

Essay

Principles, Tactics, and Negotiations with the Oppressor

Neeshan Balton†

My approach to this topic is based primarily on the experience of fighting against apartheid in South Africa and in particular negotiations with the oppressor. The context is also one in which the engagement with the oppressor was about national liberation within South Africa. The goal of that liberation struggle was to overthrow white minority rule and to establish a democracy based on one person, one vote. Engaging the oppressor is something that activists did every day through acts of resistance.

In thinking about the oppressor, activists distinguished between goals, strategies, and tactics. The objective of achieving a united, democratic, non-racial South Africa was the broad goal of the liberation movement for decades. Its range of strategies included what it called the four pillars of struggle:

1. The international isolation of South Africa. This included the boycott and sanctions campaigns, which served to isolate South Africa and thereby reduced the apartheid government's legitimacy and support. This also required that the liberation movement itself gain the legitimacy of the people, movements, and governments of the world.

2. The armed struggle. This was embarked upon in 1961 after the liberation organisations, the African National Congress (ANC) and Pan Africanist Congress (PAC), were declared unlawful and could no longer operate legally in South Africa. The armed struggle initially consisted of acts of sabotage but, by 1985, calls were made to render the country ungovernable and armed attacks against government personnel and institutions increased immensely.

3. Building the undergirding structures of the ANC so that the organisation had a presence inside the country and could give leadership and direction to the day-to-day struggles that were being waged internally.

† Neeshan Balton is Executive Director of the Ahmed Kathrada Foundation.

4. Mass mobilisation. This was the key area of emphasis from the mid 1980s. The mobilisation of the mass of the oppressed people into organisations in every area of life was critical for building the capacity for prolonged struggle against the apartheid system. This took the form of establishing or strengthening trade unions, civic, youth, and women's movements. Organisations amongst sports, arts, and cultural workers were established to ensure that these were areas of mobilisation against apartheid as well. Health, faith, and academia were other areas of mobilisation. In short, every area of struggle required mobilisation and organisation.

In the South African struggle, and especially for the ANC and its allies, there was always a political purpose that guided all tactical choices, especially when the ANC opted to add the armed struggle to its basket of tactical choices. Walter Sisulu articulated this succinctly in an article written in prison when he wrote:

There exists at all times a multiplicity of forms of struggle that a movement exploits as part of its arsenal of weapons. Any form of struggle, including the armed struggle, can only emerge to dominance over time and as a result of consistent effort. Nonetheless, even if a given form of struggle emerges as the dominant one, this does not mean that other forms do not co-exist. What it does mean in such a situation is that the other forms come to occupy a subsidiary place and are essentially reinforcing the dominant one.¹

With much of this in place, the struggle in the 1980s rendered much of Black South Africa ungovernable, which resulted in the state having to deploy its troops into the townships to enforce its rule. The government of the day had in effect lost any semblance of legitimacy and control over large parts of South Africa and could only resort to repressive measures which in turn fueled global pressure against it. This ultimately saw the United States passing legislation that supported divestment from South Africa and the withdrawal of major US companies from the country. South Africa's isolation from the world in almost all areas of life that required global connections was almost complete. The cost of circumventing sanctions became too much for its ailing economy and this forced major South African business leaders to begin a process of dialogue with the banned ANC. The divisions amongst the oppressor bloc began to widen before engagement with the political component of that bloc commenced. This was crucial to the success of any engagement.

This shows that engaging the oppressor depends on a number of variables: (1) The timing of that engagement; (2) the degree of legitimacy of and support for those representing each of the main contenders on behalf of the oppressor and the oppressed; (3) the content of such engagements; and (4) the implications for other forms of struggle once engagements commenced.

As indicated, whether to engage the oppressor was never a matter of principle for the ANC. Since its inception, it had always preferred a non-violent negotiated resolution to the South African conflict. Throughout the

1. See Walter Sisulu, *We Shall Overcome*, in REFLECTIONS IN PRISON, Cape Town: Zebra (2001).

first fifty years of its existence, all attempts to get the white government and white political parties to agree to dialogue processes failed. Instead, the liberation organisations were banned and resorted to armed struggle to pursue their objectives.

By the mid 1980s, Nelson Mandela and some within the leadership of the ANC as well as elements within the National Party's intelligence service had separately concluded that neither the ANC nor the government was strong enough to defeat the other. While the government was strong militarily, it was growing weaker politically inside and outside of the country. Mandela came to the conclusion that the two sides needed to talk and started a series of discussions with the leadership of the National Party. At the same time, the ANC in exile also began a series of secret talks with the government.

The striking thing about these talks is that they emphasised the same set of demands to the government. These were that talks about the future of the country could only commence in earnest when: (1) ANC prisoners were released; (2) the exiles were allowed to return unconditionally; (3) the ANC and other organisations were unbanned; and (4) free political activity would be guaranteed.

The ANC developed a set of guidelines for any negotiations and also commenced work on future constitutional principles. These received global support from the Organization of African Unity, the United Nations, and the Commonwealth, amongst others. The global balance of forces changed dramatically in 1989 with the fall of the Berlin Wall and a growing indication that even the staunch supporters of the ANC, mainly the Soviet Union and many African countries, were of the view that the ANC needed to negotiate with the National Party.

This was, however, countered with growing resistance inside the country. The number of labour strikes, armed attacks, and mass civil disobedience had reached unprecedented levels. The changing international environment was a major factor that pressured the ANC to start thinking seriously about negotiations. The backing of the Soviet Union was about to come to an end in 1989 and there was a very real possibility of major international powers taking charge of organising "peace talks," as they had done in Angola and Namibia. This would have resulted in the ANC and those aligned with it being left out of such talks and being forced into agreements that would most likely have strengthened white minority rule, disguised as democratic change.

A memorandum of the trade union federation in June 1989 reveals just how serious this threat was. The memorandum notes the following:

The Frontline states (Angola, Botswana, Mozambique, Zimbabwe, Zambia): The key country here is Zambia who hosts the ANC. Zambia is pushing for that the ANC finds a negotiated settlement as Frontline states can no longer provide bases to the ANC on their soil. They have said that if the ANC does not find a negotiated settlement, they will have to fight the war against apartheid within the country. The Frontline states have said that after there is a settlement in Namibia, they will call a conference and lead in the settlement of SA. [President of Zambia,

Kenneth] Kaunda has already indicated that he is willing to talk to FW De Klerk [the new president of SA].²

This intended action resulted in the President of the ANC, Oliver Tambo, crisscrossing the continent and the globe gathering support for an approach to negotiations which ensured that South Africans would lead the negotiations and that the ANC's road map for negotiations were supported. The outcome of this was a document called the Harare Declaration, which was adopted in August 1989. It received UN support in December 1989 and effectively ensured that there would be no external interference in the negotiations process which was to unfold a few months later.

The ANC considered the road towards a negotiated settlement as being another terrain of struggle. It articulated its position in the following way:

We must therefore approach these talks as a means of winning at the conference table or consolidating what we have won on the battlefield. In other words, we will enter talks as means of pursuing our political objectives employing other means, or to supplement our conventional means.³

All these factors forced the two main protagonists to seriously start preparing for the eventuality of them having to engage with each other.

The National Party government thought it would have the upper hand over the ANC if it released Mandela and unbanned the ANC and other organisations. It had hoped that it would weaken the ANC through a programme of building alliances with other Black organisations and leaders and simultaneously unleashing large scale violence in Black communities.

A broad patriotic front of most organisations representing the oppressed people of South Africa was formed and endorsed the Harare Declaration and thus the roadmap towards negotiations. In time, however, the two main protagonists in the talks would be the ANC and the National Party, representing the oppressor and the oppressed. This, however, did not work and in the process of talks about talks, agreement was reached that an interim government was required. A national multi-party negotiating forum was established to prepare for a process to draw up a new constitution. An interim constitution was drawn up which enabled the holding of elections to elect public representatives to a constituent assembly who would eventually draw up the final constitution for South Africa.

While all this was taking place, societal mobilisation continued and was escalated when the talks broke down or deadlocked. It was also a period that saw the highest number of political killings. Much of this was orchestrated by militias linked to the police and other suppressive arms of the state.

Uncertainty about the outcome of the elections continued until the day of the first democratic elections in 1994. The days preceding it were marked by intense violence by the white right wing. April 27, 1994, however, saw millions of South Africans standing for hours in long queues to cast their historic ballots and in so doing began a programme of transition away from

2. Gail M. Gerhart & Clive L. Glaser, *From Protest to Challenge, Volume 6: Challenge and Victory 1980 - 1990* 694, Indiana University Press (2010).

3. *A submission on the question of negotiations*, Internal ANC Policy Paper (Nov. 1985).

apartheid rule. By 1996, South Africa adopted a new constitution which, like the Freedom Charter, was a massive exercise in public participation in its content. The preamble to that constitution is worth repeating in full to understand the outcome of that negotiated settlement. It reads:

We, the people of South Africa
 Recognise the injustice of our past;
 Honour those who have suffered for justice and freedom in our land;
 Respect those who have worked to build and develop our country; and
 Believe that South Africa belongs to all who live in it, united in our diversity;
 We, therefore, through our freely elected representatives, adopt this constitution as the supreme law of the Republic so as to –
 Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
 Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
 Improve the quality of life of all citizens and free the potential of each person; and
 Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.⁴

Conclusion

Had the oppressed decided not to engage as a matter of principle, it is likely that the struggle against apartheid rule would have continued much longer and with the country being reduced to a wasteland before any side could claim victory. That would have been a hollow victory, in my view.

Did engaging the oppressor through negotiations completely eradicate all the suffering experienced by the oppressed? No, it did not. But it was also never intended to have that end result.

Mandela sums this up in his autobiography, *Long Walk to Freedom*:
 When I walked out of prison, that was my mission, to liberate the oppressed and the oppressor both. Some say this has now been achieved. But I know this is not the case. The truth is that we are not yet free, we have merely achieved the freedom to be free, the right not to be oppressed. We have not taken the final step of our journey, but the first step in on a longer and even more difficult road. For to be free is not merely to cast of one's chains, but to live in a way that respects and enhances the freedoms of others. The true test of our devotion to freedom is just beginning.⁵

In the past twenty-five years, while some progress has been made in eradicating the effects of centuries of oppression, much more could have been done. The huge racial inequality gaps that still define much of South

4. The Constitution of South Africa.

5. Nelson Mandela, *Long Walk to Freedom: An Autobiography of Nelson Mandela* 617, Macdonald Purnell (1995).

Africa today could have been more decisively dealt with if the obsession with capturing the state for personal enrichment had not become the norm for the past ten years or so.

The struggle to achieve the aspirations of the Freedom Charter and the Constitution of South Africa will, however, serve as markers for the magnitude of an unfinished revolution, the partial success of which was owed to strategic engagement.