

UNITED NATIONS

Centre for Human Rights

Global Consultation on the Realization of the
Right to Development as a Human Right

Geneva, 8 - 12 January, 1990

IMPACT OF APARTHEID ON THE RIGHT TO DEVELOPMENT AS A HUMAN RIGHT

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WORLD COUNCIL OF CHURCHES

GENEVA

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In 1986 the UN General Assembly adopted the following resolution: "Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom".

We assume that with the Declaration on the Human Right to Development no definition of or discussion on what constitutes development is necessary. We also assume that every government should be concerned with the common good of its people and therefore, of their human right to the development of the country. If a government for whatever reason and in whatever manner does not allow all its people their human right to development, such violation must be exposed by non-governmental and human rights organisations.

By definition the Human Right to Development is inclusive, i.e. it involves all the people in a country irrespective of race, colour, creed, sex or age. An individual has the right to contribute to the development of society according to best of one's ability, and should share equitably in the benefits that accrue from that endeavour. It is clear that the Human Right to Development is violated by governments that tolerate or allow discrimination of one group against another. Where sexism, religious, tribal or racial discrimination exists or is practised, development of a country is impacted negatively creating tensions in society that manifests themselves in various ways affecting different groups in different ways. For example - religious discrimination may lead to religious persecution, racial discrimination may affect the health, education, economic and social well being of a group.

In the recent European past discrimination nearly ended in racial genocide. Discrimination denies its victims, the chance to exercise their fundamental Human Right to Development and make meaningful contributions to the well being of the society as a whole.

In 1948 the government of South Africa officially adopted the policy of apartheid. Apartheid means apartness or separate development. It must be stressed that to the South African government apartheid meant total and separate development between Whites and Blacks in all areas of life - social, cultural, political and economic.

Where as blacks and whites were forced by circumstances to meet at the work place or in whites' homes it was not, by law, to be on the basis of social, economic, cultural or political equality. Even in death separate graveyards ensure that. Since 1948 the government has passed over 300 laws that either prohibit blacks and whites from mixing together or punish violations of the apartheid laws or attempts to change them. This is essentially true today despite all the talk of reforms by the South African government. Since De Klerk came to power on 6 September, 1989 some progress has been made towards reforming apartheid. The Immorality Act and separate amenities and group areas legislation have been relaxed in the wake of determined mass civil defiance campaigns. However, none of these are fundamental to apartheid superstructure. In a recent interview with Washington Post President de Klerk stated that the Race Classification Act has to remain in the statute book for, to remove it, would undermine the very constitution of the Republic of South Africa.

Politically, socially, economically and culturally apartheid not only violates the Human Right to Development but that it also violates other fundamental human rights adopted by the United Nations - too numerous to mention here. What is worse is that violations of human rights by the South African government are not chance aberrations in the working of a system, but the deliberate functioning of a well thought out evil policy whose theological justification was debated long before it was put into effect. Apartheid denies the fundamental Christian belief that human beings are created in the image of God. Thus it dehumanizes the black race by denying it, its God given dignity. Theologically, politically and ideologically apartheid reflects the demented and spiritual 'misdevelopment' of the Afrikaaner's rulers of South Africa.

Apartheid stands in stark opposition to the very philosophy that undergirds the Human Right to Development. Apartheid has had a negative impact on the right to development as a human right. It has also had a lethal impact on the blacks who have advocated the right to development as a human right. Thousands upon thousands have been jailed for breaking apartheid laws - thousands have been detained without trial, thousands have died - shot to death by the police and the army and in the Frontline States millions have died from the direct and indirect military aggression of the South African government. Millions are denied freedom and their fundamental right to development in South Africa.

Apartheid is a system which articulates separate development of the races as a goal. Laws were passed to achieve this. Thus in 1950 the Group Areas Act was enacted to enforce separate living areas for Whites, Blacks, Coloureds and Indians. It was illegal for one racial group to live with a different racial group. The Group Areas Act violates the Human right to development, when it denies an individual the right to live wherever he or she chooses. Since the Act seeks to take precedence over a fundamental human right which by 'nature' is and should be superior to it. We maintain that human rights emanate from nature and as such are above man made laws. We also maintain that man made laws cannot unmake or replace human rights. And we further maintain that when man made laws and human rights clash, the former should give way to the latter. We assume the pre-eminence of human rights and it is on that premise that all human rights, non-governmental and religious bodies justify their moral high ground on issues like apartheid and other human rights violations.

Furthermore, the Group Areas Act by separating people creates tensions, misunderstanding and exacerbates racist feelings that undermine cooperation which is one of the requirements of harmonious relationships that are important and implied in the concept of 'healthy' development. And development here assumes the term - the right to development.

The Bantustan or Homelands policy is another hallmark of separate development which has had a negative impact on the economic and political development of South Africa. The policy has also caused enormous misery and suffering to the Blacks. It was based on White fears that eventually the small white population would be overwhelmed politically, economically and socially by the large black population unless something was done. This outrageous and baseless premise was then developed by white racists that there was a white South African country to which blacks did not belong and were not citizens of. And correspondingly there was a black South Africa to which whites could not be citizens. Black South Africans had their homes - outside official white South Africa - that the whites called homelands or Bantustans. Blacks could not live in White South Africa - they could come, stay and work there but upon retirement or old age had to return to the homeland. Africans in White South Africa, whose labour was not required should be sent to the homelands. The whites further argued that politically, socially and culturally they and blacks were so different from each other; only total separate development would assure 'peaceful or harmonious' co-existence between the races - living in separate states.

It was also further argued that Africans were divided into tribes and tribal harmony would be ensured if different tribes lived in different tribal homelands. From this misguided thinking the apartheid regime created homelands - scattered pockets of tribal 'reserves' or lands located in the poorest areas where agriculture is a guaranteed failure. Lands that, a New York Times report once described, could not support baboons.

The homelands were and are a reservoir of cheap labour and dumping grounds of the old, the sick and the unemployable. Homelands are a critical part of the migratory labour system which separates and breaks up black families. Usually under the migratory labour system blackmen from the homelands come without their wives and children, to work in the mines under limited time contracts, at the end of which they are supposed to return home. The contract is usually renewed. Space does not allow more elaboration of the migratory labour system. But we should point out that the system has caused untold suffering among black women who have heroically fought against the system by setting up "squatter camps" in cities which government bulldozers have on many cold rainy mornings razed to the ground - only somehow to be built up again by desperate and courageous women. Their resistance and spirit of resistance has amazed the world.

The other side to the coin of the homelands policy was until its abolition a few years ago - influx control which was intended to keep the migration of the black population from the homelands into White South Africa or to 'deport' unwanted 'superfluous or surplus' blacks from urban white South Africa. Again, because of limitations of space, it will suffice to say influx control caused indescribable human misery. Every black person 16 years and older was required to carry a pass which recorded not only one's name, but tribe, place of birth, employers name, salary, whether one had paid ones taxes, reasons why you left your last employment. A police man had a right to see one's reference book at anytime, failure to produce it meant jail and millions were arrested under the pass system. Police could knock on your door in the dead of night and demand to see the pass.

One of the prerequisites of the human right to development is the right to live where one chooses to, the right to free movement, the right to a decent family life, the right to human dignity, the right of human beings to live full lives and to be able to have satisfactory and harmonious lives with their neighbours, not to live in constant fear of arrest, deportation or ejection from one's dwelling.

The influx control violated all these rights. The homelands policy violates these rights. These policies created division - forced and painful division of families, relatives and friends. Many people were arrested, many suffered and many died.

In the arid homelands many were lonely. Desperate and lonely Maria Zotwana, a victim of forced separation expressed her anguish when she said: "Everybody has died. My man has gone and died, as have my daughters. They took my land away. The Lord [God] has also gone, yes, I suppose he has also gone". Examples of such feelings and emotions are legion in South Africa.

The World Health Organizations, UNESCO, antiapartheid publications and many social and health studies have published unrefutable facts and figures showing the negative impact of apartheid on the health of Africans. For a rich country like South Africa black infant mortality is staggeringly high. High black deaths on the mines due to accidents is explained by the lackadaisical approach to safety by the white mine owners. The poor living conditions of the workers in the compounds or hostels where as many as four men live in one room are too well known to merit elaboration here. Neither the South African government nor the multinational corporations provide adequate facilities for the black workers. Health is a requisite of the human right to development. The Apartheid system callously ignores the health of the workers whom it exploits to the bone to produce what has made white South Africa one of the wealthiest and most privileged societies in the world.

Apartheid kills its workers mentally and physically. Throughout history the central forces that have brought about rapid and revolutionary change i.e development in society have been science and technology. These are the products of education. The immediate background, cause of the success of the advanced or developed countries lies in their strong educational systems.

Most developing countries would not deny that education, science or exchange of technology is critical in their overall development plans.

Education is the development of an individual to the fullest extent possible, mentally, spiritually, physically, artistically or intellectually. The individuals' education should be limited only by the individual's capabilities. We know of no government in the world today that does not assume the responsibility of educating its people.

Governments provide scholarships and society acknowledges its best in academic, the athletic, the artistic and literary field.

In the field of education South Africa's policy again stands out in stark contrast to education policies in the rest of the world. In 1953 the government passed the Bantu Education Act. Dr. Verwoerd, the architect of apartheid and later a Prime Minister - who was then responsible for Bantu Black education said: "Education must train and teach people in accordance with their opportunities in life according to the sphere in which they live.....Good racial relations cannot exist when the education is given under the control of people who create wrong expectations on the part of the Native [Black] himself.....Native education should be controlled in such a way that it should be accordance with the policy of the Stateracial relations cannot improve if the result of native education is the creation of frustrated people. [House of Assembly deutes - Hansard, Vol 87, 17 September 1953, Col. 3575].

In 1953 the government sought control of primary and secondary school education from the missionaries whose policies did not see eye to eye with the governments. Dr. Verwoerd explained that the goal of black education was to prepare the students to work in black townships and in the homelands and only with blacks. In the field of human relations between blacks and whites - the blacks were to be labourers. Apartheid education was to train the black for servitutede. It was education for exploitation - education to deny human dignity and equitable sharing in the fruits of black labour.

Space unfortunately limits more elaboration on Bantu education. It should however be said black students in South have rebelled against this policy. In 1976 in the massive uprising of the Students in Soweto over 600 students were shot to death by the police. The Soweto uprising marked a new turn in the political development of the apartheid state. The youngsters accused their parents of acquiescing to the system. The students totally rejected apartheid - some quit school and left the country to continue their education abroad but many more went abroad to join the entlawed ANC or PAC to train as guerrilla fighters and returned to South Africa as such.

In the early 1980s when the government started tinkering with apartheid and calling it reform and trying to give it a human face - once again the students were at the forefront of the rebellion - boycotting classes and exams.

The government, true to its character, responded with brutal repression, a state of emergency which still exists today was declared in June 1986, troops were sent to occupy black townships, thousands were detained, tortured and killed. Even children as young as 9 or 10 were detained without trial and tortured. The world was horrified when in 1987 a conference in Harare, Zimbabwe on the detention and torture of children in South Africa horrifying stories were told by the young victim of apartheid.

The children in 1985-86 even talked of liberation before education. The National Educational Crisis Committee even talked of and developed syllabuses for alternative education in history and literature.

Bantu education and the Students rebellion are central and instructive in the whole issue of the human right to development in South Africa. Development by definition necessarily encompasses or addresses the future. The young are by their youth the flowers of the future. Bantu education tried to determine the political, economic and social future of the young. They rejected it with their blood. They rejected the notion that the government had a right to make laws that denied them their human right to development. They unequivocally asserted that right.

The policy of Bantu education caused violent conflict between the government and the black people. And where there is violent conflict many human rights are violated. The South African government brutally suppressed the legitimate human right struggle for freedom, justice and peace. Where bannings, detentions, imprisonment and the laws have proved inadequate to uphold the apartheid system - the army and police have stepped in with an iron hand to defend apartheid. South Africa has committed aggression against her neighbours to ensure that the countries remain militarily weak and unable to give meaningful support to the armed struggle that the ANC and PAC - which were both banned in 1960 - have tried to wage against the South African regime.

The South African Defence Forces invaded Angola and for over ten years occupied Southern Angola. In both Angola and Mozambique the South African government supported UNITA and MNR bandits against the countries' legitimate governments. This policy of destabilization is not only confined to Angola and Mozambique but to other Frontline States like Zimbabwe, Zambia, Botswana.

Even Lesotho and Swaziland have not escaped. The South African government, as recent exposures of 'police death squads' reveal, has been involved in terrorism by assassinating its opponents inside and outside South Africa.

Destabilisation has been disastrous for the development of the Frontline States. The infrastructure of bridges, railwaylines, roads, rural clinics, dams, rural agricultural and irrigation projects, schools, churches and centres of organised activity have been time and again destroyed. To shore up their defenses against South Africa's aggression the Frontline States have diverted enormous sums of money from development and training projects to defence.

Studies by UNICEF have revealed disturbing infant mortality in Mozambique and Angola attributed to direct and indirect South African aggression. About two years ago, the Reagan administration produced a shocking report about MNR atrocities in Mozambique. The Herald of 6 December 1989 reported that General Malan acknowledged that 1 1/2 million people have died as a result of his government's destabilization policy in the Frontline States and the policy has inflicted US\$ 150 billion (one fifty billion US dollars) worth of damage.

So even for the Frontline States apartheid has been costly and deadly. People are the future. 1 1/2 million dead - denied the right to development - would affect most negatively the development of any country. In November 1988 the World Council of Churches organized a conference on the effect of South Africa's destabilisation on the Frontline States. One shocking revelation was the psychological impact of the war on the children in the affected zones. Witnesses reported how children were kidnapped and forced to witness or take part in brutal murders of their relatives (this to cut relationships with their relatives so that they could not escape and return to their villages) or watch their mothers and sisters raped and the stomachs of pregnant women bayoneted. Children were also given drugs to enable them when high to be more brutal in murdering and hacking villagers to death. Church social workers described how difficult it was to rehabilitate these children into the normal village society.

The fighting in Angola and Mozambique has unleashed a flood of refugees into the neighbouring countries some of them so poor that they can hardly support themselves. Millions have been displaced from their villages literally becoming refugees within their own countries.

Fields and homesteads have been abandoned resulting in famine and malnutrition and death. UNICEF reports that at least 100,000 died of famine in Mozambique in 1983 - 1984. In 1985 UNICEF further reported that of the estimated 318,000 deaths of children five years old and under in Angola and Mozambique more than 137,000 or almost 45% died as a result of the impact of the South African sponsored conflict. By 1986 the number had increased to an estimated total of 140,000. "Over the period 1980-1986, the total of war-related 'excess' deaths of infants and children under five in Angola and Mozambique was just over half a million." [A report for UNICEF - children on the Front Line: The Impact of Apartheid, destabilization and warfare on children in Southern and South Africa, 1987, p.21]. In such circumstances one does not even talk of development - one talks of survival.

The impact of apartheid on the human right to development, the right to eat, decent family living and the most precious of all-the right to live is cruel and criminal. Apartheid has had and continues to have a major negative impact on the economic development of the whole subregion.

The United Nations and non-governmental organisations should do all in their power to at least create the conditions where economic political and social development can at least take root. And then people can demand their fundamental right to development. The people in South Africa and the Frontline States demand the dismantling of apartheid as a precondition for a normal healthy political, social, economic and cultural development that will include and involve all the people. The black leaders of the struggle against apartheid inside and outside South Africa have called for the immediate imposition of UN Comprehensive mandatory sanctions against South Africa. Such sanctions in conjunction with the internal resistance and the external diplomatic activity of the outlawed ANC and PAC can bring enough force to bear on the South African government leaving no alternative but to go to the negotiating table to discuss the formation of a democratic, non racial, unitary South Africa.

In this regard the history of the United Nations General Assembly is notable for its support of the struggle against South Africa, The World Council of Churches also displays a history of principled consistency in the struggle for the eradication of South Africa. More than the United Nations whose efforts

are mainly limited to passing resolutions and adopting conventions against apartheid, the World Council of Churches has in some cases involved itself more directly. In 1960 after the Sharpeville massacre the World Council of Churches organized the Cottosloe consultation near Johannesburg that brought face to face White Afrikaner church leaders, the church leaders of the protestant churches and members of the World Council of Churches secretariat in Geneva to discuss the whole issue of apartheid.

Doc. 0402S/mb

January 1990