SOUTH AFRICA'S TRANSITION TO DEMOCRACY: SOME REFLECTIONS

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South Africa enjoyed its first democratic election in April 1994, and the former political prisoner Nelson Mandela was inaugurated as its first black president. Until then, South Africa was effectively a racial dictatorship that held the black majority in a state of servitude in their own country. This system of segregation and discrimination was entrenched in the country's legislation as 'apartheid', making South Africa the only country in the world that legally divided its people on the basis of their skin colour. From the 1960s onwards, the white South African government was increasingly marginalised and isolated on the world stage. Domestic black opposition was imprisoned, forced underground or driven into exile.

By the 1980s the little diplomatic support South Africa had from some western governments was receding, political violence was increasing, the economy was in a long recession, and international sanctions and boycotts were commonplace. Tentative negotiations between the government and the African National Congress (ANC), the main liberation movement, began in secret. In 1990, shortly after the fall of the Berlin Wall, the then president, F.W. de Klerk, unbanned the ANC and other liberation movements and released a tranche of political prisoners including Mandela.

Negotiations to bring about a transition from apartheid to democracy took place between 1990 and 1994. There are two key issues here: first, the transition was negotiated, and it was domestic. In other words, the main protagonists recognised each other's legitimacy and talked as partners with a stake in the survival of the country, and that the talks were not brokered by another country or international organisation meaning that South Africans did not have something imposed on them from outside. This was in a febrile atmosphere – South Africa had always been a violent society, and now political violence between the police, army, government agents, and liberation movements claimed some ten thousand lives in four years. The 'miracle' of the South African transition was not that it was peaceful – quite the opposite – but that outright civil war, which had been genuinely feared, was averted.

Second, the transition from apartheid to democracy was just that: a transition, not a revolution. The white political elite was replaced by one that was largely black, but mixed (the ANC is a non-racial movement). Crucially, the institutions of government continued under new management and a new direction. The negotiated character of the transition ensured that while some got less than they wanted, more people got enough of what they could accept to make the transition legitimate.

The act that completed the transition process was the Truth and Reconciliation Commission (TRC) that ran from 1996 to 2001. The TRC exposed many of the crimes of apartheid and is the transition's best-known feature. Its purpose was

disclosure rather than prosecution and people before it could apply for amnesty in return for testimony. The groundwork for the TRC was laid by the ANC itself in 1992 when it undertook its own truth commission into abuses perpetrated at its camps in Angola and Tanzania. It was crucial that the formerly oppressed who were now the 'victors' of the transition should be seen to admit to their own failings, as it neutralised criticism that the TRC was simply victors' justice. The TRC lustrated some fifty thousand cases of gross human rights abuses, the vast majority carried out by the apartheid government. The proceedings were transmitted on TV and widely reported in the press. The TRC served to counteract claims from the white South Africans that they did not know what had happened and to allow apartheid's victims to have their stories heard and entwined in a new public discourse of human rights. However, the TRC did not examine the political dynamic of human rights abuses, and one criticism is that while low-ranking policemen often gave evidence, their political masters who made the policy and issued the orders generally did not. Another valid criticism is that by focusing on personal situations of abuser and victim, structural crimes were left untouched. For instance, the TRC did not examine the policy of forced removals that affected 3.5 million people, destroying family and community life, yet it was these forced removals that made apartheid a crime against humanity. The TRC illustrates the way truth commissions in post-conflict situations can be effective when they are legitimate and clearly signal the end of the transition process.

Enormous challenges still face South Africa. The democratic state was bequeathed tremendous inequality, high poverty, unemployment, and deep social divisions. South Africa still has one of the highest violent crime rates in the world (although this is dropping). For all that the constitution and legislation are extremely liberal – South Africa is one of the few countries that recognises gay marriage, for example – social attitudes outside tolerant, urban middle-class circles are often retrograde. Xenophobia is widespread and violence against women and children is depressingly common.

However, the post-apartheid South African state has proved robust. The manner of the transition ensured a relatively smooth handover and government institutions continued to work without interruption. Since South Africa was deeply divided, the government embarked on energetic nation-building measures – a new flag, national anthem and the rebranding of the public sphere, all of which was helped by the newly-readmitted South Africa's success in international sport. The government is legitimate and although the ANC has won large majorities in all four democratic elections, the constitution has remained unaltered and elections are free and fair. Internationally, South Africa is a highly respected broker in peace negotiations, such as the current ones in Libya today. In seventeen years it has gone from international pariah to the world's moral touchstone.