South Africa's Only Hope?

An oppressive black dictatorship is not the only alternative to the oppressive apartheid regime. A South African proposes a decentralized system with less government all around.

by Frances Kendall

"End apartheid now!" has become a rallying cry throughout the world. The U.S. government has imposed sanctions against South Africa. Major corporations, notably General Motors and IBM, have begun selling off their South African operations and pulling out of the country. All this activity is aimed at forcing change. But change to what?

Is there a solution? This is the question South Africans everywhere are asking. It is the question that is debated on buses, in trains, and in car pools; on television and radio, and in magazines and newspapers; at dinner parties, exercise classes, and in bars.

The question confronting South Africa today is how to dismantle apartheid without pitting race against race, tearing apart the nation, and destroying the economy. My husband, Leon Louw, and I have proposed a radical answer to this question. In our book, *South Africa: The Solution*, a bestsell-er in our country, we suggest that South Africa adopt a new constitution creating a system of "mega-devolution," in which the central government is limited to only a handful of powers. Most government functions would rest with local regions, or cantons.

Switzerland, a peaceful democracy with a flourishing economy, offers a model for how this might be accomplished. In Switzerland, the central government is limited to seven areas of control, including foreign policy, national defense, federal railways, and the mint. All other functions rest with canton or community governments.

When the Devolution Comes...

South Africa is a nation of nations—eight black tribes, whites of Afrikaner and English stock, Indians, persons of mixed race, and some other small groups. And more and more people in South Africa are realizing that the only way to protect the rights of all racial and ethnic groups is to push government decisionmaking power down to the local levels.

Dennis Beckett, the editor and owner of *Frontline*, a magazine aimed primarily at the black intelligentsia, has brought out a book entitled *Permanent Peace*. In it, he proposes that people from all groups get together in local areas and solve their own problems by their own means. The book contains no formal blueprint but rather a general argument in favor of what Beckett terms "intensive democracy." In his view, each municipality or group of suburbs should decide whether or not to have apartheid, wealth redistribution, and so on. Although the book has not been read widely, it has attracted considerable attention in academic and political circles.

Two national business groups, the Federated Chamber of Industries (FCI) and

The Africaansehandelsinstituut (AHI), (representing Afrikaans Businesses), have also put forward decentralist proposals. Both organizations propose that the country be divided into cantons that would enjoy a considerable degree of autonomy but whose governmental structure would take ethnicity into account.

It seems that the idea of decentralization and devolution of power, at least in general terms, is winning adherents all over the country. Anton Rupert, chairman of the Rembrandt group of companies and South Africa's premier Afrikaner business leader, told the widely read, upscale magazine *Leadership*, "Personally I believe that the Swiss canton system with its maximum local autonomy is the most successful example of its kind for a country with a multicultural population."

The most popular proposal for a canton system, however—and the only one which, to my knowledge, has received support from people right across the political spectrum—is that outlined in *South Africa: The Solution*. In this book, we suggest that a new constitution be drawn up for South Africa based on the Swiss federal system, arguably the most democratic system in the world today.

In brief, we propose the following process to dismantle apartheid completely and increase all South Africans' political and economic freedom:

● A new constitution should be drawn up establishing a cantonal system with extremely limited central government.

● Leaders of *all* groups should be consulted while a constitution is drawn up. This means the government must release African National Congress (ANC) leader Nelson Mandela from jail and unban the ANC and the Pan-African Congress (PAC), another left-wing group.

("Banning" punishes particular individuals or groups for antigovernment actions by limiting their rights to speech and assembly, as well as restricting media coverage of them.)

● The constitution should include a bill of rights protecting such basic rights as freedom of movement, speech, association, religion, and—unlike most countries' constitutions—property ownership. Cantons, as well as the central government, would be subject to these restrictions.

● Cantonal boundaries should not be drawn on racial lines.

● South Africans of all races should be given equal rights of citizenship; those living in the tribal homelands created under apartheid should be given the option to reclaim their South African citizenship.

● The new constitution should be put to a popular referendum of all citizens. In this referendum, all citizens' votes would be equal—one man, one vote.

A Nation of Nations

The key to our proposal is that it recognizes South Africa's diversity and protects the rights of all groups without permitting ethnic diversity to be an excuse for forced racial separation or unequal treatment.

In order to understand why this concept is rapidly gaining support in South Africa, it is essential first of all to grasp that the problem here is not simply one of a small white minority dominating a large black majority who are now demanding a share of the power. South Africa's primary defining characteristic is that of diversity. It is, above all, a country of minorities.

The black people who make up 72 per-

cent of the population come from eight different tribes, the largest of which are Zulu, Xhosa, Sotho, and Tswana tribes. They speak different languages and have separate traditions and cultures. They are as different from one another as Spaniards, French, and Germans. Rural blacks, in particular, remain strongly wedded to their tribal traditions and loyal to their chiefs.

Tribal differences are much less important among urban blacks, who mix and intermarry freely. In contrast to their rural cousins, these city dwellers are highly aware politically. Westernized and, by South African standards, often middle-class, they all want

to end apartheid and replace it with a system in which they elect the leaders of their choice and enjoy freedom and equality. But there is much confusion as to what that system should be.

Whites make up 16 percent of the population, and they too are divided. Nearly two-thirds are Afrikaners, descendents of settlers who arrived in the 17th and 18th centuries. They have their own language and culture and tend to be very nationalistic. Perhaps because they have the most to lose, they are often found in the forefront of the reform debate.

Surveys indicate that around 85 percent of all white South Africans accept that "power sharing" is inevitable. As to how power should be shared, however, there is neither clarity nor agreement. But in one important respect white South Africans, be they *verlig* (enlightened) or *verkramp* (conservative), are united, and that is in their fear. They fear that a crude one-man-one-vote election will result in a victory for the radical left, which will then take control of central government, nationalize private businesses, and undertake massive redistribution programs. The current rhetoric of many black political activists only reinforces their fears.

Caught between these two groups are "coloreds" (people of mixed race) and Indians. On the one hand, many members of these groups identify with black political

aspirations and indeed form the vanguard of many radical political groups. Alan Boesak, leader of the United Democratic Front (UDF), which is considered by many to be the internal wing of the ANC, is classified as colored. Saths Cooper, leader of the radical group AZAPO, which is otherwise made up almost entirely of Africans, is an Indian.

More typical of mixed-race and Indian South Africans, however, are relatively content middle-class families like that of Arun Govender, a close friend of mine who in fact lives in our house in contravention of apartheid restrictions. A typical Hindu family, Arun's family lives in a large attractive house in a pretty suburb of Durban. Her mother works in a sari shop and her father in a major hotel. An aunt runs the home and cooks delicious curries, dhals, and chutneys
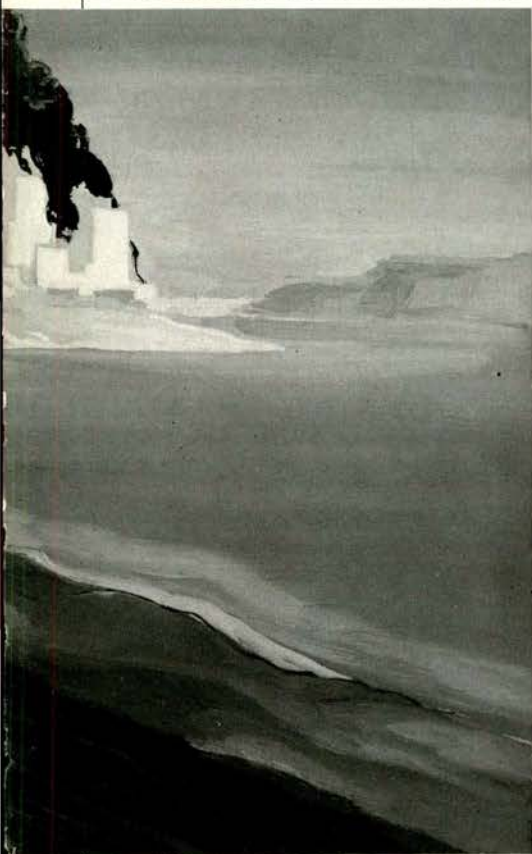
for the family. The son, Bennie, and his wife and baby boy share a cottage at the bottom of the garden. The family listens to Indian radio, reads Indian newspapers, and watches "Dallas" and "Dynasty" on television.

Like the vast majority of Indian and mixed-race South Africans, the Govenders have little in common with blacks and share the same fears as whites. They have no desire at all to disrupt their comfortable life and move to India, where they could not possibly maintain their present standard of living. They do not want to replace a restrictive white government with an even more oppressive black one.

(Since 1984, South Africans classified as Indians and coloreds have had their own houses in a tricameral parliament; whites, who were previously the only South Africans represented in parliament, control the third house and a majority of the total votes. Since receiving a share of the government, Indians and coloreds have been working energetically for black enfranchisement and the eradication of two important remaining aspects of apartheid—the Group Areas Act and the Separate Amenities Act. The first of these requires that different races live in different areas and the second that they use separate buses, beaches, cinemas, and so on.)

Looking to the Swiss Model

Like South Africa, Switzerland has an extremely heterogeneous population, comprising ethnic Germans, French, Italians, and Rhaeto-Romansch. Perhaps this diversity is why such a marked degree of regional autonomy has survived while other countries have become progressively more centralized. It may also explain why the Swiss system is particularly well suited to South Africa. It has had to develop so that people who are very different in terms of language, culture, religion, and tradition can live together in peace.

Switzerland has 26 autonomous cantons and half-cantons, as well as 3,000 com-

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munities whose degree of independence varies from canton to canton. The federal president serves a one-year term, and his powers are so limited that few Swiss citizens even know who their president is.

The consequence of this full-scale devolution of power to local levels is that the Swiss are very much involved in the decisions that affect their lives, and the efficacy of economic policies is demonstrated continually, as canton and community governments compete with each other, as it were, in the politico-economic marketplace.

Leon and I propose that South Africa be divided into over 100 cantons based initially

on the present magisterial districts, since they are administrative rather than ideological units and are mostly multiracial. (Functions currently carried out along magisterial lines include criminal and civil courts, school boards, police districts, and welfare offices.) Once the initial cantons were established, canton boundaries could be changed and new cantons formed through referendums among all the residents of an affected area. The formation of cantons would be an organic and ongoing process—as it is in Switzerland, where new cantons are being formed to this day.

The primary legislative bodies under our plan would be canton governments. The central government would be restricted, as in Switzerland, to only six or seven functions; any additions to its power would have to be approved by all cantons. Elections would take place at the cantonal level, and policies would probably vary considerably from one part of the country to another. The competition that would inevitably occur among the various governments would force the politicians to meet the needs of voters in general rather than those of special-interest groups.

All citizens would be further protected by a bill of rights. Some of the clauses we propose would:
● forbid all laws discriminating on the basis of race, ethnicity, color, creed, gender, or religion (to make this clause politically acceptable, local communities would have 10 years to phase out their discriminatory laws);
● provide for universal suffrage in all national and cantonal referendums and elections;
● protect freedom of movement, freedom of speech and the press, and freedom of association and disassociation;
● establish the right of any citizen to own, acquire, use, and dispose of property;
● forbid the government to confiscate property except in certain very limited circumstances;
● provide for trial, legal due process, and the right of appeal;
● protect minority groups from government actions that constitute victimization by the majority;
● give every citizen with sufficient support on petitions the right to launch a popular initiative calling for a referendum on any law, practice, or policy or calling for a general election.

Devolution's Solutions

A truly democratic system such as this would solve South Africa's problems in two important ways. First, it would meet fully the aspirations of most blacks by ensuring complete equality of all people

before the law, universal suffrage and maximum participation of all individuals in the political arena, and full protection of individual freedom.

The very factors which would serve to meet black needs would at the same time allay white, Indian, and colored fears. The bill of rights, while liberating blacks, would simultaneously protect whites, Indians, and coloreds from losing their freedom and property. Because people would be free to move from one canton to another and to participate actively in all decisions affecting their daily lives, the specter of domination by an alien group would be significantly diminished.

Since the vast majority of South Africa's people are black, most cantons would have a substantial black majority. It seems likely that most would end up with governments formed from some kind of moderate, multiracial alliance. Leaders from all racial groups and political parties already meet regularly with their local counterparts and know them well. We have little doubt that they would soon reach some kind of agreement.

Although we make no provision for ethnicity in our proposal, arguing that government at all levels must be "color-blind," those whites who are determined not to mix with other race groups could maintain their "purity" by buying up all the land in one or two cantons and discriminating through the exercise of their property rights. This would probably be possible only in a few rural districts where whites already own most of the land. Since the bill of rights would ban discrimination in public facilities, they would have to build private schools, swimming pools, and so on if they wished to discriminate on the grounds of race. Thus they themselves would bear the cost of indulging their preferences rather than forcing their fellow citizens to pay the price, as they do now.

The current black "homelands," created under apartheid, should be free to become cantons or not, as they choose. However, all citizens of homelands should also be granted South African citizenship and allowed to move freely into South Africa. Homeland leaders would therefore be subject to the same discipline of competition as canton governments.

Apartheid Is Not Capitalism

For years, blacks have heard over and over again, on radio and television, in newspapers and journals, and especially from leaders of the ruling National Party, that South Africa has a capitalist economic system. Consequently, many blacks equate capitalism and apartheid. Their solution to South Africa's problems is socialism.

Our preference is capitalism, *real* capitalism, but our proposal leaves room on a local level for alternative systems.

Some cantons would probably introduce many socialist measures. Indeed, it would be possible for pure communist enclaves to form—but for this to happen, the canton governments concerned would have to buy all the businesses and land from their private owners and would not be able to prevent those who wanted to from leaving, because individuals would be protected by the bill of rights. Other cantons could follow the example of the independent homeland Ciskei and become tax havens with a minimum of economic regulations. (See "Ciskei's Independent Way," REASON, April 1985.)

A cantonal system would also preserve a future for black business people like Sam

Motsuenyane. The son of a farm laborer, Motsuenyane pushed himself through school and eventually earned a scholarship to study agricultural science at the University of North Carolina. He has been president of the leading black business association, the National African Federated Chamber of Commerce (NAFCOC), since it was founded 18 years ago.

Having succeeded in a system hostile to black ambition, Mosuenyane understands why many blacks dislike and distrust business and capitalism, yet he fears the consequences of that hostility.

"The black business community has suffered during the unrest more than any other

group in this country," he recently observed in *Leadership* magazine. "The reason may be that black businessmen are seen to be cooperating in one way or another with government or with the system." He went on to say that it is essential for members of the business community to show they are involved in the struggle for freedom and justice.

Motsuenyane lived in a modern spacious home on a plot in the middle of Winterveld—a large area that encompasses one of South Africa's poorest regions, populated mainly by squatters. In June, his home was firebombed, so now he lives in a mobile home on the property.

Earlier this year, Motsuenyane met with ANC leaders to discuss "the economic involvement of blacks in the future and the survival

of the free-enterprise system." He told *Leadership* that both his group and the ANC agreed on a number of things. "For example, we agreed that the free-enterprise system in our country is not free at all—something we have been saying all along."

At present we have two separate economic systems in South Africa—a mixed economy for whites and Indians, and socialism for people of mixed race and blacks. Different economic policies have been applied to different races. Roughly speaking, white South Africans have only slightly less economic freedom than North Americans. Indians have had no political rights but enjoy

economic freedoms similar to, though fewer than, whites'.

By contrast, blacks and to a lesser extent coloreds live under conditions of almost pure socialism. Virtually every aspect of black life has been provided and controlled by the state—from houses, hospitals, and nurseries, to schools and transport. Until very recently, genuine private ownership of land and free exchange of land rights were prohibited in black areas. The government has controlled the trade unions and not allowed blacks to move freely from job to job.

If a white South African wants to open a fish and chips shop in a white area, all he has to do is fill in a form, find a zoned business site, and sign a lease with the landlord. If he complies with objectively established health regulations, he is entitled, as a right, to sell fish and chips. No one must approve of him as a person; no questions are asked about his nationality, competence, resources, or language. No bureaucrat decides if there is adequate "need and desirability" for such a shop. Simply because he is a white in a white area, he is entitled as a right, according to objective criteria, to open a fish and chips shop—or almost any other business.

For a black, the situation is very different. Before he can open a fish and chips shop in Soweto, he has to ask an official for a site. The official may or may not grant his request, for reasons which he need not disclose. He may say yes because he likes the applicant, or is related to him, or because he has received a sufficiently generous bribe. He may say no for equally subjective reasons. If the site is granted, the potential entrepreneur has to apply to another official for a license. This may or may not be issued, for similar reasons. Then on to the health officials. And the building inspectors…until, many months and hundreds of rands later, he might be turned down for unspecified reasons.

In South Africa, a state that intrudes on every aspect of blacks' economic lives, it is impossible to separate economic and political reforms. For it is not capitalism but socialism that has forged the chains which shackle South Africa's blacks. The way to break the chains is not by passing more laws but by repealing forthwith those that discriminate against blacks. Our platform, with its protection of property rights and guarantees of equal treatment of all races, would accomplish this goal.

Is Anybody Listening?

Within a few weeks of printing, *South Africa: The Solution* was the number-one nonfiction bestseller in this country. In the months that have followed, it has remained among the top five nonfiction bestsellers. The normal print run for a political book of this type is 2,000. A sale of 5,000 copies over one or two years is considered very good. *Permanent Peace*, generally thought of as quite a successful book, is on its way to selling 2,000 copies, one year since printing.

We ambitiously printed 9,000 copies of *The Solution* in March 1986. They were sold out within six months. Well into its second printing, the book continues to sell in the region of 2,000 copies a month. An Afrikaans version should be in bookstores by the time this article appears.

The point is not to boast but to indicate the real-world likelihood of South Africa's moving toward the solution we propose. Ordinary people everywhere are reading the book. They tell their friends, write to newspapers and magazines, and send books to people in positions of influence. Written in jargon-free language and aimed at lay people, *The Solution* has sold many copies to women in a country where economics and politics are still very much male preserves. The book is also selling well among blacks.

Almost daily, Leon and I receive phone calls and letters from people eager to help us promote the book's ideas. We address groups around the country, ranging from white separatists to black nationalists. Almost invariably, our ideas elicit the same response —initial skepticism, followed by growing excitement and enthusiasm, and finally offers to help spread the message.

The Solution's high sales seem to be mainly a result of personal recommendation, since the book has been in no way a "media event." It has been cautiously reviewed by most major newspapers, both Afrikaans and English, many of them offering little more than a brief summary of the contents. A fairly typical comment came from the *Argus*, the major English-language paper in the Cape, where the reviewer said, "The authors have perhaps tended to view the canton system through rose-tinted glasses, but this does not seriously detract from a book which is worthy of careful study." Similarly, the black business magazine *African Business* wrote, "The book is exciting to read, but tends to be very idealistic."

The book has received only two very negative reviews. *The New Nation*, a left-wing paper brought out by the South African Catholic bishops Conference, published a review that concluded: "I don't think this book really offers The Solution, it might just be part of the problem."

The other negative review appeared in the *Financial Mail*—the most widely read financial journal in the country and one that usually displays a strong pro-free-market bias. The reviewer, an academic from the University of the Witwatersrand, found the best thing he could say about the book is that it is "quite charmingly naive." He went on to say "the detailed proposals are a hoot" and "the authors present a Monty Python-ish scenario of a future happy land with AZAPO-dominated cantons nestling contentedly alongside [liberal opposition party] PFP-dominated cantons." This review was followed by a flood of letters vehemently defending the book. "Come on South Africa," said one, "let's have a canton system. It's now or never." (Interestingly enough, the *Financial Mail* also printed an extremely

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negative review of Beckett's *Permanent Peace*.)

Despite such reactions, our cantonal proposal is receiving important consideration as a model for reform. Leon and I have presented our ideas to the Indaba—a group of white leaders from Natal province and black delegates from the neighboring homeland of KwaZulu who are meeting to determine a post-apartheid option for Natal-KwaZulu. (See the interview with Gatsha Buthelezi, chief minister of KwaZulu, REASON, March 1986.) Although the Indaba has little credibility among many people on the left, because it does not include representatives from the ANC, many South Africans hope that the government will give Natal the freedom to create a multiracial government that the rest of South Africa might emulate.

After we presented our proposals to the Indaba, its chairman, Professor Desmond Clarence, told the Cape *Argus*, "Although there is no real framework, it looks as if the plan could be influenced by the Swiss Canton system. Authors of the book *South Africa: The Solution*, Leon Louw and Frances Kendall, are among the few people who have been asked to give evidence to the Indaba."

Shall We Overcome?

There are two major, obvious stumbling blocks that will have to be overcome if our ideas are to be realized. The first is that the current government would have to surrender most of its present

Our proposal would meet black aspirations by ensuring equality before the law, universal suffrage, and individual freedom. And it would allay the fears of other South Africans.

powers—something no government is wont to do. There is considerable evidence, however, that the South African government recognizes that the loss of much of its power is inevitable. It has already openly accepted the principles of power-sharing and devolution. Chris Heunis, minister of constitutional development and planning, has written in *Leadership* that the government has made "inquiries into maximising the devolution of powers to local authorities and minimizing central or provincial control over them."

The second major impediment to mega-devolution is those politicians, both black and white, who are not interested in the well-being of South Africans in general but in personal aggrandizement. A canton system would represent the end of their chances to seize unlimited political power.

The only way to outwit these people is to go straight to the electorate with a new constitution. If South Africans of all races

were to adopt a new political system through a referendum of all citizens—with equal voting rights for all—those people who tried to boycott the new system would reveal their true colors. Before such a referendum could be run, it would be necessary to educate people on a massive scale as to what a cantonal system would mean, thus gaining their support and bringing about a popular movement in favor of mega-devolution.

We will have to generate sufficient pressure from all sections of the public to push the government into drawing up a constitution along the lines I have outlined. We believe that leaders from all groups should be consulted while the constitution is in the process of being drafted, and these leaders must include Nelson Mandela and other political prisoners. Unless they are released and the ANC and PAC are unbanned, no proposal on the part of the government will receive any support from black South Africans, including moderates like KwaZulu chief Gatsha Buthelezi.

We have a long way to go, but energetic, creative, and intelligent people of great good will abound in South Africa. And, as UDF leader Allan Boesak has observed, "change does not roll in on the wheels of inevitability. It comes through the tireless efforts and hard work of those who are willing to take the risk of fighting for freedom, democracy and human dignity." ⓡ

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