

Negotiation News

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Shift to bilateral talks Bleak view from sidelines

Whatever movement there is in the national negotiation process — and there isn't much — is taking place not at the Convention for a Democratic South Africa but in bilateral talks between the government and the African National Congress.

A bleak view of this is taken by other parties, particularly the Inkatha Freedom Party, who have long criticised the tendency among participants and observers to look upon the process as a match between the National Party/government and the ANC alliance.

Operations of the Codesa working groups have been suspended and what remains of constitutional negotiations are now being conducted under the auspices of an enlarged 57-person Codesa Management Committee. But in real terms, discussion over the most crucial aspects of a future South African constitution is taking place in bilateral talks to which other parties have no access.

These bilateral meetings, which have moved from the relatively public domain

of the World Trade Centre in Kempton Park to, among others, the private environment of the historic Presidency in Pretoria, the VIP lounges at Jan Smuts Airport

The bilateral meetings have moved from the World Trade Centre in Kempton Park to the private environment of the historical Presidency in Pretoria, the VIP lounges at Jan Smuts Airport and five star hotels

and five star hotels in Johannesburg, are conducted with even greater secrecy than the former working group meetings.

As the deadlock over a future constitution-making body exposed at Codesa 2

continues, part of the power struggle has shifted to the streets, site of the ANC's mass action campaign launched on 16 June.

Meanwhile the question of constitutionally entrenched federalism has divided Codesa participants into two camps: pro and anti.

The Inkatha Freedom Party, the National Party and the South African government have closed ranks in their demand for specific regional powers to be written into an interim constitution. The homeland governments of Bophuthatswana and Ciskei support this stance.

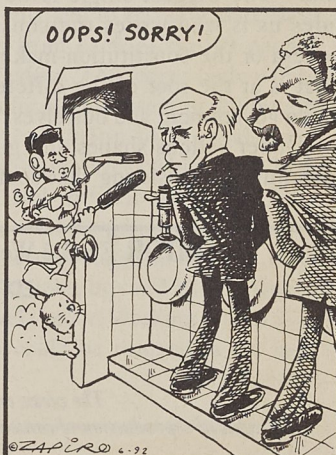
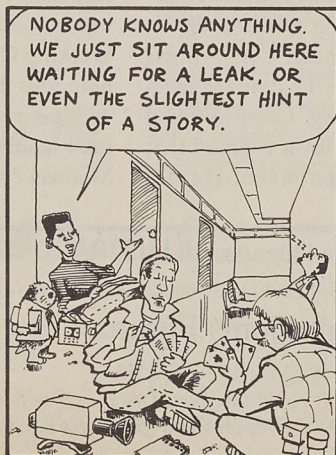
The ANC alliance and their Patriotic Front partners — the Transkei government, Labour Party and several parties from the self-governing territories — are opposed to what they see as federalist devolution of power.

This impasse has had such a serious impact on the convention that routine matters such as the appointment of a

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talk talk

by ZAPIRO



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Bleak view from the sidelines

from page 1

Codesa Daily Management Committee and a chairperson for the Codesa Management Committee have developed into a major tug of war.

On 15 June, at the second eight-hour meeting at which these appointments were discussed, it was reported that the parties in the management committee could not reach consensus over who should sit on the Daily Management Committee or become the new chair of the Codesa Management Committee.

This can be read as a reflection of deep division between the parties over crucial areas in the debate on a constitution-making body.

Apart from disagreement over federalism, the major areas of difference between the two camps are: the power of the senate in the constitution-writing process; the percentage of votes required for decision-making in the constitution-making body; deadlock-breaking mechanisms in this body and its powers and functions.

Moreover the ANC is suspicious of government intentions in regard to an interim constitution.

The interim constitution is supposed to pave the way for general elections for a constitution-making body. It has been agreed that it will be formulated through a process of consensus at Codesa, but the ANC accuses the government of wanting to water down the powers of the democratically elected constitution-making body by instituting an effective minority veto.

The ANC believes the government is trying to secure an extensive interim arrangement that would not only take a long time to draw up but would also cement minority positions and last for years.

Commenting on the deadlock at a press conference on 15 June, South African Communist Party chairperson Joe Slovo said: "The biggest single issue that divides us is who writes the constitution: Codesa or the constitution-making body. That is at the root of the difference between government and ourselves.

"Under various shapes and guises the government is insisting that some of the

key elements of the future, such as federalism, the powers and functions of regions and the detailed contents of a Bill of Rights, be determined at this stage to bind the elected constitution-making body."

Speaking at the same press conference ANC secretary-general Cyril Ramaphosa said: "We believe that the seriousness of

'... People should realise that unless the deadlock in Working Group 2 is resolved, the future of this country is at stake.'

— Cyril Ramaphosa

the crisis should begin sinking in among all our people who should realise that unless the deadlock in Working Group 2 is resolved, the future of this country is at stake."

The ANC's position was consolidated at their National Policy Conference on 30 and 31 May, one week after Codesa 2. The organisation stated that it stood for a single chamber constituent assembly democratically elected on the basis of proportional representation and one person, one vote. Decisions taken by this assembly would not be subject to the veto of any other body.

The report of the ANC's Special Commission on Negotiations said decisions in a constituent assembly should be taken by a two-thirds majority; that its work should be complete within a specified time; that an effective deadlock-breaking mechanism should be approved; and that all elections should be effectively monitored by the international community and representatives of the local community.

The government has repeatedly rejected this format on the grounds that it promotes "majoritarianism". At a press conference following the 15 June management committee meeting, Constitutional Affairs Minister Roelf Meyer claimed that some progress had been made. He de-

clined to provide detail of the progress or summarise the government's position.

During the management committee meeting the ANC forced another deadlock with the government when they demanded that the government agree to stop what the ANC described as its "unilateral restructuring in the form of bills to Parliament, bills that will have the effect of restructuring in a fundamental way a whole range of areas like defence, local government and telephone tapping".

"It is clear to us that the government not only wants to hold on to power, but also wants to act in a unilateral way in the period of transition," Ramaphosa said.

The final difference between the two camps emerged over the ANC's announcement that it would embark on a campaign of mass action to force a compromise from the government.

Law and Order Minister Hennis Kriel declared that the government would not be intimidated by the ANC into accepting a constitution which did not include the fundamental principle of power-sharing. State President FW de Klerk said the government would not be blackmailed by mass action.

Mass action also came up for discussion at a Codesa Management Committee meeting. Reporting on this discussion, chairperson Pravin Gordhan said that all parties supported the principle of peaceful protest, the right to peaceful protest and non-violence in every form.

All at the meeting agreed that mass action should take place without harm to people or property, Gordhan said. An attempt by the government to have mass action suspended did not win consensus.

Finally, Gordhan said the management committee had instructed the chairperson of the former Working Group 2 steering committee and its secretary to prepare a report summarising the course of events in Working Group 2 from its inception to the notorious deadlock.

This report will be discussed at the next management committee meeting on Monday 29 June. ■

End mysterious cabal, says Slovo

The closed door policy and secrecy with which negotiations have been conducted at Codesa may soon be lifted, if consensus is reached on a proposal supporting press attendance at Codesa Management Committee meetings.

After the plenary session of Codesa 1, which was conducted openly with local and international press attending, media access to Codesa was terminated and proceedings held in camera.

The affairs of the Daily Management Committee, Management Committee and five working groups, which met week after week every Monday and Tuesday from February 6 onwards, were conducted behind closed doors.

The result was that the press corps which converged on the World Trade Centre that houses Codesa had to rely on lobbying off-the-record information from participants, and press conferences called by partisan groups to promote their views outside the debating chambers. All off this often proved one-sided and not a fair reflection of proceedings.

At the reconvening of the Codesa Management Committee, chairperson of the South African Communist Party Joe Slovo put forward a proposal requesting that the press be allowed at least at management committee meetings "to provide more effective public scrutiny".

Speaking at a press conference after the meeting on June 1, Slovo said there was ignorance and confusion about what Codesa was doing and how the future of the country was being addressed. "We are perceived as a mysterious cabal," he said.

"We would like to believe that those of

us who are participating at Codesa are discussing not our own future as politicians but the future of all our people. We believe that they have a right to know how we are going about the process and they

'If our inputs were a matter of public knowledge we might be constrained in our work by the judgement of ordinary people.'

are entitled to judge our work, which can only come from better information."

Slovo said he anticipated the argument that negotiations were best conducted away from the glare of ongoing publicity and that it might be said that the presence of the press would encourage political posturing.

"We, for our part, are not engaged in posturing or horse-trading. There is nothing we say in these meetings which we will not say to ordinary people and we welcome public judgement on every word we utter. I expressed the view that if our inputs were a matter of public knowledge we might be constrained in our work by the judgement of ordinary people to make the process flow with greater urgency and with less politicking.

"We all know that there are no secrets in our work. Everything said at Codesa does reach the outside, but it does so in a tendentious, biased and distorted way, with all of us running helter-skelter to our press conferences and favourite journalists. Content, too, often reaches the public in a confused and slanted way. This only

helps to discredit the process and spread cynicism about what we are doing," Slovo said.

"None of us should fear objective, independent reporting by persons skilled in the art of conveying information in a balanced way, and since we are talking democracy at Codesa, we are the ones who would be expected, in the first place, to set an example," he concluded.

The proposal suggested that the management committee at first be opened to scrutiny by allowing a small rotating pool of journalists to attend the meetings.

The management committee was requested to at least accept the principle of public scrutiny and allow an experiment to test its success.

No consensus could be reached, however, and apparently the proposal caused heated debate. Sources said it was the Inkatha Freedom Party, in particular, who had reservations about lifting the ban on any direct media coverage.

While it was expected that a decision would be reached on 15 June, when the management committee next reconvened, the matter was once again put on hold. At the end of the meeting chairperson Pravin Gordhan announced that there was agreement in principle that the opening up of proceedings was important and should be compatible with constructive negotiations.

Several guidelines will be forwarded to a sub-committee which will make recommendations on how meetings should take place with the media present and on how to promote better communication at Codesa. The sub-committee will be constituted only at the next management committee meeting. ■

*Codesa
Management
Committee
soldiers on*

A month since the second plenary session of Codesa, its management committee is still trying to define its role after Codesa 2 failed to deliver agreement on key issues. The failure to reach consensus on a constitution-making body has put all other agreements on hold.

All activities of the former working groups remain suspended while participants wait for consensus to be reached on the issues which forced a deadlock between the ANC alliance and the National Party/government side.

The Codesa Management Committee has been enlarged to accommodate three delegates from each of the 19 participants at Codesa. This larger body will be the forum for all discussion in the interim with the exception of several much smaller sub-committees which have been set up to deal with the unfinished business of the working groups.

While several suggestions were made on how to move beyond the stalemate which developed in Working Group 2, no consensus could be reached at the man-

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Soldiering on

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agement committee's second session on 15 June.

It was decided that the chairperson and secretary of the former Working Group 2 would be asked to prepare a report on the course of events in Working Group 2 to assist the management committee in their deliberations. Delegates were also asked to prepare recommendations for the next meeting on 29 June.

The management committee itself is in a crisis. Despite two meetings no consensus could be reached over the composition of the Daily Management Committee, which was dissolved after Codesa 2, and who should chair the management committee. In the meantime, Natal Indian Congress delegate Praveen Gordhan will continue as chairperson.

At the Codesa Management Committee meeting on Monday 1 June, it was announced that all working groups would remain suspended.

It was agreed that Working Group 5, which had the task of looking at timeframes for the implementation of decisions, should be disbanded. This Working Group never got off the ground because their brief depended on the performance of other working groups.

The steering committee of Working Group 1 has been reconvened as a sub-committee. Working Group 1 concerned itself with violence and intimidation, the National Peace Accord, security legislation and the media, in order to make recommendations about the levelling of the playing-field for all participants in the period of political transition.

Recommendations on how to improve the National Peace Accord must still be referred to the National Peace Committee.

The tasks of Working Group 3, which had to reach consensus on transitional arrangements, will be continued by a sub-committee.

The sub-committee set up for Working Group 4, which discussed the future of the homeland governments of Bophuthatswana, Ciskei, Transkei and Venda, now has to deal with Bophuthatswana's reservations about participation in the sub-committee.

Since Codesa 2 on 15 and 16 May, the only undisturbed activity has been that of the Gender Advisory Committee, which continues to meet every Monday and Tuesday to pursue its brief of advising on and preparing non-sexist legislation. ■

Peace structures

Since the signing of the National Peace Accord on 14 September 1991, violence in South Africa has intensified, hundreds have died or been injured, and thousands of lives have been disrupted. The failure of the fledgling peace-keeping structures to provide relief and bring perpetrators to book has put the entire peace venture under extreme pressure. As important signatories threaten to suspend their participation, the peace movement and multi-party negotiations are in jeopardy. A major meeting which will be attended by the national political leaders who signed the accord, has now been called for 30 July to review matters.

One can do a body count to measure the failure of the National Peace Accord and its structures to bring an end to violence in South Africa. But political groups and the security forces all have their own statistics to prove that their members are victims in greater numbers than others in the pursuit of peace.

The Inkatha Freedom Party's violence monitoring group claims that 299 Inkatha office-bearers have been slain since September last year. The SAP say 187 policemen have been murdered since June last year, 111 of them off-duty, and Cosatu recently commemorated 75 shopstewards who died in the violence.

The Human Rights Commission, who monitor political violence, say that since the signing of the Peace Accord, 2 354 people have died — most of them in Natal and the Pretoria/Witwatersrand areas.

These figures don't reflect the number of injuries, extensive damage to property or psychological scarring endured in the process.

There is agreement that in terms of supplying immediate relief and putting an end to violence, the three-tier structure that was set up to create peace on a local, regional and national level has lost the battle. Violations of the Peace Accord continue unabated while hundreds of ordinary men, women and children have been slain. Since February this year the death toll has risen sharply as the violence moved from Natal to the PWV area.

The human suffering is very seldom

personalised in the media. Most of the time the loss of life is reflected in statistics. The anguish of those who suffer is seldom recorded.

It is therefore not surprising that the peace structures have lost credibility, mostly on grassroots level where death and the violation of human beings is witnessed every day. In the face of the killings, faith in democracy is being dealt a serious blow.

In the months immediately after major political parties and the security forces signed a pledge to bring the violence to an end, the structures have proved to be little more than talk shops, say community leaders, while key players among the 36 signatories seem to ignore the codes of conduct to which they committed themselves.

Probably the greatest failure has been the dismal record of the South African Police to apprehend killers and successfully intervene in potential flash-points. Both the Inkatha Freedom Party and the ANC alliance accuse the police of inefficiency and collusion. The police's inability to win the confidence and trust of township communities is firmly rooted in the belief in townships that members of the SAP operate in covert death squads and supply weapons to hostile vigilante groups.

In a paper on the Reef violence entitled "Tribal war or total strategy?" published in March, the Community Agency for Social Inquiry (CASE), an independent human rights monitoring agency, argues that the violence resembles the low

are losing the battle

intensity conflict in Mozambique, Angola and Namibia in the 1970s and 80s. The report implicates the government, claiming that "the peaks and troughs of the violence mirror the waxing and waning fortunes of the National Party government as it seeks to negotiate a future South Africa which retains minority control of economic and political power".

Structures set up under the Peace Accord to remedy the SAP's bad track record have failed to make an impact. The Police Board was constituted only recently — months after the signing of the accord. But the board is unlikely to have immediate clout, and its success will be measured only in the long term.

Critics offer a simple remedy: the police have to start doing what they are supposed to do. They must act on information, pre-empt attacks, track down attackers and killers and make formal arrests. In short, they must clean up their act. Their failure to do so makes them a guilty party in the violence.

The changing character of the violence, noted by observers, has put an even greater responsibility on the police. The group-based form of violence of last year has made way for well-planned strikes and assassinations by faceless killers. Peace committees have neither the resources, capacity or know-how to bring the perpetrators to book.

Both the IFP and ANC see themselves as victims of bad policing. In the void left by an ineffective police force, accusations and counter-accusations between major political players are increasing.

In a recent press statement, the IFP's Dr Ben Ngubane accused the ANC for being responsible for the deaths of more than 20 of its office-bearers. He emphasised that the IFP would hold the ANC responsible for any further attacks on its leadership. As for the SAP, the IFP says it

has an atrocious and almost 100 percent failure rate with regard to the arrest and conviction of attackers on IFP leaders.

The ANC, on the other hand, believes that its members have become targets for IFP vigilantes operating from hostels in the Witwatersrand.

Grassroots members of both the ANC and IFP have threatened to suspend their participation in peace committees in protest against the SAP's lack of decisive intervention. The reality on the ground, many argue, makes a mockery of the

decision is being taken on whether the recommendations should be forwarded to the National Peace Committee.

Recommendations in the report included multi-party peace rallies, the appointment of senior full-time office bearers, reimbursement for Peace Accord activities, permanent offices with appropriate staff and equipment, legislation to allow for the immediate appointment of Justices of the Peace, the formation of non-partisan neighbourhood watch groups, the appointment of regional monitoring

commissions, and a crackdown on the illegal possession and carrying of dangerous weapons and firearms.

If the second Goldstone report which identifies key reasons for continuing violence is added to the list, a ready means to improve the Peace Accord emerges. Legislation to facilitate joint monitoring and control of the security forces needs ur-

gent attention. Stepped-up law enforcement and greater commitment from political leaders are equally important.

The National Peace Secretariat, whose main task is the establishment of dispute resolution committees, is seriously inhibited by lack of finance. Exasperated by the situation, the National Peace Committee has urged the government to pass legislation to rectify the unsatisfactory administration of peace funds.

By all accounts the running of the peace structures, specially the local dispute resolution committees, leaves much to be desired. Various chairpersons of the local committees have questioned the commitment of participants. While representatives on a national level attend meetings with dedication and come well-prepared, the same cannot be said about local representatives. Moreover, the 29 local dispute resolution committees are strapped for cash and lacking in infrastructure.

Since 14 September last year members of the National Peace Secretariat have been responsible for the setting up of regional and local dispute resolution committees. To date 11 regional committees have been set up and more than 29 local dispute resolution committees are nearly functional.

Regional dispute resolution committees have been established for:

Natal/KwaZulu; Ciskei/Border; Western Cape; Witwatersrand/Vaal; Orange Free State; Eastern Transvaal; Western Transvaal; Far Northern Transvaal; Northern Transvaal; Eastern Cape; Northern Cape.

According to the National Peace Committee, local dispute resolution committees are operating in the following areas:

Umlazi; Lower Tugela; Port Shepstone; Mooiriver; Empangeni; Oshwini; Tongaat; Umlombulu; Bulwer; Newcastle; Mphumalanga; Pinetown; Pietermaritzburg; Vereeniging; Benoni; Soweto; Germiston; Thokoza; Kliptown; Dobsonville; Meadowlands; Orlando; Vosloorus; Kathlehong; Tembisa; Alexandra; Kempton Park; Kroonstad; Phalaborwa.

Peace Accord slogan: "Peace now, not another death later".

Recently Charles Nupen, the chairperson of the Witwatersrand/Vaal regional dispute committee, noted that many incidents of violence in the region remained unexplained. "No one had been apprehended, their identity and organisational allegiance remain unknown."

He emphasised that the peace structures were problem-solving bodies that operated best to prevent or contain violence when the principle actors were identified. "They are simply not equipped to deal with the kind of violence which permeates much of the region," he said.

The need to give "teeth" to the Peace Accord has become popular wisdom. However, even that process is flawed. Lengthy recommendations were made by Working Group 1 at the Convention for a Democratic South Africa (Codesa), but while political opponents fight out their differences over a constitution-making body, no

PRAVIN GORDHAN

Trying to keep 19 parties happy

At Codesa nobody is safe from attack, not even the chairperson.

In the closing session of the second plenary session at Codesa, Inkatha Freedom Party delegate Walter Felgate launched a scathing attack on Codesa Management Committee chairperson Pravin Gordhan. Minutes later Democratic Party leader Zach de Beer, poured cold water on the criticism and praised Gordhan for his reconciliatory approach and impartiality as chairperson.

De Beer, who preceded Gordhan as chairperson of the Codesa Management Committee, was well aware of the Promethean task of keeping 19 political interest groups reasonably happy while steadily driving the process forward.

The 43-year-old Gordhan took over the reins from De Beer in January this year. Since then he has been a weekly commuter between his Durban base and Codesa headquarters at the World Trade Centre in Kempton Park.

Most South Africans first came to hear about Gordhan in headlines splashed across national media in 1990 when he was named an operative in the ANC underground network Operation Vula. He spent nearly four months in jail before being granted indemnity in March 1991.

Gordhan was secretary of Vula's Durban political committee and a member of the political military leadership of the operation from 1988. By that time, he was an experienced underground operative with more than ten years in the ANC and SACP underground.

According to Gordhan, his politicisation started at the University of Durban Westville in the early 1970s when he came into contact with the Congress movement.

In 1973 he graduated and the following year joined the Kind Edward VIII Hospital in Durban as a pharmacist. His job was terminated after his first stint in detention when he was held in solitary confinement for 161 days. On his release he was

banned and put under house arrest for 13 months.

Gordhan played an active role in the burgeoning civic protest movement and the Natal Indian Congress of which he became an executive member in 1974. He coordinated the campaigns against the South African Indian Council elections of 1981 and the Tricameral Parliament elections in 1984.

But it was in civic politics that Gordhan cut his teeth as negotiator. He was involved in various civic organisations and participated in regional and national civic structures that were constantly at loggerheads with government structures.

He was a founder member of the Phoenix Working Committee in 1978 and two years later a founder member and first secretary of the Durban Housing Committee. He was coordinator of campaigns against increased rentals and for the Campaign for a Democratic City (Durban). He was involved in the National Education Coordinating Committee and the National Education Policy Investigation.

Gordhan was a member of the pre-Codesa steering committee and was mandated to serve on the Daily Management Committee which, in turn, nominated him as chairperson of the Codesa Management Committee. He also represented the Natal Indian Congress delegation in Working Group 3, which concerned itself with transitional arrangements.

How does he feel about negotiations at Codesa?

"It's a process that can offer us genuine prospects of a new South Africa and it can work, provided that those who hold state power can relinquish it and allow democratic processes to decide who should govern this country."

Gordhan is based at the Centre for Community and Labour Studies (CCLS) as a research consultant. In his spare time, which is little, he reads and takes walks in the countryside. He is married to Vanitha Raju. They have a 14-year-old daughter, Anisha. ■

Losing battle

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Most members are over-committed, and many have little in the way of negotiating skills and scant knowledge of mediation and are therefore hopelessly unqualified to help resolve problems.

Furthermore, the committees' inability to disseminate information to street levels due to a lack of funds has not helped matters. Surveys show that the public is generally unaware of the peace process. Of a sample of 250 people in Germiston, only four percent were aware of the existence of the local peace committee.

Committees seldom follow up complaints, exasperated participants say. However, it is now hoped that six lawyers seconded from the Transvaal Law Society to the National Peace Committee will be able to assist in the handling of complaints from all areas.

But, regardless of all the difficulties, the Peace Accord, more than any other negotiating forum, has succeeded in drawing in people on many levels to negotiate for their common good. Extensive structures, however fragile, have been set up, problems have been identified and discourse continues.

The regional committees have representation from political organisations, churches, trade unions, industry, business, local and tribal authorities, police and defence. The local committees draw from the same groupings. Issues dealt with in these committees have included the train violence, intervention in disputes in places of work, local taxi disputes and education conflicts.

"I believe the mere fact that people from opposite ends of the political spectrum are talking to each other has the effect, to some degree at least, of reducing violence," says the chairperson of the National Peace Secretariat, Dr Antonie Gildenhuis.

Meanwhile, the ability of the Peace Accord to pre-empt violence in potential flash-points will be sorely tested by the ANC's planned mass action in the next few months.

Members of the National Peace Executive have asked the ANC alliance for an assurance that the principles of the Peace Accord will be strictly adhered to, that there will be close liaison between all monitoring structures set up in terms of the accord, and that all possible steps will be taken to ensure the absence of violence and intimidation. ■

'The bad guys are having a field day'

Top South African businessman John Hall, as chairperson of the National Peace Accord, has to make sure that politicians leave political posturing and rhetoric at the door when they come to talk peace on a national level. Violence has escalated since the signing of the Peace Accord, but Hall predicts that peace, democracy and social reconstruction will come hand in hand.



Nine months since the signing of the Peace Accord and hundreds of "peace meetings" later, John Hall envisages no quick solutions. He places responsibility for peace on the signatories of the accord, "they must put action to word".

Since being nominated as chairperson by all parties on 14 September 1991, Hall has developed a simple thesis: "The good people in communities outnumber the bad by hundreds of thousands to one. But the bad guys are organised and the good guys are not. In a normal society normal structures will organise the good people and the bad guys will be dealt with, but we have disorganised good guys and the bad guys are having a field day."

He does not believe in the theory of a third force. "There are hundreds of third forces. The only people benefiting from the violence are criminals, hooligans and the people with incomplete agendas."

He argues that an interim government will both control the police and give them the credibility they need to perform their duty of crime prevention and protection of the community.

The need for urgent implementation of democratically elected structures and measures to facilitate socio-economic reconstruction and development is a recurring theme in Hall's vocabulary. After all, he is a successful businessman, and the restoration of socio-economic activity is a prime motivating factor for his involvement in the peace process.

Hall is executive director of Barlow Rand and immediate past president of the South African Chamber of Business. In

1989 he was named one of the Top Five Businessmen of the Year and Human Resources Man of the Year, respectively, by two magazines.

He is adamant that there are billions of rand available for development. He has taken a personal interest in the establishment of sub-committees on socio-economic reconstruction and development. These committees will spearhead socio-economic programmes and start repairing the damage caused by years of violence.

The major challenge facing the National Peace Committee and its smaller streamlined executive, is how to improve the workings of the local dispute resolution committees.

According to Hall, these committees are fraught with difficulties. "The first

resolution committees and for them to be effective they have to have money to pay for infrastructure, secretariat and staff."

He has not been told how much the government has budgeted or intends spending on the implementation of the Peace Accord.

However, Hall does not regard money as the most serious problem in activating functional regional and local dispute resolution committees. Deepseated mistrust, hatred and the lack of commitment of grassroots leadership take precedence.

Poor and erratic attendance of grassroots participants and their lack of preparation are the biggest obstacles in mediation, he says.

"Everyone arrives at the local dispute resolution committee full of enthusiasm

The Peace Accord is an interim measure and it cannot work before proper democratic structures are in place. What we need is an interim government now, joint command of the police force now; we need municipal elections now, and then we can start getting rid of the violence. But in the absence of that we are battling against the lack of cohesion in the townships.

— John Hall, chairperson, National Peace Accord

meeting of a local dispute resolution committee usually lasts 10 minutes before it breaks up," he says. "But the second and third finally start delivering the goods."

Hall does not believe that sufficient funds have been made available for the efficient implementation of peace structures.

"The engine-room of the peace committees are the regional and local dispute

but when it comes to delivering, there are problems, either due to time constraints or because the people are idle."

Political posturing and hostile rhetoric run like a current through every local dispute resolution committee, he says. Ensuring a constructive and apolitical debate is the challenge of every chairperson in the peace hierarchy, whether it be at national or local level. To page 8

Business of peace

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"The rules are you leave your politics at the door, peace is the reason for the meeting. You look forward and not backward, you are part of the solution and not part of the problem."

It's the chairperson's job to hold the people within the rules.

"In every meeting rules must be reaffirmed and the meeting must be run accordingly. If you have the rules clearly established, you don't have a political fight. This is the basis on which I chair the national peace committee and the national peace executive. The chairperson has to take the lead to ensure that politics are left at the door."

In reality, however, politics are never in the background. Allegations and counter-allegations between political opponents and between political parties and the security forces, permeate all peace committee meetings.

Hall recognises that failure to react to complaints effectively has led to general despondency about the ability of these committees to activate peace.

The great volume of complaints brought to the meetings by the signatories has forced him to request the appointment of a special task group to handle complaints.

Six attorneys from the Transvaal Law Society will be selected by the National Peace Executive to form a sub-committee which will process complaints on contraventions of the National Peace Accord lodged with dispute resolution committees around the country. The sub-committee will report to Hall.

Hall admits that the peace initiative has failed to supply immediate relief to people on the ground, but takes a philosophical approach: "The accord was created to control political violence. Political violence is about 20 percent of the violence in this country. The Peace Accord could not have anticipated the recession, retrenchments, lack of jobs and all the problems that have occurred since the signing. However, we do know where the political violence is, we know which levers to pull and which buttons to push and we do that on a continuous basis."

He commends delegates to the National Peace Committee and the National Peace Executive for their total commitment.

"It is clearly taken seriously, peace is their business," he says.

To make the Peace Accord work, there has to be a recognition of the lack of mediation skills at grassroots level where little unanimity can be found over who causes the violence

Recognising that the problem has to be tackled at local level, Hall points to the almost total destruction of normal local government structures and says elections for democratic structures need to take place sooner rather than later. He voices dissatisfaction at the total disintegration of services and lack of reconstruction and development in the townships.

"The thing that really gets to me and makes me very angry is that we have billions or rands for development. South Africa is made up of a thousand mini-economies and those mini-economies would grow if that money was injected into it.

"So, what makes me angry beyond belief is the cynicism of the politician who refuses to allow the money to be injected into the mini-economies because he wants to use it for political aggrandisement."

Hall promotes the idea of a coalition so that all parties can get the kudos for breaking down the investment barrier and tackling reconstruction and development.

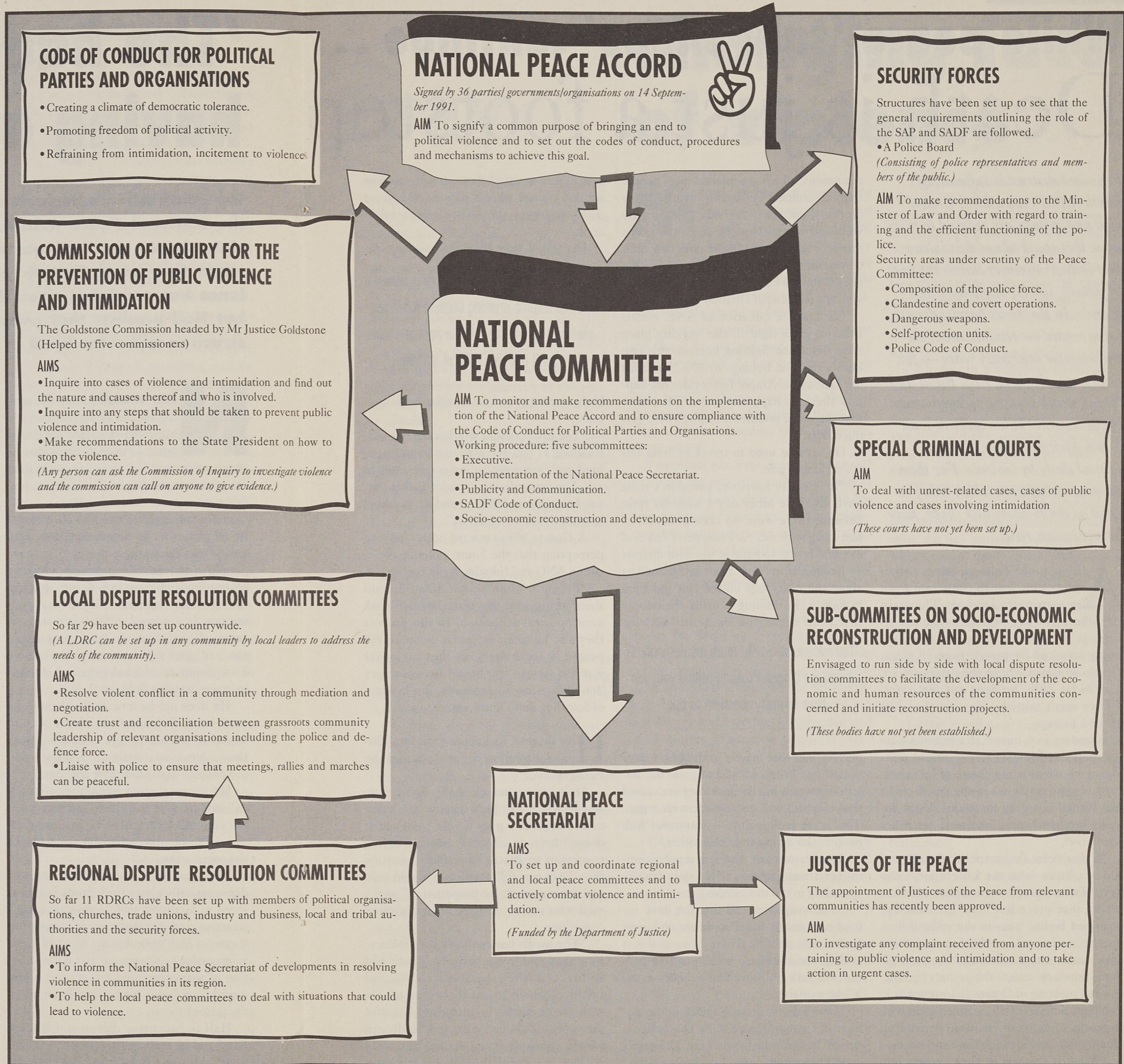
"Nobody is going to invest in South Africa while violence is under way and while there is no political settlement. I am actually writing to the State President and everybody else. How dare he take the taxpayer's money and go off overseas on jaunts to Tokyo and Russia and Singapore when that money should be applied at this time to solving the problems at Codesa and in this country?"

Hall has felt the scourge on black lives close to home. Recently he attended the funeral of his gardener's niece, a standard ten pupil. She was pulled out of her home and shot.

"Isaac, our cook's 13-year-old son who lives with us, goes to school in Alexandra. Recently he came home totally traumatised because he was right next to that taxi when people were shot dead. He came running home saying he had just seen a taxi full of dead people.

"These are the things close to home. You know you actually can't get your mind around it. Anybody who thought we could solve problems overnight was unrealistic. But I have no doubt that peace is slowly grinding away at grassroots." ■

NATIONAL PEACEKEEPING STRUCTURES



CODE OF CONDUCT FOR POLITICAL PARTIES AND ORGANISATIONS

- Creating a climate of democratic tolerance.
- Promoting freedom of political activity.
- Refraining from intimidation, incitement to violence.

NATIONAL PEACE ACCORD

Signed by 36 parties/governments/organisations on 14 September 1991.

AIM To signify a common purpose of bringing an end to political violence and to set out the codes of conduct, procedures and mechanisms to achieve this goal.



SECURITY FORCES

Structures have been set up to see that the general requirements outlining the role of the SAP and SADF are followed.

- A Police Board (Consisting of police representatives and members of the public.)

AIM To make recommendations to the Minister of Law and Order with regard to training and the efficient functioning of the police.

Security areas under scrutiny of the Peace Committee:

- Composition of the police force.
- Clandestine and covert operations.
- Dangerous weapons.
- Self-protection units.
- Police Code of Conduct.

COMMISSION OF INQUIRY FOR THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

The Goldstone Commission headed by Mr Justice Goldstone (Helped by five commissioners)

AIMS

- Inquire into cases of violence and intimidation and find out the nature and causes thereof and who is involved.
- Inquire into any steps that should be taken to prevent public violence and intimidation.
- Make recommendations to the State President on how to stop the violence.

(Any person can ask the Commission of Inquiry to investigate violence and the commission can call on anyone to give evidence.)

NATIONAL PEACE COMMITTEE

AIM To monitor and make recommendations on the implementation of the National Peace Accord and to ensure compliance with the Code of Conduct for Political Parties and Organisations.

Working procedure: five subcommittees:

- Executive.
- Implementation of the National Peace Secretariat.
- Publicity and Communication.
- SADF Code of Conduct.
- Socio-economic reconstruction and development.

SPECIAL CRIMINAL COURTS

AIM

To deal with unrest-related cases, cases of public violence and cases involving intimidation

(These courts have not yet been set up.)

LOCAL DISPUTE RESOLUTION COMMITTEES

So far 29 have been set up countrywide. (A LDRC can be set up in any community by local leaders to address the needs of the community).

AIMS

- Resolve violent conflict in a community through mediation and negotiation.
- Create trust and reconciliation between grassroots community leadership of relevant organisations including the police and defence force.
- Liaise with police to ensure that meetings, rallies and marches can be peaceful.

SUB-COMMITTEES ON SOCIO-ECONOMIC RECONSTRUCTION AND DEVELOPMENT

Envisaged to run side by side with local dispute resolution committees to facilitate the development of the economic and human resources of the communities concerned and initiate reconstruction projects.

(These bodies have not yet been established.)

NATIONAL PEACE SECRETARIAT

AIMS

To set up and coordinate regional and local peace committees and to actively combat violence and intimidation.

(Funded by the Department of Justice)

REGIONAL DISPUTE RESOLUTION COMMITTEES

So far 11 RDRCs have been set up with members of political organisations, churches, trade unions, industry and business, local and tribal authorities and the security forces.

AIMS

- To inform the National Peace Secretariat of developments in resolving violence in communities in its region.
- To help the local peace committees to deal with situations that could lead to violence.

JUSTICES OF THE PEACE

The appointment of Justices of the Peace from relevant communities has recently been approved.

AIM

To investigate any complaint received from anyone pertaining to public violence and intimidation and to take action in urgent cases.

While peace 'talk shops' continue ... Death is just a footstep away

Fear and distrust is suffocating South Africa's townships. Grown men and women are reduced to tears when they speak about the violence that indiscriminately claims the lives of fathers, sisters, neighbours and friends. In the streets barricades are being erected — reminiscent of the troublesome emergency years — for, in Soweto, the Vaal, East Rand and Natal, death is just a footstep away. Negotiation News spoke to some South Africans whose lives are tainted daily by violence. For them the peace structures, which many regard as multi-party talk shops, have brought scant relief.

A 72-year-old Zulu-speaking worker tells of his fear to come into town to earn extra income. The train ride, the only mode of transport he can afford, is a journey of anxiety. He fears being attacked by people from all sides. On those trains where the attackers are said to be Zulu, he does not feel safer. "They don't ask who you are, they just strike," he says.

Standing in a queue at a pension payout point at Merafe, a 71-year-old pensioner who lives in the centre of Johannesburg, started crying when she spoke about her fear of boarding the trains which for years brought her to Soweto to fetch her livelihood.

"I don't care for any political party and I don't know who the killers are," she says. Twice people were thrown off from trains that preceded hers. She saw the mangled bodies next to the railway line. At the station where she boarded there was a mass attack. Although she can't afford it she now makes the journey by taxi.

At a meeting of Cosatu shopstewards in Johannesburg recently a conversation with a group of Soweto residents revealed deeply felt anguish and grim conclusions.

"What is amazing is when you get into

the unions, which is a mixed bag of people from all political affiliations, you find that on the shopfloor everybody gets on very well, but when they get on to the trains the very same people start targeting their co-workers. Now, you ask yourself, what goes wrong where?" says a shopsteward who is a resident of Orlando East.

"If it was a question of ANC versus Inkatha, even right in the working place they should be fighting because this one knows this one belongs to ANC, and this one belongs to Azapo. But it does not happen there, it happens outside. It shows that there is a middleman somewhere giving orders."

He says he used to travel by train but it's no longer safe.

"It is really horrible, you don't trust anybody. The other day I went by train because there were no taxis available. I had a bag with me. As I boarded I felt as if everybody was looking at me with distrust — looking at my bag. I felt self-conscious about the ANC logo on the bag and tried to hide it. But hiding it made the people that were already on the train start sus-

"You ask yourself, will I reach my destination?"

If you see a person coming behind you, you have so many questions to ask."

pecting me, that maybe in my bag I carry something. When I stand to go to the toilet they watch me because they are scared that maybe I will come back with a gun. That is the feeling now — you travel with people who do not trust each other."

Another worker, who is a regular commuter from Dobsonville, says fear is spreading in the townships.

"The suspicion and distrust have ruined community life. People are no longer free to talk politics. There is no way in a shebeen or anywhere socially where people will talk politics. You actually avoid it," he explains.

"One other worrying factor is the police. For example, we gave the police a tip-off in Orlando East where 17 heavily armed men from Diepkloof hostel moved

into. They arrested them, but up to now we don't know what is happening and we don't see that they have appeared in court."

His friend from Orlando East says no-

"... To say that the latest violence is between ANC and Inkatha is wrong because when people stand up and shoot in the train or a taxi they don't ask your political affiliation."

body wants to venture into the night anymore.

"You ask yourself, will I reach my destination? If you see a person coming behind you, you have so many questions to ask. You immediately wonder if this person has come to kill you, and he is asking himself the same question."

A Cosatu shopsteward adds that the perception that the latest violence is between ANC and Inkatha, is not correct.

"Because, when people stand up and shoot in the train or a taxi, they don't ask your political affiliation. In the process they also kill their members. Some of the people in the hostels say they no longer want to stay in the hostel because they don't like what is happening. But because of fear they don't know where to go."

How do they feel about their local dispute resolution committees and the Peace Accord?

"It is just a white elephant. There is no way in which this local dispute resolution committee can play a role because it doesn't have an effective means of trying to prevent an attack. Since their inception they have not followed up a single case and come up with the perpetrators," says a man who serves on Cosatu's train crisis committee.

"The media has confused the violence. First they said it was between Xhosas and Zulus and then between ANC and Inkatha. Now it seems that those people who attack are Zulu-speaking. Because they speak Zulu and wear red headbands people conclude it is Inkatha. But when we look at it politically, Inkatha has noth-

ing to gain by the violence — the only people who have power are the government. IFP is being manipulated by the government," he says.

Another worker confirms that there is general scepticism about the peace structures.

"They (local dispute resolution committees) are just a token of some kind. Personally, I feel they must disband. They actually do nothing."

A Meadowlands man who stays near a hostel questions the sincerity of the security forces about finding the perpetrators of violence.

"It does not require a sophisticated method to find these people. You look at what is happening in Naledi. They conduct house-to-house searches. But you look at where the violence comes from — it comes from the hostels. The hostels are very simple to enter and they can confis-

"There comes a time in the life of a man where you either submit or fight."

cate the weapons there. But their effort is not directed there. The person is talking peace on top but underneath he is staging war," he concludes.

"I think it is clear that the only solution is for our people to form defence units and fight back. In Sebokeng there are actually barricades in the township put up by the community to protect themselves," a middle-aged resident of Kagiso on the West Rand, says.

"I suggest we as workers should be preparing ourselves by way of taking mass action to stop the violence and force the resignation of the government. As long as we have the present government violence will remain," he says.

"There comes a time in the life of a man where you either submit or fight," another worker muses.

"So, this is the time we feel that all peaceful means are failing. We have to fight. In negotiating a peace accord you will end up with so many agreements not worth the paper they are written on." ■

Changing face of violence

Mass attacks have made way for assassinations and carefully planned killing raids; assegais and knobkieries have made way for heavy calibre firearms. Covert actions are on the increase and those involved in peace structures describe the developments as "the changing face of violence".

In the nine months since the signing of the Peace Accord violence in the country has intensified. It has become better planned and deadlier weapons are being used, says the chairperson of the National Peace Secretariat, Antonie Gildenhuys. His views are echoed by most signatories to the accord.

Peacemakers have been thrown off guard by the targeting and elimination of individuals on a much wider scale than before. Everyone, from local dispute resolution committees to peace officials on a national level, has the difficult task of finding ways to prevent acts of violence and track down the perpetrators.

Up till now it was relatively easy to anticipate. The violence which prevailed during the 1980s up to the signing of the Peace Accord in September last year was within a scenario of broad mass action. Attacks on mass protests were the most common type of violence. Mobs wearing red headbands and carrying knobkieries and assegais were as common as placard-bearing protesters.

"This was the background against which the mediation and dispute-solving peace structures were designed," a peace official says.

Under those circumstances, although more were injured, the attacks claimed fewer lives. The participants were also easily identified.

But this has changed, participants in local dispute resolution committees say.

According to a Democratic Party spokesman, Peter Gastrow, assassinations, more firearms, attacks on individuals, killing raids, guns wielded from minibuses and attacks on taxis are the order of the day in the townships. At the same time the type of violence which occurred before the Peace Accord is subsiding.

The peace structures were regarded as effective measures to prevent an escalation of violence where mass protests, meetings and marches were planned. These usually set off a chain of events which included intimidation and retaliatory violence. In such cases the opposing groups on regional or local peace accord structures were informed about where mass action was planned and measures were taken to ensure a peaceful outcome.

"There are numerous examples of marches or boycotts where the involvement of local dispute resolution committees anticipated, intervened, mediated and defused threatening violent situations," says a member of one such committee.

"When we conceptualised the demands or framework of the violence before we started negotiating the Peace Accord, we had certain assumptions about what we were trying to deal with. This related to the pattern of violence which existed in Natal which was very much large-group oriented. You knew the players and you could engage them," says Cosatu's Jayendra Naidoo, a Cosatu/ANC representative on the National Peace Secretariat.

Dealing with the new mode of violence would be the function of the police under normal circumstances, he claims.

Under these new circumstances it is important to find out who is doing what. The perpetrators have to be caught, they have to be acted against and steps need to be taken to prevent them from doing it again. But, because of the increase in well-planned covert actions, skilled policing is required.

This is not simple in a climate where the police and security forces are not trusted and mostly regarded as part of the problem.

Rapidly increasing covert assassinations, in particular, are putting greater pressure on structures that were not strictly designed to deal with them.

At the full plenary of the National Peace Committee scheduled for 30 July, which all the original signatories are expected to attend, this issue will feature prominently on the agenda. ■

Four views of Peace Accord

When 36 parties signed the National Peace Accord they pledged themselves to the establishment of a multi-party democracy and an end to violence. Almost a year later, it seems that more progress has been made in multi-party democratisation than in saving lives. Negotiation News asked key players in the peace initiative to evaluate its progress.

'POSITIVE SPIN-OFFS NOT REFLECTED IN BODY COUNT'

The Democratic Party Member of Parliament for Durban North, Peter Gastrow, reviews the performance of the regional and local dispute resolution committees:

Deep divisions had to be dealt with. There were few established lines of communication between the rival groups. Never before in South Africa could opposing parties sit down together and talk.

The positive spin-offs of the peace committees are not reflected in the body count but in the long-term effect for democracy. For the first time it has brought together people on a local and regional level to address common issues.

At this point we are taking steps for people from different persuasions to sit down and talk. If these structures were not established now we would have to

wait for the glorious day of a new constitution. Without this preparatory phase we would face unbelievable hurdles.

So, what the Peace Accord is offering is probably a practice run in sitting round the table and addressing common problems.

Withdrawing is not the solution. It is a sign of extreme frustration with the whole set-up, but it's not the answer. But, equally, these problems are not going to remedy themselves without renewed support from signatories.

There are, however, general problems. There is a lack of resources, parties are now in an electioneering mood and one therefore sees greater posturing. Police have not managed to gain the confidence of the people, police community relations have not improved, and that is a prerequisite to peace.

'TOO MUCH HAGGLING AND POLITICAL POSTURING'

Colonel Steve van Rooyen, the SAP Peace Accord Liaison Officer, sketches the view from the position of the police:

Our image in the community is the biggest problem. They regard us as the enemy. The other parties need to act as mediators to restore the image of the police. We cannot do it ourselves. Other parties need to help change the community's attitude towards the police. It does not serve the peace process to criticise the police all the time. People have to trust the police so that proper policing can be restored.

The real task of the locals is to get behind the causes of the violence and address them. The SAP have so far trained 300 members in negotiation and conflict handling to participate in the regional and local dispute resolution committees.

A massive publicity campaign is necessary to publicise the whereabouts and activities of the local dispute resolution committees. We are frustrated about the failure of the committees to effect problem solving. There is too much haggling and political posturing for these committees to be really effective. There is no common effort, and in various areas parties have threatened to suspend their participation in local committees, as Inkatha did recently in Natal.

'WE NEED TO TRAIN OUR PEOPLE FOR PEACE'

The Inkatha Freedom Party representative to the National Peace Secretariat and National Peace Executive member Suzanne Voss, underlines the developing process:

Inkatha has been hard hit by the violence. More than a dozen of our local leadership, and some senior leadership who have been involved in regional and local peace structures, have been assassinated or badly wounded. Not enough arrests are being made.

One thing the Peace Accord has shown is the lack of resources all round. I believe that police in Soweto are really trying to improve their relationship with the community — but that, in itself, involves training. We need to train our people for

peace and police need to train their people as well.

None of us went in believing it was going to be a quick fix. The process is flawed — but it's the best one we have. The whole process is meant to be long term, to try and find lasting solutions. The bad side is that one does find political posturing, specially on a local level, but given what has happened in the past, at least the forums provide a controlled atmosphere in which people can ventilate their grievances.

To be more effective the peace committees definitely need more resources and a proper infrastructure. The ideal situation would be if money were put forward to allow parties to second full-time people who would be accountable to the Peace Accord. One of the weaknesses of the accord is that most people have full-time jobs and have to fit peace work in between.

'COVERT ACTIONS NEED TO END IMMEDIATELY'

Jayendra Naidoo, the ANC/Cosatu representative on the National Peace Secretariat, gives his perspective:

The greatest weakness of the Peace Accord has been its failure to decisively intervene in the violence. There has to be a fundamental change in the way in which the police are interacting with the community.

Covert actions of all kinds need to end immediately and allegations need to be addressed. The police have to start doing an effective job by acting on information and pre-empting offences.

The peace structures are just vehicles for mediation. You can't put the responsibility for ending violence on multi-party structures. A local dispute resolution committee cannot stop carefully planned acts of violence. That is the responsibility of the police.

On a gut level, it makes sense to pull out. Our activists are dying.

The Peace Accord needs to be reviewed and made more effective. The peace structure can't just be a talk shop, it must be seen to be taking active steps to protect the community by stopping the violence. ■

FRANK MDLALOSE IFP frontman by default



The frontman for the Inkatha Freedom Party at Codesa, Dr Frank Mdlalose, is a man steeped in KwaZulu politics.

The 61-year-old Mdlalose became head of the IFP delegation by default when KwaZulu chief minister and IFP leader Mangosuthu Buthelezi refused to attend Codesa deliberations in protest against the convention's decision not to allow King Goodwill Zwelithini to participate with a delegation of his own.

Mdlalose's grandfatherly approach in the working groups, Codesa Management Committee and in the plenary sessions has endeared him to all.

In most interviews he takes great pains to dignify Codesa and emphasise its role in seeking a political solution.

"It's the only show in town," he declares.

As a founding member of Inkatha in 1975 he has embedded himself in the inner circle of KwaZulu and IFP politics and repeatedly emphasises his commitment to his native territory.

Frank Themba Mdlalose was born on 29 November 1931 at Nqutu, the son of Tabitha Mthembu, a teacher, and Jacobiah Zwelabo Mdlalose, a general dealer.

He attended local primary schools in Nqutu from 1937 to 1942 and matriculated at St Francis High School in Marianhill in 1949. He studied for a BSc at the University of Fort Hare and completed his University Education Diploma in 1953.

At Fort Hare his interest in politics was aroused by a fellow student, Mangosuthu Buthelezi. Mdlalose eventually became chairperson of the Victoria East branch of the ANC Youth League and was a member of the university's Student Representative Council in 1952 and 1953.

He played an active role in the Defiance Campaign which was launched on 26 June 1952. In 1955 the Congress of the People was called at Kliptown and the Freedom Charter was adopted. In 1959 he

participated in the potato boycott as a protest against the use of pass law offenders as prison labourers on farms.

Mdlalose, who became a medical student at the University of Natal in 1953, qualified in 1958. After his internship at Kind Edward VIII Hospital in Durban and a spell in private practice in Atteridgeville in the Transvaal in 1960, he moved to Madadeni and renewed contact with Buthelezi.

In March 1975 he attended a meeting in Melmoth, Natal, where the constitution of a new organisation was discussed. Arising from this meeting, Inkatha yeNkululeko yeSizwe was launched as a cultural movement.

In March 1975 he attended a meeting in Melmoth, Natal, where the constitution of a new organisation was discussed. Arising from this meeting, Inkatha yeNkululeko yeSizwe was launched as a cultural movement.

Dr A H Zulu served as its first national chairperson, and in 1976 Mdlalose was elected to this position at Inkatha's second national conference. He remains in this post to date and is also a member of the Inkatha central committee.

In 1978 he was elected to the KwaZulu Legislative Assembly and in 1986 he participated in the Natal Indaba as leader of the Inkatha delegation. In July 1990 he succeeded Dr Oscar Dhlomo as acting Minister of Education and Culture in KwaZulu when Dhlomo resigned.

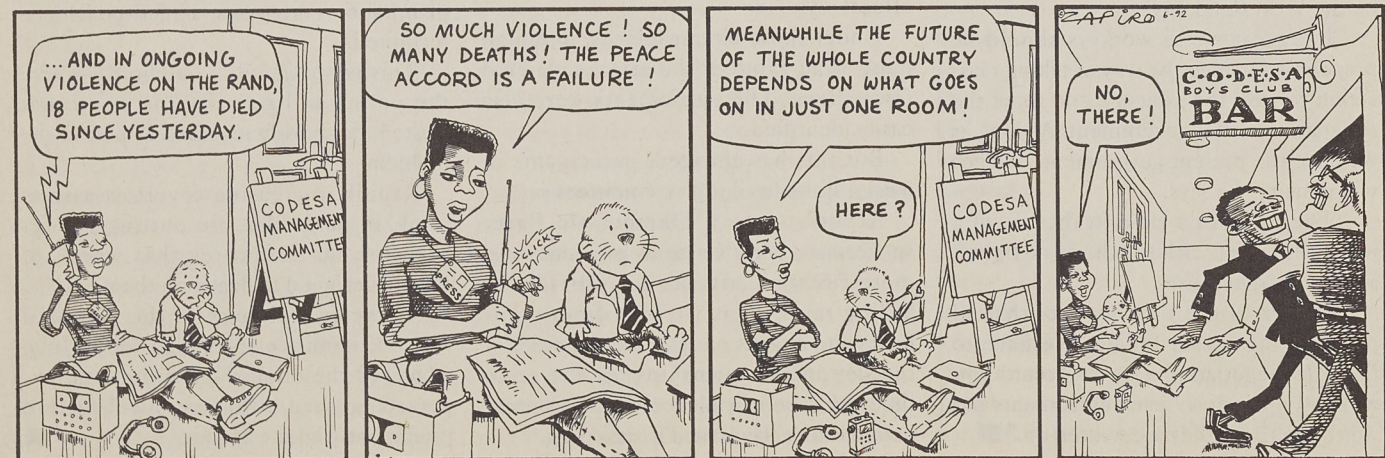
In March 1991 Mdlalose was relieved of his portfolio as Minister of Health and became Minister without portfolio attached to the office of the chief minister. He has also served as chairman of the KwaZulu/Natal Joint Executive authority.

At Codesa, Mdlalose represented the IFP in the now disbanded Working Group 4 which negotiated the future of the independent homelands. He also served on the management committee and Daily Management Committee. He is a member of the National Peace Committee and its executive committee.

Mdlalose, whose interests include child welfare, tennis and boxing, married Eunice Nokuthula Sikhosans in 1956. They have three sons and two daughters. ■

Extracts from Shelagh Gastrow's *Who's Who in South African Politics*

talk talk



Reparation moves under way

A campaign is under way to repair the extensive damage and widespread affliction caused by years of violence in communities around the country.

The National Peace Committee, in coordination with the National Peace Secretariat, is setting up regional and local reconstruction and development committees to run parallel with regional and local peace bodies which are already in place.

National Peace Committee chairperson John Hall has taken a personal interest in these development structures. Hall believes that there are "billions of rand" available for development and this should be poured into relief funds to repair damage to buildings and other resources in the violence-torn townships.

The National Peace Accord had envisaged measures to facilitate socio-economic reconstruction and development projects, but the appointed sub-committee to the National Peace Committee did not sit until four months ago when it met for the first time.

Since then there have been numerous meetings to strategise on reparation.

Funds from the government, donor agencies and the

private sector will be channelled into the programme. The Independent Development Trust has been named as one of the sources for funding.

The reconstruction and development sub-committees will be directly linked with the

'The challenge lies in spreading around the money in such a way that no political bias is encountered.'

— Jayendra Naidoo

operations of the National Peace Secretariat. Permanent sub-committees on socio-economic reconstruction and development will also be established by the secretariat. Members will be drawn from the community, government, development agencies and business.

The secretariat is determined to involve members of the whole community, irrespective of political affiliation, to determine development needs in their neighbourhoods. It will also give local and regional business structures a chance to get involved.

Specific areas that will be looked at are:

- ♦ repair to damaged property and reintegration of displaced persons;

- ♦ expansion of infrastructures to assist in consolidating the peace process;

- ♦ community involvement in the maintenance and improvement of existing community facilities and the environment.

The local reconstruction and development committees are expected to analyse and coordinate the needs of the communities. These needs will be reported to the regional structures who will relay it to the national reconstruction and development sub-committee, where projects will be coordinated and funds allocated and administered.

Hall says that large-scale developments like housing and job creation could also flow from this initiative.

Development in potential flash-point areas in order to prevent violence, is also on the agenda.

Cosatu's Jayendra Naidoo said the ANC alliance welcomed the reconstruction and development programme. He

cautioned though that the committees should not be seen as a replacement for discredited local government structures. He said the structures should be viewed as conduits for special projects and not as substitutes for town councils.

Naidoo added, however, that poor socio-economic conditions fuelled the violence which in turn caused damage and extensive loss of physical property. The battle for resources between township residents and hostel dwellers could be addressed through the development programme.

He believes that peace initiatives must be rewarded with reconstruction and development relief and mentioned instances in Natal where many attempts at forging peace broke down when people recounted their physical loss.

"In areas where reconstruction programmes have been initiated, peace has been more viable," he said.

"The fact is, people want to see peace attaining tangible results. Losses need to be addressed to give the peace structures credibility in the eyes of the community. The challenge lies in spreading around the money in such a way that no political bias is encountered," says Naidoo. ■

Metropolitan chamber resurrected Lesson for national negotiators

The Central Witwatersrand Metropolitan Chamber was the first major local government negotiating forum set up to create a new civic system. In February this year, 11 months after its formal constitution, the chamber collapsed as members resorted to protest and threats. Four months later, at a full plenary session of the chamber on 10 June, a resolution was passed to resume negotiations. How the deadlock was broken is a useful lesson for negotiators at higher levels.

Proceedings at the Central Witwatersrand Metropolitan Chamber took a dramatic turn in February this year when the Soweto Civic Association resumed its rent boycott and walked out of the sub-structures of the chamber. In response, the Transvaal Provincial Administration (TPA), backed by the three councils that govern greater Soweto, called for the suspension of the chamber's activities until the return of the Soweto civics to the negotiating table and the ending of their rent boycott.

Ironically, Soweto's previous four-year rent boycott ended with the signing of the Soweto Accord in September 1990. In terms of the accord, the authorities agreed to the five demands put forward by the association and its negotiating arm, the Soweto People's Delegation led by Cyril Ramaphosa. These demands were: writing

off arrears owed by the residents; transferring the houses to residents; upgrading services and making service charges affordable; and one city, one tax base.

Writing off arrears was a simple book entry that transferred the R500-million debt from the accounts of the residents to the central government. The rest of the demands, however, involved complicated processes of undoing apartheid and putting a new system in place. For this task, the Central Witwatersrand Metropolitan Chamber was established.

The Soweto People's Delegation invited the civics and the TPA invited the local authorities to the founding meetings. This was an implicit recognition of the fact that the chamber was in fact going to be a negotiation forum with a two-sided table: one for the parties involved in the state system and the other for those who stayed outside this system.

The chamber was formally constituted and established as a voluntary association. The core negotiating partners were the white local authorities, the TPA and the civics. At best, the black local authorities were passive observers, or at worst, blocking mechanisms. In addition a range of service agencies, such as Eskom and the Rand Water Board, business and trade unions, were given observer status.

Using the provisions of the Soweto Accord as its primary point of departure, the first task of the chamber was to formulate a programme of action. This involved formulating a General Aim, a set of strategic objectives and a methodology for getting the work done.

In essence, the General Aim commit-

ted all the parties in the chamber to a non-racial system of local and metropolitan government and to the transformation of the social, economic, physical and financial structure of the Central Rand.

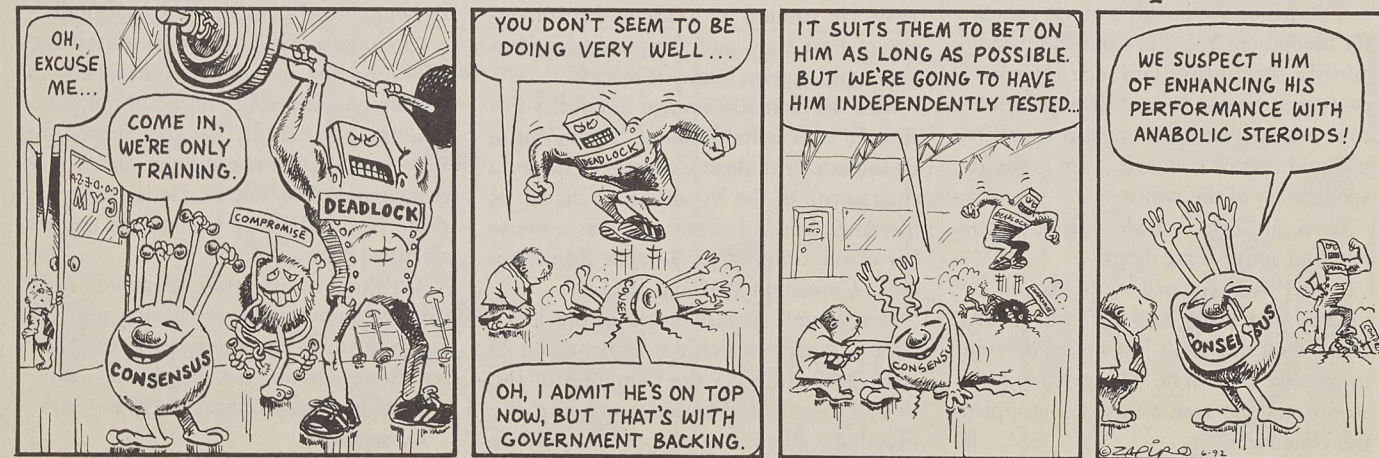
Seven working groups were responsible for each of the key areas of the chamber's work, namely, constitutional development, physical development, economic development, financial development, social development, institutional development, and a special working group for resolving Soweto's problems. To coordinate the working groups and formulate recommendations for consideration by the chamber, a Joint Technical Committee was established.

But the chamber was controversial from the start. In the first instance, not all the civics on the Central Rand accepted the Soweto People's Delegation's invitation to join. The Alexandra Civic Organisation, led by Moses Mayekiso, for example, refused to join for two primary reasons: firstly, it had not been consulted by the Soweto Civic Association when the chamber was established and felt it was being invited into a *fait accompli*; and secondly, it was involved at a sub-regional level in the Northern Joint Negotiating Forum that included the city councils of Sandton, Randburg and Alexandra, and felt that metropolitan level negotiations were inappropriate.

Although there was significant support for the chamber in the ANC, the ANC's PWV region was opposed to it on the grounds that it was part of a state strategy

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talk talk



by ZAPIRO

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Lesson to be learnt

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to co-opt the civics into a forum whose outcome would undermine the ANC in national negotiations, and it gave black councillors a key role in the transition process.

The disagreements in government circles were more about substance than form. The Johannesburg City Council's main interest lay in using the chamber to forge a strong metropolitan government that would place its administration in control of the metropolitan region as a whole. This was resisted by the city councils of Sandton and Randburg who wanted strong local governments.

The civics who did become involved were convinced that without the chamber the white local authorities would be free to plan the future of the metropolitan region with no reference to a wider constituency. Controlling the terms of the transition, they argued, was more important than the outcome because the process would determine the product.

The seven working groups quickly formulated working programmes that within a few months were generating results with major strategic implications. The Land Task Team of the Physical Development Working Group, for example, completed a major study of available land in the inner metropolitan area which could be used for low-income housing. Contrary to initial expectations, the study discovered no less than 14 000 hectares of land that, if developed properly, were enough to house most of the homeless on the Central Rand in locations with access to the city.

Similar studies on water provision, sanitation, electricity, social amenities, finance, and so on, were either completed or initiated. All this base information was being prepared so that a common vision of

the future could be turned into a practical programme of action that, in the end, would transform the Central Rand in accordance with the aim of the chamber.

It is also worth noting that all the parties in the chamber accepted in principle that the chamber was incapable of implementing constitutional change. Instead, they agreed that an elected metropolitan assembly of some kind was needed to formulate proposals and that these proposals could only be referred upwards to the national negotiating table for consideration.

Why then did the chamber suspend its activities?

As its chairperson, Dr Van Zyl Slabbert, always points out, the chamber is unlike Codesa in that it is involved in both the planning of the transition and the management of the transition. The chamber is also the forum that negotiates an acceptable policy framework for the delivery and provision of municipal services.

In accordance with an agreement on service provision in Soweto, the Soweto Civic Association undertook to persuade residents to pay for services on condition that these conformed to certain standards. In the end the city councils failed to meet all these requirements and the Soweto Civic Association was unable to persuade its constituency to pay for services.

The Soweto Civic Association eventually decided to call a boycott again to demand the full and final removal of the black councillors from office and the direct involvement of the city councils of Johannesburg and Roodepoort in the administration of Soweto. The TPA then demanded that the chamber be suspended.

Slabbert was given the task of mediating an acceptable solution. The way he did this provides a lesson for other negotiation forums that deadlock.

Slabbert's first step was to meet every major stakeholder to determine their principles, conception of change and bottom line. He then formulated a document which he defined as a "point of departure" for further discussion, that was tabled at a meeting of the Soweto parties.

When most of the parties agreed in principle with the framework of the document, he then proposed four options: (1) let the chamber collapse; (2) let the suspension continue until the Soweto crisis was resolved; (3) partially reinstate the chamber and create a special committee of the chamber to work out a solution to the Soweto crisis; or (4) restart the chamber in its entirety and set up a special chamber committee to negotiate a solution to the Soweto crisis.

The next step was to convene a full meeting of the chamber to hear each party's position on the framework document and the four options. Once all the parties accepted the document, which included a commitment to the chamber as a forum, it was a matter of time before they all settled on option four as the way to go.

The civics and white local authorities most readily accepted option four, and the TPA and the Soweto councils reluctantly agreed to a formula that kept negotiations going without their demands being met. The *quid pro quo* on the Soweto Civic Association's side was to agree to the ongoing involvement of the councillors for the moment.

In the end, what Slabbert succeeded in doing was to save the chamber as a negotiating forum within which the deadlock was to be resolved, instead of allowing the parties to destroy the negotiation forum as part and parcel of their deadlock. Separating the negotiating structure from the substance of negotiations may well be the lesson in Slabbert's strategy. ■

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