**Chapter Twelve**

**Negotiations and the Institutional State:**

**The ANC, The National Party, and Non-Racial Governance**

**Towards the End Game**

**The Beginning of the Beginning**

In December 1974, eighteen months before the Soweto uprising, the then Minister of Justice Jimmy Kruger visited Nelson Mandela on Robben Island. In this meeting, he tried unsuccessfully to get Mandela to move to the Transkei and to renounce violence in return for his release. In 1976, Minister Kruger again met with Mandela on Robben Island and offered him his freedom if he would agree to acknowledge the legitimacy of the Transkei and agree to be exiled there (Lodge 2006b). This was the first of a series of feelers sent to Mandela over the next fifteen years.

In January of 1985, P.W. Botha offered to release Mandela if he would renounce violence as a political instrument. This time the offer was more serious. Negotiations between the government and the African National Congress (ANC) date from the end of 1985, when Nelson Mandela went into hospital in Cape Town to have his prostate gland removed. As he was recovering, he had the first of several visits from P.W. Botha’s Minister of Justice Kobie Coetzee who raised the issue of a future negotiated release (Interview with Kathrada, 1992). The visit from Coetzee, began a series of negotiating meetings between the ANC leader and the National Party government as government ministers and other senior central government officials that developed a framework for negotiations between the ANC and the National Party Government.

Over the next several years, Mandela also began to receive visits from international personalities from the U.S. and Britain. Mandela “had developed into a prisoner of conscience without peer in the twentieth century.” The National Party leadership, as the world would soon note, “found a man regal in dignity, bubbling over with magnanimity and a desire to dedicate himself to the reconciliation of those whom apartheid and the injustice and the pain of racism had alienated from one another… He amazed us by his heroic embodiment of reconciliation and forgiveness” (both quotes from Tutu, 1999, pp. 38-39).

Mandela initially was moved to Pollsmoor Prison in Cape Town (1982) and then to a loose form of house arrest in a three-bedroom bungalow at Victor Verster prison near Paarl. He was taken outside of the Prison for a series of drives during this period to get a feeling for the outside world. The government also sent out feelers to the ANC in Lusaka.

A breakthrough occurred in early 1989 when, in a letter to then President P.W. Botha, Mandela wrote that in future negotiations "two political issues will have to be addressed; firstly, the demand for majority rule in a unitary state, secondly, the concern of white South Africa over this demand, as well as the insistence of whites on structural guarantees [that] majority rule will not mean domination of the white minority by blacks. The most crucial task which will face the government and the ANC will be to reconcile these two positions" (Mandela 1994, p. 476).

The Mandela prison negotiations led to a series of agreements on several issues during meetings between Mandela and senior cabinet ministers (the *verligte* group), President P.W. Botha, and finally the new President, F.W. de Klerk just prior to the February 2 speech. On February 11, 1990, Mandela walked out of Victor Verster prison to lead negotiations with then President F.W. de Klerk and the National Party.[[1]](#footnote-1)

**Pre-negotiations: 1985-1990**

Negotiations, or pre-negotiations, in the broadest sense of the word also went on between the South African government and the ANC in exile for five years prior to February 2. The negotiations process continued for more than ten years (1985-1996) despite the apparent irreconcilable differences between the ANC and the National party at first. Though disrupted by violence between the ANC and Inkatha, and slowed down by mutual distrust between and among the major actors, by 1989 the talks increasingly appeared certain to lead to some form of negotiated settlement by the middle of the 1990s.

An early hint at the possibility of negotiations had been made by the Afrikaans language newspaper *Beeld* on January 9, 1981 (Shubin 1999). As early as 1982, members of the National Party government began to anticipate some form of a negotiated settlement with the ANC (Lodge 2006b). An early visit occurred to the ANC in Lusaka (in 1984) by an academic close to the National Party, Hendrik van der Merwe of the University of Cape Town (Shubin 1999).

Throughout the 1980s, there was also a series of meetings between the exiled ANC, the private sector, and civil society groups focusing on economic issues. In June 1988, the banking industry focused its attention on the need to dismantle apartheid and apartheid institutions and the need for a negotiated settlement in order to avoid the destruction of the economy threatened by internal unrest and international sanctions. The business community by 1989 had recognized the importance of the ANC and was both meeting in public with its leadership and putting pressure on the government to begin negotiations (Lee & Buntman 1989).

Mistrust, violence, and different views of political and economic development continued side by side with a negotiations process that created political institutions with lasting influence in South Africa. The opening of the Convention for a Democratic South Africa (CODESA) talks on December 20, 1991 was a last step in the ending of the apartheid system and a first step in the beginning of the debate of the future development of a non-racial South Africa.

Throughout the 1980s, the South African government's objective was the exercise of political rights and freedoms within the structures of groups and communities, a position that the ANC strongly rejected. South Africa, the National Party argument went, was a nation of minorities and future constitutional arrangements would have to address individual needs only within the confines of ethnic or linguistic groups. From the government's point of view, as we have seen in the last chapter, there were three non‑negotiable issues: (1) the concept of group rights and the idea of one person one vote was not acceptable, (2) The Population Registration Act, Act No. 30 of 1950, and The Group Areas Act, Act No. 41 of 1950, must remain, and (3) the tri-cameral parliament and its constitution must be the basis of reform (Mission to South Africa 1986).

The pre-negotiations period came to be dominated by two intersecting sets of forces in South Africa. The South African government introduced a series of reforms that were designed to buy the National party time and provide a social and economic framework that was conducive to the development of a black middle class. At the same time, and in response to those reforms, a new anti-apartheid movement had developed and, by the early 1980s, violent resistance in South Africa's urban townships had focused new international attention on South Africa. The creation of the United Democratic Front (UDF) in 1983 marked a turning point in South African history. This was to be a new multi‑class democratic movement that would share goals and have a close relationship with the ANC.

The 1985 downturn of the economy and the confrontation between the South African government and the black community led to a meeting between a delegation of white business leaders and the ANC in Lusaka, Zambia on September 13, 1985. The meeting went well and both sides found that they had much in common with the other. From that point, the South African business community lobbied in favor of political reforms in South Africa and contributed financially to the negotiations process. Further meetings in Lusaka, and especially in Dakar, Senegal on July 6, 1987, between the ANC and influential white South Africans were important first steps to the negotiations process between the ANC and government.

Several of the meetings were organized by the Institute for Democratic Alternatives for South Africa (IDASA), led by Frederick van Zyl Slabbert and later by the Five Freedoms Forum, a pro-negotiations group in South Africa. These meetings brought together the ANC and a number of white South Africans, including Afrikaners, who looked to explore "the possibilities of doing a deal" (Sparks 1990, p. 326). The Dakar and Lusaka meetings helped narrow the gap between the ANC and South African political and economic elites and "helped unblock the road to national reconciliation" (Breytenbach 1993, p. 25).

Prior to February 2, 1990, the ANC had at best a two-year period of warning that the organization might become legal in South Africa. The abortive Eminent Persons Group negotiations, which included a group of eminent Commonwealth leaders appointed by the Commonwealth to mediate conflict in South Africa,[[2]](#footnote-2) helped stimulate the first indirect dialogue between the state and the ANC. This was followed by talks after 1987 between Nelson Mandela and a number of verligte cabinet ministers within the Botha cabinet and between members of the ANC in exile including Thabo Mbeki and the South African government.

International capital had become particularly discouraged after the crackdown that abruptly ended the Eminent Persons Group negotiations in 1987. The domestic and international reaction against the 1987 crackdown in the townships significantly increased the domestic and international pressure on the South African government economically (Sparks 1990). In the late 1980s, the South African government found it increasingly difficult to raise external loans and investment as its internal situation worsened. By 1989, sectors of business had recognized the importance of the ANC and were both meeting in public with its leadership and putting pressure on the government to begin negotiations. However, the political stalemate continued until the resignation of President P.W. Botha in August of 1989.

The collapse of the Cold War hinted at the changed global landscape of alliances. ANC leaders in Lusaka also sensed a possible shift to negotiations with the Soviet withdrawal of support for the war in Angola. The U.S.-Cuban agreement on Namibia and the secret discussions between Mandela and cabinet ministers in 1989 suggested that conditions might be ripe for negotiations (Zartman 1990). Since, for many, a settlement in Namibia would be a testing ground for many of the reforms that would need to be taken in South Africa.

Some members of the ANC began to take Botha's talk of negotiations very seriously and began to question the ANC's strategy of armed struggle. Thabo Mbeki was one of the first to advocate abandoning the armed conflict, entering into negotiations with the National Party, and suspending international sanctions The ANC met in Harare, Zimbabwe in mid-1989 to develop a set of conditions for entering negotiations with the National Party and the South African government (Sparks 2003).

Pre-conditions for negotiations in the Harare Declaration included releasing Nelson Mandela and all other political prisoners, the unbanning of the ANC and other banned organizations, granting amnesty for political exiles, lifting the state of emergency, and the scrapping of several key apartheid laws. By July 1990, all ANC conditions would have been met, except the removal of the state of emergency in Natal, an agreement on amnesty, and release for political prisoners.

While the racial nature of the Botha government proposals for reforms led parliamentary forces to reject the P.W. Botha proposal for a national council prior to February 2, 1990, all groups by 1989, including the ANC, had accepted the principle of a negotiated settlement within an all party national body as essential to the solution for South Africa's problems. From this perspective, there was continuity between the segregated all-race local government elections in 1988 through racially exclusive national elections in 1989, to the release of Nelson Mandela, the removal of the state of emergency, and the unbanning of proscribed organizations. The release of eight political prisoners, including former ANC Secretary General Walter Sisulu by newly elected President F.W. de Klerk, presaged such changes in October of 1989. With February 2 and the Groote Schuur and Pretoria minutes meetings in 1990, the stage was set for meaningful negotiations in the early 1990s.

Prior to February 2, Mandela and De Klerk had agreed on several issues. They concluded, (1) an agreement that white rule must end during the life of the present parliament (within four years); (2) that the new government should have a non-racial franchise based on one person-one vote in which there would be no racial discrimination; (3) that the transition to a non-racial system should occur in peace and political freedom; (4) that a de facto coalition between the ANC and the National Party should steer this process; (5) that the constitution for the non-racial state should occur through negotiations; and (6) that the new majority rule constitution would provide for checks and balances and minority rights including, but not limited to, an independent judiciary, a bill of rights, and some protection for cultural identity (Waldemeir 1997). Though the violence between Inkatha, the Government, and the ANC weakened this understanding, it remained the basis of negotiations between the reformist wing of the National Party and the faction that favored negotiations within the ANC down to April of 1994.

One persistent rumor during the negotiations was that there was a secret agreement between the ANC and the National Party about what would happen to combatants in terms of amnesty (Krog 1998). After the conference in Zimbabwe, the ANC formulated a negotiations document known as the Harare Declaration that had the backing of the Front Line States, the Organization of African Unity (OAU), the non-aligned movement, and with some modification, the UN. By 1989, MK (Umkhonto we Sizwe or Spear of the Nation) had reduced the scale of its armed activity as an indication of good faith (Barrell 1990).

Several pre-negotiations issues remained prior to the beginning of formal negotiations and in several cases had to be addressed as part of the negotiations process. These included the release of all political prisoners, the ending of the state of emergency in Natal, and ultimately the role of Inkatha in the negotiations process. Also, the ANC had not yet renounced the use of violence. A compromise would follow. The ANC agreed to suspend violence and at the same time end its support for sanctions. The government ended the state of emergency in Natal and began a phased release of ANC cadres in prisons.

The last half of 1990 would see the phased release of political prisoners in return for ANC action on its policy of violence and the suspension of the armed struggle (Waldemeir 1997). The suspension idea (rather than a formal ending of hostilities) had been worked out as far back as the Commonwealth mission to South Africa in 1986 (Mission to South Africa). At that time Mandela had indicated to the Eminent Persons Group that he felt that violence could be suspended in return for the beginning of negotiations.

**The Dye Is Cast - Home Again**

**February 2**

On February 2, 1990, in his now famous speech, South African President F.W. de Klerk announced a series of reforms that included the unbanning of the ANC and eighteen other organizations and the release of Nelson Mandela. Nine days later, Nelson Mandela walked out of Victor Verster Prison, in full view of much of the world via television, to lead the ANC in negotiations with the South African government over the nature of a post-apartheid political system. A new era in South Africa's political process had begun. It would take four years of negotiations and the loss of tens of thousands of lives to agree on an interim constitution and non-racial elections, but the process had started.

The release of Mandela in 1990 was symbolically and politically one of the most important victories in the history of the anti-apartheid movement. This event of international scope reversed a 25-year process in which the state had portrayed Mandela as a person of chaos and destruction, a communist, and a man dedicated to violence. In turn, with the release of Mandela and the legalization of the ANC, the movement was poised to move from a government-in-waiting to a co-manager of the state. However, the ANC in 1990 was initially “in disarray, with a gap between those who believed in the process and those who wanted to continue the armed struggle” (Barber 1999, p. 286).

The dramatic announcement by F.W. de Klerk was made in 1990 because the economy was on the verge of collapse and the reformers within the National Party feared a new outbreak of urban violence. Though the violence between August 1990 and August 1991 shook the negotiations process, there remained the basis of an understanding between the two sides in the negotiating forum. What surprised many was how quickly normality at elite levels set in after February 2, 1990. As one senior representative of the reformist wing of the National Party, and later key negotiator, put it:

The newspapers made note of the fact that Joe Slovo did have lunch with new Ambassador to the U.S. Harry Swartz in a Johannesburg restaurant. When asked what they were discussing, Slovo is said to have quipped, “Didn't you know, the South African Communist Party has to approve all ambassadorial appointments” (Interview with Meyer, 1990).

The ANC was not ready to negotiate in 1990. Suspicions of the National Party were strong within the Mass Democratic Movement (MDM) even where they were unwarranted. According to one UDF observer, speaking of De Klerk and the public sector in 1990, "The concern is- what is his agenda?" (Interview with Mkatshwa, 1990). Deep suspicions remained. A number of UDF black leaders questioned the National Party's motives, noting the huge flood of immigrants from Eastern Europe recruited by the National Party government in the early De Klerk years. The ANC strongly criticized white immigration that they felt would take black jobs.

Initially, many in the ANC failed to take the February 2 announcements seriously. In this they were supported by some journalists and academic observers who at first downplayed or ignored the De Klerk announcements. George Shepherd (1991) made almost no mention of these changes in an early 1990’s book.Such pessimists concluded that neither side was yet committed to the kind of compromise that would allow for a negotiated political settlement. Optimists on the other hand felt that after February 2, 1990, the National Party was prepared to address fundamental political changes and the ANC was prepared for something less than a simple transformation of power.

**The Exiles Go Home**

It was not clear how many exiles waited to go home in 1990. The number of exiles involved remained uncertain with 10,000 to 30,000 being the low and high estimates. Davis (1988) had suggested that no more than 13,000 exiles were linked to the ANC in 1986. As Kleinschmidt (Interview, 1990) noted at the time:

On the numbers of exiles, no one knows. I think there are between 15-20,000. There is a maximum of no more than 35,000. As part of this there are about 2,000 whites who are active within the ANC and 2,000 whites who will go back separately. There will probably be a lot of resentment of whites over time especially from the black consciousness people.

In the early days after the unbanning of the ANC in February 1990, many exiles in Zambia, Tanzania, and Mozambique were afraid to go back to a South Africa still governed by the National Party, fearing political repression. Some exiles feared that the De Klerk announcement was a trick and that they would be arrested on arrival at the then Jan Smuts Airport. Many of the returnees in 1990 and 1991 had mixed feelings about repatriation (Gevisser 1981). There was some joy, some pathos, and more than a bit of humor. As Joe Slovo put it after he returned from exile in 1990, “As I was saying when I was so rudely interrupted….”.[[3]](#footnote-3)

ANC figures in 1990 confirmed other estimates and suggested that more than 30,000 ANC-linked exiles had to be repatriated. This included close to 3,000 highly skilled white exiles that, if and when they moved into positions of power, could be resented by many black South Africans. Estimates were, however, that some 17,000 people linked to the ANC returned to South Africa after 1990 (Tyala 1990). There were estimated to be 8,500 members of the ANC military wing, MK, who also had to be absorbed back into South African society. There were another 30,000 South Africans living overseas without formal links with the ANC. Many of these would not return.

The exile question was an important factor during the negotiations. Initially, at least 700 ANC cadres had refused to return to South Africa because they feared the violence in the townships. Exiles had found jobs, married and raised families, and taken on the lifestyle of their adopted countries. Some, particularly those with professional and technical skills, would remain permanently overseas (Bernstein 1994).[[4]](#footnote-4) Exiles, on their return, exerted immense pressure for public sector jobs. Finances had to be found to repatriate those people, provide housing for them, and locate jobs.

ANC leaders had long assumed that many of its members in exile would bring back both skills and a commitment to serve in the public sector. Large numbers of exiles had received scholarships from international organizations and had had experience in the resistance bureaucratic apparatus in exile. As part of the negotiated return, many ANC exiles came back with fear and anxiety but, they also brought “with them substantial political experience and skills" (“Returning ANC Medics” 1990). In reality, however, observers concluded that few of the some 30,000 to 40,000 South African exiles were equipped to join the public services or security forces (Gevisser 1981).

In August of 1991 the ANC negotiated an agreement with the UN High Commission for Refugees to repatriate some 40,000 people (Bernstein 1994). By 1991, ironically, several Afrikaner civil servants had been assigned to integrate former ANC exiles into life back in South Africa (Van Heerden 1991). Returning exiles faced a number of real and rhetorical challenges upon their return to South Africa. Many in Britain had for most of their lives "lived a kind of limbo existence--waiting to return" (Hain 1996, p. 44). Exiles who had been trained in Eastern Europe and the former Soviet Union faced particular difficulties. Especially in the health sector, nurses and doctors found resistance from employers because they had been trained in the Eastern Bloc (“Returning ANC Medics” 1990).

By 1993, it was clear that large numbers of skilled exiles would not return to South Africa to provide necessary skills during the transition period. They feared that they would not be able to find work. Some members of the ANC who refused to return eventually were declared illegal immigrants in Zambia and sometimes forcibly sent back to South Africa (“ANC Exiles” 1993). Exiles influenced the way the ANC came to think about public sector transition. During the years the ANC was banned, many elite members of the organization lived in exile in the United States or Britain. On their return to South Africa, many, particularly those of African origin who took leadership positions, saw affirmative action in American terms and as an opportunity to promote the interests of middle class blacks. Increasingly, this view began to predominate within the ANC.

As negotiations moved forward between 1990 and 1994, affirmative action became part of the package of changes that were advocated by the ANC. Both during the transition and also during the years following the establishment of the Government of National Unity (GNU), affirmative action, rather than social transformation or public sector reform, increasingly came to predominate ANC thinking about the public sector.

**The ANC - Out of Exile**

After the February 2 announcement, the ANC initially was plunged into disarray. The movement’s leadership was taken by surprise by the February 2, 1990 announcements, as were most other South Africans. They now faced the extremely difficult task of transforming the raw emotions of their members into a disciplined political force that was willing to support whatever deal was struck with government negotiators.

The ANC in 1990 was an organization that had multiple identities and purposes with different and distinct styles of work and historical experience. It in turn was linked to a number of other organizations (COSATU, UDF, MK, and the SACP)[[5]](#footnote-5) that had overlapping but not identical goals (Suttner 2003). At the beginning of 1990, the ANC may have had 15,000 supporters in exile while the UDF had over 500,000 active supporters within South Africa.

The ANC was forced to abandon its revolutionary scenario and begin to function as a political movement. There remained within the movement, however, a division between those who wanted to seize power and those who advocated negotiation (Meredith 1998). In early 1990s, the ANC had not yet considered whether such critical issues as proportional representation, some form of non-racial federalism, or regional devolution were appropriate policies which could be accepted during the course of negotiations. One close observer of the ANC put it this way in mid-1990s:

The ANC wants a non-racial democracy. However, some recognize the need to compromise. There are people to the left and people to the right. There are fundamentalists versus incrementalists. The transformation of the ANC from a guerilla movement to a pluralist political organization will be very difficult. The organization was illegal and underground. It had to operate in a clandestine fashion. It was dangerous to communicate both at home and overseas. The leadership had to be self-contained, militaristic and authoritarian. Now this will change. The debate is how this occurs. One has to see it within the context of the UDF and the abandonment of the BCM [Black Consciousness Movement] (Interview with Mayson, 1990).

The ANC problem, after it became legal and began to approach negotiations, was that it discovered the negative relationship between compromise and constituency mobilization. Authoritarian decision-making could only be sped up through negotiations in “smoke filled rooms which would lead to Pacts," according to a lecture by Van zyl Slabbert (Picard, Research Diary, June 4, 1992). There was also a risk that creation of the pact would be very difficult to consummate. For both sides, "[e]ven though the outcome of negotiations about a future constitution [was] inherently uncertain, each party to the negotiations [made] decisions in terms of a particular framework" (Oosthuizen 1986, p. 80). Regardless of the mitigating circumstances, however, the organizational culture of authoritarianism left a legacy after February 1990.

Despite the fact that the ANC enjoyed de facto legalization by the end of the 1980s, the suddenness of the February 2 announcement took the resistance movement by surprise. As Paulus Zulu noted back in 1988 (p. 147), "most [resistance] groups [had] not thought through the future in detail." As Steve Davis pointed out in 1990, "the ANC had it easy [prior to 1990] since they had no policy. They [had] a tough team but it [was] scattered. Various units [were] all floating. Now they [had to] begin to come together" (Interview with Davis, 1990).

In the decade before 1990, the ANC had operated on the basis of a four part strategy: (1) mobilizing the masses within South Africa through the creation of a broad national front, which came to be named the UDF; (2) continuing guerilla warfare from bases in the Southern African region; (3) developing an underground intelligence and action movement within the country; and (4) making the black urban townships ungovernable in the near and medium term (Hadland & Rantao 1999). Critics, however, suggested that the organization had no overall strategy for the post-apartheid period.

The ANC was plagued organizationally by its history of exile. The downside of the armed struggle of the 1970s and 1980s was that the movement had to unlearn any instincts for openness and trust. For its own preservation, the movement was forced to become increasingly wary of outside elements (Lelyveld 1985). To some extent, the ANC still operated in a kind of structured consensus. This is a unidirectional communication of "consensus...which is reached by political elites and passed down to the public that responds as an acclamatory agent only" (Van Vuuren et al. 1985, p. 57).

Many individual ANC officials initially were confused in the aftermath of February 2. As one official put it in early 1990, "Overall, I have not done much thinking about the future, either in terms of overall implementation issues or in terms of what happens the day after, the day the ANC is a legal, functioning organization in South Africa. We will still be in Lusaka a year from now" (Interview with Mabuza, 1990). They were not in Lusaka in 1991.

The fear (and the hope of the National Party) was that the ANC after 1990, would be "poorly organized and ill-prepared for peace, [and] would fall into disarray" (Meredith 1998, p. 401). The ANC faced considerable, if understandable, organizational difficulties in setting up internal infrastructures during its first six months of legal existence after February 2, 1990. It now had to establish itself as a political movement and subject itself to the kind of bargaining and negotiations that political parties want to do. More importantly, the leadership faced the extremely difficult task of transforming the raw emotions of their followers into a disciplined political force ready to support whatever deal was struck with the National Party government (Dunn 1990b). Except for the trade unions, neither the ANC, the UDF, or the constituent civic associations carried a great deal of internal managerial capability. According to one observer:

The ANC had considerable trouble putting its own house in order. It found the business of converting itself from an underground liberation movement into a properly constituted political organization--establishing party offices, recruiting members, raising funds, organizing the return of thousands of exiles and ensuring the welfare of returning guerrillas--an immensely difficult process, almost beyond its means (Meredith 1998, p. 444).

Observers, before 1990, could only speculate on the capability of the ANC bureaucracy to move into government. Within the leadership, there was recognition of its organizational failings. According to a member of an ANC regional committee at the time, "The blockage to negotiations on the ANC side is not political. They are not prepared or organized. There is too little division of labor within the movement" (Interview with Sutcliffe, 1990). In early 1990, the ANC lacked offices, meeting venues, and vehicles. It was financially dependent on its international donors. Its members lacked skills and the organization was plagued by opportunism and fraud among its cadres (Rantete 1998).

The relocation from Lusaka to Johannesburg was rushed and ill-prepared as the ANC "had to start grappling with the reality of power" (Harber 1990, p. 7). Oscar Dhlomo, longtime Secretary General of Inkatha and a one-time competitor with the ANC, put it this way in an interview with one of the authors, Picard, in September 1990:

Ideologically and strategically, the ANC is in an organizational shambles. They have not been able to set up structures. They are short of manpower and short of funds. They behave as a government without the infrastructure. They are captives of government. They were thrust into a changed situation. They can't break out of the resistance mode and move into reconstruction. They are not ready for that debate. On the negotiations, the government did all of the paper work. The ANC leadership ranks are in disarray. There is the problem of integrating the exiles, the prison people and the internal leadership including UDF and COSATU. They don't know how to handle the SACP peculiar relationship. The two [the ANC and the SACP] are almost like one movement. The saving grace is that the senior leadership, the Rivonia group, are committed to negotiations.[[6]](#footnote-6)

The ANC's image in terms of organizational management suffered after 1990 because of a somewhat unfair reputation for organizational inefficiency. The suddenness of the legalization of the ANC meant that for the first several years of the transition period the organization was lampooned and caricatured as internally in disarray. An editorial cartoon in September of 1990 showed the ANC as a snail immobilized by administrative and organizational chaos.

Newspaper editorials accused the organization of a lack of history (Harber 1990). Those within the ANC often commented on the organization's inefficiency and compounded the organization's image problem. To quote an exile returning to South Africa, "This [sympathy with the opposition] does not prevent us from feeling intense irritation at what appears to be another example of the ANC's administrative incapacity" (Wolpe 1994, p. 40).[[7]](#footnote-7)

Almost from the beginning, South African newspapers defined the ANC shortcomings and complained of scandals such as those involving Winnie Mandela who headed the ANC's scandal ridden Department of Social Work. Financial scandals involving donor money would later bring a number of the most prominent ANC leaders to court. To its critics, the ANC leadership was seemingly unable to manage its own party headquarters or its money. What would it do when it entered government?

In a newspaper interview, liberal activist Frederick van zyl Slabbert "questioned the organizational readiness of the ANC and other groups destined to participate in the bargaining process… [The ANC] had no opportunity to consolidate their leadership and negotiating positions" (Curtin, 1990, p. 2). Poor organization also was partly to blame for the mistakes made in the conflict with the Inkatha Freedom Party (Meredith 1998). Prior to 1994, the ANC had not been able to master "the routines and conventions of decision making in a complex political system" (Davenport 1998a, p. 91).

ANC offices, first on Saur Street, near the *Star* newspaper, and later the permanent offices at Shell House in central Johannesburg always projected an image of chaos and impermanence. Shell House had a disheveled look with furniture, boxes, and papers scattered everywhere, desks and chairs still in their packing boxes, and the image (and in part the reality) of crisis management. Newspaper reporters and ANC activists alike joked about the inability of ANC office staff to even answer the telephone let alone forward calls.

Both on Saur Street and later at Shell House, despite well-placed concerns for security within the ANC, security measures were often lax. It was not difficult for a foreign researcher during the first few months of 1990 to enter the Saur Street offices and have the run of the building. While there was a modicum of security at Shell House, once in the building one could wander around at will and a visitor could run into the senior leadership, including Nelson Mandela, strolling the halls or in the elevators of the building. Security seemed particularly lax around Nelson Mandela inside Shell House (Hain 1996).

**Internal Angst**

In 1990, when F.W. de Klerk unbanned the ANC and committed to release Nelson Mandela from prison, the question for many in the organization was “What do we do now?” Initially, after February 2, populists within the ANC sought to establish a social system in which grassroots civic organizations could operate outside of electoral and governmental processes. As a result of negotiations, interest groups, organizations, and social structures were shaped by a South African form of social corporatism defined as civil society.

Negotiators across the political spectrum had to deal with the continuing strong National Party demand for group rights and minority protections within the bureaucracy, the security forces, and society (Adam 1990). Compromise was inevitable, however. As one observer close to the ANC put it, "The ANC [wanted] a non-racial democracy. However, there [were] some who recognize[d] the need to compromise" (Interview with Mayson, 1990).

Many in the ANC had accepted the basic premises of dependency theory, first popularized in Latin America, and used it to critique apartheid and the homeland system. For them, negotiations were not possible. The structural barriers of underdevelopment could only be overcome through violent revolution. For the dependentistas, negotiations with an unvanquished apartheid state were not acceptable. This problem was made worse by the failure of Mandela and the leadership to keep the ANC grassroots informed of progress in the negotiations. Mandela would later acknowledge that the ANC executive committee had been wrong not to keep the membership informed of agreements made during the negotiations process (Meredith 1998).

The MDM was internally divided over negotiations. As homeland leader (and later ANC populist), Bantu Holomisa noted in an interview with one of the authors, Picard, in 1990:

The ANC wants to make concessions on political questions. The communists look to organized workers to support. But they are one. The problem is that there is scrambled, internal vs. outside leadership in the ANC. But the split has no future. Yes--the militants, the young ones, will put on pressure, until F.W. gives some commitment. The South African government knows the armed wing. But in the end they will be united.

The argument of those who wanted compromise was that the ANC needed to get its foot on the ground in South Africa and into the door of government. Further changes could then come from a strengthened internal national movement. This pro-negotiations group initially accepted some compromise on minority protection. There continued to be within the ANC a second, more hard line group which opposed compromise arguing that the ANC had to push all of its goals at once or risk being compromised by a still powerful National Government. Over the next two years, from 1990 to 1992, this group used the stay away process, mass mobilization, and even the threat to return to violence in order to prevail.

After it was legalized in February 1990, the ANC said that it understood the concerns of Afrikaans speaking South Africans and that certain cultural matters could be protected. This approach, however, was different from the idea of a second legislative chamber which was both culturally based and would have a veto on all or part of what the non-racial lower house did. Throughout the negotiations, the two sides debated the nature of a second chamber, on the types of checks and balances there should be, whether the second chamber should have a veto or merely blocking and delaying powers, and on the extent to which groups, rather than individuals will be protected in the constitution and the bill of rights.

The suddenness of the February 2 announcement had caught the resistance movements by surprise. Prior to its legalization, the ANC had not done much serious research work on the technical constraints and possibilities for the South African economy. It was only after 1990 that some within the ANC were beginning to work on some of the detailed economic, social, and administrative implications of the transition (Le Roux 1988). During its first year as a legal institution, the ANC had not yet to consider what form of voting system or the type of intergovernmental structures to support. For many in the ANC, the former were considered divisive while the latter represented forms of neo-apartheid.

For the ANC, non-negotiable principles began and ended with the concept of the unitary, non-racial state. One constant question was how far the ANC might go to provide for group rights or minority protection. The ANC view in 1991 was "[w]e must go to a quick interim government and an all-party conference" (Interview with Niehaus, 1991). Within the ANC and among UDF leaders, the goal from the beginning was a quick election and majority rule.

The National Party leadership did not define the vague concepts that group rights or minority protection embodied. However, such non-negotiable principles required a comprehensive and clear frame of reference even though this meant that opposing views on the outcome of negotiations were likely to harden. The ideal end point of negotiation for the National Party was some form of group-based multi-racialism, a federal system, limited government, and an entrenched bill of rights. The National Party sought a two-tiered system of government incorporating a weak central government and a multitude of special and general-purpose regional or local governments based on a Swiss cantonal model. There would be complete separation of authority between national and regional government. Much of what local government did would be privatized (Gildenhuis 1991).

The ANC bought into the consociational framework at least in part, as we shall see, a commitment which ultimately would impede the development of pluralist group dynamics in South Africa. As the ANC and the National Party moved to negotiate, according to Stephen Friedman (1993), there was considerable talk among ANC activists about a "consociationalism" period in which there would be joint rule by the ANC and the Nationalists for a specified interim period.

**Joint Administration and the Negotiations**

An important discussion appeared in a number of pro-ANC newspapers and magazines in August 1990 (Picard, Research Diary, 1990).[[8]](#footnote-8) Commentators examined the organizational implications of the legalization of the ANC within the context of the two interest blocks in South Africa: the ANC coalition and a coalition of parties linked to the National Party government. The crux of the argument was that the preliminary discussions now were over and the next step was negotiations on constitutional matters. The issue of an interim administration became a central component of the debate in late 1990.

The debate raised two questions: who would govern in the short run (1990) and at the end of the negotiations and when and how would a non-racial government be elected. By September of 1990, it was not clear that the National Party had accepted the reality that while it still controlled the government it could no longer rule the country alone. Many in the ANC had not yet confronted this reality either. The ANC had been involved in consultation with the government for some time (almost nine months). The Pretoria Minute had envisioned the creation of an interim government to be put into place during the end game negotiations process itself. Yet some in the ANC continued to talk as though the two sides were at war.

Both the government and the ANC had established regional monitoring groups that had created an interim governing authority in several areas of the counry that was gaining concrete expression at the local level. Other types of regional level coordination began to occur in the fields of health, education, and the economy. While both sides continued to speak of involving other third parties, there was agreement on both sides that there would be movement toward a joint administration and that no outside mediator would be needed to help broker a final transition.

How successful this would be depended on the organized strength of the ANC on the ground. The ANC's organizational capability was still very weak, however, and there was also a danger of co-optation by the government. Observers continued to wonder whether the ANC had prepared itself to move from protest to the actual transformation of government. The ANC was increasingly being criticized for a lack of consultation and democratic debate at the constituency level as it carried out negotiations with the National Party.

The transitional constituent assembly could be made up of either proportional representation or a majority block. To outside critics, the type of constituent assembly should not be determined only by the government and the ANC, but by all interested parties. Compromises were both necessary and likely and should involve other political movements and civil society groups. The government was not against an elected constituency assembly or a negotiating forum; however, it wanted this step to occur after all significant decisions were made. The ANC was reluctant to step away from the idea of an early elected constitutional assembly, a government non-negotiable.

The ANC recognized that if there were a premature election involving only white voters, the National Party could lose power to the far right conservatives. There would have to be equal representation and policy by consensus between groups during the transition. In any event, the role of an interim government would have to precede the election of a constituent assembly. Finally, there was growing support for the ANC among some homeland leaders in KwaNdebele, KaNgwane, Lebowa, Ciskei, and Transkei. Gazankulu and Venda were on the fence, with Bophuthatswana and KwaZulu opposed to the establishment of a unitary state and opposed to an ANC government. The mixed race Labour Party was likely to line up with those against the ANC. The National Party began to fear that it was losing the support among its sometime surrogate groups.

As negotiation shifted from pre-conditions to negotiations to establish a non-racial political system, the leadership of the MDM debated the nature of the non-racial institutional state. The government began releasing the last bunch of political prisoners in late 1992. The ANC insisted on the creation of an interim government, the election of a constituent assembly, and the creation of a single executive, majority-rule system. The ANC spoke of short multi-party talks that would lead to the creation of an interim government and an elected constituent assembly. Elements of both sets of demands were played out as part of the symbolism if not the substance of negotiations (Picard, Research diary, July 2, 1992).

**Building an ANC Coalition**

With the ANC's unbanning in 1990, "long overlooked differences in age, ideology, gender and experience bubbled" up in the MDM (Massie 1997, p. 659). The task of the ANC as an organization was to "consolidate the many groups that had fought apartheid arguing, as they had in the 1950s, that only the ANC was broad enough to unite all the factions and bring democracy to South Africa" (Massie 1997, p. 672).

Different components of the MDM had different organizational cultures. External structures included the UDF, COSATU, MK and the resurfacing SACP. The long-term Robben Island prisoners; the active members of the SACP; the leadership and membership of the UDF; and the civics and the leadership and rank and file of the trade unions which made up COSATU, all represented different factions.

Issues of participation and consensus were hotly debated at both the December 1990 and the June 1991 meetings of the ANC. The movement was divided into several organizational components after February 2 and number of factions within the legalized ANC began to compete with each other. There was the group in exile, formally headed by Oliver Tambo (though incapacitated by a stroke) that had dominated the leadership of the ANC during the first year of its unbanning. Parallel to this was the internal working group with its separate structures, headed by Walter Sisulu. Above it all, at the head of a generational group, were "the prisoners” or the Robben Island Group (Mandela, Sisulu, etc.). Nelson Mandela began to negotiate with the government on conditions for a transition to majority rule.

At the Durban meeting of the ANC in June of 1991, a newly elected National Executive Committee and a 23-member Working Group became in principle accountable to the party membership. There were historical differences between the ANC in Botswana, the ANC in Lusaka, and the ANC in London. Moreover, MK, as a guerrilla army based in Angola, had different values and customs from both of its parent organizations in exile, the ANC and the SACP.

**Disbanding the UDF**

At issue was the future, if any, of the UDF, the organization that had been created in 1983 to challenge “reform” apartheid legislation and to act as de facto public wing of the ANC. The links with the external organization of the ANC were always sensitive issues to those in the UDF. As it attempted to organize from the top down, the ANC as it existed in exile came into conflict with the bottom up style of the UDF which was "quintessentially a grassroots organization, an alliance of community bodies brought together by the uprising of the mid-1980s and shaped by the participatory methods of decision-making that arose during that struggle" (Sparks 1990, p. 6). In late 1990, the ANC remained divided into the internal (UDF) exiles and formerly imprisoned cadres (Van zyl Slabbert 2000). Issues of participation and consensus predominated at both the December 1990 and the June 1991 meetings of the ANC.

At the branch level, the ANC was often ineffective and in some areas moribund between 1990 and 1994 (Rantete 1988). Organizationally, if it had not been for the internal groups, such as the UDF, the civics, women's, and students’ associations, and COSATU, the ANC's task would have been impossible. It was the internal groups that provided staff for the newly opened ANC offices, and the "shortcut through the UDF and COSATU gave the ANC access to huge numbers of blacks in the townships and on shop floors with a minimum of effort" (Davis 1988, p. 114). Because of these organizational difficulties, some in the ANC worried about being pushed prematurely into negotiations (Sparks 1990). The 1991 dissolution of the UDF, which many internal activists saw as premature, weakened the ANC's capacity at the grassroots level.

The internal leadership of the UDF and the trade unions had been organizationally left out of the ANC until the June 1991 meeting of the ANC’s National Committee. The appointment of Cyril Ramaphosa[[9]](#footnote-9) as Secretary General of the ANC and the inclusion of UDF members in its National Executive Council and Working Group at least in part addressed this problem. Issues of accountability and dissent remained important in what continued as an uneasy coalition of forces. The potential for the ANC to split sometime after the first non-racial elections remained potent.

Factionalism was the great burden the ANC took into the negotiations. The tension was particularly strong between those in the bush, those in Lusaka, and those working within South Africa. As one exile pointed out, "While the person in Lusaka is standing in line all day to get tipex for a duplicating machine his counterpart in South Africa is likely to be computer literate" (Interview with Kleinschmidt, 1990). In order to deal with factions, the ANC often sought (largely unsuccessfully) centralized party discipline. Factionalism would exhibit itself, particularly at the provincial level after 1994.

From its beginning, the UDF had been overly identified with White, Indian, and Coloured political activists. It was a multi-ethnic and multi-racial coalition of groups. Internal critics of the UDF targeted what they called the “cabal,” in part reflecting African elites’ resentment of the influence of voters who were not African and these groups economic standing, and particularly the wealth of some members of the Indian community. Resentment focused on the resources controlled by the UDF leadership, their access to international donors, and their unwillingness to “embrace militant tactics” (Seekings 2000, p. 219). Above all there was resentment of the capitalist nature of post-apartheid society envisaged by many in the UDF leadership.

After its unbanning, critics both within and outside of the MDM questioned the ANC's bona fides on political tolerance and pluralism. Liberals, and even some within the UDF, were particularly concerned about the democratic credentials of the ANC. The ANC, according to its critics, was insensitive to criticism and intolerant of opposition. There were fears that the leadership of the ANC had a hegemonic view of civil society. Dealing with pluralist tendencies within the organization was often difficult.

At a social level, elements within the ANC sometimes seemed to exhibit illiberal values often without a clear logic. Before 1994, the ANC leadership did not consider moderate political groupings such as IDASA or the Democratic Party as part of the anti-apartheid movement. Some within the organization assumed that political opponents, white and black, were enemies, in a zero-sum game in terms of political competition. Centrist, non-elected white-based alliances made ANC leaders less uncomfortable than black-based opposition groups, such as Azanian People's Organisation (AZAPO), Inkatha, or the Pan Africanist Congress (PAC). This was not surprising in the Natal situation where violence had reached a point of no return well before 1990. However, at times, ANC factions as well as Black Consciousness and PAC leaders, all had identified their enemies in zero-sum terms.

Criticism of the exile leadership was widespread within the UDF in 1990 and 1991. As an exile organization, the ANC before 1990 naturally had lacked a grassroots base. According to ANC commentator Govan Mbeki, during its two decades of exile overseas, the ANC focused on its contacts with the international community, thereby losing contact "with the oppressed people at home" (Mbeki 1992, p. 103). Exile had separated the leadership from its supporters within South Africa. According to one veteran UDF leader, at the time: “The people out of prison or from exile are very concerned people but I don't think they are acclimatized to be able to make a contribution. They have not really exposed themselves to people as a whole. They have tended to be selective in their contact. They appear to be isolating themselves (Interview with Gumede, 1990).”

The post-1990 ANC was not just a transplant of the exile structures and people; it was "a new organizational entity" which ultimately included some of the internal MDM organizations (Rantete 1998, p. 6). The ANC transformed as different elements scrambled "for position and power among former political prisoners, exiles, internal activists and underground operatives" (Ottaway 1993, p. 88). The return of the ANC's exiled executive committee and departments sparked off tensions within the organizational structures (including the UDF) inside the country (Rantete 1998). These organizational tensions reflected the diverse groups that were incorporated within the organization after it was legalized.

According to ANC and UDF veteran, Archie Gumede, who reflected on these tensions in an interview with one of the authors in 1990, "These people [the exile leaders] are cliquey. The important people today are the people who were in jail or in exile. One cannot say that they are coping with the information with regard to problems of discipline or mob actions at the grassroots level." According to Gumede, a July 1990 stay-away to pressure the National Party to make concessions on negotiations was plagued by accusations that the decision to strike and demonstrate was made non-democratically.

UDF activists saw themselves as more democratic than the leadership of the ANC. From a governance perspective, their goal was to bring people from institutions within civil society into politics. The question was how to do so and to what extent the exiles were part of civil society? From a UDF perspective, it was important that the internal leadership of the MDM had influence in order to ensure the transition to a democratic civil society. According to one UDF leader in 1990, the internal leadership was “based on the UDF and COSATU plus the middle aged generation of exiles. The time will come very soon when there will be an integrated leadership within the MDM. A new unknown group will come out of this” (Interview with Salooje, August 2, 1990).

Within the ANC/UDF in 1990, the exile leadership (plus Nelson Mandela) came to dominate. According to its critics, after 1990, the ANC leadership remained elitist and lacked organizational capabilities at the grassroots level (Van zyl Slabbert 2000). To a large extent, it was dependent upon the trade unions for this, according to discussions with Thabo Chipane a former student activist (informal discussion with Picard, Research Diary, July 21, 1990). Many who had developed their political consciousness under the more open UDF and trade union organizations, felt uncomfortable in the ANC as an organization after 1990 since the "ANC [had] not integrated the three parts of the movement, the prisoners, the exiles and the internal cadres. Between the elites and the civics there [was] a big black hole" (Interview with Van zyl Slabbert).[[10]](#footnote-10) One critic articulated the ANC's problem:

The ANC has no links with the local level. There is a lack of organization. This is the problem of exiles. The ANC has little communication at the grassroots level. Their knowledge of third tier government is not good. They sit in a vacuum... There is a lot of animosity among these groups [the ANC, the UDF, COSATU]. There are tensions and much in-fighting. There are arguments within about strategy (Interview with Card, 1990).

Within the ANC leadership, there were continual debates about UDF intrigues at the provincial and local levels. These cliques or faction of cadres were said to pursue their own agendas in secret, and it was claimed that this activity was a carryover from the UDF in the 1980s. The UDF represented dissention within the movement, which was the other side of the autocratic coin. These UDF cliques were often portrayed variously as communist, white, or Indian in their composition. To its critics, the cabals pursued a negotiated settlement at any price. They were said to have sidelined the militants within the populace and the MK in the process (Rantete 1998). This debate in large part reflected continual hostilities between elements in the exile movement and MK and the leadership of the UDF which was not seen as politically reliable. It also more than hinted at ethnic rivalry between Xhosa and non-Xhosa elements within the ANC. Many within the UDF, in turn, felt that their contribution was unrecognized after 1990. According to UDF co-chair, Gumede, “I am glad that the ANC is free. What I don't grasp is the apparent indifference to the wealth of experience acquired in the course of operations in the 1980s under very oppressive conditions. However, the ANC is my political home, to the extent that I am accepted in that home” (Interview with Gumede, 1990).

Ideology was a factor in the decision to disband the UDF in 1991. In 1991, the ANC alliance, according to Tom Lodge (1999b, p. 4), “had embraced a set of proposals which would have included an extension of public ownership state regulation of credit, a prescribed high wage economy, and a central role organized labour in policy formulation. Redistribution would serve as the principal agency of economic growth.”

Many in the MDM saw the Sandinista political movement as an ideal and, despite the lackluster military campaign of MK, looked to populist and revolutionary, rather than parliamentary, styles of democracy. Populism plus socialism was the mantra in the movement before 1990. Many liberals both in and out of the UDF feared the worst: that the ANC saw developments largely in state-centric terms and looked to a mobilizing, controlling model of political development. A dominant minority ideology within the ANC was one of ethnic exclusivism and it was feared there was a likely majority ideology of "Jacobin egalitarianism" (Van zyl Slabbert 1998, p. 2).

Without question, the most important new element in the equation was the grassroots based UDF. The incorporation of this group within the ANC challenged Nelson Mandela and his allies. The former UDF group constituted a counterpoint to authoritarianism tendencies among the exiles and among the political prisoners. Friction quickly developed between elements from the ANC and the UDF. Second level ANC leaders pointed to a conspiracy among UDF cadres, mainly white and Indian, to influence the ANC's policy direction and at the same time maintain the UDF as a separate organization (Stirling 1990). Strife between the exile faction, those imprisoned on Robben Island, and the former UDF continued well into the GNU (Smith 1998c).

Internally, the UDF and the ANC had little accountability and control over its branches between 1990 and 1994.[[11]](#footnote-11) This problem was reflected in the inability of the ANC to commit to negotiations in 1990 and 1991 and in part reflected a lack of agreement within the movement on basic approaches to the negotiations with the South African government. This was shown in the "changing goal posts" syndrome with regard to sanctions, suspending the armed struggle, and the negotiations themselves. Hard-line elements within the movement may have sought to delay negotiations to win increasing concessions that could not be won on the battlefield, but negotiations seemed at times delayed merely because the ANC had not brought itself together to define its policy.

The negotiated leadership on both sides initially tended to be weak and intransigent between 1990 and 1992. However, South Africa was not a failed state at the time of the transition (Nathan 2004). As a result, between 1990 and 1994, organized business played a very pro-active role in the negotiations process in South Africa (Parsons 1999). Throughout 1991 and 1992, there continued to be communications problems among the factions within the newly unbanned ANC. For one critic, the problem was that "[t]he exiles [as a faction within the ANC were] simply not up to the job, and it [was] difficult to get through to Madiba [Mandela's clan name] himself with proposals" (Breytenbach 1993, p. 31).

The lack of organizational capacity was reflected in the debate over whether or not to transform the ANC into a political party. To do so would be to lose foreign financial support, and the ANC had no capacity to replace the foreign money and no systems in place for financial monitoring according to press accounts (Bowery & Garson 1992). ANC leaders attempted to organize the top-down approach of the ANC as it existed in exile and there were clashes with the bottom-up style of the UDF, which was "quintessentially a grassroots organization, an alliance of community bodies brought together by the uprising of the mid-1980s and shaped by the participatory methods of decision-making that arose during that struggle" (Sparks 1990, p. 6).

In August of 1991, against the wishes of some within the internal movement, the UDF was formally disbanded without being fully absorbed into the ANC (“Redundant, an Anti-Apartheid” 1991). Integrating the ANC and the UDF had not been easy after 1990. Not all of the UDF leadership favored the dismantling of the organization in March of 1991 or felt it had become superfluous with the unbanning of the ANC (Lodge 1991). Others have regretted the disbanding since. In the end, the ANC disbanded the UDF “because of the breadth and depth of opposition and even hostility to the UDF leadership and the UDF as a co-coordinating body” from inside the ANC (Seekings 2000, p. 261). Ideological, ethnic, and perhaps even racial differences may also have been factors in the decision to close down UDF operations.

For many within the UDF, however, that was not the end of the story. Democratization of the ANC as an organization remained high on former UDF members’ agenda. By 1992, the ANC had begun to integrate the external and internal wings of the organization, including elements of the UDF, into its leadership. Integrating the ANC and the UDF between 1990 and 1994 was not easy. As one observer had predicted in mid-1990, “There will be an attempt to integrate people here. Integration will be tough. For the past thirty years, the exiles have existed with everything, including all costs for housing and food. They also received a cash allowance. The ANC is a mini-welfare state. That can't be replicated in South Africa” (Interview with Kleinschmidt, 1990).

There continued to be disagreement about the extent to which the ANC actually had absorbed elements of the internal movements. In a 1990 interview with one of the authors, Archie Gumede stated, "I don't see any divisions within the NEC [National Executive Committee]. All of them are from exile and from prison. There is that affinity between them. One must come to that conclusion.” The two organizations (ANC, with its exile structures and processes and the former UDF) remained very different with the former, perhaps unfairly, portrayed as centralized, secretive, and hierarchical while the latter was self-defined as dispersed, egalitarian, open, and populist. “At the grassroots,” a senior UDF leader said in August 1990, “The UDF will survive. They have this link with the grassroots. In reality, however, most UDF activists are giving priority to the ANC. The UDF regional structures without the activists are going over to the ANC. The UDF will play a role in coordinating the civics throughout the country” (Interview with Salooje).

Factionalism continued at the national and regional levels down to 1994. Various rumors circulated that elements of the UDF were ready to overthrow the exile leadership. At one point, the so-called Mandela Reception Committee[[12]](#footnote-12) was seen to be the vehicle for the putsch. It was rumored that there was a conspiracy within the inner reaches of the ANC to overthrow the exile leadership. The UDF and the internal leadership were most readily identified as part of the dissident faction. Named at various times were cliques lead by Cyril Ramaphosa and Mohammed Valli Moosa and their supporters (Mandela 1993).

**Socialism in and a Post-Apartheid ANC**

Membership in the communist movement before and after exile was solidly trade level working class and middle class. In many ways these middle class values defined the world view and politics of the movement. Members of the party included journalists, engineers, lawyers, academics and trade professionals. Many, though not all of the leadership before, and during, exile were white South Africans. In many ways, it was a liberal movement in a social, and cultural if not necessarily in a political sense. Politically, the movement was solidly linked to the values defined by the Soviet Union in the post-World War II period.

Ronnie Press, an SACP member and South African Congress of Trade Unions (SACTU) activist, spent many years in exile in Britain (Slovo 1995). Press (1929-2009) held the PhD in Chemistry and was recruited to the communist movement by Michael Harmel. He was a strong trade unionist serving as Secretary General of the Textile Workers Union. He had helped create explosives for the ANC in the 1960s and eventually went into exile living the rest of his life in the U.K.

Press retained his commitment to socialism through the 1990s and looked to South Africa as the socialist beacon of the future. The influence of SACP members in the ANC would remain very important after 1990. Much the same language could be used to describe socialist assumptions about planning between 1990 and 1994. Critics of the ANC expressed a fear that the ANC’s ideology would control their philosophy of government after the elections. For a flavor of the views of white communists of the period it is worth examining Press’s views in 1990 in some detail.

According to Press, "In addition, communists as such have great standing within the movement. They are still there. So the ANC cannot discriminate against communists (for example, the attempts by De Klerk to keep Joe Slovo out of the ANC negotiations delegation). In other African revolutionary movements there were no communists who openly identified themselves. In South Africa it was different. This made it less likely that the ANC could adopt an anti-workers stand” (Interview with Press, 1990). What socialists feared above all else was cooptation of the political leadership by middle class values. This was the real danger for Press:

There is a danger of cooptation with a non-racial government. People are human. Revolutionaries change overnight when they get into government. The ANC is a loose coalition anyway. The early organization was one of chiefs. Later it became a mass organization. Over time it has adopted the ideas of socialism. It has as its stated goal the nationalization of major industries, social welfare, etc. Ordinary ANC members have some socialist orientation (Interview, 1990).

The key according to Press was to avoid exploitation by the middle classes. To Press (Interview, 1990):

The present political stage is a similar one to that we find within the trade union movement. You cannot contain the ANC though they will try to absorb it into a middle class system. A black prime minister will be acceptable as long as they can control him. Coopting political leaders will be an extension of the goal of absorbing trade unions. There will be new state jobs, new local authorities. There will be some middle class cooptation. The question is, will the new non-racial South Africa be a partnership between exploiters and exploited? I think they will be disappointed there. I've not seen such a high level of political understanding as exists in South Africa anywhere else.

The debate over the economy was a defining point between the exiles and those inside the country after 1990. According to Press (Interview, 1990), “[T]here will be a problem between the exiles and those in the country on this both within the ANC and COSATU. Internal values will be growth oriented. What people will look for is a better life. They will not see long term problems such as ecology. The problem is how to marry the two sides together.” From this perspective, only the socialist revolution could prevent cooptation:

I should note that six months ago, I would have said that the democratic revolution in South Africa would immediately be followed by a socialist revolution. Now because of Eastern Europe the change process and the time table has been altered. There will be socialism but now there is another scenario. It will be evolutionary. There will be votes for all with some special dispensation for whites. There will be land for the peasants. I can see the breaking down of the land question on a piecemeal basis. They will give them some unused white land in the Transvaal. The economy will not have changed (Interview with Press, 1990).

Ideology was important within the ANC and to the other members of the MDM after it was un-banned. The ANC brought with it from exile not an ideology but the practice of ideological decision-making processes, what has been called a Gramscian “intellectual mentality” as a movement (Van zyl Slabbert 2006a, p. 10). Within the ANC there were significant differences over economic policy. The SACP only partly surfaced in 1990, preferring to keep much of its membership secret. The role of whites has always been an issue of debate within the ANC. Press and his mentor Michael Harmel both represented this.[[13]](#footnote-13)

Michael and Ray Harmel were stalwarts of the South African Communist Party from the 1960s until his death in 1974 and her death in 1998. Both served as full time party activists, with little in the way of salary, but trying to maintain a middle class life style at least from a family perspective. Michael Harmel in large part defined the end of the non-violence period and in a document on May 1, 1960 stated that the movement would now have to defend itself. After 1962, they spent the rest of their life in exile. He worked as a writer for socialist journals and as an agent for the movement. She worked on union and later in a support position within the exiled SACP. The Harmels, like other members of the SACP (black and white) sacrificed significantly for a movement they would not be able to influence after the transition.

While some in the ANC viewed the reform process in South Africa as manifesting itself in a formal process of constitutional change, others viewed reform "as reflected in shifting ideological stances" (Van Vuuren 1985, p. 47). Reformers, Joe Slovo had warned in the late 1980s, had lost sight of the ANC's true objectives, the movement toward socialism, the final stage of the revolution. Rian Malan (1990, p. 221) quotes Slovo as stating, "In the South African context...we cannot restrict the struggle objectives to the bourgeois democratic concept of civil rights or democratic rights." Slovo would later become convinced of the need to negotiate a political transition and compromise on economic policy, but some within the SACP continued to resist negotiations after February 2, in part because they sought an ideological economic solution rather than constitutional change. Disagreements over reform and negotiations remained at the heart of the polemical debate well into the GNU.

Criticism of the ANC has long focused on economic ideology and the ANC's relationship with the SACP. There was evidence enough for this concern among ANC exiles. Prior to its legalization, the ANC had not done much serious research work on the technical constraints and possibilities for the South African economy. It relied primarily on ideological assumptions to debate economic issues. After 1990, the nature of the South African economy and the potential for a socialist South Africa dominated ideological debate within the ANC and between the ANC and opposition parties.

The roots of socialist thought, as it impacted on ANC economic thinking, lay "in the central assumption on which colonialism and imperialism were based: the entitlement of a settler to extract and exploit resources" (“Lessons for a Corrupt” 1998, p. 21). To many socialists, racial reconciliation depended "solely on a vast transfer of wealth from the haves to have-nots; that once poverty and economic disparities are eliminated, South Africa's two nations [would] become one" (“Paving the Way” 1998, p. 12). According to one wag, the ANC blueprint for the economy in 1990, “sounded as if they had been photocopied from a Bulgarian economics text” (Beinart 1997, p. 23).

The role of the state remained important for the ANC and for black South Africans whom they represented. In 1990, one observer of the movement predicted the following:

In South Africa, market deregulation will not have an effect for a long time. This means we need to give the blacks a "handicap" to address the historical injustices. A new government will have to address homelessness, education, etc. The issue is enormous inequality, not just poverty. At the same time, blacks have economic power. They receive 30% of the income and represent 50% of the expenditure. They must be the focus of the entrepreneurial economy. We must restructure, redistribute, ownership and wealth. Education and training are important. Home ownership is important (Interview with Bethlehem).

For many critics of the ANC, the danger was that in the end the organization's economic ideology would lead to "the accelerated incorporation of blacks [into South African society which] may well be accompanied by a strain on standards of efficient service-delivery to the public--at least in the short term" (Hugo & Rainey 1988, p. 28).As Bobby Godsell put it in September 1990:

Within the ANC, the concept of power has to be demystified. They must understand decentralized authority, the nature of complex organizations, different institutions and a complex method of decision-making. There are two tendencies: 1) Jacobin/Stalinist and 2) a modernizing, evolving liberal group. The key is that there is a non-racial stream within the ANC that is very strong. In my view there are some within the SACP who are Marxist; that is pre-1900 Marxists, pre-Lenin. There are democratic socialists but some remain unchanged Stalinists (Interview).

The UDF and the ANC both seemed to see development largely in state-centric terms. To quote a long time ANC observer:

The ANC thinking…is not clear.… There are economists both inside and outside who are working on these issues. The two positions are a) the workerist position that is more radical than b) the middle of the road ANC position which posits a mixed economy. Some problems are terminology but others reflect real but workable differences.… There is one large gaping contradiction. The communist party still views it likely that power will be taken in an uprising. This is now out of date--six months old. Right now the ANC is demobilized. The new situation, the release of leaders, has meant that they are without policies. The unbanning of the ANC has meant that policies now have to be debated openly. This slows things down (Interview with Cotsee, 1990).

Divisions in the ANC about economic development were particularly difficult in July 1990, since many had found "it very difficult to admit that command economics [did] not work" (Interview with Salooje).Many Africans identified the business sector with apartheid. As Desmond Tutu (1999, p. 228) notes, “the perception of most black people is that almost all business participated in racial capitalism, colluding with apartheid rulers to extract as much profit as possible for themselves.”

Liberal criticism of the ANC had long focused on economic ideology and the ANC's relationship with the SACP. Liberals feared that some in the ANC carried an economically collectivist view of society into the post-1990 period, talking about "the people" as a mass within an egalitarian social order. It was clear that after 1990, "[w]hite liberals who stood apart from the ANC had a shrinking role in the new South Africa" (Frankel 1999, p. 324).According to Zach De Beer, then the leader of the Democratic Party (Interview, November 2, 1990):

My fears are that so many of them [in the ANC] adhere to the socialist drum and that there is a fundamentally undemocratic approach to things. They constantly talk about "the people" in an undifferentiated sense. Socialism to them is historical. They see the link as between corporatism or apartheid. It is linked to white power. Their ideas of social democracy come out of the Freedom Charter. However things are moving quite fast. Among the economically sophisticated the move is away from this. Still they could damage the economy, not through nationalization but through uncontrolled spending plus the appointment of non-functioning bureaucrats. The issue remains the ANC and the SACP. The problem is that all members of the ANC are involved if not legally, emotionally in both. In the past policy differences were not important. Now they are. The key to their motivations as individuals is a mixture of personal vs. policy concerns.

A debate within the SACP occurred in December 1991 at its first legal congress, when SACP delegates "voted to eliminate the word 'democratic' from a principle committing the party to establish a 'democratic socialist society' in South Africa" (Wren 1991b, p. A3). At the same meeting, former guerilla leader Chris Hani replaced Joe Slovo as head of the party.

Prior to 1994, the SACP kept a low profile, leaving policy statements to its leadership within the ANC executive committee. Inside the SACP, a left wing group developed which opposed the leadership's cooperation with the ANC and acceptance of its conservative policies. According to one UDF activist in July 1990:

There are divisions within the ANC. However, it is hard to admit it. People find it very difficult to admit that command economies do not work. It is most important that one should allow for the natural development of the country. There has been a serious retreat from nationalization. There is not a serious division here. Privatization is not acceptable however. Parastatal management will be retained. There will be some breaking up of the corporate structures. The ANC will use progressive taxation and trust busting to shape the new economy. The SACP will continue to push in the direction of socialism. The SACP will moderate and the alliance will survive. There continues to be great concern about upgrading the lives of the oppressed majority in the country (Interview with Salooje).

There was much debate about the nature of the ANC's socialism prior to 1994. Many of the professionals and older people within the ANC favored a mixed economy, one modeled on the Scandinavian countries. The continuing discussion of state-managed socialism into the 1990s reflected in part a history of isolation in South Africa and in exile from the realities of the post-cold war world. For most in the country, a lack of educational opportunities had produced an awareness deficit and a strong sense of unreality, particularly with regard to economic debates.Much had changed in South Africa after 1990, but many, both black and white, were still waiting to see what this meant in terms of the transition (Cartwright 1996). For many ANC leaders, public sector ownership remained important. There was evidence enough for this economic collectivism among ANC exiles. To one exiled ANC sympathizer , a veteran of the 1950s trade union movement, put it in 1990:

After majority rule I can see some partial nationalization or at least bringing the mines into public responsibility. After this the mine workers will be happy for a while but only for a short period of time and then they will be dissatisfied. The ideas of socialism and working class solidarity are solid in South Africa. They are much more advanced and they are able to resist this. They are not just workers in South Africa but also oppressed as blacks and have remained opponents of the system. COSATU [Congress of South African Trade Unions] is a result of this philosophy (Interview with Press).

Another observer noted, in discussing the dangers of a demand driven command economy, "The ANC are good people, they are 'nice chaps.' [But for the most part] they play bridge, rather than chess. Underneath there is a hard layer of demand. They have suffered and they are very tough. They demand equal rights plus a closing of the gap--upliftment of the masses" (Interview with Card, 1990).

The ideological image of the ANC was linked to a history of faith in planning in South Africa. It is no accident that the ANC remained one of the few serious political movements in the world that was committed to a command style of development planning in 1990. Planning and social engineering had defined the apartheid period as well. Historically, it was this planning mode that rationalized growth points theory and "arbitrary resettlement in South Africa on the premise that affinity of skin-colour and race overrides all other human needs" (Desmond 1971, p. xiii). There was within the ANC, as it approached the transition, a new pull of party loyalty, collectivism, and inter-organizational welfarism. For the ANC, what seemed to count was party loyalty (Meredith 1998).

Faith in planning in South Africa had long been based upon a devotion to ideology among nationalists, socialists, and cultural supremacists. Ideology as religious faith has defined many political movements in South Africa. Politics is Cartesian.[[14]](#footnote-14) Deductive logic some feared was likely to prevail in the post-apartheid period. Both reform and repression were based on hierarchical assumptions. Malan (1990, p. 131) provides us some of the flavor of apartheid planning:

…my friend, but this is what white South African politics ultimately reduce to: a question of faith, preferably blind. Those who have it do fine, and those who don't...well, they sometimes find themselves in a state not so very different from the one Tolstoy [has] described...[in Czarist Russia].

**Locking Horns**

**Trusting the National Party?**

Decisions in F.W. de Klerk's South Africa after February 2 were being made on a month-to-month and even day-to-day basis between 1990 and 1994. The negotiations process was the end game of a process that Christopher Hill (1983, p. 52) had called "...the politics of survival, no longer the politics of domination." Patterns of institutional control should be seen within the overall context of a South African government strategy for survival.

Cynics, often in North America and Europe, argued that it was premature to suggest that any fundamental changes were likely to come from within the apartheid system itself as part of the negotiations process. Internationally in some quarters, there was regret that the apartheid regime had not been overthrown in a bloody revolution.[[15]](#footnote-15) Some went so far as to say that the cosmetic changes in terms of petty apartheid that began to occur after February 2 masked structural changes designed to bolster a "neo-apartheid"[[16]](#footnote-16) system of the future (Grundy 1991a). They were wrong. The reality was that significant change had occurred prior to 1990, rather than 1994, because of the changing social composition of South African blacks and white Afrikaners, as both groups urbanized and gained access to middle class life styles.

The National Party leadership also was not ready for negotiations at the time that the ANC was unbanned. Despite the potential suspension of the armed struggle, there continued to be those within the Nationalist government and the senior levels of the civil service who remained wedded to the 1980s P.W. Botha Total Strategy to defeat the ANC and saw a ceasefire only as a regrouping exercise. The National Party hard liners had four key concerns: 1) there was a generalized fear of black domination; 2) the party's goal remained protecting Afrikaner self-determination; 3) there remained strong resistance within the ruling group to majority rule principles even within a power sharing arrangement; and 4) among many there remained an unwillingness to negotiate with the ANC because of its commitment to violence and the links it had with the SACP (De Klerk 1999).

The goal of the National Party, as it approached negotiations, remained to entrench corporatist structures that could not be influenced by the electoral process. Political groups should be voluntary and consociational in nature. The major problem with apartheid, according to consociationalists, was that the policy forced the individual to accept an identity. The National Party government had used coercion to force all groups into legal categories. As late as 1993, the National Party still thought it could garner part of the black vote in the conservative areas of the Northern Transvaal and in other rural areas of the country (Van Niekerk 1993).

The National Party government, after 1990 hoped that the negotiations process would demythologize the ANC and Nelson Mandela among both black and white observers by forcing on the movement pragmatic, human sized decisions and compromises. This done, the National Party and its conservative allies hoped to successfully fight in non-racial elections in a newly restructured South Africa that would constitutionally preserve a great deal of white authority (Grundy 1991b). That hope, of course, proved futile.

Despite hesitation on both sides, the case for optimism was strong in 1990 as the negotiations process began. One veteran observer of the South African scene in 1990 said optimistically:

I see parallels to comparable periods in America. Unlike other LDCs [Lesser Developed Countries], South Africa is a country which has developed a large number of interest groups. These interest groups feed into a dynamism of the politics of the country. There are interest groups within the white and black communities, also within the townships, rural vs. urban Africans, as well as groups that link blacks and whites, Afrikaners and English, etc. A sense of the extra-parliamentary actors is important (Interview with Legum, 1990).

These interests would play off against each other during the negotiations process.

**The Personality of Nelson Mandela**

On December 6, 1991, Picard had breakfast with Nelson Mandela in Pittsburgh, Pennsylvania where he made a major speech on the negotiations process.[[17]](#footnote-17) What struck one about Mandela, even in 1991 (prior to three years of negotiations and a five year presidency) was his age. He appeared to suffer from some short-term memory loss as would be normal for a person of 74. He reminisced about the 1950s throughout breakfast. He was fascinated by then Heinz CEO, Tony O'Reilly's rugby achievements and remembered him scoring the goal that beat South Africa in 1955. “In those days,” he said, "we used to root against anyone who played against the Springboks.”

Mandela seemed genuinely impressed with the businessmen that he met in Pittsburgh, showing the empathy for which he is well known. He was well briefed about the University of Pittsburgh’s educational linkages in South Africa and the work that it was doing at the University of the Witwatersrand. He seemed genuinely grateful for it. He went out of his way to say that “he was genuinely honored to meet me as a representative of the University of Pittsburgh. When he left the room, he repeatedly thanked me profusely for the ‘help’ I was giving to South Africa” (Quote transcribed in Picard, Research Diary, Pittsburgh Pennsylvania, December 6, 1991).

The three young people, Graham Bloch, University of Pittsburgh Ford Fellow (married to Cheryl Carolus, then of the ANC working group), Sibusiso Nkomo, and Renosi Mokate (the latter two were then at – Lincoln University in Pennsylvania and attached to Departments of Economics and Political Science respectively; Lincoln had a linkage with the University of Pittsburgh working on a capacity building project in South Africa) spoke freely if respectfully to Mandela ("Tata" or “Madiba”), talking to him of large and small things, marriages and births, etc.

The two women who accompanied him, Lindiwe Mabuza, the ANC representative in the U.S., and Barbara Masekela, his Chief of Staff, took care to ensure that he had what he needed (he would announce the separation from his wife, Winnie in April of 1992). They poured his tea and put food on his plate. There was a firmness to his presence, but it was not threatening. Mandela was impeccably courteous, a Victorian gentleman. He went out of his way to depreciate his own role in events and to make a visitor welcome. He apologized that he did not have more time. When he left to pack for the next stage of his trip he exited by backing out of the room so that he wouldn't turn his back on me.

Mandela spoke of the day of his release and the crush of the crowd on the vehicle as it drove him out of Victor Verster Prison. As he put it, "I was afraid for Winnie. Here I had been in prison for 27 years and as I was being released we were going to die." He spoke of the "likes" of Allan Boesak, a Capetown activist "who had never done a bit of work in his life," getting out of the car to try to push the crowd away.

Mandela spoke with respect of Bishop Desmond Tutu who was "so magnificent on the day I was released." The people around him treated him casually, teasing him about what he could and could not eat. They also teased him mercilessly about his inability to speak good Afrikaans ("it's so difficult to understand Dada") or Sesotho. They also congratulated him on his speech at the University of Pittsburgh, which was "very good, and not so boring as his usual speeches." It was a strong speech, well thought through and designed to promote business interest in South Africa.

The role of personality in politics is difficult to analyze and the current effort here will not attempt to do so. Yet it remains clear that one cannot understand the nature of the negotiating process and international involvement in it without recognizing the particular domestic and international role that Nelson Mandela and his personal (and perceived) characteristics played in the transformation of South Africa. That said, issues and events would batter the negotiations process for more than three years before a tentative settlement could be reached.

**Negotiations: The Real Thing**

**Groote Schuur, the Pretoria Minute and Beyond**

In May of 1990, the ANC and the government met at the historic *Groote Schuur* Presidential mansion built by Cecil Rhodes outside of Cape Town. Formal negotiations between the government and the ANC had effectively begun. After February 2, 1990, focus was on the creation of a climate for negotiations. As William Zartman (1990) points out, however, one should not underestimate the importance of "pre-negotiations," or the extent to which difficult issues became resolved during this period. By mid-1990, the final phase of pre-negotiations for reform had effectively begun.

Early negotiations were awkward. Thabo Mbeki was quoted describing the first meeting of the government with the ANC at *Groote Schuur,* "We were all of us a bit surprised.... Within a matter of minutes everyone understood there was no one in the room who had horns.…" (Mkhondo 1993, p. 36). A senior National Party negotiator, Rolf Meyer, gave this view of these early days:

With regard to the negotiations, in the first stages we were very eager to meet with them, to see the "enemy" up close and first hand. Since then, the process has normalized. We now can differ openly and be very frank. Some understandings have developed in the process. We can tell each other of our problems (Interview, 1990).

Through these early contacts, the National Party leadership came to respect their counterparts in the ANC. State Security Council Representative Adamus P. Stemmet had earlier portrayed the ANC as follows, "Make no doubt about it. These ANC fellows are no dummies. They are very competent, very capable people. They are tough" (Picard, Research Diary, Pretoria, July 6, 1988).

It is important to remember that the second formal meeting between the two sides occurred in Pretoria in August of 1990. The Pretoria Minute that came out of this meeting addressed remaining negotiations issues by creating joint working groups on each. The Pretoria Minute contained several elements of compromise on several remaining issues. It addressed issues of the release of prisoners, amnesty, and the scrapping of remaining apartheid laws by creating several joint working groups. The ANC would agree to suspend violence and at the same time end its support for sanctions.

By the end of 1990, despite the violence, negotiations (or pre-negotiations) for the transition in South Africa had effectively begun with the *Groote Schuur* and Pretoria meetings. At this point, however, the government still held to a version of group representation on the table which was very close to the KwaZulu-Natal *Indaba* model and which provided for extensive group rights. The *Groote Schuur* meetings, the Pretoria Minute, and the establishment of the multi-party negotiating forum (initially labeled CODESA) confirmed a shift to day-to-day co-government, however, and offered the potentiality of a negotiated settlement and the establishment of non-racial government in South Africa.

In the last half of 1990, there was to be a phased release of political prisoners. This process was, to a large extent, completed in October of 1991, though the exact definition of political prisoners was debated between the two sides throughout the period of negotiations. Finally, as a result of the Pretoria understanding, the ANC was to modify its policy on violence and the suspension, but not ending, of the armed struggle.

The suspension idea had been worked out as far back as the Commonwealth Mission to South Africa in 1986 (Mission to South Africa). At that time, Mandela, when interviewed by the group in prison, had indicated to the Eminent Persons Mission that he felt that violence could be controlled. The National Party later claimed, incorrectly and unsuccessfully, that the ANC had agreed to give up the use of mass demonstrations in the Pretoria Minute (Rantete 1998). With the signing of the Pretoria Minute in late August 1990, the ANC suspended the armed struggle, though many on the left within the ANC opposed the suspension.

The South African government had expected the ANC to drop its stand on violence and sanctions prior to the beginning of formal negotiations. ANC membership at the grassroots blamed the government for the violence and forestalled attempts to phase out sanctions at its December 1990 ANC conference. There was also resentment within the ANC that large numbers of prisoners had not yet been released. Nor had all exiles been allowed to return. Many in the ANC saw sanctions as their last bargaining chip to ensure a movement towards the negotiating table.

At issue was the likelihood of a negotiated settlement. Both sides remained skeptical. Joe Slovo would later become convinced of the need to negotiate, but some within the SACP continued to resist negotiations long after February 2. Disagreements over reform and negotiations would remain at the heart of the polemical debate into the early 1990s. Within the ANC, there remained pockets of opposition to any compromise with the National Party at the end of 1990. Those against concessions to the National Party were said to include many in MK, including Chris Hani.

Within the ANC leadership, Nelson Mandela, Joe Slovo, Alfred Nzo, Jacob Zuma, and Thabo Mbeki were strongly in favor of the ceasefire (Picard, Research Diary, September 21, 1990). Those who hedged on the suspension of the armed struggle argued that any "suspension was temporary.... It [could] be resumed again if the government move[d] away from negotiations" (Interview with Jordan, 1990). According to Chris Hani, "...no military operations would be initiated by Umkhonto, but the organization's combatants would remain in place--both inside and outside the country--with their weapons" (Cargill 1990, p. 2). Within the ANC at the end of 1990, there were clearly “differences over the definition of the armed struggle. It was a cease-fire without surrender. It was a suspension of military operations with the military standing in place” (Interview with Chikane, 1990).

Nelson Mandela, however, had moved ahead of many in his party on the utility of negotiations, on the dropping of sanctions, and on the ending the armed struggle. In late 1990, Mandela, as he faced a meeting of the newly legal ANC supporters in Durban, appeared isolated and alone. He seemed, to journalists and members of the ANC Durban Conference, to have an outdated view of negotiations and seemed to critics very hard to influence. He appeared particularly out of touch with the nature of the UDF (Picard, Research Diary, September 21, 1990). Over the next several months, Mandela would move to take charge of the negotiations process.

Most ANC leaders admitted privately after February 2 that the movement had not been able to adequately cope with the politics of negotiation as opposed to the politics of protest (Mkhondo 1993). In part, the inability of the organization to cope with negotiations related to the framework many in the ANC brought to the process. By far one of the most difficult of those issues to address was the role of the ANC military force MK. There is little doubt that the lack of capacity on the part of the ANC lengthened the negotiations process significantly.

**Umkhonto we Sizwe and the SADF: A Tough Nut to Crack**

In large part, the issue of representation within the security forces was linked to the ultimate integration of Umkhonto we Sizwe (MK), formed in 1961 and the South African Defense Force (SADF). At issue during the negotiations was the role of MK and other black forces in the new security system. What remained at issue was an evolving set of social welfare interests within MK, an organization that the ANC had to address while at the same time assuring the National Party government that MK no longer threatened the rule of law during the transition (Rantete 1998).

The ANC army (MK) cadres expected to be integrated into the defense force after 1994, as would the homeland armies and other paramilitary forces. From February 1990, ANC leaders took the position that all MK forces should be integrated into a new joint security force consisting of all security and paramilitary forces in the country.[[18]](#footnote-18) The South African military rejected integration in 1991 and this issue was initially one of the most intractable questions placed on the negotiation table.

The South African military had become increasingly black by 1990; however the officers were almost exclusively white. Moreover, the various security groups, including MK, each had their own distinctive cultures (De Klerk 1999). In earlier years, black forces had primarily performed support functions within the SADF. During the Namibian War (1963-1989), increasingly, all along South Africa's borders "[b]lack units...[were] actively involved in border patrols, cross-border operations, and combat duties in the operational areas" (Grundy 1986, p. 4). Despite the operational integration of the military, the officer command structure remained, white and blacks operated in segregated units down to 1994.

After February 2, the ANC was under considerable pressure to suspend the armed struggle, but MK continued to recruit and train externally and established an informal but visible presence within the country. There were no MK attacks on South African installations after February 2. MK chief of staff, Chris Hani, who resided in South Africa by mid-1990, did make veiled threats about the need to seize power. MK’s long-term goal remained integration into and control of the South African security forces. There were managerial and organizational problems within MK after 1990 that meant that the organization could not effectively contribute to the security of the townships through proposed self-defense units. The suspension of the armed struggle meant the ultimate marginalization of MK.

In October of 1990, then Defense Minister Magnus Malan stated emphatically that the SADF would never open up to MK in any circumstances (Dunn 1990a). On the ANC side, by August 1991, ANC spokesmen were rejecting integration into the SADF, arguing that a democratically elected government would have to create a new defense force using MK members as the base (“MK, SADF Merger”). For the ANC, the bottom line was that the security forces would have to be purged of all its right-wing elements.

Almost to the end of the negotiations, the De Klerk government resisted any suggestion that MK be integrated into the SADF. As then Defense Minister Malan, referring to the military wing of the ANC said, "vigilante groups and so-called military wings of political organizations could not be incorporated into the SADF" (Evans 1990a, p. 13). This was in part because of the close links between the MK leadership (and specifically Chris Hani) and the SACP and in part because of the bitterness engendered by the simmering guerrilla conflict of the 1980s.

It was liberal National Party officials such as Roelf Meyer, as Minister of Defense, who finally recognized that the integration of security forces was a legitimate negotiating issue and one that would be resolved through some sort of integration of forces. As late as March 1993, however, the National Party Government rejected the idea of having MK members integrated into the SADF. An early crisis in the negotiations occurred over a plan code named "Operation Vula" (Kasrils 1993).[[19]](#footnote-19) In mid-1990, the South African government revealed the existence of this 1988 MK plan to infiltrate South Africa and establish caches of weapons. The plan, put in place before February 2, involved the underground activities of a number of ANC and SACP activists, including National Executive Committee members Mac Maharaj, Ronnie Kasrils, and Maharaj's deputy, Janet Love (Potgieter & Venter 1990).

In 1990, after the government exposed the plan, Maharaj was detained and Kasrils went underground (“Court Hears”).[[20]](#footnote-20) The incident tested the ANC's tolerance of the National Party's continuing security system. Using Vula as an excuse, the De Klerk government tried to get Joe Slovo replaced as one of the ANC negotiators. Chris Hani, declared a prohibited person, went into internal exile in the Transkei where he developed a close personal relationship with the Transkei's then military leader, Bantu Holomisa and brought MK forces into South Africa through the Transkei. Speaking of Hani's friendship in October of 1990, then Transkei leader Holomisa stated:

On the defense side it is a question of integrating all the armies including MK. Chris Hani is a first rate person. He is a good family man. He's the kind of person you want to have a couple of drinks with in the bar. Even the South African seconded officers enjoyed traveling around with him. He is not what is portrayed by the media (Interview).

Before long, the South African government had accused Hani of integrating Xhosa-speaking MK cadres into the Transkei Defense force (Larsen 1990 & Krige 1990). These claims were denied by Holomisa, though there is now some evidence to support these assertions. Government officials continued to express concern over Hani and MK influence in the Transkei. Despite his exile, Hani was appointed ANC representative on the committee dealing with the suspension of the armed struggle. Through the intervention of Nelson Mandela, Hani was eventually granted indemnity and returned to Johannesburg.

In August 1991, MK held a national meeting in the Northern Transvaal homeland of Venda to discuss its future. This meeting illustrated the increasingly important role played by the military forces in the homelands, particularly where there were military governments in place leading homeland administrations (Transkei, Ciskei, and Venda). This meeting marked an entry of the ANC armed cadres into domestic policy debates.

The police and the military both had large numbers of blacks at the lower, non-commissioned level of their forces. Of the 120,000-person national and homelands public security forces, 60 percent were black in 1993. However, there were fewer than 100 blacks among the 5,000 commissioned officers in the South African security forces and there were only four black South Africans who held senior positions (Keller 1992). Taking the police force as a whole, almost half of the forces were black (including all ten of the homelands) (Baynham 1980). In 1990, of 4,615 officers in the South African Police, only 82 were black. Excluding the homeland armies and para-military forces, 90 percent of the military was white. The majority of blacks in the SADF served in ethnic units (Evans 1991b). In 1994, South Africa had five regular armies, three guerilla armies, and 11 police forces. Estimates of the security profile are presented in Table 12.1.

|  |  |
| --- | --- |
| **Table 12.1**  Estimates of South African Security Forces, circa 1994 | |
|  |  |
| **Types of Forces** | **Number** |
|  |  |
| South African Military[[21]](#footnote-21) | 70,000 |
| Military Reserves (Commandos) | 425,000 |
| Four Homeland Armies | 40,000 |
| South African Police | 100,000 |
| Homeland Police Forces | 20,000 |
| MK and APLA Forces | 10,000 |
| Ad Hoc Township and Traditional Police | 8,000 |
| **TOTAL** | **673,000** |

In July 1993, the ANC and the National Party proposed that a peace army of up to 10,000 soldiers be created (Louw 1993).[[22]](#footnote-22) By late 1993, it was agreed that both the police and the military would be open to MK forces. Once discussions began between MK and the military on such issues as defense interests and spending for weaponry, a surprising unanimity of interests developed between the SADF leadership and the head of MK, Joe Madise, who became Defense Minister in 1994, and his Deputy Minister, Ronnie Kasrils.

Traditionally, the military had more credibility among black South Africans than the police. Because of the impact of the security forces, it was particularly important "to represent society sociologically; the more representative it became of society, the less people would have to fear from it" (Uys 1991, p. 16). As was the case with the rest of the public service, Africanization of the military and the police would accelerate after 1994 and attempts were made to move black officers (including former MK leaders) to top ranks through affirmative action.

Complaints of irregularity in the examination system for entry into the armed forces began to occur in the press after the formation of the GNU. Given that it was necessary for MK, the homeland armies, and other forces to be integrated into the new South African National Defense Force (SANDF), the military initially grew before some attempt was made in 1995 and 1996 to cut back on the size of the military. Racial tension remained high in the armed forces after 1994 (Baynham 1980).[[23]](#footnote-23)

**Violence, Stalemate, and Uncertainty: July, 1990- December, 1991**

The South African government expected the ANC to drop its stand on sanctions prior to the beginning of formal negotiations. Unfortunately, a week after the signing of the Pretoria Minute, violence broke out all over the Southern Transvaal. As a result of the violence, a consensus on the sanctions question did not develop within the ANC. It was the Natal violence that defined the problem for the post-February 2 period and the expansion of that violence to the Reef in August, 1990 (Mare 1987). By the end of the 1980s, black on black violence, especially in Natal, was becoming a major factor in the resistance process. The Pretoria Minute marked the resumption of violence, as conflict between Inkatha and the ANC spread to the Reef with 500 killed in August 1990 alone. The ANC began to talk of a "Third Force" within the security forces that fed the violence. At that time:

By August 16, 1990 over 160 people had been killed in fighting on the East Rand and yesterday the violence spread to Soweto where 16 people were killed. By August 18, 1990, the death toll in the Rand violence alone had passed 250 with over 50 killed in Soweto alone. Over a thousand people were injured in township violence in the third week of August and violence had broken out again on a massive scale in the Eastern Rand township of Kagiso (Picard, Research Diary, Pretoria, June-August 1990).

Diary notes for the third week of August (Picard, August 20, 1990) noted:

The weather in Pretoria is crisp and cold. But as usual in the South African winter the sun shines brightly leaving a false sense of optimism. In all 331 people have been killed in township violence, 84 in Soweto alone. Inkatha continues to insist on a meeting between Mandela and Buthelezi to stop the violence while the ANC refuses to lose face by a meeting with Inkatha. The fear of losing face thus becomes at least a partial cause for the loss of life in the Rand. The violence has led to calls for the abolition of the hostel system by ANC leaders. These hostels in effect bring large numbers of single men into Soweto but separate from the township dwellers living in family or extended family units. The hostel dwellers are often lonely, angry and with a primary outlet in nighttime and weekend drinking. They are mistrusted and mistrustful of the township dwellers and are often ethnically distinguished from them. Closing the hostels of course would make the already very difficult housing situation even graver. By August 22, 1990, a total of 512 people have died on the Reef in the last ten days, 114 in Soweto alone.

This violence, between Inkatha hostel dwellers and ANC supporters, plagued the negotiations process for more than a year until a group of clergy and businessmen facilitated the creation of a Peace Commission. ANC/UDF membership at the grassroots blamed the government for the violence and forestalled attempts to phase out violence at the December, 1990 ANC conference. Inkatha and the De Klerk administration blamed the ANC. Traditional and non-political violence no doubt played a part in the Natal conflict, but as it spread to the Pretoria-Johannesburg area it became part of the endgame struggle.

From the beginning, there was a substantial body of evidence that right wing elements of government were at least partly responsible for promoting violence as part of its larger national and regional destabilization efforts (Mission to South Africa 1986). In July of 1990, the violence spread to the Witwatersrand area. In the seven years between 1983 and 1990, much of the grassroots of the National Party was left behind both because of the top-down approach that P.W. Botha had brought to reform and because many National Party voters were uncomfortable with even the limited nature of the Botha era changes. Increasingly, rural and urban working class white voters defected to the Conservative Party. By 1991, many came to believe that the Conservative Party would win an all-white election. The promotion of violence by the far right was intended to push the National Party back towards a whites only election.

Political intolerance "was an important factor in the violence…." (Wentzel 1995, p. 253). The urban violence of the 1980s and 1990s had a long-term impact on South Africa's cities. The imposition of black councils on the townships in the 1980s had set into motion a pattern of political challenge and isolation that defined grassroots political conflict well into the post-apartheid period. For more than a decade, in the urban areas, scenes such as this described in the Cape Flats were common: “[a] war splutters and flares with the mocking mountain as a backdrop, feuds erupt nightly, shadowy figures with hoods shoot and firebomb the camps to leave old people and children and goats dying in the flames” (Breytenbach 1993, p. 136).

By 1992, two side bar issues, violence and the collapse of sanctions, had weakened the ANC negotiations position vis-à-vis the National Party which had increased its stature as a result of the March 1992 white referendum approving negotiations (Picard, Research Diary, December 11, 1990 & April 21, 1991).[[24]](#footnote-24) White South Africans voted two to one, in what would be the last all-white elections, in support of negotiations for a new South African constitution. During the white referendum, the ANC avoided mass protest or other disruptive tactics in order to ensure a "yes" vote. In addition, the ANC did its best to reassure whites about the future and tried to reassure civil servants that they would have job security (Meredith 1994). The 1992 white referendum in South Africa is now considered a pivotal event in the negotiations process (Lodge 2006b).

Between 1990 and 1993, the ANC as an organization was largely reactive and confined to the use of populist rhetoric and clichés that masked a neglect of grassroots organization and participation within the movement. In order to meet the demands of electoral politics, the ANC continued to focus on creating the broadest possible social coalition (Mkhondo 1993). The National Party by contrast continued to be proactive and even aggressive in its negotiations demands, pushing an agenda on consociationalism that had been discredited by most black and even many white observers. The liberal middle had slidden away. The relationship within the negotiations forum was acrimonious in 1991 and the ANC leadership felt it needed political concessions from the National Party. As Homeland leader Holomisa noted during the negotiations process:

The ANC wants to make concessions on political questions. The communists look to organized workers to support. But they are one. The problem is that there is scrambled, internal vs. outside leadership in the ANC. But the split has no future. Yes--the militants, the young ones, will put on pressure, until F.W. [de Klerk] gives some commitment. The South African government knows the armed wing. But in the end they will be united (Interview, 1990).

It was clear that "[s]ome of these comments [demanded from de Klerk were] aimed at the South African Communist Party and the Congress of South African Trade Unions, the ANC's two most important allies” (Interview with Holomisa, 1990).

The ANC, between 1990 and 1994, sought to establish a social system in which grassroots civic organizations operated outside of electoral and governmental processes. As a result of these efforts, and as the lasting impact of UDF linked NGOs in the 1980s, interest groups, organizations, and social structures would be shaped by a South African form of social corporatism that was defined as civil society after 1994, a process which the National Party felt comfortable with. For both sides, "[e]ven though the outcome of negotiations about a future constitution [was] inherently uncertain, each party to the negotiations [made] decisions in terms of a particular framework," and an increasing consensus about the utility of a corporatist approach to political transition (Oosthuizen 1986, p. 80). Prior to 1990,

[t]he fate of the “reform” process is extremely uncertain. Whether or not it gains any substance will depend on the outcome of struggles within the ruling party and in reformist circles; it will also depend on struggles between reformists and their opponents both on the right and in the popular movements; finally, it will depend on the state of the economy. Yet it would be wrong to dismiss the restructuring process as simply cosmetic (Cobbet et al 1987, p. 164).

**From CODESA Towards the Government of National Unity**

**The Search for Sufficient Consensus: December 1991- April 1992**

By the end of 1991, terms such as “limited pacts and limited arrangements for cooperation” which required each participating party to modify its own policy position, would become increasingly important debating slogans for the two sides during the negotiations process. Sparks, in 1990 (p. 380), had pointed out movement towards an "unstable equilibrium" of the center between the ANC and the National party. The negotiations between the National Party, the ANC, and Inkatha over urban violence, the signing of a peace accord in September 1991, and the various compromises that moved the parties towards non-racial elections, all reflect this pattern of incrementalism. The term used to define the process was “sufficient consensus.” Searching for sufficient consensus effectively meant that meetings would continue until the consensus was achieved. The notion of majority rule was alien to the process (Lodge 2003).

By January 1991, the ANC had been unbanned for almost a year. Little progress seemed evident as pre-negotiations moved into a second year. Until early in 1991, the National Party negotiations strategy continued to focus on ways that majority rule could be diluted through the creation of an upper legislative chamber. The creation of a multi-party negotiations forum was a non-negotiable for the government. The Director-General of Constitutional Affairs in August of 1991 defined such a negotiating forum:

Our view of the multi-party conference is that it should be only political parties and organizations. The conference should decide on a chair and procedures. It should have a secretariat and possibly employ professional specialists and will work in committees. Real negotiations should occur prior to an election (Interview with Van der Merwe, 1991).

For over a year, the government called for all-party talks to negotiate a new constitution. The ANC spoke of multi-party talks that would lead to the creation of an interim government and an elected constituent assembly. Elements of both played out as part of the symbolism, if not the substance, of negotiations. The ANC insisted on the creation of an interim government, the election of a constituent assembly, and the creation of a single executive, majority rule system in roughly that order. The National Party argued for transitional mechanisms, but with the current government remaining intact, with all-party talks to draw up a constitution which was decentralized, with a joint executive, blocking powers against majority rule, and a federal system of government.

After preliminary discussions on November 29-30, 1991, full-scale negotiations on a political transition began on December 20-21. On November 29, 1991, 20 South African political movements sat down at a large square table in the Jan Smuts Airport Holiday Inn to negotiate arrangements for the creation of a CODESA. At the two-day meeting, December 20-21, 1991, 19 of the 20 political movements launched CODESA.[[25]](#footnote-25) The process of negotiating a future non-racial South Africa had begun (Fabricius 1991). CODESA negotiators appointed five working groups to focus on interim governance, constitutional structures, provincial authority, representative processes, and ratification mechanisms. Three months later, in a referendum, white South Africans voted two to one to support negotiations with the ANC in what would be the last all white elections to negotiate a new constitution for South Africa.

The multi-party negotiations, as they evolved, operated on the same basis of "sufficient consensus" as the pre-negotiations, but this was never formally defined. However, it was clear to all parties that the term referred to an agreement between the ANC and the National Party government on any particular issue. Other groups might facilitate but not decide. Negotiations were expected to take from eighteen months to two years, with non-racial elections to be held in 1994. Despite the difficulties encountered in 1992 and 1993, the negotiators were able to meet their timetable.

The establishment of the multiparty negotiation council (CODESA) in 1991 confirmed this shift to a de facto day-to-day co‑government by the ANC and the National Party and offered the possibility of a negotiated settlement and the establishment of non-racial government in South Africa. The move toward negotiations, as we have noted, initially caused deep consternation within ANC ranks, leaving Mandela and his allies in the MDM very limited available choices in responding to National Party demands (Van zyl Slabbert 1992b).

Until well after February 2, and even after the beginning of CODESA, the ANC "had little in the way of a negotiating strategy, scant organizational competence, and few ideas about the new South Africa, or how to achieve it" (Waldmeir 1997, p. 163) Initially, the ANC's problem as a negotiating partner was that it brought a legacy from the period in exile of structural and organizational difficulties, a fractured underground, and little contact with grassroots opinion in the townships.

For two years after February 2, political actors ignored issue of regional government in South Africa. Because of the security threat from the center and the breakdown of authority in the townships, debate focused on the nature of a new non-racial central government and the beginning of practical negotiations for a single city approach to local government. Little thought was given to what should come in between. Two of the working groups at CODESA directly concerned themselves with regional government. Working Group Two looked at the question of regional government and regional representation in the central legislature. Working Group Four was to discuss the reintegration of the independent homelands, the TVBC States, into South Africa (Humphries & Shubane 1993). In the end, regionalism would be the formula to break one of the most important deadlocks in negotiations. [[26]](#footnote-26)

Endgame negotiations forced the parties to take odd positions particularly with regard to regionalism. The Transkei, though committed to reincorporation, insisted upon its right to retain its present "independent" status as long as the current regime held power (Keller 1993). The ANC supported the Transkei position, thus implicitly supporting its “independence.” On the other hand, the ANC delegation, according to one report, went out of its way to humiliate the Ciskei government representatives at CODESA.

The Transkei and the ANC also argued for the idea of a greater Transkei, absorbing the Ciskei and all adjacent territory into a single region. What is not clear is why the ANC supported the Transkei in this area when to do so raised the issue of ethnic solidarity especially amid the criticism that the ANC was Xhosa dominated. This criticism stemmed from the fact that the ANC had proposed that other ethnic groups such as the Tswana be divided among several regions. Critics of the ANC pointed to strong signs of ethnic affinity in their stance with regard to regionalism.

While the National Party did not oppose reincorporation, it did argue that unincorporated areas should not take part in the non-racial elections. An election without the some ten million “independent” Bantustan citizens would sharply reduce the African voting population and would dramatically improve the prospects of the National Party. For the ANC, its heartland of support was in the Eastern Cape and it needed the almost six million voters in and near the Transkei and Ciskei.

For Bophuthatswana, and several of the other homelands, reincorporation depended upon whether a strong regional government system was agreed to and what the boundaries would be. This was a vital undercurrent that dominated all of the conservative groups, homeland governments, and conservative whites alike. There was much debate about whether there should be a separate referendum in the "independent" homelands over incorporation. The Transkei initially called for a referendum, but scrapped the demand in April of 1990. The Ciskei originally supported the Transkei's demand for incorporation, but by April of 1990 began to argue that a test of electoral will was necessary (Humphries & Shubane 1993).

The ANC's negotiating stance was complicated by the fact that two of the territories, Venda and the Transkei, were its allies (there were ANC aligned military forces in both) and were not interested in immediate incorporation. However, by April of 1993, the ANC and the Transkei were in open conflict over reincorporation. With regard to Transkei's "independence," strategy rather than ideology was at work. Transkei's independence was useful to the ANC. If a settlement could not be negotiated between the ANC and the government, the Transkei could serve as a useful base for a renewal of the armed struggle. In the meantime, it could be treated as "liberated territory."

By late 1991, the ANC had come to accept the idea of a transitional arrangement and some form of coalition government that would manage the elections and the transition to majority rule (Picard, Research Diary, August 2, 1991). Most in the ANC leadership recognized that "there must be an interim government at some stage of the game" (Interview with Chikane, 1990). This compromise unlocked the negotiations and led to a non-racial government in 1994. Without such an agreement on a transitional period, the ANC feared that the right wing would deploy their supporters in the civil service and the military "to bring a black government to a halt" (Sampson 1990, p. 480). As one observer put it, the ANC in the early 1990s, was concerned that apartheid securocrats would not "be succeeded by other wolves in sheep's clothing" (Grange 1992, p. 8). For the ANC it was important that the security forces during the transition, "take orders from a different power base" (Interview with Chikane, 1990). What was less clear was the process that would get the ANC and the National Party to a settlement.

By early 1992, the ANC and the National Party had agreed that there would be elected regional councils in South Africa. Negotiations then shifted to the shape that councils would take and what authority they would have. The constitutional debate over regionalism revolved around the mix of devolved vs. delegated powers that regional authority would have and the extent to which devolved powers should be written into the constitution and protected from parliament. The two sides differed on this question. The ANC saw regional authority as delegated by Parliament while the National Party sought constitutionally entrenched regional authority based on Federal principles.

Throughout the negotiations, the leadership of the National Party searched for a blocking mechanism to majority rule. One potential solution was to use a mathematical formula in the second chamber to slow down or block the process. The second chamber, as in many federal systems, might be regionally selected, but on a non-racial poll. Under this formula the National Party demanded that a two-thirds majority be required in a second chamber before a bill, or certain types of legislation, could become law. This process would allow whites and other minorities a considerable influence without resorting to either racial or cultural mechanisms in order to do so.

As South Africa moved toward a constitutional settlement and a non-racial form of government, a number of political developments that effected regional authority became clear. The regional debate was an important component of the negotiations process in South Africa. While there would be serious debates about the future of regional government, the negotiations process did not break down over regionalism. Both the ANC and the National Party shifted from ideological to strategic and pragmatic positions on the decentralization of power. Though there were to be devolved powers granted to the regional government level, with some vague elements of federalism entrenched in the constitution, as was the case in 1910, a post-apartheid South Africa would be a unitary rather than a federal state.

CODESA II formally met on May 16-17, 1992 at the World Trade Centre in Kempton Park[[27]](#footnote-27) and was supposed to approve an interim government arrangement, a framework for constitution-making, and an arrangement for the election of a constituent assembly. The ANC had proposed a 70 percent majority for constitutional change with 75 percent for changes in the Bill of Rights. The National Party held out for a 75 percent majority in the case of changes in regional powers and later demanded a second body based on regional elections that would be required to ratify the new constitution. They sought a federal model of intergovernmental relations through entrenched clauses in the new constitution. The ANC demanded a strict time limit on any interim government, no more than eighteen months. During that period, an elected constituent assembly would write a new constitution and there would be non-racial elections for a new government.

**The Collapse of CODESA**

The CODESA talks formally broke down in July 1992 over issues of federalism, entrenched minority rights, and township violence.[[28]](#footnote-28) All negotiations were suspended a few weeks later after the Boipatong massacre.[[29]](#footnote-29) The immediate cause of the breakdown of the negotiations at CODESA II was the failure of the working group on constitutional structures (Working Group Two) to find what they termed "sufficient consensus" on the nature of regional government and on the majority percentage needed to create or amend the constitution. When negotiations resumed in March of 1993, it took eighteen months to write a constitution with non-racial elections held in April 1994.

With the collapse of CODESA in May of 1992, regional issues sprang out at a confused, polarized, and bemused South African public. Problems in CODESA II made it clear that regional government and the composition of the public sector would be the turf upon which constitutional differences between the ANC and the National Party would be played out. Neither the powerful provincial authorities, the vested interests in the homelands, or other elements of regional authority, such as regional development areas, could be ignored in the transition to a future democratic South Africa (Thomas 1992).

Despite the tensions between the two sides, however, all parties expected a return to the bargaining table after the ANC alliance flexed its political muscles in a general strike beginning on August 3, 1992. Almost two years had passed since February 2, 1990 when South African President F.W. De Klerk announced the series of reforms that included the unbanning of the ANC and eighteen other organizations and the release of Nelson Mandela.

Observers close to the South African situation have often disagreed about the nature of the negotiations and threats to break off talks. Some feared breakdowns would lead to societal collapse and civil war. To those involved with the negotiations process on both sides, the temporary suspension of negotiations at CODESA were more strategic than fundamental. All parties expected a return to the bargaining table following the ANC political demonstrations. Despite the violence and differences between the ANC and the government, the country in June of 1992 seemed very near to an interim government that would be internationally acceptable and contain significant ANC representation.

After the collapse of CODESA in mid-1992, the ANC goal over the next two years was to attack institutional structures and to cause the collapse of the homeland civil services. The ANC targeted homeland bureaucracies, police, and their security forces but only those not allied with them. In one of the signal confrontations of the negotiations period, ANC activists circulated throughout Bophuthatswana to stir up fear about the future of homeland civil services.

A simple phrase from the ANC Freedom Charter caused considerable debate between the two sides in the working group on the Transition: "All people shall be entitled to take part in the administration of the country." CODESA's Working Group Four, for many months, had failed to address either political or administrative issues as they related to regionalism or the nature of the public sector. From an institutional perspective, "negotiations over the civil service [were] about the state structures themselves…the problem of the 17 Departments of Education in the homelands, etc. Originally, interest groups existed within these state structures. [From this point one began] to see realignment within state structures and other organizations" (Interview with Van zyl Slabbert, 1990).

Political issues awaited a solution to the deadlock in Working Group Two on inter-governmental relations. Administrative issues such as the future of the homeland civil services and the nature of affirmative action remained largely unaddressed. Discussions on national civil service issues generally were limited during the negotiations period. The regional governance debate became prominent during the renewed constitutional negotiations at the World Trade Center in March 1993 (De Coning & Liebenberg). The future of provincial government was a major political issue between 1992 and 1994.

The breakdown of negotiations in June 1992 reflected in part a fundamental disagreement on the meaning of negotiation and its legal framework, on the transitional institutions, and on the timing of the process, but also tactical differences on the negotiations process itself (Spence 1994). Throughout the early 1990s, debate continued within the ANC between the two schools of thought, the revolutionary school and those who favored negotiations, on the use of mass demonstrations within the ANC (Rantete 1998). Opponents of negotiations advocated the use of massive demonstrations and non-violent disruption of the economy, the infamous "Leipzig Option."[[30]](#footnote-30) In the ensuing debate, many Communists were the champions of talks and advocated moderation and compromise. The SACP leadership pushed the ANC towards a negotiated settlement (Interview with Legum, 1990).

The July 1992 break down was strongly related to a pattern of public posturing that developed on both sides after February 2, 1990. Public opinion was important to the negotiations process. Government negotiators depended upon the Human Sciences Research Council and other private polling organizations to sense the public mood and made decisions on constitutional arrangements based on National Party standing (Mattes 1994). The ANC depended upon newspaper polls and later on pollsters provided by sympathetic groups overseas.[[31]](#footnote-31) Much of the posturing that occurred on both sides was directed at shaping this opinion.

The ANC decision to revert to mass action in a five-day general strike beginning August 3, 1992, and the use of strikes at various points in the negotiations process, reflected the ANC’s public opinion concern about militancy within the black community. The decision to revert to mass action also reflected fundamental differences within the organization on negotiations. The ANC was reluctant to abandon socially based mobilization processes and only did so in August of 1992 in the aftermath of the Bisho disaster (Picard, Research Diary, August 26, 1992).[[32]](#footnote-32)

By the end of 1992, after the killing of ANC supporters by the Ciskei military during a risky ANC demonstration in Bisho, the positions had narrowed and a consensus developed within the ANC that a negotiated settlement was inevitable. When both sides returned to the bargaining table, the patterns of negotiations had shifted from multilateral to bilateral between the ANC and the government.

It is important to remember that the ANC decision to withdraw from the CODESA process and revert to mass action in a five day general strike beginning August 3, 1992, reflected the temporary dominance of the radical wing within the ANC. However, to those involved with the negotiations process, the temporary cessation of negotiations at CODESA in July of 1992 was seen as strategic and not based on a decision to return to armed conflict. In spite of the violence and differences between the ANC and the government, the country was very near to an interim government.

International interest and involvement in the negotiations process remained high during this period. The significance of the Mandela trips to the U.S. in July, 1990 and December 1991 were that they symbolized the west's shift toward support for the ANC as the ANC turned away from the Soviet Union and turned to the U.S. and, to a lesser extent, Western Europe for moral and economic support. To a large extent, the ANC received the political support it sought, particularly from within the U.S. (Sparks 1990). While the July, 1990 trip was highlighted by public rallies and political accolades (Mandela addressed a joint session of Congress) the 1991 trip was little publicized and focused on interactions with the U.S. business community.

**Conclusion**

The four-year negotiations process was a necessary, but not sufficient, condition for institutional transformation in South Africa. During much of the negotiations period, institutional issues were ignored while both sides focused on electoral transition. However, in late 1993, a number of compromises were made in order to move to elections that helped to define institutional arrangements in the public sector. Most importantly, both sides came to realize that the demographics of the public sector and intergovernmental relations were such that immediate institutional transformation was precluded.

The dynamics of change in South Africa occurred as a result of interactions between the government and the National Party and the ANC, and other members of the MDM. Neither the ANC nor the government had any place else to go. While there would be a period of transition in which a government of national unity or a grand coalition was in place, the stage was now set for non-racial majority rule. From this perspective, the social and economic dimensions of the transition would only be debated after the beginning of majority rule, effectively starting in 1997.

There were several long-term results from the negotiations process and the non-racial state that followed. The crux of the negotiating compromise was that white South Africans would give up minority political power. However, in exchange, they would retain much of their economic status. In addition, “the bloated white civil service, a key power base of the then-ruling National Party, would remain largely intact” though eventually it would be Africanised (Goodman 1999, p. 16).

The compromise that ended the negotiations led the ANC to agree to strengthen the authority of the nine provinces, both in terms of their executive and their legislative authority. Beyond this, within the public sector “[t]he price for the negotiations was the embrace of violation and abuse-a moral ambiguity that suited the Afrikaner bureaucracy perfectly in its last decaying years” (Krog 1998, p. 336). More than anything else it was the issue of provinces and the provincial bureaucracy that would have to be addressed prior to the final agreement. It is this to this issue that we now turn.

1. The best source for these pre-negotiations is Sparks (1995). [↑](#footnote-ref-1)
2. The seven-person group included (among others), General Olusegun Obasanjo, former military leader and later president of Nigeria, and Malcom Frazier, former Prime Minister of Australia. [↑](#footnote-ref-2)
3. ANC/SACP leader Joe Slovo upon his return to South Africa, February 11 1990 Radio Broadcast, heard and Transcribed by Picard (South African Broadcasting System, Radio One). [↑](#footnote-ref-3)
4. In her book, Bernstein (1994) identified a number of exiles in this category. [↑](#footnote-ref-4)
5. COSATU (Congress of South African Trade Unions); SACP (South African Communist Party). [↑](#footnote-ref-5)
6. The Rivonia group refers to those ANC leaders who were captured at Rivonia farm and were put on trial for treason with Nelson Mandela in 1963. [↑](#footnote-ref-6)
7. Wolpe's book reflects some of the ambiguities exhibited by members of the exile movement. [↑](#footnote-ref-7)
8. These included the *New Nation*, the *Weekly Mail* and the Afrikaans weekly, *Vrye Weekblad*. For a discussion of the background see Hadland, A & Thome, K 2004. [↑](#footnote-ref-8)
9. Elected the President of South Africa in February of 2018. [↑](#footnote-ref-9)
10. Many UDF leaders have drifted away from the ANC particularly during the Zuma years, having been angered by the high levels of corruption among the ANC leadership. [↑](#footnote-ref-10)
11. This section was strengthened by discussions by one of the authors (Picard) with Jean de la Harpe, who was both a UDF activist and served with the ANC underground. From 1997 to 1998, De la Harpe was a Heinz Fellow at the University of Pittsburgh, where these discussions took place. [↑](#footnote-ref-11)
12. A committee organized by the UDF to organize for Mandela’s release. [↑](#footnote-ref-12)
13. This section is based on interviews cited above and on Simpson, 2016 and Frankel, 2001. I would also like to thank Barbara Harmel for discussions and correspondence July 26, 2015 and through on and off in 2016. [↑](#footnote-ref-13)
14. Based on deductive logic. The framework for closed ideologies. [↑](#footnote-ref-14)
15. During the 1994 elections, CNN was said to have withdrawn its senior correspondents when predicted violence failed to materialize. [↑](#footnote-ref-15)
16. A system of racial domination that is maintained by social and economic legislation rather than by legal statute. [↑](#footnote-ref-16)
17. This section is based on Picard’s research diary and five encounters with ANC leader Nelson Mandela in Umtata Transkei in June of 1990, in twice in Pittsburgh in 1991 and two encounters in ANC headquarters, first on Saur Street in October of 1990 and later in Shell House in July of 1993. [↑](#footnote-ref-17)
18. The ANC military organization. [↑](#footnote-ref-18)
19. In the late 1980s, the ANC in Lusaka decided to plan for an internal uprising (Operation Vula) and placed a number of agents in South Africa. They remained in place after the February 2nd unbanning of the ANC. Those involved included Ronnie Kasrils, Mac Maharaj, and Janet Love. The South African government discovered this scheme in mid-1990 and Love and Maharaj were arrested, while Kasrils went back underground. [↑](#footnote-ref-19)
20. Ironically, Maharaj and one of his deputies (code-named "Susan" in the press), Janet Love, were ANC negotiators at CODESA two years later. [↑](#footnote-ref-20)
21. Army, Navy, and Air Force. [↑](#footnote-ref-21)
22. The Peace Corps operationally was a disaster and never functioned within the community. [↑](#footnote-ref-22)
23. In one case, the police Black Officers' Forum attacked the police management for "embedded racism within the police. There was tension within the security forces over black advancement.” Amupadhi 1998, p. 9. In another case, a black soldier ran amok, killing several blacks in the security forces before being killed himself. [↑](#footnote-ref-23)
24. De Klerk, after several bye-election defeats by the right-wing conservative party, called a white’s-only referendum on continuing negotiations with the ANC. After close to two-thirds of the white electorate supported De Klerk, the National Party negotiators stiffened their position at the bargaining table. [↑](#footnote-ref-24)
25. The Pan Africanist Congress at the last moment decided not to participate in CODESA because of what they called collusion between the ANC and the National Party. It was expected that they, and the right-wing Conservative Party, would join the negotiations at a later point. [↑](#footnote-ref-25)
26. There were five Working Groups. Working Group One had the responsibility of removing obstacles to open and fair competition between the parties and to create a free political climate. Working Group Two’s responsibility was to examine the central issues on which a settlement depended (it was Working Group Two which caused the collapse of CODESA). Working Group Three was to design transitional arrangements, interim government and other transitional authorities which should manage the country before the writing of a final constitution. Working Group Four was to address the issue of reincorporation of the “independent homelands.” Working Group Five was to establish timetables for the transition. [↑](#footnote-ref-26)
27. Now the Senator Hotel is linked to one of South Africa’s gaudy casinos. Interestingly there is no plaque on the building or other indication to mark the historic events that took place there. [↑](#footnote-ref-27)
28. And specifically the death of 43 people at Boipatong in the Vaal triangle. [↑](#footnote-ref-28)
29. On June 17, 1992, a group of “third force” attackers murdered 43 people at the Boipatong township in the East Rand. [↑](#footnote-ref-29)
30. Named after the massive street demonstrations which eventually toppled the East German regime in 1989. [↑](#footnote-ref-30)
31. Consultants linked to the Clinton administration worked with the ANC during the election. [↑](#footnote-ref-31)
32. At Bisho, the ANC leadership led its followers into a massacre when they tried to cross into Ciskei. The group was shot at by the Ciskei military. After that point there was no more flirtation with mass mobilization and the ANC returned to the negotiations. [↑](#footnote-ref-32)