

EXTENSIONS OF REMARKS

PERCEPTIONS OF APARTHEID IN SOUTH AFRICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. RANGEL. Mr. Speaker, I rise to submit an article by Prof. Henry Richardson, entitled *Perceptions of Apartheid in South Africa*.

Pretoria recently announced that it will dismantle the hated influx control system, popularly known as the pass laws. We should not be deceived about the why this was done. Apartheid propagandists will say that Pretoria is revealing a new liberalism, that the principle of upholding human rights was the ultimate motivation. This is untrue.

The South African Government was faced with a fait accompli in which the so-called white areas were already surrounded by large black populations. Black workers lived near the restricted areas, and commuted to them daily. Pretoria has not loosened the pass system out of generosity; they have done so because the only other choice would have been the impossible task of removing millions of blacks away from the white areas.

Mr. Speaker, I urge my colleagues to read Professor Richardson's article. It may answer many questions we might have on this issue.

PERCEPTIONS OF APARTHEID IN SOUTH AFRICA
(By Henry J. Richardson III)

The basic facts of South African apartheid have become well known. In a beautiful, varied and rich land on Africa's southern Cape, some 4.5 million whites—a combination of Afrikaner descendants of Dutch settlers from three centuries ago, and descendants of more recent settlers from England, plus other smaller groups—have established "apartheid". It was codified into law in 1948 to control 23 million black Africans of several tribal lineages, the 3 million "colored" population, and one million Asians. Its effectiveness rests on South Africa's being a police state, vis-à-vis its black (and increasingly its white) citizens, enforced by a repressive police, military and intelligence apparatus. Its aim is to segregate blacks from whites in all areas to prevent having to provide equal benefits, and to prevent the coalescing of black political and economic power, while retaining African labor which is crucial for South Africa's mines, farms and factories.

Black South Africans have none of the rights Americans take for granted, including that of basic citizenship. They are funneled through a pervasive administrative system of influx control into the cities, businesses and mines to work during the day, and then out at night to segregated townships or hostels. A prime method of state control is the capriciously enforced pass laws, requiring all blacks to carry their pass books giving them permission to be where they are; 700,000 blacks are arrested annually for pass book offenses.

One aim of apartheid is to export as many blacks as possible out of South Africa, though allowing them to return to work in their own country. This is the notorious

"homelands" system—the creation of a series of bogus states from non-contiguous parcels of land. These "states" are ruled by designated black leaders and governments with overwhelming white South African economic underpinning and direction. None of these "homelands", four of which have been assembled from noncontiguous parcels of land, has been recognized by any outside country, yet Pretoria persists with its plan to forcibly export 73 percent of the country's people by arbitrary tribal designations, to the most barren 13 percent of the nation's land. Over the last two decades, South Africa has forcibly removed some four million Africans out of "white" areas throughout the country, with denial of even elementary rights. And the annual cost of apartheid has been estimated at \$4 billion.

About 350 American corporations are doing business in South Africa, with a total investment of \$2.3 billion. They employ about 70,000 African workers, less than 1 percent of an African workforce of over 8 million. They participate throughout the economic but are concentrated in the essential infrastructure: U.S. firms control 70 percent of the computer market (including computers necessary to coordinate the apartheid system), 24 percent of the automotive market, 44 percent of the petroleum producers market, about 33 percent of all South African gold mining shares. They have a visible share of the electronics market.

Within the last five years, a representative black trade union movement has emerged around the Council of Unions of South Africa (CUSA) and the Federation of South African Trade Unions (FOSATU) beyond the tightly controlled groups first allowed by Pretoria to prevent black workers from forming more politicized unions. This has happened in spite of severe repression from the regime. The unions may be pushing towards the capacity to call a national general strike, if necessary, a capacity long feared by Pretoria.

To protect apartheid, Pretoria's foreign policy aims to control the weaker African states on South Africa's periphery, to undermine the African National Congress, to hang on to the neighboring mineral-rich territory of Namibia which they have illegally occupied by military force since 1966, and to maintain government and business support from Western nations. One of their principal strategies—internally and externally—is to concede the public trappings of political authority to a black state or group (such as the "homelands"), while fostering severe economic dependence by that state or group on Pretoria. That dependence is then readily used to keep that state in line, for example, to prevent Botswana and Mozambique from harboring soldiers, personnel and bases of the African National Congress, the primary liberation group fighting apartheid.

South Africa's regional actions over the last decade have featured attempted destabilization of governments, assassination, military and paramilitary invasion. It is sponsoring two anti-government guerrilla movements in Mozambique and Angola, each resembling the U.S.-sponsored "contras" against Nicaragua. South Africa currently occupies territory in southern Angola, and periodically invades that coun-

try. With U.S. assistance, South Africa forced Mozambique in 1984 to sign a non-aggression pact, which it now admits violating. The Reagan Administration has done little to oppose South African aggression against neighboring states. As a counterpoint to this aggression, the claim is made to the outside world that South Africa should be regarded as the economic powerhouse of the region, and the Pretoria regime should remain dominant as the best developmental hope for southern Africa. This propaganda has found its target in more than one sector of American opinion.

South Africa is now under a declared state of emergency, amid growing fears in even the white community that the police and army are out of control. Over 6,000 detentions and over 1,000 deaths of black South Africans have occurred under the emergency, and 25,000 detentions during the past year. For the first time, many whites do not believe Pretoria has a plan to control the situation. Both organized and unorganized black resistance to the regime is appearing in new national patterns. The new resistance calls upon not only present rage, but on an historical tradition of over a century of opposition to white rule, by violent and non-violent means. The African National Congress, founded in 1912, pursued non-violent strategies until the 1960 Sharpeville massacre, where police killed 60 Africans at a peaceful demonstration. Afterwards a talented young lawyer, Nelson Mandela, and his law partner Oliver Tambo, saw that official violence against blacks was so ingrained that it had to be countered on its own terms. In 1963, by then an under-ground hero, Mandela was arrested and sentenced to life imprisonment after a momentous trial. He remains there today, the political hero of black South Africa, with Pretoria afraid either to release him or keep him. His recent health problems raise the specter of South Africa's losing a talented, unifying leader. Under Oliver Tambo, the ANC has stepped up its guerrilla attacks within South Africa, with the silent support from millions of black people, and the more open support of the large and slightly multiracial United Democratic Front (UDF), the key above-ground resistance organization in South Africa.

South Africa apartheid as an issue is finally coming of age in American public discourse, after having been too long hidden. Jesse Jackson's run for the Presidency in 1984 provided for the first time national political exposure for a candidate who was an articulate, committed foe of apartheid, and he made the issue both national and inescapable. Subsequently, the free South Africa Movement has become a national movement encompassing churches, universities, and local governments. Temple University as of September 12, 1985, ahead of many universities, divested its portfolio of \$2.5 million in stocks of all corporations doing business in South Africa.

A wave of similar actions has put the Reagan Administration and U.S. business on the defensive regarding any continuing accommodation with Pretoria. Americans have demanded corporations to divest their holdings in South Africa, a demand which has already borne fruit in city council resolutions and state laws mandating divest-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ment. Popular Congressional action has forced a Presidential Executive Order imposing economic sanctions. Many corporations argue that it is better for black South Africa and for the United States if they remain in South Africa under the voluntary Sullivan Principles (mandating equitable working conditions for their African employees and an anti-apartheid corporate posture). But many are now leaving South Africa.

As we look towards the future in South Africa, and events in the United States in response, several issues are important to any credible analysis: law in South Africa, the international community and the United States; force and violence; "business-as-usual"; land and its control; and the relationship of South Africa to U.S. racial attitudes.

LAW

In southern Africa, major power and wealth decisions have long been shaped by considerations of law. Much of this stems from Pretoria's use of legal rules and institutions to run apartheid as a system, and to present itself to the world as a quintessential "law and order" nation. Its policies, however, have distorted this concept so that in the South Africa situation, it is a synonym for racist oppression. Comparisons with a similar use of legal rules in Nazi Germany are neither infrequent nor unwarranted, since a legal system is no better than its underlying values.

Pretoria has constantly played on the law and order ideal, using legal structures to refine apartheid, while claiming to be evolving into a reformist government. Thus in late 1984, the Botha regime promulgated with sham elections a new constitution featuring a tricameral parliament representing whites, Indians and "coloreds," and totally excluding black South Africans who comprise 73 percent of the population. This is the latest phase of a long pursued strategy to align Indians and "coloreds" with whites against the black majority.

Under international law, the massive illegality of apartheid has shaped not only much of modern southern African politics, but especially has served as a fulcrum for the worldwide anti-apartheid movement. Six decisions of the International Court of Justice, several treaties including the UN Charter, scores of UN General Assembly resolutions and several UN Security Council resolutions have conclusively established the illegality of apartheid and its strategies, such as the occupation of Namibia and the homelands policy. The confirmation of this illegality has been so massive that South Africa stands in the unique position of being an illegitimate, albeit recognized, government. No action by Pretoria can be assessed without passing through this conclusion of law. For example, guerrilla soldiers of the ANC cannot be designated "terrorists," notwithstanding such claims by both Pretoria and Washington.

Thus those who harbor secret sympathies for apartheid, or at least are willing to go slowly towards its abolition, have presented to them the ideal of law and order, while those moving within and without South Africa to abolish the hated system and replace South Africa's government have impeccable authority under international law. The United States is a society deeply imbued throughout its history with the notion of the rule of law. Since the early part of this century, it has taken the lead in working to establish the rule of law in international affairs. The historical imperative is such that no U.S. administration, even should it want to do so for narrow policy reasons, could disown in the name of the

United States the authority of the rule of law.

It is perhaps not surprising that the same Administration, which is unsuccessfully trying to, in effect, disown the rule of law by denouncing the International Court of Justice for ruling against it in *Nicaragua v. the United States*, also shows consistent sympathies for Pretoria's law and order claims, although verbally opposing apartheid. Intense political pressure was required for it to reluctantly produce the Executive Order on sanctions of September 9, 1985. Yet there is a visible number of political conservatives in America who, while resonating with a law and order ideal, are unwilling for this to connote support for apartheid. They have said so publicly, and their support was crucial in the recent passage of Congressional legislation on economic sanctions against South Africa. It remains to be seen whether, subsequent to the Executive Order on sanctions, their support will continue for any additional, tougher legislation.

Thus international law and American law have now made it impossible to equate action by the South African government with action against that government. The law clearly supports the right of black South Africa to be free of all racial discrimination, and to live in a society where they can exercise one-man one-vote or its equitable equivalent. The legitimacy of the Pretoria government has been called into question, in part because the distance between it and the people it purports to rule has become abusively wide. Legitimacy is a major question of the near future, both internationally and within South Africa. As long as it clings to power, Pretoria will continue to manipulate "law and order," and its claim to be a "government." But law and order is a valid ideal only so far as the society which it purports to order is perceived to be just. Such perceptions are virtually exhausted internationally, have disappeared in black South Africa, and although they continue among sectors of white South Africa, current circumstances there raise fundamental, eroding questions.

FORCE AND VIOLENCE

South Africa is now providing a test of beliefs about the use of force to uphold one set of values and not another. The traditional presumption of latitude in the use of force given to a national government has been called into question in South Africa. It is finally being perceived internationally how violent the South African regime has been, and is towards its own unarmed and, for the most part, peaceful black citizens. This perception lags by several years behind that of both the General Assembly and the Security Council of the United Nations, which by resolutions explicitly gave the sanction of international law uniquely to liberation movements using force to combat this established government. The unrestrained actions of Pretoria's police and army in the current state of emergency only erode any remaining legitimacy.

But the phenomenon of black-on-black violence in South Africa has also come to light. Black youths and those older, concluding that all who are employed by the Pretoria regime, such as black police and township officials, indeed help it to function, consider these actions treason to a cause far more sacred than peace and order, and have publicly and brutally killed those accused as collaborators. Moreover, government-sponsored death squads (including those with black members) are widely thought to be operating against outspoken African organizers, such as in the death in mid-1985 of Victoria Mxenge, a noted lawyer. Old tribal antagonisms, such as be-

tween Zulu and Xhosa, are rumbling, perhaps heretofore held somewhat in check by the common inhumanity of an effective apartheid system. Such antagonisms are fueled by personal animosities among some African group leaders, such as that between Chief Gatsha Buthelezi, leader of the Zulus, and the leaders of the ANC and the UDF. Those black leaders devoted to non-violent change, such as Nobel Laureate Desmond Tutu and Rev. Allan Boesak of the UDF, are being steadily hemmed in by the refusal of Pretoria to negotiate with any but those blacks already ensnared by the system and therefore lacking any significant constituency. Pretoria's insistence on detaining and torturing all effective local and national black leaders who can be located only worsens the problem.

Neither historically nor existentially can black-on-black violence be separated from the violence of the Pretoria regime which surrounds it, no more than could the violence among the French against collaborators during the French Resistance of World War II against German occupation be separated from the conquering Nazi violence. Any explanation of events must escape the racist conclusion that South African black-on-black violence is to be viewed as special evidence of primitive unfitness, as compared to other human beings in similar struggles against an occupying military force for their dignity, freedom, and lives.

Most sectors of black South Africa consider themselves in some phase of a war against Pretoria and its officials. The evidence is overwhelming that they have good reason to think as they do. Whatever social contract existed between governors and governed has here been fundamentally breached by the white minority regime. Normal expectations of a citizen's duty to uphold peace and order and to give the benefit of the doubt on such questions to the government, are not applicable here owing to the continuity, sophisticated deadliness, and blatantly racial basis of the oppression by Pretoria against black South Africa. Imposing such expectations from the United States simply shows the bias of the imposer.

Part of the immediate reason for black-on-black violence lies in the intuitive fear by many blacks now on the front lines on this battle that what they win politically and by liberation activities could well be taken away in the phases towards a new society by Pretoria/business/western government co-opting of susceptible black leaders. Divide-and-conquer strategies have been long-practiced standard tactics of Pretoria, and such fears are well-founded.

Thus one such possibility is that Chief Gatsha Buthelezi is being held in reserve, by tacit collusion between Pretoria and Washington and perhaps other western capitals, to be pushed forward at the opportune moment as the black leader for South Africa. He would be acceptable to white and Western interests, under this scheme, while commanding enough support to split black loyalties relative to more mass-based representative "radical" black leaders, and while serving as a plausible focus for the international acceptability of a new South African government. Buthelezi is the unquestioned leader of the Zulus, the largest single tribal heritage in South Africa, and chief minister of KwaZulu, a South African bantustan headed for homeland status but for Buthelezi's staunch opposition. He has managed for some years to be simultaneously an internationally visible opponent of apartheid and a government official. He has formed Inkatha, a Zulu-based, somewhat multiracial political organization whose ef-

fectiveness is generally limited to the province of Natal, and he recently has called upon the proud warrior tradition of the 6 million Zulus; the latter has been a factor in conflicts and deaths of UDF supporters. The UDF is a larger, more national federation of organizations with close ties to the ANC, but there are also even more radical groups in the black political spectrum.

Moreover, a recent respected newspaper poll among urban black South Africans indicated that Buthelezi placed well behind Nelson Mandela and Bishop Tutu, with only six percent support, in their choice for a national leader. It is thus doubtful that Buthelezi can emerge as a national black leader. But there is also the curious circumstance of Pretoria's apparently permitting him to exist and travel, free from the repression, house arrest, detention, torture and death that it has visited on so many other black leaders. Buthelezi must be still counted, however, as one possible element, however remote, to produce a multiracial future government for South Africa.

Black-on-black violence does indicate potential difficulties in black South Africa of groups forming workable alliances for an effective national government, should the Pretoria regime fall or step down. Notwithstanding Pretoria's consistently brutal efforts to destroy effective black leadership, and divide black groups from their allies, there is sufficient talented leadership (albeit some of it is imprisoned or in exile) to govern effectively. Tribal divisions exist, but much of any friction here has been generated by Pretoria under apartheid doctrine. Much depends on the severity of Pretoria's violence to protect white domination—and one can only be pessimistic—and also on the fortitude by which the emerging genuine black leadership holds to the goal of a unitary state and national majority rule.

Finally, the generation gap in black South Africa is pertinent. Many, but by no means all, of the black shock troops in this war are school children or slightly older, a reality dating back to the 1976 protests following the murder by Pretoria of Steve Biko. They have led, or split with, or taught many more hesitant parents. But now, since Pretoria under its state of emergency has directly assaulted and detained eight and nine-year-old school children in the schools, the parents are increasingly mobilized. The role of the relatively young as political teachers of liberation is increasingly accepted. The generation gap is a factor in black South Africa's political development, but it does not make a national black majority government impossible.

NATIONAL ENDOWMENT FOR DEMOCRACY

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. McCAIN. Mr. Speaker, today the International Operations Subcommittee of the Foreign Affairs Committee held another in a series of oversight hearings on the national endowment for democracy. The endowment has been the topic of great debate for the last few years, and many Members have expressed concern. I would like to submit for the RECORD an article from the Sunday, June 1, New York Times, and I would appreciate my colleagues' interest:

MISSIONARIES FOR DEMOCRACY: U.S. AID FOR GLOBAL PLURALISM

(By David K. Shieler)

WASHINGTON, May 31.—For several years after Soviet troops entered Afghanistan in 1979, a former editor and Information Minister in Kabul tried to get money to restore the village school system destroyed in rebel-held areas of his country.

The Afghan, Sabahuddin Kushkaki, applied unsuccessfully to the United States Agency for International Development and to major American private foundations. Every one turned him down, thinking the war would be short.

Then, as the fighting continued, he and some friends happened upon an organization with the right combination of Government money, bureaucratic flexibility and anti-Communist commitment—the National Endowment for Democracy.

Using Federal money, it provided \$180,845 to train teachers, conduct literacy courses for rebel fighters, reopen some schools and publish new textbooks with unflattering accounts of the Soviet role in Afghan history. "They have been giving us help without any strings attached," Mr. Kushkaki said on a recent visit to Washington.

PUBLIC MONEY, PRIVATE INTERESTS

This is part of an unusual worldwide campaign, billed as a promotion of democracy and free enterprise, which mixes public funds and private interests. Conceived in a new spirit of ideological confidence in the United States, the effort is described by some of those involved as an expression of the "Reagan Doctrine," which envisions an aggressive American policy in fostering a move toward democracy in the third world. After three years, the program has now taken a clear shape.

The National Endowment for Democracy, a private group created for the purpose, has channeled a total of \$53.7 million in Government money to foreign political parties, labor unions, newspapers, magazines, book publishers and other institutions in countries where democracy is deemed fragile or nonexistent.

The Federal money is being used for such undertakings as helping the Solidarity labor union print underground publications in Poland, buying materials for an opposition newspaper in Nicaragua, bolstering the opposition in South Korea, aiding a party in Northern Ireland that is a member of the Socialist International and getting out the vote in Grenada and Latin American countries.

Money is also going to monitor and publicize human-rights abuses by Vietnam, for union-organizing in the Philippines and for public-opinion surveys to help political parties opposing the right-wing dictatorship in Chile.

"We're engaged in almost missionary work," said Keith Schuette, head of the National Republican Institute for International Affairs, which conveys some of the money to foreign political parties that share the Republicans' views. "We've seen what the Socialists do for each other. We've seen what the Communists do for each other. And now we've come along, and we have a broadly democratic movement, a force for democracy."

In some respects, the program resembles the aid given by the Central Intelligence Agency in the 1950's, 60's and 70's to bolster pro-American political groups. But that aid was clandestine and, subsequent Congressional investigations found, often used planted newspaper articles and other forms of intentionally misleading information.

The current financing is largely public—despite some recipients' wish to keep some

activities secret—and appears to be given with the objective of shoring up political pluralism, broader than the C.I.A.'s goals of fostering pro-Americanism. Although some grants go to unions and parties that are close to the Administration's policy line, others support groups that disagree with Washington on the danger of the Soviet threat, for instance, or on aid to the Nicaraguan rebels.

Supporters praise it for lending a novel flexibility to Government-aided efforts abroad, for doing what official agencies have never been comfortable doing in public.

Opponents in Congress have branded it as more anti-Communist than prodemocratic and have faulted it for meddling in other countries' internal affairs.

The National Endowment was created in 1983 as an amalgam of various sectors of American society, including business, labor, academic institutions and the two major political parties.

Its board of directors reflects that diversity, including such prominent figures as former Vice President, Mondale; former Secretary of State Henry A. Kissinger; Lane Kirkland, president of the A.F.L.-C.I.O.; Representative Dante B. Fascell, the Florida Democrat who heads the House Foreign Affairs Committee; Olin C. Robinson, present of Middlebury College; Frank J. Fahrenkopf Jr., chairman of the Republican National Committee, and Charles T. Manatt, former chairman of the Democratic National Committee.

CONCEPT COLLECTS PRAISE AND CRITICISM

The concept of a private group as a conduit for Government funds for such a program has drawn both praise and criticism from liberals and conservatives alike.

The endowment's chairman is John Richardson, who was president in the 1960's of Radio Free Europe, which was funded by the C.I.A. He was Assistant Secretary of State for Educational and Cultural Affairs in the 1970's, and has worked with nonprofit agencies such as Freedom House and the International Rescue Committee.

The money, disbursed to the National Endowment by the United States Information Agency, then flows through complex channels. Some is given directly by the group to those who use it. But most of it goes from the endowment to four "core grantees." They are the A.F.L.-C.I.O.'s Free Trade Union Institute; the Center for International Private Enterprise of the Chamber of Commerce, and the National Republican and National Democratic Institutes for International Affairs, which are affiliated with the Republican and Democratic national committees. These either run programs themselves or pass the money on to others.

The concept of the endowment took shape as the country moved from the dark self-doubts after the Vietnam War into a new era of confidence in its own virtues and a conviction that democracy should be supported publicly and proudly, without the secrecy that tainted the C.I.A.'s activities.

"We should not have to do this kind of work covertly," said Carl Gershman, president of the endowment and an aide to Jeane J. Kirkpatrick when she was the chief United States delegate to the United Nations. "It would be terrible for democratic groups around the world to be seen as subsidized by the C.I.A. We saw that in the 60's, and that's why it has been discontinued. We have not had the capability of doing this, and that's why the endowment was created."

Mr. Gershman insists that there is no contact between the C.I.A. and the endowment