to solve these ethnic conflicts through the legal protection of minorities on the basis of individual human rights. At that stage ethnic groups were not spoken of, but rather national minorities. The application of the principle of unqualified parliamentary democracy prevented ethnic minorities from attaining majority status in parliament. To a large extent the enforcement of these views on the states of the Danube was responsible for the outbreak of the Second World War.

Against this background the international community began to realise in the 1950s that ethnic minorities could not be sufficiently protected simply through the guarantee of individual rights, but that groups as such (*ens sociale*) should be protected. With time two fundamental group rights concerning such minorities developed in international legal discourse and practice, namely the right of ethnic groups to own national homes ('Recht auf die Heimat', 'patria avita', 'Foyer natal', 'ancestral soil')

and the right of ethnic groups to cultural and political self-determination.

Over time this became embodied in various international legal documents, *inter alia* articles 1(2), 55 and 73(b) of the United Nations Charter and the International Covenant on Civil and Political Rights of 1966.

The interpretation of the right to self-determination of ethnic groups must be seen against the background of article 1(2) of the United Nations Charter which explicitly states its aim:

To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.

On 5 February 1952 Resolution 545(VI) was accepted by the General Assembly under the heading 'Inclusion in the International Covenant or Covenants on Human Rights of an article relating to the rights of peoples to self-determination'. The Resolution *inter alia* read

(The General Assembly) (d)ecides to include in the International Covenant or Covenants on Human Rights an article on the right of all peoples and nations to self-determination in reaffirmation of the principle enunciated in the Charter of the United Nations. This article shall be drafted in the following terms: 'All peoples shall have the right to self-determination; and shall stipulate that all States, including those having responsibility for the administration of Non-Self-Governing Territories, should promote the realization of that right in relation to the peoples of such Territories.'

WHICH GROUPS CAN CLAIM A RIGHT TO SELF-DETERMINATION?

During the sixth session of 1951/1952 the question arose which groups could lay claim to this right. The Indian representative – one of the compilers of the solution – stated categorically that all ethnic groups were included. The American representative, Mrs Roosevelt, declared:

According to the present text of that paragraph, the right of self-determination should be exercised

only by the peoples of Non-Self-Governing and Trust Territories. This is a restriction on the right to self-determination which, in the view of my delegation, falls so far short of the concept expressed in the Charter that we should not endorse it. If a right is valid for one group of peoples, it is equally valid for all peoples.

That is also the accepted interpretation accorded the right to self-determination in international law. According to an international law expert, L C Buchheit, any group which possesses a distinct ethnological basis can claim this right. It was never the intention to limit the right to those groups who, for example, are joined only by common economic bonds.

SECESSION, PARTITION AND LEGITIMACY

The right to self-determination to enable ethnic groups to exercise complete political self-determination – provided the necessary requirements for legitimacy are satisfied – is even acknowledged or granted to the degree in which peaceful secession and partition are acknowledged by the mother country.

The requirements for legitimacy include that international peace and stability are thereby promoted; that the ethnic group which secedes is viable and can exist as an independent entity; and that the delineation of a territorial area for such an ethnic group does not result in the infrastructure of the mother country being paralysed.

The proposals of Professor Carel Boshoff's *Afrikanervryheidstigting* comply to a high degree with the international requirements for self-determination. They could be an important contribution to a comprehensive solution for the political problems of South Africa. The winged words of A Cobban are arguably quite appropriate:

A nation fighting for its independence does not draw up a balance sheet of its qualifications, nor does the state against which it is rebelling normally look at the position from this angle.

RESULT represents a new level of alienation between South Africans

Decision-making based on consensus rather than on alienation among political actors is playing an ever-increasing role in South African politics. The feasibility of fundamental political, social and economic reform envisaged for South Africa, and therefore also the political future of the country, depend to a large extent on the consensus or alienation that exists among the different population groups, ethnic groups and political groupings in the RSA. For example, unless sufficient consensus satisfying the government, the ANC and its allies, as well as the CP and the business community, is reached concerning an economic system for the future South Africa, the entire current process of political, social and economic reform could be jeopardised.

Interpreted from this point of view, the result of the recent by-election in Potchefstroom in which the Conservative Party won the seat from the National Party represents a serious setback for the chances that Codesa will succeed in its present form. This could have dire consequences for the political future of South Africa. At the same time the result indicates a new level of estrangement between Afrikaans-speaking South Africans and the two main white political parties.

When political actors are alienated from one another during the process of decision-making, it is possible that the wishes of one of them might, in a particular situation, triumph over those of the others in such a way that the specific decision will, in the long run, be totally unacceptable to those who oppose it.

The CP's refusal to take part in Codesa gained momentum with the Potchefstroom result. The result therefore strengthens the possibility that certain decisions will be taken

POTCHEFSTROOM AND THE REFERENDUM

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unilaterally at the convention. As a result the decisions that are reached there might be totally unacceptable but a strong awareness of political to CP supporters, who constitute a significant percentage of the white population. If this indeed happens, the chances for increased violence and even revolution could well increase considerably.

The psychological attitude 'alienation' points to the basic characteristics of the relation between an individual and the groups or social structures to which he belongs. Alienation can be considered a condition in which the individual sees himself as removed from and subjected to the groupings to which he belongs as well as to the social roles that those groupings expect him to play. The presence of alienation in a group indicates that there is something wrong within the group. An analysis of specific aspects of alienation in South Africa could play a significant role in the improvement of relations between social, political and economic groupings in the country. One can even argue that proper research on the subject could help to give direction to a new South Africa.

It is interesting to note that alienation in the political field can be related both to fervent political activity such as revolution, and to political passivity such as non-participation in the voting process or in politics in general. As such alienation is one of the best predictors of violence, a phenomenon that has played an important role in politics in South Africa over quite a number of years.

It is generally accepted that political alienation consists of at least political powerlessness and political cynicism or distrust. In America and elsewhere abroad specific hypothetical relations between political alienation as a combination of political powerlessness and political cynicism, on the one hand, and political participation on the other, have been identified repeatedly. It was found that a high degree of awareness of political power, together with a high degree of political trust, usually results in active and faithful conventional political participation. This combination of factors probably occurred among whites in South Africa in former times, while it may also be expected among blacks in a new South Africa, provided a settlement that favours them is reached.

In cases where political trust decreases but a strong awareness of political power prevails, radical activity or unconventional political participation may be expected. This may well apply to certain whites in the future. The current wave of violence and terrorism from the right is probably both an indication of what could happen in a future new South Africa and a manifestation of an alienation that is simultaneously characterised by a lack of political trust and some awareness of political power. This particular form of alienation could also, to some extent, explain the current violence in black townships.

In cases where the degree of political trust is high but awareness of power is low, patriotic participation occurs and people tend, for example, to enlist in the army voluntarily and to participate in voting. Such a combination of factors could play a role in the future political activities of a number of whites. In a new dispensation serving the interests of people of colour, these whites might tend to support the status quo through their actions precisely in order to display their trust in the new political dispensation. This combination of alienation-related factors may also partially explain the supportive activities of persons who had formerly been considered collaborators or sellouts by people of colour.

A low degree of political trust, together with a low degree of awareness of political power, may in turn indicate possible withdrawal from the political process. The poor participation of people of colour in conventional politics in South Africa in the past can partially be attributed to this manifestation of alienation. If it is accepted that a new government in which people of colour will play a much larger role than in the past will affect white political trust negatively, the same set of factors could also, to some extent, offer an explanation for possible signs of white withdrawal from the political process in the future.

The potential of the concept of alienation as a vehicle for analyses such as those above indicates that alienation-based investigations could contribute significantly to the creation of a better new South Africa.

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Ever since the State President's February 1990 speech unbanning the exiled movements it has been clear that one of the crucial determinants of the negotiations process would be the response of white voters to the process and its outcome.

The imminent referendum among white voters will represent the clearest test yet of white attitudes to the negotiating process begun, in effect, soon after the 1989 general election.

On the basis of by-election results since 1989 a reasonably convincing referendum victory for the National Party and its negotiating partners in the white community ought to be on the cards. However, even though electoral trends since September 1989 are important to note in predicting the result, the electoral and political dynamics now at play are substantially different to those which held in the general election.

The following table illustrates the share of votes gained by the various parties in by-election constituencies contrasted with the 1989 results.

Percentage share of vote by party – 1989 and subsequent by-elections

1989 By-election

Constituency	NP	CP	DP	NP	CP	DP
Umlazi	51,5	20,3	27,8	48,2	43,6	7,9
Randburg	42,2	4,7	52,8	84,2	15,2	
Maitland	54,1	3,8*	41,7	65,5	35,5	
Ladybrand	47,6	48,2	3,9	44,2	55,3	
Virginia	47,3	47,0	4,6	37,5	62,2	
Potchefstroom	54,8	44,8	-	43,8	56,0	

*No CP candidate stood in Maitland in 1989 – the votes refer to the HNP candidate.

This table strongly suggests that, in various respects, there has been a fundamental change in the pattern of electoral support between the three major parties since the general election

This has occurred, in the first place, on the centre-left of the political spectrum, that is between the NP and the DP. The result in Umlazi (and

to a lesser extent the DP's abstention from contesting Randburg) suggests that the DP has lost to the National Party much of the support it enjoyed in 1989. It is probably restricted now to its very traditional heartlands – namely those constituencies it won in the 1987 election.

This drifting support, while it clearly undercuts the potential of the DP to survive as a meaningful entity in a much wider post-apartheid political arena, will still largely account for a yes vote in the referendum.

The more significant shift has been on the centre-right of the spectrum, between the NP and the CP. The table shows that the most notable drift from the NP to the CP has taken place firstly in constituencies such as Umlazi (Natal) and Maitland (Cape) where the CP had been weakly established in the past.

Besides this wider geographic support base, the increased support for the CP in the other constituencies might suggest that it is now drawing support from socio-economic groups in which it had been more weakly represented in the past.

A strong correlation between support for the CP and lower-middle or working class whites has generally held up – the Potchefstroom result might represent a breakthrough into, especially, the Afrikaner middle classes.

These results suggest that one of the vulnerabilities the National Party faced in 1989 – that of being squeezed from both sides by parties with different ideologies and each with different language, class and spatial support dimensions – would no longer hold to the same extent were an election to be held now. But a new vulnerability would be the effect of the present delimitation.

Clearly, though, the dynamics and structure impinging on the result of this referendum will be substantially different to those that would be at work were an election to have been called instead. For example, the differences between the DP and the NP have now been submerged in their joint interests of securing a majority yes vote; were an election to have been called

instead, the DP, in an attempt to preserve an independence from the NP, might well have had to contest some of its constituencies against NP candidates.

Another underlying structural issue might also facilitate a yes vote in the referendum – that is the difficulty which many voters might have in voting against the question asked. This stems from various issues.

- The nature of the question is such that it asks voters whether they favour the negotiations process; it says very little about possible outcomes of the Codesa process. In other words, voters who, although uncomfortable with possible outcomes, might still vote yes partially because they are not yet being directly confronted with outcomes they dislike.
- They might additionally believe the NP needs support and can still shape the outcome of the negotiating process against the will of the ANC. In a related way the majority of white voters might still not believe that the ANC should, or might have to, play an important or dominant role in either a transitional or post-apartheid government.

A second issue impinges upon this argument; this is that substantial sections of white voters are, despite doubts and uncertainties, effectively captives, trapped into voting yes. At its most vulgar this position argues that the international world, and to a lesser extent perhaps even domestic black opposition, have gained, in the post-2 February 1990 period, an effective leverage on the South African transition. The leverage of the international community extends, of course, to shaping the actions of the domestic black opposition.

A more nuanced position simply argues that enough conservative-inclined white voters accept that the CP's policy positions are untenable in the contemporary context and the NP, perforce, has to be supported. This analysis suggests, thus, that since the referendum is more concerned with the process of negotiations than its outcome, the majority of white voters will vote in favour of the question asked.

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Following the announcement on 6 December 1991 of a third committee of the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (the so-called Goldstone Commission), group demonstrations have once again been subjected to strong scrutiny. This third committee, under the chairmanship of the Hon Mr Justice R J Goldstone himself, is concentrating its investigation on group demonstrations and the way in which these are dealt with by the police. This is an extremely important step towards a democratic South Africa if one takes the following into account:

- In the past, group demonstrations and the way in which they were dealt with frequently led to violence and also served to stimulate further violence.
- Group demonstrations were fairly taboo until September 1989.
- Group demonstrations (group protest) were recognised by the National Peace Accord of 14 September 1991 as the fundamental right of people in a free and democratic society, but the Accord did not lay down clear guidelines for the regulation and control of group demonstrations (cf the article by the present author in the previous issue of this quarterly) and that this, in fact, creates the possibility of further violence. This short article has been written against the background of the last-mentioned supposition.

As a result of largely uninterpreted research findings¹ and reports in the media in the past, the following impression could have been created:

Group demonstration (crowd) + SAP control force = violence
Group demonstration (crowd) + no SAP control force = no violence
In other words, the police (control force) cause violence.

This is a somewhat simplistic, even naïve interpretation of an extremely complex and explosive phenomenon in any society. This simple 'formula' must be reformulated and made specific before guidelines can be laid down for the regulation and control of group demonstrations. In brief, this amounts to the following: group

demonstrations involve crowds. Three types of crowd can be distinguished depending on the degree of organisation involved, namely:

- *The spontaneous crowd:* In this case crowds gather quite spontaneously around a 'trigger incident'. For instance, there are hundreds of people on a pavement in the central business district of a city. The police arrest a 'drunk' and the people crowd around the incident. Under these circumstances the individual who takes the first action (the ringleader), for instance by throwing an object at the police, immediately becomes the leader and everyone follows his example (he therefore activates the crowd dynamics and this turns the crowd into an unruly crowd). The literature indicates that, logically speaking, the police do not have much of a chance to negotiate and persuade in a case such as this and the recommendation is usually that the 'leaders' be removed from the crowd.
- *The semi-organised crowd:* In this case a gathering or march is, in fact, arranged in advance for a specific day. Deliberately, or merely on account of poor organisation, the march or gathering takes place without having been arranged in advance with the authorities, interest groups, emergency services, etc. Nor have arrangements been made for internal control and the leaders or organisers are frequently either not present in the crowd, or cannot be reached, or are not identifiable. Once again, as in the case of spontaneous crowds, the police do not have someone with whom to negotiate and through whom they can communicate with the crowd. It is easy for the crowd to emulate the example of the 'ringleader' who takes the first action. In the past – and especially before September 1989 – this type of crowd dominated the protest scene in South Africa (for example Soweto, 16 June 1976, and Uitenhage, 21 March 1985).
- *The fully organised crowd:* As the name implies, the demonstration in which this type of crowd is involved is fully cleared and arranged in advance with all authorities, emergency services and interest groups in the area in which the demonstration is to take place or through which it is to move. This type

of crowd has a high degree of internal control (for example marshals) and the leaders or organisers are clearly identifiable and are in continual contact with the police. It is therefore possible to negotiate with them and, through them, to communicate with the crowd.

Since August 1990, in particular, another type of crowd, which may be referred to as the polarised crowd, has made its appearance in South Africa. In this case two largely spontaneous or semi-organised and fairly hostile crowds oppose one another (usually these two crowds are 'triggered' by a 'wedgedriver' rumour). The crowd dynamics of each crowd are activated by the presence of the other ('enemy') crowd.

From the preceding it is clear that the more organised a group demonstration, the less the possibility that it will end in violence. It is, however, necessary to point out that even the most organised demonstration and even spectator crowds (that is, any crowd event) may nevertheless become unruly and violent owing to their crowd dynamics and their interaction with the control force (for example police).

Crowd dynamics is that volatile mixture of psychosocial factors which is present in any crowd (also among the spectators at Loftus Versveld). It includes factors such as group cohesion (group feeling, which is stimulated, *inter alia*, by singing, rhythmic movement and any threat from outside the group); physiological stimulation (the secretion of adrenaline by the adrenal glands, which results in either an impulse to flee or to fight); private deindividuation (that is, the 'petrification' of attention on the social behaviour environment and the modelling of the other people's behaviour); public deindividuation or facelessness (the feeling that no-one will recognise you in the crowd); pressure to conform (whether you agree with it or not, you conform to the behaviour of the rest of the crowd) and exhaustion. When these dynamics become activated, even the most peaceful individual can turn into the most aggressive. The psychosocial mixture is usually activated either by undisciplined or irresponsible behaviour in the crowd (that is once again leadership in spontaneous and semi-organised crowds) or non-appropriate crowd control.

Crowd control is such a complex, technical and wide-ranging field of knowledge that it is quite impossible to reflect on it in a responsible manner in the space of this article. However, it is necessary to highlight one important principle. International experience has shown that the probability of crowd behaviour leading to violence decreases if the principle of low-profile monitoring and high-profile control, if necessary (the well-known show-of-force principle), is applied. What this therefore amounts to is that as long as a crowd (even one that has not been organised in advance or for which permission has not been requested) behaves in a peaceful manner, it should be monitored and 'read' by the police in as unobtrusive a manner as possible. The main control force should rest a few blocks away and be kept 'fresh' (without being tempted into over-reaction through continual provocation). As soon as signs of unrest or violence are discerned in the crowd, the main control force (whose numerical ratio *vis-à-vis* the crowd should be high) should be deployed in a show of force. It is in this regard that the SAP repeatedly failed in the past on account of its serious understaffing (cf Uitenhage, 21 March 1985, 19 policemen against a crowd of 12 000; Sebokeng, 26 March 1990, 93 (uncoordinated) men against a crowd of some 50 000).

The simplistic formula set out above:

Group demonstration (crowd) + SAP control force = violence must therefore be reformulated and made specific by the third committee of the Goldstone Commission and the rules for group demonstrations must be based on this new formula.

Group demonstrations (crowd dynamics, without prior consultation and arrangements, with little or poor internal control) + undermanned SAP main control force (without monitoring) who stop the crowd = violence.

Demonstrations should be every South African's fundamental right, but only in the converse of the circumstances reflected in the last formula.

1. Cf. C.A.S.E. – 'Who is murdering the peace?' p.8; Anthea J Jeffery (1991) 'Riot policing in perspective'. Johannesburg: SAIRR, pp. 58-59.

While the parties participating in Codesa are preparing for important debates about the future constitutional development of South Africa, an increasing number of interest groups are beginning to air their views on a future education dispensation. Last year the ERS document was released and comments on the document are being considered; the NEPI investigation is reaching completion; and various interest groups are meeting to formulate their views, groups such as the democratic movements which are planning an educational conference for March this year. The indications are, therefore, that by the end of the year we shall have greater clarity on the possible outline of a new educational dispensation for South Africa.

Reliable information at grass-roots level on what people feel about education is more important now than ever before. Last year the HSRC's Group for Education conducted its third survey in three consecutive years to test ordinary men's and women's views on educational issues. This contribution shares with the reader some of the salient points of a report recently released by the group.

Much has been said about the impact that changes in the education system would have on educational standards. But how important is the maintenance or improvement of academic standards to South Africans? There are probably many ways to test people's views on this, but the respondents' reactions to one statement in particular underlined the high regard South Africans have for educational standards more than any direct question on the issue could. We asked our respondents to indicate what they thought was the most important factor that pupils sharing the same classroom should have in common. The options given were population group, language, religion, academic standards and 'no common factor', but in these three years, all four population groups – with one exception in 1990 – voted for academic standards.

Ordinary South Africans are telling us that as far as they are concerned, when we put children together in one classroom we should give more attention to the impact that racial integration would have on academic standards than to any other factor.

They are telling us that we should be less concerned about the languages these children speak or what their religious affiliations are, or whether they are white or black, but we should ensure that the quality of the education they receive will meet with acceptable standards.

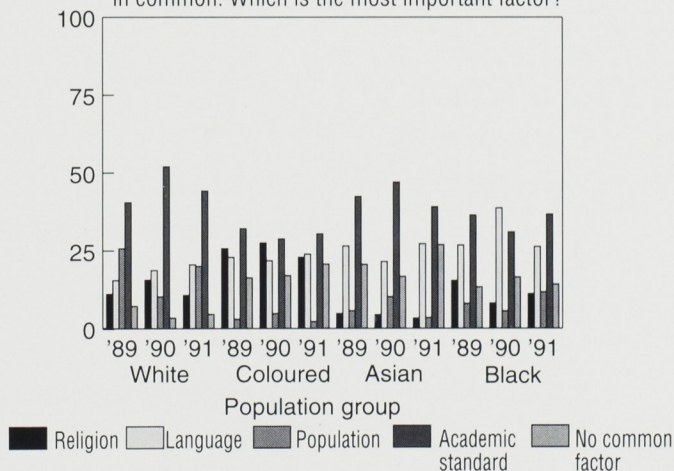
It is clear that this is indeed one of the major challenges facing education planners in South Africa, namely how to provide education of good quality to all in a non-racial education system where scarce resources are shared equally among all the children. In a new educational dispensation the primary concern will no longer be racial discrimination and how to eliminate it, but how to use what we have to the greatest benefit of every South African child.

Research in Third World countries has shown that there are more and less effective ways of spending our money on education. It is, for instance, better to invest in textbooks than in trying to

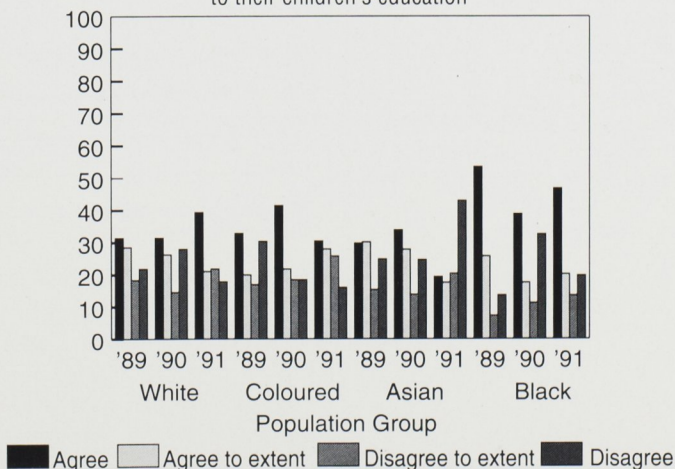
decrease the pupil : teacher ratio to a level below thirty. There are also other very interesting examples one could give. The majority of our respondents, when asked how they would prefer to spend any extra available money in their child's school, opted for the acquisition of educational aids. They would rather invest in educational aids than in library books, food for the children, textbooks, more classrooms, in-service training or extra teachers. This choice was preferred by the majority of the respondents from all population groups. A significant number of the Asian and black respondents rated textbooks a priority.

The respondents were very clear on the role that schools could play in promoting unity among South Africans. In all three surveys the majority of the respondents from all four population groups agreed that the schools had a positive role to play in this respect. In response to the question of whether the schools should strive to preserve the group identity of every child, there

Statement
Pupils sharing classrooms in the same school should have something in common. Which is the most important factor?



Statement
Parents should make a greater financial contribution to their children's education



was a decline in the agreement among the black and Asian respondents in the last survey compared to those of the previous years. The white respondents supported this more strongly than the other groups but also showed a decline in comparison to the support of the previous years. The coloured respondents also showed a decline in the last survey but they did not support this as strongly as the white respondents.

As regards the establishment of a common South African identity, the majority of the black, coloured and Asian respondents agreed that this could only happen in an integrated classroom situation. Approximately equal numbers of the white respondents agreed or disagreed on this issue. These results indicate that the white respondents were much more divided on the issues of unity and common citizenship than the respondents from the other three groups.

The financing of education is a very relevant issue. The respondents' views were tested regarding free compulsory primary education and whether parents should make a greater financial contribution towards their children's secondary education. As could be expected the vast majority of the respondents (more than 80%) from all four population groups were in favour of free compulsory primary education. However, the responses were not as clear-cut on the issue of a greater financial contribution by parents.

Among the black respondents the majority were in favour of this in all three surveys with 53.4%, 38.8%, 46.7% compared to 13.5%, 32.5% and 19.8% respectively disagreeing. Among those in the Asian and coloured population groups there was a decrease in the number of people who agreed, in the case of the Asians from 33.8% in 1990 to 19.3% in 1991 (in outright agreement) and in the case of coloured respondents 42.5% agreed in 1990 compared with 30.4% in 1991. Among the white respondents, however, there was an increase in 1991 in the number of people agreeing to a bigger financial contribution (from 31.4% in 1989 to 39.4% in 1991). This should probably be seen against the background of most of the 'white' schools' opting for Model B or C. There was hardly any difference between

the responses of the white Afrikaans-speaking and English-speaking respondents.

On the issue of parental say in education, the majority of the respondents from all four the groups were very much in favour of an increase in their influence. This covered issues such as parents deciding which pupils should be admitted to a school and that parents should have a direct say in the appointment of teachers at a school. Although all the respondent groups were in favour of parent communities deciding which pupils should be admitted to schools, the percentages agreeing were much lower in 1991 than was the case in 1990. The fact that more clarity existed on the implementation of the 'models' might have contributed to this finding. Respondents from all population groups were in favour of the statement that parents should have a direct say in the appointment of teachers at schools.

The above discussion of some of the issues covered in the questionnaire gives an indication of the complexity of the educational situation in the country. Although it would be wrong to argue that decision-makers should use, without reservations, the results of a questionnaire like this one when formulating an educational policy, involvement of people at grass-roots level may be a good beginning in moving towards a more democratic education system.

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