
Volume 37 Number 3 May 1995

SASH



DEMOCRACY ONE YEAR ON

**AMID THE CHAOS, SIGNS OF A NEW ORDER
WOMEN MPS REPORT PROGRESS ... OF A KIND
LANDLESS BEAR BRUNT OF APARTHEID LEGACY**

SASH

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ENCLOSED

Black Sash 1955-1995

Anniversary Supplement



Cover:
Blending old and new ... a praise singer celebrates the inauguration of the new parliament.
Photo: Courtesy of the Argus

SASH magazine

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SASH Magazine: A record of 40 years



How can we condense into these few lines the passions and concerns of the Black Sash as reflected in SASH magazine? Its 37 volumes provide an authentic and detailed record of the evil of the apartheid years. To cover 40 years of publishing would fill many pages; we dipped in and present here a selection of SASH highlights as a remarkable testimony to the Black Sash's protest, action and considered opinion.

Not only does the magazine reflect the increasingly sophisticated writing and analysis of Black Sash members, it also draws on the real experiences of the thousands of people who visited the Black Sash Advice Offices over the years. It features a range of contributors — editors, scholars, academics, churchpeople, politicians and others — many of whom are recognised nationally and internationally for their courage and integrity.

Vol 1, no 1, January 1956 describes the Women's Defence of the Constitution League, begun in May 1955 to protest against the passing of the Senate Act. The women saw this as a crusade, a spiritual offensive. There is a description of an historic meeting on the Johannesburg City Hall steps after 2 500 women had marched in silence from Joubert Park. Vol 1, no 2 marks the start of the bilingual magazine, *The Black Sash / Die Swart Serp* which was registered as a monthly newspaper. In vol 2, no 8, September 1957 the most gripping issue is the upcoming election, a topic analysed in vol 3, no 6, May 1958 under the headline "Picking Up the Pieces" which documents the disastrous election results.

In vol 3, no 7/8, June/July 1958 the Black Sash acknowledges that it is getting smaller, although vol 3, no 9, August 1958 records a storm of protest against police halting of a demonstration against the Group Areas Act and renewed determination to fight on. At a special conference a new policy is formulated aimed at working towards a new constitution. The idea of advice offices is germinated and the commitment to fundamental rights affirmed.

Black Sash headquarters was moved to Cape Western region, a shift that prompted an article pledging that "the vehemence of our indignation makes it more imperative than ever that we go on until the

disgrace of the Senate Act has been wiped out and we are citizens of a country to be proud of".

In vol 5, no 3, June 1961 it was decided to publish the magazine quarterly, and in this issue there is a report of the first lone Black Sash protest following the prohibition on gatherings. Vol 6, no 1, April 1962 details the work of the first advice office in Athlone, Cape Town; by vol 8, no 3, October/November 1964 there are six Advice Offices.

Vol 9, no 2, May/July 1965 marks the 10th anniversary of the Black Sash with a new cover. The volume also records low growth and poor membership figures. Vol 10, no 1, 1966 reports the banning of two long-standing Black Sash members, Jean Hill and Ruth Hayman. Vol 12, no 2 is devoted to features on the Group Areas Act, poverty and hunger, written mostly by Black Sash members drawing on their own work and experience in the communities most affected.

Vol 18, no 1, May 1975 marks 20 years of the Black Sash. Jean Sinclair, in her last presidential address, records how much the organisation has changed: "In 1955 we were, on the whole, a conservative group of women, very naive and politically uninformed ... (which was) compensated for by enthusiasm." Vol 19, no 2, October 1977 reports that the organisation, after much debate, decided that "we regard universal franchise as fundamental to political justice". Two special issues, on housing and resettlement, followed and vol 22, no 1, May 1980 contains a dossier of deaths in detention.

Vol 27, no 3, August 1984 records the call to end conscription. Vol 27, no 4, February 1985 — marking 30 years of the Black Sash — documents the tragedy of the slaying of Matthew Goniwe and his three comrades. Vol 28, no 1 of that year, the conference issue, notes the declaration of a state of emergency and announces "we are at war". Vol 30, no 1, May 1987 is a new look magazine, and by vol 31, no 2, September 1988 the Sash deals almost exclusively with the topical themes of recent years.

The 37 volumes of SASH provide a running commentary on a dark period in our country and an organisation comprising a small group of middle-class, white women who soldiered on and are at last living in a country of which they can be proud.

Sue Philcox



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Editorial

The general election in April 1994 and the installation of the government of national unity (GNU) on May 10 marked the end of the negotiation period and the beginning of the transformation of South Africa. A year later, it is possible to begin to measure its progress.

The government has functioned under numerous constraints:

- 1 The very composition of the Cabinet, encompassing the major parties which carry with them their long history of conflict.
- 2 The legacy of a top-heavy bureaucratic civil service.
- 3 The difficulty of welding together new security forces and ensuring their loyalty.
- 4 The serious violence still occurring in many parts of the country and the high levels of crime.
- 5 The huge task of repealing apartheid legislation and drafting the new constitution, compounded by the inexperience and lack of resources of many new parliamentarians.
- 6 The urgent need to deal with landlessness and the shortage of housing.
- 7 The economic problems: functioning at first under a budget drawn up by the previous government, and committed to the servicing of heavy international debts, the GNU had nevertheless to address the needs and expectations of the poor, the unemployed, the sick and the homeless.
- 8 Disillusionment with the perceived "gravy train" and particularly with disclosures of dishonesty and corruption.
- 9 The serious risk of a rise in racism and ethnic conflict, particularly as a result of competition for scarce resources (ranging from educational institutions to access to the media) a risk of competition which is heightened by increased international support for ethnic differentiation.
- 10 The delicate balance to be maintained between central government power and the autonomy of provincial and in due course local authorities.

Despite these difficulties, we can focus on many areas in which the GNU is succeeding in the transformation process:

Within a context of decreasing violence, except in KwaZulu/Natal, major strides have been taken in improving relations between the public and the reorganised police service, and the amalgamation of the armed forces is proceeding.

The Constitutional Court has been appointed, and the Human Rights Commission should soon be confirmed. Legislation for establishing the Truth and Reconciliation Commission has been passed by Parliament. The instruments for protecting the rights of all citizens are being put into place, although the Gender Commission has yet to be established.

In this issue of SASH we focus on some aspects of the transition: on the experiences of the new parliament itself, and ways in which the public can engage with it; on the continuing problems of access to land; on whether the welfare budget can meet the needs of the people; on the old and new faces of the police. Without rose-coloured spectacles, we note the difficulties but welcome the triumphs.

The Black Sash is also in a process of transformation. In this issue we document the changes, and celebrate the past 40 years. A commemorative supplement, enclosed with this magazine, records valued memories. Today, structural changes to the Black Sash and the dissolution of its founding constitution as a membership-based organisation have created a streamlined core of professional staff. Together we step forward to develop new ways to defend justice and human rights under democratic and accountable government.

This will be the last issue of our magazine to be produced in this format and by the present editorial committee. The national executive of the Black Sash thanks the dedicated members who have produced this magazine for 40 years reflecting the concerns and the work of the organisation. We pay tribute to them all.

Mary Burton

New look SA – one year on

Parliament got a facelift before the Government of National Unity was installed. But was a new look for the place enough to transform the institution?

Sheena Duncan examines the issues raised after one year of democracy, and concludes we've reason to be proud.

One year of democracy — and what better time to look back, to realise how far we've come, and the distance we still have to cover. Yet deadline pressures make preparing an article of this kind akin to the art of fortune telling in some ways. Writing some months in advance of publication on the overall state of the nation is a challenge; reading the tea leaves would be as good a way as any to forecast what the situation might be by the time these words go to press in May.





Register to vote ... Project Vote posters aimed to encourage and inform voters.

Corruption is not new in South Africa. It has been a major component of our society for years ... but at least our new government has a determination to stamp it out.

By the end of April we will know whether the process of registering voters for the local government elections in October has been successful. At present it looks doubtful because people are so deeply suspicious of putting their names and addresses on any official lists.

First and foremost they are afraid that the secrecy of the ballot will be undermined. Secondly, they fear that political parties they do not vote for will be able to find out how they voted or that the newly elected authorities will be able to penalise those who voted for the opposition.

There is also a whole variety of personal reasons why people don't want their names and addresses on any lists. They think it will enable the people to whom they owe money for hire purchase agreements to find them and repossess. Many debts make people prefer to remain "address unknown" — maintenance orders, TV licences, hospital and ambulance accounts. Some may have a variety of crimes on their consciences.

As voters' rolls have to be open for public inspection, and have to be made available for the use of political parties and candidates — indeed, are available to any voter who asks for a copy — people cannot be told that they are in any way confidential.

The secrecy of the ballot is guaranteed if the regulations are adhered to, but South African voters do not trust regulations to protect them from abuses of power which have been so much part of our history.

People will want to vote when the time comes

but they will not be able to do so if they have not registered before the end of April. Many will not understand the reasons for this because they do not see the necessity of voters' rolls when we had such a successful national election without them.

Even if the registration hurdle is overcome the local government elections and the campaigns preceding them are already leading to turbulence in some areas. Someone has described the local authorities as the last coach on the gravy train and the scramble to climb aboard is evident. Personalities are emerging leading hitherto unknown organisations in land and house occupations, hostage-taking, sit-ins and marches going anywhere or nowhere as individuals try to establish a following and a voter base, or try to be adopted by one of the major political parties as candidates on the proportional representation lists.

It remains to be seen whether the deeply rooted democratic idea can surmount the potential for corruption in local government. Corruption has been the big news story of the year, the hook to hang it on being the allegations of major fraud, theft and misappropriation of donated monies by well-known people in positions of power.

Corruption is not new in South Africa. It has been a major component of our society for years — R5 to the policeman who wanted to arrest you on a pass offence, that's if he was black, R10 if he was white; 50c to the security guard to get into the queue at the pass office; hundreds of rands to get onto the housing waiting list;

hundreds more to get a house; money to someone in an office to give you a forged stamp in pass or passport; tens of thousands of rands to be milked from the tendering system for government contracts; theft on the grand scale in the course of round-tripping and foreign exchange violations.

We are not an honest nation, but at least our new government has a determination to stamp corruption out. Soon we will have a Public Protector and one hopes that the Office for Serious Economic Offences and the Receiver of Revenue will be reinforced with sufficient resources to catch the cheats and bring them to justice.

One is infuriated at the sanctimonious reporting in the northern world about our exposed corruptions. The assumption that all Africa is corrupt and we are just demonstrating that we belong to Africa, and are *ipso facto* corrupt, conveniently ignores the fact that every bribe has two parties to it. The people who pay the bribes in order to get the lucrative contracts or the casino licences or the mineral rights were most often from the "incorruptible" north which now shouts loudest about our corruption.

And what about all those "aid" packages that are linked to the sale of arms manufactured in the donor country, and the support northern countries have given to African and other dictators because it has been in their own interests to do so?

Corruption is not confined within geographical borders. It is an international phenomenon. At least in South Africa the Black Sash has not ever had to pay a member of parliament to ask a question! Nor does a candidate for the presidency in South Africa have to raise \$20 million to campaign for election which would seem to confine the list of competitors to those who have the confidence of the wealthy.

We do belong in Africa and one of the great joys of this new time is the opening of Africa to us at last. But we have to be exceedingly careful that we do not allow our private sector to become a new imperialist and colonising power. We ourselves as a nation have forgotten, or departed from, the African understanding of *ubuntu*.

In our need for water and power and trade, our agreements must be fair and equitable and serve the people of this whole continent in their struggle against poverty and the demanding exclusiveness of the north. We must not, in our turn, become a dominator plundering our neighbours for our own enrichment. The old values of Africa are worth nurturing and living by.

There is one potential for future conflict in this regard. There is a growing antagonism towards foreigners in some of the provinces. They are being blamed for crime, Aids, drugs and guns, for "taking our jobs." There have been manifestations of this xenophobia in Gauteng and KwaZulu/Natal and it may well

become a major problem in the future if we do not deal with it timeously.

The Development Bank of Southern Africa has estimated that there are 2 million illegal aliens in South Africa. The minister of home affairs told parliament that in 1993, 96 515 illegal aliens from African countries had been deported, 80 926 of whom were from Mozambique. On 20 October 1994 he told parliament that the cost to the economy of illegal aliens would reach R221 million in that year, rising to an estimated R941 million by the turn of the century.

On 2 November 1994 *The Citizen* reported that the deputy defence minister had told the senate that the electrified fence along our border with Zimbabwe was to be extended by 108km at a cost of R20,5 million.

This would have been economic madness and the cabinet later abandoned the idea. Nevertheless, the point remains that we have become far removed from the African idea of hospitality towards the stranger at the gate. It is true that illegal immigrants are competing unfairly for jobs with South Africans because they are illegal and are unprotected by labour legislation and are prepared to work for less than the law demands. But they pay VAT like everyone else and are not entitled to services from the state, such as housing and pensions.

We should be working towards open borders with neighbouring countries so that all immigrants from those countries will be able to live and work legally, claim just wages in terms of industrial agreements and wage determinations, pay tax like everyone else and thus contribute to society without having any special preference in the jobs market.

Criminals among them would be dealt with in terms of the law as it applies to all of us and we would have to stop scapegoating the "aliens" as being responsible for crime and disorder.

We do belong in Africa and one of the great joys of this new time is the opening of Africa to us at last ... But we as a nation have forgotten the African understanding of "ubuntu".



In the cells ... illegal immigrants in a military cell waiting to be handed over to police.

Public representatives are accessible. Gone are the days when communications merely elicited a chilly acknowledgement of receipt.

Crime and disorder are the main preoccupation of South Africans everywhere in the country. People do not feel safe and they are not safe. The solutions are long-term and complex. We need a transformation of the police services. Current work being done on murder and robbery squads all over the country shows a disturbing lack of progress in this regard but community policing in many local areas is progressing well with police cells being open to public and unannounced inspection and real efforts being made by the police to become user-friendly.

This also applies to some government departments at national and provincial levels. The Black Sash long ago expressed its fear that any new government would have to cope with a fifth column within the ranks of a civil service which has not in the past been either civil or a servant.

The obstruction is certainly there in some places but very much less than we had feared. The national dream encompassed in the Reconstruction and Development Programme has grabbed all our imaginations — jobs, houses, clean water, electricity, land. Most people do realise that this demands a total turnaround in our commitment to work, paying taxes and service charges — and attending endless meetings. If you want to contact any South African at the present s/he is in a meeting!

But oh dear! There are some new WaBenzis driving around in their Mercedes with a cell-phone in one hand and an electronic notebook in the other with nil product at the end.

Of course our democracy is faulty in parts. It could hardly be otherwise in the first year of its existence. But it is astonishing given the long distance we have come in such a very short time from an all pervasive oppression to a system in which openness is the pervading value.

From the long ago days when a cabinet minister said that the Black Sash ladies must not come to parliament to propagate and when the rules were tightened to make sure that members of the public could not have access to parliament unless they could organise an invitation from a member, everything is now open — not just the sittings of parliament and senate but the meetings of the select committees which welcome submissions and invite oral input.

Parliament has exerted control over the cabinet and is no longer the rubber stamp it used to be for decisions of the cabinet. The executive can no longer be sure that bills will be enacted in the form in which the cabinet has decided.

We do not have leaks about the budget any more because the issues surrounding budget formation are raised for public discussion. Official bodies such as the South African Broadcasting Corporation board, the Public Protector, the Human Rights Commission and the Constitutional Court are appointed after public hearings.

The provincial legislatures seem to be following this pattern, although their progress has been slow and has varied from province to province according to the conflicts which have arisen to distract the attention of the legislators.

There is a real effort to engage the public in discussion, from the constitutional assembly conducting an extensive advertising and citizens' forum campaign to get public input on the making of the permanent constitution to the Gauteng government seeking public input into the debate about what the official languages of the province should be.

Public representatives are accessible. Gone are the days when communications merely elicited a chilly acknowledgement of receipt and the assurance that "the matter is receiving attention." Now we get a thoughtful response to points raised even if it is not an agreement.

I can remember the response the Black Sash once got from John Vorster that "your communication is in the waste paper basket where it belongs".

Waste paper baskets are the least utilised items of office equipment in this burgeoning new democracy of which we have reason to be very proud. □

Sheena Duncan, a former president of the Black Sash, has been a member of the organisation for more than 30 years. She also serves on the boards of a number of NGOs.



Eric Miller

Citizens fight crime ... Women march to reclaim the streets.



Eric Miller

Amid the chaos, signs of a new order

Taking tea with those in power is something of a new experience for Black Sash legiwatcher, Alison Tilley. But then almost everything is new and different in parliament these days.

The Black Sash's Legislation Watch Group has had the opportunity to monitor the commitment of our new democratic parliament to transparency and openness—at the proverbial coal face. We have attended parliamentary sittings, portfolio committee meetings, theme committee meetings, badgered committee clerks for copies of the documentation being handed out to various committees, harassed ushers when we couldn't find meetings and generally tested the patience of the parliamentary staff to a degree they had probably not thought possible.

What has been the experience of the Black Sash in this, the formerly impenetrable bastion of apartheid government?

We have met with the kind of courteous assistance I, for one, did not anticipate. Copies of documents are made available, often as soon as parliamentarians receive them, and if you don't know where to go to find your committee, a grey-jacketed usher will try to help you find your way. I and the other legiwatchers have even been offered the tea, coffee and fruit juice generally provided to committee members, an offer I at

first hesitated to accept, not wanting the Black Sash to be accused of joining the gravy train!

Committees are open and even contentious legislative issues which involve political horsetrading are debated in the open for all to observe. Or are they? The intentions of the legislature may be good, but those intentions are often frustrated by simple, practical problems which bedevil the life of the average legiwatcher.

The order paper may reflect the meeting of a committee at a particular time and venue, but hapless

monitors often arrive at venues at the correct time to find that the time or the venue have changed, or, far worse, that the committee room is not accessible to disabled persons. The number of steps in the parliamentary complex without accompanying handrails demonstrates the previous lack of awareness of this issue. This is being addressed and in a letter to Legislation Watch the president of the senate outlined the steps being taken, including toilet facilities for the disabled, and a ramp at the entrance to the Old Assembly Wing.

However, this leaves the question of the failure of committees to meet timeously, or at all. Over a five-day period, out of eight committees monitored, four of them — 50 per cent — had either been cancelled or had their times or venues changed. This obviously makes monitoring irritating, time wasting and inefficient. It could also prove a barrier in economic terms for those travelling in from any distance — the cost of duplicating visits to the centre of Cape Town might be too onerous for some. With whom does the fault lie? Lazy parliamentarians? Inefficient staff? The explanation may be in part as follows.

Ordinary parliamentary committees can meet only on Tuesday and Wednesday mornings, as Monday is reserved for constitutional assembly work and Thursday mornings are for party caucus meetings. The number of these committees has doubled in the last year, from about 31 to 62. Their role and function has also changed — they look at budgets, restructuring, functioning, organisation, structure, personnel, policy formulation or any other relevant departmental matter. In the six months after April 1994 the committees met 300 times, compared to an average of 208 meetings over 12 months in the past.

There is also a desperate shortage of administrative, secretarial and support services. To assist the 62 committees, there are 12 committee clerks eight of whom are new and inexperienced. They work until late at night, but still do not finish all that is needed in the way of organising oral representations where the committee has invited oral evidence, copying and distributing the enormous volume of paperwork generat-

ed by the committees and arranging meeting times, let alone typing minutes, etc. They have been drawing on personnel from other sections, including translation, but the help is untrained, and so at this stage of limited value. The committee clerks do not have the capacity to give administrative support to committee chairpersons, who themselves have no other parliamentary administrative back-up.

Most MPs were allocated a phone and an office — faxes, answering machines and computers had to be supplied by members themselves. Parliamentarians generally don't have the support staff that is required for the work they do, which means the committee clerk is left with the

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tea, coffee and fruit juice
provided to committee
members, an offer I at
first hesitated to accept,
not wanting the Black
Sash to be accused of
joining the gravy train!*

burden of the committee's administrative work. Also bear in mind that many of the parliamentarians are new to the parliamentary process, and make requests that do not always take into account its limitations.

The cumulative result of the limited time allocated to meetings and the inadequate administrative assistance is the chaos witnessed by monitors in parliament. I feel that these problems can and most probably will be resolved with the application of time and effort, and of course, money.

The implications are however serious. If civil society is to make real the accessibility of our legislative process then it must participate in monitoring committees at all levels. Participation when invited to comment and in meetings designated for that purpose is also important. The plethora of opportunities to do so may stretch the capacity of groups like the Black Sash, but rights that have been so hard-won must be jealously guarded. They will not continue to exist in a vacuum. If they are not exercised consciously and dili-

gently, the spaces that have been opened may close up again.

However those rights must be more than purely formal ones to mean anything. It is of limited use to me that I have the right to attend a committee meeting if I cannot find it or if it is cancelled when and if I do find it. The best intentions in the world are not much help if they are not backed by action. If parliament must spend some money on staff and some time on looking at schedules, it will be money and time well spent.

Are those the only reasons that committees do not meet? Sometimes the lack of time and staff are convenient, if real, excuses that mask a lack of political will.

An excellent case in point is the Select Committee for the Establishment of the Commission on Gender Equality. This committee has been plagued by cancellations of meetings, failure to achieve quorums and all the other ills that beset parliamentary committees. The legislation to create this commission has not been tabled or even published in draft form.

Yes, the pressures referred to above have played a part, but is there some more fundamental reason why this group has not met? Such as a lack of real commitment to women's issues? Has this lacuna been noted by women's groups? What would the effect be of this committee, failing again to achieve a quorum, except this time in front of an interested group of women voters? The priority given by this parliament to women's issues might bear a little more fruit than it has done if monitors were there to ask where the members of the committee are, and check that it really is other business that prevents their attendance.

Legislation Watch will continue to do the work that it has done, and continue to send hapless volunteers into the depths of parliament to, sometimes in vain, track their committees. However many other members of civil society need to come and do the same, and do it easily and efficiently, before we can really claim that rare and precious thing, an open parliament. □

*Alison Tilley is the national
legislation monitor of the Black
Sash.*

So much to do, so little done — yet



Eric Miller

Wolfgang Thomas surveys the economic scene after one year of democracy, and calls for patience. It's too soon to tell, but the signs of an upswing are there.

In a democratic process with a five-year election cycle, a year is 20 percent of the time span between two elections — which makes a year quite a long period.

But what is a year in the process of economic growth and development, in particular after the historic April 1994 election? What has, in fact, been achieved on the economic front

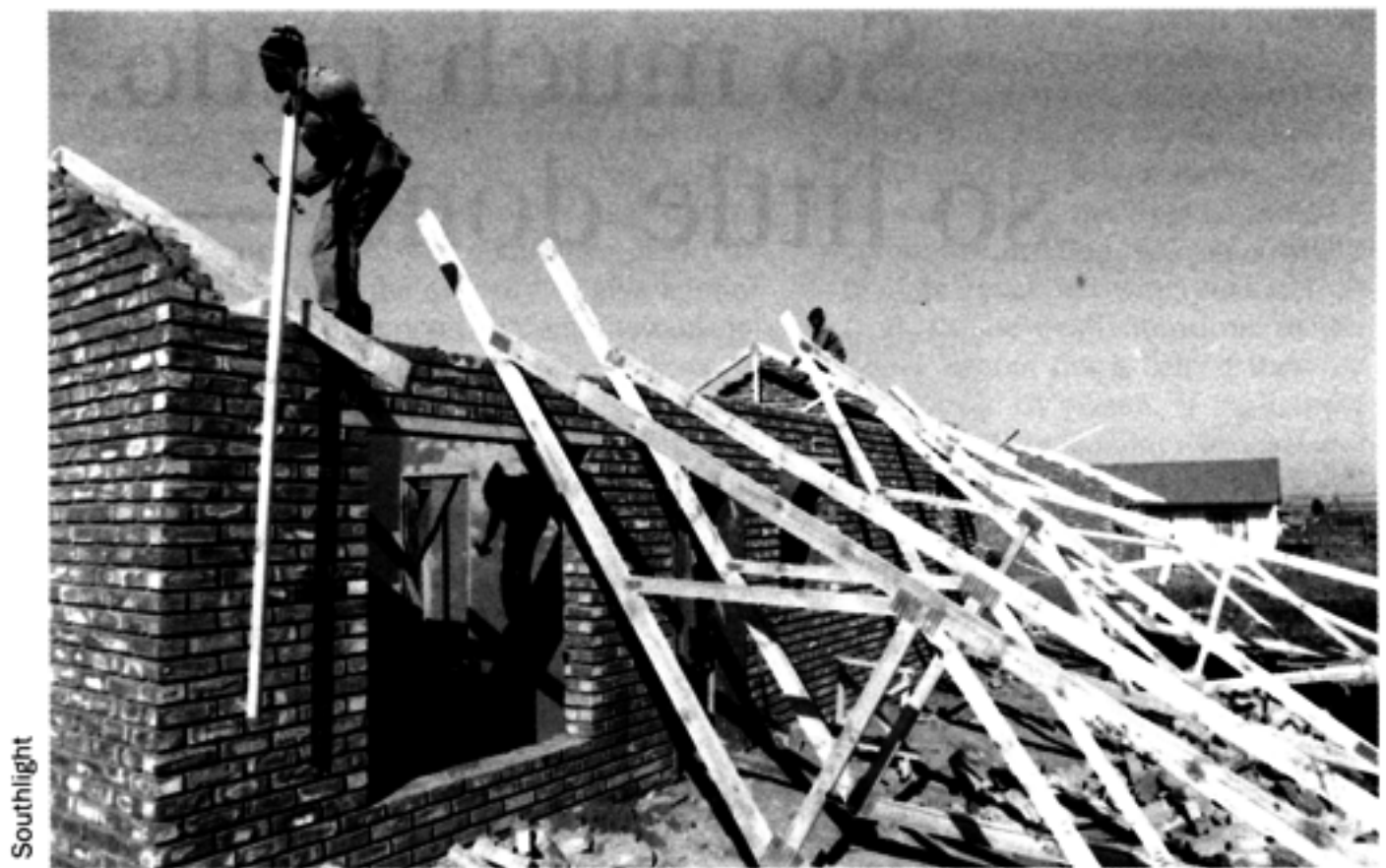
in these 12 months? And what are the answers to these questions which are almost daily on people's minds?

- Has unemployment decreased over the past 12 months?
- Have more low-cost houses been started (or completed) than in previous years?
- Has our rural road access improved?

- Have more existing households been electrified than new households been started?
- Has the total shack population decreased?
- Have real earnings of black individuals or households increased?
- Has the black/white income and wealth gap declined?

Most people would, spontaneously,

Rebuilding ... signs of growth and development confirm indications of economic improvements.



Southlight

answer "no" to most of these questions. Yet we need assurance that democracy has brought the economic goods that people voted for. We are clearly touching on very delicate issues, but ones that need to be addressed.

So what *exactly* is the picture? The quickest, and most honest, response to virtually all of the above questions is that we just don't know, since official macro-statistics issued by the Central Statistics Services measure virtually none of the above and data on these types of trends usually takes a year or two, if not more to appear. Even then it is usually data on a sample or partial coverage basis, which begs most of these questions.

There can be little doubt that the overall business climate in South Africa has improved drastically over the past 12 months. This has been shown by "objective" criteria, like the South African Chamber of Business Confidence Index, the Stellenbosch Bureau of Economic Research's Short-Term Indicators as well as a range of sectoral and regional indicators:

- Some of the indicators show increased formal sector employment (eg a 4 percent rise in clothing employment from January 1994 to January 1995).
- The positive business mood has been strengthened by a range of announcements about major capital projects (about R60 billion in

Our ability and willingness to assess progress, identify mistakes, adjust strategies and change the systems may be one of the greatest hidden powers of this country.

the pipeline and another R48 billion under serious consideration, plus the Reconstruction and Development Programme (RDP) which are likely to further boost income and job creation.

- The changing business climate has already led to significant foreign capital inflows and further substantial increases are expected. A lot of this may be channelled towards development-related projects.
- Financial institutions report significant increases in household savings, channelled to new types of grassroots-oriented institutions.

For the economist, the close relationship between higher exports, investments, corporate turnover and profit figures, JSE share indicators and Gross Domestic Product growth on the one hand and individual and

community "welfare" on the other is indisputable. For example, in the early stages of any upswing, the positive effects are most directly reflected in corporate profits and share values, and there is little immediate evidence of a trickle down to those out of jobs or merely surviving.

Yet, this doesn't mean that there is no filtering through. It just takes time and often happens via less conspicuous channels — like higher corporate tax payments — allowing government to increase its spending on social development without further increasing the budget deficit.

There are other indications that the upturn in the economy, which only really started in September 1994 after months of post-election uncertainties and unrest, will strengthen during 1995. This is notwithstanding the painful effect of interest rate increases and the determination of the Reserve Bank not to soften monetary discipline.

There can be no doubt that South Africa's unemployment levels are very high and that there has been no dramatic improvement over the past 12 months. Yet, looking at the roots of South Africa's unemployment rate — the early phase of a fundamental transformation of the economy, combined with rapid urbanisation, poor education and training levels, and decades of deliberate suppression of the informal sector — no dramatic improvement could have been



Unemployment down ... more labour is being absorbed in both the formal and informal sectors

Eric Miller

expected. Nevertheless, if one looks more carefully at the employment scene distinct improvements are discernible.

- Official unemployment figures, while totally inadequate as a measure of the absolute levels of unemployment, clearly indicate an improvement in formal employment.
- Latest statistics about sector employment trends show absolute increases of at least 3-4 percent in, for example, clothing, tourism and construction.
- During the past year, informal trading activities have increased so rapidly all over the country that a lot of labour must have been absorbed into them.
- The advance of affirmative action has shifted the recruitment focus from skilled white to skilled black, with the former better prepared to move from full-time employment to self-employment or some combination of different types of part-time employment.
- With RDP-funded social infrastructure projects still to take off, a major employment boost is fairly certain to come.

It is likely to take time until our macro-statistics document substantially higher employment levels. In the meantime people continue to believe dramatic slogans like "only 7 percent of matriculants are likely to find jobs" (which are both meaning-

It is usually some time after progress has been made that critical observers recognise it as such — and start talking about 'miraculous success'.

less and wrong), even though the complex process of (self)-employment already shows different trends.

If anything the RDP and the debates around it have made South Africans of all races and socio-economic strata aware of the development challenges facing us all. They have also forced us to grasp the inter-relatedness of developments in different sectors of our economy. Thus, via subcontracting the small backyard operator is dependent on the attitudes of chief buyers at large corporations and through the dissemination of appropriate construction technology researchers in modern laboratories can be of vital significance to self-help projects and the upgrading of homes in squatter areas.

As one can observe in other successful newly industrialising countries such a rallying of national development orientation takes time,

energy and concerted action on a large scale. This is largely what happened during the first phase of RDP preparation, with the government trying hard — to a large extent successfully — to involve and commit the private sector, para-statal, local authorities, non-governmental organisations and other stakeholders.

It is difficult to measure the success of such a re-orientation, especially when it is combined with political transformation and the difficult process of coming to grips with the apartheid past. Some of the dangerous side-effects are presently more evident, like the emergence of a culture of entitlement and inflated expectations. Yet the RDP campaign is starting to address these challenges; time is needed, but we are moving in the right direction.

To ensure that a challenging new development strategy — for housing, job creation, small business promotion, small farmer upliftment, etc — is ready and widely accepted is one thing. To have the institutional framework to implement that strategy is quite another. For the latter phase we need appropriate institutions, adequately trained staff, well worked-out systems, motivated and competent management — and the necessary financial resources.

It doesn't even stop there: these institutions have to co-operate with others — including government departments and private sector inter-

ests. In addition, the dictates of affirmative action have to be adhered to and teething problems of new or restructured organisations have to be overcome.

South Africa is currently in the midst of this second phase. In fact, a few segments of the RDP are still in the strategy review phase, but the majority are now grappling with these implementation challenges.

Once again, we should heed lessons from many other developing — and developed — countries. The process of institution-building or restructuring is slow, often painful, and its results are not easily recognised as “successful”.

It is usually some time after progress has been made that critical observers recognise it as such — and start talking about “miraculous success”. In the early, slogging phase of transformation most people still complain that “nothing has really been done”.

We can illustrate this performance dilemma with reference to the small business and support sector. For many years it was clear that organisations like the Small Business Development Corporation (SBDC) tried to tackle too many issues too superficially and needed to review their priorities, and channel more of their funds towards black business development.

In the two years before the 1994 elections a number of policy studies were undertaken by ANC supporters on small business issues, and the broad outlines of a new approach started to emerge early in 1994. About two months after the minister for trade and industry, Trevor Manuel, took over the portfolio he appointed a special representative for small business promotion. He also announced, at the end of July 1994, that a White Paper would be tackled within six weeks outlining the government's thinking about support for small business, the restructuring of the SBDC and related issues.

Within about eight weeks his new team of advisers, consisting mostly of members of the earlier policy planning group, produced a Discussion Paper on a national support strategy. Not only was this the first coherent strategy paper ever presented on small enterprise promotion in South Africa, it was also compiled in record time.

*We just have to realise
that socio-economic
development is a slowly
grinding process.*

In line with the approach of the new ministry, a lot of emphasis was placed on workshopping the new document, a process that took until the end of 1994. On the basis of this country-wide and international feedback the Discussion Paper was revised during January and the White Paper passed cabinet during February 1995. After further amendments it reached parliament by mid-March.

Parallel to this process the small team worked on two other projects. The one was the preparation of a large President's Conference on Small Business, held in Durban during the last week of March for about 2 000 people. Its aim was to gain legitimacy and broad-based support for the new strategy, thereby facilitating co-operation between the support agencies.

The other project related to the institutional restructuring process. The Discussion Paper had tentatively spelt out a number of changes — the restructuring of the SBDC, the establishment of a National Small Business Council, the creation of a national co-ordinating body, the Small Business Development Agency, the opening of small business “desks” in each of the provincial economic affairs ministries and the establishment of a national grid of Local Services Centres. Each of these institutional changes will have to be properly planned, workshopped and, legally as well as managerially, “created”.

Thus, about nine months after the special adviser started and almost a year after the election, the team had prepared the small business support structure for a total revamp and reorientation and was ready to implement at least some of the new programmes.

To some entrepreneurs the year almost seems wasted — not a cent more money was channelled to them and all the preparatory work may have sounded like little more than pipedreams. To make matters worse, the new budget earmarks about R180

million for small business support, which is little more than the past year's allocation of R80 million under the regular budget, supplemented by R100 million of RDP funds. The R140 million available for programmes will certainly not allow lavish funding for all the programmes identified as necessary and feasible.

To conclude, it will probably still take a few months until the new institutions are all in place, applications for support can be processed and the money voted by parliament can start to reach the intended beneficiaries. Thus, at best, by the end of December 1995 we may be able to start judging the success of the new approach.

Overall economic prospects have, indeed, improved. The private sector is taking responsibility for a greater share. Employment levels may for the first time rise this year and further improvements in the net growth rate and labour absorption rates are likely.

As far as virtually all the reform areas are concerned, we had to go through all the phases of strategy formation, national consensus and the planning of institutional adjustments. Only after delivery has started through the new implementation agencies, can we really apply performance indicators and assess overall progress. But, alas, even then teething troubles and the effects of unintended consequences are likely to impact on the results.

Does all of this imply that we have made no progress? Not at all. We just have to realise over and over again that socio-economic development (or transformation) is a slowly grinding process where many systems have to change and numerous support agencies have to co-operate.

Realising this doesn't guarantee that our new strategies are necessarily optimal — once again we'll have to keep an open mind and be willing to reconsider and adjust. Oddly enough, this ability and willingness to assess progress, identify mistakes, adjust strategies and change the systems may be one of the greatest hidden powers of this country. □

Wolfgang Thomas is the Economic Development Co-ordinator of Wesgro.

The modern nation-state has to fulfil a particular role in providing for the welfare of its citizens; in particular, it exists to distribute resources among its citizens, maintain law and order, administer justice and drive modernisation processes.

Civil society, however, is defined by its relation to the state; the legislative and regulatory framework determines the shape of civil society. The development of civil society is also, in part, determined by the level of state involvement in the provision of services to its citizens. Intervention by the state in welfare provision may preclude the development of mechanisms in civil society geared towards that.

Absolute monopoly is claimed by the state on the issue of law and order (in the public domain), and the dispensing of justice. The dominant "ideology" — particularly with regard to justice — holds that these areas fall strictly within the realm of the state.

South Africa's civil society is overdeveloped. Private associations and business enterprises, religious institutions, labour unions, sport clubs, funeral and credit associations and a host of other forms of organisation permeate the social tissue. This is in addition to the large number of individuals in society who are not necessarily affiliated in their private capacity to any of these associations.

Many of the activities of the private sector and voluntary associations have developed to an advanced level. South African finance and banking institutions, for example, are probably the most advanced in Africa. Sports clubs are highly organised and sophisticated. Civil society has existed since well before the apartheid era and thrives today.

However, when we talk about civil society in South Africa, we tend to speak not of "that" civil society — epitomised by the banking and sporting world. We talk about "our" civil society, represented by the so-called "progressive" associations and organisations. This is problematic because we talk of, and defend, only one dimension, a small fraction, of civil society.

"Progressive" in the South African context has been used to define a broad spectrum of associations, including non-governmental organisations (NGOs) and community-based organisations (CBOs) which for many years fought against social inequality and, in particular, against the former apartheid regime.

What these organisations share is the experience of functioning independently of corporate capital ("that" civil society) and state agencies. For decades they were aligned with the liberation movements.

A defining characteristic of many of these "progressive" associations is that they have operated in areas traditionally regarded as falling within the state realm. More specifically, the work of many NGOs has been to supply services and resources to the disadvantaged popu-

State gains new ground

Civil society is being eroded, says Daniel Nina, who argues for the need to establish terrain of joint responsibility.



Whose responsibility? Monitoring the 1994 poll was the task of civil society.

Since the democratic government was elected last year we have entered a phase of "rolling back" civil society.

lation: in practical terms, many NGOs substituted for the state at the local level.

"Progressive" civil society (organised as NGOs in the main) gained momentum between 1990 and 1994. The unbanning of the political organisations, the release of political prisoners and the dawning of political transition towards democracy, created a unique opportunity for the NGO sector. In the absence of legitimate government, NGOs managed to provide services to many communities that had little faith in the state.

Moreover, many NGOs had developed the necessary knowledge, resources and human capacity to effectively command the process of transition. NGOs played a crucial role as intermediaries and facilitators between the state, communities and material resources.

This process was largely financed by the international donor community. Resources were channelled, not to the state, but to the NGO sector which had gained more legitimacy in the eyes of the majority than the state.

This process, between 1990 and 1994, has important consequences for the notion of development, the role of the state and, in particular, for the relation between ("progressive") civil society and the state. The period saw the expansion of civil society, in which organisations took control or consolidated activities in areas traditionally regarded as the domain of the state.

Since the democratic government was elected last year we have entered a phase of "rolling back" civil society. I refer to "our" civil society, operating in the areas of social services, development, conflict resolution etc — those which had claimed "state territory" as their own. The state is now reclaiming control in areas where — within a modern nation-state — it has jurisdiction.

The new legitimate government is not interested, however, in taking over areas of "that" civil society: the financial sector, manufacturing, tourism, sport and entertainment activities. The business and corporate sector are not affected like "our" realm.

The situation of the "progressive" civil society gets more complicated when it comes to matters of financial viability. Prior to the April 1994 elections, many members of the international community were keen to support NGOs directly. Since the elections and the launching of the Reconstruction and Development Programme money has been diverted from civil society to the state, with disastrous implications for many NGOs.

The effects of "rolling back" civil society are felt in many spheres. Conflict resolution is a case in point. Before the elections tensions between civil society and the state ran high. There were many acts of violence against the

state, or between members of civil society. Primarily these problems were solved not by the then South African Police, but by members of civil society such as independent monitors, mediators and church representatives. Irrespective of the fact that illegal acts had occurred, "our" civil society took responsibility and solved the conflicts.

Today things are different. The state is increasingly taking responsibility and showing its might to those who break the law. Conflicts that were previously solved by members of civil society are now being dealt with by the police and the provincial ministers of safety and security. The area of conflict resolution represents just one aspect of the redefinition of the frontier between civil society and the state in the new dispensation.

But the state has not engaged in this process of rolling back with a Machiavellian style or motive. It is motivated in this direction because it has an image to defend — at least within the traditional view of the role of the state. In addition, government has a constituency to satisfy which demands that it take prompt control of proactive state machinery.

In the area of social services and development the state has greater resources and can guarantee delivery (or at least access) to far more people than its counterpart in civil society.

Nevertheless, I believe there is a future for "our" civil society — we need only to look beyond this transition period. We need to create a new paradigm in which there is a common understanding of the role of the state and civil society, of joint responsibility and co-operation.

"Our" civil society has at various conferences since April 1994 attempted to convey this sense of common responsibility. However, indications are that the state probably does not share this spirit of co-operation and joint responsibility. Conversely the corporate sector of civil society is being granted a leading role in many areas.

"Our" civil society needs to work towards proving that in certain spheres it is more favourably positioned than the state to solve problems, in terms of knowhow and resources. It cannot fight the "image" of the state, but it could attempt to educate the state towards a greater sense of joint responsibility. This is probably the most important task of "our" civil society on the first anniversary of democracy. □

Daniel Nina is a National Manager (research) for Nicro and a Research Associate of the Institute of Criminology (University of Cape Town). This argument represents his personal view on civil society.

Women MPs report progress ...of a kind

Women in parliament are making strides, but they cannot reach their goals without the backing of a solid South African women's movement. Gaye Davis spoke to some of the new MPs.

Ask male MPs what they feel about women in parliament, and they're sure to mention women's "refreshing" presence, their colourful outfits, the unaccustomed sound of high heels clicking along corridors. So much for the level of gender discourse.

Although South Africa now ranks seventh in the world in terms of representation of women in parliament, it is clear that the battle for women's rights is only just beginning.

There are now 117 women in parliament (101 out of 400 national assembly MPs and 16 out of 90 senators). The speaker in the national assembly, Frene Ginwala, is a woman. There are three women ministers and three women deputy ministers.

But as ANC MP Jenny Schreiner points out, affirmative action is not the same thing as gender transformation — changing the sexual division of labour that lies at the heart of gender oppression. "The fact that you have a sizeable presence of women in parliament doesn't mean that they are all committed to gender transformation," she says. "Many are more interested in their own careers."

Women in parliament come from different political parties and diverse backgrounds, cultures and levels of education. Many are still coming to terms with the geographical dislocation of being in Cape Town, far from friends, family, familiar terrain and support systems. The triple bogies of race, class and gender hamper them still.



Eric Miller

'Women have to ask — do we buy into the system that has operated all these years or do we change it? We've had to see how we can work the system, rather than be worked over by it.' — Pregs Govender.



Anna Zieminski

'We will remain just parliamentarians who are struggling to get women's rights placed on the agenda, unless we have the support and the backing of a strong South African women's movement.' — Frene Ginwala.

Of those driving a gender agenda then, one is talking about a small group of women who are overextended, under-resourced — and faced with a daunting challenge.

In his state of the nation address, President Nelson Mandela said: "It is vitally important that all structures of government, including the president himself, should understand this fully: that freedom cannot be achieved unless women

have been emancipated from all forms of oppression."

Women ANC MPs would interpret this to mean a lot more than simply scrutinising committees to ensure that women have a token representation, or tacking on to government white papers sections covering gender issues. But they're operating in an arena that has always been almost exclusively male.

"The reality is that a lot of decisions affecting society as a whole get made over whiskies in the pub by members of the old boys' club," says Pregs Govender, an ANC MP. "Women lack the same networks and don't operate like that.

"Women here are working on committees, doing parliamentary work, constituency work and helping write the new constitution — as well as organising their households and their children.

"The men can sit and drink, because they have wives at home doing all this for them."

For ANC women MPs gender awareness training, for both male and female parliamentarians, is a priority. Schreiner says: "First we have to convince people of the need to do it. But it is only when everyone understands that gender feeds into everything they deal with that we'll be able to get anywhere."

Women in parliament find themselves undermined in subtle ways: "Once you start talking about women, people cut off — they stop listening," says another ANC MP, Baleka Kgositsile.

Govender adds: "Men tend to make distinctions between women, especially where their styles differ. Maybe it's unconscious, but the result is to divide women. You get men saying, 'OK, we can take you seriously, but she is totally neurotic'. The only way to fight this is to have solidarity among women."

Yet, while the ANC women's caucus meets regularly, efforts to establish a multiparty women's caucus — empowering women to pressurise government on specific issues, such as abortion — have been less successful, although an interim committee has been appointed.

"Women in other political parties felt they first wanted to form their own caucuses," says ANC MP Mavivi Manzini. "National Party women are still waiting for their caucus to give them the go-ahead to join a women's caucus," Kgositsile says.

It's here that class differences emerge sharply, according to Govender. Many black women parliamentarians bring with them a range of skills, experience and understanding that are either ignored or not valued by their white counterparts, resulting in women feeling inadequate, alienated or both.

"For women the question is do we buy into the system that has operated all these years or do we change it? We've had to see how we can work the system, rather than be worked over by it," says Govender.

"It's not enough just to open up opportunities and allow women in. It's a question of creating an atmosphere that's conducive to feeling empowered and able to cope rather than wanting to return home," says Kgositsile.

Almost a year down the line, women in parliament still lack the basic research and administrative backup they need. And although some consensus was reached during negotiations on national machinery for the advancement of women, such as Women's Desks in various departments and at various levels of government falling under a key department, the details still have to be thrashed out.

While the Women's Development Foundation has set up an office in parliament to provide women from all parties with training and administrative help, other important institutions provided for by the constitution to advance women's rights are still embryonic.

One key body will be the Commission on Gender Equality. After an initial delay — an unpublished bill for its establishment, drafted by former Justice Minister Kobie Coetsee's ministry, was thrown out after strong opposition from women — the process of setting it up is underway.

ANC MP Ruth Mompati heads the *ad hoc* committee to hear submissions on the commission, which is to function as an independent body based in parliament. Its staffing and powers have yet to be decided, but Mompati hopes it will be up and running by June.

"It will be a powerful lobby group which monitors each government ministry and big business in terms of the progress they are making in addressing the gender question," she says. The *ad hoc* committee has male members: "Gender equality is taking so long because it's seen as women's business," says Mompati. "Unless we get the men involved there's no way we're going to get this thing done."

Kgositsile wants the commission to have a research arm: one of the obstacles women face in furthering their agenda is the dearth of accurate data. Govender describes the statistical holes she found when helping draft the Beijing Report on the status of South African women — a report she and a colleague, Nozizwe Madlala Routledge, had two weeks to work on after the one compiled by the department of foreign affairs was rejected as inadequate.

"The report has gaps but at least it sets targets by identifying the indicators that have to change over the next five years — land ownership, housing, education, health, employment. People must add things they want to see changed."

But this feeds into a major concern — the state of the women's movement itself. Ginwala raised the issue in her keynote address at a conference on Gender and the Constitution in Cape Town earlier this year: "We are in parliament and we are ecstatic that we have women parliamentarians and cabinet ministers here.



Eric Miller

'It's not enough just to open up opportunities and allow women in. It's a question of creating an atmosphere that's conducive to feeling empowered and able to cope.' — Baleka Kgositsile.

"But we will remain just parliamentarians who are struggling to get women's rights placed on the agenda, unless we have the support and backing of a strong South African women's movement."

The National Women's Coalition, which brought diverse women's organisations together to push women's demands at the multiparty talks, is only now slowly finding its feet again under a new leadership following the exodus to parliament of its key figures. Its mandate now is to implement the Women's Charter for Effective Equality, launched last year — the soil in which political, legal and legislative strategies for gender transformation can take root and grow.

"We need women to be organised wherever



Eric Miller

'Gender equality is taking so long because it's seen as women's business. Unless we get the men involved there's no way we're going to get this thing done.' — Ruth Mompati

they are, with the National Women's Coalition or a similar body networking among organisations, uniting women around issues and training and development," says Schreiner.

For Kgositsile, it is vital that women in parliament continue their association with the organisations they come from. "There's a gap in the national women's movement and it must be closed."

Yet, despite the difficulties, women are making an impact in parliament — in a myriad ways.

Women's influence has been particularly evi-

dent in the various parliamentary committees. Thenjiwe Mtintso serves on the select committee on defence — and, during a briefing by Defence Minister Joe Modise, led a call for the defence budget to be slashed. Govender, on the select committee for finance, was instrumental in halting a Katz Tax Commission recommendation that the child rebate be abolished after showing the impact this would have on single women heading households, most of whom are poor.

"We're beginning to grapple with being here. We're working out our way around parliament, our relationship to its processes, to each other and to civil society," says Govender.

"I don't think the time spent has been wasted. People have learned an incredible amount and are now in a far better position to define themselves and the issues.

"We're making definite strides in the right direction. There's the Reconstruction and Development Programme, with its National Women's Empowerment Programme. It will ask women involved in policy work around the country to identify key areas needing change and the resources required. It will come out with policy, but will have got women organising again.

"Useful foundations are being laid. The point is the women of the ANC must now come together and define a coherent strategy and programme of action. There is no co-ordinated strategy so far."

Attitudes are also changing. "I think people have now started to respect us on the basis of who and what we are," says Manzini. "Just our presence here means you don't find people expressing themselves in overtly sexist ways."

Women in parliament shoulder an enormous responsibility. They carry the hopes and expectations of millions of women for whom the constitution's bright new clauses entrenching gender equality have to be turned into something more than paper guarantees.

Major battles loom — battles which are likely to split women's loyalties between their parties' positions and their own experience of being women. The question of customary law *vis à vis* the fundamental rights granted to women in the constitution is one. Women's right to abortion on demand is another.

It is a time of fluidity and change and also unprecedented opportunity. Women in parliament are more aware of this than most. But more than anything, they're aware they cannot do it without the partnership of women in civil society — and that until gender relations are transformed, women will continue to be marginalised and disempowered.

□

Gaye Davis is parliamentary correspondent for the Weekly Mail and Guardian.

Landless bear brunt of apartheid legacy

Attempts at land reform will not succeed if the ministry does not adopt an holistic approach, writes Josette Cole.



Eric Miller

The critical question to be asked of any land reform programme is whether it will address land hunger in a way that fundamentally redresses past wrongs.

The Government of National Unity's land reform programme is firmly located within the Reconstruction and Development Programme (RDP); is committed to addressing landlessness; and places land reform at the centre of a rural development strategy.

And yet it has come up against a series of critical constraints arising from the negotiated political settlement and the absence of a policy framework.

Before looking at the government's land reform programme and policies it is important to identify the constitutional, developmental and policy framework within which current policies are being formulated and implemented.

It is also crucial to recognise from the outset that the interim constitution — which entrenches property rights and guarantees certain rights to the old civil service — sets real constraints on what is or isn't possible in land reform under a government of national unity.

During the multiparty negotiations, while land struggles continued unabated (albeit in new shapes and forms), the government continued to sell and transfer state land and property; passed a number of new land laws; and entrenched a problematic property rights clause in the interim constitution.

The framework within which the current land reform programme is being formulated and implemented is informed by a number of broader processes:

Firstly, a commitment to end discrimination and redress the effects of apartheid, which finds its strongest expression in the provisions of the constitution.

Secondly, a development framework articulated by the RDP which commits itself to effectively addressing "problems of poverty and gross inequalities in South Africa through placing the South African economy on a path of high and sustainable growth".

And, thirdly, an influence of World Bank thinking on both the RDP and the Department of Land Affairs (DLA) which identifies the



Eric Miller

Rights for whom? Women's access to land remains precarious.

Land relations are bound up in laws and practices around domestic relations, in particular those pertaining to marriage and inheritance.

market as the pivotal mechanism for reform on policy formulation.

The World Bank's intervention is important for three reasons. Firstly, it is the only substantive and comprehensive land reform proposal to be put on the table. Secondly, it focuses almost entirely on a land reform programme which aims to address rural land issues. And, thirdly, it has become highly influential in shaping future land reform policies and strategies in South Africa.

The government's land reform programme has three key elements:

- Restitution of land to victims of forced removal.
- Redistribution of land to landless people.
- Tenure reform that can provide security of tenure to all South Africans.

Since the April election the DLA has made considerable progress in formulating policy and processes to implement all three aspects of the land reform programme.

During his first 100 days in office the new minister embarked on an ambitious programme of drafting new legislation, meeting numerous land claiming communities all over the country and holding consultative meetings with non-governmental organisations (NGOs) and lawyers involved in land issues.

Over the past year, in addition to internal restructuring, the DLA has put in place a variety of legal and administrative mechanisms to enable communities to access land and redress historical injustices within the broad framework outlined by the RDP.

Restitution

The call for restitution for the victims of forced removals was a key demand of landless communities, the ANC and land activist organisations in the early 1990s. This right was eventually enshrined in chapter 21 of the interim constitution and made legally enforceable by the Restitution of Land Rights Act passed in November 1994.

This act was the first piece of post-apartheid land legislation passed by the new government. Although a small beginning in the attempt to redress past injustices of the apartheid era, it is the direct outcome of a long process of debate and nego-

tiations undertaken by land activists, landless communities and political organisations — all of whom played their part in contributing to the process of formulating a more democratic and just land reform programme.

The main objective of the act is the restoration of land rights to communities dispossessed in terms of racially biased legislation. The act goes further than the interim constitution by providing for the establishment of a Land Claims Commission which has the task of investigating community land claims, mediating and settling disputes over land and drawing up reports and recommendations on unsettled claims to be heard in a Land Claims Court.

The Land Claims Court is able to make the following court orders:

- Restoration of state-owned land.
- The acquisition of privately-owned land.
- Compensation for the claimant.
- Alternative relief for the claimant.

However, before a claim is finally settled the Minister of Land Affairs must certify the feasibility of a claim in the case of both state-owned and privately-owned land. This places considerable discretionary power in the minister's hands.

The Land Claims Commission, the key institutional mechanism with the task of driving the restitution process, was established on 15 February 1994 with regional offices in East London, Cape Town, Pietermaritzburg and Pretoria. One of its first challenges will be to deal with the backlog of over 3 000 claims handed over to it by the defunct Commission on Land Allocation, the majority of which are difficult Group Areas land claims.

Redistribution

The DLA's redistribution programme is aimed at people who do not have a restitution claim to land but who were unable to acquire land due to former discriminatory apartheid legislation. Key beneficiaries of the programme are rural people.

The redistribution of land in rural areas entails the provision of residential and productive land to the poorest section of rural communities and aspirant farmers. As part of a more comprehensive rural settlement pro-

gramme, its goal is eventually to raise incomes from productive land and encourage the use of land for agricultural use and residential purposes.

The DLA's strategy in acquiring land through the market is to remove blockages to ensure that the market becomes accessible to more people.

The Pilot Land Reform Programme represents an initial and ambitious phase of the land redistribution drive. The plan is to start with one pilot project in each of the nine provinces. A total of 45 pilot projects are planned over the next five years.

The cost of the pilot programme for 1995-96 is estimated at R345 million, an average of R26 000 per household, and it will be financially supported by the RDP. An elaborate evaluation and monitoring programme has been set up alongside the implementation of the programme so that problems can be identified as the programme unfolds and lessons can be learned for ongoing land reform.

Tenure reform

Tenure reform is the cornerstone of any broader land reform programme. In South Africa implementing land tenure reform is complicated by an existing dichotomy between a Western concept of individual freehold tenure and traditional forms of communal land tenure. The objectives of the government's land tenure reform are:

- To provide tenure security to all South Africans.
- To allow and value diversity in land tenure systems.
- To enable landholders to enjoy the legal rights and protection accorded by the constitution.
- To facilitate land reform — ie redress current disparities.
- To follow a participatory policy process in seeking changes — ie empower communities to exercise control and participate in a meaningful way in decisions pertaining to the administration of land.

The policy framework that underlies the current land tenure legislation derives from the 1991 White Paper on Land Reform which stressed the need for a process of upgrading what it terms "inferior" forms of tenure to freehold. The rationale for this is in part an attempt to deal with the racial

legacy of different and lesser forms of ownership by upgrading all existing forms to the individual ownership that applies in "white" South Africa. It is also based on the view that all forms of tenure that are less than freehold are backward and need to be modernised.

The tenure policy of the new government moves in a different direction. It stresses the need for all South Africans to have security of tenure whatever their chosen form of holding land. The status of labour tenants, one of the largest categories of forced removals, is a critical part of the tenure reform debate.

There is no doubt that any adjustments to the forms in which land is held in the new South Africa need to take into account a vast range of *de facto* tenure forms which exist at a local level, as well as *de jure* forms and options. Tenure reform is an essential component of land reform and critical in answering the question of who, ultimately, benefits from current land reform programmes.

Obstacles to reform

The Government of National Unity came into power facing huge expectations from grassroots communities, as well as constraints on what was possible. Possibilities for fundamental change and land redistribution were constrained by a number of past processes. The apartheid government, in a last ditch attempt to entrench land rights for the propertied classes, escalated land privatisation policies, selling and transferring huge tracts of land in both urban and rural areas.

These land interventions, which included an arsenal of new land legislation, set firm brakes on what kind of land reform policy was, and is, possible for the new government. Land availability is fundamental to any land reform programme. Selling off state land in the pre-election phase severely hampered land reform possibilities.

The policy framework that emerged to deal with land reform in the 1990s was also extremely limited. Dominated by World Bank thinking which adopts a market-oriented approach to land reform policies, these have focused almost entirely on economic solutions to a historical problem of much wider complexity.

The property clause in the interim constitution continues to entrench privilege and power in the hands of a predominantly white landowning class.



Eric Miller

Back to the land ... pride of ownership.

One of the most serious flaws of the DLA's current land reform programme ... is the almost exclusive focus on land policies which directly benefit rural communities. As a result solutions for urban land claims and land hunger remain extremely underdeveloped.

In the absence of an alternative policy vision on the part of the ANC or the NGO land sector the World Bank's vision on land reform policy options will remain dominant for the foreseeable future.

The Restitution of Land Rights Act which established mechanisms for historical land claims was a major achievement. Commissioners have already been appointed but there appear to be delays in getting the commission up and running. A stumbling block seems to be the intransigence of the current bureaucracy. Once the commission gets going it remains to be seen whether the administrative and institutional procedures will be able to cope with the number of claims which are predicted.

The cut-off date of 1913 for land claims means that communities who have claims that precede this date need to negotiate alternative ways of accessing land with the DLA. Many such communities feel marginalised by the current land reform strategies.

At the same time, the property clause in the interim constitution continues to entrench privilege and power in the hands of a predominantly white landowning class. While opportunities exist to challenge this clause in the final drafting of the constitution, any success on this score depends on effective lobbying strategies on the part of landless communities and their allies.

The Pilot Land Reform Programme is one of the most ambitious aspects of the DLA's current land reform

programme. In line with the DLA's thinking it is underpinned by a market-oriented and purely economic approach to the land question. There is also some concern that the DLA has moved too quickly on this programme. For example, the pilot programme was going to be based on the findings of a national research programme undertaken by the Land and Agricultural Centre. Yet the pilot programme was launched without incorporating the results of this research into the programme. Also the cost of implementing the pilot programme will eat up most of the DLA's 1995 budget.

The question of local government is directly linked to the successful resolution of the land question in South Africa. The success of reconstruction and development programmes, which include land reform, hinges on establishing democratically elected local government. If local government fails, so too does the transition to democracy.

The RDP and the government of national unity have publicly stated a commitment to ensuring that women are key beneficiaries of the new land reform programme. This represents a major challenge in a context where, in the rural areas and informal settlements of South Africa, access and rights to land have traditionally been the domain of men.

Ensuring that women benefit from the land reform programme is high on the agenda of landless women and their allies in the new South Africa. They are only too aware that land

Below:
Khayelitsha. Secure land tenure is necessary to channel people's creative energies.

Below right:
Inadequate urban land access leads to land invasions and urban inefficiencies.



Dave Dewar



Eric Miller

relations are bound up in laws and practices around domestic relations, in particular those pertaining to marriage and inheritance.

Finally, and at the risk of being highly provocative, I would argue that one of the most serious flaws of the DLA's current land reform programme — on a par with an overemphasis on economic solutions to what are essentially socio-economic and political questions — is the almost exclusive focus on land policies which directly benefit rural communities. As a result solutions for urban land claims and land hunger remain extremely underdeveloped.

This narrow focus undermines the DLA's ability to deal with the historical complexity of land dispossession and social engineering processes which impacted simultaneously on both urban and rural communities. As a result, land rights to urban land is being dealt with separately — at this stage by the department of housing and provincial government.

This means that urban land falls completely outside the national framework of the DLA's land reform programme. The housing department, in its recent White Paper, alerts policy-makers to the need to integrate land issues into other policy. The DLA's approach highlights a disturbing and dangerous tendency on the part of the new government, despite RDP rhetoric to the contrary, to approach development from an extremely limited perspective. This necessarily impedes the prospects of finding solutions which acknowledge the comprehensive nature of deconstructing apartheid and building a sustainable post-apartheid South African society.

Finding new and creative ways of approaching development is, perhaps, the most important challenge facing the Government of National Unity in the near future.

Five years ago, Colin Bundy of the University of the Western Cape argued that the way in which the land question is eventually answered in South Africa will provide a "litmus test" of how much, or how little, social transformation takes place; how much, or how little, wealth is redistributed; and, how much, or how little, ordinary people are involved in the liberation of their own lives.

One year into the transition the



Gille



Gille



Gille

At home in the fields ... land policies focus almost exclusively on rural reform

answers to Bundy's thought-provoking questions are not yet clear. But there are already disturbing signs that the land question may get resolved in a way that makes little impact on social transformation in our country. This will certainly be the case if it continues to focus on economic and market-orientated

approaches and fails to address the land question in a much more holistic way. □

Josette Cole is the former director of the Surplus Peoples' Project.



Gille

Juggling needs and means: Who gets what in welfare?

Marj Brown measures progress in service provision after a year of democracy, and finds little has changed for those at the welfare bureaux, advice offices and in the pension queues.

At this time of change in our country, the responsibility for welfare has been designated to a Nationalist minister, Abe Williams. The response among members of civil society was one of grave disappointment: would the welfare community see any meaningful change following this decision?

In November 1993 the need for a National Welfare Forum had been accepted by a large number of stakeholders. The forum saw its lifespan as definitely extending beyond the era of transition — to provide a strong lobby in a future South Africa for the participation of civil society in the shaping of welfare. Regional welfare forums were set up and a process of liaising with provincial MECs for welfare was started.

However, not all provinces designated an MEC to welfare. In some cases, welfare was lumped with the health ministry, a decision that, it is often claimed by the welfare fraternity, means that the ministry concentrates on health issues, and welfare does not get the attention it deserves. Only time will prove if this concern is justified.

In 1994, Strategic Management Teams (SMTs) were set up in all provinces to handle the transition to a new administration. SMTs included professionals who were not necessarily from the provinces. The success of these SMTs varied greatly in terms of ideas for future welfare administration.

In Gauteng an in-depth situational analysis was done of the problems and challenges to be faced. Smaller sub-committees under the umbrella of the SMT did project work on what the province identified as priorities for change, including a range of welfare issues from legislation and budgets to social service provision. This was placed within the context of the Reconstruction and Development Programme (RDP) priorities and constitutional parameters.

The life span of the SMTs was supposed to be until December 1994, but some continue to do their work. In the North West Province, for example, much work was done on setting up area committees to strengthen local people's voice in the field of service provision. The system of paying out pensions by cash, using the Cash Paymaster system (a

mobile auto-teller) was thoroughly investigated, as was the corruption in the present computer list of who receives grants. A system to clean up the computer lists is in its early stages of being implemented in this province — and hopefully will reach other provinces too.

The burning issue for many of the provinces is the devolution of power from central government: it is still not clear what powers provincial governments will have over welfare in their regions. This is being played out at present like a rugby match, and potentially the clients will land up being penalised; for example, for many years the Black Sash Advice Offices have been approached by pensioners who have been short-changed of money at the paypoint.

This flaw in the system had been raised by Black Sash in 1992 in a state crisis committee to deal with the administration of black pensions in South Africa. The committee report stated that fingerprinting be done after receiving the money, as a matter of urgency. To date, nothing has changed. The only province fingerprinting after the grant is received is the Free State.

At the end of 1994, Black Sash instructed the Legal Resources Centre to write to Minister Williams

It is still not clear what powers provincial governments will have over welfare in their regions. This is being played out like a rugby match, and potentially the clients will land up being penalised.

stating that we believe the system of fingerprinting before payment is contrary to the fair administration clause in the Bill of Rights, and will consider taking this issue to the Constitutional Court.

Williams' reply stated that he could not instruct the provinces to get pensioners' fingerprints after the grant, but would "encourage" them in a letter. This is ridiculous. There is one set of regulations for welfare in South Africa, and all provinces administer these.

The regulations as presently worded are ambiguous as to whether fingerprinting be done before or after money is received (it merely states that money shall be received and a receipt signed). All the minister had

to do was instruct that the regulations should state the process more clearly.

A year ago, the same department of welfare had said it could not change the system of fingerprinting because it was still waiting for all regions to be integrated into one system — and that included the self-governing states. Yet now a completely contradictory argument is being used to hinder change.

The problem lies deeper than the officials, of course. In mid-February I spoke to the director of social services in Gauteng. He had instructed his clerks to get pensioners fingerprinted after they had received their money, and the clerks were resisting this. It seems the system as it stands has been so lucrative for clerks that it will take a firm process to revise it.

A Black Sash volunteer has been monitoring the system of pension payouts in part of Gauteng, and what has been interesting is that she has been able to highlight where there are still differences in the administration of the pensions of coloureds, Indians, blacks and whites. Change at this level will still take time, as well as much monitoring and lobbying.

On the broader issue of policy, there has been a strong lobby for a White Paper on welfare from many



Marj Brown discussing pension problems in Sakhile

quarters. Williams responded last year by setting up national structures to oversee the transformation of welfare in this country (see table of structures below.)

There are obviously lots of hiccups in the process, and the forum representatives are wary of being co-opted or used in a process that is top heavy with bureaucrats.

There have certainly been frustrations. For example, in the field of legislation a general freeze has been declared on change to existing acts, pending the release of a White Paper which will hopefully herald a new framework for new legislation. Only urgent changes of provisions that contradict the constitution are to be allowed. This is the latest decision following at least eight months of haggling about what legislative changes should take place urgently.

There has been a dilemma to be worked through: certain legislation

indeed contradicts the constitution in that it is discriminatory and hampers integration of services. Certain bodies have been working hard over the last year to redraft legislation in an inclusive way — eg a group of state departments and child-oriented organisations worked on restructuring the Child Care Act.

To give another example, the Social Assistance Act regulations, which are aimed at bringing about parity in a new means test, and general integration for all state grants, are now into their fifth draft — this process has been less inclusive and each draft has improved due to extensive lobbying on the part of a large number of organisations. The Social Assistance Act, which awaits enactment pending the finalisation of the regions, has been in the wings since 1992.

However, there has to be a balance between allowing these processes (or

part of them at least) to go ahead, while not getting bogged down in legislative changes that might be short-lived because they are interim and might become entrenched along the way and hamper long-term change after a White Paper.

Other interesting changes in the last year have been the bid for increased power made by the select (standing) committee on welfare in parliament. This committee has stressed that it intends to play more of a role than just rubber-stamping legislation. It has requested, for example, that no draft legislation is published without its permission.

Provincial standing committees have not been set up in all the provinces yet. Where they do exist (for example, Gauteng), the select committee has also become involved in hands-on work. For example, the Black Sash sent monitoring reports to the Gauteng select committee and it responded by taking the matter up nationally and provincially, leading to a meeting in the Gauteng legislative offices between Sash members and officials.

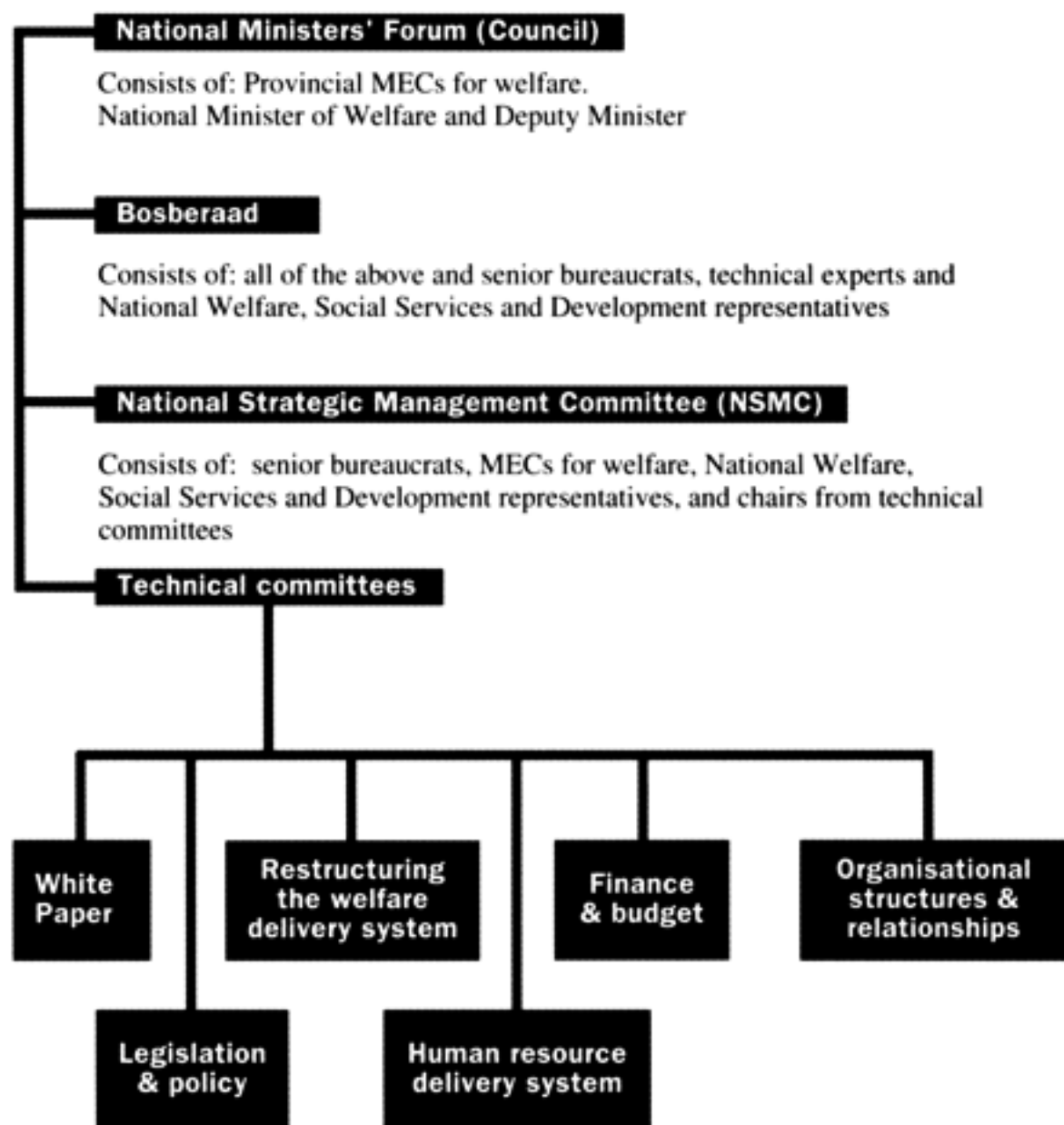
The challenges that lie ahead in welfare are many: adopting a developmental approach in line with the RDP, and taking seriously the ongoing need for poverty relief and grants.

Aids victims, victims of violence, etc have led to an increase in the number of orphans. Unless more money is available for foster care grants, for example, those orphans will land up in institutions or hospitals where care costs the state far more and the emotional cost to the orphans is far greater. These are challenges that cannot be ignored.

Social workers, too, are underpaid and there are not enough of them to support proper community care. The good social workers are being swept up by big business social responsibility programmes, leaving a gaping hole of need in an area that supports our most vulnerable in society. Unless the RDP, and the state as a whole, acknowledge this, reconstruction and development will not be holistic but will continue to leave the most vulnerable and destitute outside the camp. □

Marj Brown is the national researcher on Black Sash's Welfare Focus.

National structures to oversee the transformation of welfare



Another technical committee on community development will be set up.

The emergence of the South African National Defence Force represented more than just a change in name. It was the product of more than a year of careful and protracted deliberations.

Constitutional negotiations between the ANC and the former South African government began in early 1990, yet it was only in 1993 that the different armed forces started negotiating with one another. The reasons for this apparent delay should not concern us here, but what is interesting is that the armed forces had already encountered each other by then at an informal level — mostly in conferences and seminars organised by institutions like the Military Research Group, Institute for Defence Policy and Pretoria University's Institute for Strategic Studies — and these helped to lay the basis for the negotiations that were to follow.

The nature of the encounters ranged from hostile to cordial and friendly (depending more often than not on the personalities involved and the service from which they were drawn).

These meetings gave both sides (the South African Defence Force (SADF) and Umkhonto we Sizwe (MK) the opportunity to test one another's reactions and identify senior personnel with whom they were likely to be negotiating in the future (as well as to dispel myths about the other side).

Codesa1 and Codesa2 allowed senior representatives of the SADF and MK to meet in a relatively open manner. Both Joe Modise (commander of MK) and Kat Liebenberg (chief of the SADF) were drawn into the various working groups as ANC or South African government members and discussions were held between both political and military leaders on the principles that should underpin defence policy in the constitution.

The Codesa meetings served important functions:

- The discussions around the constitutional requirements for defence helped to create a common ground between the SADF and MK — although the principles on which this was based were exceedingly broad in scope.
- They helped create a relative degree of trust between the commanders of both the SADF and MK which was to prove vital during the Transitional Executive Committee (TEC)

Fighting friction, defending change

The defence force now has a new role to play, one that will be vital to a successful transition. Geoff Brown and Rocky Williams assess progress thus far and offer ideas on the challenges that lie ahead.



Eric Miller

On the march ...towards a fully integrated defence force. Here members of the peacekeeping force show their form.

The defence transition will require astute management and multi-cultural sensitivity.

period — particularly within the sub-council on defence (SCD).

- They provided the basis for ongoing informal contact between the senior leaders of the different armed forces.

The re-establishment of contact between the major political players in 1993 included early low-key informal meetings between the different armed forces. These meetings were concerned with establishing the framework within which military negotiations could take place. They were primarily concerned with issues like personnel lists, assembly areas, declarations of arms caches and the integration process itself.

The beginning of serious military negotiations was preceded by the establishment of the SCD under the TEC. The SCD had as its mandate to oversee the armed forces during the run-up to the election and plan for the envisaged national defence force.

In accordance with the SCD's terms of reference, the Joint Military Co-ordinating Council (JMCC) was established to manage this process. Its brief was as follows:

- To involve all armed forces within the JMCC in a strategic planning process to establish the future national defence force. This involved the SADF, MK and the former homeland armies. (The Pan Africanist Congress and the right wing were not part of the negotiation process at that point.)
- To forward the result of the strategic planning process to the SCD and the sub-council on finance for guidance.

To facilitate this process, the JMCC was divided into 23 workgroups, each entrusted with different areas of the process. These groups included:

- The functional staff workgroups (personnel, logistics, finance, operations and intelligence).
- The service workgroups (army, air force, navy and medical services).
- A separate non-functional workgroup, called the strategic issues workgroup, which was established to investigate issues like rank, insignia and uniforms.
- An additional workgroup, established towards the end of the process, which was the ministry of defence workgroup.

It has been maintained, incorrectly, that the planning process produced a dispensation that was much the same as the old SADF. In reality, while many of the key organisational features of the SADF persisted into the SANDF, some significant changes were made within the defence community.

One of the most significant changes lies in the creation of a ministry of defence. The ministry of defence workgroup, consisting of defence analysts, academics, representatives of various strategic think-tanks and members of the participating armed forces, reached consensus on a number of key issues. These revolved around the

complete and/or partial transfer of specific staff functions from the SANDF to the ministry — personnel, finance, logistics, some policy functions presently under operations and certain inspectorate functions. Consensus was not reached on military intelligence's relationship to the ministry.

Another key indication of change was the integration process. This, however, produced force levels well above that necessary for national defence purposes. In addition to the 45 000 personnel of the former SADF, MK provided a personnel list of 10 000 and Apla the unrealistic figure of 6 000. While these inflated force levels were deemed necessary in the short-to-medium term, it was felt that a phased rationalisation process should be adopted in tandem with the integration process to ensure that force levels were normalised within three to five years.

To facilitate the process of demobilisation, it was accepted that a service brigade would be established to temporarily accommodate demobilised personnel. Its function would be two-fold:

- To assist in the enskilling and orientation of demobilised personnel prior to their release into the civilian economy. In this sense it was similar to the Special Service Battalion post-World War Two.
- To retain and retrain military personnel who could, at a later stage, be reincorporated into the SANDF once the rationalisation process was complete.

The planning process presented a series of challenges to the planners. Key features that had to be incorporated included:

- A general SANDF orientation programme for all national defence force members on subjects like the constitution, the proposed SANDF code of conduct and the organisation of the restructured SANDF.
- A series of bridging training programmes for MK personnel to assist them in the acquisition of the staff and command skills necessary for a modern and technologically sophisticated defence force.

A British military advisory training team was to act as adjudicator in assessing the skills, qualifications and capabilities of members of the non-statutory forces, as well as the content of the bridging training programmes. It was also asked to give professional and non-partisan advice when statutory and non-statutory forces could not reach agreement on particular issues.

The part-time forces were identified as the backbone of the new SANDF. While most of the citizen force and commando structures remained the same, it was agreed that most of these units should be voluntary and that they should be as fully representative of the country as possible. It was also decided that the diversity of the country's military traditions must be reflected within their structures. This represented,

in principle at least, a shift from the racial exclusivity and conscript-based nature of the units in the past.

A series of senior direct appointments were made to the SANDF in late June. These consisted largely of former MK officers who had served with distinction. Such personnel were appointed to several posts, including Chief of Defence Staff, Deputy Chief of Staff Intelligence, Logistics and Army Staff and Command positions.

In essence, the roles and missions of the old SADF remained. But an important exception was the inclusion, in a secondary role, of the new defence force's international military responsibilities. Its participation in international peace operations, for instance, will clearly constitute a major doctrinal, organisational and training challenge in the future.

In essence, the defence budget remained unchanged from the previous year, although capital costs took second priority to those of personnel and operating costs. The budget included the allocation of more than R1 billion for the costs of integration alone — a "once off" allocation that the defence force may not receive in the future.

The air force and the navy remained virtually unaltered — except for the reduction of units and the amalgamation of certain functions as part of the overall rationalisation process. The navy could possibly expand in the future as South Africa establishes links with new countries and markets, and is increasingly compelled to become involved in international military operations.

The medical services' structures remained largely unaltered, although their roles and missions were subject to review. In addition to their military commitments, it was increasingly argued by all personnel in the medical services workgroup that the medical services be used more extensively in civil society — particularly in training and medical support.

No agreement was reached on the relationship between Armscor and the proposed ministry of defence. Three main arguments can be identified in the debate around the procurement and acquisition function:

- The incorporation of Armscor within the ministry of defence as an executive procurement office.

- The temporary retention of the status quo until an appropriate solution can be found.
- The retention of Armscor's present status indefinitely. This argument was based on the experience, flexibility and competitive advantage which Armscor was said to possess.

A key challenge in the future remains the creation of an effective ministry of defence. This

would depend on the competence of the personnel being proposed for the ministry, the creation of a sustainable and legitimate institutional culture within the ministry, the creation of stable and non-antagonistic relations between the ministry and the SANDF and the smooth transfer of ministry of defence functions from the present SANDF to the ministry.

Armscor's quasi-independent status within the defence community could be subject to review in the forthcoming years. It is likely that certain functions within Armscor will be transferred to the ministry, including licensing agreements, certain counter-intelligence functions and certain policy functions.

It is envisaged that the rationalisation process within the SANDF should be completed by 1997. Failure to implement a viable demobilisation programme can create a range of social, economic and, ultimately, political problems.

Successful demobilisation will require:

- A demobilisation package for rationalised personnel which includes financial, housing, pension, medical and educational incentives.
- Demobilisation to be as impartial as possible. It should avoid creating any impression of being aimed at a particular category of military personnel.
- As far as is possible, the SANDF should attempt to use its training and learning culture to assist personnel who are about to be demobilised.

Over and above demobilisation, however, the defence force faces a potential haemorrhage should the economy improve. This would be most likely among middle management former SADF officers (who possess many of the skills required within an expanding private sector) and former MK officers (who will be headhunted for the credibility they can provide to expanding businesses). Such a skills loss could affect the managerial and technological capabilities of the SANDF.

The armed forces have proved that they will remain loyal to the constitution and subordinate to elected government.



Eric Miller

At the ready ... the SANDF should be as representative of all race groups as possible.

Possibly the greatest challenge facing the entire defence community in the future is the defence budget.

Deciding the appropriate force levels required for a future defence force will require sensitive handling. The temptation to retain inflated numbers for fear of political repercussions should be resisted. At the same time, grossly deflated force levels will produce a range of strategic and organisational problems for defence planners.

The part-time forces will continue to provide the backbone of both defence force personpower in general and army personpower in particular (indeed the former SADF citizen force was, in many senses, the "army").

The orientation of the military in South Africa is of great significance as the country has just emerged from a very long period of authoritarian rule. As in other transitions of this nature, the realisation of democracy is scarcely possible if soldiers refuse to accept that they are subordinate and accountable to civilian authority. It is also typical of such transitions that civil-military relations are put under great strain by the sometimes high levels of political instability and the rearrangement of military personnel and power.

A concerted effort needs to be made to ensure that the national defence force overcomes the legacy of apartheid and past conflict and exercises its powers in a non-partisan way.

The military is entrusted to safeguard an entirely new constitution which will require a reorientation of military norms, conduct and professionalism, a revision of education and training programmes and the development of a national security policy.

The constitution and the policy of the Government of National Unity subjects the SANDF to parliamentary control consistent with international democratic experiences. This fundamental principle ensures transparency when it comes to management and decision-making in defence issues.

The SANDF has also come to expect that other than the ministry of defence and its civilian policy adviser (the defence secretary), parliament's joint standing committee on defence should have a far greater role in the formulation of defence policy.

The national defence force has, over the past few months, considered a range of programmes that will enhance its ability to change. These programmes have also emerged as a result of open interfacing between the military and a variety of civil society agencies committed to healthier and stronger civil-military co-operation.

In September last year, at an Idasa conference on civil-military relations, a paper presented on behalf of General Georg Meiring argued that "stable civil-military relations in South Africa require, among others, the introduction of education programmes on democracy and civil-military co-operation in the SANDF to promote the development of military professionalism." The implementation of this programme is already at

an advanced stage. It will not just include questions on democracy and leadership, but will also look at international law and the use of force and conduct of war.

In line with the constitution and government policy, the SANDF has an equal opportunities policy to ensure that all SANDF employees enjoy equal opportunities based on merit. Affirmative action will be implemented to help disadvantaged staff develop so that they are able to compete equally and fairly on the basis of merit.

Possibly the greatest challenge facing the entire defence community in the future is the defence budget. Socio-economic considerations and pressure from the Reconstruction and Development Programme will militate against increased spending and will put pressure on the armed forces to downsize and cut procurement programmes. While defence spending must be seen within the context of the country's developmental and ethical responsibilities, the following factors should be borne in mind when considering defence budget reduction:

- The political and moral responsibility of the armed forces to secure the country's territorial integrity and sovereignty against either external aggression or internal secession.
- The short-to-medium-term involvement of the SANDF in internal stability roles.
- The nature, and expense, of the country's emerging international military commitments.
- The importance of adopting a phased, and not hasty, approach to demobilisation.
- The extent to which defence procurement can contribute to the retention of key technological capabilities within the country's industrial base.

This article has outlined the progress of the military debate during the run-up to the election and the first year of democracy. The management of the defence transition will require astute management and multi-cultural sensitivity. Clearly differences of opinion will emerge in the process of creating a new institutional culture. However, a sobering reality has emerged from the defence transition thus far. The armed forces have proved that they will remain loyal to the constitution and subordinate to elected government. Furthermore, they have also demonstrated an ability to serve the new government in a number of key areas — internal stability, border protection, socio-economic upliftment, etc. This is perhaps one of the best guarantees the transition has received thus far. □

Geoff Brown heads Idasa's Defence and Security Project, while Rocky Williams, a colonel in the SANDF, is a research associate on the project.



Eric Miller



The Argus

No easy route from SAP to SAPS

The minister has made some progress, but Melanie Lue records the obstacles, delays and hindrances blocking transformation in the police service.

The success of a transition from a fragile democracy to a truly democratic constitutional order requires the transformation of institutions of state, government and the people. The police, still stamped with residues of its apartheid past, is one of the more controversial and problematic state institutions.

The transformation of the South African police is a complex process. It has been defined as follows:

Transformation is the overall process of change, and includes rationalisation and amalgamation. It further includes the transformation of policing styles, approaches, priorities, policies, cultures and attitudes whereby the South African Police Service (SAPS) becomes a community service-orientated police service aligned with values and principles such as transparency, accountability, impartiality and professionalism. It thus entails not only the transformation of the nature of the organisation, but of the very essence of policing.

It is critical for South Africa to develop a new vision of policing and

new principles to govern the institution. These must be consistent with the principles of democratic governance, such as accountability, transparency, impartiality, legitimacy, civil society and community involvement.

The interim constitution provides for the structure, powers and functioning role of the minister, national commissioner and provincial commissioners, the powers of the provinces, co-ordination and co-operation mechanisms, local policing and an independent complaints mechanism.

Currently, the police are still operating within an infrastructure from the past. Old regulations and standing orders governing police conduct are still in operation.

One year on, however, these provisions have not been fully implemented, primarily because of the delay in promulgating a new police act, although limitations inherent in the interim constitution have also contributed to the problem. The constitution does not provide a clear vision of the new policing order, nor does it provide adequate mechanisms for achieving accountability through civilian and community oversight.

Firstly, the independent complaints mechanism is the only mechanism provided for in the constitution which provides for some degree of independent oversight of police conduct, although the extent to which it will be seen to be independent and impartial is questionable. Not only is the mechanism located within the ministry, it is also appointed by the minister, and consists of a detective component which will be drawn from the ranks of serving members of the SAPS.

Secondly, while an innovative provision for the creation of statutory recognised community police forums (CPFs) is envisaged, the powers and

scope of these forums is too limited. They will effectively be advisory mechanisms. The constitution provides for the establishment of CPFs at all police stations, yet it, and the draft police bill, have compartmentalised community participation. There is also no clear idea on how the forums will be able to facilitate accountability by police to local communities and ensure more effective participation of communities in monitoring police.

The constitution has also incorporated another new structure, namely a national police inspectorate. Yet this too is fraught with problems. The inspectorate, whose main functions will be to "evaluate the service in order to ensure the maintenance of an impartial, accountable, transparent, and efficient police service," is located under the national commissioner. This calls into question the commitment to, and understanding of, community accountability and civilian participation.

The most fundamental provision in the constitution is the creation of one South African police service. In order for this to be realised the new police act has to be promulgated, but this has not happened. This delay has been justified in the interest of greater public participation — the draft bill was published for comment on July 1994 and is currently in the process of final drafting after incorporating comment received from the public. Because of the delay a proclamation was gazetted in January 1995 to facilitate the rationalisation of the 11 police agencies into one South African police service. Until the act is promulgated it is unclear what can be expected.

The first initiative towards restructuring by the national ministry was the appointment of an interim advisory team, comprising civilians and police personnel, whose main function is to give advice on policy to the minister. The minister is committed to establishing a civilian ministry concerned with the development of policy and facilitation of accounting mechanisms which would run parallel to the police service. This is revealed in the establishment of an amalgamation management team (AMT) and a change management team (CMT) convened by civilians. Both teams are seen as mechanisms to spearhead the transformation process.

The constitution does not provide a clear vision of the new policing order, nor does it provide adequate mechanisms for achieving accountability through civilian and community oversight.

The AMT has to deal with amalgamating the homeland police forces. The primary responsibilities of the CMT is to develop policy around key aspects of policing:

- the role of the police in relation to the Reconstruction and Development Programme;
- mechanisms to achieve cost-effectiveness through out-sourcing and privatisation;
- the priorities and strategic focus of the service;
- civilianising and demilitarising the service;
- entrenching a philosophy of community policing;
- implementing an affirmative action policy;
- transforming police culture.

While the technical committees have played a central role in planning the way ahead, the process has not been without problems. It remains unclear what criteria were applied to appointments to the various technical teams, and what the composition and *modus operandi* of these structures are. The lack of civilian involvement in the process has placed the process not only out of reach of many advocates of police reform, but also of those affected directly — the community. This, and the lack of transparency, not only in relation to the broader public but within the police itself, is possibly contributing to the prevailing uncertainty.

The advent of democracy and change in the political order has created and raised expectations not only within the electorate but among rank and file police personnel. Recent police rebellions around allegations of racism and discrimination indicate dissatisfaction with the pace of

change. Allegations like these are not new. Police inefficiency, corruption and misconduct, however, must not be seen in isolation from the practical and technical problems of logistics, resources and institutional contradictions inhibiting change.

Criticisms of the progress in transforming the service must, therefore, be tempered by an understanding of exactly what is required to effect this change. Firstly, policing, and the institution of the police, are two different realities. The police, as an institution, is a state organ, tasked with the responsibility of securing a safe and secure environment. Policing is the actual process of effecting safety and security. Policing is not, therefore, the exclusive domain of the police. Intrinsic to the process is the community police and other institutions and organs of state that contribute to that process, collectively known as the criminal justice system.

Secondly, the institution of policing is an inherited one. The structure, legislation, *modus operandi* and personnel are all part of a system inherited from the past. This has implications for transformation. While rules, regulations and orders may change, how these are effected and applied by personnel is the critical question. The work of the ministry to date has been to successfully put together a plan to amalgamate, rationalise and transform the police into an institution embodying all the principles of accountability, efficiency, impartiality and transparency. The challenge in implementing this policy will be tested by police adherence and public attitude.

The complex nature of the transformation of policing in South Africa indicates an almost impossible task for those agents inside and outside the police who seek this. How does one begin to bring about change within an institution plagued with problems with personnel, inefficient management systems and disparities in training and skills — and still cope with the daily business of police work and spiralling crime? □

Melanie Lue is Policy and Projects Co-ordinator of the Centre for the Study of Violence.

Cementing past and present relationships

The Danish Peace Foundation's award of their peace prize to the Black Sash provided an opportunity to cement relationships with funders in seven countries.

Late in 1994, when many people in the Black Sash were feeling drained by the heavy demands of the year's work and also anxious about the future viability of the organisation, we suddenly received welcome and heartening news: the Danish Peace Foundation had selected the Black Sash to receive its annual Peace Prize. Faxes, letters and telephone conversations followed, and we learned more about the Peace Foundation, or "Fredsfonden": founded in 1981, its aim is to support activities for peace and disarmament in Denmark and abroad. It recognises that peace issues are complex and include the attainment of human rights — political, individual, social and economic.

The invitation to travel to Copenhagen to receive the award was extended to two Black Sash representatives, and was thoughtfully timed to coincide with the international Non-Governmental Organisation (NGO) forum focused on the UN World Summit on Social Development. Mary Burton and Nomahlubi Nabe went to Denmark, and on 28 February received the R61 000 award from Dr Anne Knudsen, chairperson of the Fredsfonden Board.

The Black Sash decided to take advantage of this opportunity to ask its financial administrator, Thisbe Clegg, to join them in Europe, and to embark on a series of visits to funding partners and potential future donors. The three travelled to Norway, Sweden, Belgium, the Netherlands, Germany and Switzerland. Using a Eurail pass, they covered hundreds of kilometres by train and ferry, in rain and snow and on hectic travel schedules, but encountering warm welcomes and serious interest from those they visited.

Each of the three contributes some impressions:

Mary Burton:

The award of the Peace Prize was a very special occasion, and we greatly appreciated the public and private meetings and discussions in which we took part, as well as the opportunity to be in Denmark at the time of the World Summit to begin to understand the debates and issues surrounding it.

The greatest benefit of the trip was our enhanced understanding of the positions of our funding partners and the views of the governments through whom they receive most of their funds.

First the governments: we saw government representatives in most of the countries visited, and made our presentation about the broad political and socio-economic climate in which we function, and then about our role in it. We were impressed with their detailed understanding of the situation in South Africa — many of them had served in their departments for a long time. (One of them had been taken by Audrey Coleman to see bulldozing of homes in Kliptown in 1982, and had clearly never forgotten the experience. I

think he had thought she might push him under a bulldozer in order to stop the process!)

In general, we felt that there was a widely held view that the new South African government should be strongly supported through a transitional period before financial aid is phased down. South Africa is seen as more prosperous and financially viable than many other countries whose need is greater, and it will be expected to draw on its own resources to reduce the gap between the rich and the poor.

They are somewhat disappointed at the slow progress of the Reconstruction and Development programme (RDP), although they understand the constraints. They are increasingly conscious that NGOs could be one of the channels through which changes could be introduced faster and more effectively. In general they believe we have too many NGOs and that we need to rationalise and focus; but they share with us a belief that in principle any country benefits from a strong NGO sector.

For the moment, it seems that



Greeting travellers ... Nomahlubi Nabe and Mary Burton on a brief sightseeing between meetings with funders and government officials.

funding aid will continue to be available to NGOs which can demonstrate that their work makes a valuable and useful contribution. Specific areas of interest are capacity building (adult education and training), housing and other RDP-type benefits which can be visibly set against public expectations (because they see this as important for peace and stability), strengthening rural areas and giving attention to women's rights. We found very specific interest and response to our concern about the local government elections. There is also a concern for the human rights/democracy/advocacy and monitoring work, but they are looking to the European Union's initiative to see whether it will be the channel they use for that portion of their development aid.

The meetings with our funding partners were like meetings with old friends who know our work well. They asked interested and challenging questions (like "Shouldn't you be starting to charge a small fee for advice-giving?") Nomahlubi responded with horror, but we undertook to think about it and bring it back for discussion). They also showed us how they too face financial pressures and questions about their work: they are being asked to rationalise their departments and also to justify their funding decisions much more than in the past. DanChurchAid, for example, is planning to reduce its staff which now stands at about 80, and is making strategic assessments about future funding cuts. They and other church-based organisations are seeking to strengthen their ties with their volunteer supporters. We took careful note of the importance they attach to the contribution which can be made by volunteers.

All in all, it was a wonderful learning experience, and a pleasure to travel with Thisbe and Nomahlubi. In spite of the tight schedule we had

time to talk endlessly and to enjoy the new places and people.

The total cost of the trip, (consisting of Thisbe's airfare, the travel and accommodation of all three in Europe and including gifts of Black Sash cloth and womandla earrings), was R18,444.

Nomahlubi Nabe:

First I would like to thank the Black Sash and my colleagues for motivating that I should go with Mary to receive the peace prize. I really felt honoured.

All I can say is that it was "MAGIC" for me. I grew up during this trip and it was also an educational experience, meeting people of different cultures, giving speeches, seeing different buildings. In the countries we visited, people

are not security conscious at all as we are in South Africa. One woman said to me she is only afraid of being hit by a car, otherwise she feels free to go everywhere at any time.

One of the highlights was on our last day when we visited the Swiss Parliament. We went to the House to observe the debate, and thereafter we were going to address some parliamentarians in another room.

As we were leaving the visitors' gallery a man called us back into the House, where we were made to sit in a special place where the whole house could see us. We were introduced and our purpose for being in Europe was explained. The whole House gave us a standing ovation. That was wonderful, and there-

after we went to address the women parliamentarians.

Finally, thanks to Mary and Thisbe. We worked as a team — "Girls, you were great!"

Thisbe Clegg's comments on the NGO forum:

With the specific intention of drawing the attention of govern-

ments to the development aspect of the work of NGOs worldwide, the NGO Forum was set to run concurrently to the World "Welfare Summit".

The Forum was held in the grounds and buildings of a disused airforce base. The registration of participants and the dissemination of information was extremely well organised. Many local volunteers had been enrolled to assist in the planning and preparation and were on hand at various points to assist with a multitude of queries.

The government too had lent its support to the Forum: we were supplied with bus tickets to travel throughout Copenhagen free, and buses were laid on from a central square to and from the Forum every fifteen minutes.

In what appeared to be an old hangar was the "Global Village". Here NGOs from all over the world displayed photos, pamphlets and videos explaining their work. In buildings scattered around the airfield, talks, debates, film shows and other activities took place.

Unfortunately we were in Copenhagen at the very start of the Forum and several of the discussions or talks which we planned to attend did not take place due to the non-appearance of the speaker. We hope that this improved during the main week of events.

What we did find most impressive was the degree of interest and participation shown by the general public. On the first Sunday of the Forum people poured into the grounds in their hundreds: adults, children, teenagers, families. We were amazed.

In South Africa, where few people know what NGO stands for, let alone what work NGOs do, we could not imagine the same level of response. School children in Denmark adopt an NGO and become involved in its work and fundraising events, and many people seem to be involved in one or more NGOs in a voluntary capacity.

We felt that a similar forum, held in South Africa, would be a wonderful way of creating a greater understanding amongst our own public of the huge volume of work being done by NGOs and the vital role they play in development. □



On tour ... Thisbe Clegg and Nomahlubi Nabe outside Copenhagen Castle.

Citizens and comrades under the law

In this edited version of her presidential address to National Conference on 13-14 May, Mary Burton reflected on the widely perceived "miracle of South Africa" — how it happened, and how it can be sustained.

We have experienced a year of heady excitement and emotion following an election hailed as a miracle and a victory for negotiation and conflict resolution. All over the world people have rejoiced for South Africa, even as they worry about whether its success can be made to last.

One year on we can see more clearly the difficulties which beset the new state. These problems must be recognised, and the errors committed by the new government must not be ignored. Nevertheless, the euphoria of 10 May 1994 put stars in our eyes and we have ample justification for keeping that starlight and our high hopes alive.

Historians who have always believed that history is not made by leaders, but by the pressure of specific circumstances and by mass movements among the people, suddenly find themselves agreeing that the Mandela/De Klerk combination is part of the miracle.

Others who denied the power of international sanctions and boycotts, or who belittled the effectiveness of popular movements and their demonstrations, protest and resistance, now acknowledge that external and internal pressures indeed played a part in bringing about change. This shake-up of received wisdom is a healthy development, creating the opportunity for a move away from rigid ideologies.

The GNU has succeeded in many ways because of the people who make up the "rainbow" parliament. Some bring to it their skills and experience as members of previous parliaments. Some have been shaped by their years of opposition and

resistance. Others spent years in prison or in exile and have had time and opportunity to think deeply about new and democratic forms of governance. The result is that many people in parliament today have a really visionary approach to the concept of government. They are not necessarily constrained by models of the past.

The ANC party caucus has challenged the cabinet when decisions were taken without adequate discussion by parliament — a salutary reminder of the danger of too much executive power. The decision to open parliamentary committees to the public, and the way in which the committees request and receive submissions has dramatically altered the entire process of making or changing legislation.

The process of writing the new Constitution is proving to be rather more cumbersome, with its endless theme committee meetings and the difficulty of really eliciting responses from a broad cross section of the population.

All of us who watch the process of government need to be concerned, and to express our concern, where authoritarian tendencies are displayed. We have raised protests about several amendments to the Interim Constitution, and most recently against the President's threat to amend it yet again in order to obtain greater power to deal with the ongoing violence in Kwa Zulu/Natal by curtailing the finances of the province.

We believe also that when the President dismisses a member of his cabinet (as in the case of Deputy Minister of Science, Culture, Arts &

Technology, Mrs Winnie Mandela), that cabinet member has the right to be given proper reasons for his or her dismissal. Furthermore, we believe that when the new Constitution is framed, members of parliament should be free to exercise their voice and their vote as they believe to be right, and not as their party instructs.

These issues demonstrate the undiminished need for independent organisations monitoring government, not only at central but also at provincial and local level.

"The price of liberty is eternal vigilance" — this has remained true over the centuries.

The future of NGOs has been widely debated, and seen to be under threat. Not only has the question of funding been an important issue, but also there have been sectors within the government which have questioned the need for a strong civil society once democratic rule is in place. I have recently seen that section of society which falls neither within the private nor the public sector referred to as "the third sector". This sector needs to be fostered in South Africa to ensure it can play its dual role:

- to assist in the on-going transformation of the society (by making a contribution to the formulation of policy, by monitoring its implementation, and by providing access to justice for all citizens), and
- to maintain its independent right to comment, criticise and lobby for good, accountable government and the exercise of the rule of law under the protection of the constitution's Bill of Rights.

The reference to "citizens" above brings me to the theme of my title. During the days of the United Democratic Front, and the mass mobilisation of structures in opposition to apartheid, the use of the appellation "comrade" was widespread. In some organisations it was also widely questioned. Did it carry overtones of communism? Did it suggest a particularly militant position?

To most of us, I think it meant an emphasis on equality, and carried the additional overtones of partnership in joint action, commitment to a cause, and also friendship and camaraderie.

Our recent attention to the Citizenship Bill gave me cause to examine the concepts wrapped up in the word "citizen". During the Roman Empire and the time of the *Civis Romanus*, citizenship denoted rights and privilege. For the French Revolutionaries it signified the equality of the broad mass of the population, in opposition to the privileges of the aristocracy.

The status of citizenship in today's democratic nation states carries the meaning of equal access to rights, and equal protection under the law. It also contains an expectation of duties and responsibilities towards the state. And, furthermore, it contains a degree of exclusion of non-citizens from some of the rights and protections. This will be an important issue for us to address in the future — the granting or withholding of citizenship can be tools for discrimination.

The truly exciting and dianoetic change in all our lives, placed in a constitutional framework and being put into place by law, is that old comrades are now equal citizens, with a recognised right to equal treatment under the law. In parliament itself, the presence of those "old comrades" and their adversaries means that (even if the number of MPs were to be reduced in future, as I think it should) this parliament has been claimed as its own by the representatives of all the people.

This is a huge advance and must be celebrated at the same time as it is protected. The path we have all trodden together to reach this point has influenced the outcome.

Its success is important not only to us but to other conflict-ridden countries around the world. They may be able to learn from our experiences, as we learned and benefitted from the many non-South Africans who contributed to our miracle. Most of all, they derive inspiration and encouragement from our progress.

It seems to me that despite its problems and its flaws, our one-year-old government has given real meaning to the prospect that all South Africans will be full and equal citizens, and that the comrades of the years of struggle can play their part in continuing to build and strengthen the fledgling society.

Restructuring the Black Sash

Jenny de Tolly describes the four-year-long process

The unbanning of the liberation movements on 2 February 1990 and the first democratic general election in April 1994 are watershed events that have profoundly altered the political terrain in South Africa. They heralded the restructuring of our society and forced South Africans to re-examine their roles in the new environment.

For an organisation like the Black Sash, not only has the political environment changed but so have the resources and funds available to us. Forty years ago the Black Sash was an organisation whose work was done by volunteer members and whose funds were all raised from and by those members. Today it is an organisation most of whose members are in paid employment and thus have limited time available. It now employs about 50 staff and the annual budget is over R4m.

In order to meet these challenges the Black Sash has been seeking over the past several years to establish what we wish to achieve, what resources are available to us, and how we should organise ourselves in order to achieve our aims. In 1993 we wrote a new vision statement and revised our aims in order to clarify the focus of our work. Objectives are derived from these aims, and are worked towards by means of annual strategic planning sessions.

When examining the resources available to us we reaffirmed the fact that it is the combined skills and efforts of the committed staff and volunteers that has made the work of the Black Sash distinct. Thus our 1994 National Conference decided to seek ways of merging the work and administration of staff and volunteers into a more effective and cohesive whole.

This was more easily said than done. Merging the separate structures of a membership-based, volunteer-driven organisation and a largely professional advice office-based service organisation proved more difficult than we had anticipated. Also, by late 1994 it seemed

that funding, the other resource critical to the survival of non-governmental organisations such as ours, could well dry up. (This seems not to be so. There is recognition amongst foreign donors and sectors in government of the critical role of NGOs in the Reconstruction and Development Programme.)

Consultants were asked to make a strategic assessment and to help us "to evaluate all of the national, regional and advice programmes and services that are currently operated by the Black Sash in order to make recommendations on which of them should be continued; to also recommend how these programmes and services should be staffed, managed and financed and under what structure." Their recommendations were considered at the 1995 National Conference.

The Black Sash is to streamline its operations and move from a membership-based organisation with a variety of projects to a clearly focused, professionally managed organisation which will draw on volunteers as an essential component of its personnel. Conference decisions were summarised in a press statement issued by national president Mary Burton on 14 May: "Forty years ago this week the Black Sash was born out of a concern for equality and justice for all and the sanctity of the constitution.

"An historic conference held this weekend saw the emergence of the Black Sash Trust — a professional organisation which will continue the traditions of the Black Sash through its advice offices and their projects.

"It is fitting that with an Interim Constitution in place and a final constitution in the process of being formulated, the membership body of the Black Sash dissolves. Hence, with the establishment of the Black Sash Trust current members and other persons wishing to associate themselves with the objectives of the Black Sash Trust will be asked to become associates of the Black Sash Trust."

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Year of 'thoroughly South African' writing

Do four collections of short stories in one year constitute a spate? My collection of modern South African stories, *Being Here* (David Philip), Stephen Gray's *Penguin Book of Contemporary South African Short Stories*, Denis Hirson's and Martin Trump's *Heinemann Book of South African Short Stories* and the Hippogriff collection, *Some Roses, a Hamburger, the AK47 and a Puddle* certainly trod on one another's heels, so fast did one follow the other.

Unlike some of the other compilers, I will not venture to make any critical comparisons. Those have been made in a profusion that I am sure not all their compilers and publishers thought possible: all the way from comments about the statement being made by the cover to whether or not the book-designer used initial capital letters in the title! (Is that supposed to be a mark of how hip or passé you are?)

One thing is for sure: there has to be a life in the literature that calls forth four such collections.

Of individual collections, pride of place must surely go to Agnes Sam's 1989 collection, made more general-

ly available by Heinemann in 1994, *Jesus is Indian and Other Stories*. This is thoroughly South African writing. The title story is a lively account of a young girl growing up with the tension of a Hindu family background and a Roman Catholic education. It is written in a highly successful Indian South African English. The range of stories and story-telling in the collection is impressive. One wonders why Sam did not come to the attention of a South African publisher.

Also most welcome is Mozambican writer Mia Couto's second collection, *Every Man is a Race* (Heinemann), which is as intriguing and entertaining as his first, *Voices Made Night*.

Perhaps I just wasn't looking, but there seemed to be incredibly few novels published in the past year. I mention only two. Nadine Gordimer's eleventh novel, *None to Accompany Me* (David Philip), is the first to deal with post-2 Feb 1990 South Africa.

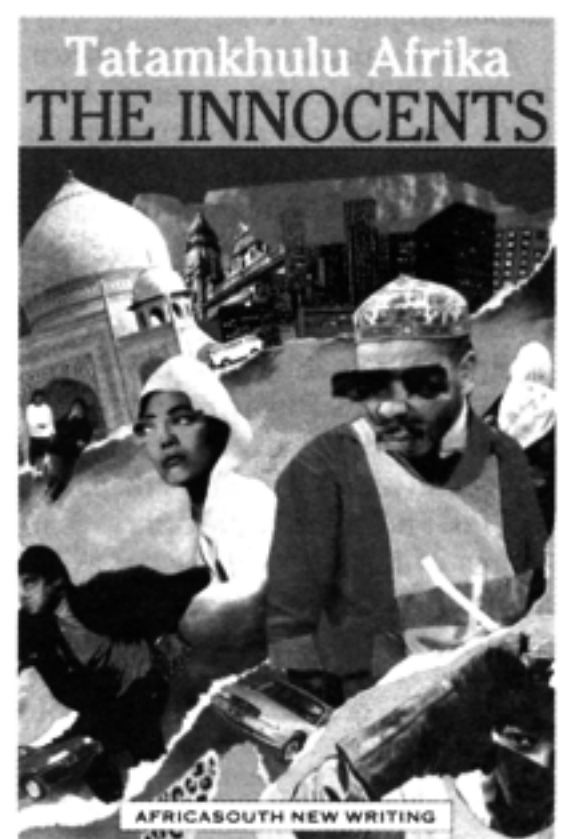
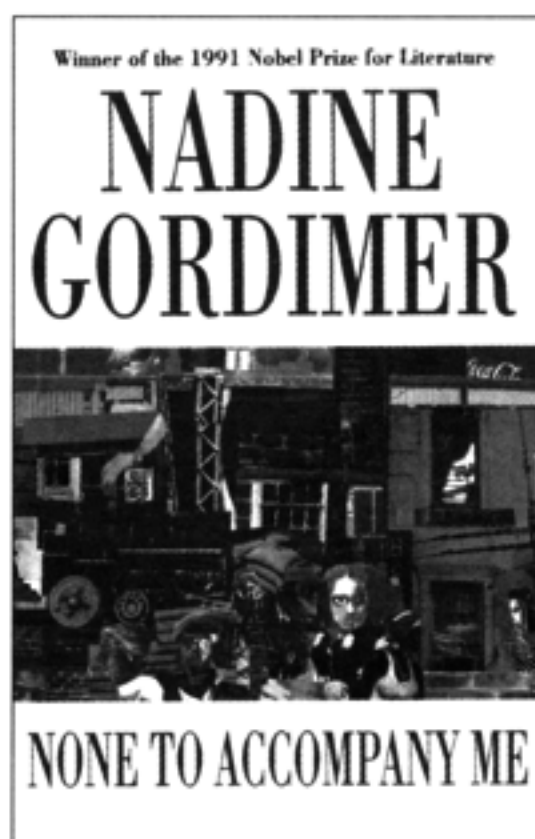
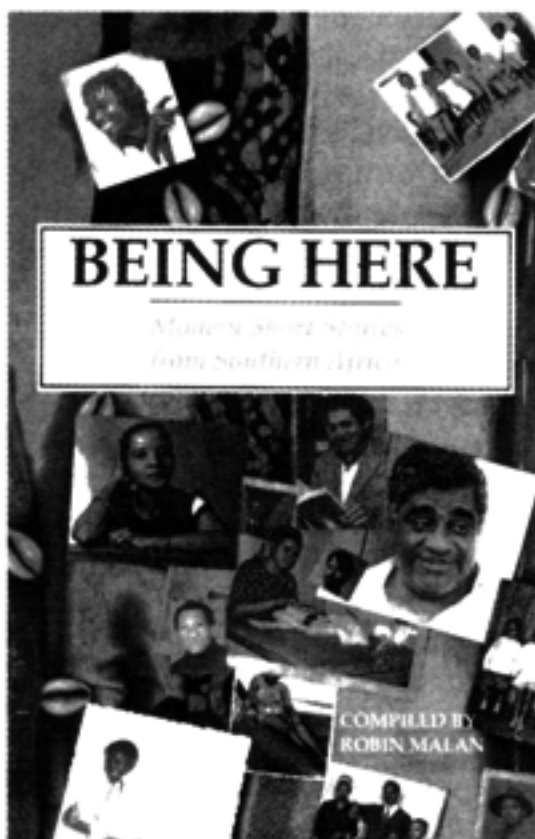
Gordimer has said that politics and sex are the two most important things in life, and this is so in the lives of both the returnee Maqoma family and the leading character, Vera Stark. Vera's professional involvement in a liberal legal aid foundation takes her right into the pre-election expectations and disillusionments and seemingly senseless violence: a pivotal event in the novel

is a car-hijacking.

Also involved in maintaining a happy and successful marriage over many years, she manages to keep the secret of her son's true father. Perhaps more than anything else, this novel is Gordimer's meditation on age and ageing. Vera's resolution of these issues at the end of the novel is certainly unexpected but makes a profound sense all of its own.

Tatamkhulu Afrika's *The Innocents* (David Philip) is an action novel that tells of the exploits of a number of Cape Town activists in The Struggle. The novel manages to be contemplative as well. We have not had the Muslim perspective on the struggle before, and we gain a number of valuable insights into what both participating and non-participating "coloured" people thought and think of Africans and of the struggle. The novel has drawn very different critical responses: not everyone is comfortable with confronting head-on the prejudices and bigotry that some people took with them as personal luggage in the struggle.

I don't know why publishers publish plays: they can't make any money from them. So it is perhaps surprising that two volumes were issued this year. Seemingly indefatigable as a compiler, Stephen Gray produced *South Africa Plays* for Heinemann (What happened to the



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-n in the title?). It is good to have in print such variously influential works as Maishe Maonya's *The Hungry Earth*, Sue Pam Grant's *Curl Up and Dye* and Paul Slabolepszy's *Over The Hill*.

It is Slabolepszy's plays that feature in *Mooi Street and Other Moves* (Wits University Press), plotting his development since *Saturday Night at the Palace*. He dissects a very particular segment of South African life.

Certainly South African poets must be grateful for the tenderness and love which Gus Ferguson continues to demonstrate in his Snailpress enterprise. Where would South African poets be without him? Recent Snailpress publications have been Patrick Cullinan's *Selected Poems 1961-1994* (good to have the skilfully crafted work of this poet collected); and C J Driver's *In the Water-Margins*. Here are some of Driver's most moving and poignant poems on leave-taking, distance and return, both in terms of family and country.

David Philip issued Mongane Wally Serote's *Come and Hope With Me*, another single long poem featuring his upbeat hope and optimism to place beside his previous long poem, *Third World Express*. Tatamkhulu Afrika's third volume of poems, *Magabane*, was issued by Mayibuye. These delicately observed portraits of his comrades in the struggle form a further valuable contribution to his autobiography-in-verse.

All in all, then, not an overwhelming year in the various genres of fiction. Our literary pre-occupations would seem to have been political and autobiographical: in the latter area, there have been Nelson Mandela's *Long Walk to Freedom* (Macdonald Purnell), AnnMarie Wolpe's fascinating *The Long Way Home* (David Philip), and Athol Fugard's quietly affecting *Cousins* (Wits University Press). Perhaps the stories and novels and plays and poems will come tumbling out as we all settle more securely into our new future.

Robin Malan

South Africa's famous escape!

The gripping tale of a dangerous prison escape, a family's political exile, and finally, the return to the country that banned them twenty-five years before

ANNMARIE WOLPE
THE LONG WAY HOME



The Long Way Home

AnnMarie Wolpe (David Philip, Cape Town; 1994)

At the top of the front cover, "South Africa's famous escape!". The autobiography is AnnMarie's, but the escape that was "famous" — that muted the National Party government's triumph over the Rivonia arrests — was her husband, Harold's. And Harold's imprisonment and escape are the focus of eight of the 17 chapters of the middle section of the book, entitled "The Escape" covering June to August 1963.

But the voice we hear, this being an autobiography, is AnnMarie's and the structure too, of *The Long Way Home*, makes Harold's story part of AnnMarie's: for instance, the events of 1963 are placed between two short sections set in the recent past in which AnnMarie stresses the emotional and psychological cost to herself and their three children of Harold's political commitment. The book's last words suggest AnnMarie's continuing doubt about the wisdom of their return after 30 years of exile: "Are we really home?"

Even the section called "The

Escape", in its structure and much of its content, focuses on the personal, the domestic. AnnMarie weaves the chapters on the "famous" escape into the story of her periods of imprisonment, interrogation and flight: there are also long passages on her childhood (with some on Harold's).

Most striking is the fact that the first chapter of this section is entitled "Nicholas"; the near-death of the Wolpe's son when he was seven weeks old is our entry into this era of the family's history.

Harold's imprisonment while Nicholas is still very ill means, for AnnMarie, anguish that culminates in her following Harold into exile after his escape for fear of being reimprisoned and tortured, leaving her children behind, temporarily.

This book protests against the usual gender-divide — women's world is the personal, men are engaged in "the world" — and at the same time it insists on the worth, and the political nature, of the personal. Such protests are feminist: the author has published renowned and scholarly feminist works.

But this, her autobiography, is not an academic work, exhaustively analysed, aiming at "objectivity". The voice is partial, confiding and colloquial. Indeed, much of this book's power to move and charm is due to the lively candour of the autobiographical voice: AnnMarie resists claiming to have been either more politically committed, braver or less intimidated, than Ruth First.

AnnMarie Wolpe has added a well-written, affecting book to South African writing, and she has done so as a woman. But she is a white woman, from a privileged, middle-class background. Her childhood was enviably content, not without glamour; her mother, Polly, always dressed for dinner; Hooks, her father, wore spats. The children had nannies; access to university was taken for granted. I address AnnMarie's class and ethnicity by way of a quotation from Donna Haraway, an American feminist scholar, who, when speaking in 1987 about the Nigerian writer Buchi Emecheta, and African women, said:

"Something ... is happening for

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On display

'The T-SHIRT Show'
Right: a general view
of the exhibition held
at the South African
Museum from
15 December 1994 to
31 January 1995.
Below: the Black
Sash's "Womandla"
T-shirt.



Jane Hosford/ Cape Times Collection: SA Library

A recent exhibition of T-shirts at the South African Museum not only acknowledged the cultural significance of the T-shirt as a medium of expression. It also documented some of the critical moments in South Africa's transition to democratic government.

The T-shirts on show came from the museum's own collection as well as from the Community Arts Project (CAP) and the Mayibuye Centre at the University of the Western Cape. They were produced over the years by organisations like the End Conscription Campaign, the Federation of South African Women and, of course, the Black Sash.

"Womandla", designed for the Sash by Gus Ferguson, attracted much interest. Many visitors wanted to buy it.

The museum's interest in T-shirts grew from the recognition that they express popular concerns in a par-

ticularly direct way in response to events of the moment. In many cases, protest T-shirts were printed in relatively short runs and the screen re-used. Once collected and documented they can recall and convey the mood and issues of the time.

The media section of CAP played an important role in helping organisations produce T-shirts for specific occasions; at funerals in memory of comrades, at meetings to demonstrate defiance or make a statement, at festivals to express solidarity.

Although most T-shirts on display conveyed serious messages, the medium itself is lively, creative and universally popular. The exhibition used T-shirts to present a visual record of some of the momentous events leading up to our transition to democracy.

Patricia Davison

which names have hardly been uttered Perhaps part of this process will mean that, locally and globally, women's part in the building of persons, families, and communities cannot be fixed in any of the names of Woman and her functions."

AnnMarie's part in South African history, and what she as a woman was and is, are many-faceted and resist fixed definitions. Raised to be a middle-class, white South African woman, she has passed through the definitions of such terms (rather than rejected or transcended them), so destabilising them.

If in South Africa, as the wife of a

political figure, she waited and supported, in England — still a wife, still a mother — she qualified to teach at university and to develop the Women's Studies programme at what is now Middlesex University during the 1980s. Her experience as a white employer of black servants in apartheid society was a prelude to her understanding of the links between racism and classism: she defines herself as a Marxist feminist.

Yet, she did follow her husband for a second time. And perhaps she accepts rather easily (for those who have lacked similar access), having had recourse to the help of a number

of professionals among her friends and acquaintances. There are, then, tensions, contradictions. But, this comes at a time when South Africans are together facing demands for some to make redress, and others are deciding in what circumstances, whom and how much to punish for the past. AnnMarie's story reminds us of where ultimate power has been located in white men. White women, too, are among those who in this country have had their stories obscured, their deserved praises unsung.

Eva Hunter

NEWS-STRIP

Albany

Education for democracy

Dan ChurchAid volunteer Eva Green spent two months in the Albany region where she presented 11 workshops in the rural areas on the bill of rights in the interim constitution. The aim was to reach people in the communities who have an interest in, or influence on, the protection of human rights, such as the local police, municipal officials, social workers, para-legals at the advice offices, representatives from community-based organisations etc.

The objective was to improve understanding and implementation of human rights in the community and to create a forum for these different sectors to discuss human rights protection together.

Questions and discussions at the human rights workshops reflected poignantly on the situation in these small, disadvantaged communities. In Bedford the discussion focused on the need for social rights and how people can secure their rights when the local advice office has closed down. In many towns general fear and insecurity influenced the questions, for example people expressed a fear of Satanism when discussing the freedom of religion. Some communities were strongly against the abolition of the death penalty because of the crime rates and the lack of prosecution, and the controversial bail issue was often raised.

We had many discussions on the legalisation of abortion — and a diversity of opinions and arguments emerged. It was, however, frustrating that women were not active participants in the workshops! The fieldworker and the researcher of the Port Elizabeth advice office (where Eva also spent some time) are now starting a programme focusing on the Black Sash's role as a service organisation for the rural towns — running workshops and doing research on women's rights.

At many workshops the people expressed the need for education on the bill of rights for everybody in their community. Building up a human rights culture implies the

need for a government which implements human rights protection in administration, just as much as the empowerment of the individual to secure his or her rights.

Albany Sash regarded it as a privilege to have had someone of Eva's qualities with us for an extended time, and we wish her happiness and success in her future. *Hamba kakhuhle.*

Stop Press: The Grahamstown Transitional Local Council have voted to invite Albany Black Sash to sign the Distinguished Citizen Register in honour of their long service to the Grahamstown community and the surrounding local communities. This event will take place in August.

Albany regional committee

Cherryl Walker — Commissioner

Cherryl Walker, Albany's first fieldworker, has been appointed as a commissioner on the Commission on Restitution of Land Rights. She is one of five commissioners chosen from 202 nominations. Her area will be KwaZulu/Natal. She brings to the job a wealth of experience from her work with the Surplus Peoples' Project and the Association of Rural Advancement. Cherryl believes that land restoration can heal old wounds, having witnessed at first hand the heartless removal of families and the bulldoz-



ing of homes. But she is also very aware of the responsibility of a commissioner as people's expectations are high.

Albany is proud of Cherryl and knows that her integrity and ability to perform meticulous work, which we came to appreciate when she was our fieldworker, will now be of paramount importance in her new position.

Rosie Smith

Southern Cape

Flying colours

It has been a time of great challenge and an organisation's true colours always emerge in times such as these. Our advice office in Knysna entered 1995 with flying colours due, in no small part, to the dedication of Robina and David, who run our office. We are also incredibly lucky to have a vast pool of knowledge at our disposal from the many motivated and talented women from all walks of life in our community.

David is presently working on two ongoing projects; the Forestry Workers' Housing Project and the Pensioners' Committee Project. Many work hours and much devotion has been given to these and we thank David for his perseverance and hard work.

Robina has devoted long hours to the organisation of two new projects; the Domestic Violence and Maintenance Non-Support projects. While the Maintenance Non-Support is still in its infancy, due to Robina's dedication our Domestic Violence or End Violence Against Women project (known as Eva), goes from strength to strength.

In six months Eva has progressed from an idea to a workable organisation with education, counselling and finance sub-committees! We are very privileged to have some very

Julia Segar, a recent co-chairperson of Albany Sash, with her new baby, Daniel.

Albany member Janet Cherry, who now lives in Port Elizabeth, also recently had a baby son, Matthew. Congratulations from us all.

NEWS-STRIP

skilled women volunteering their services from private sector and community organisations. We hope this project will continue to blossom and grow.

In these changing times, we have to stand with each other and for each other:

If we can help one
who finds the way
too hard or too long
then that is worth
all of being
and I will try to help
because someone helped me
someone who cared more
about the brothers
on the road
than about the gifts
at the end.

*Norah Horn
Knysna Advice Office*



In front of the Constitutional Court: Left to right: Prof Jan van Rooyen, W. Schabas (Amnesty International, Montreal) and Northern Gauteng member Isabel Pretorius, who attended a February 1995 sitting of the court to hear the death

penalty arguments presented. The Northern Gauteng region has long been committed to working towards the abolition of the death penalty. They have co-ordinated the Black Sash's abolition work nationally in recent years.

Natal Midlands

Celebrating human rights

On 10 December a Human Rights Festival was organised in the Pietermaritzburg Art Gallery grounds. Among the local bands and craft stalls there were human rights displays — we had a table with posters and pamphlets about the Black Sash and also the Gun-Free campaign.

However, during this period of funding crisis/holidays/strategic assessment, not much else was organised. We managed some publicity in the *Natal Witness* about the funding difficulties and also sent out appeals — to members, businesses (via the Chamber of Commerce), the Community Chest and the City Council. (Members' response was disappointing; the others not yet known.)

We made a submission to the commission to determine an interim capital for Natal/KwaZulu (giving unanswerable arguments in favour of Pietermaritzburg!).

The *Natal Witness* published a good and extensive feature on the death penalty and the constitutional court, and included the Black Sash policy statement in support of abolition.

Marie Dyer

Southern Gauteng

Election campaign

Registering for local government elections was the first step towards the November elections, and the official election campaign to encourage people to vote, although slow at first, heated up as the registration deadline drew near.

Our pamphlet urging people to register, and providing information on the elections, was well received. The Southern Gauteng office received many inquiries from potential voters. People see the office as an important source of information, and it will therefore be crucial to disseminate further details in the months ahead.

Members of Southern Gauteng attended an important anti-militarisation conference in February. The first national conference of its kind, it was organised by the Ceasefire

Campaign. Among the issues tackled were: what type of defence force South Africa needs in the post-apartheid era — if, indeed, it needs one at all; the future of the South African arms industry; and regional implications of militarism.

Speakers were extremely well informed, and the information shared will be valuable in the long struggle ahead for a cut in the security budget and a withdrawal from the international arms trade.

Delegates came from Natal and the Cape as well as parts of Gauteng. Consensus was reached on most issues and a loose alliance was forged.

The Ceasefire Campaign has also called for a moratorium on selling arms internationally, and that includes an embargo on selling arms to both the Angolan government and Unita.

Laura Pollecutt.

Historic National Conference



Top: Delegates assembled outside the conference venue. Below, Several past presidents: back row; Eulalie Stott, Jenny de Tolly and Mary Burton. Front; Noël Robb (National Honorary Life Vice President), Sheena Duncan and Joyce Harris.

Delegates from all eight regions of the Black Sash, above, assembled at an historic conference held in Johannesburg on 12 and 13 May. History was made, not only by the decisions taken at conference, but also by the presence of several past presidents of the Black Sash (left).

Conference decisions paved the way for the emergence of the Black Sash Trust — which will oversee the professional management of the restructured organisation which will continue the traditions of the Black Sash through its advice offices and their projects.

A press statement contextualises the resolutions taken: “It is fitting that with an interim constitution in place and a final constitution in the process of being formulated, the membership body of the Black Sash dissolves. Hence, with the establishment of the Black Sash Trust current members and other persons wishing to associate themselves with the objectives of the Black Sash Trust will be asked to become associates of the Black Sash Trust.”

The aims of the Black Sash will be incorporated into the Deed of Trust so that the ethos of the old structure will be carried forward with the new.