

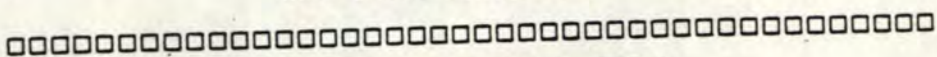
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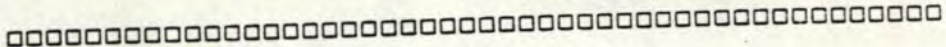
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| On the back cover, Comrade Nzo is shown giving his speech. | |



EDITORIAL

Talks About Talks

Recently there has been too much talk about talks. At times these talks about talks have developed into talks about talks about talks.

We are told by the Western press that the Botha regime wants to talk to the ANC. At times we are told that the ANC has been contacted to this end. There are also hints that for these talks to be meaningful the ANC has to 'loosen' its ties with the Soviet Union and the South African Communist Party and, of course, abandon armed struggle.

All we know is that the ANC has never been contacted by anybody. Even if that was the case the ANC — true to its tradition — would sit down and discuss with the membership and its allies about the impending talks. But all this has not happened. We only read about it in Western newspapers.

In any case what can we talk to the Botha regime about when Nelson Mandela and his comrades are incarcerated in Pretoria's dungeons, when the ANC is banned in South Africa, when the influx control and Group Areas Act are being intensified, when the 'resettlement' of more than three million Africans is taking place now in South Africa? What can we talk about when pass laws are being enforced; when more than eight million Africans have lost their South African citizenship? When thousands of our people are in exile?

When Botha went to Europe he was confronted with these questions. This time he had a problem: he could not accuse the Western governments of being "communist inspired" as he does with us. The French Government could not meet him officially; instead they received President O R Tambo, who was met by the Foreign Minister, Chysson, among others.

If by spreading rumours about talks with the ANC they aim to sow confusion within our ranks, supporters and sympathisers, they are mistaken. The standing of the ANC has never been so high. The ANC has already won the war for the hearts and minds of the people. That is despite the ban, despite the harassment, gaoling and killing of our cadres and our people, despite the massive false propaganda against us ... despite everything.

This is a step towards greater victories, and we are sure to win other battles.

Recently President Tambo told a press conference in Paris that if the Botha regime wants to talk with the ANC such talks could only be about one thing: How to dismantle apartheid. Otherwise we have nothing to talk about. The racist regime seems to understand one language, and we on our part are prepared to talk to it in that language they understand. Otherwise we shall be talking different languages.



GATSHA BUTHELEZI:

A WOLF IN A SHEEP'S SKIN

Once again Chief Gatsha Buthelezi of Kwa-Zulu is at it again, proving by word and deed to be an efficient instrument of the racist minority and illegal regime of South Africa in its futile attempts to confuse and mislead the people of South Africa in their struggle for national and social liberation. These attempts are in the long run aimed at disrupting the efforts being made to achieve the broadest unity in action amongst our people, as well as diverting them from the path of the revolutionary armed struggle as led by the vanguard of the South African liberation movement — the African National Congress.

Ever since the racist minority and illegal regime and its imperialist allies failed to mislead our people and hoodwink the international community into believing that the bantustan system somehow responds to their demands and deepest aspirations for a free, democratic, non-racial and unfragmented South Africa as stipulated in the Freedom Charter, the regime has been in dire need of, and therefore making great efforts to find,

someone with a respectable background, his prestige untarnished by any apparent association and collaboration with the apartheid regime, educated, eloquent and cunning enough to serve as their spokesman from within and amongst our people.

This need became even greater after the same regime, with guns pointing at the backs of our people, imposed the sham of independence upon the Transkei in 1976 and later upon the other territories with obscure names such as Bophutatswana, Venda and the Ciskei. Logically, and as expected, the step taken was more than enough to immediately expose and isolate the Matanzimas, Mangope, the Sebe brothers and Mphephu as traitors to the cause of our people, and at the same time serve as a warning to those who might follow suit in the future. Unlike his bantustan colleagues, Chief Gatsha Buthelezi had long before these events proved to be the man with the qualities mentioned above, and, since the uprising of students and youth in Soweto, has become a far better defendant and apologist of the *status quo* than anyone else.

Well-Calculated Double-Talk

At first sight, it might be difficult if not impossible for one to understand or even reconcile Chief Gatsha Buthelezi's apparently

contradictory statements and declarations on practically every important issue related to the struggle in South Africa. Without wanting to touch on the root cause of his inconsistency as far as the class interests he has chosen to serve are concerned, we should point out that it is only in the light of his actions that one can understand and realise that his statements and declarations as a whole boil down to little more than well-calculated double-talk aimed at sowing confusion amongst our people and diverting them from supporting and actively participating in the mass and armed struggle unfolding daily inside our country.

Unlike most of the other bantustan stooges, Chief Gatsha Buthelezi owes his status to the fact that he is a descendant, although not a direct one, of the Zulu royal family, and therefore was not arbitrarily appointed by the racist authorities to the post after a genuine chief had been deposed or even killed for his non-co-operation as is the rule in many cases. But, in a country where the institution of tribal chieftaincy has been seriously undermined by the process of socio-economic development and discredited by being abused by the racist authorities, Chief Gatsha Buthelezi needed something more than that in order to consolidate his traditional status as a chief and at the same time promote his image as a political leader in the contemporary world. This he found in the fact that he holds a B.A. degree in History and Native Administration, and was a member of the ANC Youth League during its heyday while he was a student at the University College of Fort Hare at Alice.

Without any doubt, he has been shrewd enough to use all these factors fully to his advantage, with the clear intention of cultivating respect and credibility in his position as a 'leader,' and at the same time discrediting and smearing the trusted and tested leadership of the African National Congress whenever the opportunity arises. But this he would do always taking good care to appear to the public as an opponent of the racist minority and illegal regime and its apartheid system. So, if one finds some apparent contradictions and

inconsistencies in his statements, more so between his declarations and his actions, this should not be taken as a mistake on his part but as a deliberate and well-calculated manoeuvre intended to sow confusion amongst our people and the international community as well as to mislead them into believing that he and his tribally based Inkatha disagree with the ANC and its millions of supporters only as far as the question of armed struggle is concerned. In reality he uses this as a smoke-screen to continue serving his masters in Pretoria and Washington.

In his belief, he and his organisation stand as something between two evils — the apartheid system in its archaic form and the ANC — the latter being the worst of course. This explains why, much more than representing and defending the interests of the apartheid system in its original form, he serves in the same capacity in favour of those of US imperialism, whose spokesmen and press are doing their utmost to groom him. But those who care to observe and ask themselves about Chief Gatsha Buthelezi's statements and actions would have noticed by now that, far from being opponents of the racist minority and illegal regime, and even farther from being part and parcel of the mainstream of our national liberation movement or one in its own right, he and Inkatha are indeed basically serving and upholding the interests of the apartheid system and world imperialism precisely at the moment when our people have never before been so determined and bent on eradicating once and for all these scourges from our country with all means at their disposal, including armed struggle.

The Tradition Betrayed

Although it is not our intention here to undermine his traditional status as a chief, we find it more than necessary to point out the sad but very true fact that by having opted to work within the bantustan system, which constitutes the cornerstone of apartheid, he long ago turned his back on the strong and proud tradition of struggle which is the heritage of all our people including the ones whose

loyalty and support he falsely claims — the Zulus. His betrayal of the cause of our people becomes more glaring when one recalls that during the last years of their rule our national heroes and leaders of our forefathers — Shaka, Dingaan, Moshoeshe, Cetshwayo and others — were making some attempts at forging some kind of unity between their forces in order to put up resistance against the common enemy.

Buthelezi desperately seeks prestige and credibility by all means possible, appealing to and harping on his royal origins and the strong and long traditions of struggle of the Zulus (and all African peoples in South Africa) and has gone so far as to hold a provocative rally cynically dubbed a tribute to the centenary of the death of King Cetshwayo, about seven months ago. All this has merely turned him into a political clown who will never deceive anyone except the hand that feeds him. Try as much as he will, his attempts to denigrate and belittle the role of the ANC as the vanguard of the South African national liberation movement are bound to fail, as it is on the ANC that the mantle of struggle fell when it was formed in 1912. This is a reality that Chief Gatsha Buthelezi himself tacitly recognised when, during the first years of the revival of Inkatha and until recently, he would time and again don the ANC colours of black, green and gold, as a means of consolidating his base of support and increasing the membership of his organisation.

It is now a matter of common knowledge that as long ago as 1973 when our people, especially the youth, had in countless ways rejected the bantustan system as a fraudulent scheme intended to deprive our people of their birthright as South Africans as well as to divide our country along racial and ethnic lines, it was Chief Gatsha Buthelezi who turned the scales in favour of the hated system by acceding to the formation of the so-called Zulu Territorial Authority. Immediately afterwards he launched a well-publicised campaign to mislead our people and hoodwink the international community into believing that the

bantustan system could be fought successfully from within, without any limit nor risk of the resisters being co-opted by the enemy in the long run. This is the position he maintained and still continues to maintain, in spite of the fact that there exists more than enough evidence gained by our people in their long experience of struggle that the bantustan system is merely another ploy aimed at fragmenting not only our country and people but also their united resistance against the entire apartheid system by averting them from the path of struggle against their main and common enemy and into fratricidal strife for the 13% of barren and undeveloped land of which above-mentioned territories are composed.

To add fuel on fire, he long ago went on record to denounce those who advocate economic sanctions against the illegal racist minority regime on the false ground that disinvestment would hurt blacks most, while he fully knows that the large amounts of foreign investment in South Africa are first and foremost attracted by the availability of cheap black labour and not by any humanitarian reasons.

The ANC Kept Resistance Alive

At this stage it becomes proper to point out the fact that it is certainly to the credit of the authentic national liberation movement in South Africa as led by the ANC that when many, including Chief Gatsha Buthelezi, thought that everything was lost, it kept the spirit of resistance and defiance alive inside the country through the patient and tireless work of its underground machinery reinforced by the propaganda work of Radio Freedom broadcasting from the external services of Lusaka and Dar-es-Salaam. This was combined with a world-wide campaign to expose the apartheid system and promote economic sanctions as well as the arms embargo campaign against the regime as a means of winning support for the just struggle of our people.

During 1973, when South Africa, and particularly Natal, was hit by a wave of strikes by workers coupled with youth protests and



demonstrations in the black university campuses throughout the country, Chief Gatsha Buthelezi was to show his true colours as an opportunist and double-talker. Reaping what he had not sown, he took advantage of the prevailing political ferment in the country to revive Inkatha the following year. By fully manoeuvring and manipulating some backward and ignorant sectors amongst our people — mainly declassed elements from the rural areas — he managed to win some support amongst them and later began to use them with the aim of consolidating his political base. This he usually did without sparing any effort, even if he had to appear as a friend and supporter of, or at least a sympathiser with, the workers' cause, and even our national liberation movement as led by the ANC.

For instance, during the same period, Chief Gatsha Buthelezi was to make a series of statements that appeared to be sympathetic to the cause of the working class and in favour of black unity in our country, as well as undertaking certain actions that might make him appear as a supporter of our national liberation movement. Among these is a paper entitled, *My Role Within Separate Development Politics*, which he delivered at the Scandinavian Institute of African Studies

in Sweden, in which he hypocritically declared:

"We feel that it is our duty at this time for our people to see themselves as Black workers instead of on an ethnic basis. Once this solidarity becomes a reality we have enough faith to know that our voice will be heard."

These are the same workers that members of his organisation, mainly migrant workers from Mzimhlophe Hostel, incited by the racist police and himself, were to assault a few years later during the height of the Soweto youth and student uprisings. From then onwards, Chief Gatsha Buthelezi and his organisation have proved to be an enemy of workers' strikes, especially if they adopt an openly political character, and also of youth and student demonstrations in the country.

Inkatha Is Not a National Movement

It has become habitual for Chief Gatsha Buthelezi to make attempts at striking a nationalist chord, even to present Inkatha as part and parcel of the forces that are fighting for the liberation of our people, if not a national liberation movement in its own right. In the

same paper that we mentioned in the last paragraph, he went on to say that, "The Xhosa-speaking Blacks and the Zulu-speaking Blacks are the two largest ethnic groups in South Africa. We have other things in common such as *Nkosi Sikelel' i Afrika* as our national anthem ... We have also Sotho-speaking communities in both the Transkei and KwaZulu which has made us keep *Morena Boloka* as an additional anthem in both KwaZulu and the Transkei."

Without wanting to deny the fact that the Nguni as a whole are the biggest ethnic group, we believe that it is our duty to point out that our people as a whole do not conceive of our country as divided into different compartments, the Transkei for the Xhosa, Lebowa for the Bapedi or North Sotho, and so on, as Chief Gatsha Buthelezi seems to perceive in this statement. This point they made clear as long ago as 1955 when the Freedom Charter was adopted, and they declared that: "South Africa belongs to all who live in it. Black and White, and ... no government can justly claim authority unless it is based on the will of all the people." By this, our people were giving recognition to the historical fact that South Africa had become the home of all the racial and ethnic groups which were to be found spread out and co-existing and, in the case of the Africans, even intermingling, throughout the breadth of our country.

So, for Chief Gatsha Buthelezi to have pointed out the presence of Sotho-speaking communities in the Transkei and KwaZulu as a unique and common feature becomes as naive as it is tribalistic, for if that is the case, one can point out the presence of Swazis, Shangaans and so on, in what is known as Lebowa, or of Tswanas in what is known as Qwa-Qwa. But more naive and tribalistic on the part of Chief Gatsha Buthelezi is to have claimed *Nkosi Sikelel' i Afrika* as a national anthem exclusively for what is known as KwaZulu and the Transkei, and to have kept *Morena Boloka* as an additional anthem only because of the presence of the Sotho-speaking communities in these territories. The histor-

ical truth is that *Nkosi Sikelel' i Afrika* and *Morena Boloka Sechaba* is one and the same single national anthem traditionally sung in both Zulu and Sotho (or any of the other languages belonging to the Nguni and Sotho language groups) by all our people, ever since the African National Congress adopted it as such.

Luthuli the Opponent of Apartheid

Throughout our country and the world at large, it is known that the late Chief Albert Luthuli, President-General of the ANC from 1952 until his death in 1967, was a staunch and uncompromising opponent of the apartheid system and, in particular, its bantustan policy, and by the time of his death he had already taken the initiative in calling for economic sanctions, disinvestment and an arms embargo against and from South Africa within the international community. Then, for Chief Gatsha Buthelezi to have launched a Luthuli Memorial Foundation with financial help from the Luthuli Memorial Foundation in 1973, as a homage to this great patriot, fully aware that he stands against practically everything that Chief Luthuli fought for is more than sheer hypocrisy.

But this is fully in line with his need to manoeuvre and manipulate the ignorance that exists among certain sectors of our people, mostly of rural origin and with a strong tendency to form an alienated or marginalised group within the wider community and especially in the urban areas. This he would do by taking credit for the work and achievements of other individuals and organisations under the pretext of honouring them in order to create a base of support and consolidate the little political support he has. And this has been especially so during the years leading to and immediately after the revival of Inkatha in 1974.

But if ever his intentions in accepting the bantustan system and encouraging others to work within it were genuine and sincere (which of course they have never been) one need only ask oneself why his government persists in participating in the so-called land

consolidation plans. These in practice, result in thousands upon thousands of our people being violently removed from the lands and homes they have occupied for decades and even centuries to some other unknown place, where, in many cases, there is no proper accommodation for them, or none at all, as is the case with the present plans to incorporate Lamontville, Chesterville, Klaarwater and Hambanathi into KwaZulu, against the expressed wishes of their inhabitants.

Sweet Talk of Non-Violence

Earlier, we pointed out that Chief Gatsha Buthelezi has always been at pains to present himself as one who does not believe in violence or armed struggle as a means of eliminating apartheid and achieving the national and social emancipation of our people; his only disagreement with the ANC being on this issue. As long ago as 1973, he declared in some paper that:

"Some of us are not committed to a violent confrontation. I belong to this group ... We find it rather strange for anyone outside South Africa to prescribe this for us. It seems to us that in the final analysis the South African problems will be solved, whether peacefully or violently, may God forbid, within South Africa by those within the country."

Ever since, this has been his language on this question. It is not for us to question his disposition as an individual to participate in the armed struggle. But for him to detract our people from the path they chose with the formation of Umkhonto We Sizwe on the 16th December 1961 with so much sweet talk of non-violent struggle, which has long ago been proved wanting, is indeed to put himself outside the mainstream of the struggle for national and social liberation.

To suggest that the decision to embark upon armed struggle was a prescription by someone from outside the country, while he knows that it was taken by the best of our leadership after long and painful deliberation,

is, to say the least, cynicism at its height. Everyone knows that the decision was taken many years after the African National Congress had over many years exhausted all methods of non-violent and 'legal' struggle culminating with its banning in 1960, about eight years after Chief Albert Luthuli rightfully asked:

"Who will deny that thirty years of my life have been spent knocking in vain, patiently, moderately and modestly, at a closed and barred door ... ? What have been the fruits of my many years of moderation? Has there been any reciprocal tolerance or moderation from the government, be it Nationalist or United Party? No! On the contrary, the past thirty years have seen the greatest number of laws restricting our rights and progress until today we have reached a stage where we have almost no rights at all."

Later on, in 1964, when Nelson Mandela, Walter Sisulu and six others of our leaders were sentenced to life imprisonment, Chief Albert Luthuli found it necessary to emphasise this point in a public statement released on the 12th June of the same year, and in which he declared that:

"No one can blame brave, just men for seeking justice by the use of violent methods; nor could they be blamed if they tried to create an organised force in order to ultimately establish peace and racial harmony."

Buthelezi Visits the United States

It was precisely around the middle of 1976 when Chief Gatsha Buthelezi, alarmed by the explosion of the Soweto youth and student uprisings throughout the country, was forced to come out into the open in his true colours as an apologist of the apartheid system, and spokesman of US imperialism in particular, within our people. This he did among other things by 'suddenly' stopping to consider Inkatha as a cultural movement aimed at pro-

moting what he understands as Zulu culture and history, and consequently began to present it as a national-liberation movement in its own right, or at least as a component part of the authentic national liberation movement as led by the ANC. In propagating this false belief and impression he was readily helped by the South African English language press and its counterpart, the Western mass media. This assistance involved the publicising of his campaigns throughout the world as well as the secret financing of his trips abroad, particularly to the United States.

This of course should not be understood as meaning that Chief Gatsha Buthelezi had completely abandoned the old rhetoric aimed at giving our people and world public opinion the false impression that he holds a position of neutrality between the apartheid regime and the ANC. But it should sincerely be pointed out that it was more or less from that period, when throughout his manoeuvres and manipulation he had managed to increase the membership of his organisation to some few thousand men and women that he started feeling audacious enough to embark upon actions that he might not have been able to do before, and can appear to be contradictory to his earlier advocacy of non-violence as a means of achieving genuine national and social liberation in South Africa.

Amongst these actions are the role Inkatha brutes and henchmen played in maiming and killing innocent and unarmed people, mainly youth and students, during the demonstrations against the award of an honorary doctorate to him by the University of Zululand in July 1976, the Soweto youth and student uprisings from June 16th the same year, the demonstrations against the holding of the rally intended to mark the centenary of the death of King Cetshwayo at the Universities of Zululand and Durban-Westville (Wentworth) in October last year, and, most recently, the violent disruption of a May rally organised by the Durban UDF in which the national president of the UDF, Archie Gumede, was injured. It is obvious that such actions, far from opposing the apartheid system,

have indeed become a serious obstacle in our irreversible march to freedom in the land of our birth.

Realising that the events of 1976 had exposed him for what he is, Chief Gatsha Buthelezi manoeuvred again and, together with the other bantustan leaders, formed the short-lived and so-called Black United Front, after they had held a seven-hour meeting with the late South African Prime Minister, John B Vorster. The immediate objective of the so-called Black United Front was to help the regime in quelling the youth and students' revolts, while its main one was to wrest away the leadership of the national liberation movement from the ANC. When that attempt proved a complete failure he extended the so-called Black United Front to include the Coloured Labour Party and the Indian Reform Party in 1977, and on this basis the so-called Black Alliance emerged, more or less with the same objectives in mind. These were all the more urgent for him to carry out, also as a means of taking advantage of the banning of about 20 political, civic, religious, youth and student organisations during the same year. But again, those attempts proved to be a failure when the Coloured Labour Party and the Indian Reform Party decided to outdo Chief Gatsha Buthelezi and Inkatha in their game of betrayal by accepting participation in the so-called constitutional reforms.

Buthelezi Shifts His Ground Again

The achievement of independence by Zimbabwe in 1980 once again, since the former Portuguese colonies had achieved the same feat, served as an indication of the change that has taken place in the correlation of forces in the region in favour of the struggle of our people. On this occasion, Chief Gatsha Buthelezi found it necessary to beat a retreat by declaring that he was:

"... not prepared to urge South African Blacks to join the Defence Force and to fight for current South Africa ..."

and he was:

"certainly not prepared to alienate ... [himself] from South African political exiles and to embark upon a propaganda campaign against them."

One needs only to look at such statements in the light of his actions as we have enumerated earlier to realise their sheer hypocrisy and their deceptive nature, and the fact that by sending his henchmen to violently disrupt meetings in which innocent and unarmed people, including stalwarts of our struggle, are maimed and killed, he has already put himself at the service of the South African Defence Force and the security police.

Perhaps it is interesting, but not surprising nor unexpected at all, to note that it did not take very long for Chief Gatsha Buthelezi to revert once again to an open campaign of slander and smear against the prestige, respect and image of the ANC inside and outside the country, in which he went so far as to claim that four combatants of Umkhonto We Sizwe captured last year with a map and a sketch of a bridge they intended to blow up on the White Umfolozi River were also on their way to assassinate him. But Chief Gatsha Buthelezi, as much as many other people, knows very well that, much as his statements and actions fill us with rage, our movement simply does not have the time, resources and energy to waste in acts of terrorism against individuals who happen and have chosen to be representatives of the apartheid system and world imperialism, since the main targets of our armed actions are the SADF, the police force, strategic economic and military installations, as well as the administrative apparatus of the racist minority and illegal regime. This, of course, is with the exception of traitors to our organisation, notorious policemen and informers, whose actions may lead to endangering the security of our combatants inside the country. As a matter of fact, one can with all reason suspect that it is because he is aware of this that Chief Gatsha Buthelezi believes he can continue to slander and distort the prestige and image of our movement for ever, with impunity.

10

His Masters' Voices

To attribute, as he did, the demonstrations and protests against him last October at the Universities of Zululand, Durban-Westville and the North, as well as those of the residents of Lamontville and other townships, against his use of the "subversion" of the ANC as a smokescreen to cover his unpopularity amongst our people will never help Chief Gatsha Buthelezi. His claim that the 12 organisations that later called for a memorial service in honour of the dead, amongst which were to be found members of Diakonia and the Azanian Students' Organisation, are ANC fronts, is not only a blatant and aimless lie but also a parrot-like repetition of his masters' voices in Pretoria and Washington. Nothing more is needed to prove our point than the false and outrageous statement he made to the effect that:

"... in the student body there is no spontaneous opposition, and we know that the cliques there which agitate for violent opposition to me represent a unholy partnership between BOSS [the Bureau of State Security] and the African National Congress mission in exile acting through its nominees and surrogates."

This is the very same man who, some time after Piet W Botha took over as the South African Prime Minister (following on the Muldergate scandal) we had to listen to in his deliberate attempt to create false hopes and expectations, if not illusions altogether, amongst our people and the international community by counselling patience to them, declaring that he was "not politically, totally disillusioned with Mr P W Botha" and that he had "hope that he will be meaningful in his premiership" and therefore "must be given more time and greater encouragement," and that is the reason why he had called for a moratorium on constitutional developments. On the same occasion he went on to declare that he had:

"... further appealed to my people to give the Prime Minister time to introduce reforms and not judge him on the track record of his predecessors in the Premiership of South Africa."

With the above words coming directly from Chief Gatsha Buthelezi's mouth, no one except the most cynical or the most naive would believe him to be genuinely interested in the true national and social liberation of the South African people.

Crocodile Tears

Now that the racist minority and illegal regime has had all the time it needed to introduce its so-called reforms to its satisfaction, thanks partially to Chief Gatsha Buthelezi's 'counselling,' we see him turning around to shed crocodile's tears on the yes vote the White electorate gave on 2nd November 1983, during the referendum on the proposed constitutional 'reforms.' Belittling the intelligence of our people and their capacity to see through his political clowning, he expects us to jump and clap our hands in glee over the apparently militant threats he is fond of making time and again against the racist minority and illegal regime, while his Inkatha cut-throats are busy at work killing and maiming our people and serving as a serious obstacle to the armed activities of our combatants.

Another dangerous element in Chief Gatsha Buthelezi's arsenal of rhetoric is the highly irresponsible and senseless outbursts he is in the habit of making against the Coloured and Indian communities of our country. In this respect the Indian community has borne the brunt of his attacks and not long ago, when the sell-out leaders of the Labour Party and the Indian Reform Party decided to outdo him by jumping on the apartheid bandwagon through their participation in the so-called 'reforms,' we saw and heard him howling high up into the sky over the betrayal of our people's cause by his counterparts in those communities. Ignoring the fact that the

two communities, particularly their youth, have expressed their opposition to apartheid and all its collaborators in no uncertain terms, including violent demonstration and protest, he went so far as to invoke the spectre of the tragic disturbances of 1948 between the Indians and Africans in Durban. In this way, we were once again painfully subjected to witnessing him helping the racist minority and illegal regime drive a wedge between the oppressed and exploited as a means of undermining the fighting unity that has so far been achieved through so much sacrifice and hard work between the Africans, Coloureds and Indians throughout the years by our genuine and trusted leaders.

But such a reaction is typical of Chief Gatsha Buthelezi's double-talk and manoeuvres to fragment the unity of struggle between our people, cynically, in the name of 'black unity.' It is politically insincere and hypocritical for him to condemn and threaten whole communities, because what the sell-out leaders of the Labour Party and Indian Reform Party have really done is to follow his example and that of the other bantustan puppet leaders in blindly accepting to work within the bantustan system and the myth of independence. It is hardly surprising then that the sell-out leaders of the Labour Party and the Indian Reform Party, in the same way as their colleagues in the bantustans, have been targets of the wrath of their respective communities as well as of our people as a whole. So, who is Chief Gatsha Buthelezi trying to fool by his political clowning and manoeuvres?

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LAW AND POLITICS IN SOUTHERN AFRICA

By Kader Asmal - Part III

THE RIGHT TO REVOLT

This is the third part of a paper originally presented at a conference in London in April 1984. The fourth and last part will appear in our October issue.

A people revolting against colonial aggression represent their interest through a public body such as a national liberation movement. Such interim international personality of a national liberation movement reflects the personality of a new State which is in the process of establishment.

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In order to vindicate the principle of self-determination, nations or peoples have resorted to physical force, and will continue to do so. It may be artificial to consider that such a struggle is a form of self-defence of the emerging State under Article 51 of the Charter of the United Nations. It is more fruitful to consider recourse to armed struggle as consistent with the Charter because it is in pursuit of a rule of *jus cogens*, the right to self-determination. In other words, the conflict is between "forces which represent different authorities and different peoples" (17) and from the earliest stage of UN involvement, these conflicts were considered to be 'international conflicts' and thus removed from the domestic jurisdiction clause. Although the threat or use of force in contemporary international law is forbidden (specially but not exclusively under Article 2(4) of the Charter), and no title to territory may be acquired through illegal methods, an armed colonial struggle belongs to "an area where force may still be employed for the purpose virtually of bringing about a change in territorial sovereignty, without necessarily impinging upon the prohibitions of the use of force laid down by international law." (18)

Western Governments objected to the concrete application of the right to revolt in pursuit of the right to self-determination in its early stages but the United Nations in its repertory of practice reflected, in the early 1960s, an awareness of changing political realities which "symbolise[d] and concretise[d] a new political-juridical conception: the definite repudiation and end of colonialism." (19)

For a number of years, beginning in 1965, the General Assembly has recognised the legitimacy of the struggle of peoples under colonial rule to exercise this right to self-determination, starting with the colonies under Portuguese occupation and in relation to Zimbabwe, but later generalising this right to Namibia, South Africa and the people of Palestine.

At the 20th session in 1965, the General Assembly recognised "the legitimacy of the

struggle by the peoples under colonial rule to exercise this right to self-determination and independence." (Resolution 2105(XX)) In the same session, on the Declaration on the Inadmissibility of Intervention in Domestic Affairs and the Protection of Independence and Sovereignty (passed without a vote against), the General Assembly identified the other aspect of this right when it demanded not only "respect for self-determination and independence of peoples and nations ... with absolute respect for human rights and fundamental freedoms" but demanded that all States should contribute to "the complete elimination of racial discrimination and colonialism in all its forms and manifestations."

The right to revolt now had additional dimensions, the right to seek and obtain assistance from other states and the obligation on other states not to assist in the preservation of colonialism, racism and apartheid. Brownlie identifies this aspect of the principle as one of the 'corollaries,' namely "intervention against a liberation movement may be unlawful and assistance to the movement may be lawful." (20) Western Governments may continue to vote against specific resolutions which recognise these rights and obligations in relation to specific territories but this is untenable because they are parties to two major declarations passed without dissent or abstention by the General Assembly.

Whatever doubts may have existed about the right to overthrow established authority which contravenes the right to self-determination has now been dissipated by the unanimous adoption by the General Assembly of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, (GA Resolution 2625(XXV) 1970), which is declaratory of customary international law. The principles of the Charter embodied in the Declaration are declared to constitute "basic principles of international law." The Declaration lays down a duty on States "to refrain from any forcible action which deprives peoples referred to in the elaboration of the pre-

sent principle of their rights to self-determination and freedom and independence." But, even more importantly, the Declaration recognises a right to fight against such deprivation because it lays down that:

"In their actions against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and receive support in accordance with the purposes and principles of the Charter."

It is quite clear that the Declaration recognises the right to have recourse to a war of liberation and clearly indicates that the use of force against the exercise of self-determination is a violation of international law. In so far as the resolution recognises the right of internal revolution, it codifies what international law has traditionally assumed. The Declaration clearly applies to Namibia, where the majority are under "alien subjugation, domination and exploitation."

Similarly the General Assembly resolution on the Definition of Aggression passed by consensus in 1974 which, in accordance with the Charter, prohibits aggressive acts between States, expressly (under Article 17) provides that nothing in the definition of aggression can prejudice the right of self-determination, freedom and independence of peoples under 'colonial and racist regimes or other forms of alien domination,' nor the right of these peoples to struggle to that end and receive support, in accordance with the principles of the Charter and in conformity with the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States (GA Resolution 3314(XXIX) 1974).

These developments in international law, consistent with and not in derogation from the Charter of the United Nations, have drawn the significant observation from one commentator that: "It is clear that the right of revolution has been recognised more forthrightly and explicitly by the international community than it earlier had been." (21)

The liberation movements of South Africa have had observer status with the United Nations since 1973, have participated in conferences held under the auspices of the organisation and even signed the text adopted at the conclusion of the Geneva Conference on Humanitarian Law in 1977. This has been the result of the persistence of the General Assembly where, by increasing majorities, the Assembly has characterised the South African regime as 'illegitimate' (resulting in the withdrawal of the credentials of the South African delegation in 1973), proclaiming that the national liberation movements of South Africa are the "authentic representative of the people of South Africa in their just struggle for national liberation," and recognising the "right of the oppressed people and their national liberation movements to resort to all the means at their disposal, including armed struggle, in their resistance to the illegitimate racist minority regime of South Africa." (22) (My emphasis.)

In case the practice of the General Assembly is dismissed as the result of the "tyranny of automatic majorities" obtained by the Third World, it is interesting to turn to the evolution of the practice of the Security Council.

The Security Council was first seized of the South African issue in 1960, following the massacres at Sharpeville and Langa. Resolution 134 recognised that the situation in South Africa "is one that has led to international friction and if continued might endanger peace and security." Although there was a call for South Africa to "abandon apartheid," there was no characterisation of the regime or the nature of the struggle. The "legitimacy of the struggle of the oppressed people" was first recognised by Resolution 82 of 1970, but the struggle was related to their "human and political rights set forth in the Charter of the United Nations and the Universal Declaration of Human Rights." France, Great Britain and the United States abstained on this resolution. The same formula was repeated in Resolution 311 of 1972, with France as the only abstention. The consensus

resolution 392 of 1976, adopted three days after the shootings at Soweto, went somewhat further and recognised the "legitimacy of the struggle of the South African people for the elimination of apartheid and racial discrimination."

The combination of 'struggle' and 'elimination' was significant, and in Resolution 417 of 1977 the Security Council unanimously reaffirmed the earlier recognition of the legitimacy of the struggle against apartheid, but went one step further. For the first time, the Council affirmed the right of the people of South Africa as a whole, irrespective of race, colour or creed, to the exercise of self-determination. The connection between apartheid and self-determination has been asserted in a subsequent resolution (see Resolution 473 of 1980) and support for the legitimacy of the struggle reiterated.

The election of the Reagan administration in January 1981 has resulted in a more muted response by the Security Council because of the Administration's desire not to disturb its process of collaboration with the South African regime, known as 'constructive engagement.' But the significance of the Security Council's unanimous resolution of 1977 cannot be denied and in the context of the practice of other principal and subsidiary organs of the United Nations must constitute an authoritative statement of the international community's interpretation of the character of the South African regime and the right of the people of South Africa, organised through their liberation movement, to struggle for the overthrow of the system.

Recognition of these rights entails recognition of the causes which give rise to anti-colonial struggles. Third World and socialist countries have therefore refused to react to the emotive issue of 'terrorism' without reference to the causes of violence in international society. This is illustrated in the discussions on the Ad Hoc Committee on International Terrorism of the General Assembly where these countries have refused to confuse the issue of colonialism and the struggle against it with other examples of random violence and

terrorism. In Resolution 34/145(XXXV) of the General Assembly in 1979 on the issue of terrorism, the General Assembly expressed its concern at terrorism and adopted "practical measures of co-operation for the speedy elimination of international terrorism;" but in the context of:

"Reaffirming the inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination, and upholding the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the United Nations."

These resolutions of the General Assembly (and even of the Security Council) have affirmed the right of colonial peoples to resort to armed struggle and to such necessary material support and other support against foreign domination. More recently, the responsibilities of the specialised agencies and other organisations within the United Nations for the provision of "moral and material assistance, on a priority basis, to the peoples of the colonial Territories and their national liberation movements" has been clearly identified (GA Resolution 34/42(XXXIV) 1979).

Since 1965, when both the General Assembly and the Security Council have had to condemn the violence of colonialism, especially against the territory of States which have provided assistance to liberation movements, resolutions have demanded that the colonial aggressor pay compensation to the State which has suffered damage. Until 1981, this has been the constant position of the Security Council. No resolution of any UN body has either condemned the country providing assistance to a liberation movement or equated the reaction of the liberation struggle with the violence of colonial and racist regimes. The constant theme of resolutions passed in response to complaints brought by Zambia, Mozambique, Angola and Lesotho has been to

condemn the acts of violence or aggression by South Africa, as it had been previously in the case of the then Southern Rhodesia. For the first time, in 1981, following the massive invasion of Angola by South Africa under the code name of 'Operation Protea,' the United States used the veto because the resolution lacked 'balance,' as there has been no reference to SWAPO's activities from Angola.

But what these resolutions have established, as they did in the earlier instances of the Portuguese colonies, is that the illegal status of the occupying power denies that power the automatic right to self-defence. Conversely, the right of the victim-peoples to take steps to pursue their right to self-determination is not to be equated with the aggressor's actions.

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18. Jennings, *The Acquisition of Territory in International Law*, 1963, p. 80.
19. Casteneda, *Legal Effects of United Nations Resolutions*, 1969, p. 13.
20. Brownlie, *op. cit.*, p. 577.
21. Schwelb in *Law and Civil War in the Modern World*, (ed. Moore), 1974.
22. See GA Resolution 38/39A of 5th December 1983 for the latest example.



Pressures on Pretoria



The Occupation of Namibia

Intense diplomatic activity has taken place around the question of Namibian independence this year, and there has been much speculation that the racist South African occupation of the territory will soon be ended.

The speculation was initially set off by Botha's announcement at the end of January that South African Defence Force occupation forces would be withdrawing from southern Angola and that the occupation of Namibia was "a heavy burden" that the regime could not continue to bear indefinitely.

The past few months of negotiations over Namibia have been marked by a number of meetings in Lusaka, a flurry of consultations between the Botha regime and its western allies and a bout of more than usually intense diplomatic shuttling, especially by representatives of the Reagan administration. While the twists and turns of the diplomatic struggle and the deliberate misinformation emanating from Washington and Pretoria have made it difficult to follow the progress of the negotiations, the broad outlines of apartheid

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