

# NEGOTIATIONS & PRECONDITIONS

ON Wednesday, July 6, 1989, Nelson Mandela and P.W. Botha had tea together at Tuynhuys – not exactly the start of major negotiations to decide the future of South Africa, but the signal of a major shift in Government thinking. Hardly a year ago the concept of a negotiated settlement for South Africa's internal problems was simply viewed as pie-in-the sky. Even the thought of seeing potential participants talking to each other about negotiation was sneered at. Yet, during the last few months there have been suggestions from the South African Government that it is ready for such negotiations with, among others, ANC members who renounce violence.

## LUSAKA CONFERENCE

At the Five Freedoms Forum/African National Congress Lusaka Conference held in late June, negotiation was one of the central themes. Despite major differences in strategy, some consensus was reached by the delegates, and the ANC's apparent hard line on preconditions was discussed in a fair amount of detail.

When different groups enter negotiations, they have to have a clearly-defined aim and identifiable common interests; otherwise one is looking at surrender talks, rather than genuine negotiations. The commission was unanimous that the common aim should be the establishment of a non-racial, democratic system for South Africa; in other words, negotiations should be about the process to achieve the end product, which may involve the establishment of a constituent assembly. A possible spin-off of such an approach would be to remove, at least partly, the concept of whites on the one side of the table and blacks on the other.

Furthermore, the type of negotiations will affect, in some way, the lives of all the people of the country. The latter will have to be able to decide who their representatives in a negotiating process will be, and all the parties wishing to take part in the negotiating process must have the opportunity to state their views openly in order to consult with their constituencies and canvass support. Negotiations taking place in secret can never be accepted, because within democratic systems elected representatives must have free access to their communities for consultation. And, the laws of the land must apply equally to all the people, or conversely, no one in the negotiating process must fear undue interference, such as detention without trial.

Are the ANC's preconditions unreasonable, given the above comments? My understanding of them is that:

1. The state of emergency must be lifted;
2. All political prisoners and detainees have to be released unconditionally, and all restrictions on them must be lifted;
3. All political organisations must be unbanned and allowed to operate freely;
4. Security forces which could hinder the process of consultation and canvassing should be removed from the townships; and

5. All laws which make it possible to detain and ban persons without legal recourse have to be repealed.

Because the negotiations will affect all of us, no matter on whose "side" we are, it is imperative that no negotiations take place in secret, that all agreements reached have legal status, and that negotiating parties represent all the people of South Africa, including those in the homelands. The question of proportional representation will also have to be addressed. I believe that, given the nature of the conflict in South Africa, the ANC will be amenable to discussing this aspect in preliminary talks and negotiations.

## SERIOUS OBSTACLES

There are some serious obstacles before even limited talks between the Government and its major antagonists can begin (tea parties at Tuynhuys aside). The South African Government also has its preconditions, namely, that the ANC must end its violence before it (the Government) can enter into negotiations, whereas the ANC believes that the armed struggle is one of their bargaining strengths. It is my view that the ANC believes that the violence it has used has merely been a response to the violence used by the South African Government to suppress peaceful political protest, and it can therefore not consider suspending the armed struggle until the state has demonstrated that it will allow political opposition.

Another obstacle is the very deep mistrust the ANC has of the Government's intentions and commitments to honour agreements. Promises of "give me six months" (now, nearly two decades later, it is five years), the manipulation of words to create the impression of change while effectively maintaining the status quo, the blatant lies (remember Angola), the breaking of the agreement to return accused arms dealers to Britain, and the EPG debacle have all taken their toll.

And yet, I do not believe these obstacles are insurmountable. This is where current meetings with the ANC, such as the Five Freedoms Forum initiative, have a major role to play. We are Minister Vlok's "useful idiots" – but useful to whom? For many years the South African Government has created an image of the ANC as that of a monster that has to be annihilated. Now that the Government has finally realised that the ANC is an integral part of any future solution for our country, it desperately needs to transform the image of the monster to that of a human being, a fellow South African. If FFF has helped to create this reality, negotiation towards a non-racial democracy may start sooner than we dare to hope.

Whether the Government likes it or not, the process of negotiation has effectively started among the people of South Africa. Meetings between the ANC and fellow South Africans have had a two-way effect, because both of us are learning about each other and about the South Africa we want. I believe we have an opportunity in South Africa few nations in Africa had prior to independence; that of influencing one another, and helping one another to shift entrenched beliefs and opinions, so that when negotiations start, we may be close to being a nation. We have to talk and talk and talk, not only in Lusaka, but also in Edendale and Pietermaritzburg and Soweto and Johannesburg. □

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