

Article

Engaging the Oppressor

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Introduction - South Africa

It was June 1995, one year after South Africa's first democratic elections brought anti-Apartheid activist and guerilla fighter Nelson Mandela to power. After being barred from the World Cup in 1987 and 1991, South Africa was hosting the world Rugby championship. Its national team, the Springboks, a symbol of white Afrikaner domination, had made it to the final round, fielding a lone black player, Chester Williams. Mandela had spent twenty-seven years in prison, many of them under brutal conditions on the beautiful but isolated Robben Island, where race classifications dictated even the food rations he received – as a black man, he received one ounce less meat and a half-ounce less sugar than Indian and colored prisoners.¹ In a now-famous gesture that June day, Mandela walked onto the field at Johannesburg's Ellis Stadium at half-time wearing the Springbok uniform, and when the South African team won the championship, he returned to the field and raised his green cap in a victory gesture. The message was clear: there is a place for everyone in the new South Africa, former oppressor and formerly oppressed. We will rebuild this country together.

It was admirable to embrace one's oppressor after he had lost his monopoly on power. But Mandela's inclusiveness began long before South Africa's democratic transition. In 1964, at the height of oppression by the Afrikaner ruling government, Mandela was on trial for sabotage. He faced the death penalty at the hands of a white judge. Throughout South Africa, security forces were using torture, extrajudicial executions, and racist laws to maintain a brutal form of racial supremacy that dispossessed blacks of their land and relegated them to far-flung "townships," to be admitted into white urban centers only as laborers bearing passes. In a speech at his trial, Mandela, the co-founder of Umkhonto we Sizwe (MK), the military wing of

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1. Nelson Mandela, *Long Walk to Freedom: The Autobiography of Nelson Mandela* 344 (1994).

the African National Congress (ANC), enumerated the devastating effects of white domination on black lives: death, poverty, poor education, family separation, illness, and others. He then addressed the fears of the Afrikaner minority against whose government he had planned a sabotage campaign:

Above all, we want equal political rights, because without them our disabilities will be permanent. I know this sounds revolutionary to the whites in this country, because the majority of voters will be Africans. This makes the white man fear democracy.

But this fear cannot be allowed to stand in the way of the only solution which will guarantee racial harmony and freedom for all. It is not true that the enfranchisement of all will result in racial domination. Political division, based on colour, is entirely artificial and, when it disappears, so will the domination of one colour group by another. The ANC has spent half a century fighting against racialism. When it triumphs it will not change that policy²

Mandela's extraordinary personal qualities notwithstanding, his insistence on addressing the fears of his white oppressors – an almost absurd posture, given their overwhelming power over him – was an integral feature of the political movement of which he was part. The ANC adopted a robust approach to engaging the white minority, an approach that bordered on radical empathy: even in the darkest days of oppression, it clearly and persistently promoted a vision of equality and respect for whites, too, in a post-Apartheid South Africa.

The South African case invites a broader inquiry into the question of how activists for justice and human rights talk to and about the oppressor. The first part of this article will explore the ways in which the ANC and its allies spoke to and about the white minority during the period of Apartheid. What underlay the ANC's commitment not just to non-racialism but also to actively reassuring the white minority, even as that minority brutally and often fatally oppressed the black majority? How did the ANC continue to address the fears of the oppressor, even as it launched an armed struggle against the white government and, at various points in time, made strategic decisions to exclude whites from its membership? To what extent did the ANC's articulation of a vision that included a role for whites contribute to its ability to build a broad-based movement, garner international solidarity, and ultimately, reduce the perceived cost of ceding power for whites? What substantive compromises did that engagement require of the ANC leadership, and what is the legacy of those compromises? Much has been written about the ANC's engagement of the white minority during negotiations to end Apartheid, and as part of a process of reconciliation after democracy was established.³ In contrast, this article focuses on the approach

2. Nelson Mandela, *Speech at Rivonia Trial before the Pretoria Supreme Court* (Apr. 20, 1964), available at <https://www.sahistory.org.za/archive/i-am-prepared-die-nelson-mandelas-statement-dock-opening-defence-case-rivonia-trial-pretoria> (accessed Feb. 15, 2019).

3. See e.g., Ian Shapiro, *The Real World of Democratic Theory* (2011); Robert Harvey, *The Fall of Apartheid: The Inside Story from Smuts to Mbeki* (2001); Alex Boraine, *A Country Unmasked: Inside*

of activists to whites during the decades of Apartheid in which the government refused to talk directly to the ANC and reconciliation was a distant dream.

The second part of this article will briefly explore insights from the South African experience that might be useful in other contexts, especially Israel/Palestine. I will explore tactical, strategic, and moral benefits that robust engagement with the oppressor may confer. I will also address objections to paying too much attention to the fears and concerns of the dominant group.⁴

I offer a note on definitions: By “oppressor” I refer to groups or institutions in power that violate the rights of others – those who abuse authority. In doing so, I do not imply that every member of a dominant group is guilty of oppression. I do suggest that members of dominant groups bear responsibility for abuses committed by those who claim to represent them. When I use the word “engage” I mean how we talk to and about a group or authority, but not necessarily directly, including communications through public statements, songs, slogans, and writing. “Empathy” means the ability to imagine oneself in the situation of another, and, in this context, I define “radical empathy” as the ability to imagine yourself in the situation of someone who is actually hurting you. It is radical, because it is so difficult.

Engaging the White Minority: A Case of Radical Empathy

Apartheid, the system of racial domination formally in place in South Africa from 1948 to 1994, fell after geopolitical forces created an opening – and perhaps a necessity – for an end to white supremacist rule. The collapse of the former Soviet Union weakened the trump card that the whites-only South African government had held vis-à-vis the United States and Europe, namely that majority rule by Africans would bring Communist forces into power, given the affiliations between the ANC and the South African Communist party. The Soviet Union’s collapse also deprived the ANC of its primary financial and military backer, motivating it to negotiate a resolution. External pressure strengthened internal pressure within South Africa for change. The South African economy, predicated on the exploitation of unskilled and disenfranchised workers for mineral extraction, farming, and service provision, had become unsustainable, and the business community saw its future outside the Apartheid regime. Violent resistance to the Apartheid regime grew, and the government’s ability to control the streets

South Africa’s Truth and Reconciliation Commission (2001); Desmond Tutu, *No Truth Without Forgiveness* (1999).

4. This article is the product of ongoing research, supported by a Robina Foundation human rights fellowship at Yale Law School, to examine the way in which activists for justice in Israel/Palestine relate to and about Israelis as the dominant group, with some comparisons to the anti-Apartheid struggle. The observations shared here are a work-in-progress, reflecting 27 interviews conducted thus far with human rights activists and intellectuals active in Israel/Palestine, South Africa and the United States, as well as ongoing documentary research and analysis.

deteriorated.⁵ These and other factors created space to end a horrific system of racial domination.

Yet majority rule would have been an unlikely outcome without the efforts of anti-Apartheid activists who worked for decades to build a movement and position it to seize the opportunity for change. Mass mobilization of activists on the ground had contributed to making South Africa ungovernable. The armed wing of the ANC, the MK, put pressure on the government through acts of sabotage and, to a lesser extent, violence against people. Decades of organizing by the ANC leadership in exile and mobilization of a global solidarity movement created diplomatic pressure on the ruling National party to cede power. The release of political prisoners and the unbanning of opposition political parties led to a spiral of changes that culminated in direct negotiations between the ANC and the government, mass protests and escalating violence on the streets, a whites-only referendum in favor of changing the system, and, ultimately, democratic elections in 1994.

The 1994 elections were the realization of a founding credo of the ANC, one that would define and distinguish its political program from that of its political rivals: nonracialism. At a time when the South African government cultivated tribal identities and promoted a program of so-called separate development for the various ethnic groups, with whites at the top of the hierarchy, the ANC and its allies promoted its diametric opposite: a universalist approach to citizenship, in which South Africans of all races would enjoy equal rights.

That vision took account of historical injustice but also outlined a role for whites in South Africa with some detail. In 1943, the ANC and its partners compiled the African Claims document in response to the 1941 Atlantic Charter, which outlined the war aims of the World War II Allies. The document calls for a repeal of discriminatory legislation and practices, fair and just redistribution of land that whites took from Africans and policies to redress additional wrongs.⁶ One of the authors, ANC president Alfred Xuma, wrote in the preface that the struggle would continue until “freedom, right and justice are won for all races and colours.”⁷ The ANC and its partners further developed that vision in 1955, when they convened the Congress of the People, a participatory process in which black, colored, Indian, and white activists compiled and collected community input into what would become the Freedom Charter.⁸ A white South African communist, Rusty Bernstein, is said to have drafted the document, which opens with the declaration that “South Africa belongs to all who live in it, black and white.”⁹ It outlines an inclusive vision of equality, in which rights

5. Shapiro, *supra* note 3 at 93-94.

6. African National Congress, *Africans' Claims in South Africa* (Dec. 14, 1943) <https://www.sahistory.org.za/archive/africans-claims-south-africa-14-december-1943-alfred-xuma> (accessed Apr. 27, 2019).

7. *Id.*

8. Saul Dubow, *Apartheid 1948-1994* 69-70 (2014).

9. Author's interview with Hugh Macmillan (Oct. 16, 2018). See also Nana Osei-Opare, *Communism and the Tutelage of African Agency: Revisiting Mandela's Communist Ties*, 38(1)

are protected on a universal basis, even as wrongs perpetrated by the white minority against the non-white majority are redressed.¹⁰

Later, after the government banned the ANC and many of its allies, ANC leaders continued to develop their political vision from exile, mostly in neighboring countries where they sought refuge. In 1969, the ANC issued the “Strategy and Tactics” document from its conference in Morogoro, Tanzania, calling for an overthrow of the Apartheid regime and including the following message, which is striking for its insistence on outlining a role for the oppressor in an imagined just future:

Our nationalism must not be confused with the chauvinism or narrow nationalism of a previous epoch. It must not be confused with the classical drive by an elitist group among the oppressed people to gain ascendancy so that they can replace the oppressor in the exploitation of the mass ... The white people who now monopolise the land have made South Africa their home and are historically part of the South African population and as such entitled to land.¹¹

Over the years, ANC leaders and their allies repeated that message: to domestic and foreign audiences, in official policy documents, in underground propaganda documents and radio broadcasts, and eventually in private conversations with members of the Afrikaner ruling elite. ANC leader Oliver Tambo’s 1976 speech to the United Nations General Assembly promised to “liberate the oppressor.”¹² The 1983 launching of the United Democratic Front, a coalition of anti-Apartheid groups strongly influenced by the ANC, called for inclusive nonracialism.¹³ In 1987, a delegation of Afrikaans-speaking scholars, artists and professionals traveled to Dakar to meet with ANC leaders in-exile. At that meeting, Thabo Mbeke, an ANC leader who would succeed Mandela as president, introduced himself as an “Afrikaner.”¹⁴

I call this approach to the white minority “radical empathy,” because it went beyond simply stating universalist views, which would of course include whites as rights-bearers in a regime to be created based on principles of justice and human rights. Directly and consistently addressing white fears of majority rule required ANC activists to imagine themselves in the situation of whites, to identify and name their concerns and to offer responses to them.

UFAHAMU-A JOURNAL OF AFRICAN STUDIES 69, 78 (2014), <https://escholarship.org/content/qt43d050xv/qt43d050xv.pdf> (accessed Apr. 27, 2019).

10. For example, the Freedom Charter declares that national wealth shall be restored to the people, land will be re-divided and people may occupy land “wherever they choose”. http://www.historicalpapers.wits.ac.za/inventories/inv_pdfo/AD1137/AD1137-Ea6-1-001-jpeg.pdf (accessed Apr. 21, 2019).

11. African National Congress, *Strategy and Tactics of the ANC* (1969), <http://www.anc.org.za/ancdocs/history/keydocs.html> (accessed Apr. 21, 2019).

12. Oliver Tambo, *Statement at the Plenary Meeting of the General Assembly, New York, October 26, 1976*, in OLIVER TAMBO: APARTHEID AND THE INTERNATIONAL COMMUNITY (1991), <https://www.sahistory.org.za/sites/default/files/Tambo-Apartheid%20and%20International%20Community.pdf> (accessed Apr. 22, 2019)

13. Dubow, *supra* note 9 at 208.

14. *Id.* at 245.

The principle of nonracialism was far from uncontested among activists. The Africanist faction within the ANC called for the creation of an African state, which might admit non-Africans, but only on the basis of allegiance to African nationalism.¹⁵ In 1958, the Africanists splintered from the ANC, forming the Pan Africanist Congress (PAC) the following year.¹⁶ The creation of the PAC reinforced the ANC's commitment to nonracialism, now a position that distinguished its political platform from that of its main rival. In the wake of the split, ANC leaders reaffirmed their inclusive vision. In 1959, ANC leader Walter Sisulu described what he called the "broad humanism" of the ANC:

[Our message] claims equality but not domination for the African people, and regards South Africa as being big enough and rich enough to sustain all its people, of whatever origin, in friendship and peace . . . Congress has repudiated the idea of 'driving the white man into the sea' as futile and reactionary, and accepted the fact that the various racial groups in South Africa have come to stay. Congress has at all times welcomed and taken the initiative in achieving cooperation with other organizations representing different population groups provided always that such cooperation was on a basis of equality and disinterested adherence to mutual aims.¹⁷

Although the ultimate goal was nonracialism, in organizing resistance and opposition, ANC leaders took into account the reality of racial divisions under Apartheid and the overwhelming power dynamics they created. Until 1969, the ANC worked with non-black allies through a coalition of "congresses" organized along racial lines: the Indian Congress, the Colored People's Congress, and the Congress of Democrats (for whites).¹⁸ ANC activists worried that if whites were admitted as members, they would dominate the congress, given their privilege, including greater mobility, better education, more wealth, and less vulnerability to the brutality of the regime.¹⁹ The reality of racial segregation also meant that organizing was mostly along racial lines: "people live in segregated areas, and in order to mobilize, we've got to go to where the people are," said a member of the ANC Youth League. "It is a lot easier, for example, for an Indian to go and mobilize the Indians in his area, or a white amongst the whites."²⁰ Indeed, concerns about white activists hijacking the struggle against Apartheid occupied the ANC leadership, many of whom left South Africa when the ANC was banned in 1960. The Congress structure became harder to maintain in exile.²¹ In 1966, the Colored People's Congress dissolved and joined the rival PAC. And, in 1969, the ANC leadership decided to admit non-Africans

15. See e.g., Pan Africanist Congress Constitution of 1959, Art. 2, <https://pac.org.za/1959-constitution/> (accessed Apr. 27, 2019).

16. Dubow, *supra* note 9 at 74.

17. Walter Sisulu, *Congress and the Africanists*, AFRICA SOUTH (Sept. 1959), in Julie Frederikse, *THE UNBREAKABLE THREAD: NON-RACIALISM IN SOUTH AFRICA* 80 (1990).

18. *Ibid.*

19. See e.g., Mandela, *Long Walk to Freedom*, *supra* note 1.

20. Frederikse, *supra* note 18 at 78.

21. Dubow *supra* note 9 at 135.

as members, but not to the executive committee that led the group. The result was a “revolutionary council” that included Indian, colored, and white members, together with blacks.²² In 1985, the ANC admitted whites, Indians, and colored people to its executive committee, as well.

The commitment to nonracialism – and the practice of addressing white fears – did not negate organized armed resistance, including acts of violence that targeted security officers but killed civilians, as well.²³ The MK, the armed wing of the ANC, included fighters from all races and remained active as late as 1990.²⁴ It was a means of pressuring the Afrikaner government, as was the campaign of the 1980s to render South Africa “ungovernable” by violently expelling security forces from black communities.²⁵ The ANC’s public messaging addressing the fears of whites was one of a range of tactics that included mass mobilization within South Africa, armed struggle, building international support, and eventually political negotiations for the transition to democracy.

Whether or not ANC leaders intended to reassure whites – and some ANC activists interviewed said they were simply describing their goal of nonracialism, without consciously responding to white fears – the insistence on consistently and credibly outlining a role for whites in the ANC’s political vision appears to have conferred at least three tactical benefits.

First, the ANC’s message of inclusiveness allowed it to form strategic partnerships with white South Africans, peeling off layers of support for the regime from within the dominant group and also benefiting from the work of white activists whose privileged position allowed them to operate more freely.²⁶ In the 1980s, the multi-racial Congress of South African Trade Unions (COSATU) and the United Democratic Front (UDF), influential allies of the ANC, were able to operate openly within South Africa while the ANC was banned, playing an important role in mobilizing mass support.²⁷ The ANC interacted with white student protest movements and activists opposing mandatory military conscription for white men, encouraging such activities and producing propaganda pamphlets aimed at those target groups: student protestors, men detained for refusing military conscription, and the parents of the detainees.²⁸ ANC activists interviewed for this project emphasized that the thrust of the recruiting effort inside South Africa was

22. Dubow, *supra* note 9 at 147.

23. Aboobaker Ismail, the MK operative who planned the 1983 Church Street bombing that killed 19 people, including civilians, later told the Truth and Reconciliation Commission that the bombing was justified, despite the anticipated civilian casualties: “We wanted whites to come out of their comfort zones and feel the pain and suffering of the black people. We wanted to bring them to their senses.” *ANC Mastermind Campaign Justifies Pretoria Church Street Blast*, SOUTH AFRICAN PRESS ASSOCIATION (May 6, 1998), <http://www.justice.gov.za/trc/media/1998/9805/s980506b.htm> (accessed Apr. 21, 2019).

24. White Jewish Communist leader Joe Slovo served as the chief of staff of MK even before whites were allowed into the civilian leadership of the ANC.

25. Harvey, *supra* note 4 at 192.

26. For example, white activists purchased the Rivonia farm that served as a headquarters for the MK armed wing, because blacks were not allowed to buy land in Johannesburg. White lawyers represented many of the ANC members in political trials.

27. Harvey, *supra* note 4 at 98-99.

28. Interview with ANC activists (Dec. 5, 2018).

mass mobilization of the black majority, but that efforts were also made to mobilize support among white religious leaders, intellectuals, student protestors, and anti-conscriptionists.²⁹ The prominent, visible involvement of whites in the struggle, in turn, shored up support for nonracialism among black activists, who worked with some whites as allies and who also suffered from the brutality of black collaborators with the Apartheid regime, most notably police officers.

Second, the ANC's inclusive platform helped it gain international support. The 1956 Treason Trial, in which 156 activists from all races were initially accused of treason, provided an opportunity for activists to communicate with a global audience, through foreign media coverage of the activists' statements. "Defendants skilfully [sic] used the courtroom to publicize the anti-apartheid message in South Africa and abroad, and the world took notice," wrote historian Saul Dubow.³⁰ The anti-Apartheid solidary movement in the United States and the United Kingdom – composed mostly of white people, reflecting the majority-white population of those countries – gave its support to the ANC program, which they saw as consistent with domestic principles of majority rule and formal equality among all citizens. That global solidarity movement eventually managed to push through economic sanctions on South Africa that also played a role in making Apartheid difficult to maintain.³¹

Third, while the white minority faced significant economic, security, and diplomatic pressure to end racial domination, the fact that the ANC's program included a role for them cannot be disqualified as a factor that encouraged the National Party to cede power before a full-fledged civil war erupted. The first influential group within white society to initiate negotiations with the ANC was the Anglo business community. In the 1980s, they sent representatives to neighboring countries where ANC leaders lived and trained in exile, to begin to talk about a post-apartheid South Africa. Other white thought leaders followed.³² There were many factors influencing the decision of the National Party to begin negotiating with Nelson Mandela in prison in the 1980s, to release political prisoners and unban the ANC and other groups in 1990, and, in 1992, to hold a referendum among white voters, in which they voted to continue the political process.³³ The fact that the ANC, however, robustly described the equal status of whites to which it aspired made it safer for the white minority to consider ceding its privilege. Of course, the white minority did not do so willingly: the country was becoming ungovernable, infrastructure was breaking down, the economy was collapsing, and sanctions had rendered South Africa an international pariah. But whites could have made the transition longer and bloodier had they not seen a role for themselves in a post-apartheid South Africa.

29. Interviews with ANC activists (Dec 5, 2018),(Feb. 20, 2018),(Mar. 5, 2019).

30. Dubow *supra* note 9 at 71.

31. Harvey, *supra* note 4 at 102.

32. Robert M. Price, *The Apartheid State in Crisis: Political Transformation in South Africa, 1975-1990* 239-41 (1991).

33. Mandela, *supra* note 2.

This approach to the white minority was controversial. The Africanists who formed the PAC accused the ANC of allowing the white minority to benefit from its theft of land and resources, for example, by not going far enough in demanding redistribution and restitution of land that European settlers stole from the indigenous peoples of South Africa and the African ethnic groups that migrated there: “African emancipation could only be realized by the return of the land that had been taken away,” said one ANC member who broke with the Congress to join the PAC.³⁴ Important concessions such as respecting private property rights (even where the property was ill-gotten) and amnesty for Apartheid-related crimes, in the form of the Truth and Reconciliation Commission, were a product of negotiations with the white ruling elite.

Twenty-five years after democracy, some in South Africa, especially younger people who grew up after the toppling of Apartheid, blame the ANC’s approach to the white minority for the dismal failure to redistribute the country’s wealth.³⁵ Economic apartheid continues in South Africa, with among the highest levels of inequality in the world and persistent, stubborn poverty and unemployment. As of 2017, blacks comprised 80 percent of South Africa’s population but hold just 4 percent of the farms owned by individuals.³⁶ Unofficial unemployment in 2017 was 31 percent for blacks and 7 percent for whites.³⁷ Whites on average earn 4.5 times as much as blacks.³⁸ The Economic Freedom Fighters, a political party co-founded by an expelled member of the ANC Youth League in 2013, advances a more radical program of redistribution, and there are active debates within South Africa about changing the constitutional provision that protects property owners from having their property seized without compensation.³⁹ South African decolonization activists, especially young people, blame the persistent poverty and inequality on the legacy of the ANC’s nonracialism, noting the alliances the ANC formed with the white business community and its assurances not to make radical changes to an economy founded on white dominance. That decision, they say, set the ANC on a path that, after liberation, would deter it from making fundamental changes in the

34. Frederikse, *supra* note 13 at 72.

35. See e.g., Wanelisa Xaba, *Why Apartheid Must Never Be Forgiven*, THE DAILY VOX (Feb. 7, 2017), <https://www.thedailyvox.co.za/why-apartheid-must-never-be-forgiven-wanelisa-xaba/> (accessed Apr. 30, 2019).

36. Republic of South Africa, Rural Development and Land Reform Department, *Land Audit Report - Phase II: Private Land Ownership by Race, Gender and Nationality 2* (Nov. 2017), <http://www.ruraldevelopment.gov.za/publications/land-audit-report/file/6126> (accessed Apr. 22, 2019).

37. Lynsey Chutel, *Here’s South Africa’s Desperately High Unemployment in Four Charts*, QUARTZ AFRICA (June 2, 2017), <https://qz.com/africa/997358/south-africas-unemployment-is-at-a-fourteen-year-high/>.

38. Statistics South Africa, *Living Conditions of Households in South Africa: An Analysis of Household Expenditure and Income Data Using the LCS 2014/2015 15* (Jan. 27, 2017), <http://www.statssa.gov.za/publications/P0310/P03102014.pdf> (accessed Apr. 22, 2019).

39. See e.g., Antony Sguazzin and Amogelang Mbatha, *For Black South Africans, Land Seizure Is a Question of Justice*, BLOOMBERG (Jan. 22, 2019), <https://www.bloomberg.com/news/articles/2019-01-23/for-black-south-africans-land-seizure-is-a-question-of-justice> (accessed Apr. 22, 2019).

ownership structure of the South African economy. That debate continues, as South Africans forge their future, burdened by the legacy of the past.⁴⁰

In a technical sense, ending political apartheid could be accomplished by changing electoral rules and creating a new constitution. But undoing the massive poverty, inequality, spatial disruption, and unequal access to services created by centuries of dispossession and theft is a daunting and long-term program. My view is that the persistence of economic apartheid has more to do with the enormity of the task and mistakes made by the ANC once it took power, rather than the stance it adopted toward the white minority during the struggle against apartheid and even during negotiations for a transition toward majority rule. The ANC's plan, dating back to the African Claims document of 1943, included robust provisions for redistribution and redistributive justice, to be implemented once black South Africans gained political power. It won a victory in negotiations when the Nationalist Party agreed to majority rule, rather than the minority rights model the Afrikaner minority tried to obtain, citing its fears of reverse domination. Majority rule provided at least the technical tools to undertake the program of redistribution that the ANC had promised. The ANC, however, has struggled to perform well since its transition to becoming a governing party,⁴¹ and corruption is endemic, even at the highest levels.⁴² Under the best of circumstances and with the best of leadership, rehabilitating South Africans from white supremacist domination would be a formidable task, and few would give the ANC high marks for its progress on that front.⁴³

Beyond South Africa

Domination, subjugation, and abuse of authority are fundamental to any system of oppression, but their manifestations are also unique to a particular set of circumstances. Anti-Apartheid activists succeeded in taking advantage of an opportunity for a democratic transition by adopting strategies that fit

40. *Ibid.* For additional context, see a leaked memo by the Thabo Mbeki Foundation addressing the controversy over whether to redistribute land without compensation, *What Then About Land Expropriation Without Compensation?*, THABO MBEKI FOUNDATION (Sept. 2018), <https://37ugp72ofsp25ltkb3ajvvg-wpengine.netdna-ssl.com/wp-content/uploads/TMF-NDR.pdf>.

41. The *Journal of Southern African Studies*, for example, dedicated an issue to an evaluation of the ANC's performance as a governing party. 31 *JOURNAL OF SOUTHERN AFRICAN STUDIES* 4 (2005). See also Roger Southall, *The ANC for Sale? Money, Morality & Business in South Africa*, 35 *REVIEW OF AFRICAN POLITICAL ECONOMY* 116, 281 (2008).

42. South Africa's third president in the post-Apartheid era, Jacob Zuma, was forced out of power in 2018 amid persistent allegations of corruption. He is now facing trial for some of those charges. Norimitsu Onishi, *Jacob Zuma to Be Prosecuted on Corruption Charges*, *NEW YORK TIMES* (Mar. 16, 2018), <https://www.nytimes.com/2018/03/16/world/africa/jacob-zuma-south-africa-corruption.html> (accessed Apr. 27, 2019).

43. See e.g., *An Incomplete Transition: Overcoming the Legacy of Exclusion in South Africa: Report No. 125838-ZA*, WORLD BANK (Apr. 30, 2018), <https://openknowledge.worldbank.org/bitstream/handle/10986/29793/WBG-South-Africa-Systematic-Country-Diagnostic-FINAL-for-board-SECPO-Edit-05032018.pdf?sequence=1&isAllowed=y> (accessed Apr. 21, 2019).

the particular problem of Apartheid in South Africa, at particular moments in time. Yet the tactical and strategic advantages that robust engagement with the dominant group conferred on anti-Apartheid activists may be relevant to other contexts, as well, especially where dominance is based on ethnic, national, religious, or racial identity. In the second part of this article I briefly explore objections to robust engagement with the dominant group, as well as the potential benefits of doing so.

Objections

There are a number of objections to the approach I have described here – robust engagement of the fears of the dominant group. I want to note here just a few of them, including some articulated by activists working in Israel/Palestine, culled from interviews I have conducted thus far as part of this research project. I will also offer some preliminary responses to these objections.

The first objection is that reassuring the oppressor – outlining a role of equality for the dominant group and inviting its members into joint action – ignores the power dynamics that exist between the dominant group and the dominated group, essentially replicating relations of domination into the activist community. This is a serious objection that requires careful thought, especially in deciding how to incorporate members of the dominant group into a movement for justice and how to communicate to and about that group. In the context of Israel/Palestine, there is a problematic legacy of so-called coexistence or dialogue efforts, funded by Western governments during the interim period of the Oslo peace accords in the 1990s, that presented Israelis and Palestinians as equals who needed to learn to live together, erasing the reality of occupation and domination. The anti-normalization movement within Palestinian society reflects this negative experience, and in principle it opposes any joint work with Israelis that is not based on resisting the occupation.⁴⁴

One possible response to this problem is to be deliberate about naming power. We might take these power relations into consideration in deciding whether and how to incorporate members of the dominant group into movements for justice and also what kinds of messaging to use to communicate (including and perhaps especially indirectly) with the dominant group. At different phases of the life of a movement, it may or may not be desirable for members of the dominant group to work together with those seeking liberation from domination. For example, at an early phase of movement building, those belonging to the oppressed group may need to organize separately, to mobilize their communities and to avoid the risk of even inadvertent domination by like-minded activists belonging to a group that has better access to resources and mechanisms of power. The question

44. See e.g., *Debating BDS: On Normalization and Partial Boycotts*, PALESTINIAN CAMPAIGN FOR THE ACADEMIC AND CULTURAL BOYCOTT OF ISRAEL (Jan. 4, 2012), <https://bdsmovement.net/news/debating-bds-normalization-and-partial-boycotts-1> (accessed Apr. 27, 2019).

of how to work with members of the dominant group – whether as part of a joint movement or separately with coordination – is a tactical question that is distinct, however, from the question of what posture to adopt toward the oppressor and how to talk to and about members of the dominant group.

A second objection is that acknowledging and being responsive to the narrative of the oppressor will dilute or negate the narrative of the oppressed. Reassuring the oppressor risks giving legitimacy to the fears of the dominant group, even when such fears are based on dehumanizing characterizations of the oppressed. One example is the tension between reassuring Israelis and their allies about security risks without affirming a warped narrative that pits Israeli security against Palestinian rights as a zero-sum game, reinforcing negative images of Palestinians and downplaying the threats to Palestinian security. But is not it possible to respond to the fears of the oppressor while remaining true to the narrative of the oppressed? Is there not a way to present the narrative of the oppressed in a true and principled way, while still taking into account how it will be heard by the dominant group? In the context of Israel/Palestine, centuries of anti-Semitism, primarily in Europe and culminating in genocide during the Nazi Holocaust, have fed existential fears among Jewish people. It is also true that the legacy of the Holocaust has been used to justify Israeli oppression of Palestinians. Acknowledging the fears of Israeli Jews and their historical context, however, need not come at the expense of acknowledging the persecution of Palestinians at the hands of Israeli Jewish authorities, including violence, dispossession, discrimination, and exile. It is possible, I think, to respond thoughtfully to existential Jewish fears, rooted in historical experiences of persecution, while repudiating the demonization of Palestinians as agents of that persecution.

A third objection is one of fairness – whether it is fair to ask the victim to reassure the oppressor. Doing so may require enormous reserves of energy that would then be redirected from other tasks. Being asked to respond to the fears of the dominant group can also re-traumatize victims. One response here is to think carefully about who in the movement is tasked with communicating to and about the dominant group. One of the many advantages of a broad-based movement is that different people can play different roles. It may be that Israelis or Jewish foreigners are well-situated to do the heavy lifting of communication and engaging Israeli and Jewish fears. If engaging the oppressor is traumatic for some members of the oppressed group, they can leave the implementation of that task to others.

A fourth objection is that taking seriously the fears of the oppressor and responding to them will lead to substantive compromises, for example adopting positions that cede too much, at the expense of remedying injustice. I think it is possible to take “hard” positions – to insist on radical change – while still communicating respect, empathy, and responsiveness. It is hard for the dominant group to hear demands for it to cede its privilege. But whatever the substantive demands are, being mindful of how human rights activists communicate them to the dominant group can make even a bitter pill a bit easier to swallow. In the context of Israel/Palestine, for example, the

right of return for Palestinian refugees who fled or were expelled during the 1948 Mideast War is a red flag for most Zionists, including liberal Zionists who oppose the occupation of Gaza and the West Bank but want Israel to remain a majority-Jewish state and therefore oppose admitting large numbers of Palestinians. There are a few creative examples of those who support the right of return making efforts to reassure Israelis, including by imagining what return might look like.⁴⁵ Demands that seem inconceivable to the dominant group – for example, majority rule in South Africa – can become conceivable over a long period of time, as circumstances change and as activists put forward an alternative vision of the future that is attractive to the dominant group, as well. Of course, an alternative vision of the future will only be attractive if sufficient pressure is exerted on the present unjust regime.

Tactical Benefits

Any pitfalls of robustly engaging the oppressor should be weighed against the tactical benefits it might confer, which, depending on the context, may be substantial.

First, the way activists for justice talk about the dominant group has implications for their ability to build a broad movement, whether through direct cooperation, loose associations, indirect coordination, sporadic communications, or something in between. Even where a program is radical by the terms of the current regime – in South Africa, for example, the transition from minority rule based on white supremacy to majority rule based on universal citizenship – acknowledging and addressing the fears and interests of the dominant group can broaden the range of allies with whom “radicals” can partner. Describing the place of the dominant group in a transformed society may make it possible for revolutionaries – those who want to fundamentally change the system – to forge tactical (and not necessarily direct) alliances with reformers who may support part but not all of the revolutionary program and may be highly sensitive to the fate of the dominant group in that program. In particular, where activists take the time to engage seriously with the dominant group and describe their vision of the place for the former oppressor in a transformed society, they may be able to cultivate allies from within the dominant group and its sphere of influence. Whether the benefits of doing so outweigh the risks is a tactical question, and the answer may change across movements and through different stages of a single movement. Being deliberate and clear about the role for the dominant group, however, opens the door to the possibility of broader partnerships, where such partnerships are deemed to do more good than harm.

Second, robust engagement with the oppressor, including a program for how the dominant group will be integrated into a post-oppression society, can help win external support, including through global solidarity movements. The moral appeal of a program that takes seriously the role of

45. The Israeli NGO “Zochrot” is an example of this type of work: www.zochrot.org.

the dominant group can help make the alternative that activists propose more attractive to supporters around the world, many of whom are motivated by an ideological commitment to universal values such as justice, fairness and human rights. Failing to outline a role for the dominant group in a program of change may make outsiders doubt the sincerity of activists' commitment to those values.

Third, over a very long period of time, robust engagement with the dominant group can reduce the perceived cost of ceding privilege and make its members less resistant to change. This advantage should not be overstated. Members of a dominant group rarely cede power voluntarily, but if they do not see a place for themselves in a transformed society, they may be more likely to fight to the end to maintain hegemony, because ceding dominance appears to threaten their very existence. Offering the dominant group a viable alternative – equality to replace privilege – gives them a horizon and a non-suicidal path to choose, if and when there is enough pressure for change. In outlining a vision of equality, activists should, of course, take into account the need for restorative justice for the oppressed group. Restorative justice, however, need not mean reverse domination. If activists indeed strive for a just future for everyone – saying so clearly and frequently may make members of the dominant group more receptive to accepting alternatives.

Strategic Benefits

For the many circumstances in which the dominant group will continue to live with the formerly oppressed, outlining the place of the former oppressor in a transformed society is also of immense strategic value. In settler-colonial societies such as South Africa, Israel, and the United States—each with its own unique manifestation of settler-colonialism—the dominant group is not going to leave. Any vision of change has to account for the impossibility, short of committing atrocities, of expelling the dominant group and therefore the necessity to consider how the former oppressed and oppressor will live together in a transformed society. Grappling with those difficult issues will affect the substantive program that activists pursue, including the economic, social, and political structures and principles they envision and seek to actualize. Outlining a role for the former oppressor can take the form of a detailed program or be articulated more generally, based on principles, but failing to address what will happen to the dominant group can render the program for change inadequate. It may defer or inhibit important but difficult discussions about alternatives to the current system, redressing past wrongs and redistributing resources.

Ethical Considerations?

For human rights activists promoting a universal, rights-based view of how societies should be organized, there may also be an ethical imperative to taking seriously the role of the dominant group in the future they wish to

build. Do human rights activists have a responsibility to explicitly include the dominant group in their vision of a just future? Appropriately so, change-makers point to the responsibilities of the dominant group to change its course of action. But activists mobilize against oppression because, by definition, the oppressor is flouting its responsibilities. What are the responsibilities of the oppressed and those who advocate on their behalf?

I am still thinking through this idea, but I think that engaging in the difficult challenge of recognizing the humanity even of the oppressor can deepen the commitment of human rights activists to the universal values that underpin their work. The struggle to achieve radical empathy for the oppressor may actually be a struggle to recommit to the goals of liberating the oppressed.

Concluding Remarks

The ideas presented in this article reflect an exploration in process. I acknowledge the many differences between the struggle against white supremacy in South Africa and the struggle for justice in Israel/Palestine, and I do not purport to develop a model that is universally applicable. I do think, however, that activists for justice in Israel/Palestine – including Palestinian, foreign, and Israeli activists – could benefit from a more thoughtful consideration of how they talk to and about Israelis and Zionists, and that the ANC's approach offers some useful lessons. At the heart of the issue is the question of vision. Human rights activists, perhaps understandably, focus on human rights abuses, describing the conduct that we do not want. But spending more time talking about what we do want – even at the level of principles and values – will necessarily require more deliberate articulations about the place for the dominant group in our vision of a just future. That vision can take the form of a detailed political program but might also be a more deliberate, robust, and frequently repeated description of how stated goals such as justice, fairness, equality, and security would apply to the former oppressor, as well.

